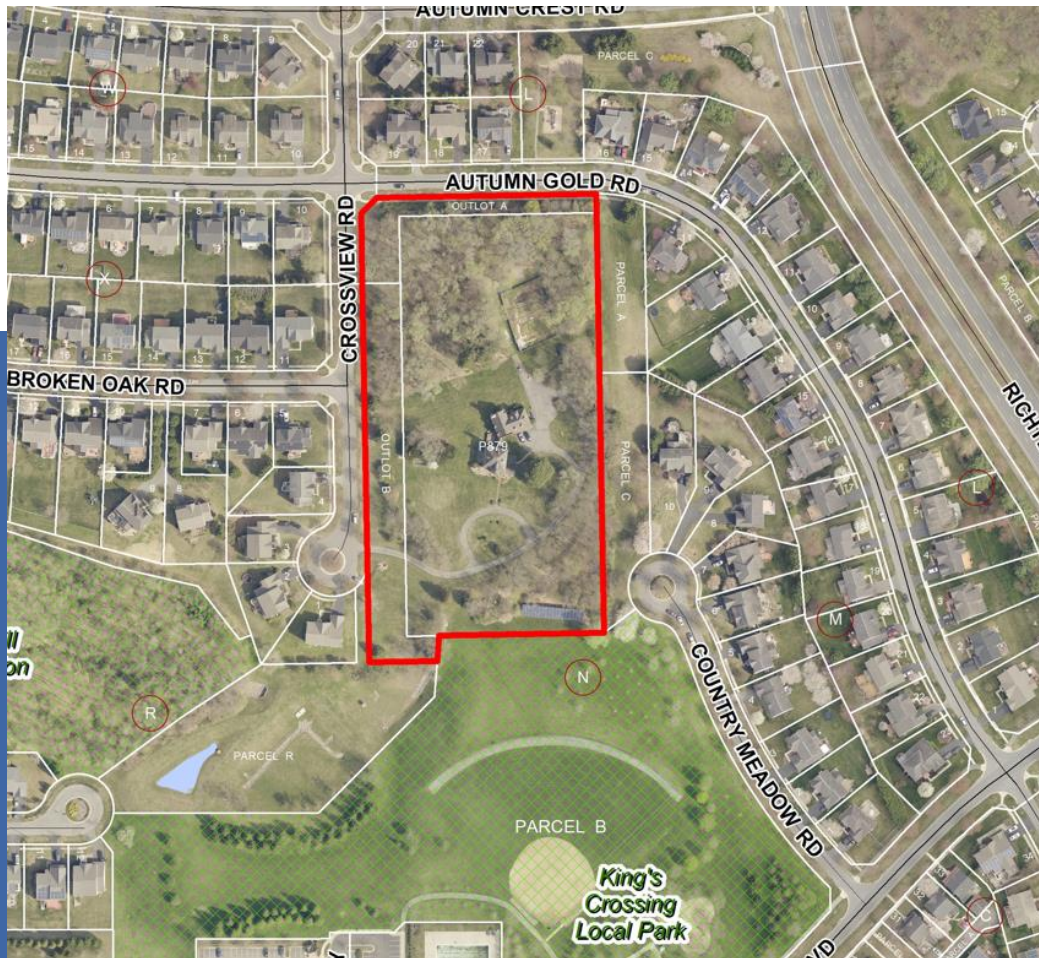


KINGS CROSSING

PRELIMINARY PLAN NO. 120220020



Description

Application to create 10 lots for 10 new single-family detached dwelling units and one lot for one existing single-family detached dwelling unit.

No. 120220020

Completed: 6-23-2023

MCPB

Item No. 7

July 6, 2023

Montgomery County

Planning Board

2425 Reedie Drive, Floor 14

Wheaton, MD 20902

Planning Staff



Jonathan Casey, Planner II, Upcounty Planning, Jonathan.Casey@montgomeryplanning.org, 301-495-2162



Sandra Pereira, Supervisor, Upcounty Planning, Sandra.Pereira@montgomeryplanning.org, 301-495-2186



Patrick Butler, Chief, Upcounty Planning, Patrick.Butler@montgomeryplanning.org, 301-495-4561

LOCATION/ADDRESS

Southeast corner of the intersection of Autumn Gold Road and Crossview Road

MASTER PLAN

1989 *Germantown Master Plan*

ZONE

R-200

PROPERTY SIZE

5.99 Acres

APPLICANT

Jim Zhao & Dianna Lu

ACCEPTANCE DATE

January 15, 2022

REVIEW BASIS

Chapters 22A, 50 and 59



Summary:

- Staff recommends approval of the Preliminary Plan and Preliminary Forest Conservation Plan, with conditions.
- The Application is consistent with the recommendations of the 1989 *Germantown Master Plan* by continuing the existing development pattern with infill development.
- The Application utilizes the Optional Method of Development (cluster) which requires future site plan approval.
- The Application complies with the 20 percent impervious cap required in the KI-2 Analysis Area of the *Germantown Master Plan*.
- The Application includes construction of a new 11-foot-wide shared use path connecting the existing cul-de-sacs at the end of Crossview Road and Country Meadow Road.
- As of the date of this report, Staff has not received community correspondence regarding this Application.

TABLE OF CONTENTS

SECTION 1: RECOMMENDATIONS AND CONDITIONS	3
PRELIMINARY PLAN No.120220020	3
SECTION 2: SITE DESCRIPTION.....	7
VICINITY.....	7
PROPERTY DESCRIPTION.....	8
SECTION 3: PROJECT DESCRIPTION.....	10
PREVIOUS APPROVALS.....	10
PROPOSAL	10
SECTION 4: COMMUNITY OUTREACH	12
SECTION 5: PRELIMINARY PLAN 120220020 FINDINGS AND ANALYSIS.....	12
SECTION 6: CONCLUSION	24
ATTACHMENTS	24

SECTION 1: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN NO.120220020

Staff recommends approval with conditions of the Preliminary Plan to create 11 lots for 11 detached houses and two open space parcels, under the optional method of development (cluster). All site development elements shown on the latest electronic version of the Preliminary Plan No. 120220020 as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.

GENERAL APPROVAL

1. This Preliminary Plan is limited to eleven (11) lots for ten (10) new detached dwelling units and one (1) existing detached dwelling unit and two open space parcels.

ADEQUATE PUBLIC FACILITIES AND OUTSIDE AGENCIES

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

PLAN VALIDITY PERIOD

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated June 9, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated May 19, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

7. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated June 22, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

FUTURE SITE PLAN APPROVAL REQUIRED

8. Before clearing or grading or recording a plat for the Subject Property, the Applicant must receive Staff certification of a Planning Board-approved site plan. The number and location of site elements, including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and shared use paths will be determined through site plan review and approval.
9. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan or site plan amendment.

ENVIRONMENT

Forest Conservation

10. The Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan No. 120220020 (“PFCP”), approved as part of this Preliminary Plan:
 - a. Before recordation of the plat and the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
 - b. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of 3 caliper inches totaling 30.25 caliper inches. Planting locations to be shown on the Final Forest Conservation Plan (“FFCP”).
 - c. Applicant must submit a FFCP for review and approval before obtaining a Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for this Subject Property.
 - d. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.

TRANSPORTATION

11. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a 6-foot-wide sidewalk along the property frontage on Crossview Road and Autumn Gold Road.

12. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDOT and M-NCPPC Montgomery County Department of Parks (“Montgomery Parks”) to ensure construction of an 11-foot-wide shared use path connecting the Crossview Road cul-de-sac and Country Meadow Road cul-de-sac as shown on the Certified Preliminary Plan.
13. Applicant must construct the 11-foot-wide shared use path as shown on the Certified Preliminary Plan including the portions on parkland subject to the following conditions:
 - a. Any activity on parkland requires an approved Park Construction Permit including, but not limited to, the construction of the portions of the shared use path on parkland.
 - b. All facilities to be constructed by the Applicant on parkland must be acceptable to Montgomery Parks staff and must meet or exceed Montgomery Parks design standards and specifications.

RECORD PLATS

14. There shall be no clearing, grading construction of the site before recordation of plat(s).

Easement

15. The record plat must show necessary easements.
16. The record plat must show necessary easements, including, but not limited to the following:
 - a. An 8-foot-wide Public Improvement Easement (PIE) and an overlapping 18-foot wide Public Utility Easement (PUE) on the frontage of Crossview Road and Autumn Gold Road.
17. The record plat must reflect a common use and access covenant for the benefit of the public over all sidewalks and paths not included in a public right-of-way. The covenant must be in a form approved by the M-NCPPC Office of the General Counsel and recorded among the Montgomery County Land Records.

Notes and Labels

18. The record plat must reflect all areas under common ownership.
19. The record plat must include the following note: “The land contained hereon is within an approved cluster development and subdivision or resubdivision is not permitted after the property is developed.”
20. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Book 28045 Page 578 (“Covenant”).

CERTIFIED PRELIMINARY PLAN

21. The certified Preliminary Plan must contain the following notes:
 - a. *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*

22. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - b. Show resolutions and agency approval letters on the certified set
 - c. Include the approved Fire and Rescue Access plan in the certified set
 - d. Add an 11-foot-wide public access easement over the portion of the shared use path located on the Subject Property.

SECTION 2: SITE DESCRIPTION

VICINITY

Site Location

The Subject Property is located in the southeast quadrant of the intersection of Autumn Gold Drive and Crossview Road, approximately 500 feet west of Richter Farm Road and consists of a 5.99-acre, comprised of Outlot A and Outlot B, identified on Record Plats 20675 and 20679 (Attachment A) and unrecorded parcel P879 on Tax Maps EU121, in the R-200 Zone (“Property” or “Subject Property”). The Subject Property is approximately 800 feet north of Kings Crossing Boulevard, within Germantown West Policy Area and the Kingsview Station area identified by the 1989 *Germantown Master Plan* (“Master Plan”).



Figure 1 – Vicinity Map

Site Vicinity

The Subject Property is surrounded by PD-2 zoned property, improved with single-family detached houses across Crossview Road, Autumn Gold Road, and to the east of the property along County Meadow Road. The southern edge of the Subject Property is adjacent to King's Crossing Local Park, owned by M-NCPPC. The northern and western portions of the Subject Property along Autumn Gold and Crossview Roads have wooded areas.

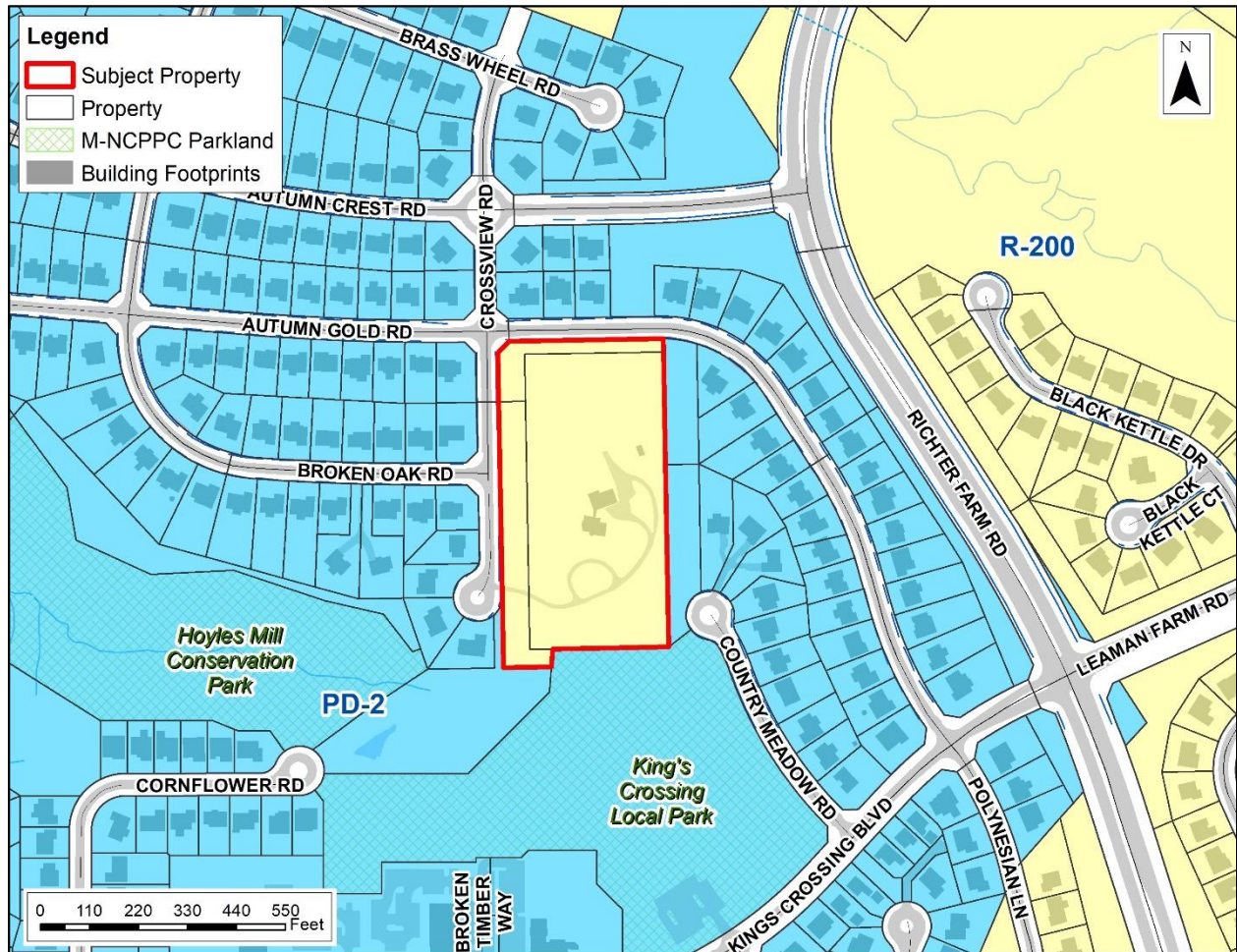


Figure 2 – Zoning Map

PROPERTY DESCRIPTION

The Subject Property, which is currently accessed from Crossview Road, via a single driveway, is improved with a 1939 Tudor style home and auxiliary garage with living space above. The Property is also improved with a shed, driveway loop, freestanding solar panels (accessory), garden and sculpture area. The Property has approximately 340 feet of frontage on the south side of Autumn Gold Road and approximately 585 feet of frontage on the east side of Crossview Road.

The Subject Property is within the KI-2 Analysis Area of the 1989 *Germantown Master Plan*. This Analysis Area imposes stringent environmental mitigation measures for proposed developments as outlined in Appendix D of the Master Plan. One of these measures is to limit impervious surfaces to no more than 20% for development projects within the KI-2 area.

The Property is located within the Little Seneca Creek watershed and is classified as a Use Class III-P by the State of Maryland. Approximately 2.83 acres of the Property is forested. There are no documented streams or stream valley buffers on or immediately adjacent to the Subject Property, and no wetlands or rare or endangered species. No historic resources or cemeteries are known to exist on the Property.



Figure 3 – Subject Property

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

The Subject Property is in the center of the existing King's Crossing subdivision ("Original Subdivision"), developed under the PD-2 zone in the late 1990's (Preliminary Plan No. 119880060 and Site Plan No. 819960110). The Subject Property is the remaining land that was not developed as part of the surrounding subdivision. As depicted in Figure 3, the Property is 5.99 acres, comprised of unrecorded parcel P879 (identified as the Wear Property in the Original Subdivision) on Tax Maps EU121, and two outlots, Outlot A (0.393 acres) and Outlot B (0.867 acres), recorded on Record Plats 20675 and 20679, recorded with the King's Crossing subdivision. Outlot A and B were conveyed to the owner of the Wear Property as part of a land transfer agreement approved during the development process. The Outlots are not subject to any conditions of Preliminary Plan No. 119880060 and Site Plan No. 819960110. Parcel P879, referred to as the "Wear Property" was not part of the Original Subdivision.

PROPOSAL

Kings Crossing, Preliminary Plan No. 1202200200 ("Application" or "Preliminary Plan) was accepted on January 15, 2022, proposing 11 total lots, including 10 lots for 10 new detached dwelling units, one lot for an existing dwelling unit, and two open space parcels on 5.99 acres of land in the R-200 Zone, under the cluster optional method of development (Figure 4 & Attachment B).

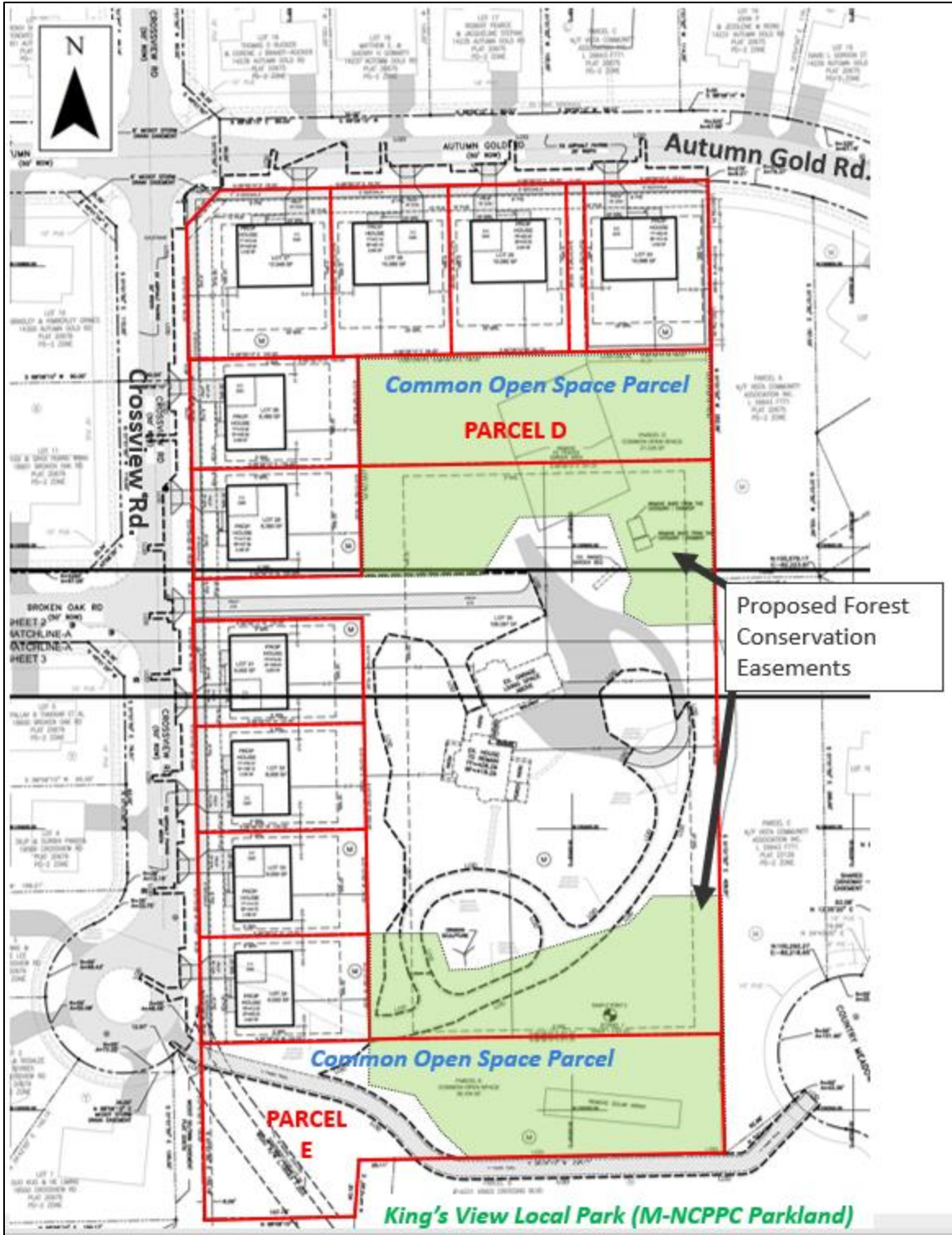


Figure 4 – Preliminary Plan

The new lots are configured in a pattern consistent with the surrounding development, with four units fronting on Autumn Gold Road and six units on Crossview Road. The existing house will be located to the interior of the new units with driveway access adjacent to Broken Oak Road. The existing garden, and most of the existing driveway pavement will be removed. Of the 5.99 acres, 1.312 acres (21.9%) will be preserved as Common Open Space in two parcels, parcel D (0.483 acres) and Parcel E (0.829 acres). Parcel D is predominately forested and located in the interior of the site, between proposed lots 24-26 and Lot 30. Parcel E, south of Lot 30 is a transition from the development and will appear and function as an extension of King's Crossing Local Park. The eastern three quarters of the Parcel E will be reforested and preserved in a Category I Easement. The Applicant is building an 11-foot-wide shared use path connecting the existing Crossview Road cul-de-sac to the Country Meadow Road cul-de-sac. The path will cross through Parcel E and Kings Crossing Local Park (M-NCPPC Parkland).

Each lot will be served by public water and sewer. Stormwater management goals will be met using environmental site design, including drywells, rooftop disconnection and landscape infiltration facilities.

Forest conservation requirements will be met through reforestation and protection of existing forest on-site in two Category I Forest Conservation Easements. The Application also includes a tree variance request to remove four and impact two trees that are 30 inches or greater, DBH, and considered a high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. The Preliminary Forest Conservation Plan (Attachment C) proposes to remove 1.60 acres, retain 1.23 acres and plant 0.48 acres of forest. All retained and planted forest will be protected by Category I Conservation Easements.

SECTION 4: COMMUNITY OUTREACH

The Applicant held a pre-submittal public meeting on November 12, 2021 related to the Preliminary Plan. The meeting was conducted virtually per COVID-19 Guidelines and the Applicant has complied with all other submittal and noticing requirements.

As of date of this Staff Report, no correspondence has been received.

SECTION 5: PRELIMINARY PLAN 120220020 FINDINGS AND ANALYSIS

The Preliminary Plan would create 11 lots on a 5.99-acre Site. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State, County and City agencies all of whom have recommended approval.

1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.

The Subject Property is the last undeveloped land in the center of an existing neighborhood with an establish lot and block design. The proposed development is an infill project that will continue the existing block and lot pattern. The lots will line the north and western perimeter of the Property, abutting Autumn Gold Road and Crossview Road. The units will ultimately front on the respective roads, which will be reviewed by a future site plan application. The lots range in size from 9,000 -11,000 square feet, which is consistent with the neighboring lots. The only outlier to the established lotting pattern is the approximately 107,000 square foot lot being created for the existing house (to remain). The size and shape of this lot is appropriate given its location in the center of the property, tucked behind the new proposed lots, and to accommodate the existing house.

The Subject Property is not a master planned site and recreation requirements are not required for this Application. However, Common Open Space is being provided, consistent with the R-200 Optional Method (cluster) requirements and passive and active recreation facilities are available in the adjacent King’s Crossing Local Park.

The lots and residential use were reviewed for compliance with the dimensional requirements for the R-200 zone under the Optional Method - Cluster as specified in the Zoning Ordinance. The lots as proposed will accommodate building areas so that the houses can meet all the dimensional requirements for area, frontage, width, and setbacks in that zone taking into account the proposed improvements. A summary of this review is included in Table 1.

Table 1 - Kings Crossing, Preliminary Plan Data Table for R-200 zone, Optional Method Cluster, Section 4.4.7.C

Data Table	Allowed/Required	Proposed/Provided
Minimum Usable Area	5 acres	5.99 acres
Minimum lot area	9,000 SF	9,000 SF
Density (units/acre of usable area)	2 DUs/acres (11 DUs)	2 DUs/acres (11 DUs)
Lot width at building line	25 ft. min.	25 ft. min.
Lot width at front lot line	25 ft. min.	25 ft. min.
Setbacks	*Final determined at Site Plan	
– Front	25 ft. min.	25 ft. min.
– Side	5 ft. min.	5 ft. min.

– Side abutting property not in application (east)	20 ft. min	20 ft. min.
– Rear	20 ft. min.	20 ft. min.
Lot coverage	10 % max.	10 % max.
Building height	40 ft. max.	40 ft. max.
Common Open Space	20% min. or 52,150 SF	21.9% min.
– Parcel D		0.483 acres
– Parcel E		0.829 acres
Site Plan Required	Yes	Yes

After Preliminary Plan approval, Site Plan approval is required because the Application is utilizing the Optional Method of development – Cluster option. As part of the Site Plan, the Applicant will be required to demonstrate, in detail, how the design of the proposed subdivision meets the intent of the zone.

2. The Preliminary Plan substantially conforms to the Master Plan.

The proposed single-family detached residential project is located at the southeast corner of the intersection of Autumn Gold and Crossview Roads within the KI-2 Analysis Area of the 1989 *Germantown Master Plan Area*. The KI-2 Analysis Area, which is approximately 771 acres, contains a mix of single-family detached, single-family attached, and multi-family residences.

The KI-2 District in the 1989 *Germantown Master Plan* has been largely built out according to the Plan. Specifically, the 1989 Plan states that “the entire Analysis Area is recommended to retain its R-200 zoning classification and is appropriate for rezoning to the PD-2 Zone with a density limit of approximately 1.74 units per acre, excluding MPDUs. The purpose of the PD-2 Zone is to enable garden apartments to be used to meet the MPDU requirement instead of townhouses.” A majority of the KI-2 area has been rezoned to PD-2 except for the Subject Property, which is still zoned R-200.

The Subject Property will be developed in a manner that is consistent with the surrounding residential context. The existing Tudor residence and garage on the Property will remain as is. However, the driveway to the house will be relocated from the cul-de-sac at the terminus of Crossview Road northward so that it is on axis with Broken Oak Road. This relocation of the driveway will reduce the amount of impervious surface on the existing home property.

A total of ten new single-family detached units, six along Crossview Road and four along Autumn Gold Road, will have their front facades facing the two streets. The proposed lot sizes are similar to the existing surrounding residences. The new units will also have setbacks similar to the other nearby existing homes.

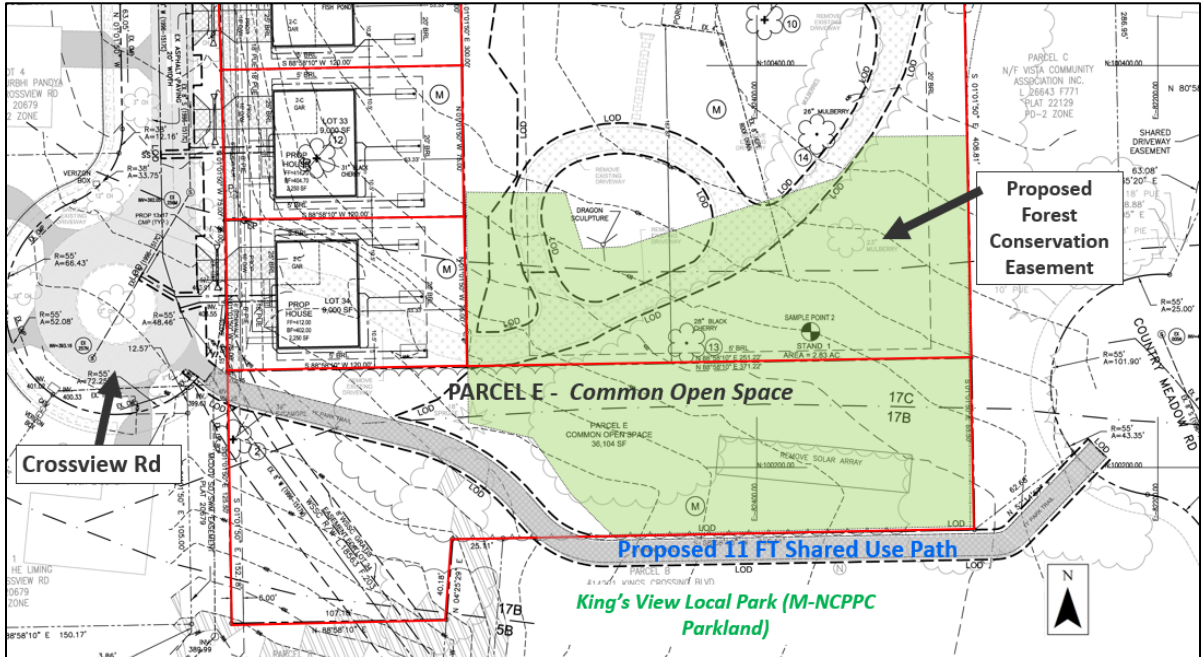


Figure 5 - Proposed 11-foot Shared Use Path

A proposed forest conservation easement will be provided along the northern portions of the existing homesite behind the new properties located along the two adjacent roads and in the southeast corner of the homesite adjacent to King’s Crossing Local Park.

The Subject Property is located within the KI-2 Analysis Area of the 1989 *Germantown Master Plan*. This Analysis Area imposes stringent environmental mitigation measures for proposed developments as outlined in Appendix D of the master plan. One of these measures is to limit impervious surfaces to no more than 20% for development projects within the KI-2 area. The current Application proposes total impervious surfaces of approximately 19.84% as shown on the submitted Impervious Surface Plan (Attachment D).

3. Public facilities will be adequate to support and service the area of the subdivision.

a) Roads and other Transportation Facilities

i. Existing Facilities

The Subject Property fronts Autumn Gold Road and Crossview Road, which are both open section neighborhood streets with 50-foot-wide rights-of-ways. Autumn Gold Road currently has a 5-foot-wide sidewalk along the frontage. Crossview Road currently has no sidewalk.

ii. ***Proposed public transportation infrastructure***

The existing sidewalk along the frontage with Autumn Gold Road will be improved to six feet (6 ft) in width to match current sidewalk standards and provide a 15-foot-wide buffer (open section with street trees and swales). Similarly, a new six-foot-wide sidewalk will be constructed along the frontage of Crossview Road.

Additionally, an 11-foot-wide asphalt shared use path (see Figure 5) will be constructed to connect the Crossview Road cul-de-sac with the nearby Country Meadow Road cul-de-sac through the southernmost boundary of the Subject Property along with a small portion through King's Crossing Local Park. The shared use path will provide important bike and pedestrian connectivity to currently disconnected neighborhoods while providing additional access to the park.

The Application has been reviewed by the MCDOT who determined that sight distance at each driveway is sufficient and the proposed roadway cross-sections for Crossview Road and Autumn Gold Road are sufficient to serve the proposed lots (Attachment E). No additional right-of-way dedication is necessary.

b) Local Area Transportation Review (LATR)

Adequate public facilities exist to support and service the Property in accordance with Section 50.4.3.J of the Subdivision Regulations.

The Property is located in the Germantown West (16) Policy Area, which is categorized as a Green Policy Area under the 2020–2024 *Growth and Infrastructure Policy* (“GIP”).

The Applicant has satisfied the requirements of the LATR and the public transportation facilities are adequate for the Project. The Application proposes 10 net-new single family detached units which will generate 8 net-new morning peak-hour person trips and 10 net new evening peak-hour person trips. The Application is exempt from additional LATR review. The 2020-2024 *Growth and Infrastructure Policy* only requires a transportation impact study for any project that is estimated to generate a net increase of 50 or more person trips in either the morning or evening peak hours.

c) Schools

The FY24 Annual School Test, approved by the Planning Board on June 22, 2023 and effective July 1, 2023 is applicable to this Application. The Application proposes 10 new single-family detached units and one existing single-family unit to remain.

School Adequacy Test

The Subject Property is served by Spark M. Matsunaga ES, Kingsview MS and Northwest HS. Based on the FY24 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following Table 2.

Table 2 - Applicable FY2024 School Adequacy

School	Projected School Totals, 2027				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Spark M. Matsunaga ES	591	510	86.3%	+81	No UPP	166	200	288
Kingsview MS	1,041	985	94.6%	+56	No UPP	182	265	421
Northwest HS ¹	2,291	2,189	95.5%	+102	No UPP	282	561	904

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY24 Annual School Test, Spark M. Matsunaga ES, Kingsview MS and Northwest HS do not require any UPP. If the project is estimated to generate more students than the identified ceilings, then UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the proposed amendment, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit. With a net of 10 units that are not age-restricted, the Application is estimated to generate the following number of students based on the subject property’s location within a Turnover Impact Area:

¹ Projected enrollment reflects the estimated impact of CIP P651909, which will reassign students between Gaithersburg HS, Richard Montgomery HS, Northwest HS, Quince Orchard HS, Wootton HS and Crown HS in 2027.

Table 3 - Estimated Student Enrollment Impacts.

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	10	0.185	1.850	0.102	1.020	0.154	1.540
SF Attached	0	0.218	0.000	0.119	0.000	0.167	0.000
TOTALS	10		1		1		1

As shown in Table 3 on average, this Application is estimated to generate one elementary school student, one middle school student and one high school student. The number of students generated does not exceed the adequacy ceilings identified for each school in Table 2, therefore no additional UPPs are required and neither are partial payments across multiple UPP tiers.

d) Other Public Facilities and Services

Public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Growth and Infrastructure Policy currently in effect. Other public facilities and services are available and are adequate to serve the proposed residential development.

The Washington Suburban Sanitary Commission has reviewed the Application and identified existing eight (8) inch gravity sewer mains and 8-inch water mains in the adjacent road right-of-way that are available to serve the subdivision. The use of water and sewer is consistent with the Subject Property’s W-1 and S-1 service category.

The Application has been reviewed by the MCDPS Fire Department Access and Water Supply Section who determined that the Project Area has adequate access for fire and rescue vehicles by transmittal dated June 22, 2023 (Attachment F).

Electric and telecommunications services as available and adequate to serve the proposed lots. As previously discussed, PUE’s and PIE’s will be recorded to provide pedestrian improvements and utility connections to the surrounding subdivision.

Other public facilities and services, such as police stations, firehouses and health services are currently operating within the standards set by the 2020-2024 *Growth and Infrastructure Policy*.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. The Application was accepted on January 10, 2022, which precedes the effective date of the newest version of Chapter 22A, the Forest Conservation Law. As such, this Application was reviewed under the version of Chapter 22A dated February 5, 2021. Included with the Forest Conservation Plan is a request for a tree variance for impacts and removal of subject trees. The Preliminary Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described below.

a) Natural Resource Inventory/Forest Stand Delineation

The Natural Resource Inventory/Forest Stand Delineation (“NRI/FSD”) 420221670 for this Property was approved on July 18, 2022. The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The NRI/FSD identifies the 5.99-acre Subject Property located within the Little Seneca Creek watershed, a Use Class III-P as designated by the State of Maryland. The Subject Property contains 2.83 acres of forest and has 7 onsite trees with a diameter breast height (“DBH”) of 30 inches or more. The Subject Property does not contain any streams, wetlands or other sensitive environmental features.

b) Forest Conservation Plan

The Applicant has submitted a Preliminary Forest Conservation Plan (“PFCP”) with the current development plan application for Preliminary Plan No. 120220020. The Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department’s approved Environmental Guidelines.

The Subject Property is zoned R-200 and is assigned a Land Use Category of High Density Residential (“HDR”) as defined in Section 22A-3 of the Montgomery County Forest Conservation Law (“FCL”) and in the Land Use Table of the *Trees Technical Manual*. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the Net Tract Area.

The tract area for forest conservation purposes includes the 5.99-acre Subject Property plus 0.41 acres of offsite disturbance associated with this Application, for a total net tract area of 6.40 acres. There is a total of 2.83 acres of existing forest on the Subject Property. The Application proposes to remove 1.60 acres and retain 1.23 acres of forest. The proposed forest clearing generates a reforestation requirement of 0.48 acres. The Applicant proposes to meet the planting requirement on-site by planting 0.50 acres of new forest adjacent to portions of the existing forest. All of the retained and planted forest will be protected in a Category I Conservation Easement (Figure 6).

c) Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection (“Protected Trees”). Any impact to these trees, including removal of the subject tree or disturbance within the tree’s critical root zone (“CRZ”) requires a variance under Section 22A-12(b)(3) (“Variance”). Otherwise, such resources must be left in an undisturbed condition. 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 Forest Conservation Law. The law 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 trees; 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 in a letter dated May 30, 2023 (Attachment G). The Applicant proposes to impact two (2) and remove four (4) trees that are 30 inches or greater DBH, that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Figure 6 and Table 4).

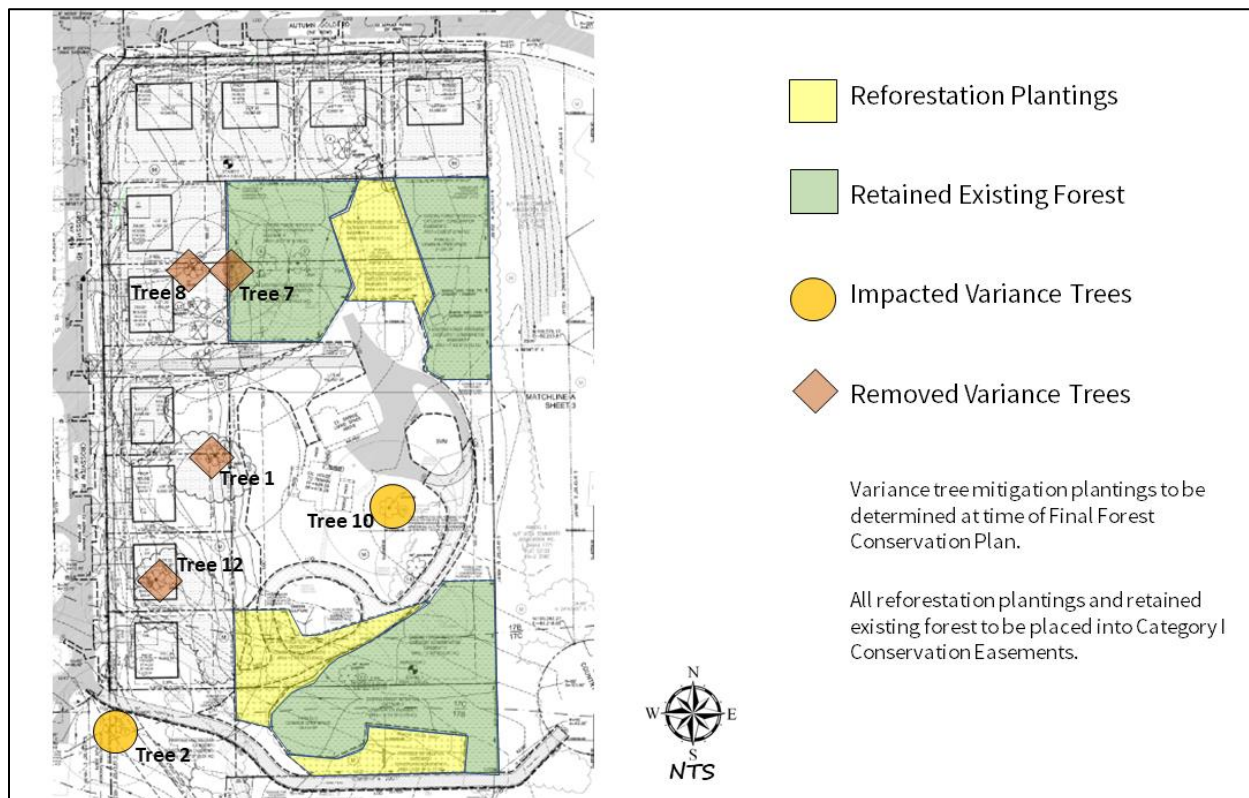


Figure 6 – PCFP and Tree Variance Request Exhibit

Table 4 – Protected Trees to be impacted or removed

Tree #	Species	DBH Inches	% CRZ Impacts	Status and Notes
1	Silver Maple (<i>Acer saccharinum</i>)	54”	86.2%	To be removed. Fair condition. Located in construction zone and approximately 40-ft from proposed home.
2	Sycamore (<i>Plantanus occidentalis</i>)	39”	39.4%	Impacts only, save tree. Poor condition. Located adjacent to the proposed paved shared use path along the southern property line.
7	Black Locust (<i>Robina pseudoacacia</i>)	36”	43.5%	To be removed. Poor condition, adjacent to LOD and in close proximity to proposed homes. Tree in decline, may become hazard tree.
8	Black Locust (<i>Robina pseudoacacia</i>)	32”	88.1%	To be removed. Fair condition. Located in construction zone and approximately 20-ft from proposed home.
10	Southern Magnolia (<i>Magnolia granifolia</i>)	43”	10.6%	Impacts only, save tree. Good condition. Located adjacent to driveway to be removed.
12	Black Cherry (<i>Prunus serotina</i>)	31”	100%	To be removed. Fair condition. Located in construction zone and within footprint of proposed home.

Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by the necessary layout of the proposed development on the Subject Property which is dictated by the existing site conditions including existing house to remain, development standards of the zone, Montgomery County agency requirements, and requirements associated with Master Plan objectives. There are two trees requested to be impacted and four trees requested to be removed which are located within or adjacent to the developable area of the Property.

Two Protected Trees, Tree 2 and 10, are being impacted by the limits-of-disturbance (“LOD”) for the project. Tree 2 is located adjacent to a proposed shared use path between Crossview and Country Meadow Road that runs through King’s Crossing Local Park. Tree 10 is being impacted by the required removal of a portion of the existing driveway on Lot 30 in order for the development to meet the 20% impervious limit set by the KI-2 area in the Germantown Master Plan.

Four Protected Trees, Trees 1, 7, 8 and 12, are proposed to be removed. Tree 12 is located within the footprint of a proposed unit; tree Trees 1 and 8, are located within the LOD and in close proximity to proposed units; and Tree 7 is located on the LOD of the development. Trees 1, 7 and 8 will have most of their CRZs removed during construction and given their current condition may become hazard trees in the future threatening the residential structures. As a result, it is recommended that these trees be removed now. The inability to impact or remove these trees would potentially render portions of the site undevelopable for this project or pose threats to the health, safety and welfare of future homeowners. Therefore, there is a sufficient unwarranted hardship to justify a variance request because the Applicant would otherwise be denied the ability to use the Property for the development of single family detached units, which is a reasonable and significant use of the Property.

Section 22A-21 of the County Forest Conservation Law 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.

Variance Findings

Staff has made the following determination based on the required findings that granting of the requested variance:

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

Granting the variance will not confer a special privilege on the Applicant as the removal of the specified trees is due to the development of the Property, location of the trees within the limits-of-disturbance (“LOD”) of the Property and necessary site design requirements. Granting a variance to allow disturbance within the developable portion of the site is not unique to this Applicant. Therefore, Staff believes that the granting of this variance is not a special privilege that granted only this Applicant and 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. The requested variance is based upon the existing site

conditions, development standards of the zone, and necessary design requirements of this Application.

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 a result of the existing conditions and the proposed site design and layout of the Subject Property, and not as a result of land or building use on a neighboring property.

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

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees being removed are not located within a stream buffer, wetland or Special Protection Area. At time of the FFCP, mitigation will be proposed for the removal of these four trees by planting larger caliper trees on-site. These trees will replace water quality functions that may be lost by the removed trees. Therefore, the Application will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provision

There are 4 Protected Trees proposed for removal in this variance request, resulting in a total of 153 inches of DBH being removed as shown on the PFCP. For mitigation purposes, only Trees 1, 7 and 12 are counted for a total of 121 inches of DBH since Tree 8 is located within forest being removed and its removal is mitigated for within the FCP worksheet. Three of the 4 Protected Trees, Trees 1, 8 and 12, are proposed to be removed and are located with the limits-of-disturbance (“LOD”) of the proposed development. Given the current condition of these trees and the amount of impacts to their CRZs, 86% - 100%, retention of these trees is not advisable because these trees may become hazard trees in the future if retained. The fourth tree, Tree 7, is located just outside of the LOD, but again given the condition of the tree and the amount of impacts to its CRZ, it is possible it will become a hazard tree and it is advisable to remove the tree now.

The Applicant proposes mitigation at a rate that approximates the form and function of the trees removed. These trees will be replaced at a ratio of approximately 1-inch caliper for every four inches removed using trees that are a minimum of three caliper inches in size. This results in a total mitigation of 30.25 inches with the installation of 10 3-inch caliper overstory trees native to the Piedmont Region of Maryland on the Property outside of any rights-of-way and outside of any utility easements. Placement of these 10 mitigation trees will be determined at FFCP. Although these trees will not be as large as the trees lost, they will be planted on the Subject Property and provide some immediate benefit, ultimately replacing the canopy lost

by the removal of these trees. There is some disturbance within the CRZ of 2 trees, Trees 2 and 10; however, they will receive adequate tree protection measures, their roots will regenerate, and the functions they currently provide will continue. Therefore, no mitigation is recommended for trees that are impacted but retained. As conditioned, the mitigation trees will be protected as part of a 5-year maintenance and management agreement.

Variance Recommendation

Staff recommends approval of the variance request.

5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

The Preliminary Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on May 19, 2023 (Attachment H). The Application will meet stormwater management goals using environmental site design, including drywells, rooftop disconnection and landscape infiltration facilities.

6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

There is no evidence, actual notice, or constructive notice of a burial site on the Subject Property. The Subject Property is not included in the Montgomery County Inventory.

SECTION 6: CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations in Chapter 50, Forest Conservation Law in Chapter 22A, Montgomery County Planning Department's Environmental Guidelines and the proposed use substantially conforms to the recommendations of 1989 *Germantown Master Plan*. Access and public facilities will be adequate to serve the proposed lots, and the Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the Preliminary Plan with the conditions provided. Therefore, Staff recommends approval of the Preliminary Plan and associated Preliminary Forest Conservation Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Record Plats

Attachment B: Preliminary Plan

Attachment C: Preliminary Forest Conservation Plan

Attachment D: Impervious Surface Plan

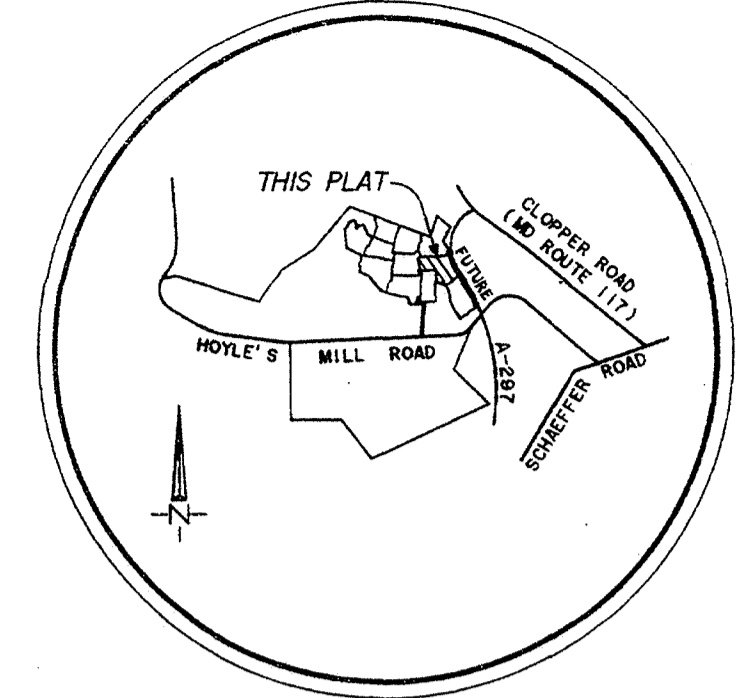
Attachment E: MCDOT Approval Letter

Attachment F: Fire Department Access Approval

Attachment G: Tree Variance Request

Attachment H: Stormwater Management Concept

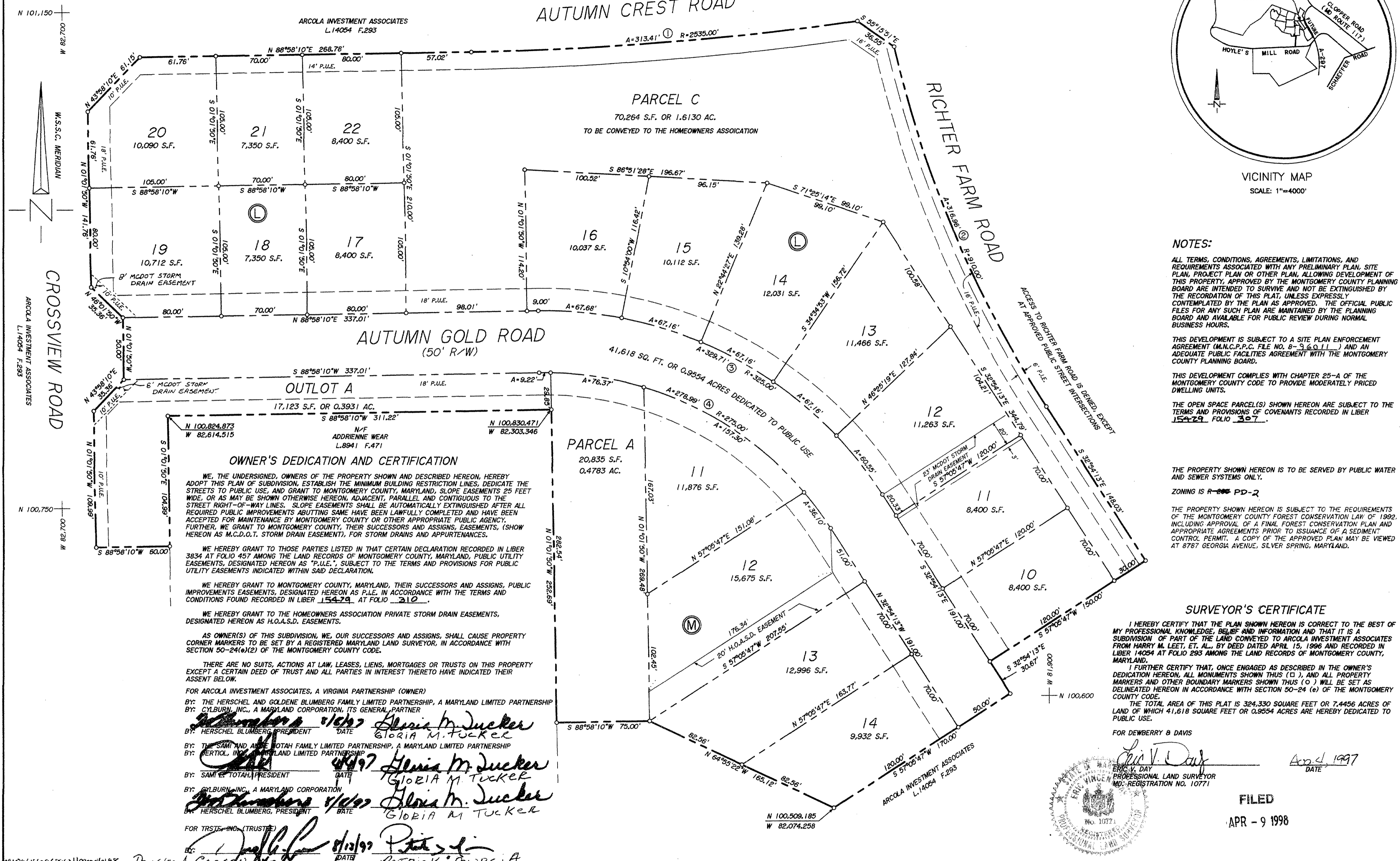
PLAT No 20675



VICINITY MAP SCALE: 1"=4000'

CURVE DATA

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	BEARING
1	2535.00'	156.90'	313.41'	7°05'10"	313.21'	N 85°25'39"E
2	910.00'	180.10'	316.96'	19°56'23"	315.36'	S 22°59'33"E
3	325.00'	180.62'	329.71'	58°07'37"	315.76'	S 61°08'02"E
4	275.00'	152.83'	278.99'	58°07'37"	267.18'	N 61°58'02"W



NOTES:

ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.

THIS DEVELOPMENT IS SUBJECT TO A SITE PLAN ENFORCEMENT AGREEMENT (M.N.C.P.C. FILE NO. B-36011) AND AN ADEQUATE PUBLIC FACILITIES AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD.

THIS DEVELOPMENT COMPLIES WITH CHAPTER 25-A OF THE MONTGOMERY COUNTY CODE TO PROVIDE MODERATELY PRICED DWELLING UNITS.

THE OPEN SPACE PARCEL(S) SHOWN HEREON ARE SUBJECT TO THE TERMS AND PROVISIONS OF COVENANTS RECORDED IN LIBER 15479, FOLIO 307.

THE PROPERTY SHOWN HEREON IS TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS ONLY.

ZONING IS R-200 PD-2

THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1992, INCLUDING APPROVAL OF A FINAL FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEDIMENT CONTROL PERMIT. A COPY OF THE APPROVED PLAN MAY BE VIEWED AT 8787 GEORGIA AVENUE, SILVER SPRING, MARYLAND.

OWNER'S DEDICATION AND CERTIFICATION

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, DEDICATE THE STREETS TO PUBLIC USE, AND GRANT TO MONTGOMERY COUNTY, MARYLAND, SLOPE EASEMENTS 25 FEET WIDE, OR AS MAY BE SHOWN OTHERWISE HEREON, ADJACENT, PARALLEL AND CONTIGUOUS TO THE STREET RIGHT-OF-WAY LINES. SLOPE EASEMENTS SHALL BE AUTOMATICALLY EXTINGUISHED AFTER ALL REQUIRED PUBLIC IMPROVEMENTS ABUTTING SAME HAVE BEEN LAWFULLY COMPLETED AND HAVE BEEN ACCEPTED FOR MAINTENANCE BY MONTGOMERY COUNTY OR OTHER APPROPRIATE PUBLIC AGENCY. FURTHER, WE GRANT TO MONTGOMERY COUNTY, THEIR SUCCESSORS AND ASSIGNS, EASEMENTS, (SHOW HEREON AS M.C.D.O.T. STORM DRAIN EASEMENT), FOR STORM DRAINS AND APPURTENANCES.

WE HEREBY GRANT TO THOSE PARTIES LISTED IN THAT CERTAIN DECLARATION RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, PUBLIC UTILITY EASEMENTS, DESIGNATED HEREON AS "P.U.E.", SUBJECT TO THE TERMS AND PROVISIONS FOR PUBLIC UTILITY EASEMENTS INDICATED WITHIN SAID DECLARATION.

WE HEREBY GRANT TO MONTGOMERY COUNTY, MARYLAND, THEIR SUCCESSORS AND ASSIGNS, PUBLIC IMPROVEMENTS EASEMENTS, DESIGNATED HEREON AS P.I.E. IN ACCORDANCE WITH THE TERMS AND CONDITIONS FOUND RECORDED IN LIBER 15479, AT FOLIO 310.

WE HEREBY GRANT TO THE HOMEOWNERS ASSOCIATION PRIVATE STORM DRAIN EASEMENTS, DESIGNATED HEREON AS H.O.A.S.D. EASEMENTS.

AS OWNER(S) OF THIS SUBDIVISION, WE, OUR SUCCESSORS AND ASSIGNS, SHALL CAUSE PROPERTY CORNER MARKERS TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 50-24(e)(2) OF THE MONTGOMERY COUNTY CODE.

THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES OR TRUSTS ON THIS PROPERTY EXCEPT A CERTAIN DEED OF TRUST AND ALL PARTIES IN INTEREST THERETO HAVE INDICATED THEIR ASSENT BELOW.

FOR ARCOLA INVESTMENT ASSOCIATES, A VIRGINIA PARTNERSHIP (OWNER)
 BY: THE HERSCHEL AND GOLDENE BLUMBERG FAMILY LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP
 BY: CYLBURN, INC., A MARYLAND CORPORATION, ITS GENERAL PARTNER

BY: *Herschel Blumberg* 8/16/97 *Gloria M. Tucker*
 HERSCHEL BLUMBERG, PRESIDENT DATE GLORIA M. TUCKER

BY: THE SAMI AND ANNE TOTAH FAMILY LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP
 BY: BERTIOL, INC., A MARYLAND LIMITED PARTNERSHIP

BY: *Sami Totah* 8/16/97 *Gloria M. Tucker*
 SAMI TOTAH, PRESIDENT DATE GLORIA M. TUCKER

BY: CYLBURN, INC., A MARYLAND CORPORATION

BY: *Herschel Blumberg* 8/16/97 *Gloria M. Tucker*
 HERSCHEL BLUMBERG, PRESIDENT DATE GLORIA M. TUCKER

FOR TRST, INC. (TRUSTEE)
 BY: *Douglas A. Capson* 8/16/97 *Patrick A. Murcia*
 DOUGLAS A. CAPSON, TRUSTEE DATE PATRICK A. MURCIA

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND INFORMATION AND THAT IT IS A SUBDIVISION OF PART OF THE LAND CONVEYED TO ARCOLA INVESTMENT ASSOCIATES FROM HARRY M. LEET, ET AL., BY DEED DATED APRIL 15, 1996 AND RECORDED IN LIBER 14054 AT FOLIO 293 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

I FURTHER CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S DEDICATION HEREON, ALL MONUMENTS SHOWN THUS (□), AND ALL PROPERTY MARKERS AND OTHER BOUNDARY MARKERS SHOWN THUS (○) WILL BE SET AS DELINEATED HEREON IN ACCORDANCE WITH SECTION 50-24 (e) OF THE MONTGOMERY COUNTY CODE.

THE TOTAL AREA OF THIS PLAT IS 324,330 SQUARE FEET OR 7.4456 ACRES OF LAND OF WHICH 41,618 SQUARE FEET OR 0.9554 ACRES ARE HEREBY DEDICATED TO PUBLIC USE.

FOR DEWBERRY & DAVIS
Eric V. Day
 ERIC V. DAY
 PROFESSIONAL LAND SURVEYOR
 MD. REGISTRATION NO. 10771
 APR 4 1997
 DATE

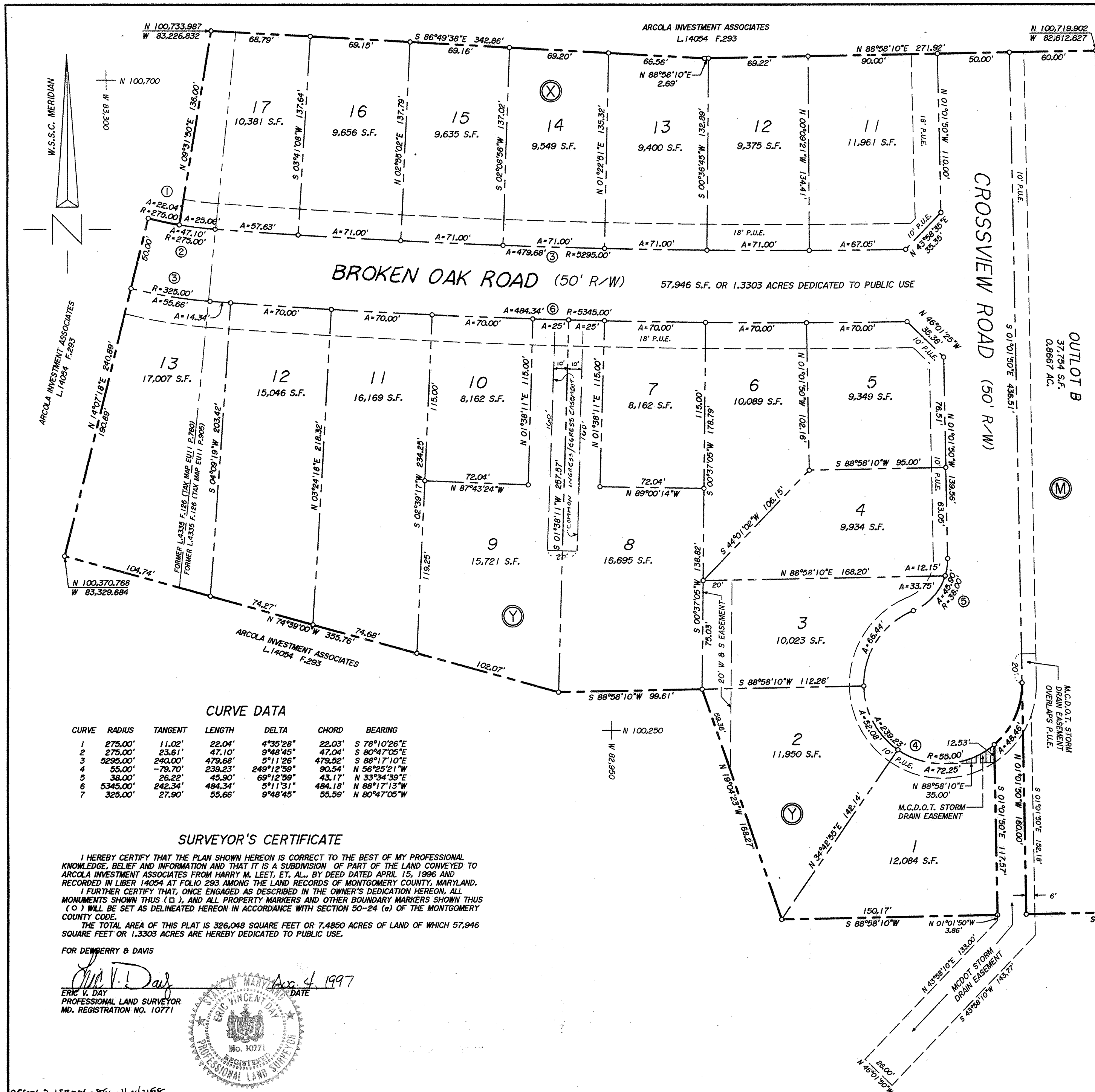


FILED APR - 9 1998

MONTGOMERY COUNTY CIRCUIT COURT (Subdivision Plats, MO) Plat 20675, MSA s 09-007421. Date available 09/09/99. Printed 06/26/02.	MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION MONTGOMERY COUNTY PLANNING BOARD APPROVED: <i>Doree</i> 9/1997 <i>Minie Wang-Jemstone</i> CHAIRMAN ASST. SECRETARY TREASURER M-NCP&PC RECORD PLAT FILE NO. 606-20	P I A # 9 8 0 2 1 MONTGOMERY COUNTY, MARYLAND DEPARTMENT OF PERMITTING SERVICES APPROVED: MARCH 20, 1998 BY: <i>Bob Hull</i> DIRECTOR	RECORDED PLAT BOOK PLAT NO.	DEWBERRY & DAVIS ARCHITECTS - ENGINEERS - PLANNERS - SURVEYORS 804 WEST DIAMOND AVENUE GAITHERSBURG, MARYLAND 20878 PHONE: (301) 948-8300 FAX: (301) 258-7607	SUBDIVISION RECORD PLAT LOTS 10 - 16, 17 - 22 AND PARCEL C, BLOCK L LOTS 11 - 14, PARCEL A AND OUTLOT A, BLOCK M KING'S CROSSING DARNESTOWN (6TH) ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND SCALE: 1"=50' DATE: JUNE 1997
---	---	---	-----------------------------------	---	---

MSA s09 007421 606-20

MONTGOMERY COUNTY CIRCUIT COURT (Subdivision Plats, MD) Plat No. 9679, MSA 96-07425, Date available 1998-04-09, Printed 01/27/2002

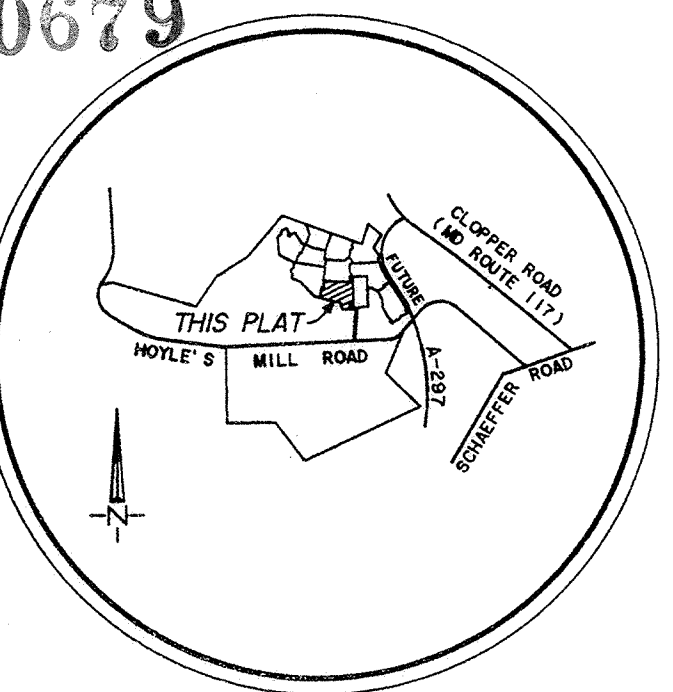


NOTES: PLAT No 20679

ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.

THIS DEVELOPMENT IS SUBJECT TO A SITE PLAN ENFORCEMENT AGREEMENT (M.L.C.P.P.C. FILE NO. 9-9601) AND AN ADEQUATE PUBLIC FACILITIES AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD.

THIS DEVELOPMENT COMPLIES WITH CHAPTER 25-A OF THE MONTGOMERY COUNTY CODE TO PROVIDE MODERATELY PRICED DWELLING UNITS.



THE PROPERTY SHOWN HEREON IS TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS ONLY.

ZONING IS R-200 PD-2.

THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1992, INCLUDING APPROVAL OF A FINAL FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEDIMENT CONTROL PERMIT. A COPY OF THE APPROVED PLAN MAY BE VIEWED AT 8787 GEORGIA AVENUE, SILVER SPRING, MARYLAND.

OWNER'S DEDICATION AND CERTIFICATION

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, DEDICATE THE STREETS TO PUBLIC USE, AND GRANT TO MONTGOMERY COUNTY, MARYLAND, SLOPE EASEMENTS 25 FEET WIDE, OR AS MAY BE SHOWN OTHERWISE HEREON, ADJACENT, PARALLEL, AND CONTIGUOUS TO THE STREET RIGHT-OF-WAY LINES. SLOPE EASEMENTS SHALL BE AUTOMATICALLY EXTINGUISHED AFTER ALL REQUIRED PUBLIC IMPROVEMENTS ABUTTING SAME HAVE BEEN LAWFULLY COMPLETED AND HAVE BEEN ACCEPTED FOR MAINTENANCE BY MONTGOMERY COUNTY OR OTHER APPROPRIATE PUBLIC AGENCY. FURTHER, WE GRANT TO MONTGOMERY COUNTY, THEIR SUCCESSORS AND ASSIGNS, EASEMENTS, (SHOW HEREON AS M.C.D.O.T. STORM DRAIN EASEMENT), FOR STORM DRAINS AND APPURTENANCES.

WE HEREBY GRANT TO THOSE PARTIES LISTED IN THAT CERTAIN DECLARATION RECORDED IN LIBER 3834 AT FOLIO 457 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, PUBLIC UTILITY EASEMENTS, DESIGNATED HEREON AS "P.U.E.", SUBJECT TO THE TERMS AND PROVISIONS FOR PUBLIC UTILITY EASEMENTS INDICATED WITHIN SAID DECLARATION.

FURTHER, WE GRANT TO THE WASHINGTON SUBURBAN SANITARY COMMISSION (W.S.S.C.), SUCH EXCLUSIVE RIGHTS AS NECESSARY FOR THE CONSTRUCTION, RECONSTRUCTION, OPERATION, MAINTENANCE AND REPAIR OF SANITARY SEWERS AND/OR WATER MAINS AND APPURTENANCES WITHIN ANY WATER AND/OR SEWER RIGHTS-OF-WAY EASEMENTS SHOWN AND DENOTED HEREON AS "W & S EASEMENT", SUBJECT TO AND TOGETHER WITH THE CONDITIONS CONTAINED IN A RIGHT OF WAY DOCUMENT FROM THE GRANTORS, THEIR SUCCESSORS OR ASSIGNS TO THE W.S.S.C. TO BE RECORDED HEREAFTER.

AS OWNER(S) OF THIS SUBDIVISION, WE, OUR SUCCESSORS AND ASSIGNS, SHALL CAUSE PROPERTY CORNER MARKERS TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 50-24(g)(2) OF THE MONTGOMERY COUNTY CODE.

THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES OR TRUSTS ON THIS PROPERTY EXCEPT A CERTAIN DEED OF TRUST AND ALL PARTIES IN INTEREST THERETO HAVE INDICATED THEIR ASSENT BELOW.

FOR ARCOLA INVESTMENT ASSOCIATES, A VIRGINIA PARTNERSHIP (OWNER)

BY: THE HERSCHEL AND GOLDENE BLUMBERG FAMILY LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP
 BY: CYLBURN, INC., A MARYLAND CORPORATION, ITS GENERAL PARTNER
Herschel Blumberg 1/15/98 *Gloria M. Tucker*
 BY: HERSCHEL BLUMBERG, PRESIDENT DATE *Gloria M. Tucker*

BY: THE SAMI AND ANNIE TOTAH FAMILY LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP
 BY: DERTICO, INC., A MARYLAND LIMITED PARTNERSHIP
Sami E. Totah 1/15/98 *Gloria M. Tucker*
 BY: SAMI E. TOTAH, PRESIDENT DATE *Gloria M. Tucker*

BY: CYLBURN, INC., A MARYLAND CORPORATION
Cyloburn, Inc. 1/15/98 *Gloria M. Tucker*
 BY: HERSCHEL BLUMBERG, PRESIDENT DATE *Gloria M. Tucker*

FOR TRSTE, INC. (TRUSTEE)

BY: *Douglas A. Carson* 1/15/98 *Patrick Murcia*
 DOUGLAS A. CARSON DATE PATRICK MURCIA

ADDENDUM TO OWNER'S DEDICATION AND CERTIFICATION

WE HEREBY ESTABLISH A Common Ingress Egress Easement AS SHOWN HEREON FOR LOTS B AND 9.

FILED
APR - 9 1998

CURVE DATA

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	BEARING
1	275.00'	11.02'	22.04'	4°35'28"	22.03'	S 78°10'26"E
2	275.00'	23.61'	47.10'	9°48'45"	47.04'	S 80°47'05"E
3	5295.00'	240.00'	479.68'	5°11'26"	479.52'	S 88°17'10"E
4	55.00'	-79.70'	239.23'	249°12'59"	90.54'	N 96°25'21"W
5	38.00'	26.22'	45.90'	69°12'59"	43.17'	N 33°34'39"E
6	5345.00'	242.34'	484.34'	6°11'31"	484.18'	N 88°17'13"W
7	325.00'	27.90'	55.66'	9°48'45"	55.59'	N 80°47'05"W

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, BELIEF AND INFORMATION AND THAT IT IS A SUBDIVISION OF PART OF THE LAND CONVEYED TO ARCOLA INVESTMENT ASSOCIATES FROM HARRY M. LEET, ET. AL., BY DEED DATED APRIL 15, 1996 AND RECORDED IN LIBER 14054 AT FOLIO 293 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

I FURTHER CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S DEDICATION HEREON, ALL MONUMENTS SHOWN THUS (□), AND ALL PROPERTY MARKERS AND OTHER BOUNDARY MARKERS SHOWN THUS (○) WILL BE SET AS DELINEATED HEREON IN ACCORDANCE WITH SECTION 50-24 (a) OF THE MONTGOMERY COUNTY CODE.

THE TOTAL AREA OF THIS PLAT IS 326,048 SQUARE FEET OR 7.4850 ACRES OF LAND OF WHICH 57,946 SQUARE FEET OR 1.3303 ACRES ARE HEREBY DEDICATED TO PUBLIC USE.

FOR DEWBERRY & DAVIS

Eric V. Day 1/15/98
 ERIC V. DAY
 PROFESSIONAL LAND SURVEYOR
 MD. REGISTRATION NO. 10771



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

APPROVED: *Michelle* 9, 1997

Mimi Wang-Fenster
 CHAIRMAN ASST. SECRETARY TREASURER

M-NCP&PC RECORD PLAT FILE NO. 606-24

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PERMITTING SERVICES

APPROVED: *MAR 20 1998*

BY: *John H. Kelly*
 DIRECTOR

RECORDED
PLAT BOOK
PLAT NO.

DEWBERRY & DAVIS
 ARCHITECTS - ENGINEERS - PLANNERS - SURVEYORS
 804 WEST DIAMOND AVENUE
 GAITHERSBURG, MARYLAND 20878
 PHONE: (301) 948-8300 FAX: (301) 258-7607

SUBDIVISION RECORD PLAT
LOTS 11 - 17, BLOCK X, LOTS 1-13, BLOCK Y
AND OUTLOT B, BLOCK M

KING'S CROSSING
 DARNESTOWN (6TH) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1"=50' DATE: JUNE 1997

MSO 881 1249-7425 606-24

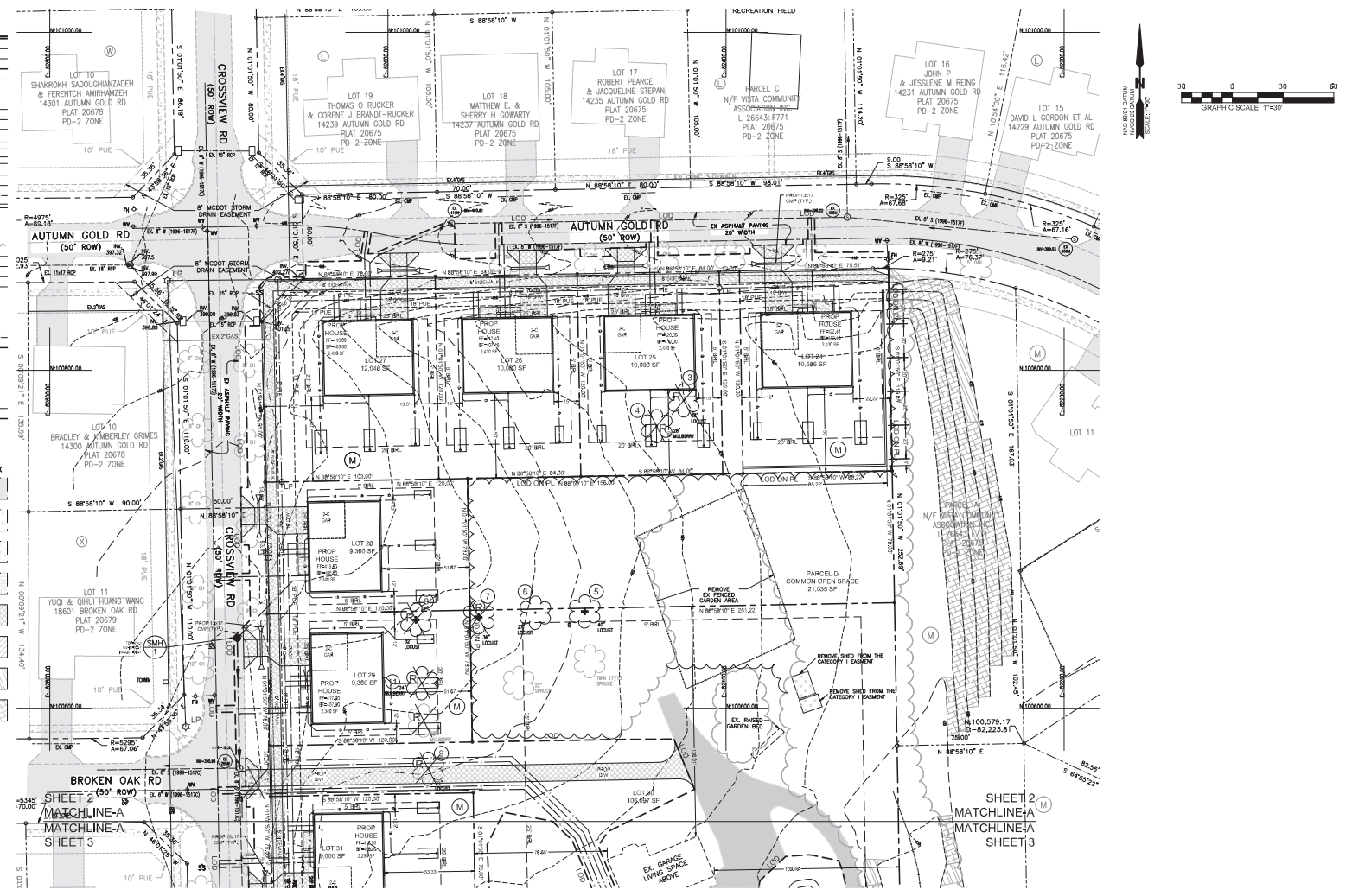
SOIL DATA

SYMBOL	DESCRIPTION	PRIME FARMLAND	HIGHLY ERODIBLE	HYDRIC
5B	GLENELG SILT LOAM 3-8% SLOPES	YES	NO	NO
17B	OCCOQUON LOAM 3-8% SLOPES	YES	NO	NO
17C	OCCOQUON LOAM 8-13% SLOPES	YES	NO	NO

THE SOILS ON THIS AREA OF THE PROPERTY ARE 17B OCCOQUON LOAM.

LEGEND

- STREET R/W LINES
- EASEMENT LINES WATER AND SEWER
- PROPERTY LINES (OTHER THAN STREETS, LOTS)
- INTERNAL LOT LINES
- PROP. SOIL BORING
- EX. CONTOURS
- PROP. CONTOURS
- LIMIT OF DISTURBANCE
- EX. SIDEWALK LINES
- PROP. SIDEWALK LINES
- EX. ROAD EDGE OF PAVEMENT
- EX. FENCE LINE
- PROP. FENCE LINE
- EX. WALLS (STONE, BRICK OR CONC.)
- EX. TREES (LABEL SIZE AND TYPE)
- TREE LINE
- GAS MAINS
- UNDERGROUND ELECTRIC CABLE OR CONDUIT
- EX. STORM DRAINS
- PROP. STORM DRAINS
- EX. STORM INLETS (ACTUAL SIZE)
- EX. STORM MANHOLES (SD)
- EX. SEWER MAINS
- PROP. SANITARY SEWER
- EX. SEWER MANHOLES (SMH)
- EX. SEWER CLEAN OUTS (CO)
- EX. WATER MAINS
- PROP. WATER MAINS
- EX. WATER VALVES (V)
- EX. WATER FIRE HYDRANTS (FH)
- PROP. SPOT ELEVATIONS
- EX. ASPHALT ROADWAY / DRIVEWAY HATCH
- EX. ON-SITE IMPERVIOUS AREAS TO BE REMOVED
- EX. CONCRETE PAVEMENT HATCH
- EX. BRICK PAVEMENT HATCH
- PROP. ASPHALT PAVEMENT HATCH
- PROP. PERVIOUS PAVEMENT HATCH
- SLOPES 15% TO 25%
- SLOPES 25% OR GREATER



MISS UTILITY
 CALL MISS UTILITY AT 1-800-257-777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND 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 THE REQUIREMENTS OF CHAPTER 26A OF THE MONTGOMERY COUNTY CODE.

PROFESSIONAL CERTIFICATION
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 16518, EXPIRATION DATE: 06/10/2023.
 Dean Packard, P.E.
 DATE: 05/30/23

PACKARD & ASSOCIATES LLC.
 CIVIL ENGINEERS * SURVEYORS * LAND PLANNERS
 16222 FREDERICK ROAD, SUITE 300
 GAITHERSBURG, MARYLAND 20877
 PHONE (301) 208-0250 FAX (301) 208-1270

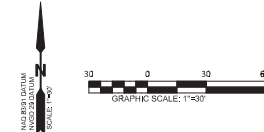
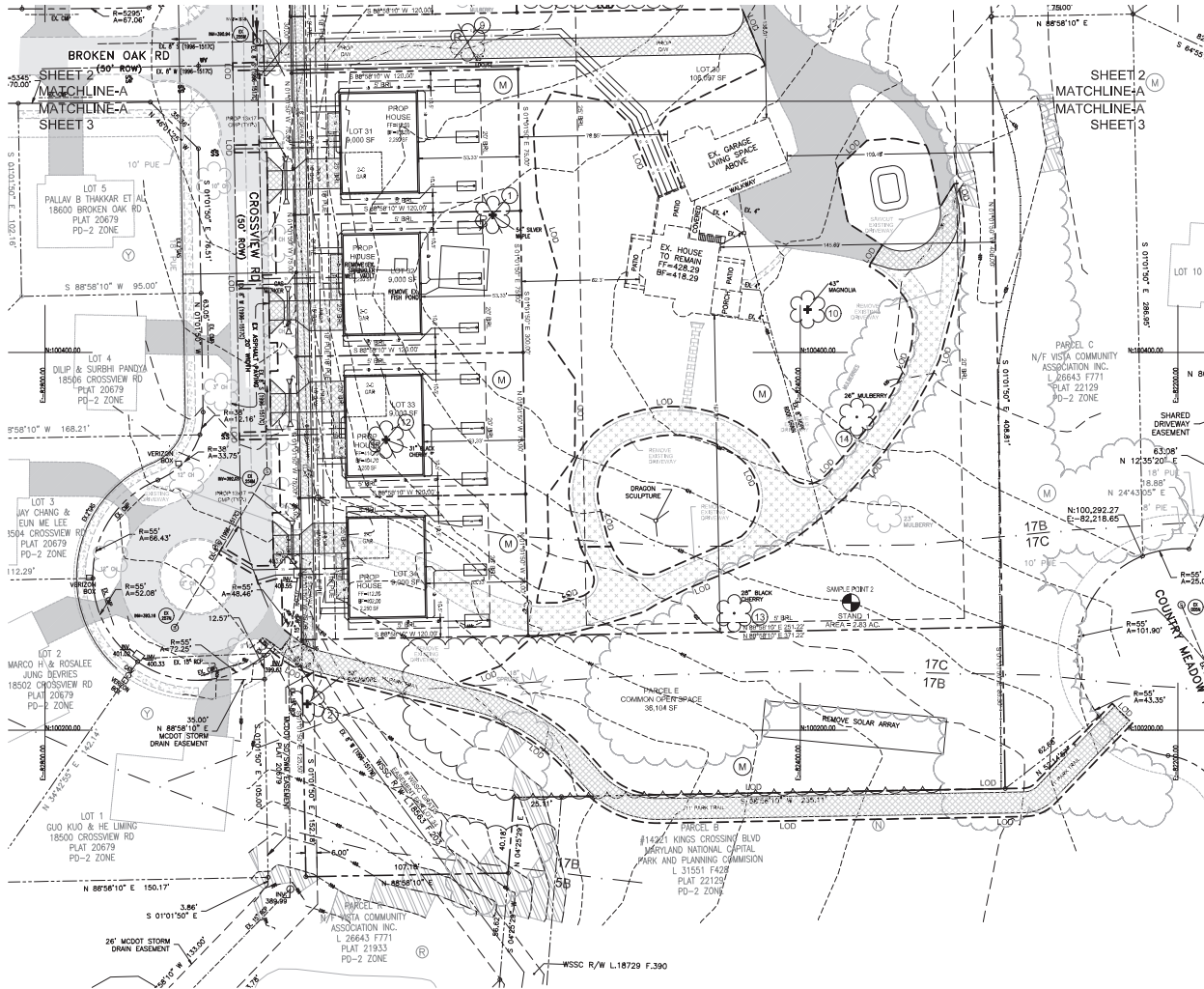
PRELIMINARY PLAN - SHEET 1 OF 2
 PLAN NO. 170220020
 PROPOSED LOTS No. 24 thru 34 - BLOCK M
KINGS CROSSING
 PARCEL 879, OUTLOTS A & B, BLOCK M
 RECORDED IN LIBER 53520 AT FOLIO 320
 ELECTION DISTRICT No. 8 MONTGOMERY COUNTY, MARYLAND

SCALE	1"=30'	DRAWN	
CHECKED		DATE	05/30/23
ADD FILE NAME			
JOB FILE NO.			
DWGING NO.			
SHEET	3 of 4		

SOIL DATA SYMBOL	DESCRIPTION	PRIME FARMLAND	HIGHLY ERODIBLE	HYDRIC
5B	GLENELG SILT LOAM 3-8% SLOPES	YES	NO	NO
17B	OCCOQUAN LOAM 3-8% SLOPES	YES	NO	NO
17C	OCCOQUAN LOAM 8-15% SLOPES	YES	NO	NO

LEGEND

- STREET ROW LINES
- EASEMENT LINES WATER AND SEWER
- PROPERTY LINES (OTHER THAN STREETS, LOTS)
- INTERNAL LOT LINES
- PROP. SOIL BORING
- EX. CONTOURS
- PROP. CONTOURS
- LIMIT OF DISTURBANCE
- EX. SIDEWALK LINES
- PROP. SIDEWALK LINES
- ROAD EDGE OF PAVEMENT
- EX. FENCE LINE
- PROP. FENCE LINE
- EX. WALLS (STONE, BRICK OR CONC.)
- EX. TREES (LABEL SIZE AND TYPE)
- TREE LINE
- GAS MAINS
- UNDERGROUND ELECTRIC CABLE OR CONDUIT
- EX. STORM DRAINS
- PROP. STORM DRAINS
- EX. STORM INLETS (ACTUAL SIZE)
- EX. STORM MANHOLES (SD)
- EX. SEWER MAINS
- PROP. SANITARY SEWER
- EX. SEWER MANHOLES (SMH)
- EX. SEWER CLEAN OUTS (CO)
- EX. WATER MAINS
- PROP. WATER MAINS
- EX. WATER VALVES (V)
- EX. WATER FIRE HYDRANTS (FH)
- PROP. SPOT ELEVATIONS
- EX. ASPHALT ROADWAY / DRIVEWAY HATCH
- EX. ON-SITE IMPERVIOUS AREAS TO BE REMOVED
- EX. CONCRETE PAVEMENT HATCH
- EX. BRICK PAVEMENT HATCH
- PROP. ASPHALT PAVEMENT HATCH
- PROP. PERVIOUS PAVEMENT HATCH
- SLOPES 15% TO 25%
- SLOPES 25% OR GREATER



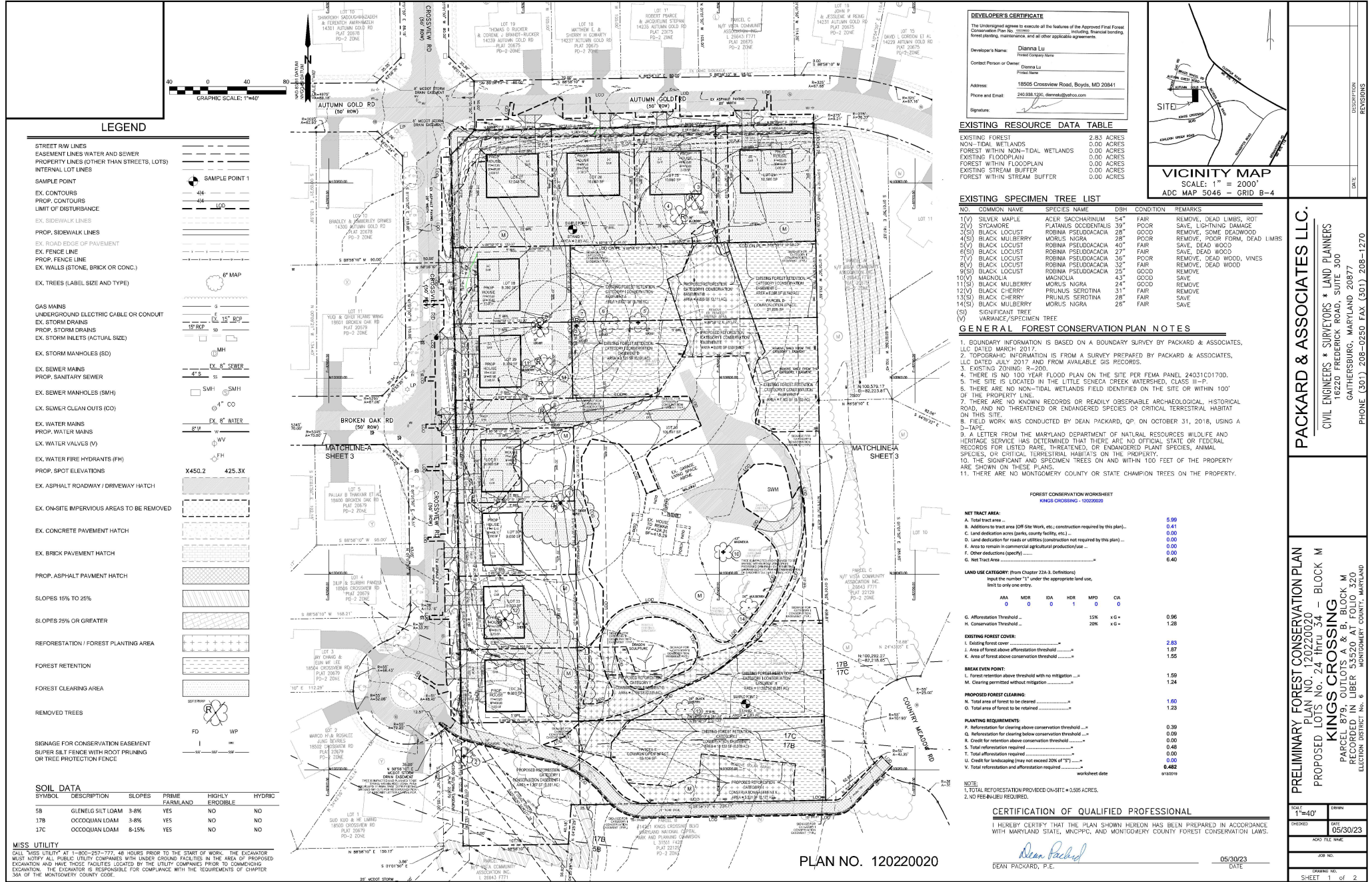
MISS UTILITY
 CALL "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 26A OF THE MONTGOMERY COUNTY CODE.

PROFESSIONAL CERTIFICATION
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 16518, EXPIRATION DATE: 06/10/2023.
 Dean Packard, P.E. 05/30/23
 DATE

PACKARD & ASSOCIATES LLC.
 CIVIL ENGINEERS * SURVEYORS * LAND PLANNERS
 16222 FREDERICK ROAD, SUITE 300
 GAITHERSBURG, MARYLAND 20877
 PHONE (301) 208-0250 FAX (301) 208-1270

PRELIMINARY PLAN - SHEET 2 OF 2
 PLAN NO. 170220020
 PROPOSED LOTS No. 24 thru 34 - BLOCK M
KINGS CROSSING
 PARCEL 879, OUTLOTS A & B, BLOCK M
 RECORDED IN LIBER 53520 AT FOLIO 320
 ELECTION DISTRICT No. 8 MONTGOMERY COUNTY, MARYLAND

SCALE	DATE
1"=50'	05/30/23
CHECKED	DATE
	05/30/23
ADD FILE NAME	
JOB FILE NO.	
DRAWING NO.	
SHEET	4 of 4



LEGEND

- STREET R/W LINES
- EASEMENT LINES WATER AND SEWER
- PROPERTY LINES (OTHER THAN STREETS, LOTS)
- INTERNAL LOT LINES
- SAMPLE POINT
- EX. CONTOURS
- PROP. CONTOURS
- LIMIT OF DISTURBANCE
- EX. SIDEWALK LINES
- PROP. SIDEWALK LINES
- EX. ROAD EDGE OF PAVEMENT
- EX. FENCE LINE
- PROP. FENCE LINE
- EX. WALLS (STONE, BRICK OR CONG.)
- EX. TREES (LABEL SIZE AND TYPE)
- GAS MAINS
- UNDERGROUND ELECTRIC CABLE OR CONDUIT
- EX. STORM DRAINS
- PROP. STORM DRAINS
- EX. STORM INLETS (ACTUAL SIZE)
- EX. STORM MANHOLES (SD)
- EX. SEWER MAINS
- PROP. SANITARY SEWER
- EX. SEWER MANHOLES (SMH)
- EX. SEWER CLEAN OUTS (CO)
- EX. WATER MAINS
- PROP. WATER MAINS
- EX. WATER VALVES (V)
- EX. WATER FIRE HYDRANTS (FH)
- PROP. SPOT ELEVATIONS
- EX. ASPHALT ROADWAY / DRIVEWAY HATCH
- EX. ON-SITE IMPERVIOUS AREAS TO BE REMOVED
- EX. CONCRETE PAVEMENT HATCH
- EX. BRICK PAVEMENT HATCH
- PROP. ASPHALT PAVEMENT HATCH
- SLOPES 15% TO 25%
- SLOPES 25% OR GREATER
- REFORESTATION / FOREST PLANTING AREA
- FOREST RETENTION
- FOREST CLEARING AREA
- REMOVED TREES
- SIGNAGE FOR CONSERVATION EASEMENT
- SUPER SILT FENCE WITH ROOT PRUNING OR TREE PROTECTION FENCE

SOIL DATA

SYMBOL	DESCRIPTION	SLOPES	PRIME FARMLAND	HIGHLY EROSIONIBLE	HYDRIC
5B	GLENELG SILT LOAM	3-8%	YES	NO	NO
17B	OCCOQUAN LOAM	3-8%	YES	NO	NO
17C	OCCOQUAN LOAM	8-15%	YES	NO	NO

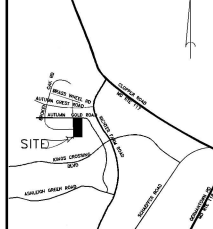
MISS UTILITY
 CALL MISS UTILITY AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY PUBLIC UTILITY COMPANIES WITH BURIED GROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THESE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 66A OF THE MONTGOMERY COUNTY CODE.

DEVELOPER'S CERTIFICATE
 The undersigned certifies to possess all the features of the Approved Final Forest Conservation Plan No. 120220020, including the following: the proposed forest planting, maintenance, and all other applicable agreements.

Developer's Name: **Diana Lu**
 Contact Person or Owner: **Diana Lu**
 Address: **18505 Crossview Road, Boyds, MD 20841**
 Phone and Email: **240.938.1250, dlu@earthlink.net**
 Signature: *[Signature]*

EXISTING RESOURCE DATA TABLE

EXISTING FOREST	2.83 ACRES
NON-TIDAL WETLANDS	0.00 ACRES
FOREST WITHIN NON-TIDAL WETLANDS	0.00 ACRES
EXISTING FLOODPLAIN	0.00 ACRES
FOREST WITHIN FLOODPLAIN	0.00 ACRES
EXISTING STREAM BUFFER	0.00 ACRES
FOREST WITHIN STREAM BUFFER	0.00 ACRES



EXISTING SPECIMEN TREE LIST

NO.	COMMON NAME	SPECIES NAME	DBH	CONDITION	REMARKS
1(V)	SILVER MAPLE	ACER SACCHARINUM	54"	FAIR	REMOVE, DEAD LIMBS, ROT
2(V)	BLACK LOCUST	ROBINIA PSEUDOACACIA	30"	GOOD	SAVE, LIGHTNING DAMAGE
3(O)	BLACK LOCUST	ROBINIA PSEUDOACACIA	28"	GOOD	REMOVE, SOME DEADWOOD, VINES
4(V)	BLACK MULBERRY	MORUS NIGRA	28"	POOR	REMOVE, DEAD WOOD
5(V)	BLACK LOCUST	ROBINIA PSEUDOACACIA	40"	FAIR	SAVE, DEAD WOOD
6(S)	BLACK LOCUST	ROBINIA PSEUDOACACIA	27"	FAIR	SAVE, DEAD WOOD
7(V)	BLACK LOCUST	ROBINIA PSEUDOACACIA	36"	POOR	REMOVE, DEAD WOOD, VINES
8(V)	BLACK LOCUST	ROBINIA PSEUDOACACIA	32"	FAIR	REMOVE, DEAD WOOD
9(S)	BLACK LOCUST	ROBINIA PSEUDOACACIA	25"	GOOD	REMOVE
10(V)	MAGNOLIA	MAGNOLIA	43"	GOOD	SAVE
11(S)	BLACK MULBERRY	MORUS NIGRA	24"	GOOD	REMOVE
12(V)	BLACK CHERRY	PRUNUS SEROTINA	31"	FAIR	REMOVE
13(S)	BLACK CHERRY	PRUNUS SEROTINA	28"	FAIR	SAVE
14(S)	BLACK MULBERRY	MORUS NIGRA	26"	FAIR	SAVE

GENERAL FOREST CONSERVATION PLAN NOTES

- BOUNDARY INFORMATION IS BASED ON A BOUNDARY SURVEY BY PACKARD & ASSOCIATES, LLC DATED MARCH 2017.
- TOPOGRAPHIC INFORMATION IS FROM A SURVEY PREPARED BY PACKARD & ASSOCIATES, LLC DATED JULY 2017 AND FROM AVAILABLE GIS RECORDS.
- EXISTING ZONING: R-200.
- THERE ARE NO 100 YEAR FLOOD PLANS ON THE SITE PER FEMA PANEL 24031C01700.
- THE SITE IS LOCATED IN THE LITTLE SENECA CREEK WATERSHED, CLASS II-P.
- THERE ARE NO NON-TIDAL WETLANDS FIELD IDENTIFIED ON THE SITE OR WITHIN 100' OF THE PROPERTY LINE.
- THERE ARE NO KNOWN RECORDS OF READILY OBSERVABLE ARCHAEOLOGICAL, HISTORICAL ROAD, AND NO THREATENED OR ENDANGERED SPECIES OR CRITICAL TERRESTRIAL HABITAT ON THIS SITE.
- FIELD WORK WAS CONDUCTED BY DEAN PACKARD, QP, ON OCTOBER 31, 2018, USING A...
- A LETTER FROM THE MARYLAND DEPARTMENT OF NATURAL RESOURCES WILDLIFE AND HERITAGE SERVICE HAS DETERMINED THAT THERE ARE NO OFFICIAL STATE OR FEDERAL RECORDS FOR LISTED RARE, THREATENED, OR ENDANGERED PLANT SPECIES, ANIMAL SPECIES, OR CRITICAL TERRESTRIAL HABITATS ON THE PROPERTY.
- THE SIGNIFICANT AND SPECIMEN TREES ON AND WITHIN 100 FEET OF THE PROPERTY ARE SHOWN ON THESE PLANS.
- THERE ARE NO MONTGOMERY COUNTY OR STATE CHAMPION TREES ON THE PROPERTY.

FOREST CONSERVATION WORKSHEET
 KINGS CROSSING - 10020000

NET TRACT AREA:	
A. Total tract area	5.99
B. Addition to tract area (off site work, etc., construction required by this plan)	0.41
C. Land dedication acres (parks, county facility, etc.)	0.00
D. Land dedication for roads or utilities (construction not required by this plan)	0.00
E. Area to remain in commercial/agricultural production use	0.00
F. Other deductions (specify)	0.00
G. Net Tract Area	6.40

LAND USE CATEGORY (from Chapter 226-3, Definitions)
 Equal the number "1" under the appropriate land use, limit to only one entry.

ABA	MDR	IDA	HR	MPD	CIA
0	0	0	1	0	0

EXISTING FOREST COVER:

J. Existing forest cover	2.83
K. Area of forest above afforestation threshold	1.87
L. Area of forest above conservation threshold	1.55

BREAK EVEN POINT:

M. Forest retention above threshold with no mitigation	1.59
N. Clearing permitted without mitigation	1.24

PROPOSED FOREST CLEARING:

O. Total area of forest to be cleared	1.60
P. Total area of forest to be retained	1.23

PLANTING REQUIREMENTS:

Q. Reafforestation for clearing above conservation threshold	0.39
R. Reafforestation for clearing above afforestation threshold	0.09
S. Credit for retention above conservation threshold	0.00
T. Total reforestation required	0.48
U. Total reforestation required	0.00
V. Credit for landscaping may not exceed 50% of "T"	0.00
W. Total reforestation and afforestation required	0.482

NOTE:
 1. TOTAL REFORESTATION PROVIDED ON-SITE = 0.505 ACRES.
 2. NO FEE-IN-LIEU REQUIRED.

CERTIFICATION OF QUALIFIED PROFESSIONAL
 I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, MNCPPD, AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

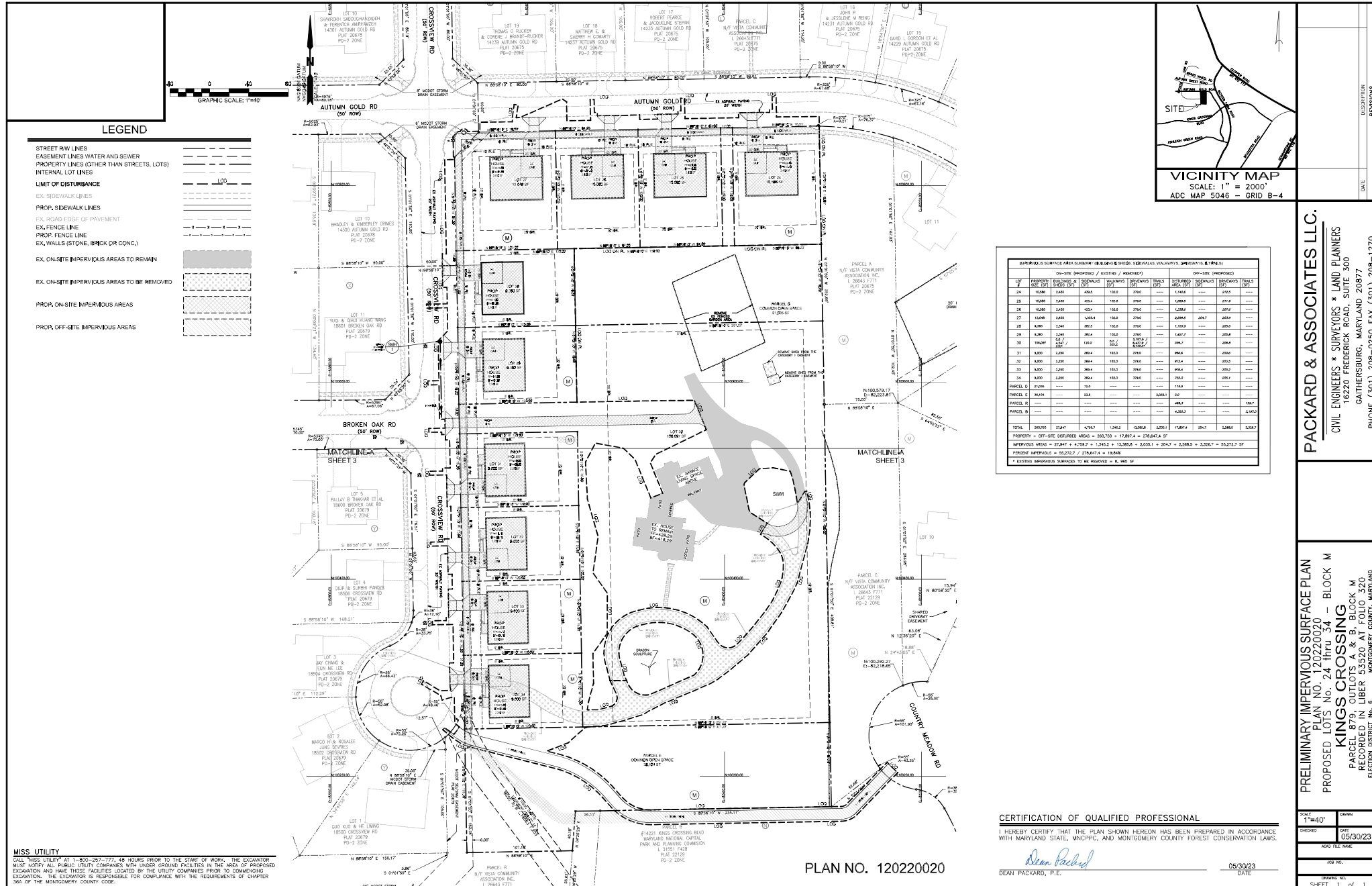
[Signature]
 DEAN PACKARD, P.E.

PACKARD & ASSOCIATES LLC.
 CIVIL ENGINEERS & SURVEYORS * LAND PLANNERS
 16220 FREDERICK ROAD, SUITE 300
 GAITHERSBURG, MARYLAND 20878
 PHONE (301) 208-0250 FAX (301) 208-1270

PRELIMINARY FOREST CONSERVATION PLAN
 PLAN NO. 120220020
 PROPOSED LOTS NO. 24 thru 34 - BLOCK M
KINGS CROSSING
 PARCEL 879, OUTLOTS A & B, BLOCK M
 RECORDED IN LIBER 53520 AT FOLIO 320
 ELECTION DISTRICT NO. 6 MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=40'	DATE: 05/30/23
CHECKED: [Signature]	DATE: 05/30/23
JOB FILE NAME:	
ADD FILE NAME:	
DATE:	
SHEET:	1 of 2

PLAN NO. 120220020



LEGEND

- STREET ROW LINES
- EASEMENT LINES WATER AND SEWER
- PROPERTY LINES (OTHER THAN STREETS, LOTS)
- INTERNAL LOT LINES
- LIMIT OF DISTURBANCE
- EX, SIDEWALK LINES
- PROP. SIDEWALK LINES
- EX, ROAD EDGE OF PAVEMENT
- EX, FENCE LINE
- PROP. FENCE LINE
- EX, WALLS (STONE, BRICK OR CONG.)
- EX, ON-SITE IMPERVIOUS AREAS TO REMAIN
- EX, ON-SITE IMPERVIOUS AREAS TO BE REMOVED
- PROP. ON-SITE IMPERVIOUS AREAS
- PROP. OFF-SITE IMPERVIOUS AREAS

VICINITY MAP

SCALE: 1" = 2000'
ADC MAP 5046 - GRID B-4

LOT #	PROPERTY	ON-SITE IMPERVIOUS SURFACES				OFF-SITE IMPERVIOUS SURFACES			
		AREA (SQ FT)	PERCENT IMPERVIOUS	PERCENT IMPERVIOUS	PERCENT IMPERVIOUS	PERCENT IMPERVIOUS	PERCENT IMPERVIOUS	PERCENT IMPERVIOUS	PERCENT IMPERVIOUS
24	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
25	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
26	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
27	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
28	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
29	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
30	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
31	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
32	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
33	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
34	16,000	2,400	15.0%	10.0%	2,700	16.9%	1.45%	21.9%	
PARCEL A	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL B	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL C	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL D	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL E	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL F	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL G	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL H	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL I	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL J	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL K	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL L	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL M	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL N	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL O	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL P	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL Q	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL R	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL S	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL T	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL U	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL V	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL W	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL X	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL Y	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
PARCEL Z	21,000	3,150	15.0%	10.0%	3,570	17.0%	1.55%	22.1%	
TOTAL	560,000	84,000	15.0%	10.0%	95,250	17.0%	1.69%	22.1%	

PERCENT IMPERVIOUS = 56,272.7 / 276,674 = 20.34%

% EXISTING IMPERVIOUS SURFACES TO BE REMOVED = 8.96%

PACKARD & ASSOCIATES LLC.
 CIVIL ENGINEERS * SURVEYORS * LAND PLANNERS
 10222 FREDERICK ROAD, SUITE 300
 GAITHERSBURG, MARYLAND 20877
 PHONE (301) 208-0250 FAX (301) 208-1270

PRELIMINARY IMPERVIOUS SURFACE PLAN
 PLAN NO. 120220020
 PROPOSED LOTS NO. 24 thru 34 - BLOCK M
KINGS CROSSING
 PARCEL 879, OUTLOTS A & B, BLOCK M
 RECORDED IN LIBER 53520 AT FOLIO 320
 ELECTION DISTRICT NO. 6 MONTGOMERY COUNTY, MARYLAND

CERTIFICATION OF QUALIFIED PROFESSIONAL
 I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, MDC-PCPC, AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.
 Dean Packard, F.E.
 DATE: 05/30/23

PLAN NO. 120220020

MISS UTILITY
 CALL MISS UTILITY AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND 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 THE REQUIREMENTS OF CHAPTER 26A OF THE MONTGOMERY COUNTY CODE.

SCALE	DATE
1"=40'	05/30/23
CHECKED	DATE
	05/30/23
JOB FILE NAME	
APP. FILE NO.	
DATE	05/30/23
SHEET	1 of 1



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: KINGS CROSSING Preliminary Plan Number: 1-20220020

Street Name: AUTUMN GOLD ROAD Master Plan Road Classification: MODIFIED TERTIARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (LOT 24) Street/Driveway #2 (LOT 25)

Sight Distance (feet)	OK?
Right <u>260</u>	<input checked="" type="checkbox"/>
Left <u>320 *</u>	<input checked="" type="checkbox"/>

Sight Distance (feet)	OK?
Right <u>310</u>	<input checked="" type="checkbox"/>
Left <u>240 *</u>	<input checked="" type="checkbox"/>

Comments: * To intersection with Crossview Rd

Comments: * To intersection with Crossview Road

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
	400'
Major - 50	475'
	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Dean Packard

Signature

16518

PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved
 Disapproved:
 By: Rebecca Torma
 Date: 6/9/23



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: KINGS CROSSING Preliminary Plan Number: 1-20220020

Street Name: AUTUMN GOLD ROAD Master Plan Road Classification: MODIFIED TERTIARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (LOT 26) Street/Driveway #2 (LOT 27)

Sight Distance (feet)	OK?
Right <u>360</u>	<u>✓</u>
Left <u>180</u> *	<u>✓</u>

Sight Distance (feet)	OK?
Right <u>430</u>	<u>✓</u>
Left <u>825</u> *	<u>✓</u>

Comments: *To intersection with Crossview Road.

Comments: *To intersection with Crossview Road and through

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Dean Packard
 Signature

6/8/23
 Date

16518
 PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved
 Disapproved:

By: Rebecca Torma
 Date: 6/9/23



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: KINGS CROSSING Preliminary Plan Number: 1-20220020

Street Name: CROSSVIEW ROAD Master Plan Road Classification: MODIFIED TERTIARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (28) Street/Driveway #2 (29)

Sight Distance (feet) OK?
 Right 160* ✓
 Left 460** ✓

Sight Distance (feet) OK?
 Right 240* ✓
 Left 390** ✓

Comments: *To intersection with Autumn Gold Rd

Comments: *To intersection with Autumn Gold Rd

**To end of cul de sac

**To end of cul de sac

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Dean Packard
 Signature



16518
 PLS/P.E. MD Reg. No.

Montgomery County Review:

Approved
 Disapproved:
 By: Rebecca Torma
 Date: 6/9/23



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: KINGS CROSSING Preliminary Plan Number: 1-20220020

Street Name: CROSSVIEW ROAD Master Plan Road Classification: MODIFIED TERTIARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (30) Street/Driveway #2 (31)

Sight Distance (feet)		OK?
Right <u>310</u> *		<input checked="" type="checkbox"/>
Left <u>310</u> **		<input checked="" type="checkbox"/>

Sight Distance (feet)		OK?
Right <u>380</u> *		<input checked="" type="checkbox"/>
Left <u>240</u> **		<input checked="" type="checkbox"/>

Comments: *To intersection with Autumn Gold Rd

Comments: *To intersection with Autumn Gold Rd

**To end of culde sac

**To end of culde sac

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

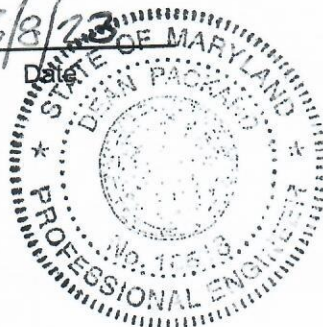
ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Dean Packard
 Signature

6/8/23
 Date

16518
 PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved

Disapproved:

By: Rebecca Torma

Date: 6/9/23



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: KINGS CROSSING Preliminary Plan Number: 1-20220020

Street Name: CROSSVIEW ROAD Master Plan Road Classification: MODIFIED TERTIARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (32) Street/Driveway #2 (33)

Sight Distance (feet) OK?
 Right 450 * ✓
 Left 180 ** ✓

Sight Distance (feet) OK?
 Right 500 * ✓
 Left 130 ** ✓

Comments: * To intersection with Autumn Gold Rd

Comments: * To intersection with Autumn Gold Rd

** To end of cul de sac

** To end of cul de sac

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Dean Packard
 Signature



16518
 PLS/P.E. MD Reg. No.

Montgomery County Review:

Approved
 Disapproved:

By: Rebecca Torma
 Date: 6/9/23



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: KING CROSSING Preliminary Plan Number: 1- 20220020

Street Name: CROSSVIEW ROAD Master Plan Road Classification: MODIFIED TERTIARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (34) Street/Driveway #2 (_____)

Sight Distance (feet) OK?
 Right 580 * ✓
 Left 80 ** ✓

Sight Distance (feet) OK?
 Right _____
 Left _____

Comments: *To intersection
Autumn Gold Rd

Comments: _____

**To end culde sac

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

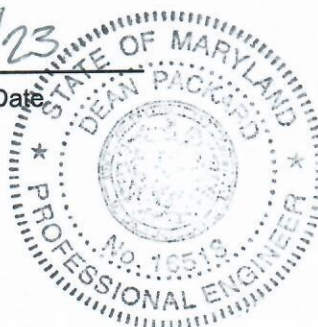
ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Deen Beckard
 Signature

6/9/23
 Date

16518
 PLS/P.E. MD Reg. No.



Montgomery County Review:

Approved
 Disapproved:

By: Rebecca Torma
 Date: 6/9/23



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

June 9, 2023

Ms. Jonathan Casey, Planner II
UpCounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, Maryland

RE: Preliminary Plan No. 120220020
Kings Crossing

Dear Mr. Casey:

We have completed our review of the preliminary plan dated May 30, 2023. A previous plan was reviewed by the Development Review Committee at its meeting on May 22, 2018. We recommend approval of the plan subject to the following comments:

Significant Plan Review Comment

1. The applicant will need to reconstruct and provide additional ramps to be ADA compliant at the Crossview Road and Autumn Gold Road intersection. The additional ramps at each intersection will bring it into ADA compliance. This improvement is required to be included in the first submission of right-of-way permit plans and be constructed with the sidewalks.

Standard Plan Review Comments

2. 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 (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.
3. The existing right-of-way for Autumn Gold Road and Crossview Road is 50-feet. No additional dedication is being required with this preliminary plan. The applicant proposes to provide 6-foot

Office of the Director

101 Monroe Street, 10th Floor, Rockville, MD 20850 · 240-777-7170 · 240-777-7178 Fax
www.montgomerycountymd.gov/mcdot

sidewalks along both streets that will be located in a Public Improvement Easement (PIE). In addition, the applicant will provide a Public Utility Easement (PUE) that overlaps with the PIE. The PUE will be measured from the existing right-of-way line and be 18 feet.

4. The required Public Improvements Easement will be necessary along Autumn Gold Road and Crossview Road in order to accommodate the required six-foot wide sidewalk construction. The applicant will need to execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat. The Public Improvement Easement is to be a minimum width of six (6) feet with the overlapping Public Utilities Easement being no less than eighteen (18) feet wide.
5. The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.
6. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
7. If the proposed development will alter any existing street lights, signage, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 or at yazdan.sanayi@montgomerycountymd.gov for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
8. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with the DPS Right-of-Way Plan Review Section.
9. Posting of a right-of-way permit bond is a prerequisite to DPS approval of the record plat. The right-of-way permit will include, but not necessarily be limited to, the following improvements:
 - a. Six-foot-wide sidewalks and handicap ramps (new and reconstructed) and street trees along Autumn Gold Road.
 - a. Permanent monuments and property line markers, as required by Section 50.4.3(G) of the Subdivision Regulations.
 - b. Erosion and sediment control measures as required by Chapter 19 and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the DPS and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

Jonathan Casey
Preliminary Plan No. 120220020
June 9, 2023
Page 3

- b. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at (240) 777-2118 or at rebecca.torma@montgomerycountymd.gov.

Sincerely,

Rebecca Torma

Rebecca Torma, Manager
Development Review Team
Office of Transportation Policy

Sharepoint/transportation/director's office/development review/Rebecca/developments/Germantown/120220020 Kings Crossing.docx

Enclosures (6)

cc-e: Atiq Panjshiri; MCDPS RWPR
FY 2023 Correspondence



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

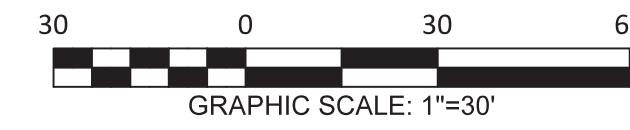
DATE: 22-Jun-23
TO: Dean Packard - pgai@verizon.net
P.G. Associates, Inc
FROM: Marie LaBaw
RE: Kings Crossing
120220020

PLAN APPROVED

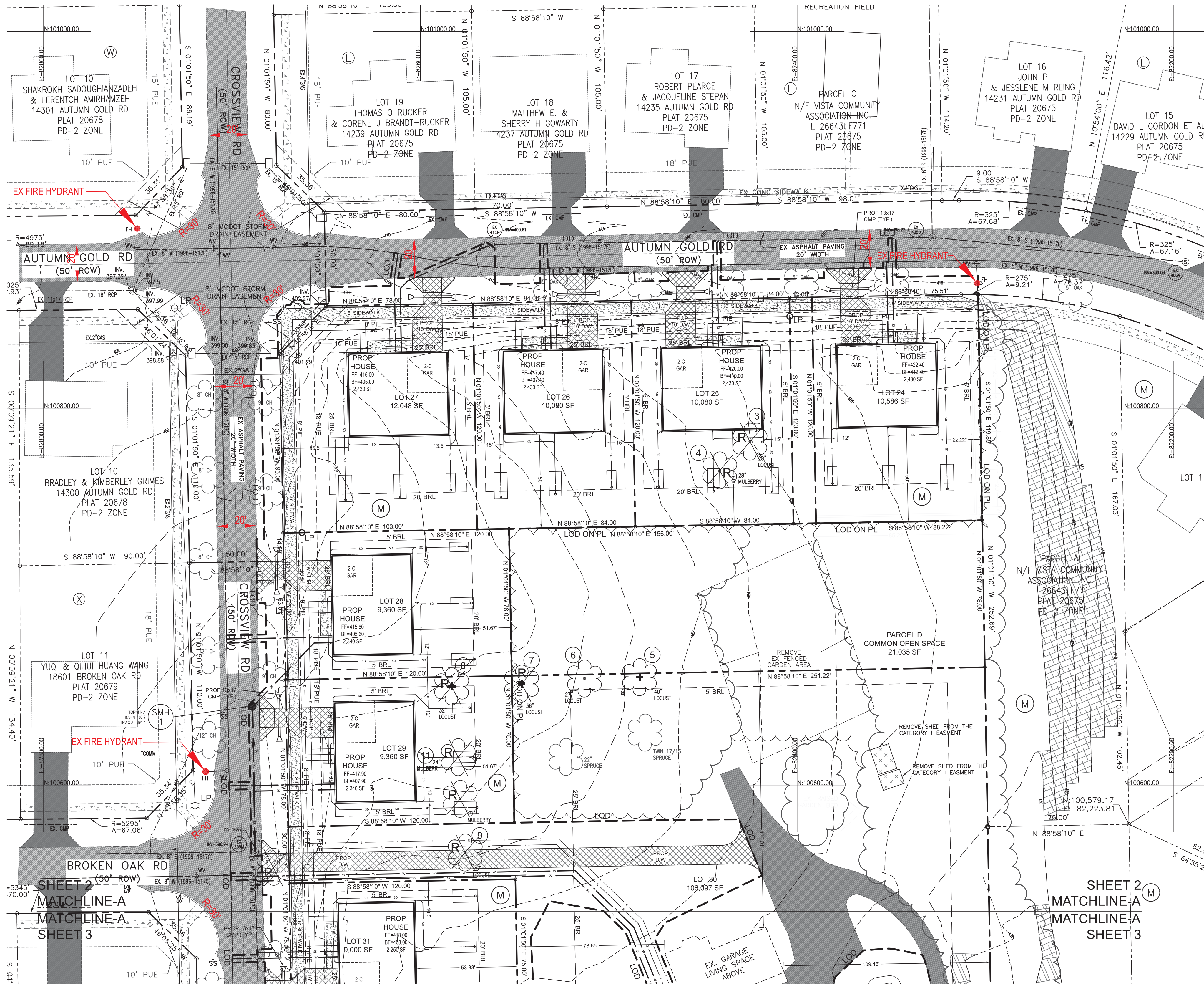
1. Review based only upon information contained on the plan submitted **22-Jun-23** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

KINGS CROSSING

120220020



SHEET 2

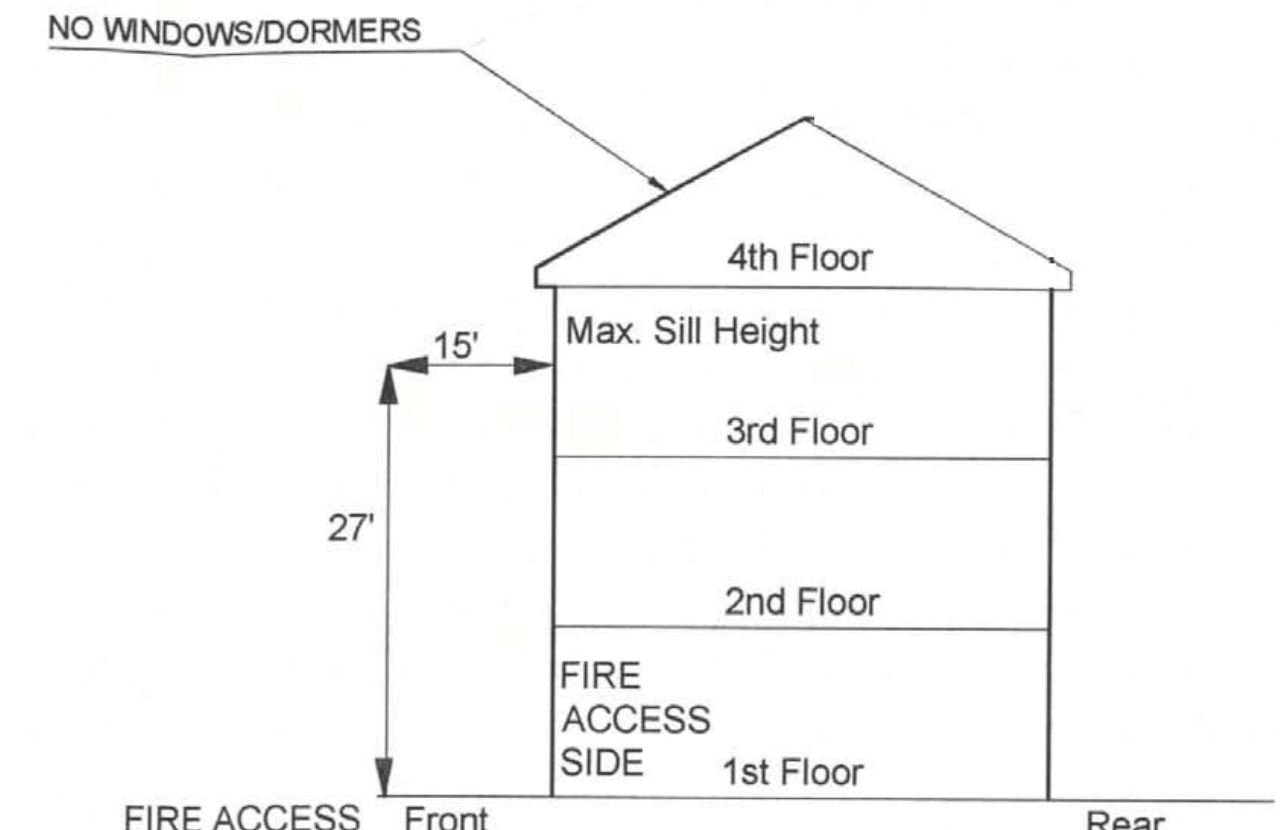


GENERAL NOTES

- SITE ADDRESS IS 18505 CROSSVIEW ROAD, BOYDS, MD 20841
- TAX I.D. NUMBERS: 06-01923815, 06-03221562, 06-03222098
- PLAT REFERENCE: PLATS: 20675, 20679, 22129
- DEED REFERENCE: LIBER 53520 FOLIO 3220
- SITE IS LOCATED ON TAX MAP EU-121, BLOCK M, P879 OUTLOT A & B.
- SITE IS LOCATED ON WSSC 200 SHEET No. 226-NW-14.
- EXISTING WATER AND SEWER CATEGORY IS W-1 & S-1.
- SITE HAS EXISTING WATER AND SEWER AVAILABLE.
- EXISTING ZONING IS R-200.
- EXISTING SOILS ARE
5B, GLENVILLE SILT LOAM, 3-8% SLOPES
17C, OCCOQUAN LOAM, 3-8% SLOPES, AND
17C, OCCOQUAN LOAM, 8-15% SLOPES.
- BOUNDARY SHOWN FROM SURVEY PREPARED BY PACKARD & ASSOCIATES, LLC DATED MARCH, 2017.
- SITE TOPOGRAPHY BY FIELD SURVEY BY PACKARD & ASSOCIATES, LLC, JULY 2017. SURROUNDING INFORMATION FROM AERIAL GIS DATA.
- WATERSHED: LITTLE SENECA CREEK, CLASS III-P.
- THERE ARE NO FLOODPLAIN OR WETLANDS ON THIS SITE.
- STORMWATER MANAGEMENT:
ESDV PROVIDED ON-SITE WITH DRYWELLS, AND PERVIOUS PAVEMENT.
- UTILITY COMPANIES:
ELECTRIC: POTOMAC EDISON
WATER & SEWER: WSSC
TELEPHONE: VERIZON
CATV: COMCAST
- OWNER / APPLICANT
JIM J ZHAO & DIANNA J LU
18505 CROSSVIEW ROAD, BOYDS, MD 20841
CONTACT: DIANNA LU (240) 938-1290
EMAIL: DIANNALU@YAHOO.COM
18. NR/FSD: 420221670 APPROVED 07/18/2022

FIRE CODE ENFORCEMENT

Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
By: *S.M.C.* PM: 43 DATE: 6/22/2023



Townhouse Unit Building Height Detail -
* FIRE HEIGHT RESTRICTED UNIT

General Notes:

- One and two-family dwellings of three (3) stories (27' to highest sill, including false dormers) or less must provide access to the occupied interior through a main, side-hinge door within 150 feet of a fire department access route. For units of three (3) stories or more, access must be within fifty (50) feet of access route.

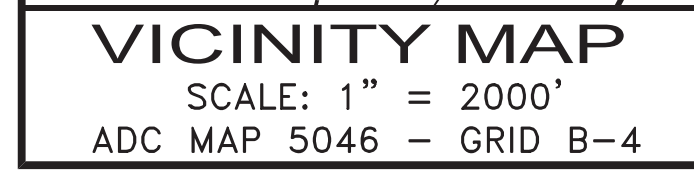
HEIGHT RESTRICTION NOTE:

ALL PROPOSED SINGLE FAMILY DETACHED DWELLING UNITS SHALL BE 3 STORIES OR LESS (27' TO THE HIGHEST SILL, INCLUDING FALSE DORMERS) AND SHALL PROVIDE ACCESS TO TO THE OCCUPIED INTERIOR THROUGH A MAIN, SIDE HINGED DOOR WITH 150 FEET OF A FIRE DEPARTMENT ACCESS ROUTE.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 16518, EXPIRATION DATE: 06/10/2025.

Dean Packard
DEAN PACKARD, P.E. DATE: 06/19/23



PACKARD & ASSOCIATES LLC.
CIVIL ENGINEERS * SURVEYORS * LAND PLANNERS
16220 FREDERICK ROAD, SUITE 300
GAITHERSBURG, MARYLAND 20877
PHONE (301) 208-0250 FAX (301) 208-1270



FIRE ACCESS PLAN
PLAN NO. 120220020
PROPOSED LOTS No. 24 thru 34 - BLOCK M
KINGS CROSSING
PARCEL 879, OUTLOTS A & B, BLOCK M
RECORDED IN LIBER 53520 AT FOLIO 320
ELECTION DISTRICT No. 6 MONTGOMERY COUNTY, MARYLAND

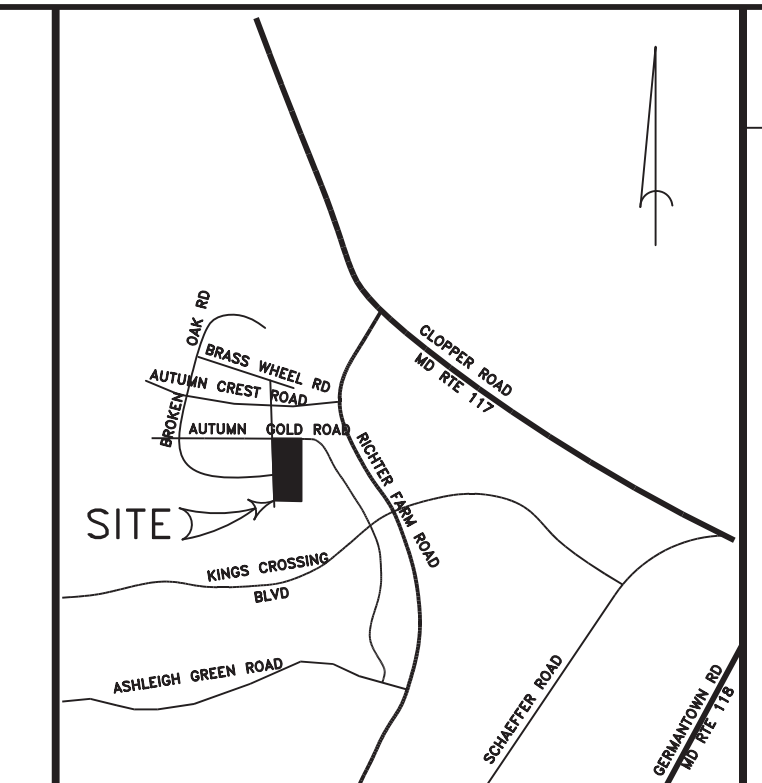
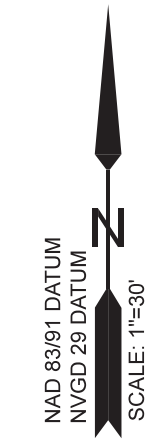
SCALE 1"=30'	DRAWN
CHECKED	DATE 06/19/23
ACAD FILE NAME	
JOB NO.	
DRAWING NO.	SHEET 1 of 2

MISS UTILITY
CALL "MISS UTILITY" AT 1-800-257-777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND 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 THE REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

KINGS CROSSING

120220020

SHEET 3

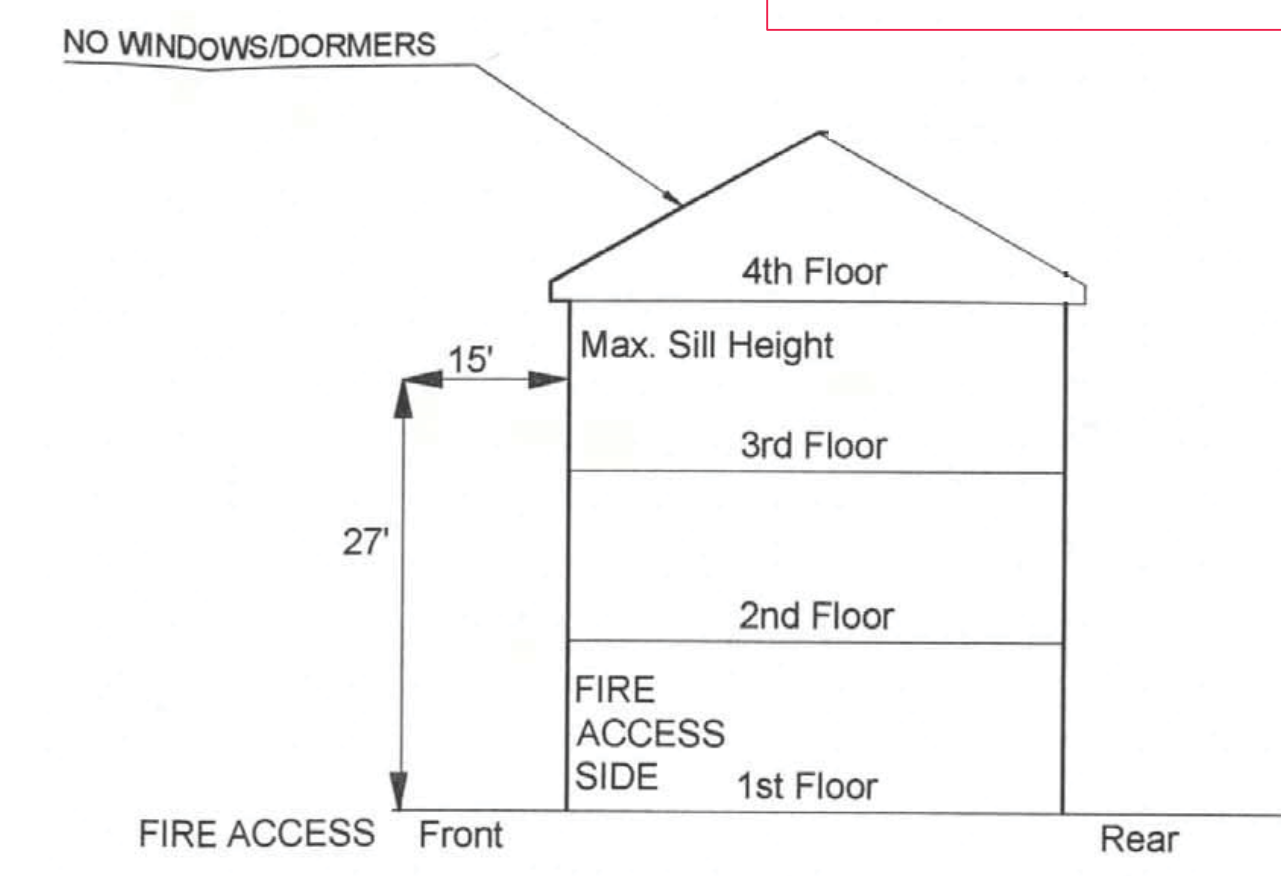


VICINITY MAP
SCALE: 1" = 2000'
ADC MAP 5046 - GRID B-4

GENERAL NOTES

- SITE ADDRESS IS 18505 CROSSVIEW ROAD, BOYDS, MD 20841
- TAX I.D. NUMBERS: 06-01923815, 06-03221562, 06-03222098
- PLAT REFERENCE: PLATS: 20675, 20679, 22129
- DEED REFERENCE: LIBER 53520 FOLIO 3220.
- SITE IS LOCATED ON TAX MAP EU-121, BLOCK M, P879 OUTLOT A & B.
- SITE IS LOCATED ON WSSC 200 SHEET No. 226-NW-14.
- EXISTING WATER AND SEWER CATEGORY IS W-1 & S-1.
- SITE HAS EXISTING WATER AND SEWER AVAILABLE.
- EXISTING ZONING IS R-200.
- EXISTING SOILS ARE
5B, GLENVILLE SILT LOAM, 3-8% SLOPES
17B, OCCOQUAN LOAM, 3-8% SLOPES, AND
17C OCCOQUAN LOAM, 8-15% SLOPES.
- BOUNDARY SHOWN FROM SURVEY PREPARED BY PACKARD & ASSOCIATES, LLC DATED MARCH, 2017.
- SITE TOPOGRAPHY BY FIELD SURVEY BY PACKARD & ASSOCIATES, LLC, JULY 2017. SURROUNDING INFORMATION FROM AERIAL GIS DATA.
- WATERSHED: LITTLE SENECA CREEK, CLASS III-P.
- THERE ARE NO FLOODPLAIN OR WETLANDS ON THIS SITE.
- STORMWATER MANAGEMENT:
ESDv PROVIDED ON-SITE WITH DRYWELLS, AND PERVIOUS PAVEMENT
- UTILITY COMPANIES:
ELECTRIC: POTOMAC EDISON
WATER & SEWER: WSSC
TELEPHONE: VERIZON
CATV: COMCAST
- OWNER / APPLICANT
JIM J ZHAO & DIANNA J LU
18505 CROSSVIEW ROAD, BOYDS, MD 20841
CONTACT: DIANNA LU (240) 938-1290
EMAIL: DIANNALL@YAHOO.COM
18. NRI/FSID: 420221670 APPROVED 07/18/2022

FIRE CODE ENFORCEMENT
Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
BY: *SAC* PM: 43 DATE: 6/22/2023



Townhouse Unit Building Height Detail -
* FIRE HEIGHT RESTRICTED UNIT

General Notes:

- One and two-family dwellings of three (3) stories (27' to highest sill, including false dormers) or less must provide access to the occupied interior through a main, side-hinge door within 150 feet of a fire department access route. For units of three (3) stories or more, access must be within fifty (50) feet of access route.

HEIGHT RESTRICTION NOTE:

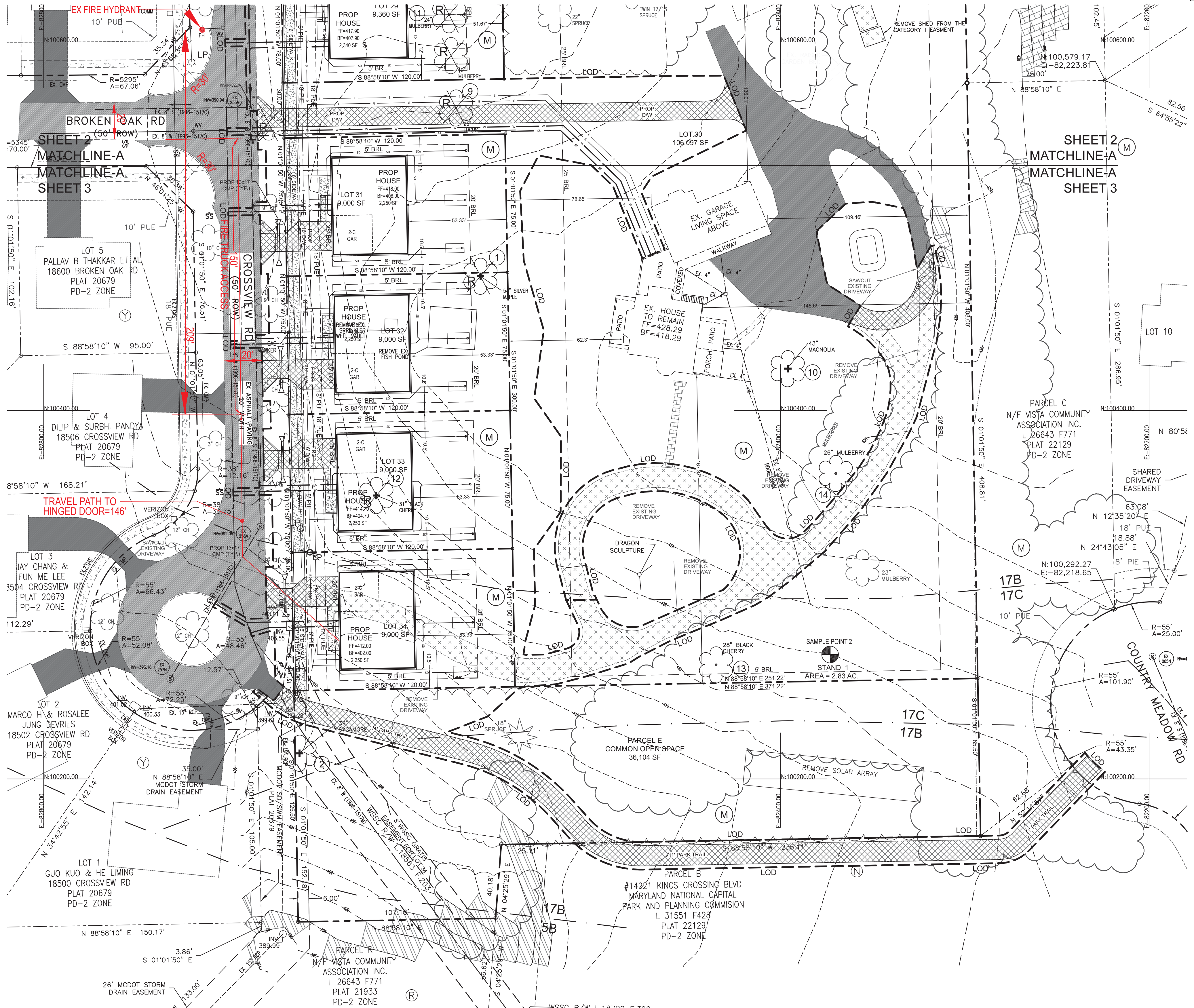
ALL PROPOSED SINGLE FAMILY DETACHED DWELLING UNITS SHALL BE 3 STORIES OR LESS (27' TO THE HIGHEST SILL, INCLUDING FALSE DORMERS) AND SHALL PROVIDE ACCESS TO THE OCCUPIED INTERIOR THROUGH A MAIN, SIDE HINGED DOOR WITHIN 150 FEET OF A FIRE DEPARTMENT ACCESS ROUTE.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 16518, EXPIRATION DATE: 06/10/2025.

Dean Packard
DEAN PACKARD, P.E.

06/19/23
DATE



MISS UTILITY
CALL "MISS UTILITY" AT 1-800-257-777, 48 HOURS PRIOR TO THE START OF WORK. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND 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 THE REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

PACKARD & ASSOCIATES LLC.
CIVIL ENGINEERS * SURVEYORS * LAND PLANNERS
16220 FREDERICK ROAD, SUITE 300
GAITHERSBURG, MARYLAND 20877
PHONE (301) 208-0250 FAX (301) 208-1270



06/19/2023
FIRE ACCESS PLAN
PLAN NO. 120220020
PROPOSED LOTS No. 24 thru 34 - BLOCK M
KINGS CROSSING
PARCEL 879, OUTLOTS A & B, BLOCK M
RECORDED IN LIBER 53520 AT FOLIO 320
ELECTION DISTRICT No. 6 MONTGOMERY COUNTY, MARYLAND

SCALE 1"=30'	DRAWN
CHECKED	DATE 06/19/23
ACAD FILE NAME	
JOB NO.	
DRAWING NO.	
SHEET 2 of 2	

Upcounty Planning Division – Montgomery County Planning Department
The Maryland National Capital Park & Planning Commission

Project Name: Kings Crossing
Preliminary Plan No. 120220020
Date: May 30, 2023
Address: 18505 Crossview Road, Boyds, MD 20841
Location: Southeast Corner of Intersection of Autumn Gold Rd and Crossview Rd
Tax Map: EU 121
Tax Account No: 06-01923815 (Parcel 879), 06-03221562 (Outlot A), and 06-03222098 (Outlot B)
Zone: R-200
Applicant: Jim Zhao and Dianna Lu
Owners: Jim Zhao and Dianna Lu

JUSTIFICATION FOR TREE VARIANCE
WITH THE REVIEW OF PRELIMINARY PLAN AND PRELIMINARY FOREST CONSERVATION PLAN

A Variance is hereby requested pursuant to Section 22A-21 of Chapter 22A of the Montgomery County Code, 2021, as amended (the "County Code") on behalf of the Applicants, Jim Zhao and Dianna Lu, the owners of Parcel 879, Outlot A, Outlot B, Block M, Kings Crossing Subdivision (the "Subject Property"). This Tree Variance Request is submitted in connection with the coordinated review of the above referenced Preliminary Plan of Subdivision and the Preliminary Forest Conservation Plan.

- 1) In order to develop the proposed 11 lot subdivision, **two (2)** protected trees are impacted **and four (4)** protected trees have to be removed. The proposed driveways, Park Trail, utilities, and necessary grading necessitate the removal of these trees. These two (2) protected trees that are impacted are identified on the approved Natural Resource Inventory Plan at **#'s 2 & 10**, and the four (4) trees that will be removed are identified on the approved Natural Resource Inventory Plan at **#'s 1, 7, 8, & 12**. Protected tree **# 8** is within the section of existing forest being cleared and is mitigated through the FFCP Worksheet requirement. There are no other protected trees or critical root zone impacts on or abutting the property.

Background Information

A Chapter 22A Variance is required in order to secure approval of the removal or disturbance of certain identified trees that are considered priority for retention and protection under the Natural Resources Article of the Maryland Annotated Code. Accordingly, Packard & Associates hereby requests a Tree Variance for the property identified as Parcel 879, Outlot A, Outlot B, Block M, Kings Crossing Subdivision. This Variance request is submitted pursuant to Section 22A-21 of Chapter 22A of the County Code and Section 5-1607(c) and Section 5-1611 of Title 5 of the Natural Resources Article of the Maryland Annotated Code, (the "Natural Resources Article").

The Subject Property is classified in the R-200 Zone pursuant to the Zoning Ordinance and are identified as Parcel 879, Outlot A, and Outlot B as recorded in Liber 53520 at Folio 320. Outlot A and Outlot B are currently vacant, and there is a single family detached dwelling on Parcel 879. The dwelling on Parcel

879 shall remain, and become designated as a proposed lot upon approval of the plans and issuance of the permits.

Parcel 879, Outlot B, and the western sector of Outlot A slopes eastward to Crossview Road. Outlot A generally slopes northward to Autumn Gold Road. The northern half of the property drains northwest towards the southeast intersection of Autumn Gold Road and Crossview Road, and the southern half of the property drains southwest towards the cul-de-sac on Crossview Road and an existing stormwater management pond.

The Subject Property is forested on the north with a continuous treeline on the eastside that connects to another forested area on the southeast sector of the property. There are trees squattered throughout the property.

The Subject Property fronts Autumn Gold Road to the north and Crossview Road to the west. To the east are single family homes separated by two undeveloped parcels. To the south is an existing Park with open fields. To the southwest are Six existing ponds.

Tree Removal and Critical Root Zone Disturbance

The proposed development by this re-subdivision application requires approval of a Specimen Tree Variance pursuant to Section 22A-21 of Chapter 22A of the County Code. Approval of the Specimen Tree Variance Request in conjunction with the re-subdivision application will;

- 2) Enable the Applicant to develop the Subject Property in a manner consistent with other properties in the neighborhood. It will also seek approval of a Landscape Plan to promote and enhance the esthetic character of the neighborhood.
- 3) Enable the Applicant to redevelop the Subject Property by proposing the addition of ten (10) single family detached homes, while maintaining the existing single family home.
- 4) Allow the removal of **four (4)** protected trees.
 - a. The 54" Silver Maple tree (#1) is a protected tree with dead limbs and rot. Silver Maples are on the low priority list for saving because of their weak wood structure and shallow root systems which cause damage to foundations, sidewalks, and roadbeds. The critical root zone of the Silver Maple tree will be 72% impacted by the proposed development, therefore requiring its removal.
 - b. The 36" Black Locust tree (#7) is a protected tree with dead wood and vines. The critical root zones of the Black Locust tree will be 44% impacted by the proposed development , therefore requiring its removal.
 - c. The 32" Black Locust tree (#8) is a protected tree with dead wood and vines. The critical root zones of the Black Locust tree will be 89% impacted by the proposed development , therefore requiring its removal. Protected trees within the section of the existing forest being cleared are mitigated through the FFCP Worksheet requirement.
 - d. The 31" Black Cherry tree (#12) is a protected tree. The critical root zone of the Silver Maple tree will be fully impacted by the proposed development, therefore requiring its removal.
- 5) Allow the critical root zone disturbance of two (2) protected trees.
 - a. The 39" Sycamore tree (#2) is a protected tree with lightning damage. The critical root zones of the Sycamore tree will be 19% impacted by the proposed development and is planned to be saved. Within the Critical Root Zone, pave proposed 11' Park Trail over existing ground (no cut) per recommendations of Arborist Letter at Final FCP.

- b. The 43" Magnolia tree (#10) is a protected tree in good condition. The critical root zones of the Magnolia tree will be 11% impacted by the proposed development and is planned to be saved. Within the Critical Root Zone, pave proposed driveway over existing ground (no cut) and remove the existing paving per recommendations of Arborist Letter at Final FCP.

The Variance Requirements

Section 5-1607 of the Natural Resources Article requires a variance for the removal or disturbance of trees having a diameter of 30 inches when measured at 4.5 feet above the ground. Section 5-1611 of the Natural Resources Article authorizes a local jurisdiction to grant a variance:

"where owing to special features of a site or other circumstances, implementation of this subtitle would result in unwarranted hardship to the applicant."

Chapter 22A of the County Code implements the Natural Resources Article of the State Law and specifies the circumstances that permit the Planning Board to grant a variance from Chapter 22A. Section 22A-21(a) of the County Code establishes the "minimum criteria" for securing a Tree Variance and an applicant seeking a variance from any Chapter 22A requirement must:

- "(1) describe the special conditions peculiar to the property which would cause the unwarranted hardship;
- (2) describe how enforcement of this Chapter will deprive the landowner of rights commonly enjoyed by others in similar areas;
- (3) verify that State water quality standards will not be violated and that a measurable degradation in water quality will not occur as a result of granting the variance; and
- (4) provide any other information appropriate to support the request."

A Tree Variance that meets the "minimum criteria" set out in Section 22A-21(a) of the County Code may not be approved if granting the request:

- "(1) will confer on the applicant a special privilege that would be denied to other applicants;
- (2) is based on conditions or circumstances which result from the actions by the applicant;
- (3) is based on a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
- (4) will violate State water quality standards or cause measurable degradation in water quality."

The following paragraphs illustrate the factual basis supporting Planning Board approval of this Tree Variance. Technical information for this request has been provided by the Applicants' engineer, Dean Packard, PE, of Packard & Associates, LLC.

The special conditions that are peculiar to the Subject Property that would cause the unwarranted hardship are described as follows:

To meet the R-200 zoning for a Cluster Development, in a manner consistent with other properties in the neighborhood, access and amenities are necessary to fulfill the requirement. Development near or around the protected trees would provide a hazard to the proposed single family homes by invasive root systems, danger of falling limbs and health of the tree from impacts.

- 1) The 54" Silver Maple tree #1 wouldn't sustain impacts to the structural critical root zone necessary to improve the building, utilities, and grading, therefore requiring its removal.

- 2) The 39" Sycamore tree #2 is impacted and planned to be saved. Within the critical root zone, pave proposed Park Trail over existing ground (no cut) per recommendations of Arborist Letter at Final FCP.
- 3) The 36" Black Locust #7 wouldn't sustain impacts to the structural critical root zone necessary to improve the utilities and grading, therefore requiring its removal.
- 4) The 32" Black Locust #8 wouldn't sustain impacts to the structural critical root zone necessary to improve the building, utilities and grading, therefore requiring its removal.
- 5) The 43" Magnolia #10 is impacted and planned to be saved. Within the critical root zone, pave proposed driveway over existing ground (no cut) and remove the existing paving per recommendations of Arborist Letter at Final FCP.
- 6) The 31" Black Cherry tree #12 wouldn't sustain impacts to the structural critical root zone necessary to improve the building, driveway, sidewalk, utilities and grading, therefore requiring its removal.

The unwarranted hardship is that if these trees were not removed or impacted, the development sought after would be so restricted that the single family detached homes couldn't be built to achieve the proposed re-subdivision. The denial of the Variance to remove or impact these trees would deny the ability to fulfill the requirements to build the community.

Unwarranted hardship is demonstrated, for the purpose of obtaining a Chapter 22A Variance when an applicant presents evidence that denial of the variance would deprive the Applicant of the reasonable and substantial use of the property.

Section 5-1611 of the Natural Resources Article authorizes the Planning Board to grant a forest conservation variance "where owing to special features of a site or other circumstances, implementation of this subtitle would result in unwarranted hardship to the applicant." Those special features are described above.

Section 22A-21 of the County Code authorizes the grant of a variance under that Chapter when an applicant "shows that enforcement would result in unwarranted hardship." The phrase "unwarranted hardship" used in both the State Code and County Code is not defined in either. Under Chapter 22A of the County Code a variance may only be granted following consideration of a list of factors set out in the Code, one of which is the presence of special conditions that would result in unwarranted hardship if the variance were denied. The decision of the Maryland Court of Appeals in *White v. North* is instructive. In that case the Court of Appeals concluded that the list of factors "must be considered are part of the entire matrix that defines what information is necessary to reach a finding as to the existence or nonexistence of an unwarranted hardship." The list of factors in *White vs. North* is strikingly similar to the variance requirements in Chapter 22A of the County Code.

The factors identified in the described as:

- (1) a deprivation of rights commonly enjoyed by others;
- (2) that no special privilege will be conferred on an applicant;
- (3) that the need for relief not be caused by an applicant's own acts;
- (4) the need for a variance does not arise from conditions on adjacent property;
- (5) a variance will not adversely affect water quality, (736 A.2d at 1083.)

According to the Court of Appeals "If total compliance with every specific requirement were necessary, relief would be really impossible and serious "taking" questions might arise." The Court went on to

express its view "that these specifically stated requirements are to be considered in the context of the entire variance ordinance, to the end that, when interpreted as a whole, either they are or are not generally met."

Interpreting the factors that apply under the County Code, these Applicants would suffer unwarranted hardship if the removal of the designated trees were not allowed. If the requested Variance were denied the Applicants would be precluded from redevelopment of the subject property by being unable to meet the restrictive requirements in Chapter 22A of the County Code, a right commonly and previously enjoyed by the owners of other properties in the community.

State water quality standards will not be violated and that a measurable degradation in water quality will not occur as a result of granting the variances.

A Stormwater Management Concept Plan has been submitted to the Department of Permitting Services for the Subject Property using Environmental Site Design techniques to the Maximum Extent Practicable and the proposed eleven (11) lot development, upon approval, will meet State water quality standards. The approval of the requested Variance will not result in any measurable degradation in water quality standards.

Other information that supports the requested variances:

The Approved and Adopted trees Technical Manual lists several factors for consideration when reviewing applications for clearing that now require the approval of a Specimen Tree Variance. Generally, the Technical Manual recognizes that clearing is appropriate to create a building envelope for development and for street and driveway construction to provide access to new development and to create a building envelope for development. Among the development factors that the Technical manual considers appropriate for consideration when a Variance request is before the Planning Board is whether an urban form of development is desired at a particular location. The area in which the Subject Property is located, with its higher density residential zoning is far more appropriate for an urban form of development that will result from approval of the proposed re-subdivision.

Table 1. SPECIMEN TREES TO BE IMPACTED OR REMOVED

Tree	Common Name	Tree Species	DBH	Condition	Variance Request
#1	Silver Maple	Acer Saccharinum	54	Fair, Dead Limb, Rot	Yes
#2*	Sycamore	Platanus Occidentalis	39	Poor, Lightning Damage	Yes*
#7	Black Locust	Robinia Pseudoacacia	36	Poor, Dead Wood, Vines	Yes
#8***	Black Locust	Robinia Pseudoacacia	32	Fair, Dead Wood	Yes***
#10**	Magnolia	Magnolia	43	Good	Yes**
#12	Black Cherry	Prunus Serotina	31	Fair	Yes

Table 1. SPECIMEN TREES TO BE IMPACTED OF REMOVED (Continued)

Tree	Comments	% CRZ Impacts	Disposition
#1	Impacts for driveway, sidewalk, utilities, and grading	72%	Remove
#2*	Impacts for driveways, Park Trail, sidewalk, utilities, and grading	19%	Impacted*
#7	Impacts for utilities and grading	44%	Remove
#8***	Impacts for driveways, utilities, and grading	89%	Remove***
#10**	Impacts for driveways and grading	11%	Impacted**
#12	Impacts for driveway, sidewalk, utilities, and grading	100.0%	Remove

* Tree is impacted and planned to be saved. Within the Critical Root Zone, pave proposed 11" Park Trail over existing ground (no cut) per recommendations of Arborist Letter at Final FCP.

** Tree is impacted and planned to be saved. Within the Critical Root Zone, pave proposed driveway over existing ground (no cut) and remove the existing paving per recommendations of Arborist Letter at Final FCP.
*** Protected trees within the section of existing forest being cleared are mitigated through the FFCP Worksheet requirement.

Conclusion

For the above reasons, and on behalf of the Applicants, Jim Zhao and Dianna Lu, we respectively request that the Planning Board Grant the Applicant's request for a Variance from the provisions of the Montgomery County Forest Conservation Ordinance, Chapter 22A of the County Code as identified on the Preliminary Forest Conservation Plan.

Certification

On behalf of the Applicants, Jim Zhao and Dianna Lu, the undersigned certifies that the information set forth in this Justification for Tree Variance is true, complete, and correct to the best of his knowledge, information, and belief.

Sincerely,
PACKARD & ASSOCIATES, LLC

Dean Packard, PE
Qualified Professional



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

May 19, 2023

Mr. Dean Packard, P.E.
Packard & Associates LLC.
16220 Frederick Road, Suite 300
Gaithersburg, Maryland 20877

Re: Stormwater Management **CONCEPT** Request
for Kings Crossing
Preliminary Plan #: 120220020
SM File #: 287564
Tract Size/Zone: 5.9860 Acres
Total Concept Area: 3.6668 Acres
Lots/Block: Outlots A and B
Parcel(s): P879
Watershed: Little Seneca Creek Class 3

Dear Mr. Packard, P.E.:

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 Environmental Site Design while incorporating Drywells, Rooftop Disconnection, and Landscape Infiltration.

The following **items** will need to be addressed **prior to** Planning Board approval of the Site Plan:

1. **Prior to Planning Board approval of the Site Plan, this stormwater management concept must be formally revised and an approved Site Development Plan (SDP) Approval letter must be issued by DPS. If the Site Plan will be approved in stages, the Site Development Plan revision submittal must specifically refer to the appropriate phase.**
2. Each Lot provides full Stormwater Management for their respective improvements.

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

This 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.



Mr. Dean Packard, P.E.
May 19, 2023
Page 2 of 2

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6275

Sincerely,

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

MCE: 287564

cc: N. Braunstein
SM File # 287564

ESD: Required/Provided 4763 cf / 5504 cf
PE: Target/Achieved: 1.2"/1.39"
STRUCTURAL: N/A cf
WAIVED: N/A ac.