

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 23-063
Site Plan No. 820230030
Park Potomac
Date of Hearing: June 1, 2023

JUN 15 2023

RESOLUTION

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

WHEREAS, on September 7, 2022, Fortune Parc Development Partners, LLC (“Applicant”) filed an application for approval of a site plan for a five-story apartment building with 307 units, 12.5 percent MPDUs on 5.7 acres of CRT 1.25, C-0.5, R-0.75, H-100T zoned-land, located on Park Potomac Avenue approximately 290 feet north of Montrose Road (“Subject Property”), in the Potomac Policy Area and 2002 *Potomac Subregion Master Plan* (“Master Plan”) area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820230030, Park Potomac (“Site Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 19, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on June 1, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Commissioner Pedoeem, with a vote of 4-0; Chair Zyontz, Commissioners Bartley, Hedrick and Pedoeem voting in favor with Vice Chair Piñero being absent.

2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605 | Fax: 301-495-1320

www.montgomeryplanningboard.org | mco-chair@mncppc.org

Approved as to

Legal Sufficiency: Matthew T. Mills

M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820230030 for a five-story apartment building with 307 units, 12.5 percent MPDUs on the Subject Property, subject to the following conditions:¹

1. Density

The Site Plan is limited to a maximum of 352,373 square feet of total development including 12.5% MPDU's on the 5.7-acre Subject Property.

2. Height

The development is limited to a maximum height of 75 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated March 8, 2023, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

- a. The development must provide a minimum of 12.5 percent MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan.
- b. Before issuance of any building permit for any residential unit(s) in Building A/B, the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

4. Public Open Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 104,138 square feet of public open space, which is the equivalent of approximately 11% of the site area (approximately 21.78 acres) of the entire 54.84-acre tract.
- b. Before the issuance of use and occupancy certificates for Building A/B, public open space and recreation improvements to the existing stormwater management facility must be completed as shown on the Certified Site Plan. Landscaping materials may be installed within six months or during the following growing season after the improvements are completed.
- c. Prior to release of the first building permit for Building A/B, the Applicant must provide a trail entrance identification sign for each trail entrance at the

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

public open space on Parcel E and Parcel F, and at the trailhead entrance near the Montrose Road overpass on Parcel X.

5. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CRT Zone Incentive Density Implementation Guidelines* for each one.

a. **Connectivity between Uses, Activities, and Mobility Options**

i. **Minimum Parking**

The Applicant must not construct more than 357 parking spaces.

b. **Quality Building and Site Design**

i. **Architectural Elevations**

Final elevation design must be shown on the Certified Site Plan. The exterior architectural elements must be substantially similar to architectural elevations as shown on the Certified Site Plan and as determined by M-NCPPC Staff.

ii. **Exceptional Design**

The Applicant must construct the building in a manner consistent with the architectural elevations included in the Certified Site Plan.

iii. **Public Art**

a. The Planning Board has reviewed and accepts the recommendations of the Art Review Panel as described in its letter dated November 9, 2022 and incorporates them as conditions of approval.

b. Before the issuance of use and occupancy certificates for Building A/B, the Applicant must provide for and install the public art concept as presented to the Planning Board's Art Review Panel on November 9, 2022, and illustrated in the Certified Site Plan. Any significant changes to the concept must be presented to the Art Review Panel and approved by M-NCPPC Staff before the Certified Site Plan. As determined by the Public Art Coordinator, significant changes to the concept may require a Site Plan Amendment.

c. The Certified Site Plan must contain site details that clearly indicate the overall dimensions, prescribed materials, necessary lighting fixtures, footers and fasteners to ensure adequate safety and proper

inspection of the artworks by the Arts and Humanities Council of Montgomery County ("AHC MC") and Montgomery County Department of Permitting Services ("DPS").

- d. The appropriate signage should also be clearly visible, specifically identifying the title of the piece, artist name, materials, completion date, and overall dimensions.
- e. Before final inspection of the public artwork, the Applicant must submit to the Public Art Coordinator of the Maryland–National Capital Park and Planning Commission (M-NCPPC) at least three images of the artwork(s) on-site and information regarding the 1) associated project number, 2) title of the piece, 3) date of completion, 4) description of materials used, and 5) address. This information will be added to the existing inventory of the public artworks throughout the County (<http://www.mcatlas.org/art/>).
- f. Before final inspection of the public artwork, the Applicant must submit to the Public Art Coordinator of M-NCPPC a maintenance agreement consistent with the policies and procedures of the 2018 *Montgomery County Art Review Panel Policies and Procedures for the Optional Method of Development*.

iv. **Structured Parking**

The Applicant must provide all on-site parking spaces within a below-grade structure.

c. **Protection and Enhancement of the Natural Environment**

i. **Cool Roof**

The Applicant must provide a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12.

6. **Maintenance of Public Amenities**

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the required public art installation and new structures associated with the stormwater management facility open space, including but not limited to fitness or play equipment, benches, sculptural elements, trees, landscaping, walkways, and other material installed by the Applicant.

7. Transportation

- a. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated March 1, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b. Before issuance of any Use and Occupancy Certificate for Building A/B, the Applicant must construct a six-foot wide sidewalk along the street frontage surrounding Building A/B and construct the crosswalk improvements at the traffic circle intersection as shown on the certified site plan, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- c. Before issuance of any Use and Occupancy Certificate for any residential unit in Building A/B, the Applicant must construct traffic-calming intersection improvements at Cadbury and Park Potomac Avenues, and modifications to the existing traffic circle at Park Potomac Avenue and the Private Road.

8. Noise Mitigation

- a) Before the issuance of the first building permit for Building A/B, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that the building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- b) If any changes occur to the Preliminary Plan or Site Plan which affect the validity of the noise analysis dated July 11, 2022, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
- c) Before issuance of any Use and Occupancy Certificate for any residential unit in Building A/B or Final Inspection, whichever is relevant, for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and the MCDPS that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.
- d) For all noise impacted residential dwelling units, the Applicant must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification may be accomplished by inclusion of

this information and any measures to reduce the impacts in brochures and promotional documents and must be included in any noise impacted sales contracts, any illustrative site plan(s) on display within any sales related offices(s), in Homeowner Association documents, with all Deeds of Conveyance of noise impacted units, and by inclusion on all signature subdivision and site plans.

9. Lighting

- a. Before certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c. Deflectors will be installed on proposed exterior fixtures to prevent excess illumination and glare.
- d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

10. Site Plan Surety and Maintenance Agreement

- a. Before issuance for Building A/B of any above-grade building permit, sediment control permit, or Use and Occupancy Certificate, whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:
 - ii. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.

- iii. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, outdoor recreational facilities associated with the stormwater management facility open space (plant materials, pergola, benches, sculptural elements, fitness equipment, play equipment), the abutting private road and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, storm drainage facilities, street trees and streetlights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- iv. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

11. Development Program

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

12. Certified Site Plan

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

- a. Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b. Add the following notes:
 - i. *“M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”*
 - ii. *“Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”*
 - iii. *“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 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.”

- iv. *“The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”*
- c. Include approved Fire Department Access Plan in the Certified Site Plan.
- d. Show intersection improvements at Cadbury Ave and Park Potomac Ave, which enhance pedestrian and bicycle safety as approved by Staff.
- e. Modify data table to reflect development standards approved by the Planning Board.
- f. Ensure consistency of all details and layout between Subject Property and the landscape plans.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Site Plan No. 820230030, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board **FINDS**, with the conditions of approval, that:

1. *The development satisfies any previous approval that applies to the site.*

The findings herein apply only to the Subject Property and supersede the findings for Site Plan No. 820040120 and Site Plan No. 820040150 for only the geographic area covered by the Subject Property. While Site Plan No. 820230030 amends these limited areas, the conditions of the original Site Plan Nos. 82004012 and 82004015 remain in full force and effect for the remaining portions of land and satisfy all applicable development standards

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

Sketch Plan No. 320190020 applies to the Subject Property and was approved by the Planning Board (MCPB No. 19-064, June 19, 2019) subject to five binding elements and eight conditions. The area subject to the Sketch Plan includes all 54.8 acres consisting of the area commonly known as the Park Potomac community. The Site Plan satisfies this previous approval with the following Binding Elements:

- Maximum density and height;
- Approximate location of lots and public dedications;
- General location and extent of public open space;
- General location of vehicular access points; and
- Public benefit schedule.

The Site Plan conforms with the binding elements and conditions of approval of Sketch Plan No. 320190020, as amended, and Preliminary Plan Amendment No. 12003029B. The proposal is within the established density and height limitations, provides appropriate design elements that are responsive to the public benefits schedule, and includes the required public open space, public dedications and a through-block connection.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

Not applicable because the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

a. Use Standards

The Site Plan satisfies applicable use standards, development standards, and general requirements for the multi-unit living use in the Commercial Residential Town (CRT) Zone, under the Optional Method Development in Section 4.5.4. Pursuant to Section 59.3.1.6, the multi-unit living use is a permitted use in the CRT zone.

b. Development Standards

The Subject Property includes approximately 5.7 acres zoned CRT 1.25, C-0.5, R-0.75, H-100T. The Application satisfies the applicable development standards as shown in the following data table (Table 1):

Table 1 - Development Standards for CRT 1.25, C-0.5, R-0.75, H-100T Zone, Optional Method, Section 59.4.5.4

Development Standard	Permitted/ Required	Approved by Sketch Plan 320190020	Approved by Site Plan 820230030
Net Area (Site Plan) ²	n/a	43.17 acres	5.7 acres
Residential (FAR/GFA)	0.75 FAR 1,791,651 sq. ft.	0.75 FAR 1,786,651 sq. ft.	352,373 new sq. ft. 1,656,651 total sq. ft.
Commercial (FAR/GFA)	0.5 FAR 1,194,434 sq. ft.	0.28 FAR 669,628 sq. ft.	None approved
Total Density (FAR/GFA) ²	1.25 FAR 2,986,085 sq. ft.	0.99 FAR 2,359,079 sq. ft.	0.86 2,045,779 sq. ft.
MPDU requirement (minimum)	12.5%	12.5% or more	12.5%
Building Height (maximum)	100 feet	100 feet	75 feet
Public Open Space (minimum) ²	10% of multi-family, commercial area (81,588 sq. ft.)	10% (81,688 sq. ft.)	11% (104,138 sq. ft.)
Common Open Space (minimum) ²	10% of townhouse area (96,517 sq. ft.)	31.9% (303,148)	32.5% (303,148 sq. ft.)
Principle Building, Mln. Setbacks (for all lots)	0 feet	Determined at Site Plan	0 feet
Front Setback	0 feet	Determined at Site Plan	0 feet
Side Street Setback	0 feet	Determined at Site Plan	0 feet
Side Setback (End unit)	Not applicable	Not applicable	Not applicable
Side Setback (Internal Unit)	Not applicable	Not applicable	Not applicable
Rear Setback	0 feet	Determined at Site Plan	0 feet
Rear Setback (Alley)	4 feet	Determined at Site Plan	Not applicable
Rear Setback (between lot and site boundary)	Not applicable	Not applicable	Not applicable

³ Permitted and approved, per approved Sketch Plan No. 320190020.

Table 2: Parking (Section 59.6.2.4B) and Loading (Section 59. 6.2.8.B.1) Requirements

Use	Metric	Baseline Minimum Spaces	Baseline Maximum Spaces	Approved Unbundled Spaces
One Bedroom	132 units	66	165	-
One Bedroom, MPDU	20 units	10	25	-
Two Bedroom	100units	75	150	-
Two Bedroom, MPDU	19 units	10	29	-
Three Bedroom	36 units	27	72	-
Total Vehicle Parking	307 Units	188	441	357
Off-street Loading Space	One off-street loading space is required for multi-living uses with 50 units and above. The Site Plan provides one loading space inside the below-grade garage.			

Table 3 - Bicycle Parking Requirements, Section 59.6.2.4.C

<i>Bicycle Parking</i>	<i>Approved Spaces</i>
Calculated at 0.5 spaces per unit, up to a maximum of 100 spaces (59-6.2.4.C)	
Short Term	5
Long-Term	95
Total Bicycle Parking	100

In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan proposed 26 public benefit points in three categories to satisfy the requirements of Connectivity and Mobility, Quality Building and Site Design, and Protection and Enhancement of the Natural Environment.

As approved by Sketch Plan No. 320190020, a minimum of 63.02 points is required across three phases of development: Phase I (Building A/B), Phase 2 (Building C), and Phase 3 (Building F). The Site Plan is Phase I and proposed a total of 25.65 points, as shown in the Public Benefit Table, and are found adequate and approved.

Table 4 - Public Benefit Calculations, Section 59.4.7

Public Benefit	Maximum Points Allowed	Approved by Sketch Plan 320190020, Phase 1	Approved Phase 1
Connectivity and Mobility (59.4.7.3.C)			
Minimum Parking	10	3	3
Quality Building and Site Design (59.4.7.3.E)			
Exceptional Design	10	5	5
Public Art	15	0	10
Structured Parking	20	6	6
Protection and Enhancement of the Natural Environment (59.4.7.3.F)			
Cool Roof	10	1.65	1.65
Total Points	50 minimum points required for three phases.	15.65	25.65

c. General Requirements

i. *Site Access*

Site access is safe and adequate for the use. The Subject Property is located northwest of the interchange of I-270 and Montrose Road, with frontage on Park Potomac Avenue. Proposed Building A/B will have adequate pedestrian access to/from Park Potomac Avenue and will have adequate access to parking and loading from the proposed private street adjacent to I-270. Park Potomac Avenue is an arterial street with an approximate right-of-way width of 70 feet with two travel lanes. No additional right-of-way dedication is necessary. The Applicant will construct a six-foot wide sidewalk around the perimeter of the building and improve the crosswalks near the traffic circle. Wayfinding signs will be installed to guide individuals to the trailhead located on the south side of the Montrose Road overpass. This on-site trailhead connects with the neighboring homeowner's association trail and with Greenleaf Avenue, which leads to the Cabin John trailhead on Goya Drive. Additionally, to satisfy Condition No 5b of Sketch Plan No. 320190020 to improve wayfinding, the Applicant will install a trailhead entrance sign at each entrance on Cadbury Avenue along Parcel E.

ii. *Parking, Queuing, and Loading*

As shown in Table 2, the Site Plan satisfies Division 6.2 parking, queuing, and loading. The Site Plan proposes a subterranean parking structure that provides 357 unbundled private parking spaces, which is within the maximum/minimum (187/441 spaces) range of required vehicle parking spaces. Included in the total parking spaces are spaces for eight handicapped, seven motorcycle, four car-sharing, and 20 electric car charging stations. Additionally, 100 bicycle parking spaces are provided with five short-term and 95 long-term spaces (Table 3). The Site Plan also includes one interior loading space and dock.

iii. *Open Space and Recreation*

As shown in Table 1, the Site Plan exceeds the minimum requirements for public open space. Sketch Plan No. 320190020 requires a minimum of 303,148 square feet (32 percent of the townhouse areas) of common open space and a minimum of 81,688 square feet (10 percent of other building types) of public open space across the 21.8-acre area. As part of this Application, additional new public open space is provided at the Montrose Road entrance area which is being integrated with the existing stormwater management facility in coordination with Montgomery County Department of Environmental Protection and Montgomery County Department of Permitting Services. The expanded open space will include new walking paths, seating, playscape, fitness and sculptural elements, and additional trees and bioretention plantings.

As shown on the Applicant's Demand, Supply and Adequacy report, prepared to demonstrate compliance with the Recreation Guidelines, the Site Plan demonstrates adequacy and provides both on-site and off-site recreational facilities for all age groups. For the on-site recreation, the Applicant will provide the following recreation facilities: garage bicycle parking, indoor fitness room, resident lounge, interior courtyard garden, multi-purpose lobby, internet café, and a lounge/pool area to comply with the Recreational Guidelines

iv. *General Landscaping and Outdoor Lighting*

Landscaping and outdoor lighting provided as part of the Site Plan is adequate. The proposed elements along Park Potomac Avenue, the rear service road, and the new block connection are consistent with Division 6.4 General Landscaping and Outdoor Lighting. Landscaping and trees are provided around the periphery of the Subject Property. Additionally, the Applicant will provide five additional off-site shade trees on the south side of the private service drive to increase the canopy adjacent to the roadway. Lighting is provided in appropriate locations around the Subject Property and building to ensure safe and attractive nighttime illumination.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on May 1, 2023. The plan will meet stormwater management requirements using Environmental Site Design (ESD) utilizing micro-bioretenion, modular wetlands, and a green roof.

b. Chapter 22A, Forest Conservation

The Board finds that as conditioned the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

Final Forest Conservation Plan 820040120 was approved on February 15, 2013 as part of the related Site Plan (Attachment F). The Applicant provided a redlined markup of the approved Final Forest Conservation Plan demonstrating this proposal would not expand the limits of disturbance beyond those already approved as part of the approved Final Forest Conservation Plan 820040120; therefore, the Final Forest Conservation Plan 820040120 remains valid and was not revised or amended as part of this Application.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing, and where required, open spaces and site amenities.*

The Site Plan for Building A/B provides safe, well-integrated parking, circulation patterns, building massing, open spaces and site amenities. The building fronts on Park Potomac Ave and includes a colorful art feature most visible as one

enters the community at the gateway entrance. Oriented close to the street edge and public realm, the building creates a strong but comfortable presence that fosters an inviting pedestrian experience. All parking, loading, trash collection, and pick-up and drop-off activities will occur on-site in the rear and out of the public right-of-way. The Site Plan proposes two driveways access from a private drive, which reduces conflict for pedestrians and other vehicles on Park Potomac Avenue. Pedestrian safety and connectivity will be improved with the enhanced streetscape improvements along the Subject Property frontages and a new private drive connection with Park Potomac Avenue along the northern side of the Subject Property

- 7. The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Site Plan substantially conforms to the recommendations included in the 2002 *Potomac Subregion Master Plan*. The Site Plan will achieve the following Master Plan's goals:

Create a grid of intersecting street consisting of short blocks 200 to 400 feet long, organized around major axes and a "Main Street."

The Site Plan will incorporate a new private drive along the northern portion of the Subject Property, which will break up the frontage along Park Potomac Avenue, a "main street," so that it is no more than approximately 400 feet between intersections.

Locate public and private community facilities and open spaces within and adjacent to centers.

As described above in these findings, the Site Plan will improve an existing stormwater management facility which is within the community. The facility will incorporate additional public open space, recreational elements, paths, and amenities.

Locate buildings along streets to create a strong street definition.

The Site Plan provides a zero setback along all the street frontages, which creates a strong visual definition for pedestrians, bicyclists, and motorists moving along Park Potomac Avenue and the adjoining private drives.

Provide attractive streetscaping, generally consisting of a row of street trees along the curb and adequately sized sidewalks.

As described above in these findings and shown on the landscape plan, the Site Plan provides attractive streetscaping and street trees along all frontages. Attractive landscaping and trees are provided around the Subject Property, along the street frontages, as well as near I-270 and the private road

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

Roads and Transportation Facilities

Park Potomac Avenue is an arterial street with a dedicated right-of-way width of 70 feet with two travel lanes. As such, no additional right-of-way dedication is necessary. The 2018 *Bicycle Master Plan* does not indicate a bicycle facility recommendation for Park Potomac Avenue. Consistent with 2021 *Complete Streets Design Guidelines* ("CSDG"), the Applicant will construct six-foot-wide sidewalks on all four sides of the Subject Property, including the Park Potomac Avenue frontage and the private drive that borders the building. Pedestrian connections will be improved at the roundabout and Montrose Road overpass. The Applicant will also make roadway and crosswalk improvements at the intersection of Cadbury and Park Potomac Avenues. These improvements include changes to roadway width and crosswalk distances through the use of traffic calming features.

Local Area Transportation Review (LATR)

Consistent with Local Area Transportation Review (LATR) requirements for projects generating more than 50 peak-hour trips, the Applicant completed a Transportation Impact Study. The Subject Property is projected to add an additional 382 net new AM peak-hour trips, and 422 PM peak-hour trips. Existing trips from 2022 counts were calculated at 820 AM peak-hour trips and 1,179 PM peak-hour trips. In total, the estimated net new person trips would equate to 1,202 AM peak-hour trips and 1,601 PM peak-hour trips.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the lots. The Subject Property is within the W-1 water and S-1 sewer service categories and will utilize public water and sewer facilities. The Application was reviewed by the MCDPS, Fire Department Access and Water Supply Section, and a Fire Access Plan was approved on March 26, 2023. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the

2020-2024 *Growth and Instructure Policy* (“GIP”) in effect at the time that the Application was accepted.

School Facilities

The Application is served by Ritchie Park Elementary School, Julius West Middle School and Richard Montgomery High School. Based on the FY23 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 5 - Applicable School Adequacy

School	Projected School Totals, 2026				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Ritchie Park ES	411	308	74.9%	+103	No UPP	188	205	247
Julius West MS	1,432	1,364	95.3%	+68	No UPP	194	355	570
Richard Montgomery HS	2,241	2,713	121.1%	-472	Tier 2 UPP			313

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 FY23 Annual School Test, Ritchie Park Elementary School and Julius West Middle School do not require any UPP as identified in (Table 1). However, Richard Montgomery High School requires a Tier 2 UPP. If the Application is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

With a net of 307 multi-family high-rise 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:

Table 6 - 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	0	0.185	0.000	0.108	0.000	0.154	0.000
SF Attached	0	0.225	0.000	0.123	0.000	0.159	0.000
MF Low-rise	0	0.107	0.000	0.058	0.000	0.070	0.000
MF High-rise	307	0.051	15.657	0.024	7.368	0.030	9.210
TOTALS	307	-	15	-	7	-	9

As shown in (Table 6), on average, this Application is estimated to generate 15 elementary school students, seven middle school students and nine high school students. The number of students generated for elementary school students and middle school students does not exceed the adequacy ceilings identified for each school in (Table 1), however, a Tier 2 high school UPP per unit is required.

9. *The development is compatible with existing and approved or pending adjacent development.*

The Site Plan is compatible with existing, approved or pending adjacent development. The proposed 75-foot maximum height residential building is appropriate to the setting. Building A/B is infill development within an existing mixed-use community. It mirrors the established development pattern of surrounding area in density, massing, and architectural treatment. Adjacent properties are zoned for similar height maximums and a mix of densities. The majority of existing development proximate to the Site Plan along Park Potomac Avenue is developed similarly. Land to the east and south are the corridors of Montrose Road and I-270, which separate Building A/B from property further to the east and south. There are no other known pending applications on adjacent development

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

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUN 15 2023 (which is the date that this resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Hedrick, seconded by Commissioner Pedoeem, with a vote of 3-0-1; Chair Zyontz, and Commissioners Hedrick, and Pedoeem, voting in favor of the motion, Vice Chair Piñero abstaining and Commissioner Bartley necessarily absent, at its regular meeting held on Thursday, June 8, 2023, in Wheaton, Maryland and via video conference.



Jeffrey Zyontz, Chair
Montgomery County Planning Board

Kofi Meroe
12435 Park Potomac Avenue, Ste 200
Potomac, MD 20854

Josh Sloan
20251 Century Blvd., Suite 400
Germantown, MD 20874

Jason Evans
20251 Century Blvd., Suite 400
Germantown, MD 20874

Nancy Thompson
20251 Century Blvd., Suite 400
Germantown, MD 20874

Phil Hummel
11 N. Washington Street, Suite 700
Rockville, MD 20850

Sara Brandt-Vorel
12435 Park Potomac Avenue, Ste 200
Potomac, MD 20854

Josh Etter
12435 Park Potomac Avenue, Ste 200
Potomac, MD 20854

Sarah Alexander
1923 Vermont Avenue, NW
Grimke School
2nd Floor
Washington, DC 20001

Aaron Garbutt
1923 Vermont Avenue, NW
Grimke School
2nd Floor
Washington, DC 20001

Gaëlle Gourmelon
714 7th St SE,
Washington, DC 20003

Tim Bragan
714 7th St SE,
Washington, DC 20003

Rebecca Torma
101 Monroe Street, 10th Floor
Rockville, MD 20850

Sandra Becher
101 Monroe Street, 10th Floor
Rockville, MD 20850

Billy Whelan
101 Monroe Street, 10th Floor
Rockville, MD 20850

Bruce Fonoroff (Vice President)
12500 PARK POTOMAC AVE
POTOMAC, MD 20854

Nicholas Marzella (President)
12414 Ansin Circle Dr.
Potomac MD 20854

Richard Johnson
4800 Hampden Ln, Ste 300
Bethesda, MD 20814

Sidney Rosenzweig

Park Potomac Preliminary Plan 12003029B – MCPB No. 23-062
Park Potomac Site Plan 820230030 – MCB No. 23-063