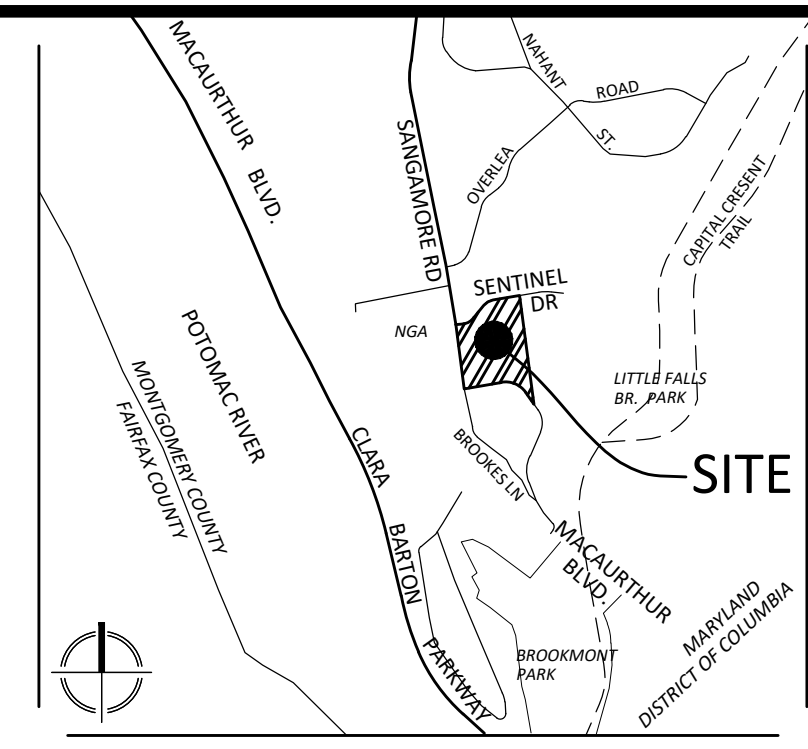


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Germantown, MD 20874
301.916.4100 | vika.com
Our Site Set on the Future.

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Rockville, MD 20852
Robert R. Miller
rmiller@wcanmiller.com

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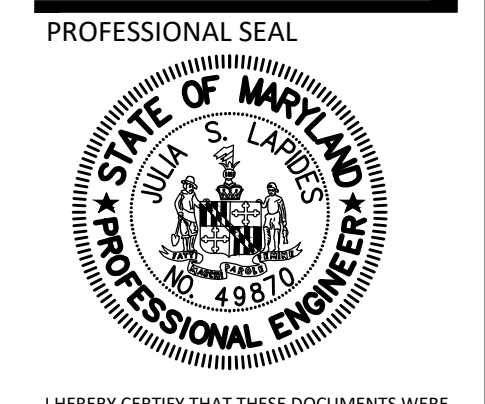
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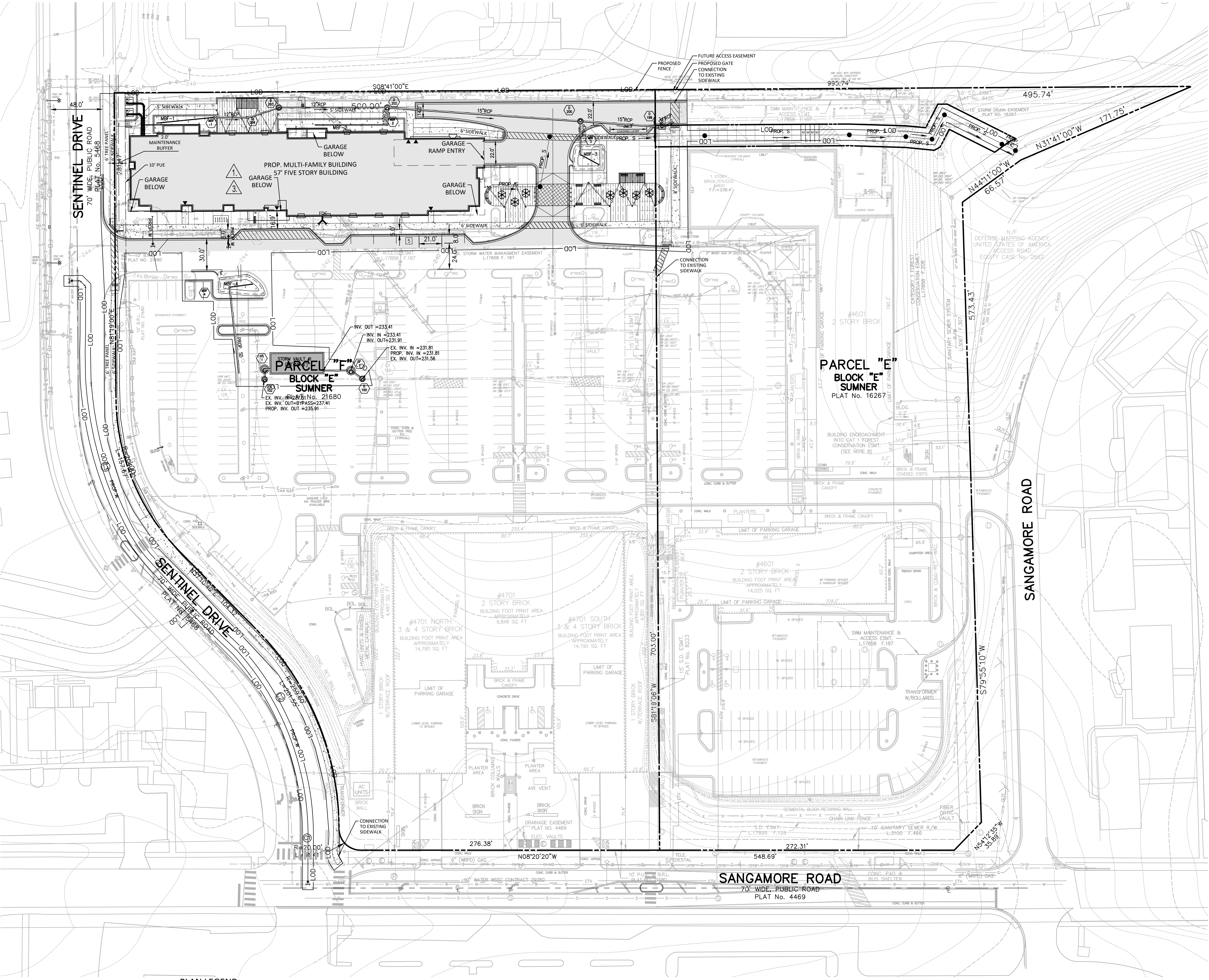
SHOPS AT
SUMNER
7TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 206NW06
TAX MAP: GM62

40 SCALE
PRELIMINARY
PLAN



PROFESSIONAL SEAL
STATE OF MARYLAND
PROFESSIONAL ENGINEER
J. J. LAPIDES
LICENSE NO. 8925
EXPIRATION DATE: SEPTEMBER 8, 2024

List of Changes for 11985202A
Amendment to Preliminary Plan No. 119852020 to incorporate Parcel F.
Release and extinguish Condition 1 that states "agreement with Planning Board to limit the development to 46,000 square feet of retail uses with reference on record plat" for Parcel E; and
Adequate Public Facilities (APF) validity for up to 46,000 square feet of existing commercial uses on Parcel E, up to 178,274 square feet of proposed multi-family residential uses on Parcel F, and up to 117,208 square feet of proposed multi-family residential uses (up to 118 multi-family units with 15.2% MPUs and associated residential density as finalized by Site Plan) on Parcel F.



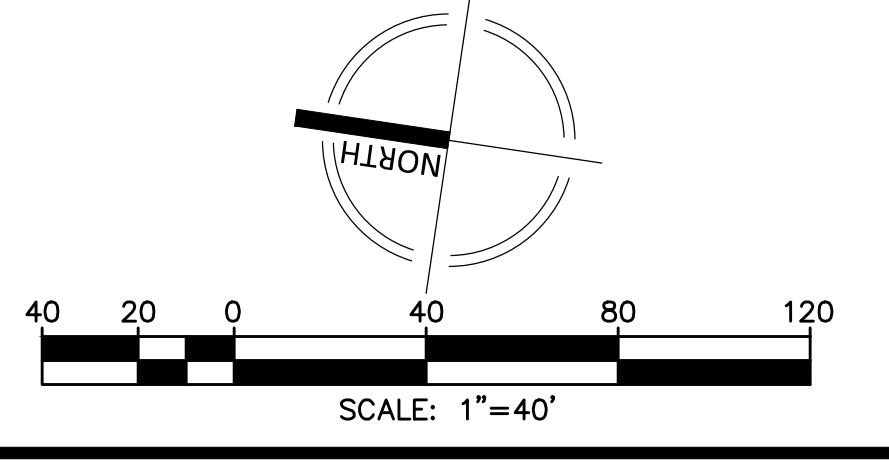
PLAN LEGEND

| | | | | | | | | | |
|----------|-------------------------------------|----------|--|----------|------------------------------|----------|------------------------------------|----------|------------------------------------|
| (Symbol) | PROPERTY LINES | (Symbol) | PROPOSED WATER LINE | (Symbol) | EXISTING GUY POLE | (Symbol) | EXISTING BOLLARD | (Symbol) | BUILDING HEIGHT MEASURING POINT |
| (Symbol) | EXISTING CABLE TELEVISION CONDUIT | (Symbol) | PROPOSED SANITARY SEWER WITH STRUCTURE | (Symbol) | EXISTING GAS VALVE | (Symbol) | EXISTING SIGN POST | (Symbol) | PROPOSED BIKE RACKS |
| (Symbol) | EXISTING ELECTRICAL CONDUIT | (Symbol) | PROPOSED STORM DRAIN | (Symbol) | EXISTING LIGHT POLE | (Symbol) | EXISTING WOOD POST | (Symbol) | PROPOSED LIGHTS |
| (Symbol) | EXISTING EDGE OF PAVEMENT | (Symbol) | PROPOSED STORM WATER EASEMENT | (Symbol) | EXISTING PHONE PEDESTAL | (Symbol) | EXISTING INLETS | (Symbol) | PEDESTRIAN LIGHTS |
| (Symbol) | EXISTING FENCE LINE | (Symbol) | EXISTING LIMITS OF DISTURBANCE | (Symbol) | EXISTING PHONE MANHOLE | (Symbol) | EXISTING CURB INLET | (Symbol) | EXISTING PHONE PEDESTAL |
| (Symbol) | EXISTING NATURAL GAS CONDUIT | (Symbol) | EXISTING PARKING LABEL | (Symbol) | EXISTING UTILITY POLE | (Symbol) | EXISTING CONCRETE | (Symbol) | EXISTING CURB AND GUTTER |
| (Symbol) | EXISTING OVERHEAD WIRES | (Symbol) | EXISTING SANITARY CLEANOUT | (Symbol) | EXISTING SANITARY MANHOLE | (Symbol) | EXISTING TRAFFIC SIGNAL POLE | (Symbol) | EXISTING STORY |
| (Symbol) | EXISTING TELEPHONE CONDUIT | (Symbol) | EXISTING STORM DRAIN MANHOLE | (Symbol) | EXISTING TRAFFIC CONTROL BOX | (Symbol) | EXISTING ELECTRICAL TRANSFORMER | (Symbol) | EXISTING ELECTRICAL TRANSFORMER |
| (Symbol) | EXISTING PUBLIC UTILITIES EASEMENTS | (Symbol) | EXISTING ELECTRICAL JUNCTION BOX | (Symbol) | EXISTING TREE | (Symbol) | EXISTING EASEMENT | (Symbol) | EXISTING EASEMENT |
| (Symbol) | EXISTING SANITARY SEWER CONDUIT | (Symbol) | EXISTING FIRE DEPARTMENT CONNECTION | (Symbol) | EXISTING WATER METER | (Symbol) | EXISTING REINFORCED CONCRETE PIPE | (Symbol) | EXISTING CORRUGATED METAL PIPE |
| (Symbol) | EXISTING STORM DRAIN CONDUIT | (Symbol) | EXISTING FIRE HYDRANT | (Symbol) | EXISTING WATER MANHOLE | (Symbol) | EXISTING BUILDING RESTRICTION LINE | (Symbol) | EXISTING BUILDING RESTRICTION LINE |
| (Symbol) | EXISTING WATER CONDUIT | (Symbol) | EXISTING GAS MANHOLE | (Symbol) | EXISTING WATER VALVE | (Symbol) | EXISTING RIGHT-OF-WAY | (Symbol) | EXISTING RIGHT-OF-WAY |
| (Symbol) | EXISTING ZONE LIMITS | (Symbol) | | (Symbol) | | (Symbol) | | (Symbol) | |
| (Symbol) | PROPOSED 10' CONTOUR | (Symbol) | | (Symbol) | | (Symbol) | | (Symbol) | |
| (Symbol) | PROPOSED 2' CONTOUR | (Symbol) | | (Symbol) | | (Symbol) | | (Symbol) | |

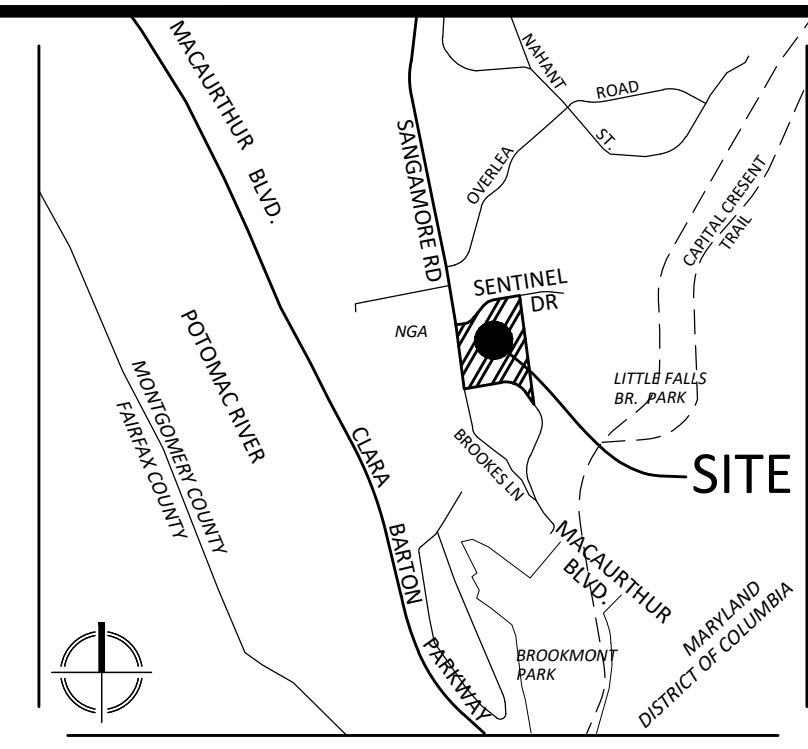
NOT FOR CONSTRUCTION

FOR LOCATION OF UTILITIES CALL 8-1-1 or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.mssutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 56a of the Montgomery County Code.



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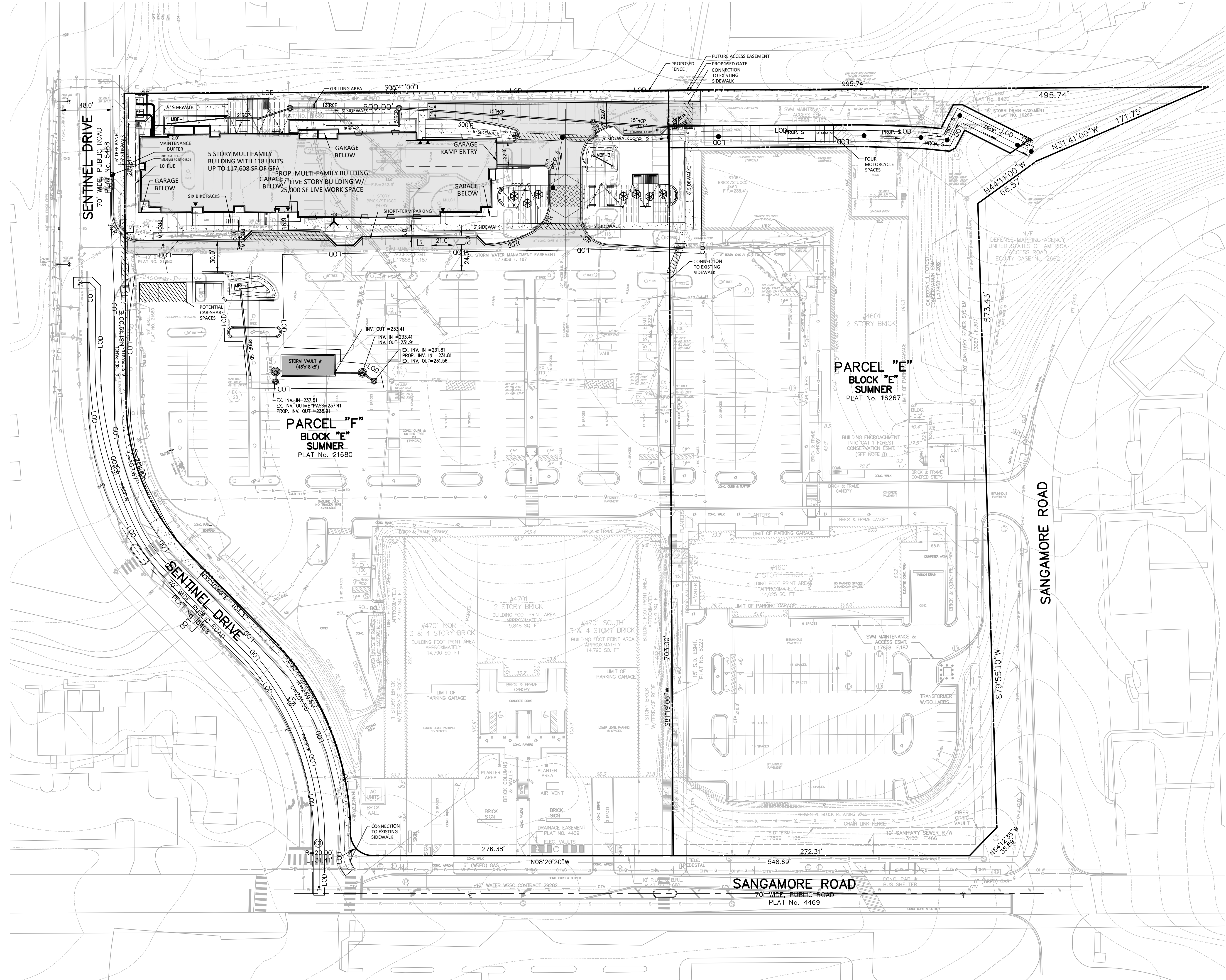
VICINITY MAP
SCALE: 1" = 2000'

LANDSCAPE ARCHITECT & CIVIL ENGINEER
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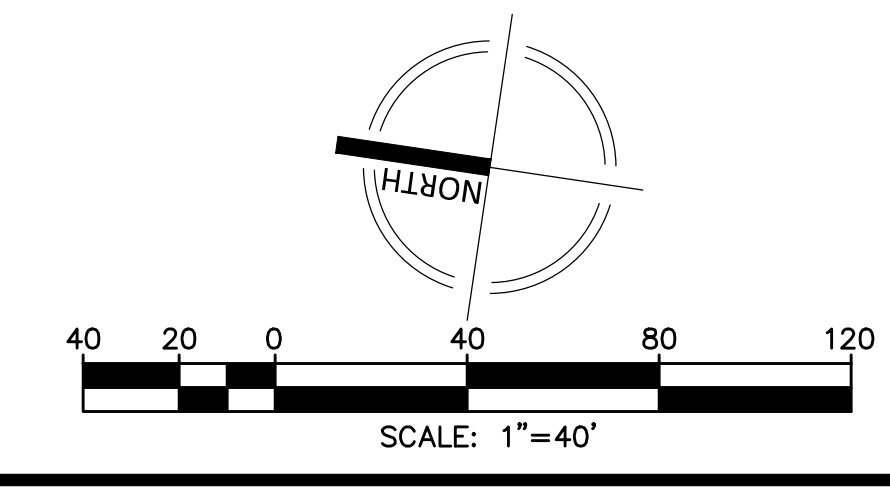


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www.call811.com or http://www.msutility.net
48 HOURS IN ADVANCE OF ANY
WORK IN THIS VICINITY
The excavator must notify all public utility companies with underground
facilities in the area of proposed excavation and have those facilities
located by the utility companies prior to commencing excavation. The
excavator is responsible for compliance with requirements of Chapter
36a of the Montgomery County Code.

PLAN LEGEND

Table with 4 columns listing symbols and their corresponding meanings for property lines, utility lines, proposed structures, and existing features.



DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval
No. 820230140, including Approval Conditions, Development Program and
Certified Site Plan.

Developer's Name: W.C. and A.N. Miller Development Company
Contact Person: Robert B. Miller
Address: 20251 Sangamore Road, Suite 5126
Phone: 301.915.9393
Signature: _____ Date: _____

Table with 2 columns: REVISIONS and DATE. Contains multiple empty rows for tracking changes.

SUMNER PLACE
APARTMENTS
7TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 206NW06
TAX MAP: GM62

COMPOSITE
SITE PLAN



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM
A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND.
ENGINEER'S NAME: JULIA LAPIDES, P.E.
LICENSE NO.: 85827
EXPIRATION DATE: SEPTEMBER 8, 2024

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DRAWN BY: TG
DESIGNED BY: CB
DATE ISSUED: JULY 2023
Vika
PROJECT: VM50339C
DRAWING NO.: 820230140
SHEET NO.: SP-3



Vika Maryland, LLC
20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vika.com

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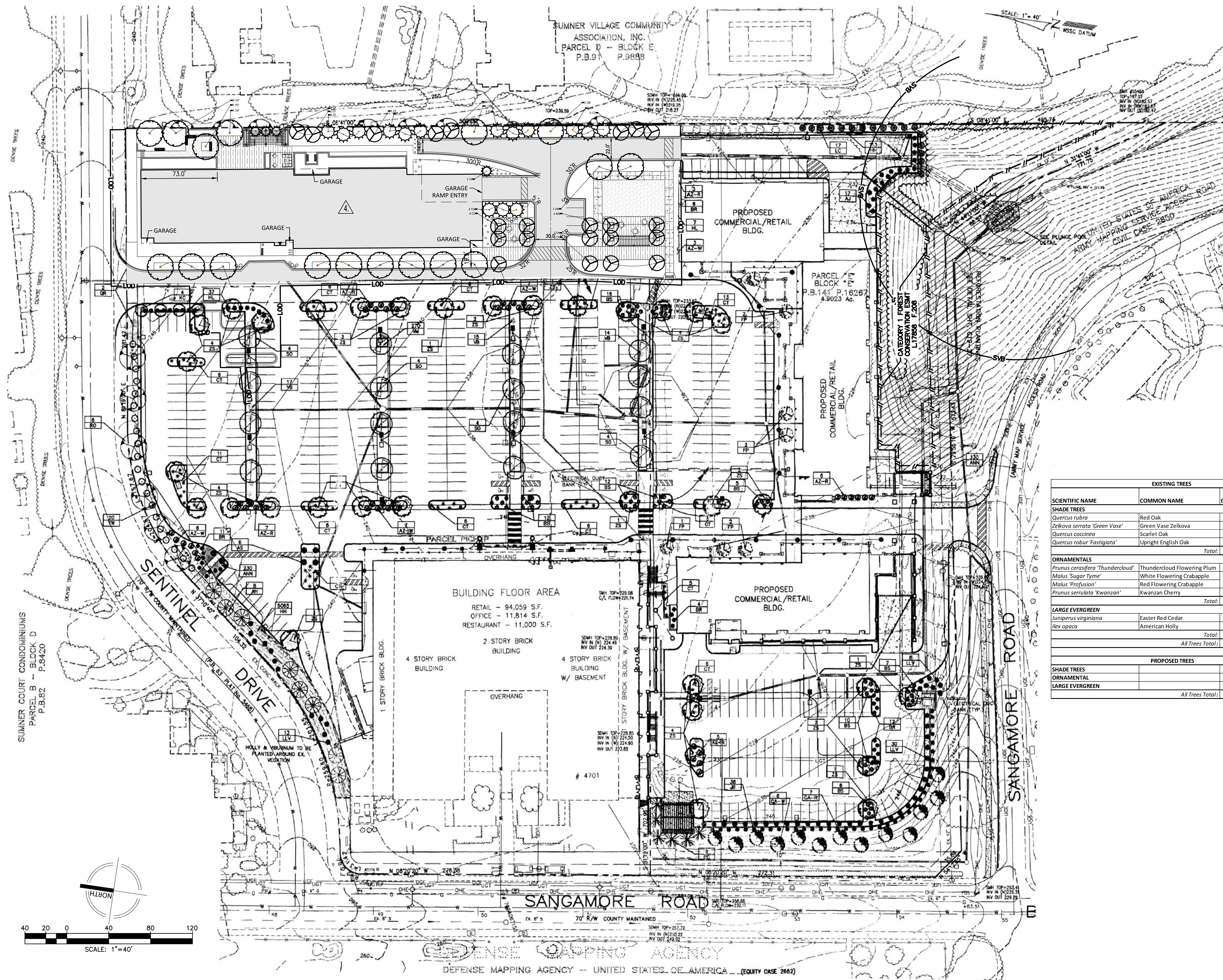
PREPARED FOR:
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ROCKVILLE, MD 20852
301-915-9393
Robert R. Miller
rmliller@wcanmiller.com

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CIVIL ENGINEER
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SUITE 200
TYSONS, VA, 22102
703.442.7800
MICHAEL R. PINKOSKE JR., PTP
PINKOSKE@VIKA.COM



| EXISTING TREES | | QTY. | QTY. WITHIN LIMITS OF WORK |
|---|-----------------------------|------|----------------------------|
| SHADE TREES | | | |
| <i>Quercus rubra</i> | Red Oak | 6 | 7 |
| <i>Zelkova serrata</i> 'Green Vase' | Green Vase Zelkova | 34 | 17 |
| <i>Quercus coccinea</i> | Scarlet Oak | 16 | 0 |
| <i>Quercus robur</i> 'Fastigiata' | Upright English Oak | 1 | 1 |
| | Total: | 57 | 25 |
| ORNAMENTALS | | | |
| <i>Prunus cerasifera</i> 'Thundercloud' | Thundercloud Flowering Plum | 7 | 0 |
| <i>Malus 'Sugar Tyme'</i> | White Flowering Crabapple | 13 | 0 |
| <i>Malus 'Profusion'</i> | Red Flowering Crabapple | 4 | 18 |
| <i>Prunus serrulata</i> 'Kwanzan' | Kwanzan Cherry | 24 | 18 |
| | Total: | 48 | 18 |
| LARGE EVERGREEN | | | |
| <i>Juniperus virginiana</i> | Easter Red Cedar | 6 | 0 |
| <i>Ilex opaca</i> | American Holly | 8 | 8 |
| | Total: | 14 | 8 |
| | All Trees Total: | 95 | 51 |
| PROPOSED TREES | | | |
| SHADE TREES | | | 17 |
| ORNAMENTAL | | | 22 |
| LARGE EVERGREEN | | | 15 |
| | All Trees Total: | 0 | 54 |

| REVISIONS | DATE |
|-----------|------|
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| | |
| | |
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| | |
| | |

SHOPS AT SUMNER

7TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 206NW06
TAX MAP: GM62

PROPOSED FOREST CONSERVATION PLAN

PROFESSIONAL SEAL

List of Changes for 11985202A

- Amendment to Preliminary Plan No. 11985202 to incorporate Parcel F.
 - Release and extinguish Condition 1 that states "agreement with Planning Board to limit the development to 46,000 square feet of retail uses with reference on record plat" for Parcel E; and
 - Adequate Public Facilities (APF) validity for up to 46,000 square feet of existing commercial uses on Parcel E, up to 178,274 square feet of existing commercial uses on Parcel F, and up to 117,608 square feet of proposed multi-family residential uses (up to 118 multi-family units with 15.2% MPDUs and associated bonus density as finalized by Site Plan) on Parcel F.
- △ Modify previously approved forestry elements as necessitated by the Project.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.
LA NAME: CHANDA BEAUFORT, B.L.A.
LICENSE NUMBER: 3133
EXPIRATION DATE: September 7, 2024

THE INFORMATION, DESIGN AND CONTENT OF THESE DRAWINGS OR DOCUMENTS ARE PROPRIETARY TO Vika Maryland, LLC AND CONSTITUTE ITS PROPRIETARY AND CONFIDENTIAL PROPERTY. THESE DRAWINGS AND/OR DOCUMENTS ARE TO BE USED ONLY FOR THE PROJECT AND FOR THE PURPOSES FOR WHICH THEY WERE PREPARED. ANY REUSE, REPRODUCTION, COPIES, DIGITALLY CONVERTED, MODIFIED OR USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN AUTHORIZATION FROM Vika Maryland, LLC, VIOLATION MAY RESULT IN PROSECUTION. ONLY APPROVED, SIGNED AND SEALED PLANS OR DRAWINGS MAY BE UTILIZED FOR CONSTRUCTION PURPOSES.

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DRAWN BY: TG
DESIGNED BY: CB
DATE ISSUED: JULY 2023
Vika PROJECT VM50339C
DRAWING NO. F20240050
SHEET NO. FFCP-3

DEVELOPER'S CERTIFICATE

The undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 2023A0050, including, financial bonding, forest planting, maintenance, and all other applicable agreements.

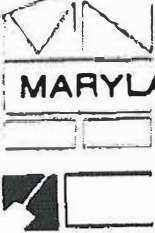
Developer's Name: W.C. AND A.N. MILLER DEVELOPMENT COMPANY
Printed Company Name
Contact Person or Owner: ROB MILLER
Printed Name
Address: 4701 SANGAMORE ROAD SUITE S134 BETHESDA, MD 20816
Phone and Email: 301-915-9393 R.MILLER@WCANMILLER.COM
Signature: _____

NOT FOR CONSTRUCTION

FOR LOCATION OF UTILITIES CALL 8-1-1 or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.msutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located and clearly marked prior to commencing excavation. Excavator is responsible for compliance with requirements of Chapter 56A of the Montgomery County Code.

Date of Mailing: May 28, 1986



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

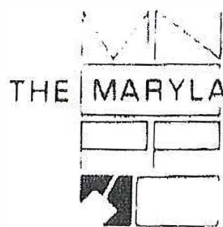
OPINION

Preliminary Plan 1-85202
NAME OF PLAN: SUMNER

On 09-19-85, W.C.A.N.MILLER DEV. CO. , submitted an application for the approval of a preliminary plan of subdivision of property in the C 1 zone. The application proposed to create 1 lots on 4.90 ACRES of land. The application was designated Preliminary Plan 1-85202. On 05-22-86, Preliminary Plan 1-85202 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing , the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-85202 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-85202, subject to the following conditions:

1. Agreement with Planning Board limiting development to 46,000 square foot supermarket with reference on record plat.
2. Participation in improvement of MacArthur Boulevard/ Sanagamore Road intersection per Transportation Division memo.
3. Army Map Service approval of access to site.
4. Dedication for truncation of intersection.
5. DEP determination prior to issuance of building permits that sufficient parking remains on existing shopping center lot.
6. Necessary easements.

⑧ PBR



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date of Mailing: Dec. 3, 1990

MONTGOMERY COUNTY PLANNING BOARD
OPINIONPreliminary Plan No. 1-85202 (Amendment)
Project: Sumner

Action: Approval of Amendment to previously approved Preliminary Plan, subject to conditions. (Motion by Commissioner Hewitt, seconded by Commissioner Floreen, with a vote of 3-0, Commissioners Hewitt, Floreen and Bauman voting in favor of the motion; Commissioners Keeney and Henry being necessarily absent).

A. BACKGROUND/EXISTING CONDITIONS

By written opinion dated and mailed May 28, 1986, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission (the "Planning Board" or "Board") approved an Application for Preliminary Plan of Subdivision captioned 1-85202 (the "Preliminary Plan") filed by W.C.&A.N. Miller Development Company (the "Applicant") for certain property situate at the northeast quadrant of Sangamore Road and Brookes Lane (the "Property") (see Exhibit 1). The Property, known of record as "Parcel "E", SUMNER", is comprised of 4.9 acres zoned C-1. (See Exhibit 2). The Preliminary Plan, upon due notice, was brought to public hearing before the Planning Board on May 22, 1986, during which hearing the Planning Board accepted into the record substantial evidence and testimony concerning the plan. Upon due consideration of the record, the Planning Board found that the Preliminary Plan, as conditioned, conformed with pertinent subdivision regulations and related law falling within the jurisdiction of the Planning Board. No reconsideration request was directed to the Planning Board nor timely appeal of the decision of the Planning Board taken.

The Preliminary Plan proposed the development of a 46,000 square foot supermarket on the Property. The Property (Parcel E) is adjacent to an existing retail facility commonly known as the Little Falls Mall situate on a Part of Parcel "B", a previously

approved and recorded parcel.¹ The original proposal for Parcel E as contemplated and approved in the Preliminary Plan called for the relocation and enlargement of an existing supermarket off of (Part of) Parcel B onto the Property. After relocating the supermarket, varying retail uses would replace the space previously occupied by the supermarket on (Part of) Parcel B.

In the course of its review of every preliminary plan, the Planning Board must determine, among other things, if all public facilities, necessary to support the proposed development, are adequate to service such development.² The Planning Board, in the course of its May 22, 1986 public hearing, reviewed relevant evidence submitted and prepared in accordance with then applicable Transportation Guidelines. These guidelines assist the Board to undertake a consistent and orderly review in accordance with the APFO. The Board found that the proposed development of a 46,000 square foot supermarket would not overburden existing or programmed (planned, funded, but not yet constructed) public facilities, particularly nearby transportation facilities (roadway links and intersections). Therefore, the Planning Board, having determined that the Preliminary Plan comports with Chapter 50, Montgomery County Code (the "Subdivision Regulations"), approved the Preliminary Plan subject to conditions to be complied with in advance of construction on the Property.

One such condition required "an agreement with Planning Board limiting development to a 46,000 square foot supermarket with reference on record plat" (the "APFO Condition"). Pursuant to the APFO Condition, the Applicant entered into a certain Adequate Public Facility (Development Limitation) Agreement with the Planning Board dated October 2, 1986 (the "APF Agreement") intending to limit development on the Property to use as a 46,000 square foot supermarket, unless Applicant is able to pass a subsequent APFO review by the Planning Board for a different use type or density. (See Exhibit 3).

B. THE PROPOSED AMENDMENT

For varying reasons, Applicant has submitted a request with the Planning Board seeking the Board's approval of an amendment to both the APFO Condition and APF Agreement. Development plans held by Applicant for (Part of) Parcel "B" (Little Falls Mall) and

¹A portion of Parcel B was combined into the area of Parcel E for the subject Preliminary Plan which was approved by the Planning Board in 1986, leaving only a "Part of Parcel B". Any additional external expansion would necessitate resubdivision in advance of the issuance of a building permit for construction on (Part of) Parcel B, since (Part of) Parcel B is not a parcel or lot of record. (See Section 50-20, Montgomery County Code).

²Section 50-35(k), Montgomery County Code (the "Adequate Public Facilities Ordinance" or "APFO").

Parcel "E" (subject property) have been reconfigured such that the 46,000 square foot supermarket would remain and expand on (Part of) Parcel B and the 46,000 square feet of retail would be relocated, a portion shifting to Parcel E. (See Exhibit 4).

In order for this alteration to occur, Applicant had to first secure an amendment to the approved Preliminary Plan related solely to the Board's required findings under the APFO.³ Pursuant to this requirement, the Applicant requested the Planning Board to schedule a public hearing to consider this proposed amendment. In support of the requested amendment, Applicant timely submitted all documentation (to supplement the prior record) necessary for a review of the amendment. This submission included an updated Traffic Study, found by expert Planning Board Technical Staff to be in accordance with pertinent guidelines, including all applicable Transportation Guidelines (as approved and adopted by the Planning Board) routinely administered by the Planning Board and Planning Board staff.

C. PLANNING BOARD REVIEW OF AMENDMENT

1. General Background

On August 9, 1990, the Amended Preliminary Plan was brought before the Planning Board for public hearing upon all due (ten day) advance notice pursuant to Article 28 of the Annotated Code of Maryland and in accordance with Chapter 50 (the "Subdivision Regulations") and Chapter 59 (the "Zoning Ordinance") of the Montgomery County Code, as well as the Planning Board's Adopted Rules of Procedure. The Planning Board heard testimony and received evidence into the record during the public hearing prior to the closing of the record.

Based upon the relevant evidence and testimony of record, the Planning Board finds the Amendment to the Preliminary Plan, as conditioned, to be in accordance with the Subdivision Regulations, in particular the APFO (Section 50-35(k)). Further, the Planning Board finds that the Traffic Study submitted by Applicant was prepared in accordance with pertinent Transportation Guidelines.

Insightful, detailed testimony was offered into the record by Planning Board Technical Staff and the Applicant, in support of the Amendment, and numerous individual citizens speaking both against

³The only issue properly in front of the Planning Board was an amendment to the Board's prior determinations as they related to the administration of the APFO. All other findings, determinations, and conditions of the Planning Board's 1986 approval remain unaltered and, therefore, in full force and effect since no other amendments to the preliminary plan are necessary in order for the revised development proposal to occur.

and in favor of the Amendment. The range and content of many important issues raised during the course of the public hearing related to matters beyond the scope and/or jurisdiction of this limited Planning Board review of the Amendment.

Many of these issues, not within the purview of the Planning Board, fall under the jurisdiction of other county, state, and federal governmental authorities and will receive careful attention when various construction permits are sought. By way of example, the Applicant in advance of construction must receive permits to construct in or otherwise disturb wetlands from the Army Corp of Engineers and the State Department of Natural Resources Water Resources Administration if wetlands are identified on the Property. Since shared offstreet parking is contemplated by Applicant to serve (Part of) Parcel B and Parcel E, a condition of approval will require the Applicant to demonstrate to the satisfaction of the County Department of Environmental Protection (DEP) in advance of building permit that provisions to insure sufficient parking are in place. Similarly, Applicant must demonstrate by satisfactory documentation to DEP evidence that access to the Property over adjacent land to the south currently owned by the Defense Mapping Agency (Army Map Service) has been secured prior to building permit issuance. Other issues as raised, relate to issues of planning and zoning not before the Planning Board in this proceeding.

2. The Amended APFO Review

Applicant was required to demonstrate that the proposed development, as now revised, would continue to pass APFO. At the urging of Planning Board staff, Applicant conducted a dual phase analysis of traffic impact potentially created by development on Parcel E.

Initially, Applicant, using trip generation rates approved and adopted by the Planning Board and accepted as common industry standards, demonstrated to the Planning Board that the proposed "flip flopping" of uses would not yield any net increase in the number of peak hour trips generated by development on Parcel E. The uncontroverted evidence of record demonstrated that 92 new AM peak hour trips and 370 new PM peak hour trips would be generated. These conclusions were confirmed by expert staff from the Transportation Division of the Planning Board. Without this amendment, Applicant could still proceed to building permit and develop a supermarket which could generate an equivalent number of trips as those occurring as a result of this amendment.

Applicant also conducted a new traffic impact study. To further underscore the validity of the findings previously reached, the updated study was compiled by a different expert traffic engineer than the engineer who prepared the study for the 1986 hearing. The new study analyzed a broader geographic area to

determine the impact of the proposed development on nearby and affected intersections. The 1986 traffic study correctly looked only at the projects impact to the intersection of Sangamore Road and MacArthur Boulevard. The updated traffic study looked additionally at the intersections of Sangamore Road/Massachusetts; Sangamore Road/Sentinel Drive; and Sangamore Road and Brookes Lane. The traffic study concluded that each of these intersections currently or after completion of programmed (funded) improvements, taking into account the impact from existing development, "pipeline" development (approved projects, not yet constructed), and the within proposed development, will continue to operate at acceptable levels of service during both the morning and evening peak hour. Expert Planning Board staff verified the accuracy of these findings, noting that assumed trip generation factors, level of service standards and calculations, and peak hour determinations comport with all pertinent approved and adopted Transportation Guidelines and consistently followed by the Planning Board. The Planning Board found the testimony and evidence presented by expert staff and Applicant's expert witnesses to be accurate.

Some discussion centered on the correct determination of the time for which "Evening Peak Hour" occurs in this area. The determination of a peak hour results from empirical observations and statistical computations and represents a one hour time frame during both the morning and evening peak periods during which the greatest number of vehicles are using a particular roadway or intersection. Peak hours generally fall within a peak period range defined countywide to be 7 to 9 AM for the morning peak and 4 to 6 PM for the evening peak. Depending upon local and regional commuting habits, peak hours vary from intersection to intersection within this peak period range. A peak hour is a one hour time frame during which the greatest volume of critical traffic movement at a particular intersection or roadway occurs and, therefore, presents the worst case scenario for measuring levels of service at such intersection. The Board determined that the Evening Peak Hour occurred in this area generally within a 4:30 to 6:00 P.M. peak range, the precise peak hour varying from intersection to intersection.

Testimony suggested that Applicant incorrectly identified the Evening Peak Hour by failing to account for the impact on levels of service at nearby intersections generated by a 3 P.M. shift change occurring at the Defense Mapping Service. Applicant offered into the record uncontroverted evidence which reflected the existence and impact of this shift change, but reconfirmed that the Evening Peak Hour occurred during the 4:30 to 6:00 P.M. range.

Testimony was also presented calling into question the correctness of the time frame during which the traffic counts were taken. These counts were taken earlier this year on June 13, June 14, and July 11 at which time a certain private school was said to be closed for summer recess and at a time the Defense Mapping

Service had fifteen percent of its workforce on leave. The Board heard testimony that if there was an impact created by these operations to transportation facilities it would occur outside the peak hour and, therefore, not have an appreciable impact on peak hour intersection levels of service.

The Planning Board reiterates that the determination of these peak hour time periods with consideration given to seasonal variations conform to applicable approved and adopted guidelines routinely administered and followed by the Planning Board.

The Planning Board agreed that the proposed development having passed APFO review would not overburden local/nearby transportation facilities. Similarly, the Planning Board noted that entrance and exit points to parking areas serving Parcel E and Parcel B will operate safely and efficiently. (See Exhibit 4).

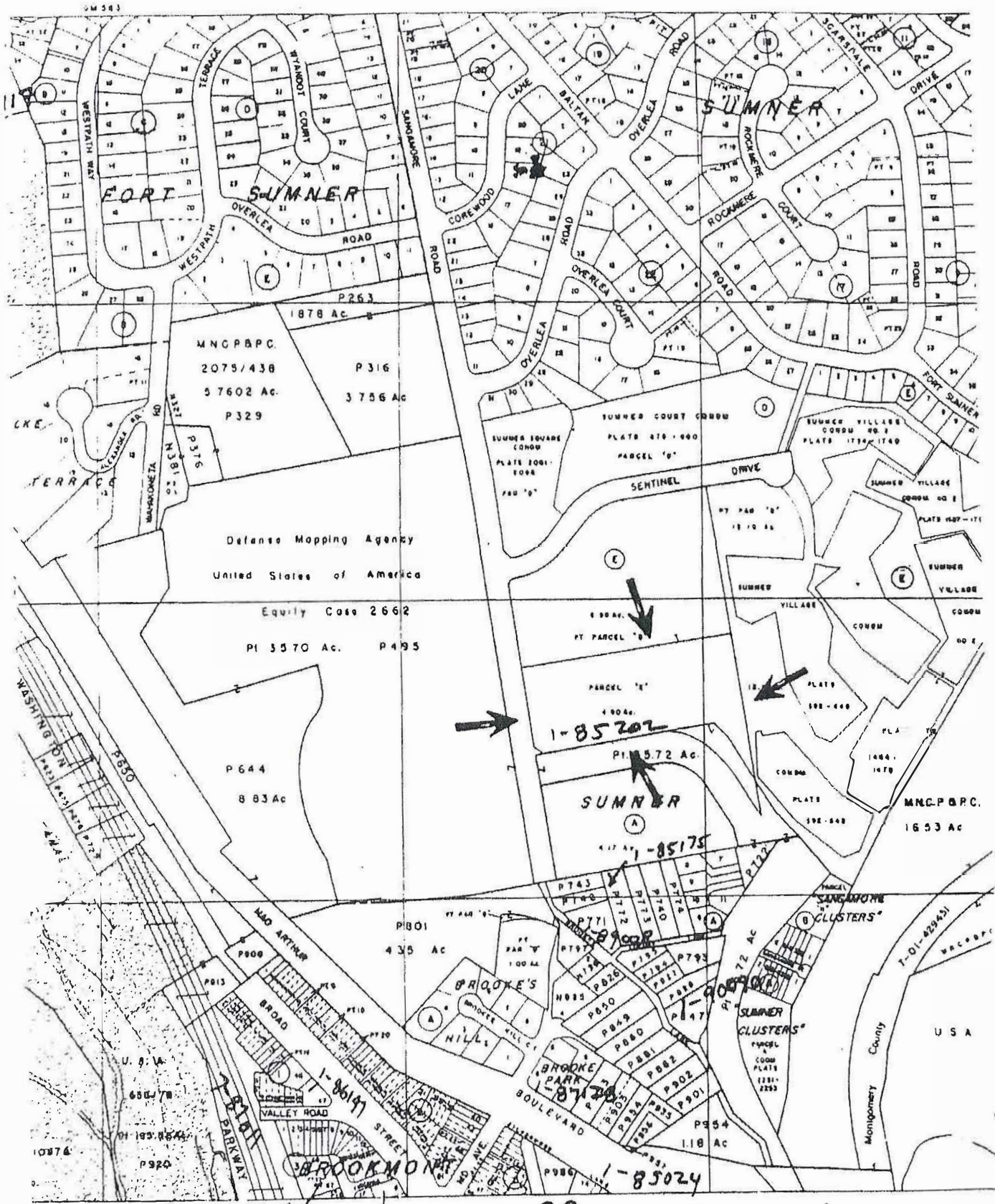
All prior findings, conclusions, and conditions previously made by the Planning Board in the context of the opinion issued in 1986 as supported by the record of the public hearing, remain unaltered and in full force and effect unless expressly and intentionally modified herein. The within action undertaken by the Planning Board is limited to an amendment to a condition of the prior approval.

Based upon all of the evidence of record both during the 1986 hearing and as amended by this action, the Planning Board continues to find that the Preliminary Plan complies with the Subdivision Regulations and, therefore, the Montgomery County Planning Board approves an Amendment to previous Condition 1 of the May 28, 1986 opinion for the preliminary plan which shall now read as follows:

1. Agreement with Planning Board to limit the development to 46,000 square feet of retail uses with reference on record plat.

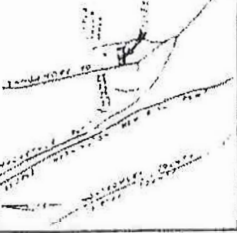
Each remaining conditions shall continue to be effective as follows:

2. Participation in improvement of MacArthur Boulevard and Sangamore Road intersections.
3. Army Map Service approval of access to site.
4. Dedication for truncation of intersection.
5. DEP determination prior to issuance of building permits that sufficient parking exists on site to accommodate this proposal.
6. Necessary easements.



1-8906 1-85250 G6 EXHIBIT 1

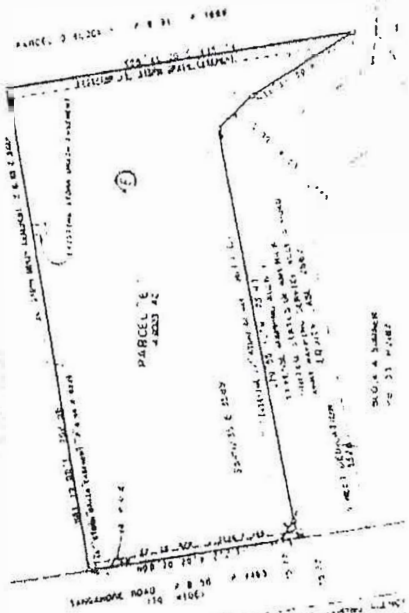
HT BY STATE DEPARTMENT DIST CURRENT TO SCALE 1" = 100'



VICINITY MAP
Scale 1" = 200'

NOTES

- The address of this parcel is 11000 N. 11th St., Apt. 6.
- Parcel 6 is located in the City of Minneapolis, Hennepin County, Minnesota.
- Parcel 6 is a vacant lot.
- Parcel 6 is subject to the same restrictions as the other parcels in the block.



PARCEL 6
4,800 sq ft

PARCEL 7
4,800 sq ft

SURVEYOR'S CERTIFICATE

I, the undersigned, being duly qualified and sworn, do hereby certify that the above described parcel is the same as that shown on the plat hereto attached, and that the same is situated in the City of Minneapolis, Hennepin County, Minnesota, and that the same is a vacant lot.

Witness my hand and seal this 14th day of June, 1920.

[Signature]
Professional Land Surveyor, Minnesota

OWNER'S DEDICATION

I, the undersigned, do hereby dedicate to the City of Minneapolis, Hennepin County, Minnesota, the above described parcel, and I do hereby certify that the same is the same as that shown on the plat hereto attached, and that the same is a vacant lot.

Witness my hand and seal this 14th day of June, 1920.

[Signature]
Owner

NOTES

Development on Parcel 6 subject to the terms of an agreement dated 2-28-1920 between the City of Minneapolis and the Minnesota Street Railway Company, which is on file in the office of the City Engineer, Minneapolis.

FILED IN THE OFFICE OF THE CITY ENGINEER, MINNEAPOLIS, MINN., THIS 14th DAY OF JUNE, 1920.

[Signature]
City Engineer

FILED IN THE OFFICE OF THE CITY ENGINEER, MINNEAPOLIS, MINN., THIS 14th DAY OF JUNE, 1920.

[Signature]
City Engineer

FILED IN THE OFFICE OF THE CITY ENGINEER, MINNEAPOLIS, MINN., THIS 14th DAY OF JUNE, 1920.

[Signature]
City Engineer

VIFA
VACANT LOT INVESTMENT FUND ASSOCIATION

EXHIBIT 2



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

MAY 28 2020

MCPB No. 20-016
 Site Plan No. 820200060
The Shops at Sumner Place
 Date of Hearing: March 12, 2020

CORRECTED 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 October 18, 2019, J.P. Morgan Chase Bank, N.A ("Applicant") filed an application for approval of a site plan for construction of a drive-thru ATM on 0.09 acres of NR 0.75 H-45' zoned-land, located within the Shops at Sumner Place shopping center, at the intersection of Sangamore Road and Sentinel Drive ("Subject Property"), in the Bethesda Chevy Chase Policy Area and *1990 Bethesda Chevy Chase Master Plan* ("Master Plan") area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820200060, The Shops at Sumner Place ("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 February 28, 2020 setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 12, 2020, the Planning Board held a public hearing at which it heard testimony and received evidence on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Gerald Cichy, seconded by Commissioner Natali Fani-Gonzalez, with a vote of 4-0; Commissioners Casey Anderson, Gerald Cichy, Natali Fani-Gonzalez, and Tina Patterson voting in favor, with Commissioner Verma absent.

Approved at 8777 Georgia Avenue, Suite 300, Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
 Legal Sufficiency: www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc.org
 M-NCPPC Legal Department

MCPB No. 20-016
Site Plan No. 820200060
The Shops at Sumner Place
Page 2

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820200060, The Shops at Sumner Place, for construction of a drive-thru ATM on the Subject Property, subject to the following conditions:¹

1)Preliminary Plan

The Applicant must comply with the conditions of approval for Preliminary Plan No. 119852020 as listed in the associated MCPB Resolution dated May 28, 1986.

2)Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities constructed as part of this Site Plan including, but not limited to, hardscape elements and landscaping.

3)Design

The architectural character, proportion, materials, and articulation must be substantially similar to the illustrative elevations shown on the Certified Site Plan, as determined by Staff.

4)Landscaping

a) The Applicant must install the on-site and off-site elements as shown on the landscape plans submitted to M-NCPPC or Staff-approved equivalent within 4 months of final inspection or the next planting season.

b) The Applicant must install the plantings shown on the landscape plans submitted to M-NCPPC. Any variation in plant species or quantity needs approval of Staff.

5)Lighting

The Applicant must provide downward facing security lighting within the drive-thru ATM structure.

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.

MCPB No. 20-016
 Site Plan No. 820200060
 The Shops at Sumner Place
 Page 3

6)Site Plan Surety and Maintenance Agreement

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

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, parking wheel stops, and elements related to directing vehicular flow for ATM use.
- c)The bond or surety must be tied to the completion of all improvements covered by the Site Plan, which will be released following the Site Plan completion inspection.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of The Shops at Sumner Place, No. 820200060 submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and 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 Site Plan conforms to the relevant conditions of Preliminary Plan No. 119852020 approved on May 22, 1986 by the Montgomery County Planning Board. All additions proposed by the Subject Application maintain compliance with the development standards associated with this Preliminary Plan.

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 Site Plan No. 820200060
 The Shops at Sumner Place
 Page 4

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

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

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.*

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

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

a. Use Standards

Drive-Thru Use:

The Applicant's proposed drive-thru ATM is permitted as a limited use in the NR Zone. Pursuant to Section 3.5.14.E.1 of the Zoning Ordinance, a Drive-Thru is a type of Accessory Commercial Use defined as a "facility where the customer is served while sitting in a vehicle." Banks are included as a Drive-Thru use. Accordingly, the Application satisfies the limited use standards under Section 3.5.14.E.2, as follows:

- i. *A Drive-Thru, including queuing area, must be located a minimum of 100 feet from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached Zones.*

The subject Application complies with this standard. The drive-thru ATM and queuing area will be located a minimum of 100 feet from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached Zones.

- ii. *For a Restaurant with a Drive-Thru, access to the site from a street with a residential classification is prohibited.*

This provision is not applicable. This Site Plan application is not for a Restaurant with a Drive-Thru use.

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 Site Plan No. 820200060
 The Shops at Sumner Place
 Page 5

iii. A drive-thru service window, drive aisle, or queuing area located between the street and the front main wall of the main building is prohibited.

This Site Plan application does not propose a drive-thru service between the street and the front wall of a main building.

iv. A drive-thru service window, drive aisle, or stacking area may be located between the street and the side wall of the main building on a corner lot if permanently screened from any street by a minimum 3-foot-high wall or fence.

This Site Plan application does not propose a drive-thru service between the street and the side wall of a main building on a corner lot.

v. Site plan approval is required under Section 7.3.4.

As addressed below in Section VII, the Planning Board is able to make the necessary findings to grant Site Plan approval and permit the proposed drive-thru ATM. Where is Section VII?

vi. A conditional use application for a Drive-Thru may be filed with the Hearing Examiner if the limited use standards under Section 3.5.14.E.2.a.i through Section 3.5.14.E.2.a.iv cannot be met.

A conditional use application for the proposed ATM Drive-Thru is not needed. The application satisfies the applicable limited use standards under the Zoning ordinance.

b. General Requirements

i. Site Access

Vehicular access to the Site Plan area is proposed directly from the existing Shopping Center site access point on Sentinel Drive. Sentinel Drive is currently improved as a two-lane street within a 70-foot wide public right-of-way. Sentinel Drive has two travel lanes and a parking lane along the westbound (opposite) side of the street. Sentinel Drive connects to the regional transportation network via Sangamore Road, which is designated as an arterial roadway (A-63) within the Bethesda Chevy Chase Master Plan area.

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ii. *Parking, Queuing, and Loading*

Vehicles bound for the proposed ATM kiosk will access the site via the existing driveway on Sentinel Drive and will circulate within the existing parking lot drive aisles in a counterclockwise direction. As proposed, the ATM kiosk drive aisle provides two travel lanes to accommodate both ATM kiosk customers and a by-pass lane for those who need to exit any queues that may exist on-site.

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

The Application is exempt from the applicable permitting requirements under Chapter 19 as it is a minor land-disturbing activity that satisfies the associated criteria found under Chapter 59 Section 19-2(b)(1). In accordance with Section 19-31(c), the proposed development is exempt from stormwater management requirements because it will not disturb more than 5,000 square feet of land area.

b. Chapter 22A, Forest Conservation

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

The Shopping Center is subject to existing Forest Conservation Plan No. 119852020. The ATM and associated improvements are proposed to be located within a portion of the existing surface parking lot of the Shopping Center. The Applicant is proposing to provide additional plantings to ensure the Site Plan area complies with the approved Forest Conservation Plan. Final site conditions, which include additional canopy tree and shrub plantings will be included on the Certified Plan set and the previously approved Final Forest Conservation Plan will be linked to this Application.

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

The Site Plan provides for safe and well-integrated parking and circulation patterns on the Subject Property. The overall property circulation is maintained, while circulation within the Site Plan area maintains a drive aisle with bypass lanes to allow for the unimpeded flow of vehicles. Pedestrian circulation is unchanged.

The Subject Application proposes the elimination of 3 parking spaces which will be repurposed to expand the landscape area and amenity open space. The previously approved Preliminary Plan provided 840 parking spaces, and the proposed Site Plan will provide 837, which remains above the required 824 parking spaces for the entire Shopping Center.

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 Property is located within Bethesda Chevy Chase (BCC) Master Plan ('Master Plan'); more specifically, the Property falls within the Palisades-Western BCC region which is bounded on the north by River Road, on the south by the Potomac River, on the east by the District of Columbia, and on the west by I-495 as depicted on page 64 of the Master Plan. The Master Plan emphasizes the environmental sensitivity of this area, but also highlights the importance of its three neighborhood shopping centers, including The Shops at Sumner Place (referred to in the Master Plan as Little Falls Mall, the site's former name).

Specifically, on page 71, the Master Plan references the need to enhance the role of Little Falls Mall as a "community-oriented retail center" and proposes that efforts be made to improve its economic viability. By providing additional banking opportunities, the Applicant's proposed drive-thru ATM enhances the role of the Shopping Center as a destination that serves the community. The presence of the proposed ATM may also attract customers to the Shopping Center who otherwise may have found other convenient banking options.

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.*

The proposed drive-thru ATM will be served by adequate public facilities. The provided traffic statement details that the proposed use will generate 12 net new morning peak hour person trips and 35 net new evening peak hour person trips.

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Site Plan No. 820200060
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Page 8

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 Section 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 April 3, 2020 (which is the date that the original resolution was 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 motion of Commissioner Cichy, seconded by Vice Chair Fani-González, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, May 21, 2020, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
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MONTGOMERY COUNTY PLANNING BOARD
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MAY 28 2020

MCPB No. 20-016
 Site Plan No. 820200060
The Shops at Sumner Place
 Date of Hearing: March 12, 2020

CORRECTED 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 October 18, 2019, J.P. Morgan Chase Bank, N.A ("Applicant") filed an application for approval of a site plan for construction of a drive-thru ATM on 0.09 acres of NR 0.75 H-45' zoned-land, located within the Shops at Sumner Place shopping center, at the intersection of Sangamore Road and Sentinel Drive ("Subject Property"), in the Bethesda Chevy Chase Policy Area and *1990 Bethesda Chevy Chase Master Plan* ("Master Plan") area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820200060, The Shops at Sumner Place ("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 February 28, 2020 setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 12, 2020, the Planning Board held a public hearing at which it heard testimony and received evidence on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Gerald Cichy, seconded by Commissioner Natali Fani-Gonzalez, with a vote of 4-0; Commissioners Casey Anderson, Gerald Cichy, Natali Fani-Gonzalez, and Tina Patterson voting in favor, with Commissioner Verma absent.

Approved at 8777 Georgia Avenue, Suite 300, Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
 Legal Sufficiency: www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc.org
 M-NCPPC Legal Department

MCPB No. 20-016
Site Plan No. 820200060
The Shops at Sumner Place
Page 2

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820200060, The Shops at Sumner Place, for construction of a drive-thru ATM on the Subject Property, subject to the following conditions:¹

1)Preliminary Plan

The Applicant must comply with the conditions of approval for Preliminary Plan No. 119852020 as listed in the associated MCPB Resolution dated May 28, 1986.

2)Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities constructed as part of this Site Plan including, but not limited to, hardscape elements and landscaping.

3)Design

The architectural character, proportion, materials, and articulation must be substantially similar to the illustrative elevations shown on the Certified Site Plan, as determined by Staff.

4)Landscaping

a) The Applicant must install the on-site and off-site elements as shown on the landscape plans submitted to M-NCPPC or Staff-approved equivalent within 4 months of final inspection or the next planting season.

b) The Applicant must install the plantings shown on the landscape plans submitted to M-NCPPC. Any variation in plant species or quantity needs approval of Staff.

5)Lighting

The Applicant must provide downward facing security lighting within the drive-thru ATM structure.

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.

MCPB No. 20-016
Site Plan No. 820200060
The Shops at Sumner Place
Page 3

6)Site Plan Surety and Maintenance Agreement

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

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, parking wheel stops, and elements related to directing vehicular flow for ATM use.
- c)The bond or surety must be tied to the completion of all improvements covered by the Site Plan, which will be released following the Site Plan completion inspection.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of The Shops at Sumner Place, No. 820200060 submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and 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 Site Plan conforms to the relevant conditions of Preliminary Plan No. 119852020 approved on May 22, 1986 by the Montgomery County Planning Board. All additions proposed by the Subject Application maintain compliance with the development standards associated with this Preliminary Plan.

MCPB No. 20-016
 Site Plan No. 820200060
 The Shops at Sumner Place
 Page 4

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

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

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.*

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

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

a. Use Standards

Drive-Thru Use:

The Applicant's proposed drive-thru ATM is permitted as a limited use in the NR Zone. Pursuant to Section 3.5.14.E.1 of the Zoning Ordinance, a Drive-Thru is a type of Accessory Commercial Use defined as a "facility where the customer is served while sitting in a vehicle." Banks are included as a Drive-Thru use. Accordingly, the Application satisfies the limited use standards under Section 3.5.14.E.2, as follows:

- i. *A Drive-Thru, including queuing area, must be located a minimum of 100 feet from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached Zones.*

The subject Application complies with this standard. The drive-thru ATM and queuing area will be located a minimum of 100 feet from any property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached Zones.

- ii. *For a Restaurant with a Drive-Thru, access to the site from a street with a residential classification is prohibited.*

This provision is not applicable. This Site Plan application is not for a Restaurant with a Drive-Thru use.

MCPB No. 20-016
Site Plan No. 820200060
The Shops at Sumner Place
Page 5

iii. A drive-thru service window, drive aisle, or queuing area located between the street and the front main wall of the main building is prohibited.

This Site Plan application does not propose a drive-thru service between the street and the front wall of a main building.

iv. A drive-thru service window, drive aisle, or stacking area may be located between the street and the side wall of the main building on a corner lot if permanently screened from any street by a minimum 3-foot-high wall or fence.

This Site Plan application does not propose a drive-thru service between the street and the side wall of a main building on a corner lot.

v. Site plan approval is required under Section 7.3.4.

As addressed below in Section VII, the Planning Board is able to make the necessary findings to grant Site Plan approval and permit the proposed drive-thru ATM. Where is Section VII?

vi. A conditional use application for a Drive-Thru may be filed with the Hearing Examiner if the limited use standards under Section 3.5.14.E.2.a.i through Section 3.5.14.E.2.a.iv cannot be met.

A conditional use application for the proposed ATM Drive-Thru is not needed. The application satisfies the applicable limited use standards under the Zoning ordinance.

b. General Requirements

i. Site Access

Vehicular access to the Site Plan area is proposed directly from the existing Shopping Center site access point on Sentinel Drive. Sentinel Drive is currently improved as a two-lane street within a 70-foot wide public right-of-way. Sentinel Drive has two travel lanes and a parking lane along the westbound (opposite) side of the street. Sentinel Drive connects to the regional transportation network via Sangamore Road, which is designated as an arterial roadway (A-63) within the Bethesda Chevy Chase Master Plan area.

MCPB No. 20-016
Site Plan No. 820200060
The Shops at Sumner Place
Page 6

ii. *Parking, Queuing, and Loading*

Vehicles bound for the proposed ATM kiosk will access the site via the existing driveway on Sentinel Drive and will circulate within the existing parking lot drive aisles in a counterclockwise direction. As proposed, the ATM kiosk drive aisle provides two travel lanes to accommodate both ATM kiosk customers and a by-pass lane for those who need to exit any queues that may exist on-site.

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

The Application is exempt from the applicable permitting requirements under Chapter 19 as it is a minor land-disturbing activity that satisfies the associated criteria found under Chapter 59 Section 19-2(b)(1). In accordance with Section 19-31(c), the proposed development is exempt from stormwater management requirements because it will not disturb more than 5,000 square feet of land area.

b. Chapter 22A, Forest Conservation

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

The Shopping Center is subject to existing Forest Conservation Plan No. 119852020. The ATM and associated improvements are proposed to be located within a portion of the existing surface parking lot of the Shopping Center. The Applicant is proposing to provide additional plantings to ensure the Site Plan area complies with the approved Forest Conservation Plan. Final site conditions, which include additional canopy tree and shrub plantings will be included on the Certified Plan set and the previously approved Final Forest Conservation Plan will be linked to this Application.

MCPB No. 20-016
 Site Plan No. 820200060
 The Shops at Sumner Place
 Page 7

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

The Site Plan provides for safe and well-integrated parking and circulation patterns on the Subject Property. The overall property circulation is maintained, while circulation within the Site Plan area maintains a drive aisle with bypass lanes to allow for the unimpeded flow of vehicles. Pedestrian circulation is unchanged.

The Subject Application proposes the elimination of 3 parking spaces which will be repurposed to expand the landscape area and amenity open space. The previously approved Preliminary Plan provided 840 parking spaces, and the proposed Site Plan will provide 837, which remains above the required 824 parking spaces for the entire Shopping Center.

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 Property is located within Bethesda Chevy Chase (BCC) Master Plan ('Master Plan'); more specifically, the Property falls within the Palisades-Western BCC region which is bounded on the north by River Road, on the south by the Potomac River, on the east by the District of Columbia, and on the west by I-495 as depicted on page 64 of the Master Plan. The Master Plan emphasizes the environmental sensitivity of this area, but also highlights the importance of its three neighborhood shopping centers, including The Shops at Sumner Place (referred to in the Master Plan as Little Falls Mall, the site's former name).

Specifically, on page 71, the Master Plan references the need to enhance the role of Little Falls Mall as a "community-oriented retail center" and proposes that efforts be made to improve its economic viability. By providing additional banking opportunities, the Applicant's proposed drive-thru ATM enhances the role of the Shopping Center as a destination that serves the community. The presence of the proposed ATM may also attract customers to the Shopping Center who otherwise may have found other convenient banking options.

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.*

The proposed drive-thru ATM will be served by adequate public facilities. The provided traffic statement details that the proposed use will generate 12 net new morning peak hour person trips and 35 net new evening peak hour person trips.

MCPB No. 20-016
Site Plan No. 820200060
The Shops at Sumner Place
Page 8

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 Section 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 April 3, 2020 (which is the date that the original resolution was 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 motion of Commissioner Cichy, seconded by Vice Chair Fani-González, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, May 21, 2020, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850
By email rick.brush@montgomerycountymd.gov

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AENUE
4TH FLOOR
ROCKVILLE, MD 20850
By email lisa.schwartz@montgomerycountymd.gov

MR. MARK BEALL
MCDPS-ZONING
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email mark.beall@montgomerycountymd.gov

MR. CHRISTOPHER ANDERSON
MPDU MANAGER, DHCA
100 MARYLAND AVENUE, 4TH FLOOR
ROCKVILLE, MD 20850
By email
Christopher.anderson@montgomerycountymd.gov

Stacy Silber
Lerch, Early & Brewer
7600 Wisconsin Avenue
Suite 700
Bethesda, MD 20814
Phone: (301) 221-1111

MR. GREG LECK
MCDOT
101 MONROE ST
10TH FLOOR
ROCKVILLE, MD 20850
By email greg.leck@montgomerycountymd.gov

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
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atiq.panishiri@montgomerycountymd.gov
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MCDPS-LAND DEVELOPMENT
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ROCKVILLE, MD 20850
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christina.contreras@montgomerycountymd.gov

MR. ALAN SOUKUP
MCDDEP-WATER & WASTEWATER POLICY
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ROCKVILLE, MD 20850
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Matthew McCool
J.P. Morgan Chase Bank, N.A
100 International Drive Suite 2364
Baltimore, MD 21202

MR. MARK ETHERIDGE, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
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MR. EHSAN MOTAZEDI
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MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE, 2ND FLOOR
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By email gene.vongunten@montgomerycountymd.gov

Chanda Beaufort
VIKA
20251 Century Blvd.
Suite 400
Germantown, MD 20874

Jeff Amateau
VIKA
20251 Century Blvd. Suite 400
Suite 400
Germantown, MD 20874



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

May 14, 2024

Ms. Julia Shekarchi
Vika, Inc
20251 Century Boulevard, Suite 400,
Germantown, MD 20874

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Summer Place Apartments
Preliminary Plan #: 11985202A
SM File #: 289744
Tract Size/Zone: 11.88 ac.
Total Concept Area: 2.15 ac.
Lots/Block: Block E
Parcel(s): Parcel E & F
Watershed: Little Falls
Redevelopment (Yes/No): Yes

Dear Ms. Shekarchi:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via the use of 2 microbioretention, 1 Enhanced, and 1 Structural Practice.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A full geotechnical report, in accordance with DPS guidelines, is required at detailed plan review.
2. An approved forest conservation plan conforming to the proposed disturbance must be provided during detailed sediment control plan review.
3. The amount of treatment credit allowed for facility enhancement is limited to the calculated Recharge Volume.
4. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
5. An engineered sediment control plan must be submitted for this project.
6. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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



2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Ms. Julia Shekarchi
May 14, 2024
Page 2 of 2

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

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

If you have any questions regarding these actions, please feel free to contact Bill Musico PE at 240-777-6340.

Sincerely,

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

cc: Neil Braunstein
SM File # 289744

ESD: Required/Provided 9,816 cu.ft. / 6,073 cu.ft.
PE: Target/Achieved: 1.77" / 1.10"
STRUCTURAL: 3,456 cu.ft. cf
WAIVED: 0.00 cf.



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

DATE: 29-May-24
TO: Chanda S. Beaufort - beaufort@vika.com
VIKA, Inc
FROM: Marie LaBaw
RE: Sumner Place Apartments
820230140

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **29-May-24**. 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.

***** Fire lane to be submitted for processing and execution when Sentinel Drive address is assigned *****



MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

Date: 5/09/2024

Fire Lane Establishment Order

Pursuant to Section 22-33, Montgomery County Code, 1971, as amended, you are hereby notified that a Fire Lane has been established as described in this order. You are hereby ordered to post fire lane signs and paint curbs/pavement as identified below. When signs or paint work has been completed, this order will authorize the enforcement of this Fire Lane by appropriate police or fire officials. Compliance with this order must be achieved within 30 days of receipt when any of the following conditions are met:

- One or more structures addressed from the subject road are occupied;
- The road or accessway is available for use and at least one building permit for an address on the subject road has been issued; or
- The road or accessway is necessary fire department access.

LOCATION: Shops at Summer Place - Building entrance off of Sentinel Drive
Northeast of the intersection with Sangamore Road, Bethesda, MD 20816

Delineate all areas where indicated by signs and/or paint.

- SIGNS** -- (See attached diagram for location of sign placement)



(Red letters on white background)

Signs must be posted so that it is not possible to park a vehicle without being in sight of a sign. Signs may be no further apart than 100 feet.

- PAINT** -- (See attached diagram when painting is required)

Paint must be traffic yellow with lines of sufficient width to be readily identifiable/readable by motor vehicle operators.

 Signature of Order Writer/I.D. #

Cc: Fire Code Enforcement Section
 Attachment: Fire Lane Diagram

FIRE LANE ESTABLISHMENT FORM

BUILDING OR SUBDIVISION NAME: Shops at Sumner Place Shopping Center

FIRE LANE LOCATION/ADDRESS: Building entrance off of Sentinel Drive northeast of the intersection with Sangamore Road, Bethesda, MD 20816

See attached drawing for designated fire lanes:

I have received the drawing and instructions for installing the designated fire lanes on property not owned by state or local government.

NAME AND TITLE OF PROPERTY REPRESENTATIVE

NAME: Robert R. Miller TITLE: CEO

W.C. and A.N. Development Company

SIGNATURE: 

PHONE: 301-915-9393 DATE: 05/09/2024

ADDRESS (where processed order will be mailed):

4701 Sangamore Rd-Suite S135,
Bethesda, MD 20816

The designated fire lanes are the minimum necessary for fire/rescue access and are in accordance with Section 22-33 of the Fire Safety Code.

NAME: _____ SIGNATURE: _____

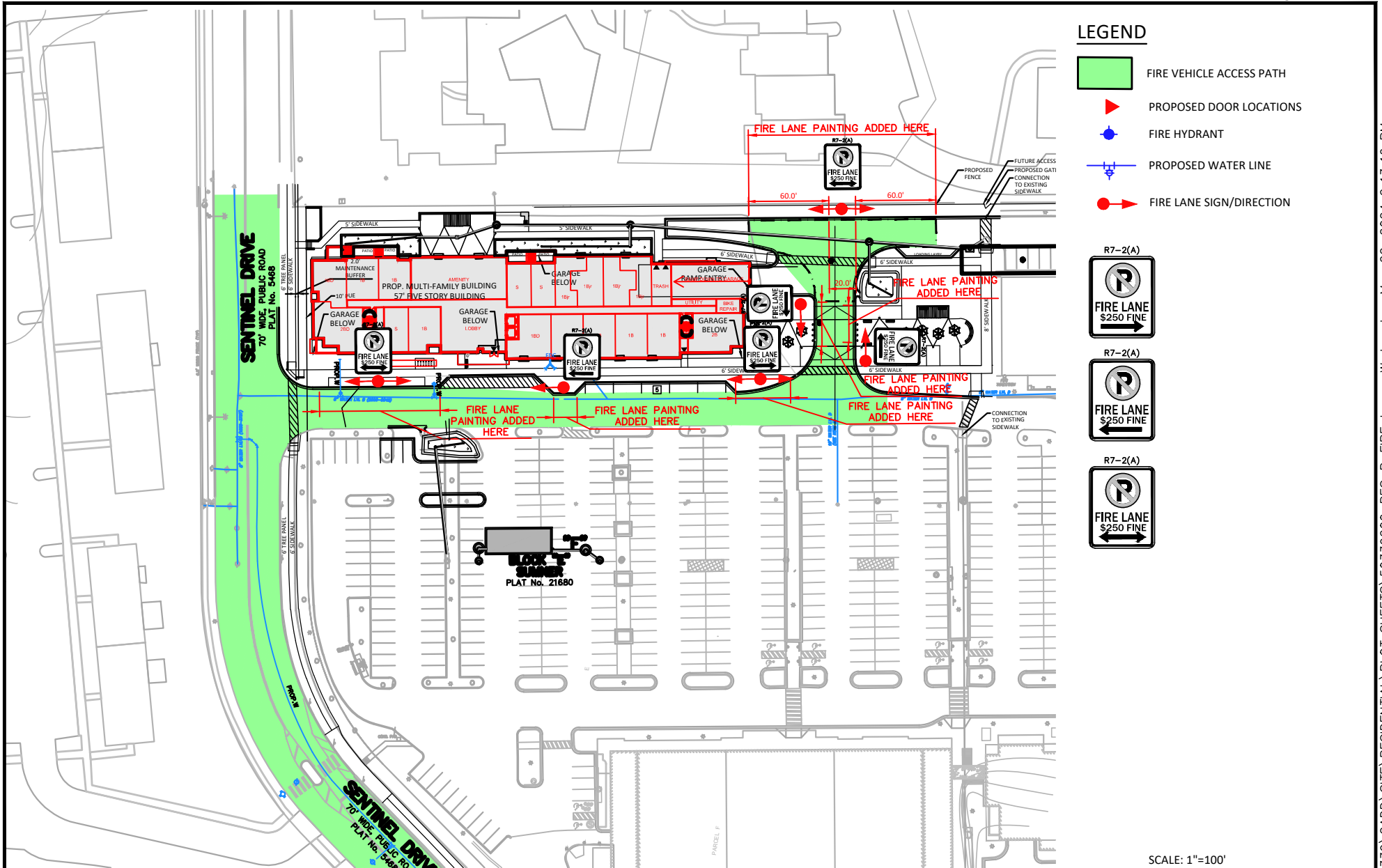
STA.#: _____ I.D.#: _____ DATE: _____

Comments: _____

Fire Lane Installed Per Order

NAME: _____ DATE: _____

0092N/23



- LEGEND**
- FIRE VEHICLE ACCESS PATH
 - ▶ PROPOSED DOOR LOCATIONS
 - FIRE HYDRANT
 - PROPOSED WATER LINE
 - ▶ FIRE LANE SIGN/DIRECTION



SCALE: 1"=100'

THE INFORMATION, DESIGN AND CONTENT OF THESE DRAWINGS OR DOCUMENTS ARE PROPRIETARY TO VIKA MARYLAND, LLC AND CONSTITUTE ITS PROPRIETARY INTELLECTUAL PROPERTY. THESE DRAWINGS AND/OR DOCUMENTS MUST NOT BE FORWARDED, SHARED, COPIED, DIGITALLY CONVERTED, MODIFIED OR USED FOR ANY PURPOSE, IN ANY FORMAT, WITHOUT PRIOR WRITTEN AUTHORIZATION FROM VIKA MARYLAND, LLC. VIOLATIONS MAY RESULT IN PROSECUTION. ONLY APPROVED, SIGNED AND SEALED PLANS OR DRAWINGS MAY BE UTILIZED FOR CONSTRUCTION PURPOSES. © 2019 VIKA MARYLAND, LLC

SUMNER PLACE APARTMENTS
 7TH ELECTION DISTRICT
 LOCATION, MARYLAND
 WSSC GRID: 206NW06 TAX MAP:GM62

**FIRE LANE
 ESTABLISHMENT ORDER**

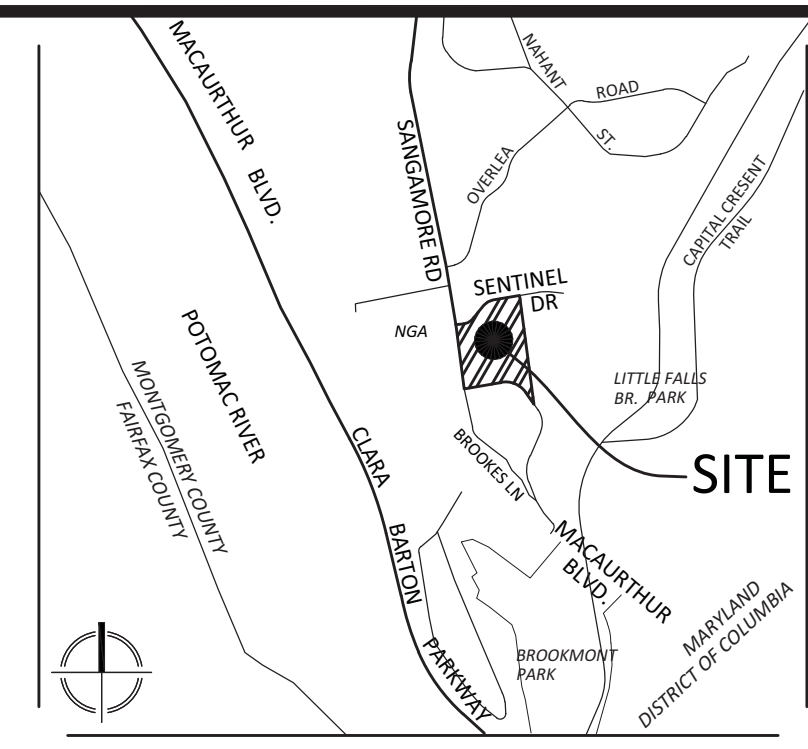


VIKA MARYLAND, LLC
 20251 Century Blvd., Suite 400
 Germantown, MD 20874
 301.916.4100 | vika.com
Our Site Set on the Future.

DRAWN BY: _____
DESIGNED BY: _____
DATE ISSUED: _____
PROJECT No. VM50339C
SHEET No. _____

Z:\50000-50500\CADD\SITE\RESIDENTIAL\PLOT SHEETS\50339200_RES_P_FIRE.dwg ~ Wednesday, May 22, 2024 2:13:16 PM

E-FILE STAMP



Vika
 VIKI MARYLAND, LLC
 20251 Century Blvd., Suite 400
 Germantown, MD 20874
 301.916.4100 | vika.com
 Our Site Set on the Future.

PREPARED FOR:
 W C & A N MILLER
 11921 ROCKVILLE PIKE
 Rockville, MD 20852
 301-915-9393
 Robert R. Miller
 rrmiller@wcanmiller.com

LANDSCAPE ARCHITECT &
 CIVIL ENGINEER
 VIKI MARYLAND, LLC
 20251 CENTURY BOULEVARD
 SUITE 400
 GERMANTOWN, MD, 20874
 401.916.4100
 CHANDA BEAUFORT
 BEAUFORT@VIKA.COM

ARCHITECT
 ARCHITECTS COLLABORATIVE,
 INC.
 9400 OLD GEORGETOWN ROAD
 BETHESDA, MD, 20814
 301.897.9000
 FAIK TUGBERK
 ACTCO@ACI.CO.COM

ATTORNEY
 SELZER GURVITCH RABIN
 WERTHEIMER & POLOTT, P.C.
 4416 EAST WEST HIGHWAY
 BETHESDA, MD, 20814
 301.634.3150
 MGORDON@SGRWLAW.COM

TRAFFIC ENGINEER
 VIKI VIRGINIA, L.L.C.
 8180 GREENSBORO DR.
 SUITE 200
 TYSONS, VA, 22102
 703.442.7800
 MICHAEL R. PINKOSKE JR., PTP
 PINKOSKE@VIKA.COM

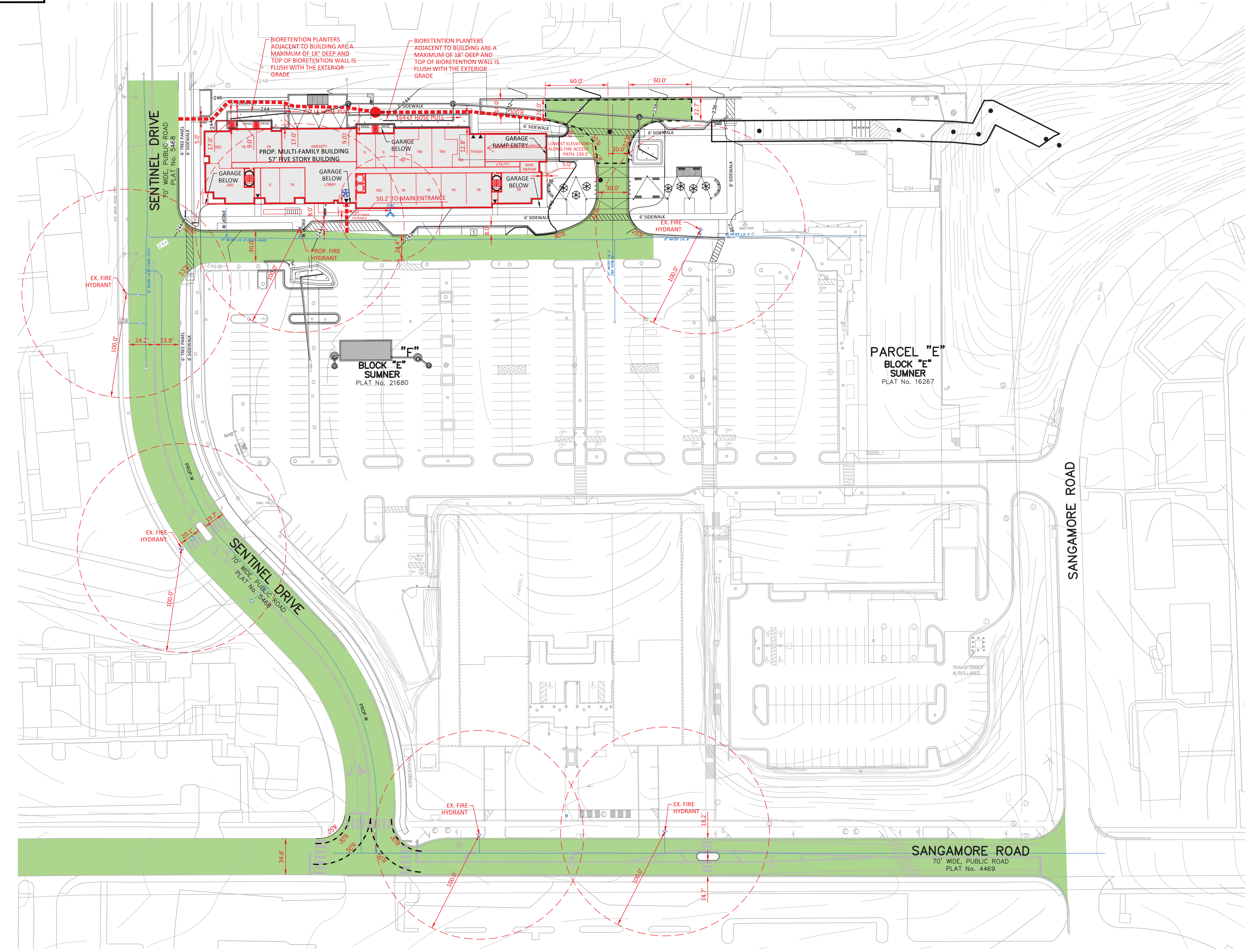
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SUMNER PLACE APARTMENTS
 7TH ELECTION DISTRICT
 MONTGOMERY COUNTY,
 MARYLAND
 WSSC GRID: 206NW06
 TAX MAP: GM62

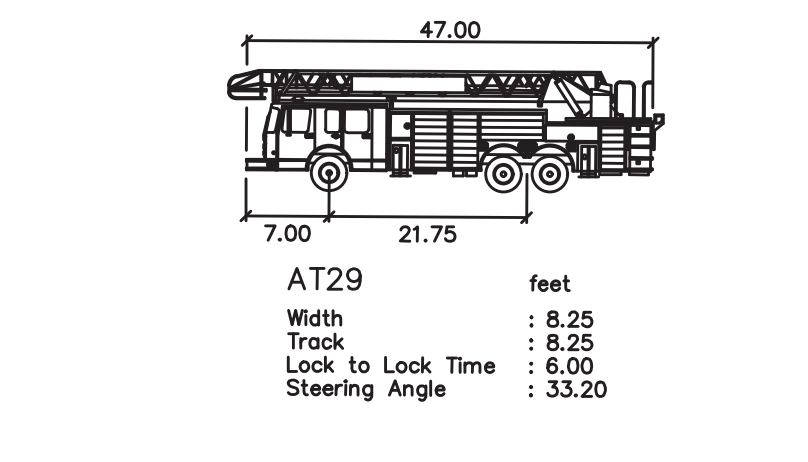
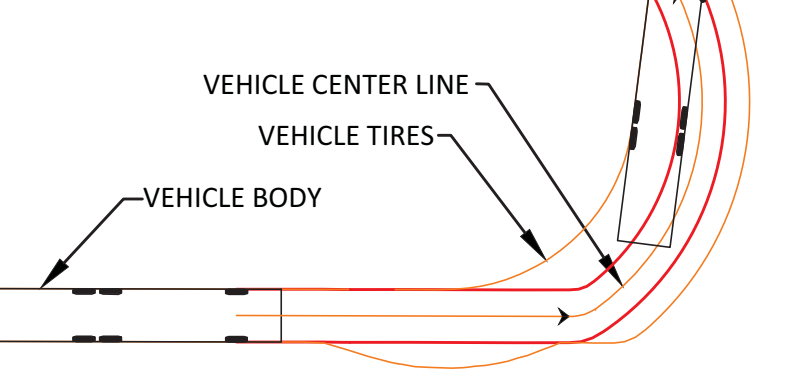
FIRE ACCESS PLAN

PROFESSIONAL SEAL

 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
 PREPARED OR APPROVED BY ME, AND THAT I AM
 A QUALY LICENSED PROFESSIONAL ENGINEER
 UNDER THE LAWS OF THE STATE OF MARYLAND.
 ENGINEER'S NAME: JULIA LAPIDES, P.E.
 LICENSE NO.: 43810
 EXPIRATION DATE: SEPTEMBER 8, 2024



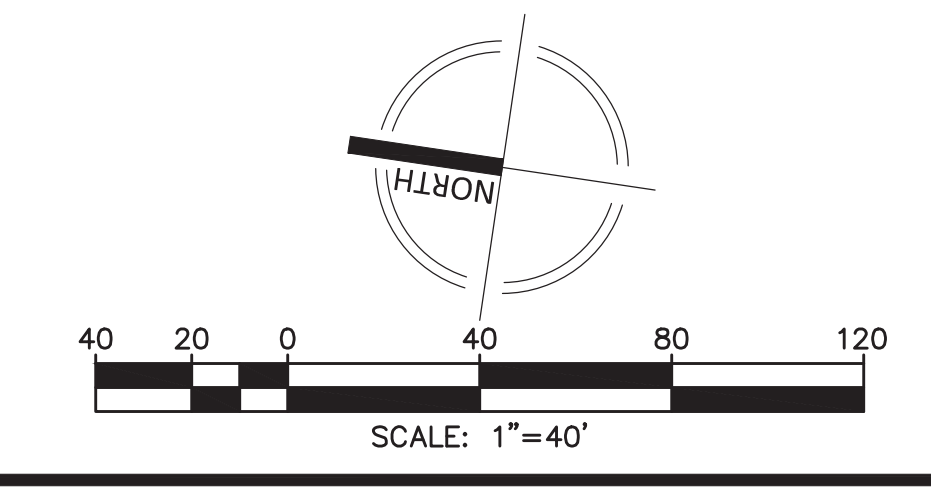
- LEGEND**
- MAIN ENTRANCE
 - WATER LINE AND FITTING
 - FIRE DEPARTMENT CONNECTION
 - FIRE HYDRANT
 - BUILDING ENTRY
 - FIRE TRUCK MOVEMENT (AT 729 TRUCK)
 - FIRE ACCESS PATH
 - FIRE ACCESS HOSE PULL
 - TYPICAL FIRE LANE SIGNAGE



NOT FOR CONSTRUCTION

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

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: 5/29/2024





OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

Christopher R. Conklin
Director

June 6, 2024

Ms. Katherine Mencarini, Planner III
DownCounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Dr
Wheaton, MD 20902

RE: Preliminary Plan No. 11985202A
Shops at Sumner
Preliminary Plan Letter

Dear Ms. Mencarini:

This letter replaces MCDOT's Preliminary Plan letter dated June 3, 2024.

We have completed our review of the preliminary plan uploaded to eplans on May 14, 2024. A previous version of the plans was reviewed by the Development Review Committee at its December 19, 2023, meeting. This plan is scheduled for the July 18th, 2024 Planning Board meeting. We recommend approval of the plans subject to the following comments:

Significant Comments

1. Sentinel Drive is classified as a Neighborhood Street with two existing lanes. Per the Montgomery County Code 49-32.c. the minimum right-of-way (ROW) is 70-feet. Plat #21680 shows that the current ROW is 70-feet. Based on this plat, DOT believes that additional dedication is not necessary.
 - a. The certified preliminary plan shall reflect the following proposed frontage improvements from the edge of existing pavement to the property line along the entirety of the project's frontage (shown on Plan Sheet 07-BREL-11985202A-PP1 V4):
 - 6-foot buffer
 - 6-foot sidewalk

- 2-foot maintenance buffer
2. Sangamore Road is classified as an Area Connector with two existing lanes. Per the Master Plan of Highways and Transitways the minimum required right-of-way (ROW) is 80-foot. Plat #21680 shows that the current ROW is 70-feet. We recommend the applicant provide a 5-foot dedication reservation to conform to the master plan. Planning staff have stated that frontage improvements are not required along Sangamore Road as the development only fronts on Sentinel Drive.
 3. **Sight Distance:** The sight distance study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference. The applicant is responsible to ensure sight distance during tree planting.
 4. **Storm Drain Study:** 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.
 5. MCDOT recommends approval of the abandonment of the 15-foot unimproved storm drain easement, as shown on Plat #8420, located within the proposed forest conservation easement.
 6. Pedestrian ramps and crosswalks along Sentinel Drive will be reviewed and completed during the signing and marking stage.
 7. Since this Property is located outside of an established Transportation Management District (TMD) a Level 3 Project-Based TMD Results Plan is not required. However, the Applicant has voluntarily agreed to implement some TMD strategies as part of this proposed multi-family building project.
 8. MCDOT appreciates the Applicant's willingness to provide selected Transportation Demand Management (TDM) measures. In view of the goal of 41% Non-Auto Driver Mode Share (NADMS) for residents and employees in the Bethesda-Chevy Chase Policy Area, MCDOT recommends the following as conditions of the project approval:
 - a. Applicant file a voluntary TDM Plan with MCDOT. Filing of a voluntary plan would not subject Applicant to any fees or other requirements, but would help organize and document their approach to TDM to address the 41% NADMS goal.
 - b. Applicant designate a Transportation Coordinator to implement TDM strategies at the Project and facilitate the Department's TDM efforts at the site.
 - i. The Transportation Coordinator serves as a contact person regarding transportation issues and can be a staff person with other duties at the project.
 - ii. The Transportation Coordinator would distribute TDM information provided by MCDOT, including providing residents with information on:
 - Emergency transportation programs like the Guaranteed Ride Home program.
 - Bike and scooter information, including about beginner and advanced classes offered by MCDOT.

- Pedestrian safety information.
 - Changes in transit routes, schedules and fares.
 - Events and other promotional opportunities.
- c. Applicant provide a real-time information sign in the lobby of the building to inform residents and visitors of the transportation options in the vicinity.
 - d. Applicant provide one or more shared e-bike/e-scooter corrals in an area convenient to the building entrance and other locations on the site where e-bike/e-scooter parking appears concentrated once the Project is occupied. This will help organize scooter deployment and parking on the site and prevent random parking in inappropriate locations around the site.
 - e. In the new parking structure, Applicant provide multiple carpool/vanpool spaces, incorporating spaces for EV charging, since the proposed structured parking would be changing much of the parking on-site from surface parking to structured parking, and replacing existing surface parking on-site.

Standard Comments

9. 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. Include this letter and all other correspondence from this department.
10. Provide a 10-PUE along all street frontages.
11. No permanent structures are allowed in the public right-of-way.
12. Design all access points and alleys to be at-grade with the sidewalk, dropping down to street level between the sidewalk and roadway.
13. Forest Conservation Easements are NOT ALLOWED to overlap any easement.
14. Stop sign locations, crosswalks and markings will be shown on the signing and marking plans and be reviewed and approved at the right-of-way permit stage.
15. The owner will be required to submit a recorded covenant for the operation and maintenance of any private storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
16. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
17. 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 DPS Right-of-Way Plan Review Section.

Ms. Katherine Mencarini
 Preliminary Plan No. 11985202A
 June 6, 2024
 Page 4

18. 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 MCDPS 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 MCDPS.
19. 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. Curbs and gutters, sidewalks and handicap ramps (if any), storm drainage and appurtenances, streetlights and street trees along Sentinel Drive.
 - b. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
 - c. Permanent monuments and property line markers, as required by Section 50.4.3(G) of the Subdivision Regulations.
 - d. 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 for this project at brenda.pardo@montgomerycountymd.gov or at (240) 777-7170.

Sincerely,

Brenda M. Pardo, Engineer III
 Development Review Team
 Office to Transportation Policy

[SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Preliminary Plan\PP11985202A The Shops at Sumner\11985202A-The Shops at Sumner-DOT Preliminary Plan Letter_6.6.24](#)

Attachments: Approved Sight Distance Study

cc: Correspondence folder FY 2024

cc-e: Mark Terry MCDOT DTEO
 Atiq Panjshiri MCDPS RWPR
 Sam Farhadi MCDPS RWPR
 Rebecca Torma MCDOT OTP



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Plan Number: 1-1985202A
Project Name: SHOPS AT SUMNER

ENGINEER/ SURVEYOR CERTIFICATE

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

Julia Lapides
 Signature

49870
 PLS/PE MD Reg. No

2/7/2024
 Date

Montgomery County Review:

Approved
 Disapproved:

By: Brenda M. Pardo
 Date: 6/3/2024

| SENTINEL DRIVE | | | | | |
|------------------------------------|--------|---------------------|---------------|---------------|-----|
| CLASS | | NEIGHBORHOOD STREET | | | |
| SPEED (MPH) | | 30 MPH (POSTED) | | | |
| APPROACHING MOTOR VEHICLES | | | | | |
| VERTICAL | | TARGET (FT) | MEASURED (FT) | OK? | |
| | L | 335 | 335 | ✓ | |
| | R | 290 | 290 | ✓ | |
| APPROACHING MOTOR VEHICLES | | | | | |
| HORIZONTAL | | Grade | TARGET (FT) | MEASURED (FT) | OK? |
| L | -0.86% | 335 | 335 | ✓ | |
| R | +2.46% | 290 | 290 | ✓ | |
| APPROACHING BIKEWAYS | | | | | |
| HORIZONTAL | | Grade | TARGET (FT) | MEASURED (FT) | OK? |
| L | | | | | |
| R | | | | | |
| APPROACHING SIDEWALK (IF DIRECTED) | | | | | |
| HORIZONTAL | | Grade | TARGET (FT) | MEASURED (FT) | OK? |
| L | | | | | |
| R | | | | | |
| COMMENTS | | | | | |
| | | | | | |

| | | |
|--|---|--|
| FORM APPROVED <u>11.8.2023</u> Date Chief, Division of Transportation Engineering Montgomery County Dept. of Transportation | REVISED _____ _____ _____ _____ _____ _____ | Montgomery County Department of Transportation |
| Chief, Land Development Montgomery County Dept. of Permitting Services | | <p align="center">Sight Distance Review Form</p> |

DPS-ROW CONDITIONS OF APPROVAL**May 16, 2024****820230140 Sumner Place Apartments**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-SITE-820230140-003.pdf V5” uploaded on/ dated **“5/14/2024”** and

The followings need to be addressed prior to the certification of site plan:

1. Access points on public roads:
 - a. Label the width and curb radii for access point and ensure of the minimum that will accommodate the site traffic.
 - b. Provide truck turning movement for all (especially right turn) movements.
 - c. Label if a specific movement is restricted on the site plan.
2. Provide public sidewalk:
 - a. to ADA standards (minimum five feet wide) and label/ notate accordingly.
 - b. ensure 1' of maintenance strip has been provided.
 - c. ensure/ show all sidewalks/ handicap ramps have matching receiving counterparts, are aligned and ADA connection is provided. Show/ label the existing sidewalks where connection is made.
 - d. Label the existing midblock crossing and provide ADA connection to the proposed sidewalk.
 - e. Provide/ label where PIE needed.
 - f. Provide at-grade sidewalk crossing.
3. Ensure all non-standard structures or fences are out of public ROW or PIE.
4. Recommend PUE along the site frontage due to non-zero BRL zone.
5. Remove all proposed pavement markings and signage on public streets from the site plan or provide a note indicating they are for reference only and will be finalized at ROW permit under signing and marking plan.
6. Provide street trees per approved tree species list at the required spacing and clearances along the entire site frontage where proposed sidewalk is provided.

May 29, 2024

Ms. Katie Mencarini
Montgomery County Planning Department
2425 Reddie Drive, 13th Floor
Wheaton, Maryland 20902

Re: Sumner Place / Shops at Sumner Place
Site Plan # 820230140 and Preliminary Plan 11985202A

Dear Ms. Mencarini:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval for the 118 total units including 18 (15.3%) MPDUs in Bethesda, Maryland.

An Agreement to Build must be submitted to, reviewed, and executed by DHCA before building permits are obtained from the Department of Permitting Services (DPS). The final MPDU locations, layouts and bedroom mix will need to be approved by DHCA at the MPDU Agreement to Build stage. No more than 40% of one floor may consist of MPDUs and the MPDUs must be reasonably distributed throughout the building.

Sincerely,



Maggie Gallagher, Program Manager I
Affordable Housing Programs Section

MONTGOMERY COUNTY PLANNING BOARD
AFFIDAVIT OF PRE-SUBMISSION PUBLIC MEETING

Sumner Place Apartments

Preliminary Plan Amendment and Site Plan Applications

I HEREBY CERTIFY that on April 13, 2023 at 7:00 pm, representatives of W.C. & A.N. Miller Development Company, its consultants, and C. Robert Dalrymple and Matthew Gordon of Selzer Gurvitch, held a Pre-Submission Public Meeting in order to discuss the preliminary plan amendment and site plan applications for Sumner Place Apartments. The purpose of this meeting was to comply with Section 59.7.5.1 of the Zoning Ordinance and the Administrative Procedures for Development Review, which require a Pre-Submittal Public Meeting to be held no more than 90 days prior to initial application submittal. The meeting was held at Capital Workspaces (located at 4701 Sangamore Road, #100N, Bethesda, MD 20816) with a remote observation option available by Zoom accessible through the following methods: (a) online, [https://us02web.zoom.us/j/84715282157?pwd=d0JtNIQvZGV0NTNVRRC9VdDlzlL3lRUT09](https://us02web.zoom.us/j/84715282157?pwd=d0JtNIQvZGV0NTNVRRC9VdDlzlL3lRUT09;); and/or (b) telephone, +1 (301) 715-8592, meeting ID: 84715282157, passcode: 981774, and the meeting invitation was mailed to all of the individuals included in the attached notice list.

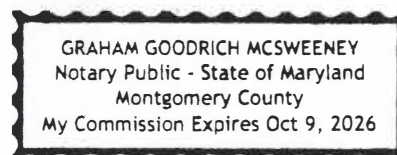


By: Matthew Gordon
Selzer Gurvitch Rabin Wertheimer & Polott, P.C., Attorney
for the Applicant, W.C. & A.N. Miller Development
Company

Subscribed and sworn to before me, a Notary Public for Montgomery County, Maryland, this 10th day of July, 2023.



My Commission Expires: 10/9/26
[SEAL]





March 24, 2023

Matthew Gordon, Esquire
mgordon@sgrwlaw.com
Direct Dial: 301-634-3150

FIRST CLASS MAIL
NOTICE OF PRE-SUBMISSION PUBLIC MEETING

Name of Plan: Sumner Place Apartments
Applicant: W.C. & A.N. Miller Development Company
Current Zoning: Neighborhood Retail (NR-0.75, H-45)
Number of Proposed Lots/ Area Included: 2 parcels totaling approximately 13.51 acres in tract area
Geographical Location: 4601 and 4701 Sangamore Road, Bethesda, also identified as Parcel E and F, Block E of the Sumner Subdivision, comprising the entirety of the Shops at Sumner Place, which is located to the south of the intersection of Sangamore Road and Sentinel Drive, within the boundaries of the Approved and Adopted 1990 Bethesda-Chevy Chase Master Plan (the "Property").
Proposed Application: Concept Plan application to obtain Development Review Committee (DRC) comments, and subsequent Preliminary Plan and Site Plan applications, to demolish the former PNC bank building and redevelop this northeastern portion of the Property with up to 132 multi-family dwelling units (including a minimum of 15.1% Moderately Priced Dwelling Units – "MPDUs"), up to 20 live/work units, structured parking spaces, amenity open space, and private amenities (the "Project").

An informational meeting regarding the above-referenced Project has been scheduled for **Thursday, April 13, 2023, at 7:00 pm at Capital Workspaces (located at 4701 Sangamore Road, #100N, Bethesda, MD 20816)**. If you intend to participate in the informational meeting and/or would like to provide written comments and/or questions, please send an email that includes your name and mailing address to Graham McSweeney at gmcsweney@sgrwlaw.com. If you are unable to attend the informational meeting in person and would like to observe the presentation remotely, please contact Graham McSweeney for remote access credentials. A copy of the presentation (which is subject to changes as the entitlement process progresses) will be posted by Monday, April 10, 2023 at the following website <https://sgrwlaw.sharefile.com/d-s73d75f2e4ae94df4954e7367431da8c8>.

The Property that is the subject of the Concept Plan, Preliminary Plan and Site Plan applications consists of approximately 13.51 acres of tract area and is located south of the intersection of Sangamore Road and Sentinel Drive, known as the Shops at Sumner Place. The Concept Plan, Preliminary Plan and Site Plan applications propose to redevelop the northeastern portion of the Property with a mixed-use project containing a combination of up to 132 multi-family dwelling units (including a minimum of 15.1% MPDUs), up to 20 live/work units, structured parking, amenity open space, and private amenities. The Project proposes a maximum building height of 57 feet, which is permitted through the provision of additional MPDUs in accordance with Section 59-4.6.2.C.6 of the Zoning Ordinance. The purpose of this meeting is to

{00498949;2 }

Selzer Gurvitch Rabin Wertheimer & Polott, P.C.

4416 East West Highway • Fourth Floor • Bethesda, MD 20814-4568 Phone:
(301) 986-9600 • Fax: (301) 986-1301 • Toll Free: (888) 986-9600

www.selzergurvitch.com

review the proposed Concept Plan, Preliminary Plan and Site Plan applications, and the meeting will then be open to questions regarding the proposed Project.

If you are interested in receiving more information about the proposed Project, you may contact either Matthew Gordon (301-634-3150; mgordon@sgrwlaw.com), or Graham McSweeney (301-634-3177; gmsweeney@sgrwlaw.com) of Selzer Gurvitch Rabin Wertheimer & Polott, P.C.. You may also contact the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) if you have general questions about M-NCPPC’s process. The Information Counter may be reached at (301) 495-4610. The Development Applications and Regulatory Coordination Division may be reached at (301) 495-4550 or www.montgomeryplanning.org/development.

Thank you in advance for your interest and attention.

Very truly yours,

Selzer Gurvitch Rabin Wertheimer & Polott, P.C.

Matthew M. Gordon

Matthew M. Gordon

Notice List - Sumner Place Apts
March 23, 2023

| Tax Account No. | Name | Department | Address1 | City | State | PostalCode |
|--|---|---|---------------------------------|---------------|----------|------------|
| Subject Property | | | | | | |
| 07-03316723 | W C & A N MILLER DEV CO | | 11921 ROCKVILLE PIKE STE 200 | Rockville | MD | 20852 |
| 07-02676382 | W C & A N MILLER DEV CO | | 11921 ROCKVILLE PIKE STE 200 | Rockville | MD | 20852 |
| Adjoining and Confronting Property Owners | | | | | | |
| 07-00437145 | UNITED STATES OF AMERICA DEFENSE MAP ATTN CM | | 3838 VOGEL RD | Arnold | MO | 63010 |
| 07-00609872 | SUMNER HIGHLANDS LLC | | 4701 SANGAMORE RD STE S135 | Bethesda | MD | 20816 |
| | Property Management Co. for Sumner Court Condominium | c/o Glenn Loveland, Abaris Realty, Inc. | 7811 Montrose Road, Suite 110 | Potomac | MD | 20854 |
| | Property Management Co. for Sumner Village #1 Condominium | c/o Peter Esser, Gates Hudson | 3020 Hamaker Court Suite 300 | Fairfax | VA | 22031 |
| | Property Management Co. for Sumner Village #2 Condominium | c/o Barbara Jensen, Gates Hudson | 3020 Hamaker Court Suite 300 | Fairfax | VA | 22031 |
| Homeowners' and Civic Associations | | | | | | |
| | Brookmont Civic League | Marcia Wagner, Treasurer | 6410 Ridge Drive | Bethesda | MD | 20816 |
| | Brookmont Civic League | Peter Hobby, President | 113 Valley Road | Bethesda | MD | 20816 |
| | Carlton Place | Gayle Finkelstein, President | 5823 Madaket Road | Bethesda | MD | 20816 |
| | Carlton Place Homeowners Association | Joseph Wright, Summit Mgmt. Svcs., Inc. | 8701 Georgia Ave. #602 | Silver Spring | MD | 20910 |
| | Citizens Coordinating Committee on FH | Cynthia Green, Recording secretary | | | | |
| | Citizens Coordinating Committee on FH | David Forman, Chairperson | | | | |
| | Citizens Coordinating Committee on FH | Harry Pfohl, Vice Chairperson | | | | |
| | Citizens Coordinating Committee on FH | Judy Throckmorton, Treasurer | | | | |
| | Citizens Coordinating Committee on FH | Melanie Rose White, Past Chair | 5500 Friendship Boulevard #2221 | Chevy Chase | MD | 20815 |
| | Citizens Coordinating Committee on FH | Pat Johnson, Corresponding secretary | | | | |
| | Citizens Coordinating Committee on FH | Pete Salinger, List Coordinator | | | | |
| | Citizens Coordinating Committee on FH | Stacey Band, At large | | | | |
| | East County Citizens Advisory Board | Rachel Evans, Chair | 3300 Briggs Chaney Road | Silver Spring | MD | 20904 |
| | Fort Sumner Citizens Association | Doug Cooper, Co-President | 6124 Overlea Road | Bethesda | MD | 20816 |
| | Glen Echo Heights Citizens Assn | Doran Flowers, Secretary | 5024 Wissioming Road | Bethesda | MD | 20816 |
| | Glen Echo Heights Citizens Assn | Melba Quizon, Treasurer | 5405 Waneta Road | Bethesda | MD | 20816 |
| | Glen Echo Heights Citizens Association | Damian Whitham, President | 5207 Iroquois Road | Bethesda | MD | 20816 |
| | Glen Echo Heights Citizens Association | Lisa Owens, President | 5107 River Hill Road | Glen Echo | MD | 20812 |
| | Montgomery County Civic Federation | Alan Bowser, Co-President | | | | |
| | Montgomery County Renters Alliance Inc. | Matt Losak, Executive Director | | | | |
| | Montgomery County Taxpayers League | Edward Amatetti, President | | | | |
| | Northern Montgomery County Alliance | Julius Cinque, Chair | 22300 Slidell Road | Boyd's | MD | 20841 |
| | Sierra Club - Montgomery County Group | Al Carr, ExCom Member | | | | |
| | Sierra Club - Montgomery County Group | Jennifer Rossmere, Treasurer | P O Box 4024 | Rockville | MD | 20849 |
| | Sumner Citizens Association | Marsha Barnes, President | 5002 Brookeway Drive | Bethesda | Maryland | 20816 |
| | Sumner Citizens Association | Owen Kirby, Vice President | 5133 Baltan Road | Bethesda | Maryland | 20816 |
| | Sumner Citizens Association | Peggy Cloherty, Secretary | 5005 Sangamore Road | Bethesda | Maryland | 20816 |
| | Sumner Clusters: a Condominium | Bluette Williams, Admin Agent | 6917 Arlington Road #350 | Bethesda | MD | 20814 |
| | Sumner Clusters: a Condominium | Gloria Esteves, Primary Contact/Owner | 4309 Sangamore Road | Bethesda | MD | 20816 |
| | Sumner Clusters: a Condominium | Nelli Bodrenko, Management Contact | 6917 Arlington Street | Bethesda | MD | 20814 |
| | Sumner Court Condominium | Glenn Loveland, Admin Agent | 7811 Montrose Road, Suite 110 | Potomac | MD | 20854 |
| | Sumner Square Condominium Association | Scott Sheridan, Admin Agent, Allied Realty | 7605 Arlington Rd. Suite 100 | Bethesda | MD | 20814 |
| | Sumner Square Condominium Association | William Collier, Director | 4849 Sangamore Road #23 | Bethesda | | 20816 |
| | Sumner Square Condominium Association | Robert Smith, Primary Contact - Owner | 4821 Sangamore Road | Bethesda | MD | 20814 |
| | Sumner Village Condominium #1 Inc | Primary Contact, Primary Contac | 4910 Sentinel Drive | Bethesda | MD | 20816 |
| | Sumner Village Condominium #1 Inc | Barbara Jensen, Mgmt Contact | 3020 Hamaker Court | Fairfax | VA | 22031 |
| | Sumner Village Condominium #1 Inc. | Porsha Jordan, Mgmt Contact | 4910 Sentinel Drive | Bethesda | MD | 20816 |
| | Sumner Village Condominium #1 Inc. | Village Condo One Payment Office, Admin Agent | 4910 Sentinel Drive | Bethesda | MD | 20816 |
| | Sumner Village Condominium #2 Inc | Frances Byers, Primary Contact - Owner | 4974 Sentinel Drive, #404 | Bethesda | MD | 20816 |
| | Sumner Village Condominium #2 Inc | Barbara Jensen, Mgmt Contact | 3020 Hamaker Court | Fairfax | VA | 22031 |
| | Sumner Village Condominium #2 Inc. | Frances Byers, Admin Agent | 4910 Sentinel Drive | Bethesda | MD | 20816 |

Notice List - Sumner Place Apts
 March 23, 2023

| Tax Account No. | Name | Department | Address1 | City | State | PostalCode |
|------------------------------|-----------------------------------|--|-----------------------------------|------------|-------|------------|
| | Westmoreland Citizens Association | Anne Brown, Treasurer | 5203 Abingdon Road | Bethesda | MD | 20816 |
| | Westmoreland Citizens Association | Dana Rice, Co-President | | Bethesda | MD | 20816 |
| | Westmoreland Citizens Association | Sharon Whitehouse, Co-President | 4800 Jamestown Road | Bethesda | MD | 20816 |
| | Westmoreland Citizens Association | Steve Herman, Community Affairs | | Bethesda | MD | 20816 |
| Schools and Libraries | | | | | | |
| | Walt Whitman High School | | 7100 Whittier Boulevard | Bethesda | MD | 20817 |
| | Thomas W. Pyle Middle School | | 6311 Wilson Lane | Bethesda | MD | 20817 |
| | Wood Acres Elementary School | | 5800 Cromwell Drive | Bethesda | MD | 20816 |
| | Little Falls Library | | 5501 Massachusetts Ave | Bethesda | MD | 20816 |
| Development/Other | | | | | | |
| | M-NCPPC | Intake, IRC | 2425 Reedie Dr. 2nd Flr | Wheaton | MD | 20902 |
| | C. Robert Dalrymple, Esq. | Selzer Gurvitch | 4416 East West Highway 4th Flr | Bethesda | MD | 20814 |
| | Matthew M. Gordon, Esq. | Selzer Gurvitch | 4416 East West Highway 4th Flr | Bethesda | MD | 20814 |
| | Robert Miller | W.C. and A.N. Miller Development Company | 4701 Sangamore Road Suite S135 | Bethesda | MD | 20816 |
| | Faik Tugberk | Architects Collaborative, Inc. | 9400 Old Georgetown Road | Bethesda | MD | 20814 |
| | Chanda Beaufort | VIKA Maryland, LLC | 20251 Century Boulevard Suite 400 | Germantown | MD | 20874 |
| | Michael R. Pinkoske Jr. | VIKA Virginia, LLC | 8180 Greensboro Dr. Suite 200 | Tysons | VA | 22102 |

Sumner Place Apartments

Concept Plan/Preliminary Plan Amendment/Site Plan Applications

Pre-Submission Community Meeting

Thursday, April 13, 2023, 7:00 PM

*Meeting Held at Capital Workspaces, 4701 Sangamore Road, #100N
Bethesda, MD 20816*

Virtual Zoom link: <https://us02web.zoom.us/j/84715282157?pwd=d0JtNlQvZGV0NTNVRC9VdDlzM3lRUT09>

Attendance Sheet

| | NAME | ADDRESS | INCLUDE AS PARTY OF RECORD? (Y/N) |
|----|-----------------------------|---|--|
| 1 | Marsha E. Barnes | [not provided] | N |
| 2 | Mr. and Mrs. J. Weinberg | 6313 Newburn Drive, Bethesda, MD 20816 | Y |
| 3 | Cameron D. Whitman | 4978 Sentinel Drive, #405, Bethesda, MD 20816 | Y |
| 4 | Eleanor Smith | 5321 Westpath Way, Bethesda MD 20816 | Y |
| 5 | Catherine C. Martens | 4928 Sentinel Drive, #104, Bethesda MD 20816 | Y |
| 6 | Mary Ann McNamar | 4920 Sentinel Dr. #106, Bethesda, Md. 20816 | Y |
| 7 | Louise Crawford | 6446 Brooks Lane, Bethesda, MD 20816 | Y |
| 8 | Stephanie Lawson | 4986 Sentinel Dr., #401, Bethesda, MD 20816 | Y |
| 9 | Pickett Randolph | 4813 Sagamore Road, Unit #7, Bethesda, MD 20816 | Y |
| 10 | Leslie Wharton | 4978 Sentinel Drive #501, Bethesda, MD 20816 | Y |
| 11 | Elaine Patterson | 61 Laguna Drive, Palm Beach Gardens, FL 33418 | Y |
| 12 | Karen Tupek | 4956 Sentinel Drive, #101, Bethesda, Maryland 20816 | Y |
| 13 | Bill Bonacki | 4956 Sentinel Dr. Apt. 206, Bethesda, MD 20816 | Y |
| 14 | Barbara Berger | 4986 Sentinel Drive, #102, Bethesda, MD 20816 | Y |
| 15 | Mrs. Stanley Harris (Becky) | 4982 Sentinel Drive, Apt. 406, Bethesda, MD. 20816 | Y |
| 16 | Beverly M. Massey | 4801 Sangamore Road, Bethesda, MD 20816 | Y |
| 17 | JoAnn R. Kingdon | 4986 Sentinel Drive, Bethesda, MD 20816 | Y |

| | NAME | ADDRESS | INCLUDE AS PARTY OF RECORD? (Y/N) |
|----|----------------------------|---|--|
| 18 | Deborah Nolan | 4928 Sentinel Drive Apt 105, Bethesda, MD 20816 | Y |
| 19 | Andrea Mones | 4936 Sentinel Drive #402, Bethesda MD 20816 | Y |
| 20 | Kim Sedmak | 4932 Sentinel Drive #204, Bethesda, MD 20816 | Y |
| 21 | Arthur S. Berger | 4986 Sentinel Dr, Bethesda, MD 20816 | Y |
| 22 | Cynthia L. Keith | 8805 Honeybee Lane, Bethesda MD 20817 | Y |
| 23 | Susan Hawfield | 4952 Sentinel Dr, #103, Bethesda, MD 20816 | Y |
| 24 | Kathleen Gallagher | [not provided] | N |
| 25 | Bee-Ean Gooi and Abdi Said | 4940 Sentinel Drive, Apt. 402, Bethesda, Md. 20816 | Y |
| 26 | Kathy Pomerenk | [not provided] | N |
| 27 | Linda Woolley | 4990 Sentinel Dr. 405, Bethesda, MD 20816 | Y |
| 28 | Laurie Gross | 4952 Sentinel Dr. #303, Bethesda, MD 20816 | Y |
| 29 | Lawrence J. Halloran | 4986 Sentinel Drive #101, Bethesda, MD 20816 | Y |
| 30 | Colette Claude Cowey | 4932 Sentinel Drive Apt. 206, Bethesda MD 20816 | Y |
| 31 | Bertin and Susan Brown | 4990 Sentinel Drive, Apt 303, Bethesda MD, 20816. | Y |
| 32 | Jeanette Esposito | [not provided] | N |
| 33 | Mary E. Fowler | 4974 Sentinel Dr, Apt 102, Bethesda, MD 20816-3515 | Y |
| 34 | Susan Grisby | [not provided] | N |
| 35 | Ana Altieri | 4924 Sentinel Dr, Bethesda, MD 20816 | Y |
| 36 | Peter and Mary Robinson | 4940 Sentinel Drive, Apt. 103, Bethesda, MD 20816 | Y |
| 37 | Sharon O'Brien | 4940 Sentinel Dr #201, Bethesda, MD 20816 | Y |
| 38 | Dorothy Coleman | 4974 Sentinel Drive No. 106, Bethesda, Maryland 20816 | Y |
| 39 | Elaine C. Ferat | 4956 Sentinel Dr. #406, Bethesda, MD 20816 | Y |
| 40 | Aileen Bloom | 4920 Sentinel Drive #102, Bethesda, Md. 20816 | Y |
| 41 | Brandon Brame Fortune | 4982 Sentinel Drive #103, Bethesda MD 20816 | Y |
| 42 | Grace Clark | 4920 Sentinel Dr #401, Bethesda MD 20816 | Y |
| 43 | Ted Hermes | 5301 Ridgefield Rd, Bethesda, MD 20816 | Y |
| 44 | Ann and John Harbeson | 4978 Sentinel Dr # 203, Bethesda, MD 20816 | Y |
| 45 | Jim Toronto | 4940 Sentinel Drive #403, Bethesda, MD 20816 | Y |
| 46 | Clarke Ellis | 4920 Sentinel Drive, Apt. 204, Bethesda, MD 20816 | Y |
| 47 | Joan Kenney | 4982 Sentinel Drive, #405, Bethesda, MD 20816 | Y |
| 48 | Carlos R. Escudero | 4936 Sentinel Dr., Apartment 205, Bethesda, MD 20816 | Y |

| | NAME | ADDRESS | INCLUDE AS PARTY OF RECORD? (Y/N) |
|----|-----------------------------------|---|-----------------------------------|
| 49 | Laurene Sherlock | 4833 Sangamore Road, Bethesda, MD 20816 | Y |
| 50 | Anne Weinberg | 4924 Sentinel Drive Apt. 204, Bethesda, MD 20816 | Y |
| 51 | Ping Chen | 5111 Sentinel Dr, Bethesda, MD 20816 | N |
| 52 | Burton Fishman | 4932 Sentinel Drive, Apt. 106, Bethesda, MD 20816 | Y |
| 53 | Donna Dowsett-Coirolo | 4978 Sentinel Drive, Apt 106, Bethesda, MD 20816 | Y |
| 54 | Frances Byers | 4974 Sentinel Drive, #404, Bethesda, MD 20816 | Y |
| 55 | Emily Fahey | 5007 Sentinel Drive #42, Bethesda, MD 20816 | Y |
| 56 | Cindy O'Neill | 4924 Sentinel Drive #103, Bethesda, MD 20816 | Y |
| 57 | Gina Clair | [not provided] | |
| 58 | Margie Eulner Ott | [not provided] | |
| 59 | John Bik | 5001 Sentinel Dr. #16, Bethesda, MD 20816 | Y |
| 60 | Steve Herman | 5229 Elliot Rd, Bethesda, MD 20816 | Y |
| 61 | Peter Cameron | 4982 Sentinel Drive, Apt 202, Bethesda MD 20816 | Y |
| 62 | Lawrence White | [not provided] | |
| 63 | Ricardo Varsano | 4952 Sentinel Drive Apt 403, Bethesda, MD 20816 | Y |
| 64 | Abby Horwitz | 4974 Sentinel Drive, Apt 105, Bethesda, MD 20816 | Y |
| 65 | Krista Argiolas | [not provided] | N |
| 66 | Bruce Romer | 4990 Sentinel Drive, Bethesda, Maryland 20816 | Y |
| 67 | Jeannie Lorenz | [not provided] | N |
| 68 | Richard Houghton and Marsha Oates | 4932 Sentinel Drive # 405, Bethesda, MD 20816 | Y |
| 69 | Beverly G. Kennedy | 4956 Sentinel Drive, #301, Bethesda, MD 20816 | Y |
| 70 | Pamela Cole | 4948 Sentinel Drive, Apt. 101, Bethesda, MD 20816 | Y |
| 71 | John Pollner | [not provided] | N |
| 72 | Elise Gillette | [not provided] | N |
| 73 | Zoran and O. Stojanovic | [not provided] | N |
| 74 | Carolyn Sherman | 4924 Sentinel Dr #306, Bethesda, MD 20816 | Y |
| 75 | Risa and Eric Yaffe | 4970 Sentinel Drive #205, Bethesda, MD 20816 | Y |
| 76 | Carol Bowis | 4974 Sentinel Drive, Apt. 104, Bethesda MD 20816 | Y |
| 77 | Julie Stratton | 4978 Sentinel Drive, Apt. 303, Bethesda MD 20816 | Y |
| 78 | Terri Horrow | 4932 Sentinel Drive #105, Bethesda MD 20816 | Y |

| | NAME | ADDRESS | INCLUDE AS PARTY OF RECORD? (Y/N) |
|-----|------------------------------|--|--|
| 79 | Terry Osborne | 4910 Sentinel Drive, Bethesda, MD 20816 | Y |
| 80 | Patsy Evans | 4974 Sentinel Drive #101, Bethesda, MD 20816 | Y |
| 81 | Clare Cumberland | 4928 Sentinel Dr. Apt. 103, Bethesda, MD 20816 | Y |
| 82 | Jane Stanton | [not provided] | N |
| 83 | Maureen Norton and Bob Emrey | 4952 Sentinel Drive, Unit 8-205, Bethesda, MD 20816 | Y |
| 84 | Tom and Ann Humphrey | 5009 Rockmere Court, Bethesda, MD 20816 | Y |
| 85 | Jane L. Horwitz | 4952 Sentinel Dr., #104, Bethesda, MD 20816 | Y |
| 86 | John Harbeson | [not provided] | |
| 87 | Louise Owen | [not provided] | |
| 88 | Kathleen Sheridan | 5103 Waukesha Road, Bethesda, MD 20816 | Y |
| 89 | Richard W. Stekettee | 5311 Westpath Way, Bethesda, MD 20816 | Y |
| 90 | Leslie Geiger | [not provided] | N |
| 91 | Ken and Jean Kaufman | 4924 Sentinel Drive, Building 2, Apt 203, Bethesda, MD 20816 | Y |
| 92 | Pat and Bob Burns | 4310 Locust Lane, Bethesda, MD 20816 | Y |
| 93 | Monica Goldberg | [not provided] | N |
| 94 | Peter Gerber | 4940 Sentinel Dr #104, Bethesda, MD 20816 | Y |
| 95 | Dr J L Robinson | 4908 Baltan. Road, Bethesda, MD 20816 | Y |
| 96 | Susan Saunders | 4978 Sentinel Dr, 12-201, Bethesda, MD 20816 | Y |
| 97 | Sally McGunnigle | 4990 Sentinel Dr., Apt 503, Bethesda MD 20816 | Y |
| 98 | Harold Pfohl | 4932 Sentinel Dr #306, Bethesda, MD 20816 | Y |
| 99 | Ursula Kelnhofer | 4940 Sentinel Drive, Bethesda MD 20816 | Y |
| 100 | Patricia Ryan | 5048 Westpath Terrace, Bethesda MD 20816 | Y |
| 101 | Gerben DeJong | [not provided] | N |
| 102 | David Sproul | 5103 Randall Lane, Bethesda, MD 20816 | Y |
| 103 | Margaret Warker | 4701 Sangamore Road, Suite S-232, Bethesda, MD 20816 | Y |
| 104 | Rhett Tatum | 5620 Wood Way, Bethesda, MD 20816 | Y |
| 105 | Jan Davis | 5205 Wissioming Rd, Bethesda, MD 20816 | Y |
| 106 | Julie Nelson | 5211 Wissioming Rd, Bethesda, MD 20816 | Y |
| 107 | Suzanne Taylor Dater | 12 Sangamore Ct, Bethesda, MD 20816 | Y |

| | NAME | ADDRESS | INCLUDE AS PARTY OF RECORD? (Y/N) |
|-----|-----------------------|--|--|
| 108 | Mary Musselman | 6418 Bannockburn Dr, Bethesda, MD 20817 | Y |
| 109 | Cordell Pugh | 5315 Briley Place, Bethesda, MD 20816 | Y |
| 112 | Mike Mage | 7008 Wilson Ln, Bethesda, MD 20817 | N |
| 113 | Sharon Metcalf | 3 Sangamore Court, Bethesda, MD 20816 | Y |
| 114 | P. Martin | 6624 Barr Rd, Bethesda, MD 20816 | Y |
| 115 | William B. Pugh | 5320 Briley Place, Bethesda, MD 20816 | Y |
| 116 | Ana Altieri | 4824 Sentinel Dr #201, Bethesda, MD 20816 | Y |
| 117 | Robert Cole | 5008 Sangamore Road, Bethesda, MD 20816 | Y |
| 118 | Linda Chaletzky | 602 Brookes Ridge Ct, Bethesda, MD 20816 | Y |
| 119 | Brenda Calfee | 5002 Wyandot Ct, Bethesda, MD 20816 | Y |
| 120 | Felix Pomponi | 5001 Westpath Terrace, Bethesda, MD 20816 | Y |
| 121 | Richard Steketee | 5311 Westpath Way, Bethesda, MD 20816 | Y |
| 122 | Russell Hogle | 6306 Walhonding Rd, Bethesda, MD 20816 | Y |
| 123 | Jason Griffin | 5504 Albia Rd, Bethesda, MD 20816 | Y |
| 124 | Peter O'Connell | 5610 Jordan Rd, Bethesda, MD 20816 | Y |
| 125 | Peter Nighswander | 6451 Brookes Ln, Bethesda, MD 20816 | Y |
| 126 | A. M. Zaremba | 6418 Brookes Ln, Bethesda, MD 20816 | Y |
| 127 | Geralyn O'Marra | 6100 Overlea Rd, Bethesda, MD 20816 | Y |
| 128 | Michael Seay | 4924 Sentinel Dr #405, Bethesda, MD 20816 | Y |
| 129 | Brock Covington | 5023 Sentinel Dr Apt 120, Bethesda, MD 20816 | Y |
| 130 | Shusila Rajasingham | 5117 Wapaakoneta Rd, Bethesda, MD 20816 | Y |
| 131 | David Andrews | 594 Brookes Ridge Ct, Bethesda, MD 20816 | Y |
| 132 | Susan Brooks | 6204 Winnebago Rd, Bethesda, MD 20816 | Y |
| 133 | Juanita Hendriks | 5421 Wehawken Rd, Bethesda, MD 20816 | Y |
| 134 | Tom Berray | 604 Brookes Ridge Ct, Bethesda, MD 20816 | Y |
| 135 | Donna DeMarco | 5353 Westpath Way, Bethesda, MD 20816 | Y |
| 136 | Elizabeth Witherspoon | 5007 Wyandot Ct, Bethesda, MD 20816 | Y |
| 137 | Frances Wetzel | 5012 Baltan Rd, Bethesda, MD 20816 | Y |
| 138 | Richard Hoye | 101 Lucas Ln, Bethesda, MD 20814 | Y |
| 139 | Jim Olson | 5205 Wyoming Rd, Bethesda, MD 20816 | Y |
| 140 | Joan Miranowski | 5214 Marlyn Dr, Bethesda, MD 20816 | Y |

| | NAME | ADDRESS | INCLUDE AS PARTY OF RECORD? (Y/N) |
|-----|-----------------|----------------|--|
| 141 | Joe Croft | [not provided] | N |
| 142 | Dorothy Krass | [not provided] | N |
| 143 | Carly Tu | [not provided] | N |
| 144 | Claudine Maggio | [not provided] | N |
| 145 | Anne Fishman | [not provided] | N |
| 146 | Eleanor Deeley | [not provided] | N |
| 147 | Hassan Virji | [not provided] | N |
| | | | |

Sumner Place Apartments

Concept Plan/Preliminary Plan Amendment/Site Plan Applications

Pre-Submission Community Meeting

Thursday, April 13, 2023, 7:00 PM

*Meeting Held at Capital Workspaces, 4701 Sangamore Road, #100N
Bethesda, MD 20816*

*Virtual Zoom link (for citizens to observe meeting and enter questions/comments in chatbox):
<https://us02web.zoom.us/j/84715282157?pwd=d0JtNlQyZGV0NTNVRC9VdDlzL3lRUT09>*

MEETING MINUTES

Attendees on behalf of the Applicant:

Rob Miller, W.C. & A.N. Miller Development Company (“Applicant”)
Michael Goodman, VIKA MD
Chanda Beaufort, VIKA MD
Faik Tugberk, Architects Collaborative
Chong Cho, Architects Collaborative
Michael Pinkoske Jr., VIKA VIRGINIA
Bob Dalrymple, Selzer Gurvitch
Matthew Gordon, Selzer Gurvitch

Start time: 7:05 PM

End time: 8:26 PM

1) Applicant’s presentation:

Matt Gordon of Selzer Gurvitch began the meeting by welcoming everyone to this required pre-filing community meeting for Preliminary Plan and Site Plan applications proposing a mixed-use building at the Shops at Sumner Place. The Applicant has already filed a Concept Plan with M-NCPPC to obtain an initial, courtesy review of the proposed development by the Development Review Committee and the Applicant expects to file concurrent Preliminary Plan and Site Plan applications in the next few months. A PowerPoint presentation was displayed on the screen.

If attendees have not already emailed Mr. McSweeney of Selzer Gurvitch a request to be added as a party of record and wish to receive future notices relating to the project, please sign-up at the front of room or send your contact information (name and mailing address) in the chat function of the Zoom meeting. While this meeting is being held in person, we have provided a virtual option for those unable to attend in person and desiring to observe the meeting. The meeting is being recorded via Zoom and we will also submit meeting minutes and the attendance list with the Preliminary Plan and Site Plan applications. Please hold all questions until the end of the presentation (or submit them in writing via the chat function). In order to fully and efficiently provide the information, it is important that questions are held until the conclusion of the presentation.

Mr. Gordon introduced the development team members, including Rob Miller of W.C. & A.N. Miller Development Company (Applicant), Matt Gordon and Bob Dalrymple of Selzer Gurvitch (Land Use Counsel), Michael Goodman and Chanda Beaufort of VIKA MD (Civil Engineer/Planner/Landscape Architect), Michael R. Pinkoske Jr. of VIKA VIRGINIA (Traffic Consultant), and Faik Tugberk and Chong Cho of Architects Collaborative (Architect).

Mr. Gordon described the development applications involved with the entitlement process:

-Concept Plan - A flexible plan type that allows applicants to get staff and Development Review Committee (DRC) input on various details of a proposed project. Applicants have the freedom to submit with whatever level of detail they'd like in order to get feedback on any number of issues prior to filing development applications (in this instance, Preliminary Plan and Site Plan applications).

-Preliminary Plan of Subdivision - Show how a property or set of properties will be subdivided or resubdivided, based on the regulations found in Chapter 50 of the Montgomery County Code. At the time of Preliminary Plan, an Adequate Public Facilities finding is made to determine whether the existing transportation and school networks can handle the intensity and types of uses proposed.

-Site Plan -A detailed plan, required only in certain zones, that shows proposed development on a site in relation to immediately adjacent areas. It indicates roads, walks, parking areas, buildings, landscaping, open space, recreation facilities, lighting, etc. Site Plan review is required of all floating zones and of most overlay zones. It is also required in some zones when using optional method of development provisions.

The project is located within the Shops at Sumner Place Shopping Center, located at 4701 Sangamore Road, south of the intersection of Sangamore Road and Sentinel Drive. The site is bounded by Sangamore Road to the west, Sentinel Drive to the north, Sumner Village Condominiums to the east and Sumner Highlands Apartments to the south. The property is zoned Neighborhood Retail (NR-0.75, H-45) and currently improved with 224,274 square feet of retail, restaurant and office uses and approximately 779 ancillary parking spaces. The applicant is proposing a 5-story building with up to 20 live/work units on the ground floor and up to 132 multi-family dwelling units on floors 2-5 including approximately 15.1% Moderately Priced Dwelling Units (MPDUs). The proposed uses, density, and height are permitted in the NR Zone.

Rob Miller, President of W.C. & A.N. Miller Development Company, provided an overview of the history of the company and the property. Founded in 1911, W.C. & A.N. Miller Development Company is a multi-generational owned/managed family company that has built in excess of 2000 homes in the Washington DC area and is very proud of its continued commitment to the community. The original mall on the property, Little Falls Mall, was built in 1968. In 2000, the existing improvements on the property were remodeled and expanded to become what is now known as the Shops at Sumner Place. The Applicant also owns the Sumner Highland Apartments to the south, which is currently ~93% occupied. Based on the success of the original mall and the Shops at Sumner Place, and the demand for multifamily housing in the area, the Applicant is proposing to add multifamily to the shopping center.

Chanda Beaufort described the existing site conditions of the site, which is currently improved by a vacant free-standing bank building with drive-thru and surface parking. The existing surface parking facilities are significantly underutilized, particularly in the vicinity of the vacant bank building.

The topography of the site slopes slightly north to south towards the CVS. We chose this location because relative to the overall shopping center, the new building will form a more complete "C" around the parking instead of the existing "L" configuration and direct residential traffic away from the center of the shopping center. In addition, the new residential building will form a buffer between the existing residential (Sumner Village) and the shopping center.

An overall Concept Plan was displayed showing the building footprint and loading/garage entrances. A rendered Site Plan was displayed showing the amenity open space that is required by the NR zoning. With the existing amenity open space located in the shopping center and the additional open space being proposed, the site far exceeds the 10% minimum area required to be open space by the zoning.

A slide was displayed showing the proposed and existing circulation of vehicles, trucks, and pedestrians. Michael Pinkoske Jr. of VIKA VIRGINIA emphasized that since we are still so early in the entitlement process, the Applicant anticipates that it will need to test adequacy (pedestrian, bike, vision zero, and bus) and conduct a local area transportation review and traditional traffic study based upon the proposed number of units. With 152 units as proposed, it is assumed that this will be a Tier 1 Development. As a result, the Applicant is currently going through scoping with the County and State transportation agencies. However, the Applicant will be analyzing at least 4 intersections if the development is confirmed to require a Tier 1 traffic study. Truck access for loading will be directly off Sentinel Drive while residential traffic will come through the main drive isle of the shopping center and turn left around the building into the garage.

Slides were displayed showing the proposed conceptual architecture and floor plans. Faik Tugberk of Architects Collaborative described the building's overall design and site area. This building is not complicated given the limited site area and absence of any adverse conditions in the existing shopping center. The complexity comes in with creating harmony with the adjacent community in terms of building scale and massing.

The Applicant has respected the 30-foot building setback to the north of the property adjoining Sumner Village and are planning to include within that area the garage entrance, truck loading area, and a plaza space for the residents of the building. The location of the residential garage entrance was intended to prevent a constant flow of in/out traffic onto Sentinel Drive. There is no proposed change to the existing circulation pattern of the shopping center.

The Applicant intends to preserve existing healthy trees, and plant additional complimentary trees, wherever possible. Widening of the existing pedestrian path going to CVS is also planned that will also be enhanced by additional landscaping. Sidewalks surrounding the building will be completed and connect to provide increased pedestrian-friendly circulation that currently does not exist due to the parking lot. The live/work units will be on the first floor and will allow residents to live in a unit, as well as conduct passive business services such as art, accounting, and architecture. The amount of planned additional green area is sizeable and will allow for people to come sit, eat and enjoy spaces that were previously a parking lot.

The second through fifth floors of the building will contain approximately 33 units per floor, (with at approx. 1 studio and six 2-bedroom apartments per floor), with Moderately Price Dwelling Units distributed evenly throughout. Specific construction materials for the building and garage will be determined at later stages of the entitlement process but the building will be wood (stick) construction. At five stories, which is the limit of wood construction, the building will be considered a low-rise, or at most a mid-rise, similar to certain buildings that can be found in the Bethesda Central Business District. 3D Renderings were displayed showing the scale and massing of the proposed new building in relation to the surrounding area.

Mr. Gordon outlined the tentative schedule for the entitlement process:

- Pre-Submission Community Meeting: April 13, 2023
- Development Review Committee (DRC) meeting on Concept Plan: April 25, 2023 (tentative)
- Submission of combined Preliminary Plan and Site Plan applications: June/July 2023 (tentative)

- DRC for Preliminary and Site Plan applications: July/August 2023 (tentative)
- Planning Board public hearing on Preliminary and Site Plan applications: October/November 2023 (tentative)
- Construction start date/completion: To be determined.

Mr. Gordon concluded the Applicant’s presentation and opened up the floor for questions/comments from attendees.

2) Questions/comments from (i) in-person attendees; (ii) Zoom attendees via chatbox, and (iii) submitted by email.

| (I) IN-PERSON ATTENDEES | |
|--------------------------------|--|
| Q | Where is the buffer? I do not consider a residential building a buffer. |
| A | The new multi-family residential building will create a transition from the commercial uses and surface parking located closer to Sangamore Road to the multi-family residential communities to the east (including Sumner Village). |
| Q | What is amenity open space? |
| A | Amenity open space are things like sidewalks, plazas, green open areas, places where you can sit, socialize and eat. |
| Q | What about a swimming pool? |
| A | No, that is not considered amenity open space. |
| Q | Where will the trucks access the building? |
| A | The trucks will enter the loading entrance directly from Sentinel Drive. |
| Q | Those 3D renderings do not accurately depict the Sumner Village Condominiums (“Sumner Village”). Did you visit Sumner Village? If not, we invite you to do so. |
| A | The renderings are based on our visual inspection from the property line and other public data (including Google Earth images), as the architect did not want to enter onto Sumner Village’s private property without permission. The renderings are comparative scales, not absolute, so they may appear different than what you see in person. However, these are the architectural tools that we have to work with. We accept your invitation to visit Sumner Village to get a closer look. |
| Q | What is the Development Review Committee (DRC)? Does the DRC accept written testimony from the public during, or prior to, the scheduled DRC meeting associated with the Preliminary Plan and Site Plan? |
| A | The DRC is a function of the Planning Department and consists of various agencies such as the Department of Permitting Services, County Dept. of Transportation, State Highway Administration, and the Planning Staff. The DRC does not allow the public to testify during the meeting, but written testimony may be submitted prior to the meeting. The DRC meeting is tentatively scheduled for April 25 and will conclude the Concept Plan process. Comments we receive at the DRC meeting and here tonight from the community will be considered in the next step, the Preliminary Plan and Site Plan applications. Another DRC meeting will be held on the Preliminary Plan and Site Plan applications once filed, prior to the public hearing at the Planning Board. There will be opportunities throughout the entitlement process for the public to participate. When the Preliminary Plan and Site Plan are filed, all parties of record that provided a mailing address will receive notice of the filing, the tentative Planning Board hearing date, and a printed copy of each plan. |
| Q | Have you considered the impact of the new construction on the Sumner Village swimming pool that is right up against your property? When you start excavation for the new building, the health of swimming pool will be affected. |

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| A | We took great consideration to the location of the building relative to the adjoining properties and voluntarily included a 30-foot setback from the Sumner Village property line, despite the NR zoning not requiring any setback. In terms of construction staging, which occurs much later in the process, the Applicant will absolutely be coordinating with the adjoining neighbors to coordinate on construction timing/hours. The Applicant's building permit submission will need to demonstrate that it does not damage any adjacent properties. |
| Q | If you build a 5-story building, the Sumner Village pool will be in the shade. Have you performed sun studies to determine what shadows the new building will create at various times of the day? |
| A | We have performed sun studies but not specifically in the late afternoon time period. We would be happy to show you some of the studies performed. The building design was broken into two pieces, set back 30 feet, and additional open space added along the Sumner Village property line in consideration of the Sumner Village community. As the building design continues to evolve and change, we will finalize a shadow study that is based upon the ultimate design of the project incorporated in future Preliminary Plan and Site Plan applications. |
| Q | Have you considered moving the location of the building further down Sentinel Drive, away from Sumner Village? |
| A | Moving the building further down Sentinel Drive may not be feasible due to existing lease obligations with tenants that use that portion of the parking lot (including parking rights for Safeway). |
| Q | Have you considered alternative locations for the garage and truck entrance? I think the planned locations are the most invasive and most intrusive they could possibly be to the adjoining Sumner Village. Moving the locations would take the traffic and the smell of garbage further away from Sumner Village. |
| A | If we moved the garage and truck entrances, it may require the buildings to much closer to Sumner Village. The truck entrance driveway will be used twice a week to remove garbage and will be in an enclosed area so there will be no smell. The loading area is also proposed to be at grade that is substantially lower than the Sumner Village clubhouse/pool area such that it will not be visible from Sumner Village. We also didn't want trash trucks going through main drive isle of the shopping center. |
| Q | This will have a massive change on the neighborhood. The window of my unit at Sumner Village will look directly at the new building. Please consider moving the location of the proposed building. I have concerns about excavation associated with construction and its impact on the adjoining Sumner Village property. I have concerns about the noise, increased traffic, and loss of privacy that will result from the new development. Will excavation associated with construction damage any trees? There are many mature trees along the property line and within proximity of the proposed new construction. |
| A | In terms of excavation, we are only digging down 10-11 feet within the footprint of the building, and our preliminary estimate is that the nearest residential building at Sumner Village is approximately 75 feet away. We have structural engineers to ensure no damage is done to the adjoining properties. Additionally, there is nothing within the 30-foot setback, which is all Applicant's property, that would collapse or crack from this excavation. |
| Q | Is it a 5-story or 6-story building? |
| A | We are currently proposing a 5-story building. |
| Q | With only 50 underground spaces and 130+ residential units and 20 live/work units, will there be sufficient parking for the residents and customers of the live/work units and residential units? How will this affect the available parking for the patrons of the shopping mall and the surrounding neighborhood? |

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| A | The Applicant has operated this shopping center for many years, so the last thing we want is to impact the existing tenants and customers. It is in the Applicant's interest to make sure all existing tenants and customers have adequate parking. As part of the entitlement process, parking adequacy will be addressed and the unit count may go down, and/or the parking space count may go up as a result. We are in the very beginning of the entitlement process and the parking will need to be approved by the Planning Staff and Planning Board. We are required to adhere to the zoning ordinance and there is a shared-use parking model that we are utilizing. As part of the shared-parking study, we will come out and survey the parking to identify exactly where spaces are being used and where spaces are available with the goal of ensuring there are enough parking spaces to meet the demands of the mixed-use center. |
| Q | What is the breakdown of units? |
| A | 132 residential units in the top 4 stories plus 20 live/work units on the ground floor; 33 residential units per floor with approx. one studio and six 2-bedroom apartments per floor, and the balance will be 1-bedroom variations. |
| Q | Will all the units be offered for rent? |
| A | Yes, and 15.1% of the total units will be Moderately Price Dwelling Units ("MPDUs"). |
| Q | If everything goes optimally throughout the design, review, and approval process, how soon could construction begin and how long would it take to complete? |
| A | Approx. 14 months total to prepare drawings and secure building permits once the entitlement approvals are obtained (at least a year away). Approx. 12-14 months for construction. |
| Q | Given the prime location in a highly desirable area, you have an opportunity to do something spectacular, something that will excite people. Do something different; for example, covering the entire shopping center with solar panels. |
| A | The Applicant has been a committed member of this community since the 1930s. The quality of construction that the Applicant is known for will continue to be displayed with this new development. |
| Q | Why did you send notice to our former managing agent and my predecessor (President of Sumner Village) instead of the current contacts? |
| A | Notice for this project was mailed in compliance with the Zoning Ordinance and the Montgomery County Planning Board Regulation on Administrative Procedures for Development Review. HOA/CA are required to register with the Planning Board in order to receive mailed notice, and also are responsible for updating the contact information as needed. We obtain the HOA/CA list directly from the Planning Dept. website and we are required to send notice to the contacts on the HOA/CA list. However, we will make note of any updates you provide and add those contacts to our notice list. |
| Q | My primary concern is that people of all income levels need housing. |
| A | We agree and hope to help further that goal with this project. |
| Q | Once construction is complete, how can trucks get to CVS? |
| A | The trucks already access CVS through the main drive isle, and they will continue to have access following development of this project. |
| Q | I suggest you create an L-shaped building or come up with a different plan that will accommodate the needs of the Sumner Village residents. |
| A | We will take your comments into consideration. |
| Q | How many square feet (sf) of land overall and what is the area of the building's footprint? What is the length of the building? |
| A | The length of the building is ~435' and the width is approx. ~70'. The building footprint is approx. 32,000 sf. |
| Q | Can you release the meeting minutes being taken tonight as soon as possible to the public? |

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| A | Normally the meeting minutes become public record once the Preliminary Plan and Site Plan applications are accepted. However, we can accommodate this request and release the meeting minutes once finalized. |
| (II) ZOOM ATTENDEES (VIA CHATBOX) | |
| Q | How many parking spaces are planned for the basement? Did they do a parking analysis? Parking seems like it will be a problem! |
| A | 50 underground parking spaces are planned for the garage, but that number may change as the plans progress. Please see above response regarding parking analysis. |
| Q | Will the CVS store remain where it is currently located? It is not clear from the drawings. |
| A | Yes. |
| Q | Will the 30-foot setback from Sumner Village's property line be to the east edge of the garage entry or to the building itself? |
| A | To the building itself. |
| Q | One big worry here is the secondary parking effects. The new building will have parking for residents but not guests. This will use up the entire north/south strip from PNC to CVS. For any guests to the new building or customer/employees of the work units in the new building, they will flood the rest of the parking lot which on the shops side is already 90% full on peak hours. That leaves the north spaces on the other end of the Safeway but nobody wants to use those since they are so far from all the shops. Also, will guests/workers in the new building use the public lot for overnight parking? The lack of underground parking for ancillary guests, customers and workers will likely flood the existing public parking area. As well, the new building seems high enough that it will likely block the sun from the Sumner Village pool area in the late afternoon. You need an overflow parking lot for this scheme to work. |
| A | Your comments will be taken into consideration. As part of the shared parking analysis, the Applicant will document parking supply and demands at the shopping center to ensure that there will continue to be sufficient parking for the proposed mix of uses. Please see above response regarding parking adequacy. |
| Q | Your diagram doesn't appear to take into account traffic into and out of the Intelligence Community Campus. This is already a dangerous intersection - is there consideration of a stoplight? |
| A | The Applicant will be conducting a local area transportation review and traditional traffic study that will take into account the local traffic and make specific recommendations according to the results. Until the studies are complete, we cannot say for sure what improvements will be needed. |
| Q | Did you say 50 space garage for 132 units? Sounds like a lot of commercial parking will be occupied by residents. |
| A | The exact number of parking spaces and units will fluctuate as the entitlement process progresses. |
| Q | Please confirm that there will be a total of 152 units: 132 Multi-family dwelling units plus 20 live work units. |
| A | Correct, however, the unit count may change as the entitlement process progresses. |
| Q | Clarify number of live/work units--20? slide shows 24? |
| A | 20. |
| Q | Are the units to be rented or sold? |
| A | Rented. |
| Q | Confirm how the trucks will enter the "Loading Service Area" from Sentinel Drive. |
| A | As currently proposed, they will enter directly from Sentinel Drive to avoid having trucks go through the main drive isle of the shopping center. However, this is subject to change through the development review process. |

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| Q | Why not more underground parking? With 152 units, residents will have a lot of vehicles and will be parking on the surface lot. |
| A | Parking adequacy will be addressed during the entitlement process review and the number of parking spaces may change as a result. The shared parking model shows that there is significant excess spaces and it would be counter-productive to build additional parking that is not used. |
| Q | Re parking: not to mention visitors, customers, employees who will end up using the surface public lot. The public shopping lot may thus end up being very over-congested. (it is already getting quite full). |
| A | Your comments will be taken into consideration. |
| Q | I respectfully disagree with the view that the Mall looks "unfinished" just because the "L' ends with CVS. The Mall looks fine as is. |
| A | Your comments will be taken into consideration. |
| Q | Height of buildings inconsistent with other structures in Sumner Village and the Shops at Sumner Square |
| A | Your comments will be taken into consideration. However, we note that buildings at Sumner Village are up to 4 stories in height and this proposed building would be 5 stories. |
| Q | Who is the property owner? |
| A | W.C. & A.N. Miller Development Company |
| Q | I agree. The building is high density multi-family residential on a very small parcel. It will change the character of the neighborhood, not for the better. |
| A | Your comments will be taken into consideration. |
| Q | From the slides, it appears the building is a single building with two wings, not two bldgs. |
| A | The building is separated in two and joined by the lobby in the middle. |
| Q | A driveway and loading dock are not really setbacks- they are part of the project - It would be nice to have a real buffer. |
| A | Your comments will be taken into consideration. |
| Q | What was the research behind proposing 130+ apartments rather than 40-50 apartments? Is there enough demand for 500-800sf apartments in a suburban location with poor public transport? |
| A | We will continue to evaluate market-demands but our initial findings are that there is strong demand for rental units at this location given the proximity to a variety of employment, retail, and civic/recreational amenities. |
| Q | Very few who use Safeway park in the four sets of spaces at the north end. |
| A | Your comments will be taken into consideration. |
| Q | You should not take for granted there is sufficient parking at the IC campus that folks won't park in the shopping center. |
| A | Your comments will be taken into consideration. |
| Q | Please think about reducing height and total number of units |
| A | Your comments will be taken into consideration. |
| Q | You should not use an expectation of ICC occupancy to determine the number of apartments you want to build. |
| A | Your comments will be taken into consideration. |
| Q | Currently, you are showing 24 live/work unit on the "proposed conceptual architecture" slide. Previously, there was 20 live/work units. Thus, are there a total of 154 different units all together, right? |
| A | 132 residential units and 20 live/work units are proposed at this time. |
| Q | Height will likely block the sunlight on the adjacent SV pool. On parking, with 132 units including 20 work/live units there will be at least 150 new cars (probably more given multiple family & work members). So if there are 200 new cars then 50 underground spaces means |

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| | 150 cars will overflow to the shopping parking lot. And that doesn't include customers or visitors which could be another 50 cars. With 200 new cars occupying the public lot, it will become so congested and will be impossible to given the lack of space to build more parking lots. As someone said, where are the details of the traffic/parking study? These issues have not been convincingly addressed. |
| A | Your comments will be taken into consideration. Please see above response regarding traffic/parking study. |
| Q | This is not a matter of quality - it's about the IMPACT to people here now. A smaller building might be more palatable - you should think about it. |
| A | Your comments will be taken into consideration. |
| Q | Will you consider making any of the changes the neighborhood is requesting? |
| A | All comments from the community will be taken into consideration, as we are at the very beginning of the entitlement process. |
| Q | There are too many units! I suspect this will be quite profitable with fewer units which, in turn, will provide a project that will be more consistent with the "tone" of the Sumner landscape. |
| A | Your comments will be taken into consideration. |
| Q | It seems they are making assumptions about potential renters. Would be interested in some sort of market study. That number shouldn't have come out of thin air. |
| A | Your comments will be taken into consideration. |
| Q | There are over 400 households on the waiting list for MPDUs. There is a need for housing in our county. I have questions about how this development will support alternative modes of transportation. Will there be secure bike parking for the building. Will there be a parking cashout available to those who don't utilize the parking spots? |
| A | We agree that there is a need for additional affordable housing, and this proposed project includes increased MPDUs above the minimum required. The project will include secure bicycle parking for future residents as required by the Zoning Ordinance. The design of the project will also include additional sidewalks that are intended to reduce conflicts between pedestrians and vehicles, thereby supporting alternate modes of transportation. |
| Q | Please consider just retail |
| A | Your comment will be taken into consideration. |
| Q | Thank you for sharing the planning details of this proposal. I am worried about the pool—what will the sight lines be for both the swimmers and the new apartment? What will be the "shade" from the new building to the pool? Are balconies planned for the new residential units? |
| A | The applicant will evaluate shadow studies through the design review process and endeavors to minimize any impacts to the adjacent property as practical. Further studies and design will be required to determine whether balconies are included in the project. |
| (iii) SUBMITTED VIA EMAIL | |
| Q | What does structured parking spaces mean? A parking garage? |
| A | Yes, the project is proposed to include a below-grade parking garage. |
| Q | Will the dwellings be rentals or condos for purchase? |
| A | They are proposed to be rental units. |
| Q | What are live/work units? |
| A | The Zoning Ordinance defines a live/work unit as "a space within a building, that combines space for a commercial or manufacturing activity that is allowed in the zone with a dwelling unit for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household." The types of businesses are limited to uses allowed by the NR Zone and could include (by way of example) personal service uses such as a barber shop/hair |

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| | salon, professional services such as an accountant or lawyers' office, or a retail/service establishment. |
| Q | What amenities will there be/are planned? Will the community have a voice in what type of amenity is selected or will it strictly be who can afford the rent? |
| A | Private recreational amenities in the form of a fitness center, party room, and connecting outdoor amenity area. The project will also include new amenity open space that is publicly accessible to all visitors of the shopping center. Amenity open space may include additional plazas, landscaped green areas, and sidewalks that allow for better accessibility in and around the property. The applicant will consider feedback from the community in determining programming for new amenity open space added to the site. |
| Q | What actions will be taken to address environmental concerns (trees, water runoff, etc.) |
| A | <ul style="list-style-type: none"> • The redevelopment will include modern stormwater management facilities that will be determined by the area of disturbance. A Concept Stormwater Management Plan will be prepared during the Preliminary Plan and Site Plan phase. The required stormwater management will most likely be provided through bio-retention planters that will be incorporated into the redevelopment area. • The site is also subject to forest conservation law and has met previously met its requirement through on-site forest retention and on-site and off-site reforestation. On-site trees that are impacted by the redevelopment will be replaced or mitigated by fee-in-lieu payment. • Since the building will infill an existing impervious parking lot, impervious area of the site will not increase, and current stormwater water treatment will be provided for the redevelopment area. |
| Q | What actions will be taken to reduce noise? |
| A | The project will comply with all noise control standards in Section 31B of the County Code. |
| Q | What impact on traffic is anticipated? |
| A | Based upon the currently proposed 152 units, a traffic study will be required at the time of Preliminary Plan and Site Plan. The traffic study will assess vehicular, pedestrian, bicycle, and transit (bus stops) trips to and from the project. The results of traffic study may require improvements to enhance pedestrian, bicycle and transit accessibility in and around the property. However, this is subject to change based upon the ultimate number of dwelling units proposed as part of the project. |
| Q | What is the known and suspected impact on the Sumner Village community? |
| A | As noted above, the project will include additional outdoor amenity open space in the form of sidewalks, plazas, and landscaped areas, which will provide for more public use and accessibility at the property. The project is designed to be compatible with and enhance the surrounding community. The project is also consistent with Thrive Montgomery 2050's recommendation to "[r]etrofit centers of activity and large-scale older facilities such as shopping centers ... and other single-use developments to include a mixture of uses and diversity of housing types and to provide a critical mass of housing, jobs, services, and amenities necessary for vibrant, dynamic Complete Communities." |
| Q | Will any effort be made for this to be a "green" community (ex. Leed certified)? |
| A | Yes, the project will likely incorporate green building elements. This will be closely coordinated by the architect through the site plan and building permit processes. |
| Q | The plans talk about both residences and works spaces. Are some of the units in the new building to be used as office space? |
| A | The project will contain up to 20 live/work units on the 1st floor. Live/work units are defined below from the Zoning Ordinance: "Live/Work Unit means a building, or a space within a building, that combines space for a commercial or manufacturing activity that is allowed in the zone with a dwelling unit for the |

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| | owner of the commercial or manufacturing business, or the owner’s employee, and that person’s household.” |
| Q | <ul style="list-style-type: none"> • Is a change in zoning needed? • If so, from Neighborhood Retail to what? • If so, what is the process for obtaining a zoning change and who is the approving authority? • If no change is needed, explain why. |
| A | The NR Zone permits multi-family and live/work units through the Site Plan process. The recently adopted General Plan (Thrive Montgomery 2050) specifically recommends adding housing to shopping centers such as this property, and the proposed upgrades to the shopping center are consistent with the approved and adopted 1990 Bethesda-Chevy Chase Master Plan recommendations for the property. |
| Q | <ul style="list-style-type: none"> • How many floors are planned? • What is the square footage for each floor? • How many units per floor? • What is the square footage of the units, or the range, if they are not all the same? • What material will be used for the exterior? What color? • What utilities or other items will be located on the top of the building? Will they be hidden from view? If so, how? • Exactly where will the building be located? (Artist's rendering of building in situ would help.) • How close will it be located to the property line between the mall and Sumner Village? • Will there be commercial or retail stores in the building? If so, how many and where? • What are live/work units? If they are for owners/employees of commercial/retail stores in the building, how do you know that owners or employees will want to live, as well as work, on site? If not all such units are rented, who else can use them? |
| A | <p>Many of these details are reflected in the pre-submission community presentation that was provided. 5 floors are proposed. The Concept Plan assumes that each floor will have around 26,000 square feet of gross floor area. There is a mix of studio, 1-bedroom and 2-bedroom units. The size of units will be defined at Site Plan. The architectural elevations and the location of utilities will be developed through the Site Plan process as well. Notwithstanding the fact that the NR Zone requires a 0-foot setback between Sumner Village and this property, the applicant is proposing a 30-foot setback for this building.</p> <p>The only nonresidential uses proposed in the building are live/work units. The Zoning Ordinance defines a live/work unit as “a space within a building, that combines space for a commercial or manufacturing activity that is allowed in the zone with a dwelling unit for the owner of the commercial or manufacturing business, or the owner’s employee, and that person’s household.” The types of businesses are limited to uses allowed by the NR Zone and could include (by way of example) personal service uses such as a barber shop/hair salon, professional services such as an accountant or lawyers’ office, or a retail/service establishment. Tenants for these units will be determined later in the development review process based upon market demands.</p> |
| Q | <ul style="list-style-type: none"> • What type of amenities are planned? • Where will they be located? • How many trees on Mall property will be removed for the building, amenities, parking, construction work or other reasons? • What landscaping is planned? Location? |
| A | Private recreational amenities in the form of a fitness center, party room, and connecting outdoor amenity area are proposed for future residents of the project. The project will also include new amenity open space that is publicly accessible to all visitors of the property. |

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| | Amenity open space may include additional plazas, landscaped green areas, and sidewalks that allow for better accessibility in and around the property. Forest conservation and landscape improvements will be determined at the time of Site Plan. Please see the pre-submission community meeting presentation for more information. |
| Q | <ul style="list-style-type: none"> • What does "structured parking" mean? • If it means an above-ground, multi-floor structure, how high and where will it be located? • If underground, is it under the apartments? Elsewhere? • How many spaces, either in a structure or on surface, will be dedicated for use by apartment dwellers? • How much surface parking will remain or be available for mall users who do not reside in the apartments? |
| A | Structured parking means parking that is contained in a below-grade or above-grade garage. This project includes a below grade parking garage with approximately 50 spaces. Based upon the Zoning Ordinance's shared use parking requirements, there will be excess parking to accommodate this proposed building and all the existing commercial uses at the property. Approximately 715 parking spaces are proposed for the property. This includes the existing surface and structured parking serving the commercial uses, plus 50 spaces provided in this new building. |
| Q | <ul style="list-style-type: none"> • Will the Sentinel Drive entrance to the mall remain in its present location? If not, where will the entrance(s) be located? • Will there be a separate entrance from Sentinel or elsewhere for the apartment building only? • What is the expected impact on neighborhood traffic? • What is the expected impact on local schools? • What is the timeline on the project, from now to completion? |
| A | <p>The project will maintain the main driveway entrance on Sentinel Drive. The project will include improvements to this main drive aisle, including sidewalks and landscape improvements to enhance pedestrian access throughout the property. A new curb-cut is proposed on Sentinel Drive for loading trucks that serve this new building.</p> <p>Based upon the proposed 152 units, a traffic study will be required at the time of Preliminary Plan and Site Plan. The traffic study will assess vehicular, pedestrian, bicycle, and transit (bus stops) trips to and from the project. The results of traffic study may require improvements to enhance pedestrian, bicycle and transit accessibility in and around the property. The transportation analyses required will ultimately be based upon the size of the development project.</p> <p>All three schools serving this property (Wood Acres ES, Pyle MS, and Whitman HS) currently have capacity to accommodate this project. Based upon the student generation rates for turnover impact areas, this project (132 multi-family units and 20 live/work units) would generate approximately 3 elementary school students, 2 middle school students, and 3 high school students (8 total students).</p> <p>We expect that the project will have Preliminary Plan and Site Plan approvals by the end of 2023. The start of construction and completion of the project will be determined at a later date.</p> |
| Q | Has Miller directly provided notice in writing of this planned development to the Director of Intelligence and the heads of component governmental entities involved in the National Intelligence University to address their needs and possible concerns? |

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| A | We have notified the federal government at the ICC-Bethesda campus of the pre-submission community as an adjoining/confronting property owner. They are being notified just like other neighboring property owners and registered civic associations. No clearance or approval is legally required from the federal agencies operating at this neighboring property in connection with W.C. & A.N. Miller's proposed project at the Shops at the Sumner Place. |
| Q | It appears from the pre-submission notice that Miller views the proposed six story 132 residential unit building to support the workforces supporting the National Intelligence University. Is this correct? |
| A | The building is a 5 story project, not 6 stories. The applicant does expect some percentage of the residents of the new 5-story building to come from the National Intelligence University. |
| Q | Has Miller taken the salaries of the federal workforce across Sangamore and the employees at Safeway and other Shops businesses into account in projecting rents (or sale prices) and fees with respect to the proposed residential units? If yes, would Miller share that accounting with us? What rental rates are projected for Moderately Priced Dwelling United ("MPDU") and what is the range of rental rates otherwise? If the units could be sold, what does Miller expect to be the range of asking prices for MPDU and non-MPDU units? |
| A | The applicant has not studied the salaries of federal workforce and private employers at the shopping center to project rents. It's preliminary assessment of the market is that there is demand for additional multi-family housing at this location given the proximity to retail uses, amenities, and employment options. MPDUs will be rented at rates commensurate with 70% of Area Median Income (AMI) in accordance with County requirements. No for-sale units are proposed. |
| Q | Would Miller share with the public any study that it has done of traffic flows expected from this development as planned? If there is a study, did the Department of Transportation have input into it? Did the study incorporate traffic expectations from the National Intelligence University? Access to and evacuation from the University campus could be a national security issue. The only way in and out of the Shops is via Sangamore Road, which borders the shopping center to the west and the south. Bottlenecks on Sangamore Road, which is one lane each way, or Sentinel Drive, which leads only to Sangamore Road, also could hinder fire and rescue efforts, within and without the Shops. Has Miller notified the Glen Echo Fire Station and other emergency agencies of this proposed development plan? |
| A | The applicant's transportation consultant will be studying access to the project and parking demand as part of the preliminary plan and site plan applications. Additionally, the applicant will need to obtain approval of a fire department access (FDA) plan from the Fire Marshal as part of this project. The traffic materials and FDA plan will be available for review as part of the formal site plan and preliminary plan application. |
| Q | Just a year or so ago there was a significant sewer overflow in Little Falls Park by the Dalecarlia Reservoir. Has Miller provided notice of this proposed development to the U.S. Army Corps of Engineers, which maintains the Dalecarlia Reservoir and runs the Dalecarlia Water Treatment Plant located at 5900 MacArthur Boulevard, which provides municipal water. Has Miller notified the Washington Suburban Sanitation Commission? |
| A | WSSC will review the proposed project as part of the preliminary plan and site plan application process. To the extent that WSSC comments, the applicant will satisfy those comments as part of the upcoming review process. |
| Q | Speaking of Little Falls watershed, has Miller notified Little Falls Watershed Alliance and other watershed interested parties regarding this proposed development? |
| A | All adjoining and confronting property owners and registered associations were notified of the project. |

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| Q | The National Intelligence University appears to be making a conscious effort to blend with the surrounding woods. Has Miller considered keeping the residential building below the tree line as is true of residential buildings adjacent to the Shops? Would the upper levels of the proposed highrise building have line of sight to the National Intelligence University? |
| A | The applicant will continue to study the design of the building so that it can deliver a project that is compatible with the surrounding community. The National Intelligence University will have an opportunity to review the project and provide any comments it has to the applicant. |
| Q | To assist the residents of the residential building or otherwise will Miller be adding exterior lights on the new building, its roof, the surface parking lot or other places on the Shops property for safety or other purposes? If so, where and how bright would the lights be? How would this compare to the lighting of the surrounding community, including the National Intelligence University? |
| A | All lighting added to the site will comply with applicable County requirements in the Zoning Ordinance to ensure that the access is safe and that there is no light pollution impacting the adjacent community. |
| Q | With respect to the proposed residential units, how many would be efficiencies, one bedroom, two bedrooms or three or more bedrooms? Bethesda and Washington, D.C. have vastly more small apartments suitable only for one or two persons. Families are in great need of multi-bedroom apartments. Will this apartment building cater to families as the inclusion of a day care center in the proposal would suggest? |
| A | The unit mix will be determined at the time of site plan application. There will be a mix of units to accommodate both individuals and families. |
| Q | As for school age children, has Miller consulted with the Montgomery County Public Schools regarding the impact on public schools of additional students from families living at the Shops? |
| A | As noted above, there is sufficient capacity at all three (3) schools serving the property to support the additional dwelling units proposed. |
| Q | Could the live/work units on the first floor become retail space? |
| A | These units would be limited to use as live/work units, without an amendment to the proposed applications being approved by the Planning Board. |
| Q | Would the building be outfitted so residents could age in place and otherwise comply with the Americans with Disabilities Act? |
| A | The building will be designed to comply with all applicable accessibility requirements.. |
| Q | Will the residential building be built to LEED standards? To what extent will the building rely upon solar panels or other non-fossil fuel energy? Will the pavement removed to construct the highrise building be replaced with permeable surfaces? |
| A | The applicant intends to incorporate green building elements and modern stormwater management features that are environmentally friendly. These details will be finalized through the site plan and building permit process. |
| Q | Will Miller commit to outdoor space for residents to exercise or relax or take their pets, if pets are permitted? |
| A | A determination on pets will be made at a later time. However, the project will include both private and public amenity areas for residents to use. |
| Q | The proposed highrise basement parking lot appears to fit about 85 cars, would residents and their visitors be at liberty to park on the surface lot available to Shops customers? |
| A | The project will incorporate shared parking such that the surface parking spaces will be available to residents and guests of the project. The applicant's shared parking study will be required to demonstrate that there is a sufficient supply of parking to support the mix of uses at the property. |

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| Q | A major concern I have is the road and transportation infrastructure for this project. What do you see as the additional transportation infrastructure needs of the proposed project and how do you propose addressing these needs? |
| A | The applicant is proposing to make pedestrian connectivity improvements on the site so that this proposed building is connected to the other buildings and uses at the shopping center. Additional frontage improvements on Sentinel and Sangamore may be required through the preliminary plan and site plan review process. Any off-site improvements will be determined based upon the traffic impact of the project. |
| Q | A related concern is the impact of the proposal on the existing Sumner Place mall. Have you done any studies on the impact of this proposal on the existing businesses in the mall and how the new development will impact current and future customers? |
| A | The project seeks to bring in residents to the site to expand the customer base of the existing shops and businesses at the property. In this respect, the project is proposed to be supportive of and complementary to the existing businesses at the shopping center. |
| Q | Several news stories about the Sumner Place project have stated that this project is step one in Miller’s plans for further development of this site. Can you share Miller’s thoughts on future development of this site? |
| A | While planning staff asked the applicant to study a longer-range redevelopment plan for the property, the applicant’s proposal is limited to this proposed residential building at the current time. There are no defined plans to add other buildings or uses to the site presently. |
| Q | I’m curious about your proposal to provide 132 units. What’s the demographic analysis behind the decision to build 2 very large buildings in the relatively small space available in this residential area? Isn’t it the River Road corridor that the County has in mind for more intensive development? |
| A | The applicant owns and operates the Sumner Highlands apartment building across the street from the shopping center, and has experienced very little vacancy at that project. The property is located in a very desirable location for residential uses given the proximity to retail uses, amenities, and employment options. The General Plan (Thrive 2050) also supports adding residential uses to a single-use commercial center such as this property. |
| Q | Adding 132 units in two buildings is a massive change to the neighborhood. Building to 57 feet, plus a parapet, would create an eyesore. Even though it appears that zoning rules permit 5 stories if a residential building includes medium priced units, that does not mean that such units can’t be included in a building of lower height, does it? My request is that you consider reducing the size and capacity of the proposed buildings so they will be a better fit for the neighborhood. |
| A | The Zoning Ordinance and General Plan encourage the production of additional MPDUs to address the shortage of affordable housing. There is a significant under supply of MPDUs in this portion of the County. The applicant will continue to study the size of the project and number of units proposed in relation to this comment, but it is also prioritizing the delivery of MPDUs through this project. |
| Q | I and three other units in my tier [at Sumner Village] will be looking right into the windows of your new building. I am concerned about the loss of privacy, light pollution, noise from constant traffic, and more. The other 20 units of my building will also experience these intrusions to some degree. Might it be possible to reconsider the location of the building? Some have suggested locating the building along Sentinel Drive, or even considering the southwest corner of the mall property. I won’t repeat their arguments, but I fully support them. |
| A | The applicant will study alternative designs for the building that respond and address this concern. However, relocation of the building to be located entirely along Sentinel Drive presents several challenges and is not an option. |

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| Q | Building so close to the Sumner Village property line will put at risk – or require removal of – seven oak trees next to the wooden fence on mall property and at least 20 deciduous and evergreen trees on the SV side within 25-20 ft of the property line. My building depends on these trees for at least partial screening. May I suggest that a relocation of the building would enable preservation of this important vegetation? Re-planting new trees would be good but not sufficient. |
| A | Every effort will be made to preserve as many healthy trees as possible. Your comments will be taken into consideration and the applicant will study opportunities to preserve and enhance existing trees. |
| Q | Unlike the extremely inaccurate depiction in your slides # 19 to 24, our buildings [Sumner Village] do not overwhelm the area. They do not loom over the mall as your slides portray, giving the impression that your planned buildings will just fit right in. Please adapt the slides to be a more accurate representation of reality before making your pitch to the County’s Development Review Committee. |
| A | The renderings are based on our visual inspection from the property line and other public data, without having access to walk the site and visually inspect. The renderings are comparative scales, not absolute, so they may appear different than what you see in person. We have accepted Sumner Village’s invitation to visit in-person. |
| Q | Slide 8 of your presentation, “existing conditions”, asserts that parking spaces to the north of the PNC buildings are underutilized. This might have been the case in the past. But I have noticed in recent months that the section is very fully occupied by vehicles (only a few of which are vans from a transport company that presumably rents the space). My request: please reconsider your faulty assertion regarding underutilization. |
| A | It is in the Applicant’s interest to make sure all existing tenants and customers have adequate parking. As part of the entitlement process, parking adequacy will be reviewed and addressed. We are in the very beginning of the entitlement process and the parking will need to be approved by the Planning Staff and Planning Board. We are required to adhere to the zoning ordinance and there is a shared-use parking model that we are utilizing. As part of the shared-parking study, we will come out and survey the parking to identify exactly where spaces are being used and where spaces are available. |

3) Conclusion

Mr. Gordon thanked everyone for their attendance at the community meeting and encouraged any additional questions/comments to be submitted to Mr. McSweeney of Selzer Gurvitch by email at gmcsweney@sgrwlaw.com.

Meeting minutes taken by Graham McSweeney, paralegal at Selzer Gurvitch.

Parking Occupancy Study

Location: The Shops at Summer Place
City: Bethesda, MD

Date: 6/3/2023
Day: Saturday

| Lot | Space Type | Inventory | 8:00 AM | 9:00 AM | 10:00 AM | 11:00 AM | 12:00 PM | 1:00 PM | 2:00 PM | 3:00 PM | 4:00 PM |
|---------------------------------|-------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| PKG-1A | Regular | 67 | 9 | 9 | 9 | 9 | 9 | 9 | 11 | 9 | 10 |
| | Handicap | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PKG-2A | Regular | 53 | 3 | 4 | 14 | 11 | 14 | 10 | 9 | 7 | 5 |
| PKG-B | Regular | 16 | 0 | 1 | 6 | 5 | 5 | 4 | 4 | 8 | 6 |
| | Handicap | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| PKG-C | Regular | 50 | 0 | 0 | 0 | 1 | 5 | 2 | 1 | 1 | 0 |
| PKG-D | Regular | 155 | 21 | 23 | 50 | 50 | 46 | 46 | 32 | 29 | 34 |
| | Handicap | 2 | 0 | 2 | 2 | 2 | 2 | 1 | 1 | 0 | 1 |
| | Curbside Delivery | 6 | 0 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 |
| PKG-E | Regular | 75 | 11 | 32 | 54 | 46 | 59 | 42 | 43 | 49 | 42 |
| | Handicap | 4 | 1 | 0 | 2 | 3 | 3 | 1 | 0 | 2 | 1 |
| PKG-F | Regular | 56 | 27 | 37 | 52 | 38 | 50 | 40 | 40 | 31 | 27 |
| | Handicap | 4 | 0 | 1 | 0 | 1 | 3 | 2 | 2 | 1 | 1 |
| | 20 Minute | 18 | 7 | 13 | 17 | 11 | 15 | 12 | 9 | 9 | 8 |
| PKG-G | Regular | 14 | 0 | 3 | 2 | 3 | 2 | 0 | 2 | 2 | 4 |
| | Handicap | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| PKG-H | Reserved | 35 | 0 | 1 | 2 | 5 | 3 | 1 | 0 | 0 | 2 |
| | Handicap | 2 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 |
| | 10 Minute | 2 | 1 | 1 | 1 | 1 | 1 | 0 | 0 | 0 | 1 |
| | 30 Minute | 2 | 0 | 0 | 1 | 2 | 1 | 0 | 0 | 0 | 0 |
| | Cleaners | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| PKG-I | Regular | 84 | 17 | 28 | 35 | 35 | 41 | 41 | 33 | 31 | 28 |
| | Handicap | 2 | 1 | 1 | 1 | 1 | 2 | 1 | 2 | 2 | 1 |
| PKG-J | Regular | 104 | 15 | 35 | 59 | 56 | 51 | 52 | 45 | 30 | 27 |
| | Handicap | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 |
| Total Supply / Occupancy | | 762 | 115 | 193 | 310 | 282 | 315 | 265 | 236 | 215 | 201 |
| Site Occupancy by Hour | | | 15.09% | 25.33% | 40.68% | 37.01% | 41.34% | 34.78% | 30.97% | 28.22% | 26.38% |

Note: PKG-B - 5 spaces were occupied by shipping containers (excluded in the inventory count)

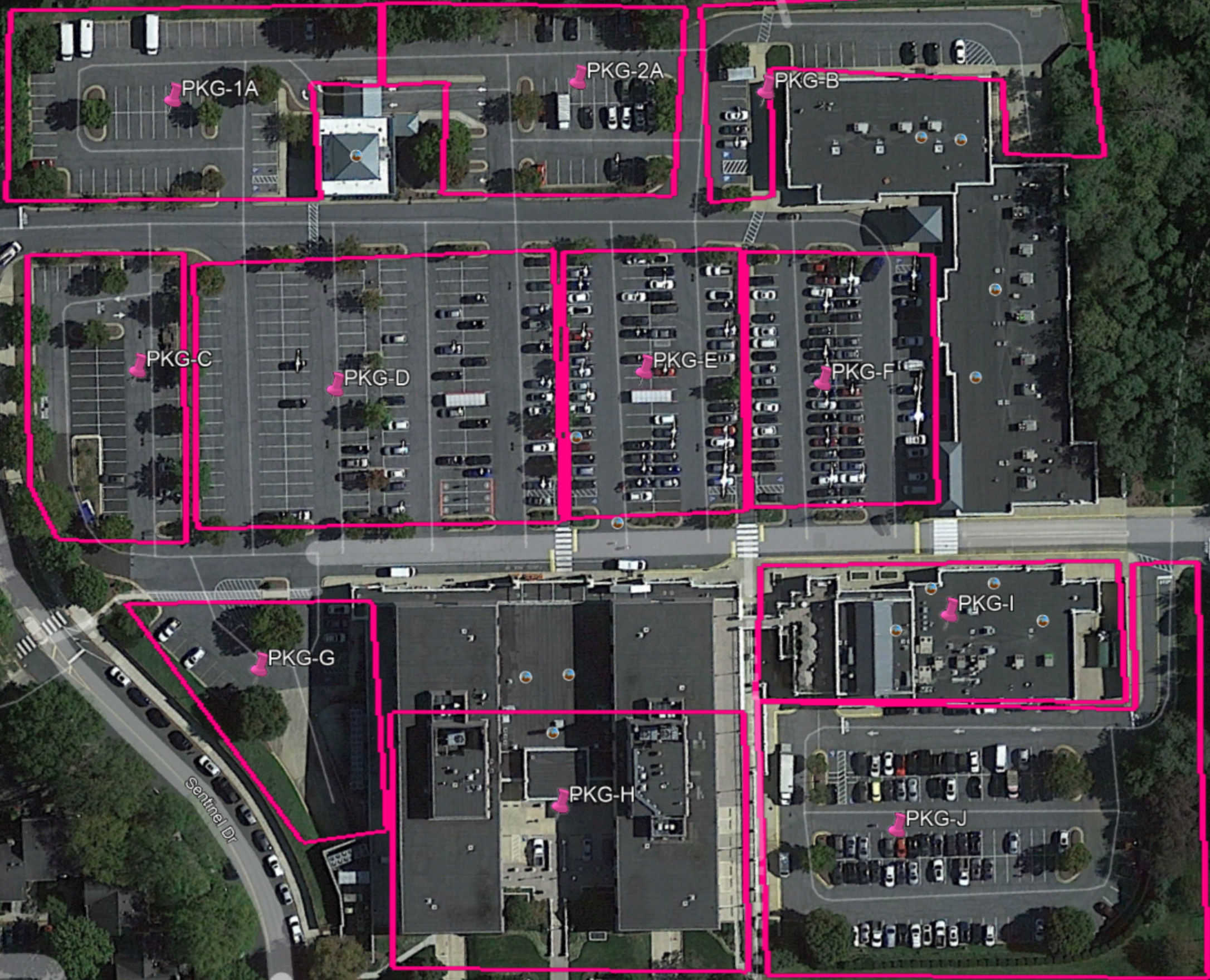
Parking Occupancy Study

Location: The Shops at Sumner Place
 City: Bethesda, MD

Date: 6/6/2023
 Day: Tuesday

| Lot | Space Type | Inventory | 6:00 AM | 7:00 AM | 8:00 AM | 9:00 AM | 10:00 AM | 11:00 AM | 12:00 PM | 1:00 PM | 2:00 PM | 3:00 PM | 4:00 PM | 5:00 PM | 6:00 PM | 7:00 PM | 8:00 PM | 9:00 PM | 10:00 PM |
|---------------------------------|-------------------|------------|-----------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-----------|-----------|-----------|
| PKG-1A | Regular | 67 | 26 | 26 | 30 | 36 | 32 | 32 | 31 | 31 | 30 | 31 | 16 | 10 | 9 | 12 | 12 | 10 | 9 |
| | Handicap | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PKG-2A | Regular | 53 | 2 | 4 | 4 | 11 | 17 | 21 | 28 | 27 | 26 | 13 | 15 | 9 | 14 | 8 | 8 | 4 | 2 |
| PKG-B | Regular | 16 | 0 | 0 | 0 | 4 | 5 | 5 | 7 | 6 | 6 | 7 | 6 | 7 | 9 | 6 | 4 | 2 | 2 |
| | Handicap | 2 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 1 | 0 | 2 | 2 | 0 | 1 | 0 | 0 | 0 |
| PKG-C | Regular | 50 | 0 | 1 | 3 | 4 | 5 | 2 | 2 | 5 | 1 | 1 | 1 | 2 | 4 | 4 | 0 | 0 | 0 |
| PKG-D | Regular | 155 | 7 | 8 | 20 | 24 | 56 | 46 | 61 | 73 | 58 | 56 | 45 | 47 | 43 | 21 | 20 | 7 | 5 |
| | Handicap | 2 | 0 | 0 | 0 | 0 | 2 | 1 | 2 | 1 | 0 | 2 | 2 | 1 | 1 | 1 | 0 | 0 | 0 |
| | Curbside Delivery | 6 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 |
| PKG-E | Regular | 75 | 6 | 9 | 19 | 36 | 45 | 54 | 69 | 65 | 58 | 52 | 54 | 48 | 46 | 29 | 15 | 11 | 6 |
| | Handicap | 4 | 4 | 0 | 0 | 1 | 4 | 2 | 4 | 3 | 1 | 2 | 2 | 1 | 2 | 1 | 1 | 0 | 0 |
| PKG-F | Regular | 56 | 14 | 24 | 24 | 35 | 45 | 52 | 54 | 52 | 44 | 52 | 52 | 51 | 36 | 23 | 10 | 6 | 6 |
| | Handicap | 4 | 4 | 0 | 1 | 0 | 2 | 3 | 4 | 3 | 3 | 2 | 3 | 2 | 3 | 4 | 2 | 0 | 0 |
| | 20 Minute | 18 | 0 | 11 | 8 | 11 | 9 | 13 | 13 | 16 | 11 | 18 | 13 | 13 | 7 | 10 | 2 | 3 | 2 |
| PKG-G | Regular | 14 | 1 | 2 | 3 | 3 | 4 | 6 | 4 | 3 | 4 | 2 | 3 | 3 | 1 | 2 | 1 | 1 | 1 |
| | Handicap | 2 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PKG-H | Reserved | 35 | 5 | 3 | 10 | 16 | 19 | 18 | 15 | 15 | 15 | 14 | 13 | 9 | 9 | 2 | 2 | 2 | 1 |
| | Handicap | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 2 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| | 10 Minute | 2 | 0 | 0 | 1 | 2 | 1 | 2 | 2 | 1 | 2 | 1 | 1 | 2 | 2 | 0 | 0 | 0 | 0 |
| | 30 Minute | 2 | 0 | 0 | 0 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 1 | 2 | 1 | 1 | 0 | 0 | 0 |
| | Cleaners | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| PKG-I | Regular | 84 | 10 | 12 | 25 | 44 | 47 | 55 | 57 | 57 | 51 | 52 | 38 | 33 | 24 | 13 | 9 | 7 | 5 |
| | Handicap | 2 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 0 | 1 | 1 | 1 | 1 | 0 | 1 | 0 | 0 | 0 |
| PKG-J | Regular | 104 | 7 | 12 | 40 | 58 | 95 | 101 | 92 | 84 | 78 | 83 | 76 | 57 | 43 | 28 | 13 | 5 | 4 |
| | Handicap | 4 | 0 | 0 | 0 | 1 | 3 | 2 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Supply / Occupancy | | 762 | 87 | 113 | 189 | 291 | 398 | 421 | 454 | 448 | 394 | 392 | 346 | 301 | 255 | 168 | 99 | 58 | 43 |
| Site Occupancy by Hour | | | 11.42% | 14.83% | 24.80% | 38.19% | 52.23% | 55.25% | 59.58% | 58.79% | 51.71% | 51.44% | 45.41% | 39.50% | 33.46% | 22.05% | 12.99% | 7.61% | 5.64% |

Note: PKG-B - 5 spaces were occupied by shipping containers (excluded in the inventory count)



Sentinel Dr

Sangamore Rd

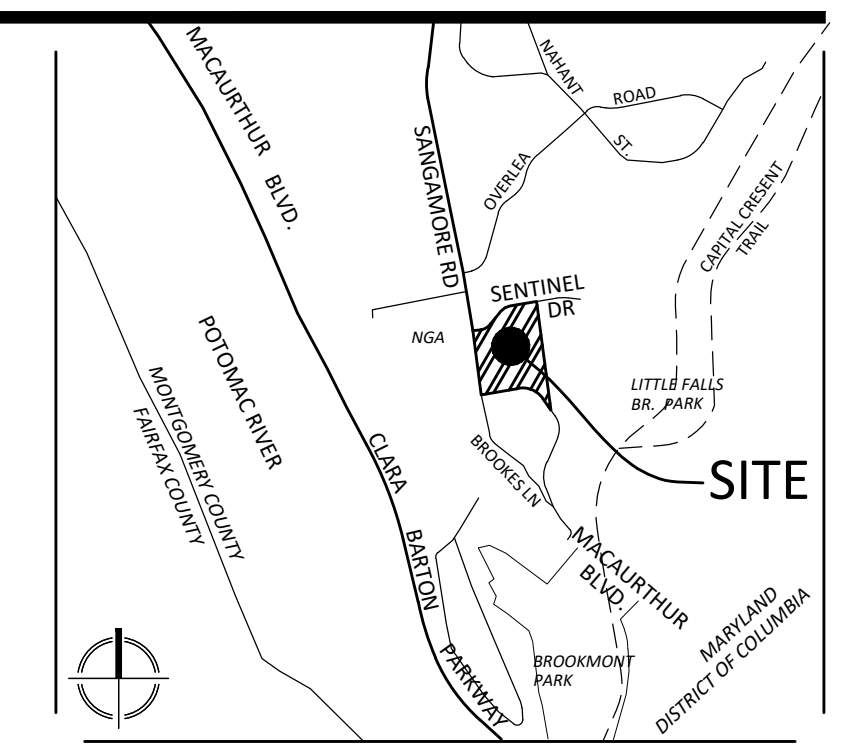
Sangamore Rd

Sangamore Rd

E-FILE STAMP

SUMNER PLACE APARTMENTS

SITE PLAN No. 820230140



VICINITY MAP
SCALE: 1" = 2000'

Vika Maryland, LLC
20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vika.com

Our Site Set on the Future.

PREPARED FOR:
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301-915-9393
Robert R. Miller
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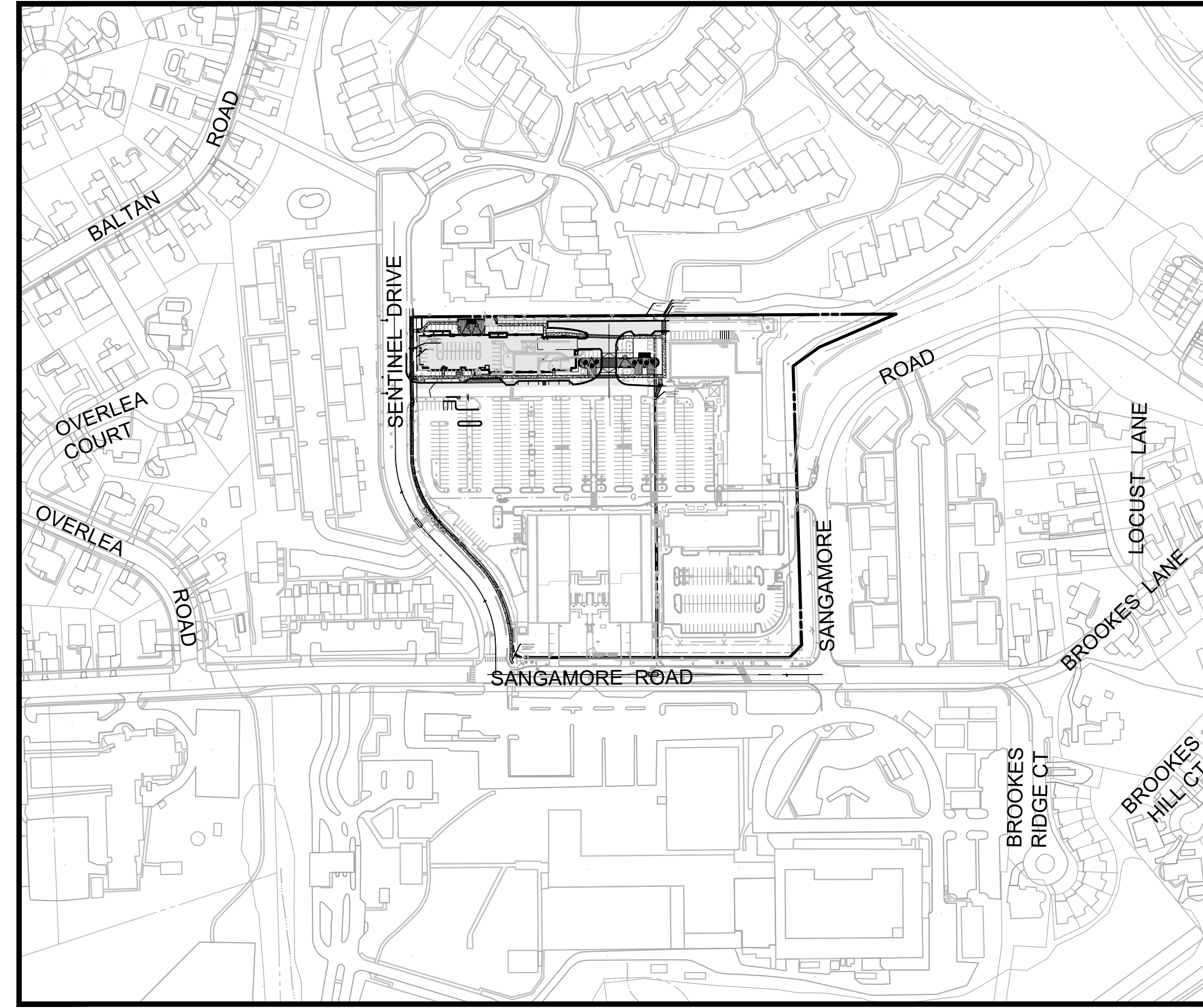
GENERAL NOTES

TAX ACCOUNT REFERENCE: No. 02676382, No. 03316723
PARCEL: E - 213,936 SF
F - 304,232 SF

TOTAL AREA: 11,883 AC (517,616 SF)
CURRENT ZONING: NR-0.75, H-45
PROPOSED ZONING: NR-0.75, H-45
WATERSHED: LITTLE FALLS BRANCH
WATER SERVICE CATEGORY: W-1
SEWER SERVICE CATEGORY: S-1
SOIL DESIGNATION: 400
FIRM COMMUNITY PANEL NO.: 24031C0455D FOR MONTGOMERY COUNTY, MARYLAND, DATED SEPTEMBER 29, 2006.

GENERAL NOTES

- THE HORIZONTAL DATUM IS MARYLAND STATE GRID NORTH (WSSC) BASED ON PLAT'S No. 16267 AND No. 21680. THE VERTICAL DATUM IS NAVD-88.
- THERE ARE NO WETLANDS, WATERS OF THE UNITED STATES, OR 100 YEAR FLOOD PLAINS LOCATED ON THE SUBJECT PROPERTY.
- THERE ARE NO RARE, THREATENED OR ENDANGERED PLANTS, ANIMALS, OR CRITICAL HABITATS ON THIS PROPERTY.
- THE SUBJECT PROPERTY IS NOT IDENTIFIED IN THE MONTGOMERY COUNTY HISTORICAL ATLAS AND IS NOT RECOMMENDED FOR HISTORIC PRESERVATION IN THE HISTORIC RESOURCES PLAN OF THE 1990 BETHESDA-CHEVY CHASE MASTER PLAN



LOCAL AREA MAP
SCALE: 1" = 200'

DATA TABULATIONS

| Property Area Data | SF | NR 0.75 H45' |
|----------------------|---------|--------------|
| Area | 588,867 | 13,519 |
| Gross Tract Area | 71,251 | 1,636 |
| Previous Dedication | 517,616 | 11,883 |
| Existing Site Area | 0 | 0.000 |
| Proposed Dedications | 517,616 | 11,883 |
| Net Lot Area | | |

| Density Calculations (sf or FAR) | NR 0.75 H45' | | |
|----------------------------------|-------------------|--------------------|----------------------|
| Allowed Base | Commercial | 30% Residential | Total Density |
| Density | Density | Density (1) | |
| Gross Floor Area | 441,650 | 132,495 | 441,650 |
| FAR | 0.75 | 0.75 | 0.75 |
| Proposed Total | Commercial | Residential | Total Density |
| Residential Floor Area | 224,274 | 117,608 | 341,882 |

| Residential Units | Total Proposed Multi-Family Units |
|--------------------|-----------------------------------|
| Total Units | 118 |
| MPDUs (15.25%) [2] | 18 |
| Market Rate Units | 100 |

| MPDU's Bonus Height Chart | SF |
|---|----------------|
| Average Residential Floorplate | 23,150 |
| Average Dwelling Unit Size | 926 |
| GFA for MPDUs above 12.5% | 2,778 |
| MPDU's Provided Above 12.5% | 3 units |
| Height (feet) | Maximum |
| Maximum Allowed | 45' |
| Additional Building Height Requested for MPDU's | 12' |
| Proposed Height | 57' |

| Open Space (%) | Required SF | Required % | Proposed SF | Proposed % |
|--------------------|-------------|------------|-------------|------------|
| Site Area | 517,616 | | | |
| Amenity Open Space | 51,762 | 10% | 94,334 | 18.22% |

| Parking Tabulations [3] | Approved Units/SF | Min Rate | Metric | Min Req | Unbundled Factor | Required Spaces | 20% Reduction | Proposed Spaces |
|--|-------------------|----------|----------|------------|------------------|-----------------|---------------|-----------------|
| Studio/ Efficiency | 10 | 1 sp | per unit | 10 | 0.50 | 5 | 1 | |
| Studio/ Efficiency MPDU | 1 | 0.5 sp | per unit | 1 | N/A | 1 | 1 | |
| 1-Bedroom | 79 | 1.25 sp | per unit | 99 | 0.50 | 50 | 40 | |
| 1-Bedroom MPDU | 14 | 0.625 | per unit | 9 | N/A | 9 | 7 | |
| 2-Bedroom | 11 | 1.5 sp | per unit | 17 | 0.75 | 13 | 10 | |
| 2-Bedroom MPDU | 3 | 0.75 | per unit | 3 | N/A | 3 | 2 | |
| Subtotal | 118 | | | 139 | | 81(4) | 61 | |
| Existing Retail | 116,289 | 5.0 sp | 1,000 SF | 582 | | | 116 | |
| Existing Office | 107,985 | 2.25 sp | 1,000 SF | 243 | | | 48 | |
| Total Spaces Provided | | | | | | | | |
| Multi-Family Building | | | | | | | | 50 |
| On-Street Parking (on Private Drive Aisle) | | | | | | | | 5 |
| On-Street Parking (on Sentinel Drive)- not included in total | | | | | | | | 12 |
| Remaining Existing Parking in shopping center after Multi-family building is constructed | | | | | | | | 657 |
| Minimum required | | | | | | | | 712 |
| (see shared parking tabulations) 584 | | | | | | | | |

| ADA Parking | Proposed Spaces | Min Rate | Metric | Min req. |
|--|-----------------|----------|-----------------|-------------------|
| Multi-Family Building and Remaining Existing Parking | 713 | 2% | of total spaces | 15 |
| Total ADA Spaces Required | | | | 15 per lot |
| Existing Surface ADA Spaces | | | | 19 |
| Proposed ADA Spaces Multi-Family Garage | | | | 2 |

| Electric Vehicle Parking | Proposed Spaces | Min Rate | Metric | Min req. |
|--------------------------|-----------------|----------|--------|----------|
| Multi-Family Building | | | | |
| Proposed EV Ready Spaces | | | | 4 |

| Car-Share Spaces | Proposed Spaces | Min Rate | Metric | Min req. |
|--|-----------------|----------|-----------------|----------|
| Multi-Family Building and Remaining Existing Parking | 713 | 5 | of total spaces | 5 |
| Total Car Share Spaces Required | | | | |

| Motorcycle Parking | Proposed Spaces | Min Rate | Metric | Min req. |
|--|-----------------|----------|-----------------|-------------------------|
| Multi-Family Building and Remaining Existing Parking | 713 | 2% | of total spaces | 10 |
| Total Motorcycle Spaces Required | | | | 10 |
| Proposed Motorcycle Spaces Multi-Family | | | | 3 |
| Proposed Motorcycle Spaces | | | | 8 (4 garage, 4 surface) |

| Bicycle Parking | Approved Units/SF | Min Rate | Metric | Min req. |
|--|-------------------|----------|---------------|-----------------------------|
| Bicycle Spaces | | | | |
| Multi-Unit Living (100 max per building) | 118 | 0.5 sp | per unit | 59 |
| Retail (50 max) | 116,289 | 1.0 sp | per 10,000 sf | 12 |
| Office (100 max) | 107,985 | 1.0 sp | per 5,000 sf | 22 |
| Total Bicycle Spaces Required | | | | 93 |
| Existing Bike Racks | | | | 30 |
| Proposed Bicycles Spaces Multi-Family | | | | 57 (in bike room + 6 racks) |
| Total Proposed Bicycle Spaces | | | | 93 |

SHARED PARKING TABULATIONS [5]

The Shops at Sumner Place Multi-Family Shared Parking Demand Summary

| Land Use | Project Data | | Weekday | | Peak Month: DECEMBER - Peak Period: 2 PM, WEDSDAY | | Weekend | | Peak Mo: FEBRUARY - Peak Period: 12 PM, DECEMBER | | |
|---------------------------|--------------|--------------|---------------|---------------|---|---------------|---------------|---------------|--|---------------|---|
| | Quantity | Unit | Base Rate | Driving Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | |
| | Base Rate | Driving Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | Peak Hr. Adj. | |
| Retail (400 sq ft) | 116,289 | 400 | 2.50 | 80% | 75% | 1.85 | 85% | 3.20 | 80% | 147 | |
| Employee | | 400 | 0.70 | 81% | 92% | 0.52 | 80% | 0.80 | 81% | 65 | |
| Studio/Efficiency | 11 | units | 0.48 | 87% | 100% | 0.42 | unit | 50% | 100% | 3 | |
| 1-Bedroom | 99 | units | 0.51 | 87% | 100% | 0.44 | unit | 50% | 100% | 48 | |
| 2-Bedroom | 14 | units | 0.53 | 87% | 100% | 0.41 | unit | 50% | 100% | 6 | |
| Reserved | 44% | res spaces | 0.43 | 100% | 100% | 0.43 | unit | 100% | 100% | 51 | |
| Visitor | 128 | units | 0.30 | 80% | 100% | 0.08 | unit | 0.15 | 80% | 100% | 1 |
| Office | | | | | | | | | | | |
| Other (100 to 1000 sq ft) | 107,985 | 400 | 0.25 | 80% | 100% | 0.21 | sq ft | 0.18 | 80% | 100% | |
| Employee | | 400 | 1.14 | 81% | 100% | 2.54 | sq ft | 0.11 | 81% | 100% | |
| Customer/Visitor | | | | | | | | | | | |
| Employee/Resident | | | | | | | | | | | |
| Reserved | | | | | | | | | | | |
| Total | | | | | | | | | | | |

Notes

- Density shown does not include any allowable MPDU bonus density.
- In accordance with Section 59-4.6.2.C of the Zoning Ordinance, MPDU bonus density and height are permitted by providing more than 12.5% MPDUs.
- Final number of parking spaces and uses to be determined at building permit.
- Required parking from Montgomery County Zoning Ordinance

DEVELOPER'S CERTIFICATE

The undersigned agree to execute all the features of the Site Plan Approval No. 820230140, including Approval Conditions, Development Program and Certified Site Plan.

Developer's Name: W.C. & A.N. Miller Development Company
 Contact Person: Robert R. Miller
 Address: 2202 Sangamore Road, Suite 3126
 Phone: 301-915-9393

Signature: _____ Date: _____

SHEET INDEX

- SP-1 COVER SHEET
- SP-2 PLAN APPROVALS
- SP-3 COMPOSITE SITE PLAN
- SP-4 SITE PLAN 30' SCALE
- SP-5 OPEN SPACE PLAN
- SP-5A OVERALL OPEN SPACE PLAN
- SP-6 RECREATION FACILITIES PLAN

- L000 COVER
- L100 OVERALL MATERIALS PLAN
- L101 MATERIALS PLAN ENLARGEMENT
- L102 MATERIALS PLAN ENLARGEMENT
- L300 GRADING PLAN
- L400 OVERALL TREE PLANTING PLAN
- L401 PLANTING PLAN ENLARGEMENT
- L402 PLANTING PLAN ENLARGEMENT
- L500 PHOTOMETRIC PLAN
- L600 PLANTING DETAILS
- L601 CONSTRUCTION DETAILS
- L602 LIGHTING DETAILS
- L603 LIGHTING DETAILS

- A-01 SITE PLAN
- A-02 GROUND FLOOR PLAN
- A-03 TYPICAL FLOOR PLAN
- A-04 ROOF PLAN
- A-05 SECTION
- A-06 ELEVATIONS
- A-07 PERSPECTIVE 1
- A-08 PERSPECTIVE 2
- A-09 PERSPECTIVE 3
- A-10 MPDU BONUS HEIGHT CHART AND UNIT MIX
- A-11 GARAGE PLAN

SUPPORTING DRAWINGS

- COLORED UTILITY PLAN
- FIRE ACCESS PLAN

SUPPLEMENTAL DRAWINGS

- CIRC-1 CIRCULATION PLAN
- EXIB-1 PARKING LOT EXHIBIT

NOT FOR CONSTRUCTION



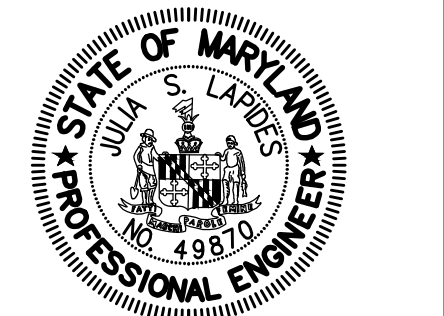
The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 56A of the Montgomery County Code.

COVER SHEET

SUMNER PLACE APARTMENTS

7TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 206NW06
TAX MAP: GM62

PROFESSIONAL SEAL



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A QUALY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
 ENGINEER'S NAME: JULIA LAPIDES, P.E.
 LICENSE NO.: 60520
 EXPIRATION DATE: SEPTEMBER 8, 2024

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 DRAWN BY: TG
 DESIGNED BY: CB
 DATE ISSUED: JULY 2023

Vika
 PROJECT: VM50339C
 DRAWING NO.: 820230140

SHEET NO. SP-1



April 18,2024

M-NCPPC
 Planning Commission
 2425 Reedie Drive, 14th Floor
 Wheaton, MD 20902

**Re: Forest Conservation Tree Variance Request
 Sumner Place Apartments
 Preliminary Plan #320220110
 Site Plan#820230140
 FCP #F20240050
 VIKA # VM50339C**

Dear Mr. Ariel Zelaya:

On behalf of W C & A N Miller (The Applicant), we submit this Tree Variance Request for staff approval Request to comply with the Department of Natural Resources, Title 5, Section 5-1607(c)(2) of the Maryland Code. This section requires the Applicant to request a variance under Section 5-1611 for impacts or removals of the following trees, shrubs, plants, and specific areas considered priority for retention and protection if a project did not receive Preliminary Forest Conservation Approval before October 1, 2009:

- (i) Trees, shrubs, or plants identified on the list of rare, threatened, and endangered species of the U.S. Fish and Wildlife Service or the Department.
- (ii) Trees that are part of a historic site or associated with a historic structure or designated by the Department or local authority as a national, State, or local Champion Tree; and
- (iii) Trees having a diameter measured at 4.5 feet above the ground of:
 1. 30 inches; or
 2. 75% of the diameter, measured at 4.5 feet above the ground, of the current State Champion Tree of that species as designated by the Department.

This variance request supplements an application for a Final Forest Conservation Plan Amendment to demolish the existing, vacant bank building and parking lot and redevelop the Property with a multifamily apartment building, amenity open space, and streetscape improvements which also includes upsizing and rerouting a sewer line across the site into the Category 1 Forest Conservation Easement. The variance request is to impact one (1) and remove one (1) Specimen Trees.

The existing property is approximately 73% impervious including the surface parking lot and vacant bank building. The selected location for the proposed apartment building serves future residents by being within very close proximity to The Shops at Sumner Place Shopping Center which includes retail (including a grocery store), restaurants, and offices, allowing future resident the ability to live, work and

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 Tysons, VA • Germantown, MD • Washington, DC

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Sumner Place Apartments
 FCP# F20240050
 Tree Variance Request
 VIK A #VM503339C
 Page 2 of 6

play without using automobiles. The Property is being served by multiple modes of transportation such as the Metro and Ride On bus services. The Applicant has worked closely with Staff to agree on the location and design of the area while trying to protect as many of the existing trees as possible. Staff understood that there would be some impacts and the necessary documentation would need to be provided.

We are submitting this variance request on behalf of the Applicant in the above-referenced Preliminary Plan Amendment and Site Plan application (the "Application" or "Preliminary Plan" "Site Plan"). Pursuant to Section 22A-21(b) of the Montgomery County Code (the "Forest Conservation Law"), we are requesting approval of a variance from the provisions of the Maryland Annotated Code, Natural Resources Article, Section 5-1607(c)(2)(iii).

This variance request is submitted for concurrent review with the Preliminary Plan Amendment and Site Plan, in conjunction with the Final Forest Conservation Plan Amendment ("FCP") for the Project. A Natural Resources Inventory Plan (NRI) for the Project was approved by M-NCPPC on October 7th, 1999 (NRI #420000700). Details regarding the proposed impacts to the specimen trees are included below in Table 1.

Variance Request

As explained more fully below, retention of the Specimen Trees proposed to be removed or disturbed would result in undue hardship to the Applicant. The existing site constraints and the nature of the proposed improvements justify granting of the variance pursuant to Section 22A-21(b) of the Code because the granting of the variance (i) will not confer a special privilege on the Applicant that would be denied to others; (ii) is not based on conditions or circumstances which result from the action of the Applicant; (iii) is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property; and (iv) will not violate State water quality standards or cause measurable degradation in water quality.

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

- 1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship;**
- 2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;**
- 3. Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and**
- 4. Provide any other information appropriate to support the request.**

The Applicant provides the following to address the above criteria and in support of the variance request:

- (1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;*

Sumner Place Apartments
 FCP# F20240050
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 VIK A #VM503339C
 Page 3 of 6

The Subject Property is located just inside the Approved and Adopted 1990 Bethesda Chevy-Chase Master Plan, an in a urbanized area of Montgomery County. The Subject Property currently is improved with The Shops at Sumner Place Shopping Center, which includes 224,274 square feet of retail, restaurant, and office uses with both structured and surface parking facilities. The Subject Property is located approximately 4 miles from the Friendship Heights and Tenley Town Metro Stations. The Property's location presents an opportunity to transition between The Shops at Sumner Place more intensive uses and the residential properties that are located around the NR zone. As such, the Subject Property provides an excellent opportunity for redevelopment that responds to the Property's location as a transitional site, at a density reflective of its location within the 1990 Bethesda Chevy-Chase Master Plan and following Thrive Montgomery 2050's recommendation to retrofit large scale facilities such as shopping centers to include a variety of use and housing types to create Complete Communities. The Subject Property is also within walking distance of various transit options.

The Project will further several important County policies, such as affordable housing and stormwater management. The Project provides an important opportunity to develop desired affordable housing in closer proximity to transit. The multi-family residential dwellings of the Project will comprise 15.25% Moderately Priced Dwelling Units ("MPDU's"). Additionally, as discussed further below, the Project provides an important opportunity to provide stormwater management treatment on a site where there currently is none. The requested tree variance is necessary further these, as well as other, important County policies.

The Specimen Tree impacts occurring as a result of this redevelopment are the minimum impacts necessary – The Sumner Place Apartments multi-family development proposed for the Subject Property simply cannot be accommodated if Specimen Trees cannot be disturbed/removed. The proposed redevelopment necessitates certain infrastructure improvements; including upsizing and rerouting sewer line and site access, that will result in impacts to and removal of Specimen Trees. Installing the sewer line will allow the Applicant to redevelop the Subject Property based on Thrive 2050's recommendation to retrofit large scale facilities such as shopping centers to include a variety of uses, including residential, and provide a variety of housing types. The redevelopment will also serve the general public and neighboring properties who utilize the shopping center with the addition of amenity open space. After carefully evaluating the existing conditions and several alternative alignments, this alignment was determined to be the most feasible and practical solution, with the least amount of impact to existing trees.

- (2) *Describe how enforcement of this Chapter will deprive the landowner of rights commonly enjoyed by others in similar areas;*

Due to the location of the Specimen Tree and the extent of its CRZs, the inability to disturb/remove the Specimen Trees would prevent the Applicant from developing the Subject Property in a manner consistent with the Sector Plan, approved by the County Council, and as allowed by the NR 0.75 H45' Zone. It would also deprive the Applicant of the opportunities enjoyed by others with similar properties in the NR Zones. Any redevelopment of the Subject Property, which reflects the County's current goals and objectives, would likely require similar levels of disturbance and the removal of Specimen Trees.

- (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*

Sumner Place Apartments
 FCP# F20240050
 Tree Variance Request
 VIK A #VM503339C
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The variance will not violate state water quality standards or cause measurable degradation in water quality. The Specimen Tree is not located within a special protection area (SPA) or watershed primary management area (PMA). The Subject Property currently contains no known stormwater management on-site and is approximately 73% impervious. Therefore, the provision of stormwater management facilities in connection with the proposed redevelopment will significantly improve the water quality on the Subject Property and in the surrounding area.

The Project will comply with the requirements of Chapter 19 of the Montgomery County Code. The current Maryland Department of the Environment (MDE) Stormwater Management regulations that Montgomery County has adopted require the use of ESD techniques to treat the required runoff on all new developments, where stormwater management is required. Per MDE's 2000 Maryland Stormwater Design Manual, "[t]he criteria for sizing ESD practices are based on capturing and retaining enough rainfall so that the runoff leaving the site is reduced to a level equivalent to a wooded site in good condition[.]" The final proposed stormwater management plans for the Subject The Project will provide for stormwater runoff to be stored and treated on-site for water quantity and quality control through use of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP). Applicable requirements under Chapter 19 are addressed in the Concept Stormwater Management Plan (SM # 289744) currently under review by the Montgomery County Department of Permitting Services (DPS) Water Resources Section. As illustrated on the CSWM, the Project will meet the required stormwater management goals through the extensive use of SWM facilities for the property, where no treatment was provided prior.

The Project will comply with the Montgomery County Environmental Guidelines Chapter IV Guidelines for Development. In Section A for Stream Valley Protection, the guide states "minimized buffer intrusions are allowed for construction of suitable SWM facilities or non-erosive storm drain outfalls, and unavoidable and consolidated sanitary sewer connections". The stream valley buffer and Specimen tree #15 will be impacted by the sewer alignment the project is proposing to cross through the existing Category 1 Forest Conservation Easement in order to connect to the existing sewer system. In compliance with the Environmental Guidelines, measures have been taken to locate the connection to reduce the amount of impact the proposed sewer line will have on the specimen trees in the area.

The proposed project will result in a significant improvement to the water quality, over the current condition. Therefore, granting this variance will not adversely affect water quality standards and no measurable degradation in water quality will be experienced because effective mitigation measures are being provided.

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

The location of the Specimen Tree and the extent of its CRZs makes it impossible to avoid impacts to the Specimen Tree. However, to mitigate the loss of and impacts to the Specimen Trees, the Applicant is proposing root pruning during construction and on-site plantings – up to 10.5 caliper inches of mitigation tree plantings will be provided on site. The mitigation plantings will be integrated into the landscape of the developed property and located to maintain 5' clearance from utilities and easements. The Project will accommodate mitigation trees on-site, at a ratio of one (1) inch for every four (4) inches removed. The on-site plantings will provide various long-term environmental benefits and tree canopy that will compensate for the loss of the Specimen Tree. Additionally, the proposed development provides significant new landscaping and green areas on the Subject Property.

Specimen trees in urban and semi-urban areas are often located close to structures and existing roads. Most of the roots of these trees are likely in lawn and landscaped areas as opposed to under structures and in compacted roadways, not to mention installation and maintenance of utilities, storm drain, etc. For example, Tree # 2 has over 17% of the CRZ area disturbed utilizing the standard CRZ calculation of 1.5x the DBH in feet. Much of the CRZ area overlays the existing surface parking and so the majority of this tree's roots are most likely in lawn or landscaped areas where there is less proposed disturbance. In this case, there are little to no feeder roots under the surface parking which receive nutrients and water for this tree. We believe that the amenity and utility construction that is proposed within the multifamily dwelling property boundaries will not have as much of an impact as a CRZ circle on a plan would indicate.

Below you will find detailed information on the specimen trees for which we are requesting variance from the above referenced codes. The variances requested herein include impacts and removal as part of the building development and for the environmental enhancements associated with this project.

Table 1 summarizes the specimen tree impact to the CRZ and specimen trees to be removed, followed by a more detailed description of the circumstances pertaining to the proposed impacts or removals. The assessment of the condition of each tree was performed by VIK A Maryland, LLC as a visual, at-grade-level inspection with no invasive, below grade, or aerial inspections performed at that time. Decay or weakness may be hidden out of sight for large trees.

Table 1: Specimen Trees Impacts

| TREE NO. | COMMON NAME | D.B.H. (in.)* | CONDITION | CRZ AREA | CRZ IMPACT (SF) | CRZ IMPACT % | DISPOSITION |
|----------|-----------------|---------------|-----------|----------|-----------------|--------------|-------------|
| 2 | Japanese Cherry | 36.5 | Fair | 9,417 | 1,635 | 17% | SAVE |
| 15 | Tulip Poplar | 34.6 | Good | 8,462 | 2,826 | 33% | REMOVED |

Tree # 2

36.5" Japanese Cherry (*Prunus serrulata*): This tree is located off-site, along the eastern fence line near the back of the proposed amenity area for the multifamily building.

Field Condition: Fair

Proposed CRZ Impact: 17% impact to the CRZ due to necessary site layout for the multifamily building's limit of disturbance

Disposition: Saved.

Tree # 15

34.6" Tulip Poplar (*Liriodendron tulipifera*): This tree is located on-site, along the southeastern property line within the stream valley buffer and the existing Category 1 Forest Conservation Easement.

Field Condition: Good

Proposed CRZ Impact: 33% impact to the CRZ due to necessary site layout for proposed sewer line easement.

Disposition: Removed

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Conclusion

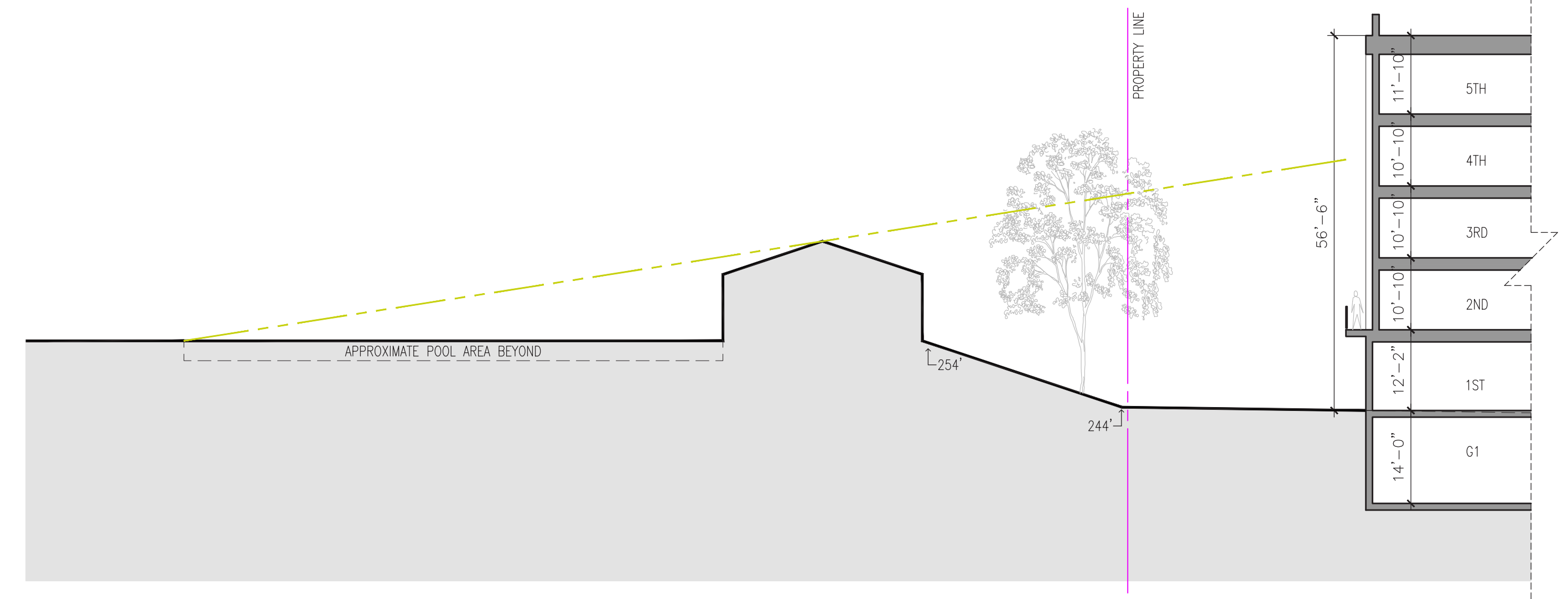
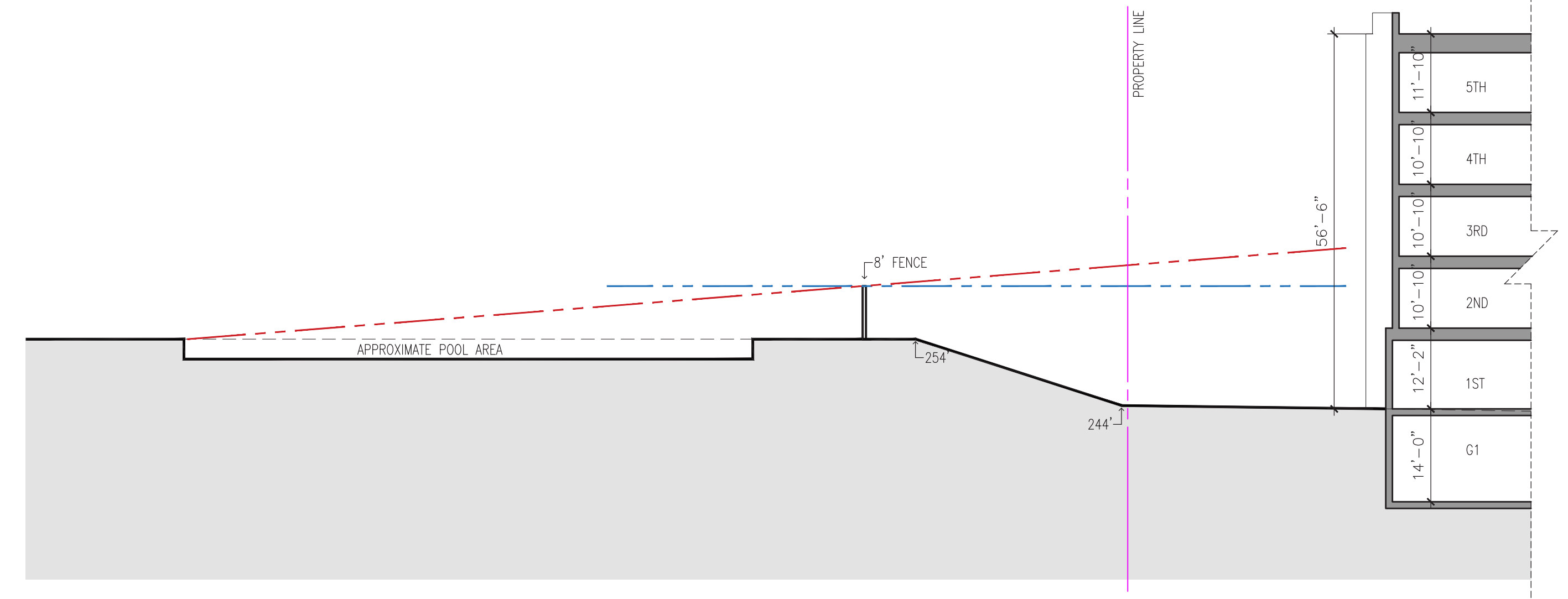
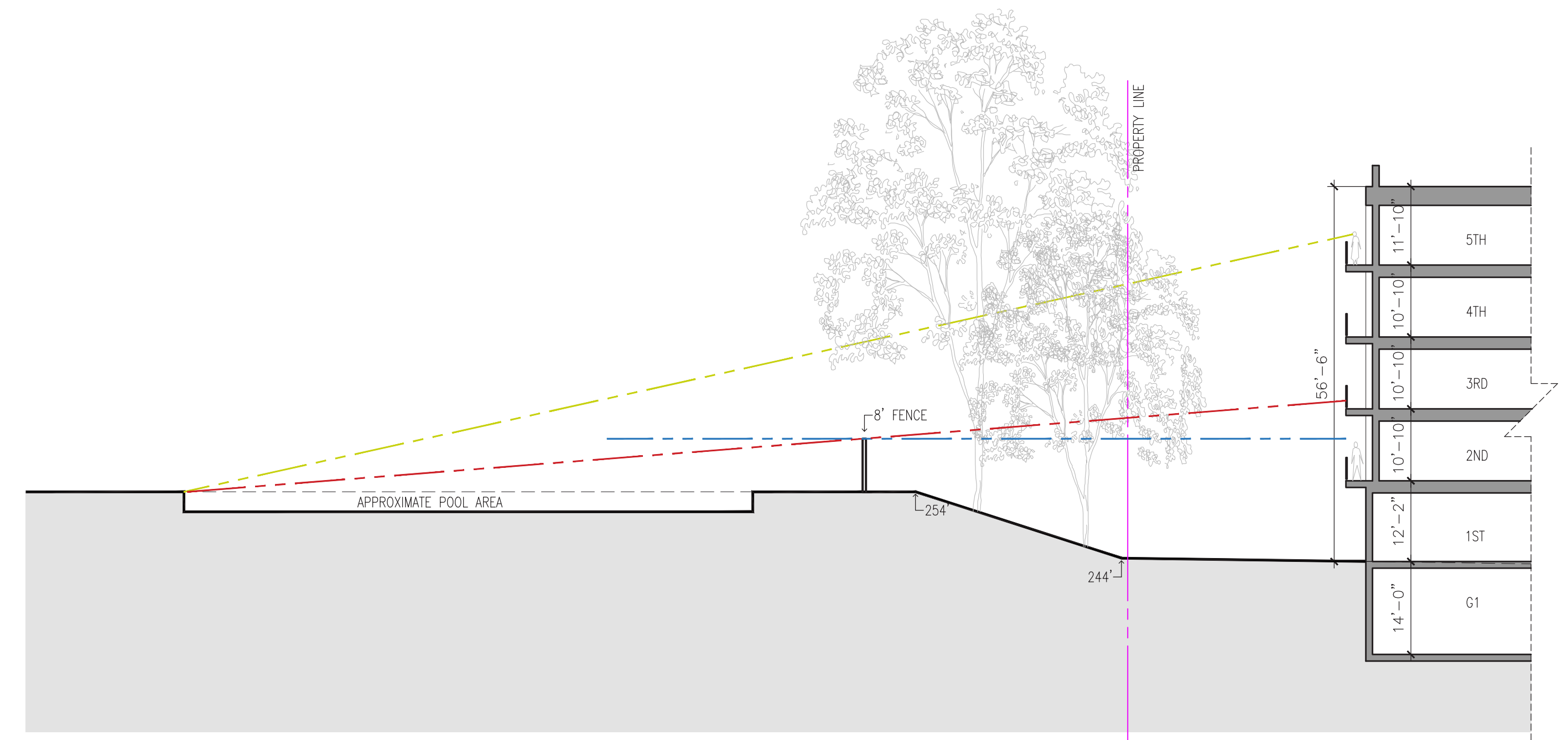
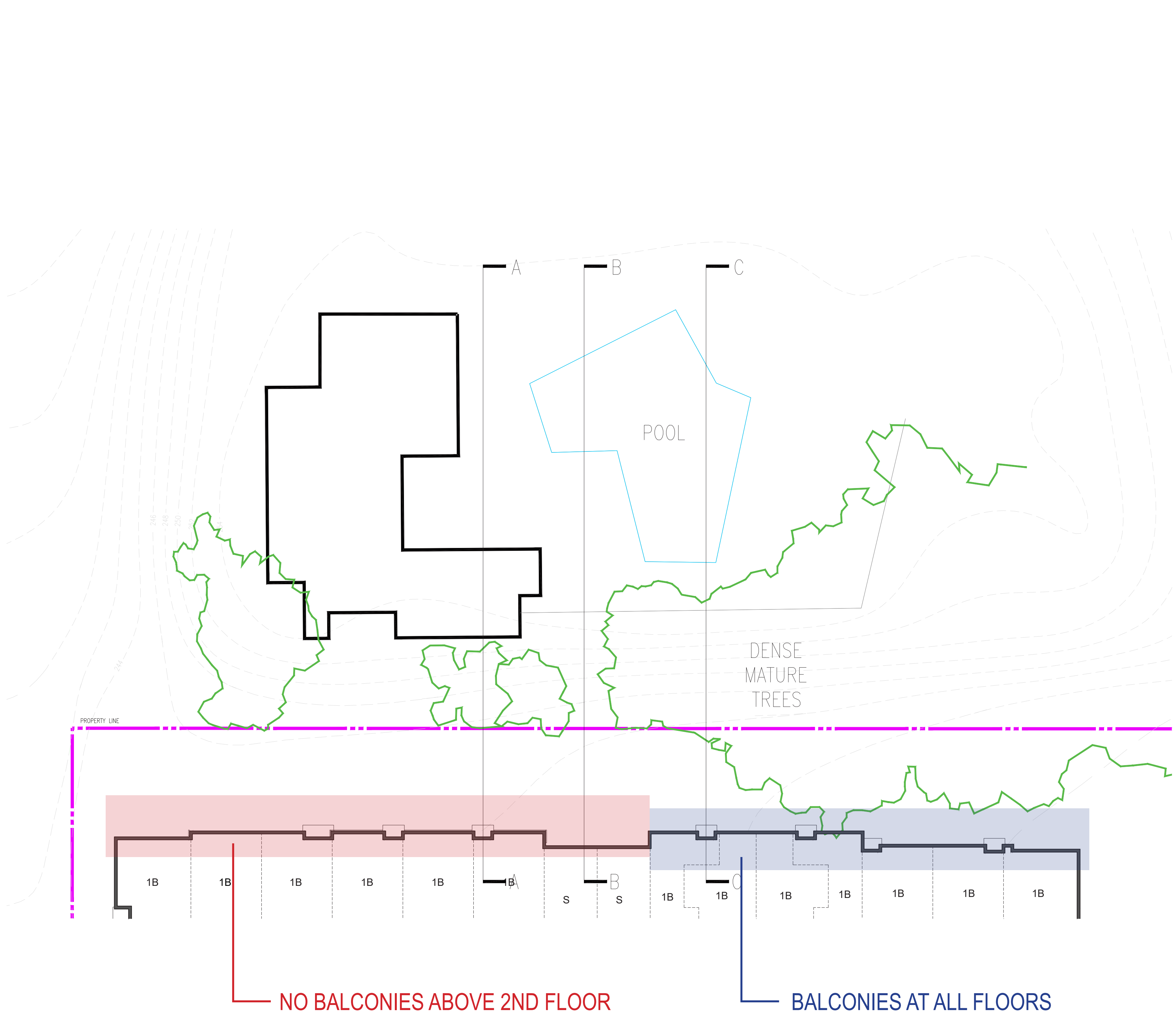
The granting of this variance request would not confer a special privilege on the Applicant that would be denied to others. Rather, as discussed above, the variance will prevent the deprivation of rights to the Applicant that have been enjoyed by others similarly situated, as this request is typical for an application of this type. The need for the variance does not arise out of action by the Applicant, but rather existing site conditions established many years ago. The request is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property and, as stated previously, the granting of this request will not violate State water quality standards or cause measurable degradation in water quality.

Thank you for your consideration of this variance request. We believe that the supporting information provided in this letter justifies the variance to impact one (1) and remove one (1) specimen trees. If you have any questions or need more information for your review of this request, please do not hesitate to contact us so that we may discuss this matter further.

Sincerely,
VIKA Maryland, LLC.

CS Beaufort

Chanda Beaufort, RLA
Associate



BALCONY LOCATION DIAGRAM

SUMNER PLACE

BETHESDA, MD