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301.916.4100 | vika.com

Our Site Set on the Future.

PREPARED FOR:
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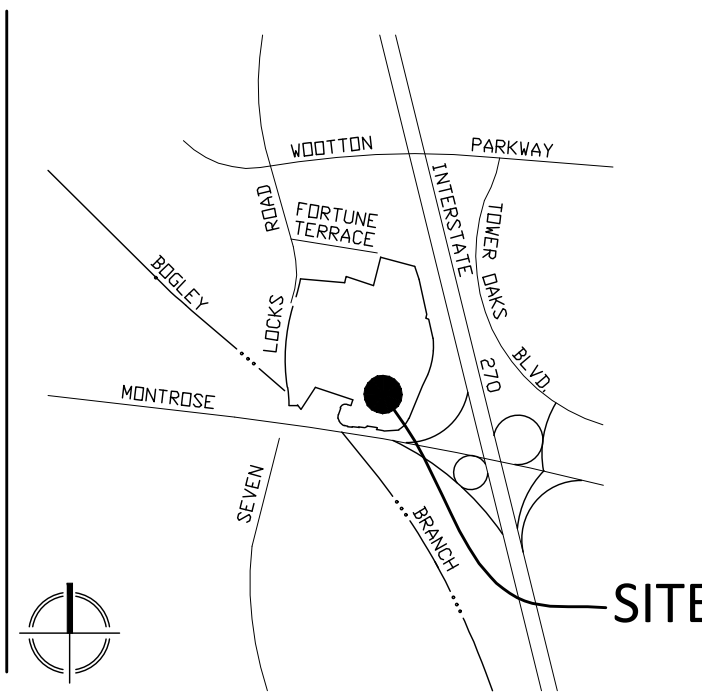
DESIGN CONSULTANTS

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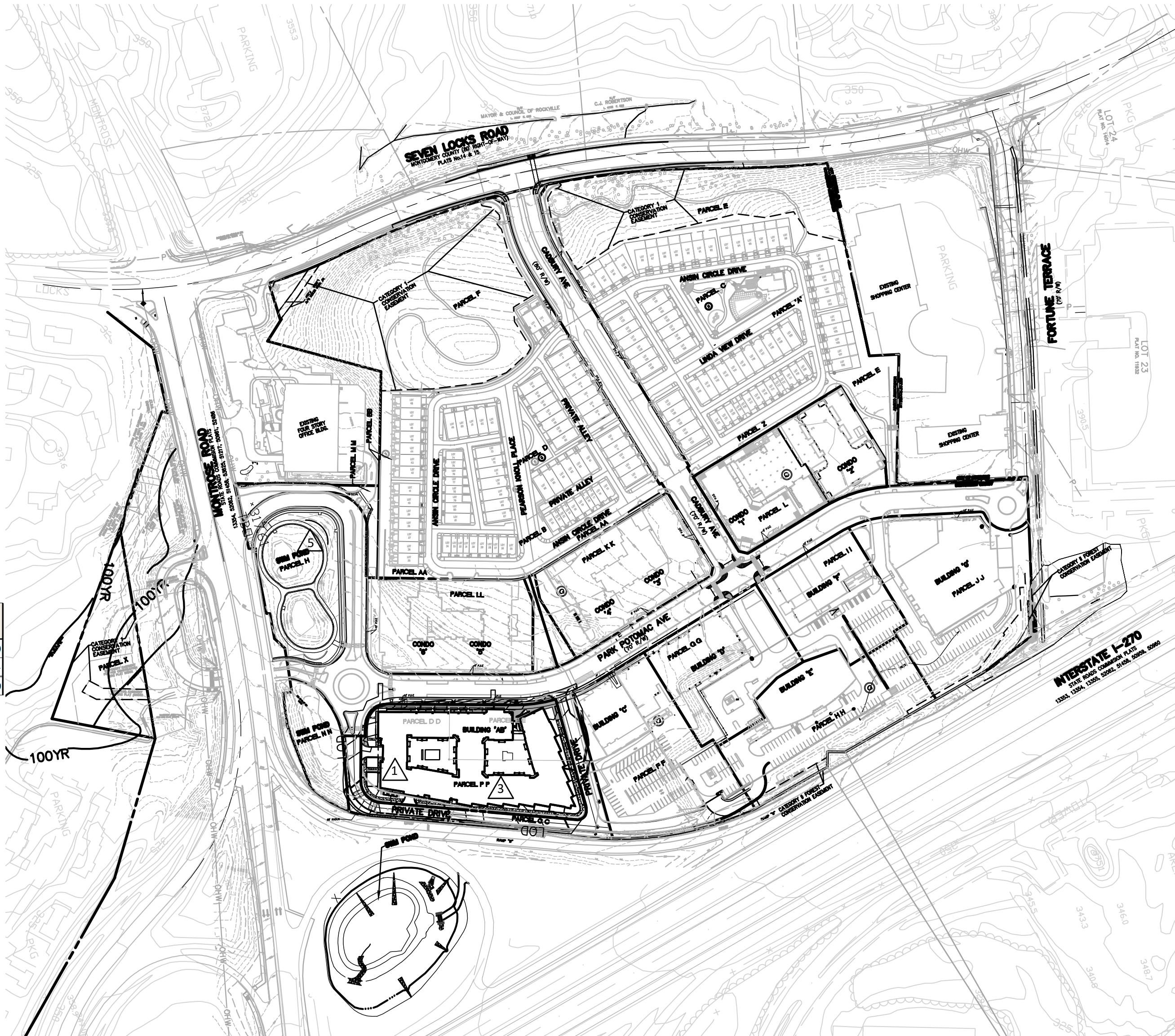
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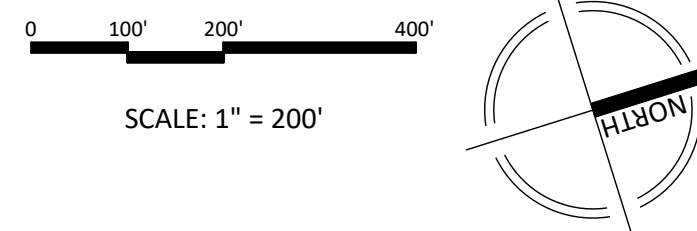


VICINITY MAP
SCALE: 1" = 2000'

PARK POTOMAC (FORMERLY FORTUNE PARC) PRELIMINARY PLAN #12003029C



VICINITY MAP



REFERENCE NOTES

TRACT: 54.841 ACRES
TAX ACCOUNT REFERENCE: 04-3622671, 04-3622716, 04-3622727, 04-3622705, 04-3622693, 04-3622682, 04-3622658, 04-3622660, 04-3726277, 04-3726256
CURRENT ZONING: CRT-1.25, C-0.5, R-0.75, H-100T
PROPOSED ZONING: NOT APPLICABLE
APPROVED NRI NO: 4-20030600
WATERSHED: CABIN JOHN CREEK
SEWER SERVICE CATEGORY: W-1
SOIL DESIGNATION: 116D, 2B, 54A, 1C
FLOODPLAIN ZONE: 'X'
FIRM COMMUNITY PANEL NO.: [24031C04 55D], FOR MONTGOMERY COUNTY, MARYLAND, DATED SEPTEMBER 29, 2006.

GENERAL NOTES:

- THE HORIZONTAL DATUM IS MARYLAND STATE GRID NORTH (NAD83/91) AND THE VERTICAL DATUM IS NVGD29.
- THERE ARE NO WETLANDS, WATERS OF THE UNITED STATES, OR 100 YEAR FLOOD PLAINS LOCATED ON THE SUBJECT PROPERTY.
- THERE ARE FORESTED AREAS LOCATED ON THE SUBJECT PROPERTY AS DEFINED BY MONTGOMERY COUNTY FOREST LEGISLATION.
- 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 2002 POTOMAC SUBREGION MASTER PLAN.
- CHANGES TO THIS PLAN THAT DO NOT CONFLICT WITH THE CONDITIONS OF APPROVAL DUE TO FINAL ENGINEERING REQUIRED AS A RESULT OF PUBLIC AGENCY REVIEW, SUBSEQUENT TO THE APPROVAL OF THE CERTIFIED SITE PLAN, ARE ALLOWED AND DO NOT REQUIRE AMENDMENTS TO THIS PLAN BY THE MONTGOMERY COUNTY PLANNING BOARD.
- THE SUBJECT PROPERTY INCLUDES THE FOLLOWING TAX ACCOUNT NUMBERS; 3622671, 3622716, 3622727, 3622705, 3622693, 3622682, 3622658, 3622660, 3726277, 3726256.
- THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" (AREA DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE OF FLOOD PLAIN) AS SHOWN ON FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 24031C04 55D, FOR MONTGOMERY COUNTY, MARYLAND, DATED SEPTEMBER 29, 2006.
- THE SUBJECT PROPERTY IS CURRENTLY ZONED CRT-1.25 C-0.5 R-0.75 H-100T.
- THIS SITE IS LOCATED IN THE CABIN JOHN CREEK WATERSHED.
- THE SOIL DESIGNATION FOR THIS SITE IS 116D BLOCKTOWN, 2B GLENELG, 54A HATBORO, AND 1C GAILA.
- THIS PLAN WILL NOT BE AMENDING THE FOREST CONSERVATION PLAN, FOR THE RE-DEVELOPMENT OF THE 2.73 ACRE PORTION OF FOCUS FOR PROPOSED MULTI-UNIT APARTMENTS.
- THIS SITE IS SUBJECT TO APPROVED NRI #420030600 DATED OCTOBER 21, 2002.
- THE PROJECT IS PROPOSED TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS AND IS CURRENTLY IN WATER AND SEWER SERVICE CATEGORIES W-1 AND S-1, RESPECTIVELY. THE SUBJECT SITE IS SERVICED BY PEPCO, WASHINGTON GAS, AND VARIOUS COMMUNICATIONS COMPANIES.
- AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED TO BE SET UP WITH THE MNCPPC INSPECTION STAFF BEFORE ANY DEMO, CLEARING, OR GRADING OCCURS ON-SITE. THE OWNER OR HIS DESIGNEE WHO HAS SIGNATURE AUTHORITY, AND THE GENERAL CONTRACTOR MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE MNCPPC INSPECTOR. A COPY OF THE APPROVED CERTIFIED PRELIMINARY PLAN IS REQUIRED TO BE ON-SITE AT ALL TIMES. TO SCHEDULE AN INSPECTION WITH MNCPPC STAFF, PLEASE CONTACT JOSH KAYE AT 301-495-4722.
- THE SITE IS UNDER THE JURISDICTION OF MONTGOMERY COUNTY, MD AND NOT WITHIN A SPECIAL TAXING DISTRICT.
- UNLESS SPECIFICALLY NOTES ON THIS PLAN DRAWING OR IN THE CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THE PRELIMINARY PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURE, AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF ISSUANCE OF SITE PLAN APPROVAL. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING RESTRICTION LINES, BUILDING HEIGHT, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF APPROVAL.
- THE APPLICANT MUST SCHEDULE AN ON-SITE PRE-CONSTRUCTION MEETING WITH M-NCPPC INSPECTION STAFF BEFORE ANY DEMOLITION, CLEARING, OR GRADING OCCURS ON SITE. THE APPLICANT, ALONG WITH THEIR REPRESENTATIVES, MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE M-NCPPC INSPECTOR. A COPY OF THE APPROVED CERTIFIED PRELIMINARY PLAN IS REQUIRED TO BE ON SITE AT ALL TIMES.

DEVELOPMENT SEQUENCE

THE SITE IS APPROVED TO BE DEVELOPED IN MULTIPLE PHASES, THE SPECIFICS OF WHICH ARE TO BE DETERMINED AT THE TIME OF SITE PLAN. IT IS ANTICIPATED THAT EACH PHASE WILL INCLUDE SUFFICIENT INTERNAL INFRASTRUCTURE CONSTRUCTION TO SUPPORT THAT PHASE AND WILL ALSO INCLUDE APPROPRIATE AMENITIES, AS DETERMINED AT SITE PLAN.

SHEET INDEX

- *PP-001 COVER SHEET
- PP-002 PLAN APPROVALS
- PP-002A PLAN APPROVALS
- PP-002B PLAN APPROVALS
- *PP-002C PLAN APPROVALS
- PP-003 PRELIMINARY PLAN
- PP-004 LOTTING PLAN

- * ONLY THESE SHEETS ARE CHANGING WITH THIS 'B' AMENDMENT
- ** NEW SHEET

SUPPORTING DRAWING SHEET INDEX FIRE ACCESS PLAN

MINOR AMENDMENT MODIFICATIONS:

- REQUEST TO EXTEND THE APFO VALIDITY PERIOD AND THE UPDATE ASSOCIATED PRELIMINARY PLAN CONDITION 41.

DEVELOPMENT TABULATIONS

Area Tabulation	SF	ACRES
Existing Gross Tract Area	2,388,868	54.841
Approved Net Lot Area	1,880,282	43.165
Existing Townhouse and Condo Parcels	931,393	21.382
Net Lot Area (Not Included in Sketch Plan)		
Sketch Plan Limits Net Lot Area	948,889	21.783

Open Space (Sec. 59.4.5.4.B.1.a)	Site (Net Area)	Approved at Sketch Plan		Approved	
		Min %	Min SF	%	SF
Public Open Space (per Sketch Plan Approval)	948,889 SF	10.0%	94,889 SF	11.0%	104,138 SF
Common Open Space (per Sketch Plan Approval)	931,393 SF	32.2%	300,000 SF	32.5%	303,148 SF

Setbacks, Principal Buildings, Accessory Structures, & Parking, Feet (Sec. 59.4.5.4.B.3)				Min Required	Approved
Front Street					0
Side Street				Established at Site Plan	0
Side					0
Rear					0

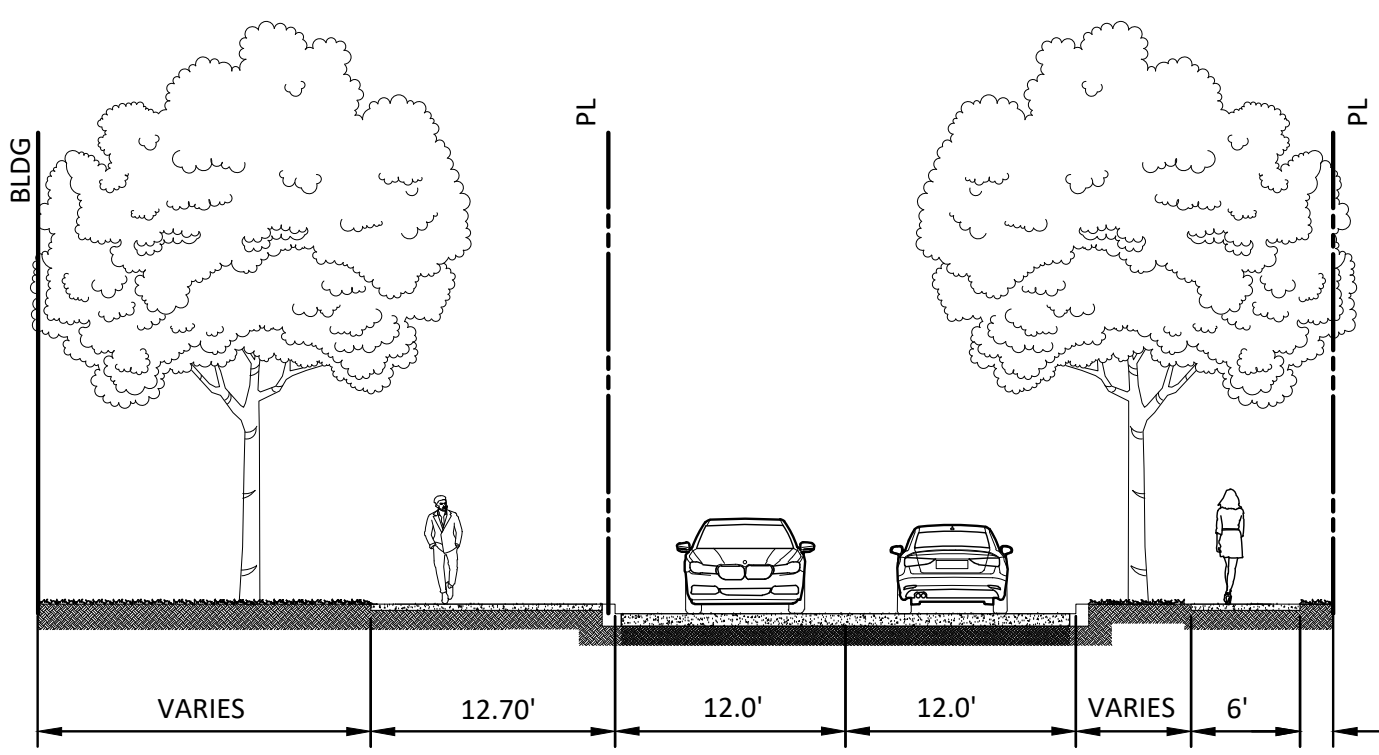
Building Height (Sec. 59.4.5.4.B.2.b)		Max Allowed	Approved
Existing Buildings		100'	per approved
Building A/B		100'	75'

DEVELOPMENT DENSITY

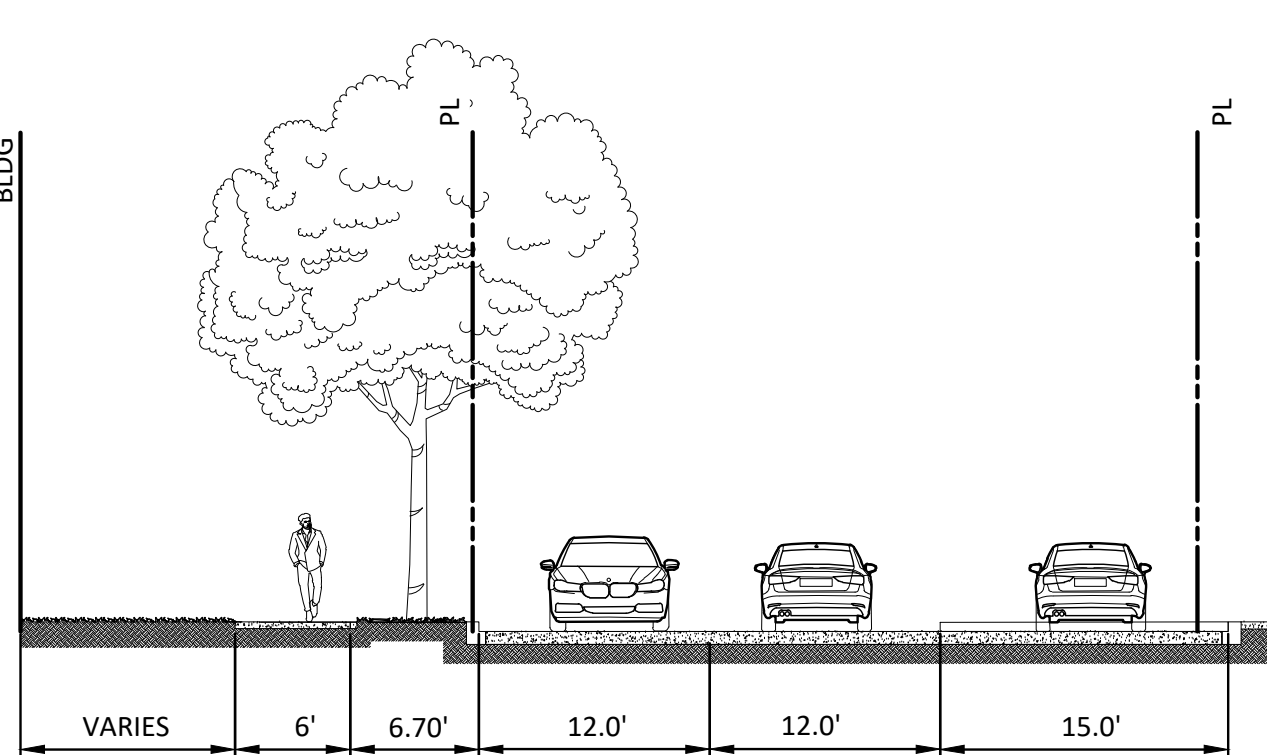
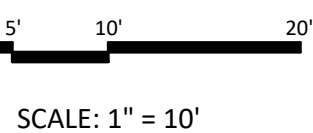
Overall Density Tabulations		Max Allowed	Max Approved per Sketch Plan	Constructed	Approved	Remaining
Overall Commercial, Square Feet	0.5 FAR	1,194,434	669,628	389,128		280,500
Overall Residential, Square Feet	0.75 FAR	1,791,651	1,656,651	1,304,278	352,373	
Total		2,986,085	2,326,279	1,693,406	352,373	280,500

Density Subtotals	Parcel	Constructed Residential	Constructed Commercial	Approved Residential	Approved Commercial
Existing Townhouses	Individual Lots	579,840			
Building 1,2	Parcel L	341,161	8,557		
Building 5,6	Parcel LL	191,638	4,576		
Building 3,4	Parcel KK	191,639	5,995		
Building G	Parcel JJ		56,000		
Building E	Parcel HH		184,000		
Building D	Parcel GG		130,000		
Building A,B	Parcel PP			352,373	
	Total	1,304,278	389,128	352,373	
Future Buildings C & F [1]	Parcels FF & II				280,500

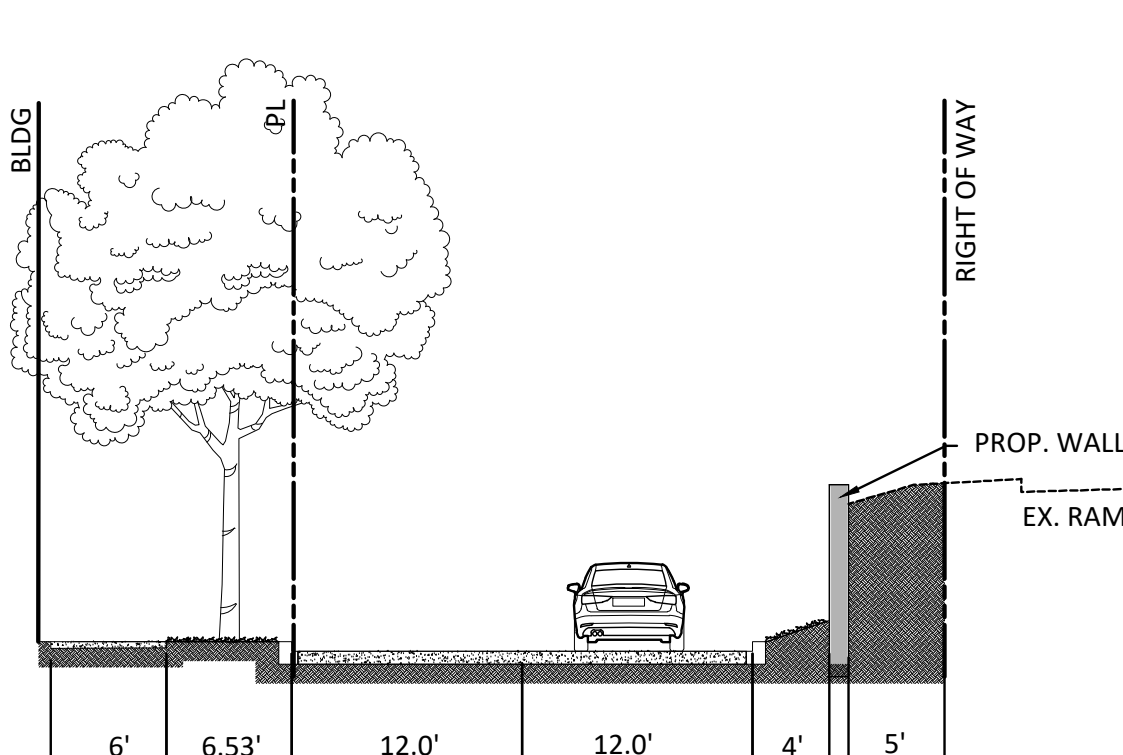
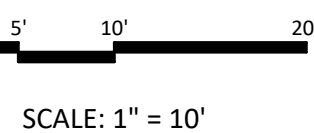
[1] Applicant's traffic analysis submitted with Sketch Plan No. 320190020 and Site Plan No. 82004015Q confirms the conversion of 130,000 sq. ft. of commercial density to residential density for future Building F complies with the Trip Cap established under the APF Determination associated with Preliminary Plan No. 120030290 (as amended).



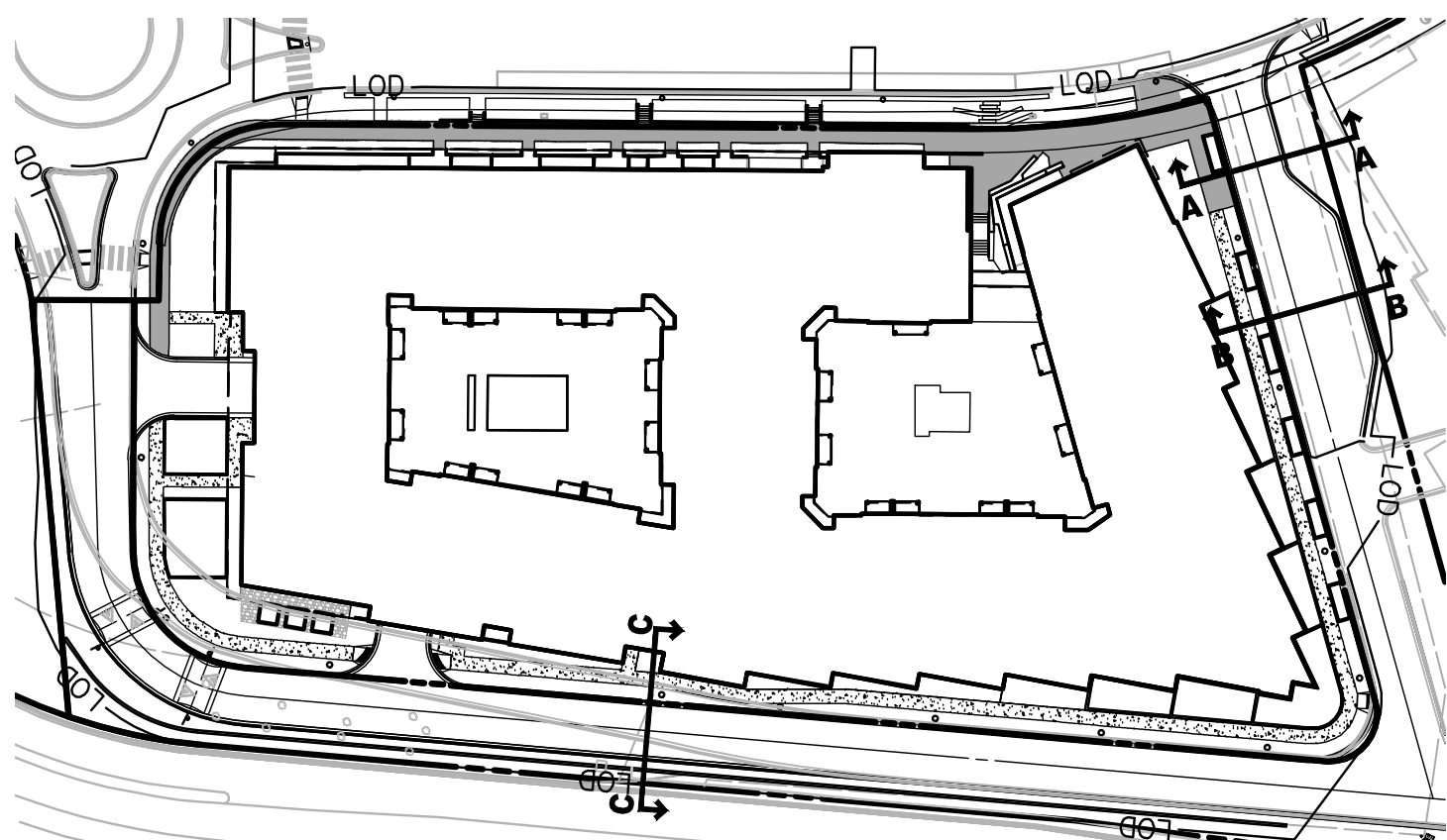
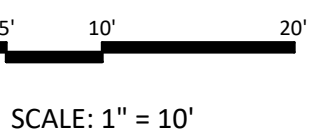
PRIVATE DRIVE SECTION A-A



PRIVATE DRIVE SECTION B-B



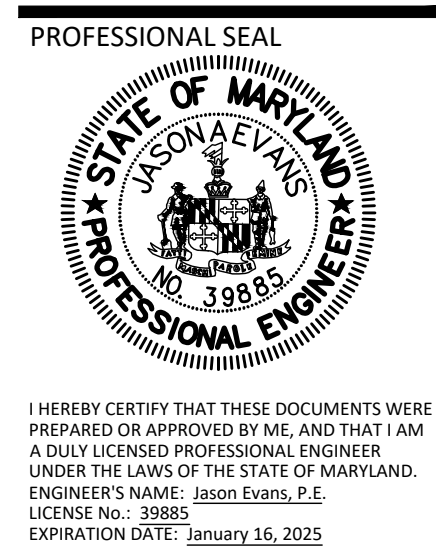
PRIVATE DRIVE SECTION C-C



SECTIONS KEYMAP

"FOR LOCATION OF UTILITIES CALL 8-1-1 or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.missutility.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.



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: Jason Evans, P.E.
LICENSE NO.: 19885
EXPIRATION DATE: January 16, 2025

© 2019 VIKIA MARYLAND, LLC
DRAWN BY: NP/SG
DESIGNED BY: JS
DATE ISSUED: xx/xx/2022
VIKA PROJECT
DRAWING NO.
SHEET NO. PP-001



Attachment B
Date Mailed: July 25, 2003

Action: Approved Staff Recommendation
Motion of Comm. Robinson, seconded by
Comm. Bryant with a vote of 5-0;

Comms. Berlage, Bryant, Perdue,
Robinson and Wellington voting
in favor

CORRECTED **MONTGOMERY COUNTY PLANNING BOARD**

OPINION

Preliminary Plan 1-03029
NAME OF PLAN: FORTUNE PARC

On 10/28/02, F.P. HOMES ASSOCIATES submitted an application for the approval of a preliminary plan of subdivision of property in the I-3 and O-M zones. The application includes 54.9 acres of land. The application was designated Preliminary Plan 1-03029. On 7/03/03, Preliminary Plan 1-03029 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 1-03029 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-03029.

Approval, Including Abandonment of an Unimproved Public Right-of-Way and Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to the following:
 - a. Non residential development not to exceed 850,000 square feet consisting of the following:
 - 820,000 – 835,000 square feet of general office
 - 15,000 – 30,000 square feet of general retail
 - 15,000 square feet of high turnover sit-down restaurant or an equivalent increase in square feet of general office and/or general retail uses based on the peak-hour trips generated by the restaurant
 - b. Residential development consisting of the following:
 - 450 garden apartment units
 - 150 single-family attached units
- 2) To satisfy Local Area Transportation Review (LATR), construct the following intersection improvements in accordance with Montgomery County Department of Public Works and Transportation (DPWT) standards:
 - a. Construct a northbound right-turn lane on Seven Locks Road at the intersection with Tuckerman Lane.
 - b. Reconfigure the southbound approach lanes on Tower Oaks Boulevard at the intersection with Montrose Road as follows:

- From: one right-turn lane and two left-turn lanes
 - To: one exclusive right-turn lane, a combination left-turn and right-turn lane, and one exclusive left-turn lane
- 3) To provide safe and efficient site access from Seven Locks Road:
 - a. Design and install a traffic signal at the proposed Site Access Road with Seven Locks Road including pedestrian signals and crosswalks subject to and in accordance with the requirements of DPWT.
 - b. Construct on Seven Locks Road at the proposed intersection with the Site Access Road the following:
 - c. Add a southbound left-turn lane on Seven Locks Road
 - d. Convert the right-most northbound lane from a through lane to a combination through and right-turn lane on Seven Locks Road
 - 4) Although not required as a condition of the preliminary plan, if Applicant wishes to pursue a third access point to the Fortune Parc Development, then Applicant will coordinate with the City of Rockville regarding the following within their Corporate limit:
 - a. Provide a third public access point from the terminus of Fortune Terrace for the Fortune Parc site.
 - b. Upgrade Fortune Terrace as a primary industrial road from a 30-foot to a 36-foot cross-section.
 - c. Provide an eight-foot asphalt path on the north side of Fortune Terrace.
 - 5) Conduct a traffic signal warrant study and install a traffic signal at the intersection of Seven Locks Road and Twin Oaks Drive, if warranted and subject to City of Rockville's requirements and approval.
 - 6) Submit a study on the feasibility of operating a private shuttle bus service or other transit connection from the site to the nearest Metrorail Station prior to Site Plan approval in accordance with the Potomac Master Plan (appropriate Adopted Master Plan pages attached).
 - 7) Designate the two internal "main streets" within Fortune Parc as public roadways for access and maintenance purposes. An east-west "main street" provides access from Seven Locks Road through the site and connects to a north-south "main street". The north-south "main street" provides access from Montrose Road through the site to Fortune Terrace.
 - 8) Satisfy the I-3 Trip Mitigation Guidelines for office development by entering into a Traffic Mitigation Agreement (TMA) with the Planning Board and DPWT at Site Plan. The trip mitigation goal for I-3 zoned land in the Potomac Policy Area (as a "Group II" policy area) is to reduce the peak-hour trips by six percent where the peak-hour trips are determined using standard trip-generation rates for the proposed land uses on the site. A draft TMA has been submitted to Transportation Planning staff and is being reviewed with DPWT staff. The TMA must be executed prior to release of any building permits.
 - 9) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
 - 10) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Potomac Master Plan unless otherwise designated on the preliminary plan.
 - 11) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Potomac Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly

designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.

- 12) Final approval of a Planning Board resolution for abandonment of a portion of the unimproved right-of-way prior to recordation of plat(s)
- 13) Record plat to reflect a Category I easement over all areas of forest conservation
- 14) Record plat to reflect common ingress/egress and utility easements over all shared roadways and driveways
- 15) Prior to recordation of the property, the applicant and technical staff will be able to make a final determination of the total number and configuration of lots on the property. These lot(s) shall be reflected on the final plat(s) and recorded among the land records
- 16) Prior to site plan approval, applicant to work with M-NCPPC staff to provide, at Applicant's expense, a Public Use Trail Easement and natural surface trail therein from the Fortune Parc subdivision sidewalk system, extending south under Montrose Road and providing a suitable pedestrian connection to the Cabin John Regional Park trail system. Said trail to be sufficiently aligned and constructed, if reasonably possible, to be handicapped accessible and to include any necessary crossings of Bogley Branch or its tributaries. Easement and trail to be clearly identified and signed
- 17) Compliance with the conditions of approval of the MCDPS stormwater management letter dated, March 11, 2003
- 18) Compliance with conditions of approval of MCDPWT letter dated, June 23, 2003, unless otherwise amended
- 19) Prior to site plan submission, the applicant shall obtain DPWT approval for public "Street A" and "Street B" roadway cross-section, structural design, right-of-way widths, any non-standard design features, and intersection configuration. If DPWT approval cannot be obtained, staff shall return this condition to the Planning Board for further consideration
- 20) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 21) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan
- 22) Final number of MPDU's and TDR's (maximum of 150 TDR's) as per condition #15 above to be determined at the time of site plan
- 23) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 24) This preliminary plan will remain valid for 145 months from the date of mailing of the Planning Board opinion. Record plats for this project may be recorded in phases based on the following schedule:
 - Phase I (expires 37 months ((3 years)) from the date of mailing of the Planning Board Opinion): 120,000 square feet of commercial development OR 150 dwelling units
 - Phase II (expires 73 months ((6 years)) from the date of mailing of the Planning Board Opinion): 120,000 square feet of commercial development OR 150 dwelling units
 - Phase III (expires 109 months ((9 years)) from the date of mailing of the Planning Board Opinion): 120,000 square feet of commercial development OR 150 dwelling units
 - Phase IV (expires 145 months ((12 years)) from the date of mailing of the Planning Board Opinion): All remaining development
- 25) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for one hundred forty five (145) months from the date of mailing of the Planning Board opinion
- 26) Other necessary easements



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

Agenda Date: March 17, 2008

Agenda Item No. 11

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Rollin Stanley, Planning Director

VIA: Rose Krasnow, Chief
Richard Weaver, Planner Coordinator (301) 495-4544
Development Review Division

Re: Correction of Resolution for Preliminary Plan No. 12003029A, MCPB
No. 07-160, Park Potomac (A.K.A. Fortune Parc)

Attached, please find a redlined version of the Resolution for Preliminary Plan No. 12003029A (Park Potomac). The Resolution was signed by the Chairman at the September 6, 2007, Planning Board Hearing, and was mailed out to all parties of record on October 2, 2007. This Corrected Resolution addresses two errors on page 2 of the original Resolution

The first correction is to clarify that the development of general office use space was approved for up to 570,000 square feet, not 470,000 square feet. This error was in the staff report presented to the Planning Board but was brought to the attention of the Board, by staff, at the June 21, 2007, public hearing on the preliminary plan. The Board acknowledged the typo in the staff report and included the correct square footage in their final action on the preliminary plan. The Resolution failed to make the correction.

The second correction is to address a typographical error in the Resolution. The hotel was actually approved for 156 rooms, not 15 as shown in the Resolution. The staff report correctly identified the 156 room limitation and the Planning Board's final action at the June 21, 2007, hearing was based on 156 rooms. The correction of these mistakes will ensure consistency with the submitted plans and the intended conditions of approval.

cc: Debra Daniel, Associate General Counsel



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APR 30 2008

MCPB No. 07-160
Preliminary Plan No. 12003029A
Park Potomac Amendment
Date of Hearing: June 21, 2007

MONTGOMERY COUNTY PLANNING BOARD

CORRECTED RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on October 19, 2006, Fortune Parc Development, L.L.C., et. al., ("Applicant"), filed an application to revise the previous conditions of approval to a previously approved subdivision located on 54.841 acres of land in the northwest corner of the intersection of Interstate 270 and Montrose Road ("Property" or "Subject Property"), in the Potomac Subregion master plan area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 12003029A, Park Potomac ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated June 11, 2007, setting forth its analysis, and recommendation for approval, of the revised Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on June 21, 2007 the Planning Board held a public hearing on the Application; and

WHEREAS, at the hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

Approved as to
Legal Sufficiency: *DRC 4/30/08*

8787 Georgia Avenue, N.W., Suite 100, Silver Spring, MD 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

MCPB No. 07-160
Preliminary Plan No. 12003029A
Park Potomac Amendment
Page 2

WHEREAS, on June 21, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Bryant seconded by Commissioner Robinson, with a vote of 3-0, Chairman Hanson voting in favor and Commissioners Wellington and Perdue absent.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved an amendment to Preliminary Plan No. 12003029A to revise Condition #1 as described below, for the Subject Property, as follows:

1) Condition #1 from Preliminary Plan No. 120030290 shall be amended as follows:

"The Applicant must limit the proposed development to the following land uses:

- Townhouses up to 150 units.
- High-rise apartment up to 450 units.
- General retail uses up to 145,000 square feet.
- General office uses up to ~~470,000~~ 570,000 square feet.
- Hotel up to ~~45~~ 156 guest rooms.

All other previous conditions of approval as contained in the Planning Board Opinion dated July 25, 2003 remain in full force and effect.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the master plan.*

The proposed revision does not alter the Board's previous finding that the Preliminary Plan substantially conforms to the Master Plan. The plan continues to conform to the land use recommendations of the Potomac Subregion Master Plan

2. *Public facilities will be adequate to support and service the area of the proposed subdivision.*

Based on the review of the Development Review Committee and with the recommendations of approval from all agencies including the Montgomery County Department of Public Works and Transportation (roads and access), the Montgomery County Department of Permitting Services (stormwater and

drainage), the Maryland State Highway Administration (roads and access), Montgomery County Public Schools (school capacity) and the Montgomery County Department of Fire and Rescue Services (emergency service), public facilities are adequate to serve the proposed development.

The Board heard testimony from one citizen that the Planning Board's Local Area Transportation Review (LATR) methodology, which is set forth in the Board's LATR Guidelines and the Annual Growth Policy, is flawed and that the Seven Locks Road intersections at Tuckerman Road and Post Oak Road fail to adequately convey traffic at certain times of the day. Mr. Garson requested that the Board require the Applicant to provide an "auxiliary" northbound lane on Seven Locks Road to alleviate the afternoon traffic flows, and that the Board reconsider its methods to review traffic, suggesting that rush hour now extends throughout the day, not just during the morning and evening rush hours. Mr. Garson also supported an additional Potomac River crossing.

The Planning Board heard other testimony from Mr. Andrew Cavanus, Vice President of the Regency Estates Citizen's Association that the Potomac Master plan recommends keeping Seven Locks Road as a two lane "rural" road, and that widening the road to four lanes should only come as part of a Master Plan revision.

The Planning Board also heard from the Applicant's traffic engineer, who explained that the applicant is required to provide an additional right-turn lane on Seven Locks Road at Tuckerman Road to relieve queuing. This project is permitted and ready for construction. Mr. Guckert also explained that the nearby Montgomery Mall project is required, as part of its approval, to construct a double left-turn lane on westbound Tuckerman at Seven Lock Road. This project is under design and should also relieve congestion.

The Planning Board considered this testimony and found that the traffic improvements required of this Applicant are appropriate under LATR. Further, the traffic improvements required of this Applicant, in concert with those required of other projects will alleviate some of the concerns raised. The contention that the LATR methodology is flawed and the possibility of a second Potomac River crossing are not issues that can be appropriately addressed in an individual subdivision proceeding.

3. *The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

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The configuration of the lots was not changed as part of this plan revision. Lot shape, size, width and orientation remain in compliance with Chapter 50.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

At the initial hearing, the plan was reviewed for compliance with Chapter 22A off the Montgomery County Code and found to be able to comply with all requirements of that Chapter by the Planning Board. The revision required no changes to the forest conservation plan, and continues to comply with Chapter 22A.

5. *The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.*

The Montgomery County Department of Permitting Services reviewed and approved a stormwater management concept for the entire project at the initial review. The concept was not required to be changed as part of this revision and remains valid.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed; and

BE IT FURTHER RESOLVED, that the date of this Resolution is Apr 30 2008 (which is the date that this Resolution is mailed to all parties of record); and

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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

At its regular meeting, held on Thursday, March 27, 2008, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission ADOPTED the above Corrected Resolution, on motion of Vice Chair Robinson, seconded by Commissioner Bryant, with Chairman Hanson, Vice Chair Robinson, and Commission Bryant present and voting in favor, and with Commissioner Cryor absent. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 12003029A, Park Potomac Amendment.



Royce Hanson, Chairman
Montgomery County Planning Board

Montgomery County Planning Board

THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. MCPB No. 23-062
Preliminary Plan Amendment No. 12003029B
Park Potomac
Date of Hearing: June 1, 2023

JUN 15 2023

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on July 25, 2003, the Planning Board, by opinion, approved Preliminary Plan No. 120030290, creating 550 residential units and up to 850,000 square feet of non-residential development on 54.9 acres of land in the I-3 and O-M zones, located in the northwest corner of the intersection of Interstate 270 and Montrose Road ("Subject Property"), in the Potomac Policy Area and 2002 *Potomac Subregion Master Plan* ("Master Plan") area; and

WHEREAS, on April 30, 2008, the Planning Board approved Preliminary Plan Amendment No. 12003029A (MCPB No. 07-160) to maintain a cap of 850,000 square feet of non-residential uses, while increasing retail uses by 115,000 square feet to a maximum of 145,000 square feet. The amendment also added a 156-room hotel to the allowed mix of non-residential uses on the Subject Property; and

WHEREAS, on September 7, 2022, Foulger Pratt Development Inc. ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to consolidate two platted parcels into one lot, modify the applicable trip reduction agreement, install new traffic calming frontage improvements, and modify the Adequate Public Facilities finding on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan Amendment No. 12003029B, Park Potomac ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the

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

Approved as to

Legal Sufficiency: Matthew T. Mills

M-NCPPC Legal Department

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Planning Board, dated May 17, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 12003029B to consolidate two platted parcels into one lot, modify the applicable trip reduction agreement, install new traffic calming frontage improvements, and modify the Adequate Public Facilities finding by modifying Conditions 1 and 8 while adding Conditions 27-43:¹

Existing conditions modified by this Application:

1. This Preliminary Plan is limited to a maximum of 2,326,279 square feet of total development including up to 669,628 square feet of commercial development and up to 1,656,651 square feet of residential development, including a minimum of 12.5% MPDUs.
8. Prior to the issuance of any above-ground building permit for Building A/B, the Applicant must receive approval of an amendment to the 2008 Trip Reduction Agreement (TRA) with MCDOT Commuter Services. Per the 2008 Agreement, the Applicant was required to provide a trip reduction program to reduce AM and PM peak-hour trips by approximately 6%. A 2016 amendment to the TRA provided for the development of a Mobile Commuter Store for bus shelters.

New conditions implemented as part of this Application:

27. The Applicant must comply with binding elements of Planning Board Resolution No. 19-064 approving Sketch Plan No. 320190020, as amended by Planning Board Resolution No. 22-058 approving Sketch Plan 32019002A.
28. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated March 23, 2023, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as

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.

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set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

29. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated May 1, 2023, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
30. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated March 26, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
31. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA"), in its letter dated March 8, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
32. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
33. Before recording of a plat for the Subject Property, the Applicant must enter into a Maintenance and Liability Agreement for the natural surface trails within the Park Potomac property. The Agreement must be recorded in the Land Records.
34. The record plat must show all necessary easements.
35. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Book 28045 Page 578 ("Covenant").
36. The Applicant must make improvements to the Park Potomac Avenue traffic circle to include the widening of the splitter island and extension of curb consistent with Montgomery County Department of Transportation and County Fire & Rescue guidelines as shown on the Certified Preliminary Plan.

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37. The Applicant must make pedestrian safety improvements at the intersection of Cadbury Avenue and Park Potomac Avenue as shown on the Certified Preliminary Plan.
38. Before issuance of any building permit for Building A/B, the Applicant must obtain an assessment from the Montgomery County Department of Permitting Services (MCDPS) for Utilization Premium Payments (UPPs) consistent with the 2020-2024 *Growth and Infrastructure Policy*, as follows:
 - a. no elementary school UPP required;
 - b. no middle school UPP required; and
 - c. a Tier 2 high school UPP per unit.
39. The Applicant must provide Private Road(s) located on Parcel CC, including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:
 - a. The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions in the Montgomery County Code § 50-4.3.E et seq regarding private roads. The Covenant includes, but is not limited to the following requirements/conditions:
 - i. The Applicant, at its expense, shall design, construct and maintain the Private Road.
 - ii. The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Road and all improvements located within the Private Road, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Road). The reserves must be adequate to cover the costs of needed repairs.

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- iii. The Applicant must post and retain signage to notify the public that the Private Road is not publicly maintained and to provide contact information to handle complaints, concerns or questions regarding the Private Road.
 - b. Before issuance of the first building permit for Building A/B, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
40. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.
41. The existing determination of Adequate Public Facilities, set through an original 145-month validity period granted in the Resolution approving Preliminary Plan No. 120030290 mailed on July 25, 2003, and subsequently extended through the County Council's adoption of five two-year automatic extensions, will remain valid until August 25, 2025 unless otherwise extended.
42. The Preliminary Plan must contain the following notes:
- a. *"Unless specifically noted on this plan drawing or in the conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of approval."*
 - b. *"The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or*

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grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Preliminary Plan is required to be on-site at all times."

43. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a. Show resolutions and approval letters on the certified set.
- b. Show intersection improvements at Cadbury Ave and Park Potomac Ave which enhance pedestrian and bicycle safety as approved by Staff.

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

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

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan, as revised by previous amendments, and all findings not specifically addressed remain in effect.

This Preliminary Plan Amendment applies to the entire 54.84 acres of Park Potomac to address modifications to the overall density, APF, and trip reduction agreement; however, the changes to structures and uses are limited to approximately 5.7 acres for the consolidation of two platted parcels to create one (1) lot for a maximum density of up to 352,373 square feet of residential uses. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations.

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

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. The size, width, shape and orientation of the lot is appropriate for the location of the subdivision, taking into account the recommendations of the Master Plan, and for the multi-family building type and use contemplated for the Property.

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The lot was reviewed for compliance with the dimensional requirements for the CRT-1.25 C-0.5, R-0.75, H-100T as specified in the Zoning Ordinance. The lot will meet all the dimensional requirements for area and frontage, and can accommodate the multi-family structure while reasonably meeting the width and setbacks requirements in that zone. A summary of this review is included in Table 1. The Application is approved under the optional method in accordance with Section 4.5.4 of the Zoning Ordinance.

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

The Preliminary Plan substantially conforms to and implements the recommendations of the 2002 *Potomac Subregion Master Plan*. The Preliminary Plan Area is identified in the Master Plan as Fortune Parc which at the time was a collection of undeveloped properties in the R-90 and R-200 zones. The Preliminary Plan Area was recommended for rezoning to the I-3 zone with the recommendation for Transferable Development Rights ("TDRs"), or a possible MXP floating zone if TDRs are not allowed under I-3. The Preliminary Plan Area recommendations emphasize the addition of TDRs and residential uses because the Master Plan seeks to avoid creating a "sterile environment of a single-use office park." Specific recommendations further include creating a mixed-use center with employment, housing and retail opportunities, providing a shuttle or other transit connection to Metro, and ensuring the final combination of uses and densities within the Preliminary Plan Area do not exceed the vehicle trip generation rates equal to an all-office project build with an FAR of 0.5, which this Preliminary Plan Area meets.

Land use and design guidelines for the Preliminary Plan Area include preserving the forest on the southwestern portion of the Property, creating a "main street" through the site that connects to Montrose Road, providing an additional connection to Seven Locks Road, providing a residential neighborhood with a variety of housing types and community facilities, and locating the office uses east of the "main street" with a height limit of eight stories, the buildings orientated toward the street, and parking adjacent to the highway. The Preliminary Plan Area is mostly developed (one undeveloped parcel remains) and has met these recommendations and guidelines found in the Master Plan during the implementation of previous approvals. The Preliminary Plan Area was developed under the I-3 zone and has utilized 101 TDRs as part of the previous residential development. The identified road connections and main streets have been built and a mix of office and multi-family residential buildings with ground floor retail line the main street. A wide variety of residential uses have been built with adequate amenity spaces, and the Applicant has provided shuttle service to the Metro system.

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The Preliminary Plan has been reviewed under the CRT zone because the prior Sketch Plan brought the entire Preliminary Plan Area under the umbrella of the current Zoning Ordinance in effect on October 30, 2014. The application of CRT zoning was placed on the Preliminary Plan Area as part of the county-wide rezoning in 2014. Consistent with approved Sketch Plan No. 320190020, the Applicant will also modify the allowed uses on Parcel PP of the Preliminary Plan Area to allow for a multi-family residential use instead of the office use approved by existing Preliminary Plan. The previous preliminary plan approvals under the I-3 zone capped the development densities to those recommended by the Master Plan.

On page 52, the Master Plan recommends that density will not exceed 800,000 square feet of office, street retail and hotel, 300 apartments, and 150 single family homes. The final combination of densities must not exceed trip generation rates equal to an office project at 0.5 FAR. The Applicant is requesting through the Preliminary Plan the ability to add a 352,373 sq. ft. multi-family residential building with 307 residential units above the Master Plan recommendation. The Applicant's Statement of Justification (SOJ) states that under the previous I-3 zone, density was typically measured as number of dwelling units, whereas the new CRT zone measures density as a function of FAR. In 2014, the Preliminary Plan Area was given CRT 1.25; C-0.5, R-0.75, H-100T as part of a special analysis to be consistent with the mixed-use vision of the Master Plan, since the standard conversion of I-3 into the new Zoning Ordinance would have been an EOF zone. The R 0.75 allows for almost 1.8 million sq. ft. of residential uses, which is more than the approximately 1.3 million sq. ft. currently built. The original approvals for Park Potomac envisioned all of the multi-family as large condominium units that average 2,244 square feet in size, however 290 of the units were built as rental apartments averaging only 1,290 square feet each. This results in 281,522 square feet of approved but 'unused' residential density, therefore the residential building on Parcel PP is only 70,851 sq. ft. of an expansion from the original preliminary plan approvals and compiles with the approved Sketch Plan No. 320190020. Finally, at the time of Sketch Plan, the Applicant's traffic consultant looked at the existing development's trip generation, including four different scenarios for full build-out that included adding additional residential density, demonstrating that the Sketch Plan would generate equal or fewer trips than currently approved (and deemed Master Plan compliant), creating less trips than an office project developed at 0.5 FAR. The traffic study submitted as part of the Preliminary Plan application follows one of these development scenarios.

The Planning Board agreed at the time of Sketch Plan approval that the transition from the I-3 zone to the CRT zone did increase the zoned density above the currently built residential density and acknowledges that the residential FAR is less than what was originally approved. The additional residential dwelling units help address the Master Plan priority in creating a vibrant mixed-use

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development for the Preliminary Plan area, and the final mix of uses was given an ultimate trip cap. The Preliminary Plan proposal of converting two unbuilt office buildings into one additional residential building and retaining two additional non-residential buildings does stay within the trip cap and continues to provide an employment emphasis. The Preliminary Plan also meets all other property, land use, and design guidelines found in the Master Plan as well as the approved Sketch Plan Nos. 320190020 and 32019002A. Therefore, the Preliminary Plan substantially conforms to and implements the recommendations of the Master Plan.

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

Roads and Transportation Facilities

Park Potomac Avenue is an arterial street with a dedicated right-of-way width of 70 feet with two travel lanes. No additional right-of-way dedication is necessary. The Master Plan does not specifically identify Park Potomac Avenue or provide it with any designation, but it functions as a secondary street. Per Code Section 49-32 (d)(4) a secondary residential street must have a minimum 60-foot right-of-way.

The area along Parcel PP consists of approximately 420 feet of frontage along Park Potomac Avenue, 218 feet along the south private drive, and 485 feet along the west private drive. The 2018 *Bicycle Master Plan* does not envision any bicycle facility recommendations for Park Potomac Avenue. Consistent with the 2021 *Complete Streets Design Guidelines* ("CSDG"), the Applicant will construct six-foot-wide sidewalks on all four sides of the Site Plan Area, including the Park Potomac Avenue frontage and the private drive that circumvents the building. Pedestrian connections will also be improved with the existing sidewalk that extends past the roundabout and Montrose Road overpass.

The Applicant will also make changes at the Park Potomac Avenue roundabout, and the Cadbury and Park Potomac Avenues intersection. As an additional pedestrian safety measure, the Applicant will improve the roundabout by widening the existing splitter island as well as tightening the curb radii. Extended mountable curbs and curb islands, designed to decrease vehicular speeds and vehicle turning movements, will be constructed at the Cadbury and Park Potomac intersection. The planned upgrades reflect the need to avoid conflict with the existing stormwater infrastructure and its operation. These improvements are consistent with MCDOT and County Fire and Rescue design standards regarding fire department vehicle access, adequate curb radii, and lane widths.

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Local Area Transportation Review (LATR)

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

No additional APF period will be granted as part of the Application, nor has the Applicant requested any. The 12 years of APF validity granted with Preliminary Plan 120030290, in addition to the automatic 2-year extensions for all applications with valid APF granted by the Montgomery County Council to account for unforeseen conditions within the region, should allow sufficient time for recordation and construction.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the lots. The Site Plan Area is in the W-1 and S-1 water and sewer service categories, respectively, and will utilize public water and sewer.

The Application was reviewed by the MCDPS, Fire Department Access and Water Supply Section, and a Fire Access Plan was approved on March 26, 2023. The Fire Department Access Plan indicates that fire access will be provided utilizing the public and private street infrastructure around Parcel PP in order to access the perimeter of the building from all four sides. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services, are currently operating within the standards set by the 2020-2024 *Growth and Instructure Policy* ("GIP") in effect at the time that the Application was accepted.

SCHOOL FACILITIES TEST

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

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Table 1 - Applicable School Adequacy

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

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school's adequacy status and ceilings, as determined in the Annual School Test. Under the FY23 Annual School Test, Ritchie Park Elementary School and Julius West Middle School do not require any UPP as identified in (Table 1). However, Richard Montgomery High School requires a Tier 2 UPP. If the Application is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the Application, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of 307 multi-family high-rise units that are not age-restricted, the Application is estimated to generate the following number of students based on the Site Plan Area's location within a Turnover Impact Area:

Table 2 - Estimated Student Enrollment Impacts

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.185	0.000	0.108	0.000	0.154	0.000
SF Attached	0	0.225	0.000	0.123	0.000	0.159	0.000
MF Low-rise	0	0.107	0.000	0.058	0.000	0.070	0.000
MF High-rise	307	0.051	15.657	0.024	7.368	0.030	9.210
TOTALS	307	.	15	.	7	.	9

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

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

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

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

The Preliminary Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on May 1, 2023. The Application will meet stormwater management goals through Environmental Site Design (ESD) utilizing micro-bioretenment, modular wetlands, and a green roof. Any volume not able to be treated in ESD measures will receive treatment in two existing surface sand filters.

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

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

6. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.

There are no other applicable provisions specific to the Preliminary Plan Area that are necessary for approval of this Application.

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

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

* * * * *

CERTIFICATION

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



Jeffrey Zyontz, Chair
Montgomery County Planning Board



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher Conklin
Director

November 6, 2025

Mr. Adam Bossi, Planner II
West County Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive
Wheaton, MD 20902

RE: Preliminary Plan No. 12003029C
Park Potomac

Dear Mr. Bossi:

We have completed our review of the amended preliminary plan uploaded to eplans on October 24, 2025. We recommend approval of the plans, subject to the following comments:

Significant Plan Review Comments

The following conditions were included in the MCDOT review letter dated March 23, 2023, for Preliminary Plan No. 12003029B:

1. Old Condition: *Prior to the permit stage, non-standard items such as reserved parking signs, pavement markings, dog waste disposal stations, etc., must be removed from the Park Potomac Avenue right-of-way.*

New Condition: All non-standard items that MCDOT does not allow in their right-of-way, including but not limited to reserved parking signs, pavement markings, dog waste disposal stations, etc., must be removed from the Park Potomac Avenue right-of-way. These items must be removed prior to MCDOT acceptance of the road for public maintenance.

2. Old Condition: *Prior to the issuance of any permit, the applicant shall coordinate with Ms. Linda Kobylski, Division Chief of MCDPS-Land Development, to bring the bonds up to current status for all public right-of-way construction. Any permits for rights-of-way or 240-777-6346 that are needed must be approved by DPS. Ms. Kobylski can be contacted at Linda.Kobylski@montgomerycountymd.gov or 240-777-6346.*

New Condition: The constructed portion of Park Potomac Avenue and a portion of Cadbury Avenue have not been accepted by MCDOT for maintenance. The applicant is currently working with DPS to bring the roads up to county standards. The applicant currently has four open right-of-way permits, which expire within six (6) months. The two roads must be brought up to MCDOT standards prior to the expiration of the permits (around May 31, 2026).

Office of the Director

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

Located one block west of the Rockville Metro Station

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3. Old Condition: *Trip Reduction Agreement:*

Prior to the permit stage, the Applicant must contact MCDOT Commuter Services to finalize an Amendment to the Trip Reduction Agreement executed in 2008. The 2008 TMAg required the Applicant to provide a trip reduction program to reduce peak-hour trips by six percent to and from the Project. An Amendment to Trip Reduction Agreement (related to Site Plan Amendment 82004015A and 82004015B) was drafted in 2016 to substitute Applicant support for a mobile commuter store for bus shelters and other TDM provisions. Because the site plan amendment application to be filed will not go to DRC, CSS recommends that the 2016 draft Amendment be jointly reviewed by the Applicant, MCDOT, and MNCPPC to determine revisions needed per the approved sketch plan scenario.

New Condition: The 2008 TMAg required the Applicant to provide a trip reduction program to reduce peak-hour trips by six percent to and from the Project. An Amendment to Trip Reduction Agreement (related to Site Plan Amendment 82004015A and 82004015B) was drafted in 2016 to substitute Applicant support for a mobile commuter store for bus shelters and other TDM provisions. Because the site plan amendment application to be filed did not go to DRC, CSS recommends that the 2016 draft Amendment be jointly reviewed by the Applicant, MCDOT and MNCPPC to determine revisions needed per that approved sketch plan.

Within 30 days of receipt of the Resolution for this amendment, unless MCDOT approves an alternative timeframe, the Applicant must contact MCDOT Commuter Services to finalize an amendment to the Trip Reduction Agreement executed in 2008. Prior to MCDOT's acceptance of Park Potomac Avenue and a portion of Cadbury Avenue, as described above in Condition 2, the agreement must be finalized by the Applicant and agreed to by MCDOT. Contact Samuel Damesa at 240-459-9077 or Samuel.damesa@montgomerycountymd.gov and include William Whelan (William.whelan@montgomerycountymd.gov) on all correspondence.

4. All previous conditions outlined in the MCDOT letter dated March 23, 2023, remain in effect and will be reviewed with any future preliminary plan amendments. The applicant must provide supporting documentation if any of these conditions are proposed to be revised or removed.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at william.whelan@montgomerycountymd.gov or (240) 507-8504.

Sincerely,

William Whelan

William Whelan
Development Review Team
Office of Transportation Policy

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cc: Sharepoint/Correspondence folder/Preliminary Plans

cc-e:	Joshua Sloan	VIKA
	Stephanie Dickel	MNCP&PC
	Mark Terry	MCDOT DTEO
	Kutty Menon	MCDOT DTEO
	Sande Brecher	MCDOT CSS
	Sam Damesa	MCDOT CSS
	Linda Kobylski	MCDPS DLD
	Sam Farhadi	MCDPS RWPR