

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

January 16, 2026

MCPB No. 25-133
Preliminary Plan Amendment No. 12003029C
Park Potomac
Date of Hearing: December 11, 2025

RESOLUTION

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

WHEREAS, the Planning Board, by opinion dated July 25, 2003, approved Preliminary Plan No. 120030290, creating 600 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, the Planning Board, by resolution dated April 30, 2008, 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, the Planning Board, by resolution dated June 15, 2023, approved Preliminary Plan Amendment No. 12003029B (MCPB No. 23-062) 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 and adding Conditions 27-43; and

WHEREAS, on August 19, 2025, Fortune Parc Development Partners, LLC (“Applicant”) filed an application for approval of an amendment to the previously approved preliminary plan(s) for a 12-year extension of the Adequate Public Facilities (“APF”) validity period; and

WHEREAS, Applicant’s application to amend the preliminary plan was designated Preliminary Plan Amendment No. 12003029C, Park Potomac (“Preliminary Plan,” “Amendment,” or “Application”); and

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Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

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 December 1, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on December 11, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Pedoeem, seconded by Vice Chair Linden, with a vote of 5-0; Chair Harris, Vice Chair Linden, and Commissioners Bartley, Hedrick and Pedoeem voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 12003029C for a 12-year extension of the Adequate Public Facilities validity period by modifying and restating in their entirety Condition Nos 28 and 41, and deleting Condition No. 38 as follows:¹

28. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letters dated March 23, 2023 and November 6, 2025, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letters, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

38. [DELETED]

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, was valid until August 25, 2025, and is extended for an additional 12 years, until August 25, 2037. Remaining development shall be phased, with:

- Building permits for 352,373 square feet of development (Building A/B) must be issued before August 25, 2031.
- Building permits for 280,500 square feet of development (Buildings C and F) must be issued before August 25, 2037.

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

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.

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.

Section 50-4.3.7.a and Section 50-4.3.7.e of the Subdivision Regulations apply to this Preliminary Plan Amendment as follows:

7. *Extensions.*

a) Application. Only the Board may extend the validity period for a determination of adequate public facilities; however, a request to amend any validity period phasing schedule may be approved by the Director if the length of the total validity period is not extended.

i. The applicant must file an application for extension of an adequate public facilities determination or amendment of a phasing schedule before the applicable validity period or validity period phase expires.

The Application meets this requirement. The Application requesting the Planning Board to extend the APF validity period was filed on August 19, 2025, which was before the August 25, 2025 expiration of the validity period.

ii. The applicant must submit a new development schedule or phasing plan for completion of the project for approval.

There are three future buildings (Buildings A/B, C, and F) to be constructed at Park Potomac, totaling 632,873 square feet of future development, for which the following phasing plan applies:

- Building permits for 352,373 square feet of development (Building A/B) must be issued before August 25, 2031.
- Building permits for 280,500 square feet of development (Buildings C and F) must be issued before August 25, 2037.

iii. For each extension of an adequate public facilities determination:

a) the applicant must not propose any additional development above the amount approved in the original determination;

No additional development above the amount approved in the original determination is proposed.

- b) the Board must not require any additional public improvements or other conditions beyond those required for the original preliminary plan;***

No additional p certified public improvements or new conditions of approval are required.

- c) the Board may require the applicant to submit a traffic study to demonstrate how the extension would not be adverse to the public interest;***

Infrastructure improvements associated with this development have been constructed, are serving the public interest, and are appropriately designed to also serve the unbuilt portions of Park Potomac. This Application does not change the previously approved trip cap and associated traffic analysis. As such, additional transportation analysis is not required.

- d) an application may be made to extend an adequate public facilities period for a lot within a subdivision covered by a previous adequate public facilities determination if the applicant provides sufficient evidence for the Board to determine the amount of previously approved development attributed to the lot; and***

This extension of the APF validity period applies to the entirety of the Park Potomac Preliminary Plan area and not an individual lot therein.

- e) if the remaining unbuilt units would generate more than 10 students at any school serving the development, the Board must make a new adequate public facilities determination for school adequacy for the remaining unbuilt units under the school test in effect at the time of Board review.***

Within the Park Potomac, there are 307 multifamily residential units unbuilt (Building A/B) associated with Site Plan No. 820230030, and the prior Preliminary Plan Amendment No. 12003029B. Additionally, the trip cap associated with the Preliminary Plan allows for the potential conversion of up to 130,000 square feet of commercial density to residential density with the future development of Building F.

The 307 unbuilt multifamily residential units approved with Site Plan 820230030 will generate more than 10 students at the elementary and high school levels; therefore, the Planning Board must make a new determination for school adequacy. Any additional future residential units beyond these 307 will be reviewed under the school test in effect at that time.

School Adequacy Analysis

The Property is located within the Potomac Policy Area, which is categorized as a Turnover Impact Area by the 2024-2028 *Growth and Infrastructure Policy*. The Subject Application was reviewed by the Planning Board on December 11, 2025, and, therefore, the results of the FY2026 Annual School Test, approved by the Planning Board on June 26, 2025, and effective since July 1, 2025, are applicable.

The Property is served by Ritchie Park Elementary School, Julius West Middle School, and Richard Montgomery High School. The enrollment and capacity projections of these schools are reflected in the FY2026 Annual School Test, which evaluates for the 2029-2030 school year, and the default Utilization Premium Payment (UPP) tier placements are shown in the following table.

	Program Capacity	Enrollment	Utilization Rate	Seat Surplus or Deficit	UPP Tier Placement
Ritchie Park ES	411	327	79.6%	+84	No UPP
Julius West MS	1,432	1,459	101.9%	-27	No UPP
Richard Montgomery HS ²	2,236	2,082	93.1%	+154	No UPP

² Projected enrollment is modified to estimate the impact of Crown HS (CIP P651909), reflecting the scope of the boundary study approved by the Board of Education on March 19, 2024. Due to the delay of the Damascus HS Major Capital Project (CIP P652102), some of the boundary changes can be implemented in phases.

Based on the FY2026 Annual School Test results above, the relevant schools are not placed in a UPP Tier. However, if the project’s enrollment impact estimate exceeds an adequacy ceiling of a school, as shown in the table below, a payment will be required.

	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Ritchie Park ES	158	176	228
Julius West MS	93	260	475
Richard Montgomery HS	314	602	937

The table below shows the Project’s enrollment impact estimate calculation based on the School Impact Area classification and net residential units proposed, using the FY2026-2027 Student Generation Rates.

Type of Unit	Net Number of Units	Turnover ES Student Generation Rate	ES Student Estimate	Turnover MS Student Generation Rate	MS Student Estimate	Turnover HS Student Generation Rate	HS Student Estimate
MF High-rise	307	x 0.059	= 18.113	x 0.026	= 7.982	x 0.040	= 12.280
TOTAL (rounded down)			18		7		12

The enrollment impact estimate during an average year throughout the life of this Project is estimated to be 18 elementary school students, 7 middle school students, and 12 high school students. This does not exceed the adequacy ceilings. Therefore, a UPP is not required.

In approving Preliminary Plan Amendment No. 12003029B in 2023, the school test at that time required a Tier 2 high school UPP per unit, as reflected in Condition No. 38, for the same 307 units subject of this current school test. The results of the FY2026 Annual School Test supersede the prior results, and no UPPs are required. Condition No. 38 is no longer necessary and is deleted with this Amendment.

7.e. Applications with significant infrastructure investment. The Board may extend an initial determination of adequate public facilities once for up to 12 more years beyond the otherwise applicable validity period if the Board finds that:

- i. The preliminary plan or APF approval for the development required a significant commitment of funds by the applicant, amounting to at least \$3 million, as adjusted annually from February 2017 by the consumer price index, to comply with specified infrastructure conditions;***

As adjusted by the consumer price index, \$3 million in February 2017 equates to \$3,989,803.08 in August 2025³, the month this Application was submitted.

The Preliminary Plan and the associated APF approval for the Park Potomac development required the Applicant to make a significant commitment of funds to comply with specified infrastructure conditions. As shown in the Table below, the Applicant completed 10 conditions of approval specific to the provision of infrastructure, with a total investment of over \$8 million, which is more than double the minimum \$3,989,803.08 investment required to meet this criterion.

Condition No.	Requirement Summary	Investment (dollars)	Year Funded
2	Satisfy LATR requirements (improvements to Seven Locks Road & Tower Oaks Boulevard)	\$2,680,699	2011
3	Create safe & efficient Property access from Seven Locks Road	\$1,516,309	2004
4	Fortune Terrace upgrades & coordination with Rockville for 3rd site access point	\$551,117	2010
5	Traffic signal study & installation at Seven Locks Road	included w/condition 3	2004
6	Feasibility study for shuttle or bus service to the nearest Metrorail Station	\$579,005	2016

³ The calculation utilizes the U.S. Bureau of Labor Statistics Consumer Price Index Inflation Calculator www.bls.gov/data/inflation_calculator.htm

Condition No.	Requirement Summary	Investment (dollars)	Year Funded
7	Construct two "main streets" within the development (Park Potomac Avenue & Cadbury Avenue)	\$1,112,475	2015
8	Satisfy trip mitigation guidelines (includes cost of shuttle operation 2016-2025)	\$938,038	2016-2025
11	Construct all roads to conform with applicable master plan guidance & road design standards	included w/condition 7	2015
16	Construct a public use trail to Cabin John Park	\$70,841	2004
17	Stormwater management	\$677,210	2009
Total:		\$8,125,694	

ii. The applicant has met or exceeded the required infrastructure conditions during the original validity period; and

As demonstrated in the previous finding, the Applicant delivered the required infrastructure improvements as required by Preliminary Plan conditions of approval during the original validity period. These improvements benefit the Park Potomac community and surrounding area by enhancing vehicular and pedestrian circulation, safety, and connectivity on and around the Property, and improving stormwater management.

iii. The applicant's satisfaction of the required infrastructure conditions provides a significant and necessary public benefit to the County by implementing infrastructure goals of an applicable master plan.

Park Potomac was formerly known as Fortune Parc. The 2002 *Potomac Subregion Master Plan* (pages 49-53) specifically envisioned this Property to be developed with "mixed uses and a compact pedestrian-friendly development pattern, interspersed with open spaces". As discussed in Finding 7.e.i, the Master Plan's infrastructure goals for the Property were made requirements of development through conditions of approval, that have since been fulfilled. Those conditions of approval primarily

focused on the provision of new public streets and other transportation improvements, as shown in the Table above. In addition to transportation items, the Master Plan recommended the development include certain forest conservation areas, and other improvements to serve the envisioned development, the surrounding environment, and the public at large.

The Planning Department’s 2024 *Master Plan Reality Check: 2002 Potomac Subregion Master Plan* concluded that recommendations of the Master Plan for Park Potomac had been met by the development completed (as of 2023), as summarized in the following table⁴.

Plan Projection		Reality	
Theme	Plan Recommendation	2023 Status	Met?
Parks and Open Space	Preserve mature upland forest on the southwest portion of the site, and to the maximum extent possible, the steep slopes along Seven Locks Road	There are Category 1 conservation easements on six acres on the southwest portion of the site and on the steep slopes along Seven Locks Road	Yes
Built Environment	Create a public “main street” through the site that connected to existing office development on Montrose Road and with commercial development at Fortune Terrace. This axial street should contain buildings with ground-floor retail uses where appropriate, including restaurants and sidewalk cafes that animate the street.	There is a main street built with a mix of office and multi-family residential buildings with ground-floor retail linking the main street.	Yes
	Provide a public street to connect the main street to Seven Locks Road.	There is a second public street that connects Seven Locks Road to the main street, providing a second point of access to the site.	Yes

⁴ This table is a reproduction of Table 18: Park Potomac Land Use and Design Guidelines, page 51 of the 2024 *Master Plan Reality Check: 2002 Potomac Subregion Master Plan*

	Plan Projection	Reality	Met?
	Locate a residential neighborhood with a variety of housing types and adequate community and recreation facilities on the site's west side.	A wide variety of residential uses have been built with adequate amenity spaces.	Yes
	Locate offices on the site's east side, between the main street and I-270, with buildings defining the street and structured parking to the rear. Buildings should be limited to eight stories unless the Planning Board finds during development review that additional height would be compatible with surrounding development. Buildings should include ground-floor retail where appropriate.	Two office buildings and their related parking structures are located east of the main street, benefiting from high visibility on I-270. The office structures protect the residential neighborhood from noise generated by I-270.	Yes
Transportation	A shuttle service or other transit connection should be provided to Metro when development supports the service, as determined at the time of development plan approvals. Additional trip mitigation measures, such as the provision of a park and ride facility, or financial contribution to such a facility, should be considered at the site plan.	There is a shuttle service provided to the Metro system. The location is also served by the Ride-On bus.	Yes
Sewer	Include the property in the Washington Suburban Sanitary District (WSSC).	The property has been included in the Washington Suburban Sanitary District.	Yes

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

January 16, 2026

(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 consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

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 Hedrick, seconded by Commissioner Pedoeem, with a vote of 4-0; Chair Harris and Commissioners Bartley, Hedrick, and Pedoeem, voting in favor of the motion, Vice Chair Linden was necessarily absent, at its regular meeting held on Thursday, January 15, 2026, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board