



January 8, 2025

Andrew McGeorge  
Managing Director, Hines  
555 13<sup>th</sup> St NW – Suite 400 W  
Washington, DC  
20004

Re: Twinbrook Commons Preliminary Forest Conservation Plan, FTP2021-00033

Dear Mr. McGeorge:

The Preliminary Forest Conservation Plan (PFCP) received on November 23, 2021 for “Twinbrook Commons” under [FTP2021-00033](#) has been approved by the Community Planning and Development Services Department. This approval replaces the previous PFCP approval letter issued on July 13, 2022.

The PFCP approval is granted based on the following conditions:

- The Mayor & Council approves Project Plan (PJT2022-00014).
- Tree locations, species, and quantities are subject to change in the FFCP review process.
- Proposed street tree species are subject to change in the FFCP process, pending City Forester review.
- Before FFCP approval, justification for fee-in-lieu must be resubmitted with updated figures. Please format the justification narrative directly following the criteria in Chapter 10.5-24.a of the City Code.
- The applicant completes the required items listed under the “Final Forest Conservation Plan” section in this letter.
- The applicant completes the required items listed under the “Forestry Permit” section in this letter.

Under Section 10.5-13( c )( 4) of the Forest and Tree Preservation Ordinance (FTPO), the approved PFCP "shall remain in effect, and shall serve as the basis for the Final Forest Conservation Plan(s) with respect to forest and tree retention for the duration of the validity period of the underlying approval, unless the City Forester determines that site conditions have changed to the point where the preliminary approval is no longer accurate."

#### FOREST AND TREE PRESERVATION ORDINANCE (FTPO) REQUIREMENTS

The proposed development within the City requires compliance with the City of Rockville's FTPO.

CPDS approved a Natural Resources Inventory/Forest Stand Delineation plan on July 26, 2021.

#### FOREST CONSERVATION

The forest conservation requirement for this project is based on the following:

- Tract area: 3.12 acres
- Site zoning: PD-TC
- Existing forest: 0.00 acres
- Afforestation required: 0.47 acres
- Reforestation required: 0.00 acres

#### MINIMUM TREE COVER

The minimum tree cover requirement for this project is 10%.

#### SIGNIFICANT TREES/SPECIMEN TREES

Significant trees are defined as trees located outside of a forest and being 12" DBH (diameter at breast height) and trees located within a forest and being 24" DBH and greater. Specimen trees are defined as trees with a diameter equal to or greater than 30" DBH or trees that are 75% of the diameter of the state champion tree of that species. Removal of specimen trees requires written justification approved by the City Forester in accordance with Section 10.5-2(c) of the FTPO. There are 37 significant trees on the site, not including street trees.

##### **Significant Trees**

The project proposes to remove 79 significant trees from the site, 4 of which are specimen trees to facilitate the redevelopment of the site consistent with proposed project plan [PJT2022-00014](#). The applicant is proposing to meet the significant tree replacement through a fee-in-lieu payment consistent with Section 10.5-24. The applicant has submitted justification consistent with criteria outlined in Section 10.5-24.

#### STREET TREES

The project has frontage on Chapman and Thompson Avenue, which are both City of Rockville right-of-way (within City limits). The project involves subdivision which requires compliance with Section 25.21.21 of the zoning ordinance regarding the planting of street trees. Street trees shall be shown on both the Final FCP and the landscape and lighting plan. The project is proposing to remove 5 existing street trees with City right-of-way. The project proposes to plant 9 street trees along Chapman Avenue. The project is proposing to plant 4 street trees along Thompson Avenue, and 1 additional street tree on the adjacent private development, subject to Planning Commission approval per Section 25.21.21.

Staff has reviewed the request to plant 1 street adjacent to the Thompson Avenue right-of-way and supports the request.

#### CONDITIONS OF APPROVAL FOR FINAL FOREST CONSERVATION PLANS

A Final Forest Conservation Plan (FFCP) must be reviewed and approved by the City with signature site plan submission and prior to release of any Building, Forestry and DPW permit associated with site plan submission. The FFCP shall be generally consistent with the PFCP and approval letter and provide tree plantings consistent with outlined requirements.

The FFCP and site plan must comply with FTPO and Zoning Ordinance. In addition to compliance with applicable codes, the following specific directives must be followed:

1. Ensure tree plantings meet minimum spacing requirements (unless otherwise modified by designated staff), which include:
  - a. Shade trees spaced 20 feet apart, large, or small evergreens and ornamental trees spaced 15 feet apart. Shade trees 15 feet from ornamental trees. Spacing between evergreens and shade trees is 15 or 20 feet, as determined by the City since distance is dependent on growth habit of the species.
  - b. 10 feet from wet and dry utilities, except when they are under streets.
  - c. 15 feet from streetlights and driveways (DPW provide requirements for sight distances and stop signs).
  - d. 10 feet from inlets.
  - e. Shade trees and large evergreens shall be spaced a minimum of 7 feet, and ornamental trees and small evergreens to be spaced a minimum of 5 feet from micro bioretention underdrain pipes (6" diameter and smaller)
  - f. Street trees can be planted over stormwater conveyance pipes when pipes have a minimum of 4 feet of cover and are immediately behind the curb.
  - g. Trees planted to meet FTPO or other forestry requirements on the site may not be located within existing or proposed easements (excluding forest conservation easements).
2. The Applicant must submit a Final Forest Conservation Plan (FFCP) which meets the minimum requirements approved with the PFCP plan for the proposed site plan.
3. Use current city tree tables and FTPO notes and details.
4. Ensure the plan does not contain overwrites and is prepared per the general structure requirements for FFCP's.
5. Soil augmentation per the city's Forest and Tree Preservation Ordinance Notes will be required prior to installation of new trees within existing green space or where pavement was previously located.
6. Graphically delineate the areas where soil removal and replacement are required prior to installation of all new trees.
7. At the time of site plan submission, the Applicant must submit a landscape plan for that subject property consistent with all City ordinances.

#### FORESTRY PERMIT

The applicant is required to obtain a Forestry permit prior to forestry sign off on any sediment control permit and building permit associated with the site plan. The following items are required before issuance of the Forestry permit:

- Submission of the FTP permit application and fee.
- Approval of a Final Forest Conservation Plan which is consistent with the PFCP and addresses the items listed in this letter under "Conditions of Approval for Final Forest Conservation Plan."
- Applicant must execute a Forest and Tree Conservation Easement and Declaration of Covenants
- Applicant must execute a Five-year Warranty and Maintenance Agreement in a form suitable to the City.
- Applicant must post a bond or letter of credit approved by the City.

- Applicant must pay applicable amount of approved fee-in-lieu.
- Applicant must obtain Roadside Tree Permits for any work in public ROW.

The PFCP approval does not infer or supersede other required project approvals and is contingent upon meeting all other city requirements including, but not limited to stormwater management, erosion and sediment control, water and sewer, traffic and transportation, and zoning and building codes.

Any significant modification to the approved PFCP must be consistent with Site Plan approval.

Sincerely,

Shaun Ryan  
Development Review Supervisor  
City of Rockville, Maryland

Cc:

Anthony Mazza, Principal Planner – Forest Conservation