



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

MCPB
Item #
1/14/10



MEMORANDUM

DATE: January 4, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Subdivision Supervisor *CC*
Development Review Division

FROM: ^{*NB*} Neil Braunstein (301-495-4532)
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: One lot for 72,121 square feet of office use, 12,238 square feet of day care use, and 1,718 square feet of retail use

PROJECT NAME: Sandy Spring, Parcel B

CASE #: 120090230

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: O-M, Sandy Spring/Ashton Rural Village Overlay

LOCATION: Located in the southwest quadrant of the intersection of Olney Sandy Spring Road (MD 108) and Meeting House Road

MASTER PLAN: Sandy Spring/Ashton

APPLICANT: Nichols Development, LLC

ENGINEER: Macris, Hendricks & Glascock

ATTORNEY: Holland & Knight

FILING DATE: May 13, 2009

HEARING DATE: January 14, 2010

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one lot for 72,121 square feet of office use, 12,238 square feet of child day care use for a maximum of 196 children, and 1,718 square feet of retail use.
- 2) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
- 3) The applicant must comply with the conditions of approval for the preliminary forest conservation plan approved by the Planning Board on November 13, 2008. The applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
- 4) The Applicant must dedicate and the record plat must show dedication of 5,522 square feet of land for right-of-way for Olney-Sandy Spring Road (MD 108), for a width of 40 feet from the centerline, as shown on the preliminary plan.
- 5) The Record plat must show an easement for future dedication of 30 feet of right-of-way, as measured from the centerline, along the property frontage for Meeting House Road. The terms of this easement must be recorded by the applicant in a separate document, and the liber and folio of the document must be referenced on the plat. The terms must be submitted to MNCPPC staff for review and approval prior to recordation of the plat. The terms will specify requirements for right-of-way dedication in the event that the historic structure located in the southwest quadrant of the intersection of Olney-Sandy Spring Road (MD 108) and Meeting House Road is removed from the property.
- 6) Prior to the release of any building permits for the proposed development, the applicant must construct or participate on a pro-rata basis in providing, with approval from Maryland State Highway Administration (MDSHA), required capacity improvements at the MD 108 intersection with New Hampshire Avenue (MD 650), as noted in the MDSHA letter dated October 20, 2008. If any of the road improvements identified in this condition either are now, or become, obligations of other developments (such as, Ashton Meeting Place – approved Preliminary Plan No. 120080070, Chevy Chase Bank at Ashton – approved Preliminary Plan No. 120070580, and Derrick’s Addition to Ashton – pending Preliminary Plan No. 120070330), applicants of these developments may participate on a pro-rata basis in the joint funding of such improvements. Basis of participation on a pro-rata share is the sum of total peak-hour trips generated by the subject development relevant to the particular improvement over the sum of total peak-hour trips generated by all developments required by the Planning Board to participate in the construction of the particular improvement. The improvements must be consistent with currently unfunded improvements or future MDSHA design for the above intersection and its approaches under design Contract No. MO3175187, and must include:
 - a. Widening of the west leg of MD 108 to provide separate eastbound left, through, and right turn lanes, including a center left-turn lane along MD 108 between MD 650 and Porter Road.
 - b. Widening of the east leg of MD 108 to provide separate westbound left, through, and right turn lanes.

- c. Lengthening of the northbound MD 650 left and right turn lanes.
 - d. Construction of a five-foot-wide sidewalk along the south side of MD 108 (between MD 650 and 150 feet west of Porter Road) and along the east side of MD 650 (along the Ashton Meeting Place and Derrick's Addition to Ashton site frontages).
 - e. Construction of an eight-foot-wide shared-use path along the north side of MD 108 (along Derrick's Addition to Ashton site frontage to just west of Ashton Club Way) and along the west side of MD 650 between MD 108 and Crystal Spring Drive.
- 7) At the time of filing of site plan, the Applicant must submit for staff review:
 - a. An access management plan/stripping plan and a sidewalk detail plan for MD 108 (between Meeting House Road and Norwood Road) and for Meeting House Road (between site driveway and MD 108)
 - b. An on-site vehicle/pedestrian circulation plan considering existing and proposed uses on the property and the adjacent townhouse community.
 - 8) Prior to recordation of the plat, the existing Adequate Public Facilities (APF) agreement for the property, dated January 12, 1990, must be terminated and all parties released from their rights and obligations thereunder.
 - 9) The applicant must comply with the conditions of the MCDPS stormwater management approval dated October 29, 2008. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
 - 10) The applicant must comply with the conditions of the MDSHA letter dated October 20, 2008. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
 - 11) The applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated October 8, 2009. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
 - 12) The applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s) and by MDSHA prior to issuance of access permits.
 - 13) No clearing, grading or recording of plats prior to certified site plan approval.
 - 14) The record plat must show necessary easements.
 - 15) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

SITE DESCRIPTION

The subject property, shown below and in Attachment A, consists of one platted lot, one platted parcel, and one unplatted parcel, the combined area of which is 4.84 acres. The property is located in the O-M and Sandy Spring/Ashton Rural Village Overlay zones. The property is located in the southwest quadrant of the intersection of Olney Sandy Spring Road (MD 108) and Meeting House Road. The site is developed with three buildings that contain 51,077 square feet of office uses and associated parking. Surrounding properties to the north are developed with commercial uses in the C-2 zone and a one-family dwelling in the RNC zone. Properties to the

south and west are developed with townhouses in the RT-10 and Sandy Spring/Ashton Rural Village Overlay zone, and the Sandy Spring Friends Meeting House is located to the southeast, in the RE-2 zone. Commercial uses in the O-M/overlay zones and one-family residences in the R-200/overlay zones are located to the west.

The subject property is located within the Northwest Branch watershed. The subject property is largely developed, and there are no streams, wetlands, steep slopes, or other significant environmental features on the site. However, an environmental buffer exists in the southeastern portion of the site, associated with an off-site, intermittent stream. Approximately 0.75 acres of forest exist on the western portion of the site.



PROJECT DESCRIPTION

The application proposes to consolidate the three existing parcels of land into one new 4.71-acre lot to accommodate the construction of a three-story, 35,000-square-foot building and a two-level parking structure. The building is proposed to contain 21,044 square feet of office use, a 12,238-square-foot day care center, and 1,718 square feet of retail space. The proposed total development for the site, including the existing buildings, is 72,121 square feet of office use, 12,238 square feet of day care use, and 1,718 square feet of retail use. A 5,522-square-foot portion of the property will be dedicated to the right-of-way for Olney Sandy Spring Road (MD 108).

Access to the site is proposed via two existing driveways, one from Olney Sandy Spring Road (MD 108) and one from Meeting House Road. An additional off-site driveway provides access to an adjacent property, which is connected to the site by internal drive aisles. These driveways provide access to several existing surface parking lots and the proposed parking structure. Pedestrian access will be provided by existing and proposed sidewalks along Olney Sandy Spring Road.

(Attachment B – proposed plan)

PREVIOUS APPROVALS

The subject property was rezoned from C-T to O-M in 1989 with approval of Local Map Amendment G-627. Although the zone change allows uses that are permitted in the O-M zone, a binding element of this approval requires that the site be developed under the development standards of the C-T zone, despite approval of the zone change. A schematic development plan amendment (DPA 08-2) was approved in January, 2009. The schematic development plan amendment allowed the addition of a combined office/school building, of no more than 35,000 square feet and no more than 30 feet tall, and a parking facility.

ANALYSIS AND FINDINGS

Master Plan Compliance

The Sandy Spring/Ashton Master Plan does not make specific recommendations for this property, but the Master Plan does make a series of recommendations for the Sandy Spring Village Center, in which this property is located. The recommendations focus on the creation of an overlay zone that would afford added flexibility in development while enabling detailed design review. The overlay zone was created after adoption of the Master Plan. The proposed project uses standards allowed in the overlay zone.

One of the objectives of the Master Plan is to “ensure that the villages of Sandy Spring and Ashton maintain separate and distinct identities.” To that end, the Master Plan makes several recommendations for the Sandy Spring Village Center, including flexible provisions for parking requirements, appropriate building heights, and design review to ensure that new development maintain the small scale envisioned for a village center. It also encourages the use of traditional village design, “active fronts” on new buildings, placement of off-street parking out of view, and use of the Sandy Spring Historic District as source for design. The preliminary plan is in substantial conformance with the Master Plan because the proposed building is situated close to the street and is limited by binding elements of the schematic development plan amendment that require that the building not exceed 35,000 square feet in floor area and 30 feet in height. The parking structure is placed behind the proposed building, largely keeping it out of view as recommended by the Master Plan. Detailed site plan review will allow further refinement of the project in the context of the overlay zone and the Master Plan’s development guidelines.

Public Facilities

Roads and Transportation Facilities

A traffic study is required for review of this application in accordance with the *Local Area Traffic Review/Policy Area Mobility Review (LATR/PAMR) Guidelines* since the overall development proposed on the site generates 30 or more total peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods.

The Applicant submitted a LATR/PAMR traffic study that examines traffic-related impacts of the proposed development on nearby intersections and at the site driveways. Staff review of the study indicates that the study complies with the requirements of the *LATR/PAMR Guidelines* and the traffic study scope provided by staff.

Local Area Transportation Review

The traffic study estimates that the 35,000 square-foot of additional building area proposed on the site – comprised of 21,044 square-foot of office, 1,718 square-foot of retail, and a 12,238 square-foot daycare facility – will generate approximately 203 total peak-hour trips during the weekday morning and 187 total peak-hour trips during the weekday evening peak-periods. After discounting for pass-by and diverted trips, additional development proposed on the property was estimated to generate approximately 86 and 88 net new trips during the morning and evening peak-hours. A summary of the above is presented in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED SANDY SPRING PARCEL B; THOMAS BUILDING, SANDY SPRING**

| Proposed Density | Morning Peak-Hour | | | Evening Peak-Hour | | |
|--|-------------------|-----------|------------|-------------------|------------|------------|
| | In | Out | Total | In | Out | Total |
| <i>22,762 SF Office (including 1,718 SF retail)</i> | 27 | 4 | 31 | 9 | 42 | 51 |
| <i>12,238 SF Goddard School (196 students)</i> | 92 | 80 | 172 | 63 | 73 | 136 |
| “New” or “Primary” Trips – (32% AM/27% PM) | 29 | 26 | 55 | 17 | 20 | 37 |
| “Pass-by”/“Diverted” Trips – (68% AM/73% PM) | 63 | 54 | 117 | 46 | 53 | 99 |
| Total “New” or “Primary” Trips | 56 | 30 | 86 | 26 | 61 | 88 |
| Total “Pass-by”/“Diverted” Trips | 63 | 54 | 117 | 46 | 53 | 99 |
| Total Site Trips (for the 35,000 SF addition) | 119 | 84 | 203 | 72 | 115 | 187 |

Source: Integrated Transportation Solutions, Inc., Thomas Building – LATR and PAMR Study, November 2008.

A summary of the capacity/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak-hours within the respective peak periods from the traffic study is presented in Table 2.

TABLE 2
SUMMARY OF INTERSECTION CAPACITY CALCULATIONS
PROPOSED SANDY SPRING PARCEL B; THOMAS BUILDING, SANDY SPRING

| Intersection | Traffic Conditions | | | | | | | |
|--|--------------------|-------|------------|-------|-------|--------------|--------------------------|-------|
| | Existing | | Background | | Total | | Total w/Int. Improvement | |
| | AM | PM | AM | PM | AM | PM | AM | PM |
| MD 108/MD 650 ¹ | 1,101 | 1,244 | 1,167 | 1,361 | 1,192 | 1,380 | 1,136 | 1,224 |
| MD 108/Meeting House Rd/Brooke Rd ² | 1,222 | 1,105 | 1,286 | 1,189 | 1,374 | 1,288 | -- | -- |
| MD 108/Site Drwy ² | 1,128 | 1,052 | 1,152 | 1,114 | 1,199 | 1,110 | -- | -- |
| MD 108/Norwood Rd ² | 1,243 | 1,129 | 1,287 | 1,214 | 1,339 | 1,282 | -- | -- |
| Meeting House Road/Site Drwy ¹ | 18 | 27 | 28 | 41 | 154 | 177 | -- | -- |

Source: Integrated Transportation Solutions, Inc., Thomas Building – LATR and PAMR Study, November 2008.

Note: Congestion standard for intersections that straddle two or more policy areas is the higher of the respective congestion standards.

¹ Congestion Standard for Rural East (Patuxent) Policy Area: 1,350.

² Congestion Standard for Olney Policy Area: 1,450.

As shown in Table 2, the weekday morning and evening peak-hour capacity analysis presented in the traffic study indicates that, with a proposed roadway/intersection improvement at the intersection of Olney Sandy Spring Road (MD 108) and New Hampshire Avenue (MD 650), CLV values at the study intersections will be below the applicable policy area congestion standards. The Applicant is proposing to mitigate site-related transportation impacts at the MD 108/MD 650 intersection by participating in a capacity improvement planned for this intersection. The preliminary plan, therefore, satisfies the LATR requirements of the APF test.

Policy Area Mobility Review

The subject property is located within the Rural East (Patuxent) Policy Area. The policy area, at the time of the filing of this application, had an “acceptable” condition for PAMR, and the application, therefore, does not require any mitigation of new site-generated trips. The application satisfies the PAMR requirements of the APF test.

Site Access

Access to the site is proposed via two existing driveways, one from Olney Sandy Spring Road (MD 108) and one from Meeting House Road. An additional off-site driveway provides access to an adjacent property, which is connected to the site by internal drive aisles. These driveways provide access to several existing surface parking lots and the proposed parking structure. Pedestrian access will be provided by existing and proposed sidewalks along Olney Sandy Spring Road and lead walks to the existing and proposed buildings on the site. Proposed vehicle and pedestrian access for the site will be safe and adequate.

Other Public Facilities and Services

Public facilities and services are available and will be safe and adequate to serve the proposed development. The Property will be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are operating according to the Growth Policy resolution currently in effect and will be safe and adequate to serve the Property. Electrical and telecommunications services are also available to serve the Property.

Environment

An environmental buffer exists in the southeastern portion of the property. The buffer is associated with an off-site, intermittent stream that begins on the adjacent property to the south. A portion of the environmental buffer on the property is already developed under the original Schematic Development Plan with part of a stormwater management facility, a portion of a three story building, and surface parking. It was determined as part of that previous review that no mitigation would be required for this existing encroachment, and because the buffer area is developed, it is not necessary to place it in an easement.

Approximately 0.75 acres of forest exists in the western portion of the property. The approved preliminary forest conservation plan (PFCP) indicates the removal of all of the existing 0.75 acres of forest resulting in a planting requirement of 1.46 acres. The approved plan allows for 0.19 acres of the planting requirement to be met through on-site landscaping credits. The plan provides for the remaining 1.27 acres of reforestation requirement to be met via an off-site forest mitigation bank. The location of the 0.19 acre landscaping credit and the off-site bank will be determined at time of final forest conservation plan approval.

There are 53 trees 24" DBH or greater in size on the property, 23 of which are specimen size trees of 30" or greater. The approved PFCP indicates the removal of 15 trees rated in good condition and eight trees rated in fair or poor condition. A forest conservation variance for the removal of specimen trees is not required for this project because the PFCP was approved as part of the zoning application prior to October 1, 2009, the effective date of the waiver requirement.

The MCDPS Stormwater Management Section approved the stormwater management concept on October 29, 2008. The stormwater management concept includes on-site channel protection measures via construction of underground pipe storage and on-site water quality control via installation of filtration cartridges and a green roof. A "Filterra" unit will provide water quality control for an area of 0.16 acres. On-site recharge was not required because the project qualifies as redevelopment.

Historical Resources

Although the site is adjacent to and partially within the Sandy Spring Historic District, the Historic Preservation Commission and staff have determined that the proposed building is

outside of the district, will not impact any historic resources, and no further review or conditions for approval of the preliminary plan are required.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the C-T zone as specified in the Zoning Ordinance, in compliance with the binding elements of the schematic development plan. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Citizen Correspondence and Issues

The applicant conducted a pre-submission community meeting on November 24, 2008. No citizens attended the meeting. In addition, written notice of the plan submittal and the public hearing dates was given by the applicant and staff. As of the date of this report, one citizen letter requesting information about the proposal has been received, and that information was provided.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Sandy Spring/Ashton Master Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Vicinity Development Map

Attachment B – Proposed Development Plan

Attachment C – Agency Correspondence Referenced in Conditions

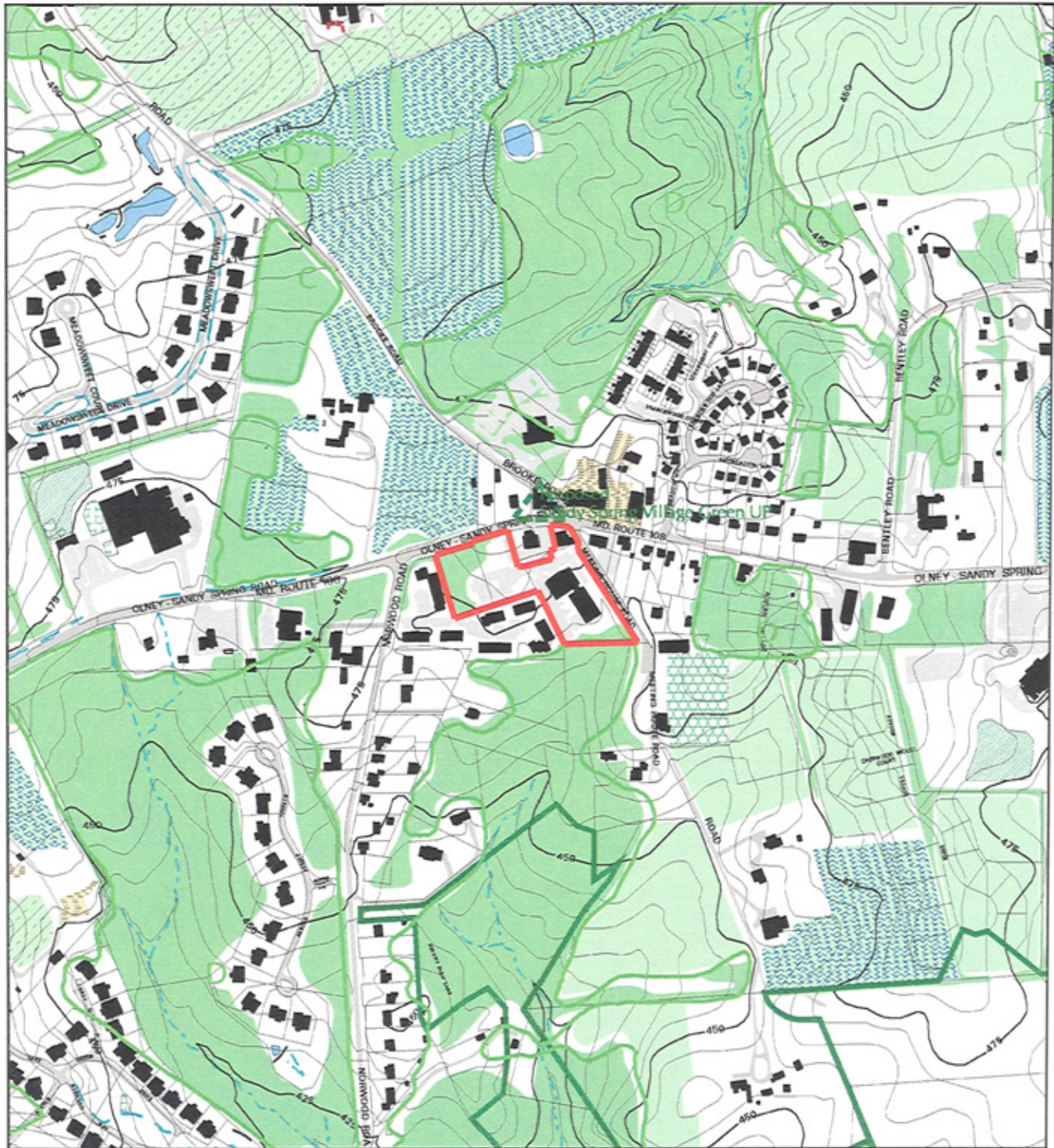
Table 1: Preliminary Plan Data Table and Checklist

| Plan Name: Sandy Spring, Parcel B | | | | |
|--|--|--|-----------------|-------------|
| Plan Number: 120090230 | | | | |
| Zoning: O-M, Sandy Spring/Ashton Rural Village Overlay [C-T zone standards apply] | | | | |
| # of Lots: 1 | | | | |
| # of Outlots: N/a | | | | |
| Dev. Type: Commercial/Institutional | | | | |
| PLAN DATA | Zoning Ordinance Development Standard for C-T | Proposed for Approval by the Preliminary Plan | Verified | Date |
| Minimum Lot Area | Not specified | 4.71 ac. minimum | NB | 1/4/10 |
| Lot Width | Not specified | 320 ft. minimum | NB | 1/4/10 |
| Lot Frontage | 100 ft. | 320 ft. minimum | NB | 1/4/10 |
| Setbacks | | | | |
| Front | 10 ft. Min. | Must meet minimum ¹ | NB | 1/4/10 |
| Side | 15 ft. Min. | Must meet minimum ¹ | NB | 1/4/10 |
| Rear | 15 ft. Min. | Must meet minimum ¹ | NB | 1/4/10 |
| Height | 35 ft. Max. ² | May not exceed maximum ¹ | NB | 1/4/10 |
| Max Comm'l s.f. per Zoning | 105,389 s.f. | 86,077 s.f. | NB | 1/4/10 |
| Green Area | 10% Min. | 53% | NB | 1/4/10 |
| Building Coverage | 35% Max. | 16.6% | NB | 1/4/10 |
| MPDUs | N/a | | NB | 1/4/10 |
| TDRs | N/a | | NB | 1/4/10 |
| Site Plan Req'd? | Yes | | NB | 1/4/10 |
| FINDINGS | | | | |
| <i>SUBDIVISION</i> | | | | |
| Lot frontage on Public Street | | Yes | | |
| Road dedication and frontage improvements | | Yes | Agency letter | 10/8/09 |
| Environmental Guidelines | | Yes | Staff memo | 9/23/09 |
| Forest Conservation | | Yes | Staff memo | 9/23/09 |
| Master Plan Compliance | | Yes | Staff memo | 9/18/09 |
| <i>ADEQUATE PUBLIC FACILITIES</i> | | | | |
| Stormwater Management | | Yes | Agency letter | 10/29/09 |
| Water and Sewer (WSSC) | | Yes | Agency comments | 6/22/09 |
| 10-yr Water and Sewer Plan Compliance | | Yes | Agency comments | 6/22/09 |
| Well and Septic | | N/a | Agency letter | 6/22/09 |
| Local Area Traffic Review | | N/a | Staff memo | 6/22/09 |
| Policy Area Mobility Review | | N/a | Staff memo | 6/22/09 |
| Transportation Management Agreement | | No | Staff memo | 6/22/09 |
| School Cluster in Moratorium? | | No | NB | 1/4/10 |
| School Facilities Payment | | No | NB | 1/4/10 |
| Fire and Rescue | | Yes | Agency letter | 12/15/09 |

¹ As determined by MCDPS at the time of building permit.

² The height of the proposed building is limited to 30 feet by a binding element of DPA 08-2.

SANDY SPRING, PARCEL B (120090230)



Map compiled on May 28, 2009 at 8:42 AM | Site located on base sheet no - 224NW01

NOTICE

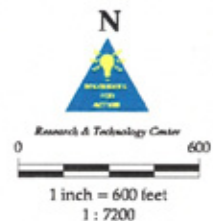
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

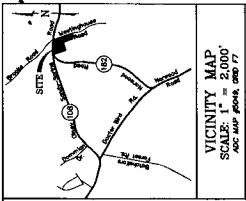
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes, is not recommended. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-1700

Key Map



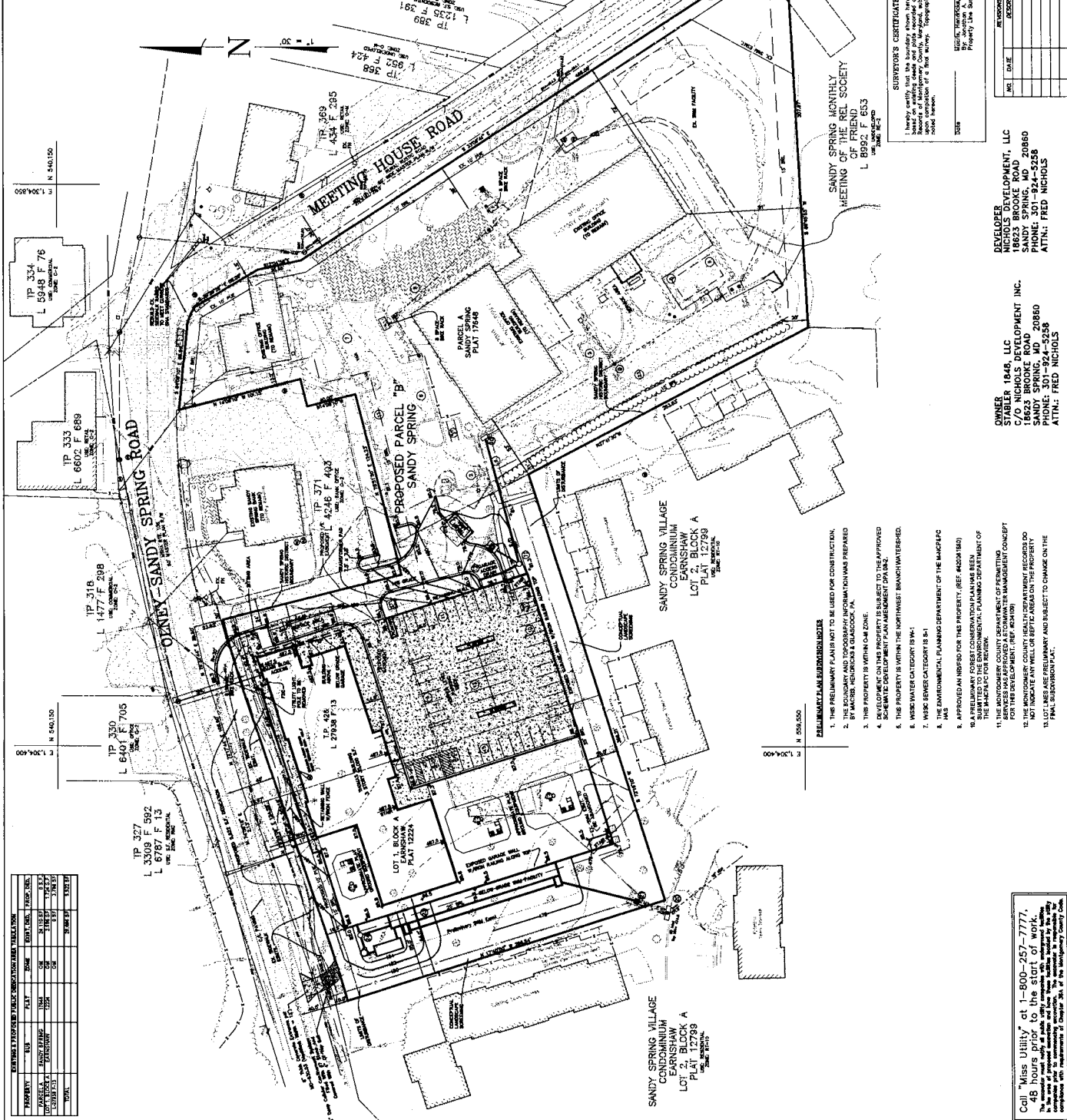


Legend

| EXISTING | PROPOSED |
|-----------------------------|-----------------------------|
| Property Line | Proposed Property Line |
| Proposed Easement | Proposed Easement |
| Proposed Right-of-Way | Proposed Right-of-Way |
| Proposed Storm Drain | Proposed Storm Drain |
| Proposed Fire Hydrant | Proposed Fire Hydrant |
| Proposed Telephone Pole | Proposed Telephone Pole |
| Proposed Building Footprint | Proposed Building Footprint |
| Proposed Concrete | Proposed Concrete |
| Proposed Spot Elevation | Proposed Spot Elevation |
| Proposed Contour | Proposed Contour |

Legend

| EXISTING | PROPOSED |
|-----------------------------|-----------------------------|
| Proposed Storm Drain | Proposed Storm Drain |
| Proposed Fire Hydrant | Proposed Fire Hydrant |
| Proposed Telephone Pole | Proposed Telephone Pole |
| Proposed Building Footprint | Proposed Building Footprint |
| Proposed Concrete | Proposed Concrete |
| Proposed Spot Elevation | Proposed Spot Elevation |
| Proposed Contour | Proposed Contour |



| PROPERTY | TAX | PLAN | BOOK | DEPT. NO. | FRONT | DEPT. NO. |
|--------------------------------------|-------|-------|-------|-----------|-------|-----------|
| LOT 1, BLOCK A, EARNSHAW CONDOMINIUM | 1722A | 1722A | 1722A | 1722A | 1722A | 1722A |
| Parcel A SANDY SPRING | 1764B | 1764B | 1764B | 1764B | 1764B | 1764B |
| Parcel B SANDY SPRING | 1764B | 1764B | 1764B | 1764B | 1764B | 1764B |
| TOTAL | | | | | | |

PRELIMINARY PLAN SUBMISSION UNDER

- THE PRELIMINARY PLAN IS NOT TO BE USED FOR CONSTRUCTION.
- THE BOUNDARY AND TOPOGRAPHY INFORMATION WAS PREPARED BY THE SURVEYOR AND IS SUBJECT TO THE PROVISIONS OF THE SURVEYING ACT.
- THIS PROPERTY IS WITHIN AN EASEMENT AREA.
- SCHEMATIC DEVELOPMENT PLAN IS APPROVED.
- THIS PROPERTY IS WITHIN THE NORTHWEST BRANCH WATERSHED.
- WATER CATEGORY IS W-1.
- WATER EDGES CATEGORY IS B-1.
- THE ENVIRONMENTAL PLANNING DEPARTMENT OF THE MARCH 2004.
- APPROVED AN ORDINANCE FOR THIS PROPERTY (REF. ADOPTED).
- A PRELIMINARY FOREST CONSERVATION PLAN HAS BEEN PREPARED AND IS SUBJECT TO THE ENVIRONMENTAL PLANNING DEPARTMENT OF THE MARCH 2004 FOR REVIEW.
- THE MONTGOMERY COUNTY DEPARTMENT OF FORESTING SERVICES HAS APPROVED A FOREST MANAGEMENT CONCEPT PLAN FOR THIS PROPERTY.
- THE MONTGOMERY COUNTY HEALTH DEPARTMENT RECORDS DO NOT INDICATE ANY WELL OR SEPTIC AREAS ON THE PROPERTY.
- LOT LINES ARE PRELIMINARY AND SUBJECT TO CHANGE ON THE FINAL SUBDIVISION PLAN.

DEVELOPER
NICHOLS DEVELOPMENT, LLC
18623 BROOK ROAD
SANDY SPRING, MD 20886
PHONE: 301-924-5258
ATTN: FRED NICHOLS

OWNER
STABLER 1848, LLC
C/O NICHOLS DEVELOPMENT INC.
18623 BROOK ROAD
SANDY SPRING, MD 20886
PHONE: 301-924-5258
ATTN: FRED NICHOLS

SURVEYOR'S CERTIFICATE

I hereby certify that the boundaries shown herein are determined by the original survey of the land and are in accordance with the laws of the State of Maryland. My name and title are as shown hereon.

DATE: _____ BY: _____

REGINA HENNINGSEN, P.E., REGISTERED PROFESSIONAL SURVEYOR
Property: 1722A - Surveyor

PRELIMINARY PLAN #00002320

PRELIMINARY PLAN

LOT 1, BLOCK A, EARNSHAW CONDOMINIUM, PARCEL A, SANDY SPRING & TP-426 SANDY SPRING, PARCEL B THOMAS BUILDING

8TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG
McGraw, Hendricks & Glascock, P.A.
Landscape Architects & Surveyors
Phone: 301.501.0600
www.mhgpa.com

THE MAP 2752

GRAPHIC SCALE
1" = 200'

NOTES:

- THIS DEVELOPMENT IS SUBJECT TO THE APPROVED SCHEMATIC DEVELOPMENT PLAN AND THE MARCH 2004.
- THE ENVIRONMENTAL PLANNING DEPARTMENT OF THE MARCH 2004.
- APPROVED AN ORDINANCE FOR THIS PROPERTY (REF. ADOPTED).
- A PRELIMINARY FOREST CONSERVATION PLAN HAS BEEN PREPARED AND IS SUBJECT TO THE ENVIRONMENTAL PLANNING DEPARTMENT OF THE MARCH 2004 FOR REVIEW.
- THE MONTGOMERY COUNTY DEPARTMENT OF FORESTING SERVICES HAS APPROVED A FOREST MANAGEMENT CONCEPT PLAN FOR THIS PROPERTY.
- THE MONTGOMERY COUNTY HEALTH DEPARTMENT RECORDS DO NOT INDICATE ANY WELL OR SEPTIC AREAS ON THE PROPERTY.
- LOT LINES ARE PRELIMINARY AND SUBJECT TO CHANGE ON THE FINAL SUBDIVISION PLAN.

Cell "Miss Utility" at 1-800-257-7777.

48 hours prior to the start of work.

The owner must notify all utility owners with recorded utility lines of the proposed construction and allow a reasonable time for the utility owners to respond. The utility owners are responsible for marking their utility lines and for any damage to their utility lines. The utility owners are responsible for any damage to their utility lines. The utility owners are responsible for any damage to their utility lines.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

October 29, 2008

Carla Reid Joyner
Director

Mr. Pearce Wroe
Macris, Hendricks & Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886-1279

Re: Stormwater Management **CONCEPT** Request
for Thomas Building
Preliminary Plan #:
SM File #: 234109
Tract Size/Zone: 4.84 acres / OM
Total Concept Area: 1.36 acres
Lots/Block: N/A
Parcel(s): P426, P386, N442
Watershed: Northwest Branch

Dear Mr. Wroe:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures via construction of underground pipe storage and on-site water quality control via installation of proprietary filtration cartridges and through the use of green roof. A "Filterra" unit will provide water quality for an area of 0.16 acres. Onsite recharge was not required because the project qualifies as redevelopment.

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

1. The stormwater package included two separate alternates for review. This approval is for "Alternate No. 1" only. Approval of "Alternate No. 2" would require submission of a revised stormwater concept which addresses replacement of the existing stormwater quality facilities with a water quality methodology meeting current design standards. Use of the existing infiltration structures will not be considered.
2. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
3. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
4. An engineered sediment control plan must be submitted for this development.
5. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
6. Adequate access to the proposed stormwater facilities must be provided.
7. The drainage area to the proposed "Filterra" unit may not exceed the proposed 0.16 acres (0.10 acres impervious).

8. All interior drainage within the proposed parking structure must be directed to WSSC. Interior drainage may not be connected to the storm drain system.

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

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

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

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm mce

cc: C. Conlon
S. Federline
SM File # 234109

QN -ON; Acres: 1.5
QL - ON; Acres: 1.5
Recharge is not provided



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

October 8, 2009

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 1-20090230
Sandy Spring, Parcel B

Dear Ms. Conlon:

We have completed review of the above referenced preliminary plan, of which the latest revision is dated September 1, 2009. This plan was reviewed by the Development Review Committee at its meeting on June 22, 2009. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for Meetinghouse Road and Olney Sandy Spring Road (MD 108) in accordance with the Master Plan.
2. Access and improvements along Olney Sandy Spring Road (MD 108) as required by the Maryland State Highway Administration.
3. We have accepted the applicant's storm drain capacity and impact analysis. The runoff from the site is conveyed to a private storm drain system.
4. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
5. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
6. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
7. The owner will be required to submit a recorded covenant for the operation and maintenance of private: streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
8. Trees in the County rights of way - species and spacing to be in accordance with the applicable DOT standards. Tree planting within the public right of way must be coordinated with Mr. Brett Linkletter with MCDOT Division of Highway Services, Tree Maintenance Unit. Mr. Linkletter may be contacted at (240) 777-7651.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Customer Service 240-777-6000 • Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

Ms. Catherine Conlon
Preliminary Plan No. 1-20090230
October 8, 2009
Page 2

9. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of the MCDOT Traffic Engineering Design and Operations Section at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
10. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Developer shall provide street lights along the Meeting House Road site frontage in accordance with the specifications, requirements, and standards prescribed by the Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Dewa Salihi at 240-777-2173 or dewa.salihi@montgomerycountymd.gov.

Sincerely,



Gregory M. Leck, P.E., Manager
Development Review Team

Enclosures (2)

M:\subdivision\SALIHDOT\Preliminary Plans\1-20090230 Sandy Spring Parcel B\1-20090230 Sandy Spring Parcel B.doc

cc: Fred Nichols; Nichols Development
Michael Plitt; Macris, Hendricks & Glascock
Pat Harris; Holland & Knight
Shahriar Etemadi; M-NCPPC TP
Joseph Y. Cheung; DPS RWPPR
Henry Emery; DPS RWPPR
Sarah Navid; DPS RWPPR
Brett Linkletter; DOT DHS
Dan Sanayi; DOT DTEO
Dewa Salihi, DOT DTEO
Preliminary Plan Folder
Preliminary Plans Note Book



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

October 20, 2008

Re: **Montgomery County**
MD 108
Thomas Building

OCT 27 2008

Mr. Shahriar Etemadi
Transportation Coordinator
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Etemadi:

Thank you for the opportunity to review the Traffic Impact Study Report dated September 2008 by Integrated Transportation Solutions (ITS), Inc. (received by the EAPD on September 25, 2008) that was prepared for the proposed Thomas Building project in Montgomery County, Maryland. The major report findings and the Maryland State Highway Administration (SHA) comments and conclusions are as follows:

- Access to the 196-student Goddard School with 26,889 square feet of Office Development is proposed from one (1) existing full movement site access driveway on MD 108 and one (1) existing full movement site access driveway on Meeting House Road. SHA will require the construction of a westbound MD 108 left turn lane at the MD 108/Site Access Drive intersection for operational and safety considerations.
- The traffic report determined that the proposed development would negatively impact the MD 650 at MD 108 intersection. Therefore, the traffic report recommended the participation in the already planned improvements at the intersection that included the widening of eastbound and westbound MD 108 to provide an exclusive right turn lane. In addition, the eastbound MD 108 left turn lane, the northbound MD 650 left turn lane, and northbound MD 650 right turn lane will be extended to better accommodate traffic queues.

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

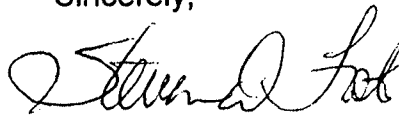


Mr. Shahriar Etemadi
Page 2 of 2

- In order to reduce the overall site traffic impact in accordance with M-NCCP guidelines within the Rural East Policy Area, the applicant has proposed to construct 200 linear feet of sidewalk and 2 handicapped ramps along MD 108 in the vicinity of the site.

SHA concurs with the report findings and recommendations. Unless specifically indicated in SHA's response on this report, the comments contained herewith do not supersede previous comments made on this development application. If there are any questions on any issue requiring a permit from SHA on this application, please contact Corren Giles at (410) 545-5595 or cgiles@sha.state.md.us. If you have any questions or comments regarding the enclosed traffic report comments, please contact Larry Green at (410) 995-0090 x20.

Sincerely,



Steven D. Foster, Chief
Engineering Access Permits Division

cc: Mr. Cherian Eapen, M-NCPPC Montgomery County
Ms. Corren Giles, SHA EAPD
Mr. Larry Green, Daniel Consultants, Inc.
Mr. Ken Harn, SHA Office of Traffic & Safety
Mr. Craig Hedberg, ITS, Inc.
Mr. Errol Stoute, SHA Traffic Development & Support Division
Mr. Morteza Tadayon, SHA Travel Forecasting Section
Mr. Jeff Wentz, SHA District 3 Office