



Woodfield Commons: Preliminary Plan No. 120150170 and Site Plan No. 820150090

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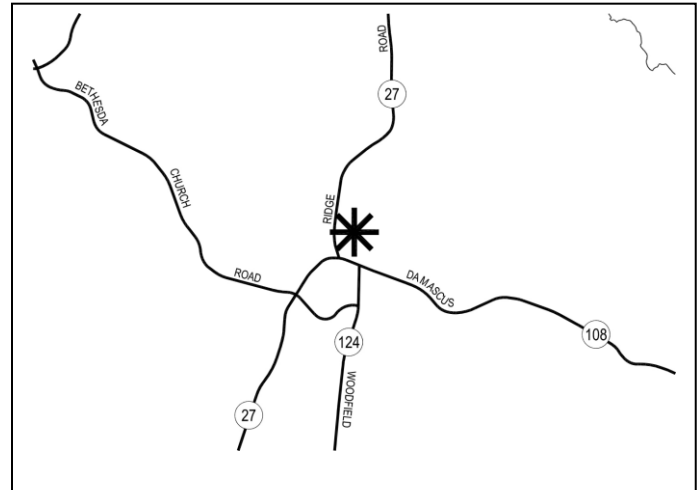
Description

***A. Preliminary Plan No. 120150170**

Request to create one lot for 84 multi-family residential dwelling units in three garden apartments; located on the west side of Woodfield Road (Rt.124), approximately 1,075 feet north of the intersection of Rt.124 and Main Street in Damascus; 3.88 acres; zoned CRT-1.5, C-0.5, R-1.0, H-55T; 2006 Damascus Master Plan.

***B. Site Plan No. 820150090**

Request to construct 84 multi-family residential dwelling units, including 12.5% MPDU's in three garden apartments; located on the west side of Woodfield Road, approximately 1,075 feet north of the intersection of Rt.124 and Main Street in Damascus; 3.88 acres; zoned CRT-1.5, C-0.5, R-1.0, H-55T; 2006 Damascus Master Plan.



Applicant: Woodfield Commons Associates, LLC

Submittal Date: August 3, 2015

Review Basis: Chapter 50, Chapter 59

Summary

- The staff recommends **approval** of Preliminary Plan 120150170 and Site Plan 820150090 with conditions.
- The project is funded through a Low Income Housing Tax Credit (LIHTC) program with participation of the Housing Opportunities Commission. In addition to 11 (12.5%) Moderately Priced Dwelling Units, the project will provide 64 units meeting the LIHTC program requirements which are generally available at the 30-60% of the Area Median Income (AMI) level.
- The Application meets the requirements of the CRT Zone under the standard method of development.
- The Application includes a justifiable impact to a wetland buffer.
- Staff has received a number of letters and public opposition to the applications.
- Staff also met with members of the community on November 24, 2015 at Park and Planning and on November 30, 2015 held a community meeting at the Damascus Middle School to discuss community concerns with the project and related Master Plan.

TABLE OF CONTENTS

SECTION 1: OVERVIEW.....

SECTION 2: RECOMMENDATIONS AND CONDITIONS.....

Preliminary Plan
Site Plan

SECTION 3: CONTEXT AND PROPOSAL.....

Site Description
Project Description
Community Outreach

SECTION 4: PRELIMINARY PLAN.....

Analysis and Findings
Conformance to the Master Plan
Site Access, Parking and Public Transportation
Adequate Public Facilities
Master Plan Transportation Facilities
Other Public Facilities and Services
Environment
Compliance with the Subdivision Regulations and Zoning Ordinance

SECTION 5: SITE PLAN.....

Site Plan Proposal
Site Plan Analysis and Findings

CONCLUSION.....

ATTACHMENTS

1. Community Correspondence
2. Fire and Rescue letter dated September 1, 2015
3. Statement of Justification for Impact to Wetland
4. Forest Conservation Plan
5. Stormwater Management Concept letter dated October 26, 2015
6. Preliminary Plan 120150170
7. Site Plan 820150090
8. Statement of Justification from the Applicant
9. Montgomery County Department of Transportation letter dated August 13, 2015
10. Montgomery County Department of Permitting Services letter dated October 26, 2015
11. Montgomery County Department of Housing and Community Affairs letter dated September 17, 2015
12. Maryland State Highway Administration letter dated October 1, 2015
13. Regulatory Plan Extension Request dated October 13, 2015

SECTION 1: OVERVIEW

The property is a 3.88 acre parcel in the CRT (Commercial Residential Town) 1.5 zone, located on the west side of Woodfield Road, approximately 1,075 feet north of the intersection of Woodfield Road and Main Street in Damascus and is identified as Parcel 453 on Tax Map 43 (Property or Subject Property). The Property is located directly north of the Damascus Shopping Center within the northernmost portion of the Damascus “Town Center” area of the 2006 Damascus Master Plan.

The proposed development is for construction of three, four-story multi-family residential buildings for 84 rental units. The Applicant must provide 11 Moderately Priced Dwelling Units (MPDU) pursuant to Chapter 25A of the Montgomery County Code and is obligated to provide 64 units as affordable units under the auspices of the LIHTC program requirements. There will be nine units that are considered market rate rental units.



Figure 1: Aerial view showing proposed development

The Preliminary Plan proposes to subdivide the 3.88-acre parcel to create one lot for the apartment buildings. The three buildings will be no taller than 55 feet in height, and two of the buildings will have structured parking on the ground level with three floors of residential above. The buildings have been reviewed for compliance with setbacks and other development standards of the CRT zone. The lot meets the applicable standards of the Subdivision Regulations, Chapter 50 of the Montgomery County Code.

The Site Plan has been reviewed under the standard method of development using the CRT zone. The Site Plan substantially conforms to the recommendations of the 2006 Damascus Master Plan, and meets the general requirements and necessary findings of the Zoning Ordinance.

SECTION 2: RECOMMENDATIONS & CONDITIONS

PRELIMINARY PLAN 120150170

Recommendations and Conditions

Recommendation: Approval, subject to the following conditions:

1. This Preliminary Plan is limited to one lot for 84 dwelling units and must include a minimum of 12.5% Moderately Priced Dwelling Units; the final number of MPDU's will be determined at Site Plan.
2. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated August 13, 2015, 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 letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
3. The Planning Board has accepted the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated October 1, 2015, 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 letter, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
4. Prior to issuance of access permits, the Applicant must satisfy any provisions for access and improvements as required by MDSHA.
5. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated October 26, 2015, 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 letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. The Certified Preliminary Plan must contain the following note:
 - a. *Unless specifically noted on this plan drawing or in the Planning Board 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 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 the Planning Board's approval.

- b. A copy of the Site Plan Resolution must be included on the cover sheet.
7. The record plat must show necessary easements.
8. The record plat must reflect common ingress/egress and utility easements over all shared driveways.
9. The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (MCFRS) Fire Code Enforcement Section in its letter dated September 1, 2015, 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 letter, which may be amended by Fire and Rescue provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
10. 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.
11. The Subject Property is within the Damascus High School cluster area. The Applicant must make a School Facilities Payment to MCDPS at the middle school level at the multi-family garden apt. unit rates for all units for which a building permit is issued and a School Facilities Payment is applicable. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.
12. No clearing, grading or recording of plats prior to Certified Site Plan approval.

SITE PLAN 820150090

Recommendations and Conditions

Staff recommends approval of Site Plan 820150090 for a maximum of 118,000 square feet of residential for up to 84 residential units in three buildings located on approximately 3.88 acres zoned CRT-1.5, C-0.5, R-1.0, H-55T. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹

1. Preliminary Plan Conformance

The development must comply with conditions of approval for Preliminary Plan No. 120150170 and any amendments.

¹ For the purposes 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.

2. Forest Conservation & Tree Save

The development must comply with the conditions of the approved Final Forest Conservation Plan (FFCP). The Applicant must satisfy all conditions prior to the recording of a plat(s) or to the issuance of sediment and erosions control permits by the Montgomery County Department of Permitting Services. The Applicant must comply with the conditions of approval for the Final Forest Conservation Plan no. 120150180, subject to the following:

- a) Revise Final Forest Conservation Plan prior to Certified Site Plan to reflect:
 - (1) A supplemental planting plan within the wetland and wetland buffer area.
 - (2) A detailed five year invasive management plan.
 - (3) Boardwalk cross section and construction details.
 - (4) Privacy fence cross section and construction details.
- b) The boardwalk and fence located within the wetland and wetland buffer area must be constructed on helical piers. The railing for the boardwalk must be attached to the boardwalk structure.
- c) The limits of disturbance shown on the final Sediment Control Plan must be consistent with the limits of disturbance shown on the FFCP.
- d) The Applicant must comply with all tree protection and tree save measures shown on the approved FFCP. Tree save measures not specified on the FFCP may be required by the M-NCPPC forest conservation inspector.
- e) Fee-in-lieu payment for the 1.58 acre reforestation planting requirement must be satisfied prior to any clearing and grading.

3. Stormwater Management

The Planning Board has accepted the recommendations of the MCPDS – Water Resources Section in its stormwater management concept letter dated October 26, 2015, and has incorporated those recommendations as a condition of the Preliminary Plan approval.

Planning Board Modification

- 4. The Planning Board accepts the request by the Applicant to modify the Build-to-Area (BTA) and maximum front setback for an apartment building type in the CRT zone per Section 59.4.5.3.C.3.

Public Use Space, Facilities and Amenities

5. Public Use Space, Facilities and Amenities

- a. The Applicant must provide a minimum of 18,600 square feet of public open space.
- b. Prior to the issuance of Use and Occupancy certificates for any residential units, all public open space areas on the Subject Property must be completed.

6. Recreation Facilities

- a. Prior to Certified Site Plan approval, the Applicant must demonstrate conformance with the M-NCPPC Recreation Guidelines.
- b. The Applicant must provide at a minimum the following recreation facilities: a fitness center, furnished community room, TV lounge, computer lab, an outdoor playground, and an extension of an existing pedestrian trail and boardwalk.

7. Maintenance of Public Amenities

Maintenance of all on-site public use space is the responsibility of the Applicant and any successor(s) and assigns. This includes maintenance of paving, plantings, lighting, and benches. Maintenance may be taken over by a governmental agency by agreement with Applicant or any successor(s) and assigns and applicable agency. For the purpose of this condition, the term “Applicant and any successor(s) and assigns” means the owner or any successor(s) in interest to the Public Use Space that is responsible for common area maintenance, such as a homeowners association.

Transportation and Circulation

8. Transportation

- a. The Applicant must show on the record plat, a common access easement over the sidewalk on the southeastern edge of the property, as shown on the Site Plan.
- b. Prior to the issuance of a Use and Occupancy Certificate, the Applicant must:
 - i. Provide a bicycle room in each residential building in the location as specified in the Architectural sheets for the Site Plan.
 - ii. Provide and install one bicycle parking racks (“inverted U” rack or similar) on the western side of Building C, adjacent and to the south of the Seating Area as shown in the Site Plan.
- c. Provide a four-foot wide crushed stone pedestrian trail and boardwalk located along the western boundary of the property as shown on the Site Plan.

Housing

9. Moderately Priced Dwelling Units (MPDUs) and Affordable Units

- a. The Planning Board accepts the recommendations of Department of Housing and Community Affairs (DHCA) in its letter dated September 17, 2015, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b. The proposed development must provide, on the Certified Site Plan, a total of 12.5 percent MPDUs on-site in accordance with the requirements of Chapter 25A and the Damascus Master Plan. Before issuance of any building permit for any residential unit(s), the MPDU agreement to build units in accordance with the Site Plan between the Applicant and the Department of Housing and Community Affairs (DHCA) must be executed.

Site Plan

10. Building Height

The maximum height for the three multi-family buildings is 55 feet, as measured from the building height measuring point in accordance with Section 59-4.1.7.C.2.

11. Site Design

- a. The final exterior architectural character, proportion, materials, and articulation must be substantially similar to the illustrative elevations shown on sheets “Building A & B Elevations”, and “Building C Elevation”, both dated May 27, 2015, as determined by M-NCPPC Staff.

- b. Provide a 4-foot tall splitrail fence that generally extends from the trail at the boardwalk location, along the limits of disturbance line south of Building B, to the southern boundary of the Property. The final location of the fence to be determined at the time of Certified Site Plan.

12. Landscaping

- a. Prior to issuance of any residential Use and Occupancy Certificate for each respective building all on-site amenities, including, but not limited to sidewalks, streetlights, hardscape, benches, trash receptacles, and recreation amenities (including the fitness center, furnished community room, TV lounge, computer lab, for Building C) outdoor playground, and an extension of an existing pedestrian trail and boardwalk must be installed.
- b. Final landscaping must be substantially similar to what is shown on landscape sheets LA-1, LA-2 and LA-3, dated December 3, 2015.
- c. The Applicant must install landscaping no later than the next growing season after completion of site work.

13. Lighting

- a. Prior to issuance of any building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor recommendations.
- b. Extend the illumination guide to the western boundary on the Landscape Plan (Sheet L1-1) and provide additional lighting at the western end of the central courtyard area between Buildings A and B.
- c. All on-site down- light fixtures must be full cut-off fixtures.
- d. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- e. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- f. The height of the light poles must not exceed the height illustrated on the Certified Site Plan.

14. Site Plan Surety and Maintenance Agreement

- a. Prior to issuance of any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Council that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety as required by Section 59.7.3.4.G.1. of the Montgomery County Zoning Ordinance, with the following provisions:
- b. A cost estimate of the materials and facilities, which, upon M-NCPPC Staff approval, will establish the surety amount.
- c. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private drives, paths and associated improvements.
- d. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety, will be followed by inspection and potential reduction of the surety.

- e. The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

15. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan.

16. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the final forest conservation approval letter, stormwater management concept approval letter, development program, Preliminary Plan and Site Plan resolutions on the approval or cover sheet.
- b. Add a note to the site plan stating that “M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading”.
- c. Modify data table to reflect development standards approved by the Planning Board.
- d. Ensure consistency off all details and layout between Site and Landscape plans.

SECTION 3: CONTEXT AND PROPOSAL

SITE DESCRIPTION

The Subject Property which is vacant and sits at a lower elevation than the properties abutting to the north and west. The surrounding land uses consist of a shopping center which includes a regional grocery store and other commercial/retail uses (zoned CRT-1.5) directly to the south; a United States Postal Service (USPS) office to the east (zoned CRT-1.5) and two properties improved with retail, an automotive warehouse and research & development building (zoned CRT 1.5) to the west. The northern boundary of the Subject Property abuts single-family residential properties (zoned R-200) that front on Beall Avenue. All of the buildings on the aforementioned properties are oriented so the front of the buildings face away from the Subject Property.

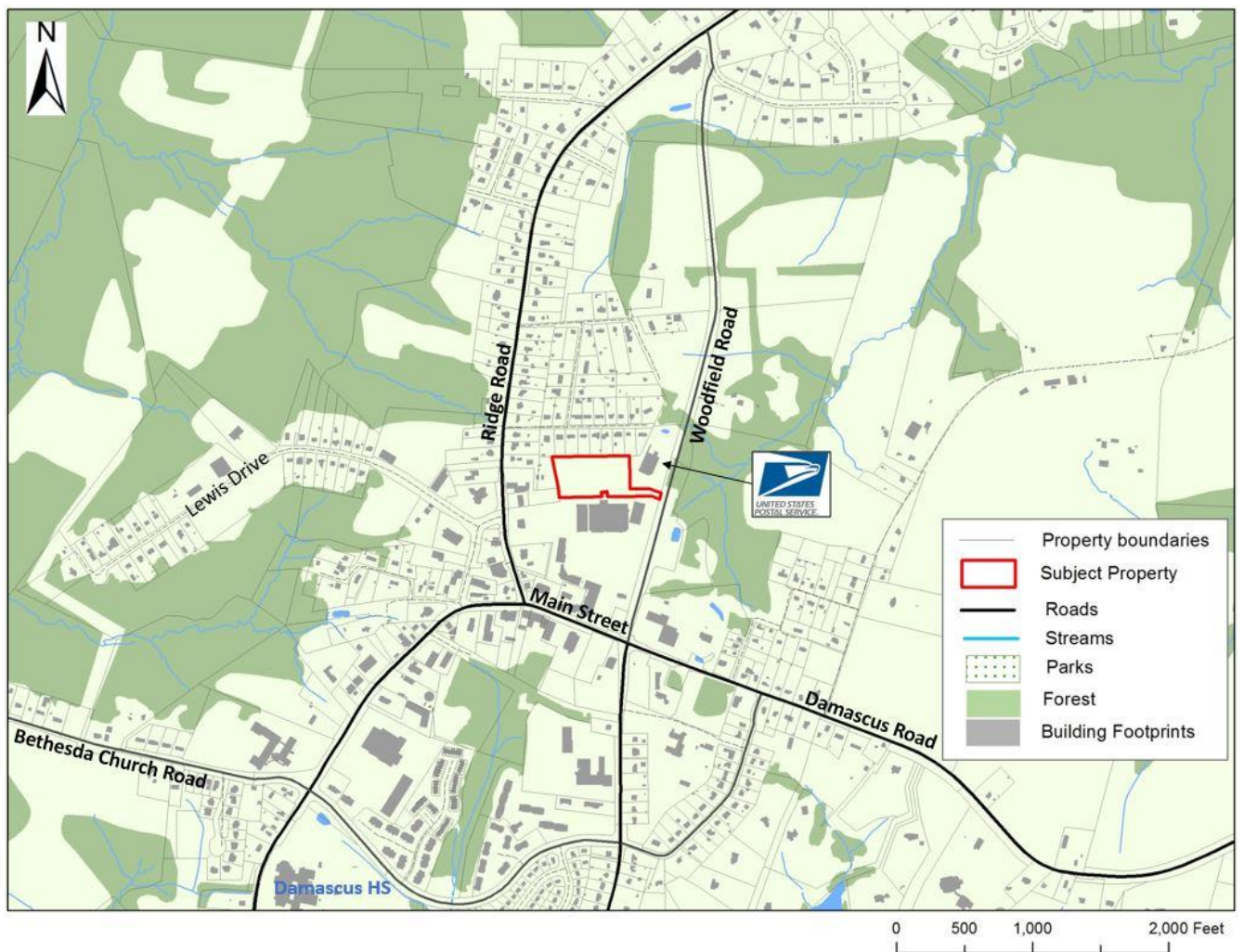


Figure 2 – Vicinity Map

The Subject Property is flagshaped with a 50 foot wide pipestem extending to Woodfield Road. The pipestem currently serves as the USPS driveway and includes a WSSC water main right-of-way. The

Property is encumbered by the aforementioned water main right-of-way that runs east to west along its southern edge with a parallel waterline and sewer right-of-way traversing the Property in a zigzag pattern from the northeast corner to the southwest corner.

There is a clear “users choice path” that runs along the west edge of the Property line. The path currently serves as an informal connect from the Damascus Shopping Center parking lot north, to a recorded 15 foot wide access easement between Lot 1 and 2 in the abutting residential neighborhood on Beall Avenue and located in the far north west corner of the Property

The Subject Property is located within the Upper Patuxent watershed; this portion of the watershed is classified by the State of Maryland as Use Class III-P waters. The Property is not located within a Special Protection Area. There are no streams, specimen trees, 100-year floodplains, or highly erodible soils located on or adjacent to the Property. The Property contains approximately 0.90 acres of existing forest, 0.23 acres of wetlands, and 0.36 acres of wetland buffer. The entire northern edge of the Property slopes steeply from the rear of the existing homes on Beall Avenue down approximately 20 feet to the Subject Property.



Figure 3 – Aerial View

PROJECT DESCRIPTION

Preliminary Plan application No.120150180 (Preliminary Plan) proposes to subdivide the 3.88 acre (169,036 sq. ft.) parcel to create one lot for three multi-family apartment buildings totaling 84 dwelling units. All three buildings will be no taller than 55 feet. Buildings A and B are similar in design and construction with one level of parking beneath 3 stories of apartment units with 29 dwelling units each. The first story parking level for Buildings A and B each contain 27 vehicle parking spaces, as well as bicycle parking and storage space for each building. Building C will also be 4 stories and contain 26 dwelling units, with a first floor community space to include a fitness center, a furnished community room, TV lounge, computer lab, and laundry facilities for the complex. To the rear of Building C, there will be an outdoor playground and terrace area. There will be 95 parking spaces on-site, 54 of which will be in garages below Buildings A and B with a centrally located surface parking lot to accommodate the remaining 41 vehicles. In conformance with the CRT-1.5 Zone, this project will be a mixed-income development consisting of 84 units. Eleven units (12.5%) will be MPDU's and 64 units will meet the requirements for the LIHTC program and be available to families that earn 30% to 60% of the AMI. The remaining 9 units will be unrestricted from affordability requirements. Additionally, under the auspices of the LIHTC program, at least five percent (5%) of the units will be fully Uniform Federal Accessibility Standards (UFAS) compliant, and at least two percent (2%) of the units will be equipped with hearing/vision features for impaired persons. The Applicant will also reserve 15% of the dwelling units for persons with disabilities.

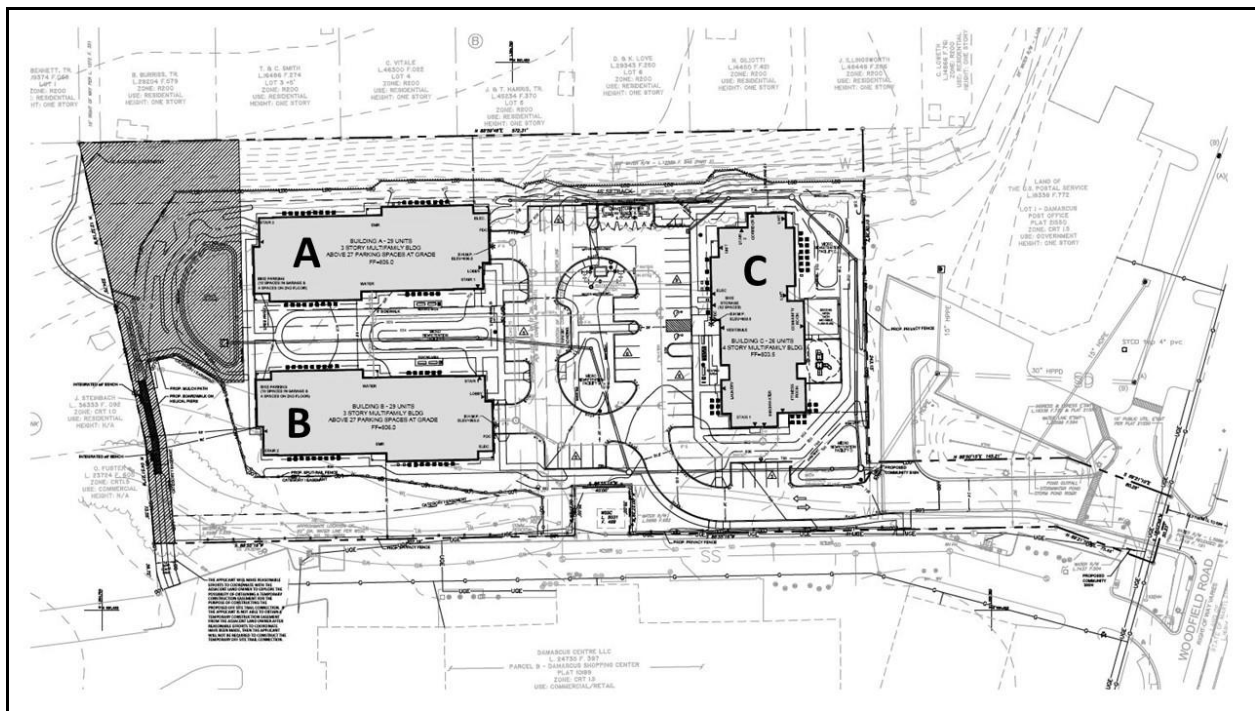


Figure 4 – Proposed Preliminary Plan

The Property has 50 feet of frontage on Woodfield Road, a public road, via pipestem. The existing driveway to the USPS office will be extended and connect to the parking lot within the development.

The layout of the proposed development is somewhat dictated by the waterline and sewer easements that traverse the Property. Buildings A and B parallel one another running east to west which creates a defined open space between the buildings. Building C is oriented north to south and faces the parking lot that separates it from the other two buildings. The waterline and sewer easements will continue to run beneath the surface parking. As a public amenity, the Applicant proposes to formalize the existing users choice path that runs partially within the western boundary of the Property by installing a gravel walkway and an elevated boardwalk with seating over the existing wetland. Stormwater quantity and quality will be managed on via micro biofiltration and gravel wetlands.

COMMUNITY OUTREACH

This Application has met all signage, noticing, and submission requirements. Signs referencing the Application were posted along the Property's frontage on Woodfield Road and southwest corner of the Property along the shopping center drive aisle. The Applicant held a Pre-Submission Meeting with the community on May 27, 2015 at the Damascus Community Center (25520 Oak Drive) at 6:00 p.m. in which 16 community members attended. According to the minutes of the meetings, questions were received and the Applicant provided explanations to those in attendance.

Staff has received a number of letters and emails (Attachment 1) from the community with concerns regarding the Master Plan, the potential loss of rural character and traffic concerns. Staff provided a formal response to the concerns. Staff has also met with Seth Gottesman and Alison Pruzner, two citizens who requested individual meetings.

Given the amount of correspondence received, Staff and the Upcounty Regional Services Center cohosted a community meeting on November 30, 2015 at John T. Baker Middle School in Damascus to discuss the 2006 Damascus Master Plan and the two ongoing development applications in the Master Plan area; Woodfield Commons and another application on Lewis Drive. Staff briefly presented on the Master Plan, and the active plans to the 100 plus attendees. Staff fielded questions regarding the regulatory process, how transportation impacts are assessed, and specific questions about the individual plans.

To summarize, the citizens are concerned about the following topics:

- Too much "clustering" of affordable units in one location within Damascus.
- Concerns that low income units will contribute to crime and other social problems.
- Lack of senior housing on the Property and within Damascus.
- Rental units vs. ownership units.
- Who benefits from low income housing, where do the tax breaks go?
- Questioned the outreach that the Applicant has done.
- Request to defer the Hearing.
- Schools over capacity.
- LATR transportation review is not adequate; roads in and out of Damascus are clogged.

In addition to the concerns listed above, some community members also spoke favorably about the Town Center concept envisioned by the Master Plan and expressed support for locating density in the Town Center.

At the community meeting, Staff provided an overview of the Damascus Master Plan and explained that multi-family housing was specifically identified as one of the means to increase residential housing opportunities in the Town Center. The concept of multi-family housing was shown to have also been included in the 1985 Damascus Plan and the 1966 Damascus Plan. Staff attempted to the extent possible, to explain how a LIHTC project works, however, without the applicant available, Staff could not fully explain the intricacies of such financing.

Staff also addressed questions and concerns regarding other regulatory concerns. The community is concerned about the clustering of affordable housing units in Damascus; however, the Applicant meets the density requirements of the CRT 1.5 zone. Staff noted that the County Council and County Executive's Office support affordable housing within the County. Given the sensitivity of this issue, Staff was not able to satisfy all of the citizens' concerns. The Applicant has met the noticing requirements for signage and did properly notice and conduct a pre-submission meeting at the Damascus Community Center as noted above. Several community members requested deferment of the Public Hearing on the applications. The application has been properly processed and noticed; therefore a postponement is not recommended. Staff has been in open communication with the public. The application is available on the Department's website, and the Applicant has met all obligations in securing necessary approvals from all agencies. The FY 2016 Subdivision Staging Policy – School Test, indicates that the Damascus High School Cluster is operating at unacceptable levels for the middle school. Therefore, the Applicant is required to pay a School Facility Payment. The applications are ready to be considered by the Planning Board at a Public Hearing.

SECTION 4: PRELIMINARY PLAN No.120150180

ANALYSIS AND FINDINGS – Chapter 50

Conformance to the Master Plan

The Damascus Master Plan (Master Plan) was approved and adopted in 2006. The Master Plan envisioned three areas—Town Center, Transition Area and Rural Area—for Damascus and vicinity and it recommended appropriate densities and zones for those areas. The Master Plan contemplated more intense development on public water and sewer service for the Town Center and parts of the Transition Area. It envisioned residential uses at lesser densities on larger lots with septic systems in the Transition Areas.

The Master Plan's primary vision—a Town Center identifiable as the community's heart—contemplated a moderate intensity of mixed uses in the Town Center, and encouraged a range of housing types. The Housing Chapter of the Master Plan indicates (p 43) that moderate density development would occur in the Town Center and that such development would include, "multi-family, single-family attached and live work units with the Town Center. This development would "accommodate a significant portion of the need for moderately priced dwelling units (MPDUs) and contribute to the economic base for local retail and service businesses."

Town Center Framework



- Mixed- Use (Non- Residential Emphasis)
- Mixed- Use (Residential Emphasis)
- Existing Residential
- Civic/ Institutional
- Park Land or Other Open Space
- Formal Open Space
- Potential Legacy Open Space
- Street Network
- Proposed Framework Streets
- Proposed Hiker/ Biker Trail
- Existing Buildings

0 700'

Figure 5 – Damascus Master Plan Town Center Framework (p 14)

The Master Plan proposed a new mixed use zone for the Town Center of Damascus. The new zone, called MXTC, or Mixed-Use Town Center, “will establish town-scale development that emphasizes the scale, proportion, design, and architectural context of structures, rather than separation of uses. The zoning allows a broad range of uses, but with density and review standards appropriate for this small town setting.” (p 95) The recently approved comprehensive revision to the Montgomery County Zoning Ordinance replaced the Mixed-Use Town Center Zone with the CRT (Commercial-Residential Town) Zone. The densities and building heights allowed in Damascus in the CRT Zone are the same as those allowed in MXTC. The CRT Zone reflects the goals and objectives of the Master Plan just as its predecessor, the MXTC Zone, did.

Before the 2006 Master Plan, the town center of Damascus was comprised of a complex mix of single-purpose commercial zones, one family residential zones, town house zones and planned development zones. The single purpose commercial zones allowed FARs of about 1.5, and the town house and planned development zones allowed a range of development between seven and 12.5 units per acre. The MXTC Zone generally allowed commercial floor area ratios of about 1.5, and allowed residential development maximums of eight or 20 units to the acre, depending on the type of development (standard or optional) a landowner chose. The CRT Zone now in place allows similar densities. The total allowable density is calculated based on the 8.82 acre gross tract area. The gross tract area is comprised of the 3.88 acre site, and two previous dedications for Woodfield Road Extended; 3.54 acres to Montgomery County and 1.40 acres to MDSA. The proposed development conforms to the density recommendations in the Master Plan in that it proposes development of 84 units or 118,000 SF, approximately 9.5 units per acre which falls well below the maximum density recommended by the Master Plan.

The Implementation Chapter of the Master Plan describes a Town Center with an inner core and an outer area. In the inner core, the Master Plan envisioned mixed uses with a focus on commercial activities and, in the outer area, mixed uses with a focus on residential uses. The Woodfield Commons Property is shown on the Plan’s Town Center Framework (p 14) in the outer core. The Master Plan anticipated that new development in the outer core of the Town Center would have to maintain compatibility with existing residential neighborhoods in the Transition Area and explicitly required evaluation of compatibility when the Planning Board reviewed all-residential projects in the outer core.

Providing broadly affordable housing at this location meets the Master Plan objectives for adding to the area’s inventory of affordable units. It also contributes to the Master Plan’s vision for a clearly defined Town Center with residents who are able to live close to shopping, civic and recreational opportunities. With appropriate massing and screening, the Application is consistent with the goals and objectives of the 2006 Damascus Master Plan.

The proposed subdivision substantially conforms to the recommendations adopted in the 2006 Damascus Master Plan in that the development will provide housing, specifically affordable housing, in the Town Center at a density and scale that is compatible with the surrounding development.

Public Facilities

Roads and Transportation Facilities

The Subject Property is located 200 feet to the west of the Post Office entrance off of Woodfield Road. Woodfield Road was extended north from Main Street (MD 108) to Ridge Road (MD 27) by Montgomery County. Once the extension of Woodfield Road was completed, the road was turned over to the Maryland State Highway Administration (MDSHA) for ownership and maintenance. The Subject Property has proposed to share the same full movement commercial access to Woodfield Road as the Post Office. The Applicant will also extend the sidewalk on the south side of the Post Office entrance that connects to Woodfield Road onto the Subject Property for full pedestrian access. On-site vehicle parking will be provided in garages under two of three proposed buildings and surface parking spaces. Long-term bicycle parking will be provided with bike rooms in each building as well as outdoor short-term bicycle parking.

Montgomery County Ride-on Route 90 provides bus service along Main Street, which is south of the Subject Property, connecting the downtown Damascus area to the Shady Grove Metrorail station. The route runs Monday through Friday all day with service every 30 minutes. The closest bus stop is 0.3 miles to the south on Main Street about 150 feet to the west of Woodfield Road.

Adequate Public Facilities Review (APF)

As conditioned, the Preliminary Plan for the proposed 84 unit, three residential apartment building complex, will satisfy the LATR and TPAR requirements of the Adequate Public Facilities (APF) review.

Trip Generation

The peak-hour trip generation estimated for the proposed development was based on trip generation rates included in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th edition. A trip generation summary for the Property is presented in Table 1, which shows that the proposed development would generate a total of 37 new peak-hour trips during weekday morning peak period and 40 new peak-hour trips during weekday evening peak period.

Table 1: Site Trip Generation

Proposed Development	Units	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Low-rise Apts (M-NCPPC)	84	7	30	37	26	14	40

Local Area Transportation Review (LATR)

A traffic study dated March 28, 2015, was submitted to determine the impact of the proposed residential development on the area transportation system. Four local intersections and the Subject Property access to Woodfield Road were identified as critical intersections for analysis for a total of five intersections to determine whether they meet the applicable congestion standard. All five intersections are located in the Damascus Policy Area with a Critical Lane Volume (CLV) standard of 1,400. The only non-signalized intersection included in the traffic study is the driveway access at Woodfield Road.

The proposed development trips were added to the existing and the background traffic (trips generated from approved but unbuilt developments) to determine the total future traffic. The total future traffic was assigned to the critical intersections to evaluate the total future CLVs. The result of CLV calculation is shown in the Table 2 below. As shown in the table, all intersections analyzed are currently operating at acceptable CLV congestion standards and will continue to do so under the background development condition, and total future traffic condition with the proposed use on the Subject Property.

Table 2: Summary of Critical Lane Volume (CLV) Calculations

Intersection	Critical Lane Volume (CLV) Standard	Existing Traffic		Background Traffic		Total Future Traffic	
		AM	PM	AM	PM	AM	PM
MD 27/Lewis Drive & Ridge Road/Locust Drive	CLV Standard 1,400	804	841	818	856	832	868
	Exceed CLV	no	no	no	no	no	no
MD 27 & Lewis Drive/High Corner Street	CLV Standard 1,400	867	770	871	787	871	787
	Exceed CLV	no	no	no	no	no	no
Woodfield Road & Ridge Road (Md 27)	CLV Standard 1,400	1,001	924	1,005	927	1,005	928
	Exceed CLV	no	no	no	no	no	no
Woodfield Road (MD 124) & Main Street (MD 108)	CLV Standard 1,400	519	1,019	533	1,031	543	1,054
	Exceed CLV	no	no	no	no	no	no
Woodfield Road & Site Driveway	CLV Standard 1,400	391	686	393	688	430	702
	Exceed CLV	no	no	no	no	no	no

Transportation Policy Area Review (TPAR)

The Property is located in the Damascus Policy Area. No TPAR payment is required because the Damascus Area is adequate under the roadway test and transit test according to the 2012-2016 Subdivision Staging Policy (SSP).

Master Plan Transportation Facilities

The 2006 Approved and Adopted Damascus Master Plan contains the following recommendations for adjacent roadway facilities:

Woodfield Road (MD 124) plus the northern extension: An arterial (A-12) with two travel lanes (one lane in each direction) with a right-of-way of 800 feet. The extension of this road to the north from Main Street to MD 27 has already been constructed by Montgomery County and is operational.

The 2005 Countywide Bikeways Functional Master Plan contain the following recommendations for adjacent bikeway facilities:

Woodfield Road: A dual bikeway (DB-30) consisting of a signed shared roadway and a shared-use path on the east side of the road from Harvest Knolls Way to Ridge Road (MD 27).

Based on the submitted Traffic Study and proposed layout, the proposed vehicle and pedestrian access for the Woodfield Commons subdivision will be safe and adequate with the proposed public and private improvements.

Other Public Facilities and Services

The proposed development will connect to public (community) water and sewer service which is consistent with the existing W-1 and S-1 service category designations.

The Preliminary Plan Application has been reviewed by the Montgomery County Department of Fire and Rescue Service who determined that the Property has adequate access for fire and rescue vehicles by transmittal dated September 1, 2015 (Attachment 2).

The Application is in the Damascus High School Cluster which is operating at an inadequate level (more than 105 percent utilization) at the middle school (109.3 percent) level according to the current Subdivision Staging Policy. Therefore, the Applicant is subject to a School Facilities Payment to MCDPS at middle school level at the multi-family unit rates for all units for which a building permit is issued. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.

Other public facilities and services, such as, gas, electric, telecommunications, police stations, firehouses and health services are available and currently operating within the standards set by the Subdivision Staging Policy Resolution currently in effect.

Environment

The Application is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County code, and requires a Forest Conservation Plan. The Preliminary Plan is in compliance with the Montgomery County Environmental Guidelines (as discussed below) and the Forest Conservation Law, as conditioned in the Staff Report.

ENVIRONMENTAL GUIDELINES

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) was approved for the Property on March 31, 2015. The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property. The Property contains approximately 0.90 acres of existing forest, 0.23 acres of wetlands, and 0.36 acres of wetland buffer. The Property is within the Upper Patuxent watershed; a Use III-P watershed.

The Applicant proposes approximately 1,600 sf (0.04 acres) of encroachment into the wetland and 6,635 sf (0.15 acres) of encroachment into the wetland buffer to accommodate the proposed building layout, utilities, and a pedestrian connection. The remainder of the wetland and wetland buffer, outside of the previously existing WSSC easement, will be protected by a Category I conservation easement. The wetland appears to have developed due to man-made impacts that blocked a natural drainage feature. The adjacent Damascus Shopping Center does not accommodate surface runoff received from the Subject Property. When the shopping center revamped its parking and pavement in 2010 – 2011, there appears to have been no consideration given to the shallow drainage path on the Property and over the course of recent years, Staff surmises that a combination of surface and groundwater conditions caused by impeded runoff have contributed to, or caused the wetland conditions to appear. While the Army Corps of Engineers and the Maryland Department of the Environment have refused to take jurisdiction

over the wetland, the Environmental Guidelines direct Staff to consider appropriate protection measures for this resource.

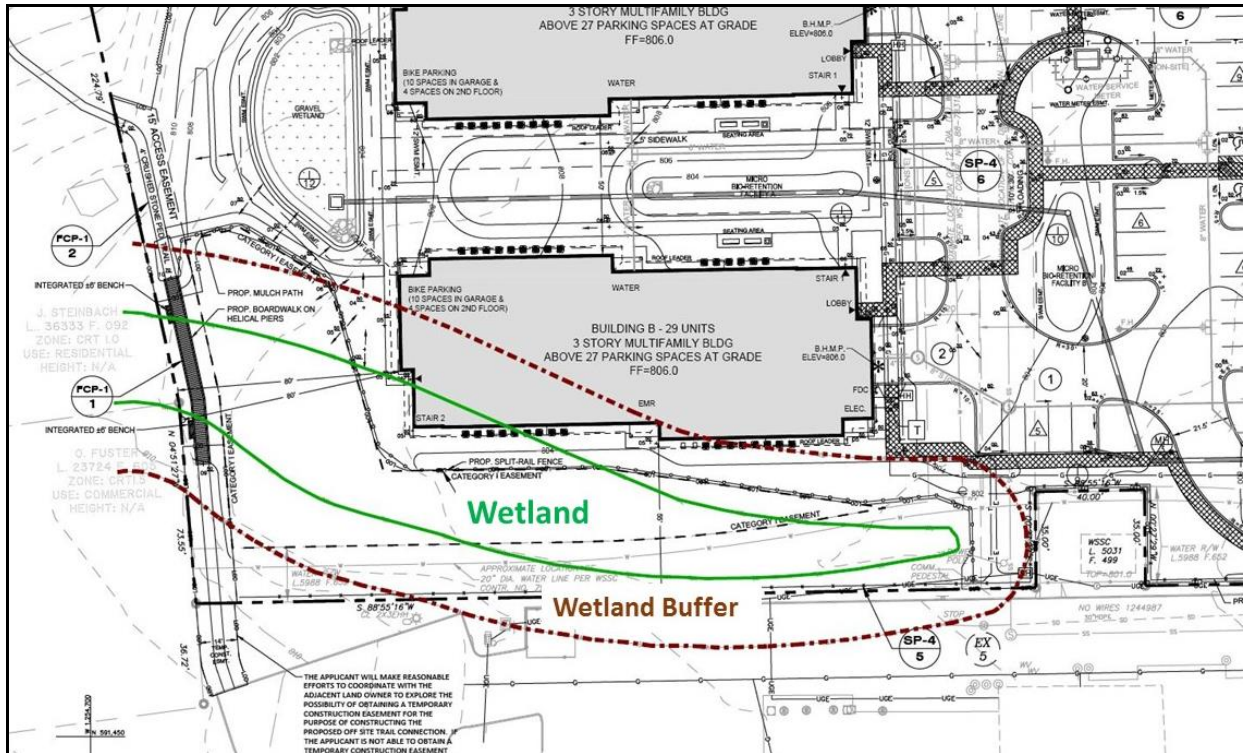


Figure 6- Wetland and Wetland Buffer

The pedestrian connection will be a crushed stone trail outside of the wetland and a boardwalk will span the wetland itself. The boardwalk will be constructed on helical piers (screw-in pilings) to minimize construction within the wetland area. Additionally, the railing along the boardwalk will be attached to the board walk structure and will not require additional posts drilled into the wetland. The use of helical piers will allow for minimal disturbance and blockage of flow of water through the wetland. The Applicant has provided a full justification statement (Attachment 3) on the wetlands impacts and how they have avoided, minimized, and mitigated for the proposed impacts. Following is a brief synopsis of the justification:

Avoidance:

Site constraints including a steep (greater than 3:1), 20 foot high slope that runs the entire length of the northern Property line within the rectangular portion of the Subject Property. Two contiguous 20 foot wide WSSC water and sewer easements run in a north south direction through the center of the Subject Property and then makes a ninety degree bend to the east, then run parallel to the northern Property line for approximately 250 feet. A second 20 foot diameter WSSC water main runs along the entire southern boundary of the Subject Property and through the wetland and wetland buffer. The cumulative impacts of the natural and man-made constraints limit the possible locations for the buildings, parking areas, driveways, fire department and emergency vehicle access, utilities, storm water management facilities and storm drain elements of the proposed development. These constraints make

total wetland avoidance very difficult and would likely prohibit achieving affordable housing on the Property.

Minimization:

The layout shown on the pre-application plan, prepared prior to the wetland determination, has been revised to move the buildings to the north and east to the greatest degree possible. The revised plan reduces the wetland area impacts by 84% and the wetland buffer impacts by 74%.

Mitigation:

The Applicant proposes to offset or mitigate the environmental impacts through a combination of maintaining hydrology, invasive management, and enhancing the plant material within the wetland. The hydrology will be maintained by a modified design that no longer diverts the off-site stormwater, but rather directs some of flow to the wetland which will help maintain the hydrology. The wetland area will be enhanced through on-site invasive species management and supplemental plantings of native vegetation. The proposed plantings will be a mix of shade trees, flowering trees and shrubs that are suitable for wet locations. These plantings will not only improve the appearance of the wetland, but provide shade to prevent dry-out in summer and will discourage the recurrence of invasive species, thereby enhancing the function of the wetland. Additionally, an Invasive Species Management Plan will be prepared and implemented by the Applicant after being approved by Planning Staff. These proposed mitigation efforts will help minimize the effects of the wetland and wetland buffer encroachments. The wetland and its buffer that remain outside of the limits of disturbance will be protected by a Category I easement in perpetuity.

FOREST CONSERVATION

A Final Forest Conservation Plan has been submitted for review (Attachment 4). There are approximately 0.90 acres of existing forest on the Property. The forest is comprised of one stand and is an early successional, mixed-upland forest dominated by Tree of Heaven (*Ailanthus altissima*) and Black Cherry (*Prunus serotina*).

The Applicant does not propose to physically clear all of the existing forest. However, the remaining portions of the forest stand will no longer meet minimum forest stand size requirements so for purposes of the forest worksheet calculations, all the forest will be counted as cleared. Based on the land use category and the forest conservation worksheet, the 0.90 acres of forest clearing results in a 1.58 acre reforestation planting requirement generated for the Application. The planting requirement will be met offsite via a fee-in-lieu payment. The Final Forest Conservation Plan meets all applicable requirements of Chapter 22A of the County Code.

Staff recommends that the Planning Board approve the Final Forest Conservation Plan with the conditions cited in this Staff Report.

Stormwater Management

The MCDPS Water Resources Section approved the stormwater management concept on October 26, 2015 (Attachment 5). The concept proposes to meet the stormwater management goals via micro bio retention facilities and gavel wetlands.

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 and meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision taking into account the recommendations included in the Damascus Master Plan, and the proposed development of three garden apartment buildings in substantial conformance with the Master Plan.

The 3.88 acre lot was reviewed for compliance with the dimensional requirements for the CRT zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, setbacks in the CRT zone. A summary of this review is included in attached Table 3. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Table 3: Preliminary Plan Data Table (Apartment Building Type in CRT Zone)

Plan Data	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Gross Tract Area	n/a	8.82 acres/384,200 SF
Previous Dedication – Montgomery County – SHA		3.54 acres/154,2020 SF 1.40 acres/60,984 SF
Minimum Lot Area/Net Tract	n/a	3.88 acres/ 169,013 SF
Lot Frontage	n/a	50 ft.
Setbacks		
Front	0'	n/a
Side	n/a	n/a
Rear (abutting residential)	45 ft. min.	Must meet minimum ¹
Maximum Residential Density	1.5 FAR (384,200 SF)	118,000 SF/ 84 du's
Dwelling Unit Mix		11 MPDU's (13 %) 64 MPDU Equivalent 9 Market Rate
Maximum Commercial Density	0.5 FAR	None

¹ As determined at Site Plan.

Zoning and Prior Approvals

Prior to the 2006 Damascus Master Plan and Sectional Map Amendment, the Property was in the O-M Zone (Office Building, Moderate Intensity). Consistent with the recommendation in the 2006 Damascus Master Plan, the District Council, adopted Sectional Map Amendment G-854 which rezoned the Property from the O-M Zone to the MXTC Zone (Mixed-Use Town Center). In 2014, the District Council adopted District Map Amendment G-956 which changed the zoning of the Property from the MXTC Zone to the CRT-1.5 Zone (Commercial/Residential Town).

There are no previous approvals that encumber this site. In 2012, Towns of Damascus, LLC, a previous contract purchaser, filed Pre-Preliminary Plan No. 720130020 which proposed to develop the Property with 48 single-family attached dwelling units. The Application was accepted for review, however the contract purchaser did not proceed with the proposed development.

The Applicant filed Pre-Preliminary Plan 720150030 in 2014 which was reviewed by the Development Review Committee on November 24, 2014. The proposed development reflects the comments transmitted to the Applicant.

CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conform to the recommendations of the Damascus Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the Preliminary Plan has been reviewed by other applicable county agencies, all of whom have recommended approval of the Preliminary Plan. Therefore, approval of the application with the conditions specified above is recommended.

SECTION 5: SITE PLAN No. 820150090

Site Plan Proposal

This Site Plan has been reviewed under the standard method of development using the Commercial Residential Town Zone.

The development will provide 29, one-bedroom units with approximately 676 square-feet of living space; 45, two-bedroom units with approximately 882 square-feet of living space; and 10, three-bedroom units with approximately 1,225 square-feet of living space. All three buildings will have covered or indoor bike storage areas and most of the units will have balconies. A community room, a laundry facility, and other community-orientated spaces are located in Building C.

The 84 apartment units will be distributed within three (3), four-story elevator buildings, approximately 55 feet in height. The buildings will be clad in cementitious siding and brick, and will be Energy Star and Enterprise Green Communities – certified.

- Building A has first floor covered parking with three levels of residential above, comprising 29 units.
- Building B has first floor covered parking with three levels of residential above, comprising 29 units.
- Building C will have community space and residential on the first level, three additional residential levels comprising 26 units, with surface parking located to the front and at the southern end of the building.



Figure 7: Illustrative Site Plan

Analysis and Findings

Section 59.7.3.4

1. ***When reviewing an application, the approval findings apply only to the site covered by the application.***

The approval findings discussed below, apply only to the site covered under this application.

2. ***To approve a site plan, the Planning Board must find that the proposed development:***

- a. ***satisfies any previous approval that applies to the site;***

The Applicant is submitting this application concurrently with Preliminary Plan No.120150170. The Site Plan is in conformance with the Preliminary Plan No.120150170.

- b. ***satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;***

There are no previous approvals for a development plan or schematic development plan on the Subject Property.

- c. ***satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;***

This section is not applicable. In 2014, the District Council adopted District Map Amendment G-956 which changed the zoning of the Property from the MXTC Zone to the CRT-1.5 Zone.

d. satisfies applicable use standards, development standards, and general requirements under this Chapter;

The Applicant is requesting the following modifications to the Build-to-Area (BTA) and maximum front setback for an apartment building type in the CRT zone per Section 59.4.5.3.C.3.

- 1) Reduce the amount of building façade required in the front street BTA (max. 30 feet) from 70% to 0%.
- 2) Reduce the maximum front setback from 30 feet to approximately 247 feet.

The Applicant is requesting the above modifications because of the physical constraints of the Property because of its shape. The lot has minimal frontage on Woodfield Road that make it physically impracticable to locate any portion of a multi-family structure within the maximum 30 foot Build- to- Area. Without a modification to this Section, development of the Property for the proposed use is technically infeasible. The modification would allow for the BTA to include 0% of a building façade and for the maximum setback (BTA) to be approximately 247 feet from the street line.

i. Division 4.5 Commercial/Residential Zones

Development Standards

The Property is 3.88 acres zoned CRT-1.5, C-0.5, R-1.0, H-55T. The following tables show the Application’s conformance to the development standards of the CRT Zone, except for Section 59.4.5.3.C.3., Build-to-Area (BTA) as described above.

The Site Plan meets the development standards of Section 59-4.5.3. Standard Method of Development, as shown in the Data Table below:

Table 4: Site Plan 820150090 Data Table		
Development Standard	Permitted/Required	Proposed for Approval
Total Density (max) 59-4.5.3.B	The greater of 1.0 FAR or 10,000 SF of gross floor area (384,200 SF)	118,000 SF
Public Open Space (59-4.5.3.C.1) 10% Minimum Standard Method	16,901 SF	18,600 SF
CRT Density – Floor Area Ratio (FAR)	1.5	0.31
Placement (feet) 59-4.5.3.C.3		
Front	0	267 ft.
Rear setback @ R-200 (1.5x30 ft.)*	45 ft. min.	80 ft. min.
Side setback @ R-200 (1.5x12 ft.)*	18 ft. min.	44 ft. and 55 ft. min.
Parking Setback (feet) Surface Parking Lots (min)		
Front setback	Behind front building line	Behind front building line

Rear	Landscaping required under Section 6.2.9	Min. 33 ft. wide wooded area & street trees provided
Side setback	Landscaping required under Section 6..2.9	Street trees and fence provided
Building Height (feet)	55	55
Parking Facility Internal Landscaping (%)	5%	18.5%
Parking Spaces Required (59-6.2.4.B)		
-For each dwelling unit with one separate bedroom, 1 ¼ space		
-For each dwelling unit with two separate bedrooms, 1 ¼ space		
-For each dwelling unit with three or more separate bedrooms, 2 spaces		
-For MPDU and MPDU equivalent units – parking rate is 50% of market rate unit		

*59-4.1.8.A.2. Setback Compatibility. Setback required along a side or rear lot line is equal to 1.5 times the minimum required for a detached house on abutting property in R-200 Zone.

Building A with garage		
#Units	#Bedrooms	# Spaces Required
10	1 BR MPDU (or equivalent)	7
15	2 BR MPDU (or equivalent)	12
2	3 BR MPDU (or equivalent)	2
1	1 BR Market	2
0	2 BR Market	0
1	3 BR Market	2
29 total		24 Spaces Required
		27 Spaces Provided – includes 2 accessible & 2 compact spaces**
Building B with garage		
#Units	#Bedrooms	# Spaces Required
9	1 BR MPDU (or equivalent)	6
14	2 BR MPDU (or equivalent)	11 Spaces
3	3 BR MPDU (or equivalent)	3 Spaces
2	1 BR Market	3 Spaces
1	2 BR Market	2 Spaces
0	3 BR Market	0 Spaces
29		25 Spaces Required
		27 Spaces Provided – includes 2 accessible & 2 compact spaces**
Building C w/Surface Parking		
#Units	#Bedrooms	#Spaces Required
6	1 BR MPDU (or equivalent)	4 Spaces

12	2 BR MPDU (or equivalent)	9 Spaces
4	3 BR MPDU (or equivalent)	4 Spaces
1	1 BR Market	2 Spaces
3	2 BR Market	5 Spaces
0	3 BR Market	0 Spaces
		24 Spaces Required
		30 Spaces Provided – includes 2 accessible spaces**
Total Units	Total Spaces Required	Total Spaces Provided
84	73 Spaces	95 Spaces

** Each garage in each building and surface lot will provide 1 van & 1 standard accessible space

Parking Provided				
For 84 units	Total Parking	Standard Spaces	Accessible Spaces (2%)	Accessible Van Spaces (1 per 4)
Required			4 Spaces	1 Space
Total Parking	95 Spaces	89 Spaces	6 Spaces	(3 Spaces)*
Surface Parking	41 Spaces	39 Spaces	2 Spaces	1 Space
Structured Parking	54 Spaces	50 Spaces	4 Spaces	2 Spaces

*() included within Accessible Spaces

Loading Space Requirement (59-6.2.8.B)	Required	Provided
	1 Space	1 Space
Bicycle Parking Requirement (59-6.2.4.C)	40 (long term spaces) 2 (short term spaces)	42 total bike spaces provided
Signage (59-6.7.9) freestanding sign (2 SF for each linear foot of frontage)		
Frontage	Allowed/Required	Provided
50.23 linear feet	100 SF	100 SF

Section 4.5.3.C.5 Form

The Site Plan conforms to the intent of the form standards for transparency and blank walls. Since the ground level garages for Buildings A and B have very large openings which are covered with see-thru architectural screening, blank walls are not an issue. There are also no large expanses of blank walls on the ground level for Building C. The ground floor of this building have glass entrance doors for both the east and west elevations of the building, and numerous windows for the community spaces and apartments. As conditioned, the final exterior architectural character, proportion, materials, and articulation must be substantially similar to the illustrative elevations shown on sheets “Building A & B Elevations”, and “Building C Elevation”, both dated May 27, 2015, as determined by M-NCPPC Staff.

ii. *Division 6.1 – Site Access*

The Subject Property is has adequate, safe, vehicular and pedestrian access. The Subject Property shares vehicular access from Woodfield Road with the Damascus Post Office via a private driveway. Pedestrian access is also from Woodfield Road via a sidewalk on the south side of the driveway that leads to the residential buildings. Another pedestrian only access will also be provided on the site’s western boundary via an existing gravel pathway that will be extended into the Property.



Figure 8: Entrance to the Property from Woodfield Road

iii. *Division 6.2 – Parking, Queuing, and Loading*

Parking is appropriately located and designed on the site. Structured Parking is provided on the ground floor levels of Buildings A and B. Surface parking is provided in front of, and on the southern end of Building C. Of the 95 total parking spaces on the Property, there are 54 structured parking spaces and 41 surface parking spaces. The Site Plan also provides 42 bike spaces and one loading space.

iv. *Division 6.3 Open Space and Recreation*

Public Open Space

Development with an apartment in the CRT zone is required to provide 10 % public open space. Public open space is intended to be devoted to public use or enjoyment that attracts public appreciation due to its location and amenities. Under the standard method of development, public open space must:

- a. Abut a public sidewalk or other public pedestrian route;
- b. Be a minimum of 15 feet wide;
- c. Include seating and shade; and
- d. Be in a contiguous space.

The Public Open Space provided as part of the Site Plan meets the requirement noted above. The Public Open Space comprises a 18,600 square-foot area located between the western property boundary to the western sides of Buildings A and B, and also contains a 15-foot wide area that includes a gravel trail and boardwalk along the site's western boundary. A path from the central courtyard leads to the trail which will have benches integrated into the boardwalk that overlooks a natural wetland area which will be planted with a mix of shade and flowering trees, shrubs and other vegetation. The path and trail provides another pedestrian link to the shopping center. The Public Open Space also includes a gravel wetland area and a large stand of trees that will be retained along the northwest corner of the Property.

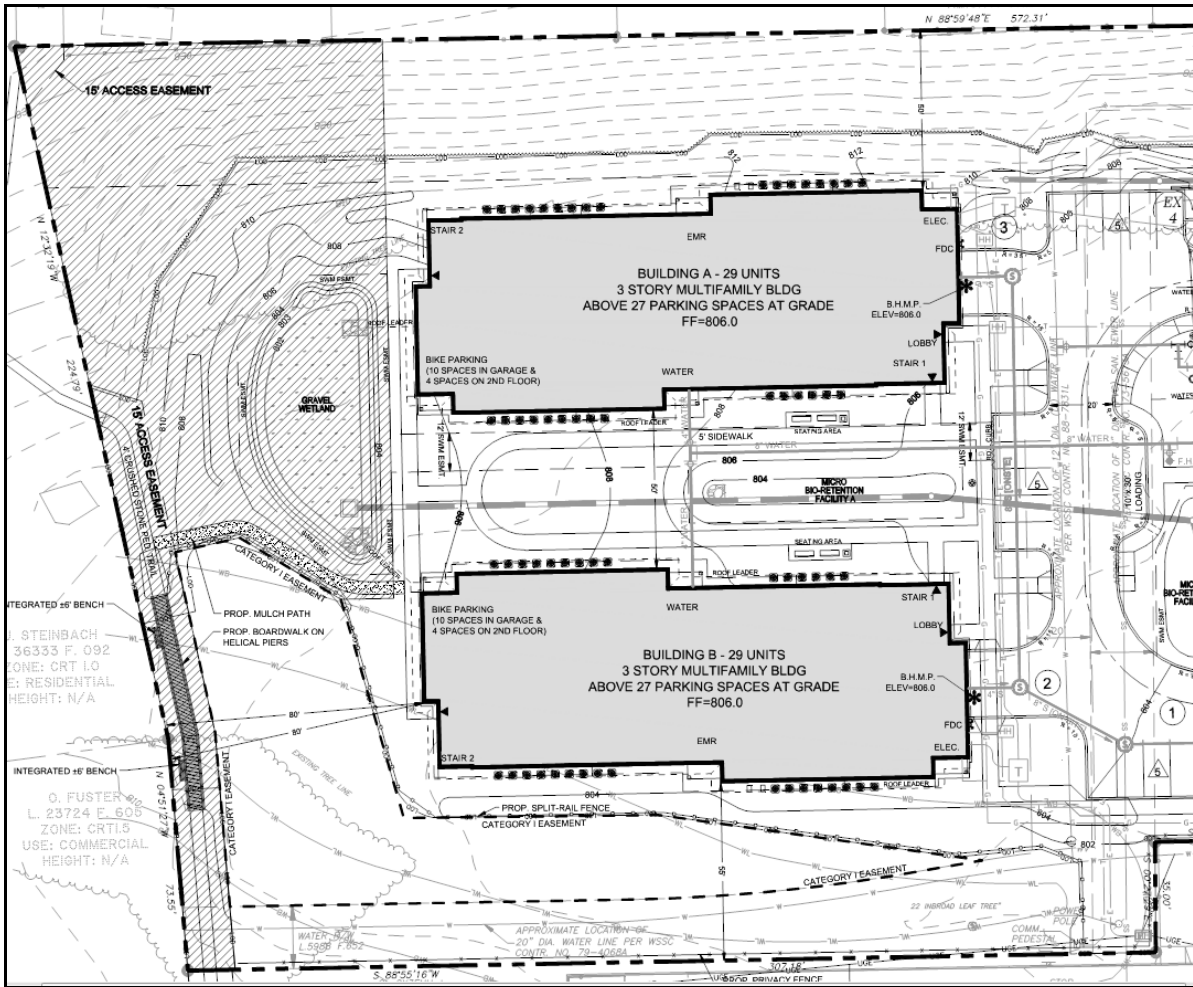


Figure 9: Public Open Space

Recreation Facilities

The Planning Board must adopt guidelines that detail the standards and requirements for recreation facilities. The guidelines must:

- a. be consistent with the purposes of this Chapter;
- b. be in addition to any standards, requirements, or rules in this Chapter; and

c. establish the minimum standards for development of a property with more than 19 residential units.

The development meets the required recreational demands for the CRT zone. The development will provide the following on-site recreational facilities; a fitness center, furnished community room, TV lounge, computer lab, an outdoor playground and an extension of an existing gravel pedestrian trail and boardwalk along the western boundary of the Property.

v. *General Landscaping and Outdoor Lighting*

Landscaping

Landscaping, lighting and other site features will be provided to enhance the development and to ensure safety for residents and visitors. The central, rectangular courtyard area between Buildings A and B features flowering trees and other attractive landscaping and seating areas. Flowering trees, shrubs and site furnishings will also be provided at the terrace and seating areas surrounding Building C.

Outdoor Lighting

In public open space and amenity open space, illumination at the property line must be:

- a. 0.1 footcandles or less if the subject property abuts a property that is in an Agricultural, Rural Residential, or Residential zone that is vacant or improved with an agricultural or residential use;
- b. 0.5 footcandles or less if the subject property abuts any other property, excluding street lights within the right-of-way.

Lighting for the Property is 0.3 footcandles or less along all Property boundaries. Lighting is 0.0 footcandles along the northern property boundary adjacent to the R-200 Zoned residential community. In addition to building lighting and accent lighting, pole-mounted street lights are provided with the parking and drive aisles. Staff recommends that additional lighting be provided on the western end of the courtyard area between Buildings A and B.

e. satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

The Site Plan is in conformance with Chapter 19, Erosion, Sediment Control and Stormwater Management. The Department of Permitting Services, in a letter dated October 26, 2015, accepts the stormwater management concept for the subject site. The stormwater management concept proposes to meet required stormwater management goals via the use of micro biofiltration and a gravel wetland.

ii. Chapter 22A, Forest Conservation.

The application is in compliance with the Environmental Guidelines and Forest Conservation Law. Staff recommends the Planning Board approve the final conservation plans as part of the site plan with the conditions cited in this staff report.

f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The Site Plan provides adequate, safe, and efficient parking and circulation patterns. Access is from Woodfield Road to a private driveway that extends westward past the Damascus Post Office entrance to the development. The driveway leads to an oval loop with parking that is centered between the three apartment buildings. Buildings A and B have a ground level garage with residential units above, and Building C has surface parking. Adequate sidewalks are provided for internal circulation, and pedestrians will be able to use a sidewalk that links to Woodfield Road and to the adjacent shopping center. Along the western property boundary, a four-foot wide crushed gravel trail and boardwalk will extend from an existing trail to the parking lot of the adjacent shopping center.

g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

As discussed in the Preliminary Plan section of the report, the Site Plan substantially conforms with the recommendations of the 2006 Damascus Master Plan. The Plan recommends that proposed developments in the Town Center be evaluated for compatibility with the adjacent residential neighborhoods (p.97). Sections included in the Applicant's submittal suggest that primarily just the upper 4th level and rooftops of Buildings A will be visible, with the upper 4th level and rooftop of Building C the most visible (See figures 10 and 11 below).



Figure 10: “residential backyard view” is from eye level, looking southwest from behind a house on Beall Avenue.



Figure 11: “Bird’s eye view” is looking from the northwest corner of the site, showing existing and new trees and plantings, the walking path and boardwalk, and the siting of buildings around a central courtyard.

Figures 10 and 11 show the existing fencing and trees (on both sides of the property line), and illustrates that the slope of the site and vegetation create a natural visual buffer. Some residents will see the length of the upper 4th level and roof of building A and others will see the width of the upper 4th level and roof of Building C. The length of building A is about 170 feet, the approximate width of two Beall Avenue lots. The width of building C is 55 feet, about the width of a single Beall Avenue lot. Existing forest on the slope between Beall Avenue and Woodfield Commons may obscure some, but not all of the buildings. To the extent that a portion of the buildings’ 4th level rooflines may be visible from several Beall Avenue properties, their visual impact will be less than it would if the buildings were more broadly visible from the street.

h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;

As discussed in the Preliminary Plan section of this report, the Site Plan will be served by adequate public facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and

The Property is not located in a Rural Residential or Residential Zone.

j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.

The Site Plan is compatible with other existing and approved or pending adjacent development. Staff finds that the development is compatible with the R-200 zoned adjacent single-family neighborhood on Beall Avenue to the north. The rear of the homes on Beall Avenue are located approximately 170 feet from Building A, the closest building to the north Property line. Building A is the closest of the three buildings to the abutting lots; located 50 feet from the northern Property line. The buildings will be screened from the homes on Beall Avenue by an approximately 30 foot wide buffer strip of mature woodland containing a tall, mixed variety of trees will remain. This 0.55-acre buffer along steeply sloping topography will provide an effective natural screen between the single-family development and the Subject Property (see Figures 12, and 13 below). While the three, 4-story buildings are 55 feet in height, the buildings appear to be much lower from the adjacent property to the north because the topography is approximately 20 feet lower than the grade at rear property line of the adjacent single family property.



Figure 12: Section thru Buildings A and B showing a drop in elevation, and a buffer of trees between the Subject Property and the adjacent residential properties on Beall Avenue

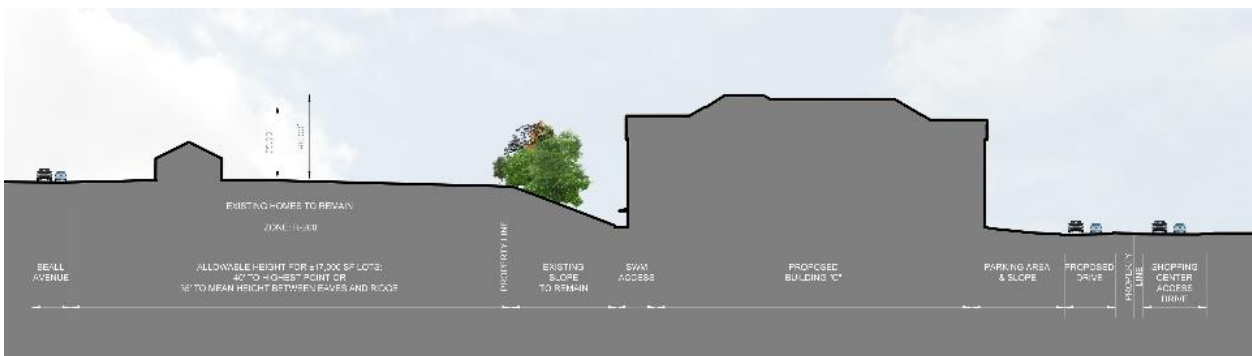


Figure 13: Section thru Building C, also showing a drop in elevation, and a buffer of trees between the Subject Property and the adjacent residential properties on Beall Avenue

As discussed in paragraph *g*. and as graphically shown *figures* 12 and 13, above, primarily just the upper 4th level and rooftops of two of the three buildings will be visible, with the 4th level and roof of Building C, to the east of the property, the most visible.

The Site Plan is also compatible with the adjacent, existing shopping center to the south. Building B is located at least 50 feet from the southern Property boundary, and a 6-foot high privacy fence will extend along the length of this boundary. Buildings A and B are located at least 80 feet from the rear of the residential properties on CRT-zoned land to the west. Some existing woodlands and some large trees will be provided within the western public open space area. Building C is located approximately 45 feet from the eastern Property boundary where landscaping and a 6-foot high privacy fence will screen the post office property.

3. To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.

Not Applicable to this development.

4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.

Not applicable to this development.

CONCLUSION

The Preliminary and Site Plan Applications meet the requirements established by the CRT-1.5, C-0.5, R-1.0, H-55, and substantially conforms to the recommendations of the *2006 Damascus Master Plan*. Staff recommends approval of the Preliminary and Site Plan, subject to the conditions contained in Section 2, of this report.

ATTACHMENTS

1. Community Correspondence
2. Fire and Rescue letter dated September 1, 2015
3. Statement of Justification for Impact to Wetland
4. Forest Conservation Plan
5. Stormwater Management Concept letter dated October 26, 2015
6. Preliminary Plan 120150170
7. Site Plan 820150090
8. Statement of Justification from the Applicant
9. Montgomery County Department of Transportation letter dated August 13, 2015
10. Montgomery County Department of Permitting Services letter dated October 26, 2015
11. Montgomery County Department of Housing and Community Affairs letter dated September 17, 2015
12. Maryland State Highway Administration letter dated October 1, 2015
13. Regulatory Plan Extension Request dated October 13, 2015

Casey, Jonathan

From: michael samuels <samdread@yahoo.com>
Sent: Monday, October 12, 2015 7:38 PM
To: Casey, Jonathan
Subject: KEEP DAMASCUS RURAL

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good day

I am appealing to you that Damascus be kept rural. I recently bought a property in this area and that was the reason for doing it. It is a very beautiful area and the natural greenery is breathtaking. Please do not spoil it. We do not want this community to be overcrowded, traffic snarling everyday and the environment spoiled. I appeal to you to update the master plan so that the rural charm of Damascus be maintained.

Thanks

Casey, Jonathan

From: Shawn Howell <showell81@gmail.com>
Sent: Wednesday, October 07, 2015 12:12 PM
To: Casey, Jonathan
Subject: Damascus Growth - 124/Woodfield Rd Development

Follow Up Flag: Follow up
Flag Status: Completed

Hello Jonathan,

I'm reaching out as I was provided your information upon seeking a resource for what the expected positive outcomes were/are for the potential developments targeted at Damascus.

Damascus barely has the infrastructure to support the growth that is occurring now, as well as the growth that is pushing in from Clarksburg. Instead of sprawling fields with wildlife, there are houses where neighbors can almost pass remotes to each other out the windows...

Thanks for your help!

Shawn Howell
703-220-1554

Casey, Jonathan

From: Stacy Stonich <sstonich@gmail.com>
Sent: Friday, September 18, 2015 12:08 PM
To: Casey, Jonathan
Subject: Regarding Plan #120150170 - Woodfield Commons

Follow Up Flag: Flag for follow up
Flag Status: Completed

Categories: Woodfield Commons

Dear Mr. Jonathan Casey,

It has come to the attention of the residents of Damascus, Maryland that you are the Lead Reviewer for a development project near the Safeway grocery store in Damascus. I would like to personally raise concerns about these plans to build 3 garden-style apartment buildings. My family and I moved to Damascus for its rural roots, scenery, and especially the small town feel. With each new development that is proposed it chips away at the beauty that makes Damascus special. In addition, the road system coming into and out of Damascus are not built to handle increased traffic. The current congestion in the town will only get worse with each new development. We love our town and don't want it to change.

Thank you for your time,
Stacy Stonich
Concerned Damascus Resident

Casey, Jonathan

From: Zack Stonich <Zack.Stonich@caradigm.com>
Sent: Monday, September 21, 2015 1:03 PM
To: Casey, Jonathan
Subject: Regarding Plan #120150170 - Woodfield Commons

Categories: Woodfield Commons

Dear Mr. Casey,

It has come to the attention of the residents of Damascus, Maryland that you are the Lead Reviewer for a development project near the Safeway grocery store in Damascus. I would like to personally raise concerns about these plans to build 3 garden-style apartment buildings. My family and I moved to Damascus in 2008 for the community and small town appeal. When I consider the ongoing massive Clarksburg expansion and the impact it is having on the traffic through Damascus, I am very concerned that adding new developments to Damascus will further diminish the town and dramatically impact our already overburdened roads. We love our town for what it is today and do not want to see it changed.

Thank you,
Zack Stonich
Concerned Damascus Resident

Casey, Jonathan

From: Margaret Scates <meg.scates@verizon.net>
Sent: Monday, October 19, 2015 10:35 AM
To: Casey, Jonathan
Subject: Damascus

Follow Up Flag: Follow up
Flag Status: Flagged

I am totally against any development in Damascus, and in particular in the corridor behind the Safeway. Any new homes will be unwanted, but apartments, and low income housing, in particular. Those structures devalue our homes. Damascus will become the next Germantown - with the upper middle class seeking other communities to reside in.

Meg Scates
9400 Faith Lane
Damascus, MD 20872

Casey, Jonathan

From: MJ Smith <mj8smith@yahoo.com>
Sent: Friday, October 16, 2015 9:34 PM
To: Casey, Jonathan
Subject: Behind Safeway Project

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello

Please no development in Damascus. With the Clarksburg development my commute on 27 to 355 increased by 22 minutes on average one way - 44 minutes per day - an additional 3.6 hours per week. Hasn't this been sufficient development for those that don't reside in Damascus? I now lose 3.6 hours per week of my life because of Montgomery County development. I moved here from Chicago and Damascus has been a great place to live for 15 years, please keep it that way. We need the master plan changed!

Thank you.

MJ Smith
Damascus, MD



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

November 20, 2015

Heidi Sussmann and Jim Quinn
10222 Crosscut Way
Damascus, MD 20872

Dear Ms. Sussmann and Mr. Quinn:

Thank you for your emails of October 22, 2015 and November 2, 2015 on the 2006 Damascus Master Plan and its vision for the future. I apologize for not responding sooner, but I wanted my staff to give your comments thorough consideration. Your email raises ten questions about development projects in Damascus along with concerns about the Damascus Master Plan. We have attempted to address all of the issues that you have raised, but we also understand that the Damascus community is interested in having a community meeting on this project. To this end, we have been working with the Upcounty Services Center to organize a community meeting for Monday, November 30th. Plans are still underway and more information on the exact time and location will be sent to you by my staff as soon as that information is available.

Until then, please review the following explanations and clarifications per the issues raised in your emails.

Responses to questions on Proposed Preliminary Plan 120150170 and Site Plan 820150090 – Woodfield Commons:

1. **Work Force and Affordable Housing.** Affordable housing is a significant concern in Montgomery County and there is a large deficit in the number of affordable housing units that are needed to meet the demands of current residents. Providing more affordable housing is a goal that has been endorsed by the Planning Board and County Council. In Montgomery County, there are several different programs that are used to assist with the development of affordable housing through ordinances such as the Moderately Priced Dwelling Units (MPDU) or financing programs administered by the Department of Housing and Community Affairs (DHCA). It is important to explain that all residential development projects over 20 units in size **must** provide 12.5% MPDUs. However, there are other projects that are developed by groups whose main mission is the provision of affordable housing. These groups can and do choose to provide a much higher percentage of affordable housing. There is no legal limit to the percentage of affordable units that can be included in a project, although the County has generally had a policy of not wanting 100% affordable buildings and has advocated for projects that have some mix of incomes. The project in Damascus – Woodfield Commons – is an example of a project that is being developed in partnership with the Montgomery County Housing Opportunities Commission and is choosing to provide many more affordable units than the baseline of 12.5% that is required under the law. More details about the different County programs that relate to affordable housing is included below:

Moderately Priced Dwelling Units (MPDU):

MPDU's are required in Montgomery County for any new residential development with more than 20 dwelling units. Once designated as an MPDU unit, it is administered by the

Montgomery County Department of Housing and Community Affairs for a period of 30 years for ownership units or 99 years for rental units. Within those time periods, an MPDU unit is made available to qualifying individuals or families that meet specific income levels based on a calculated area median income. Generally MPDU's are available to households that earn 60% or less of the area median income for their respective family size.

Montgomery County Housing Opportunities Commission (HOC)

The 1986 Federal Tax Reform Act created the Low Income Housing Tax Credit (LIHTC) program to encourage private sector investment in the construction and rehabilitation of affordable housing. For any LIHTC project there is a 15 year tax credit compliance period, and for the Woodfield Commons project there is a 25 year extension required for a total of 40 years where the LIHTC will be made available to those meeting the 60% to 30% area median income criteria.

The Montgomery County Housing Opportunities Commission is a partner in the Woodfield Commons project. In addition to providing a certain amount of funding for the project, the HOC will also facilitate a comprehensive resident service program for the resident population at Woodfield Commons to include: children afterschool learning activities, financial literacy and fiscal management, coordination of internship and summer programs for youth, disability services, and workforce development empowerment activities to name a few.

Conifer Management, LLC will continue on as the property management company and will be responsible for the day to day operations and maintenance of the entire community, including the outdoor common areas and grounds. Conifer has more than 40 years of experience managing similar communities and they acknowledge that there is a need to ensure that what is developed is consistent with community goals, market demands and that their project remains an economically viable asset to the community. Conifer will continue to own and operate Woodfield Commons.

2. **Determination of MPDU Units.** As described above, the law requires a minimum of 12.5% MPDUs; however, there is no maximum percentage in the law. A project that is being developed for the purpose of providing affordable housing and that is using the Low Income Housing Tax Credit frequently includes a higher percentage, although Montgomery County generally discourages 100% affordable projects. The minimum percentage of MPDU's is derived from Chapter 25A of the County Code for Moderately Priced Housing. A link to this site is provided below:

http://montgomeryco-md.elaws.us/code/coor_ptii_ch25a

In brief, for any new development with 20 or more units, the developer must designate a minimum of 12.5 percent of the units as MPDU's and build them accordingly. Development projects may include more than 12.5 percent MPDUs and, by doing this, can achieve additional density if the developer chooses to do so. **Please note that no density bonus was requested by the applicant for Woodfield Commons.** This property is being proposed under the current zoning on the land. Chapter 25A applies to all new developments in Montgomery County.

A note on the Preliminary Plan reads as follows: *"The notation of MPDU on the plans shall mean MDPU or equivalent as defined in the County Executive Regulations 13-05 Paragraph 3.2. Upon expiration of the affordability period for the low-income housing tax credit (LIHTC) affordable units, 12.5% of the total number of dwelling units will be administered as MPDU's in accordance with Chapter 25A for the balance of the applicable MPDU affordability period."* As explained by the applicant's team, 89 percent of the units meet the County Executive's definition of Moderately Price Development Units (MPDU). When the LIHTC affordability expires, the 11 units (12.5 percent) will remain as MPDU's for the required period under Chapter 25A, which is 99 years. The other units could revert to market-rate rents after the LIHTC affordability period expires.

3. **Viewshed Analysis.** The applicant for the Woodfield Commons project has supplied cross sections from the adjacent single family homes located on Beall Avenue to conceptualize the views that one would have from one or more of those properties. The elevation of those properties is at a relatively higher elevation than the proposed apartment buildings and this elevation difference helps attenuate the perception of building height. Landscaping also helps attenuate the views. The applicant has also provided some architectural elevations showing the physical appearance of the buildings as proposed. They are loaded into the Development Activity Information Center (DAIC). A more detailed analysis of this issue will be part of the compatibility review and analysis called for in the 2006 Master Plan for projects on the edge of the Town Center and as required by the Zoning Ordinance and will be included in the staff report for this project.
4. **Traffic Study.** The traffic study was prepared in accordance with the Local Area Transportation Review (LATR) guidelines which all new development in the County must follow. You can review the guidelines here:

http://www.montgomeryplanning.org/viewer.shtm#http://www.montgomeryplanning.org/transportation/documents/LATR_PAMRguidelines.pdf

Prior to submission of the traffic study, the Applicant obtained approval of a scoping study to determine which intersections had to be analyzed in the traffic study. The scoping study is included as an attachment to the traffic study. The traffic study can be viewed here:

<http://eplans.montgomeryplanning.org/daiclinks/pdoxlinks.aspx?apno=820150090>

The traffic study specifically looked at impacts to local intersections, including MD 27 at Woodfield Road and Woodfield Road at Main Street (MD 108). After projecting the additional traffic that would be generated by the development, the traffic study determined that both intersections would operate at acceptable levels. The LATR guidelines do not require analysis of congestion standards at locations other than local intersections. In addition, a Site Distance Evaluation form was submitted to the Montgomery County Department of Transportation who found that sight distance on Woodfield Road (at the existing Post office driveway) is adequate.

5. **Master Plan of Highways and Subdivision Staging Policy.** The County's Subdivision Staging Policy is designed to match the timing of private development with the availability of the public

facilities needed to support it. It focuses on road and school capacity as well as on water and sewer systems. It uses a series of "tests" to determine the adequacy of these facilities, and provides mechanisms to require physical improvements or payments as part of development approvals when capacity is inadequate. Roadway projects in the Clarksburg area include: widening of MD 27 from Brink Road to future Snowden Farm Parkway from four lanes to six lanes (under construction); widening of MD 27 from two to four lanes from Snowden Farm Parkway to Skylark Road (future); completion of Snowden Farm Parkway to MD 27 (under construction); and completion of Snowden Farm Parkway at the intersection of Clarksburg Road (pending construction).

There are no planned regional road projects in the planning, design or construction phase in Damascus. The Sweepstakes Road stream crossing over Magruder Branch is currently underway.

The LATR review, described in #4 above, is the mechanism in the Subdivision Staging Policy that is used to assure that new projects will not overburden local intersections. This project will be reviewed under the LATR guidelines as noted above.

- 6. Pre-Application vs. Preliminary Plan.** The pre-application plan that was reviewed by Staff and the Development Review Committee in October of 2014 anticipated three multi-family apartment buildings with 84 rental units and a separate community building for a total of four buildings. The comments provided by Staff on the Pre-Application were not binding on the applicant. The developer elected to modify the layout of the project and the Preliminary Plan application currently under review shows three multi-family apartment buildings with the community functions located in one of the multi-family buildings, thereby reducing the number of buildings from four to three. There are still 84 rental units dispersed between the three buildings. The units will be rental.

The project is subject to Site Plan review because it is adjacent to a residentially zoned property. As part of the Site Plan, a Landscape Plan has been submitted for review and is loaded into the DAIC with the Site Plan, both of which can be viewed at:

<http://eplans.montgomeryplanning.org/daiclinks/pdoxlinks.aspx?apno=820150090>

The Zoning Ordinance requires certain planting types and spacing of material for landscaping purposes. Staff is reviewing the plans for compliance with the Zoning Ordinance. The design of the building is shown on the architectural renderings included on the DAIC. Because there is a Site Plan application required for this project, if approved, the applicant is bound to construct what is shown on the Site Plan drawings.

- 7. Landscape Plan.** A Site Plan application is submitted and it includes a Landscape Plan. Both can be viewed on the DAIC web site. The Site Plan will have to go to the Planning Board for approval and it is likely to proceed to the Planning Board concurrently with the Preliminary Plan. The Board date is tentatively scheduled for Thursday, December 17th. The Planning Board meeting is a public hearing; final plans will be posted on the website approximately 30 days prior to the public hearing. It is important to note that the landscape plan does not control architecture of

the buildings. There are currently no ordinances regulating architecture and design review; however, we look to the master plan for guidance.

8. **Preliminary Plan vs. Site Plan.** The function of a Preliminary Plan is to create a lot (or lots) for a particular use and to assure that the use (or uses) can be served by adequate public facilities; that all of the buildings, parking, stormwater management, roads, etc., can fit on the lot(s); that the uses and/or lots are in conformance with the master plan, and that the layout of the subdivision in general, conforms to Code requirements. Any subdivision of land is subject to Preliminary Plan review; some projects such as Woodfield Commons are also subject to the next step which is Site Plan review. A Site Plan goes further than a Preliminary Plan in that the building locations, open space, recreational requirements and compatibility with surrounding uses are analyzed. A master plan conformance finding is also required for Site Plans. Both the Preliminary Plan and the Site Plan will have to go to the Planning Board for review and action. The Planning Board meeting is a public hearing and the public is welcome to attend and to provide written or oral testimony. Written testimony may be accepted prior to the hearing and entered into the record of the application at any time up to the Tuesday before the public hearing. The Board typically meets on a Thursday; as mentioned, the public hearing for these applications are tentatively set for Thursday, December 17th.
9. **Meeting Notifications.** Applicants for Preliminary Plans and Site Plans are required to meet with the public before the applications are submitted to Park and Planning so that concerned citizens may meet one on one with the applicants for development plans. It appears that the Applicant followed all noticing and submittal procedures required by the Planning Board's – Rules of Procedure and that pre-submission meetings were held in May 2015. Park and Planning is not present at the pre-submission meeting but does require that meeting minutes are taken by the applicant and submitted with the application(s) once they are formally submitted to Park and Planning. The Rules of Procedure can be found here:

<http://www.montgomeryplanningboard.org/agenda/2007/documents/RulesFINAL3.21.07.pdf>

Notice of Applications were sent to adjacent and confronting property owners and local civic groups registered with Park and Planning and located within one mile of the subject property. In addition to mailing notices, the applicant was required to post an application sign along the frontage of Woodfield Road and on the western corner of the property along High Corner Street facing the side parking lot with contact information for the Applicant and Park and Planning.

10. **Other Pending Application.** There are three applications other than Woodfield Commons and the Armstrong Property that are pending in the Damascus Planning Area. The public may view pending development applications on the Department's interactive web site-Development Finder (DAIC) at: <http://www.montgomeryplanning.org/gis/interactive/>

Other Pending Applications:

- Damascus Hills - 12004080A (one application), 42.5 acres for 7 single family lots in the RE-2C and RC zones on Stanley Hills Way

- Ridgeview – 120120010 and 820120010 (two applications), 22.64 acres for 19 single family lots in the RNC zone located at 26614 Ridge Road, approximately 250 feet north of the intersection with Beall Avenue

While all three of these applications remain active, they have been on a hold status for some time while the applicant resolves issues. No Planning Board hearing has been scheduled for either plan. Any future Planning Board hearing will be noticed in accordance with the Planning Board's Rules of Procedure.

2006 Adopted and Approved Damascus Master Plan

Sections II, III, IV

The 2006 Damascus Master Plan's development included the work of more than 100 local residents, who participated in a Town Center Charrette or were members of four task forces. The task forces met two to four times during development of the Plan. Charrette participants and task force members comprised the Damascus Master Plan Review Committee. They provided important guidance in development of the Plan's vision and its recommendations. These groups met in Damascus and their meetings were publicly noticed.

The Damascus Master Plan was approved and adopted in 2006, after public hearings and public work sessions before the Planning Board and the County Council. . Its fundamental recommendations are shown on the Proposed Land Use and Density map on page 12 (see enclosed map). This map shows the three areas—Town Center, Transition Area and Rural Area—that comprise the Master Plan and the recommended densities for those areas. The Town Center and parts of the Transition Area will have more intense development on public water and sewer service. Lesser densities in the Transition Areas will have larger lots with septic systems.

The Plan's vision—a Town Center identifiable as the community's heart—contemplated a moderate intensity of mixed uses in the Town Center, and the Plan encouraged a range of housing types. The Housing Chapter of the Master Plan indicates (p 43) that moderate density development would occur in the Town Center and that such development would include, "multi-family, single-family attached and live work units with the Town Center." This development would "accommodate a significant portion of the need for moderately priced dwelling units (MPDUs) and contribute to the economic base for local retail and service businesses."

The implementation chapter of the Damascus Master Plan outlines the actions—zoning recommendations in particular—that put the Plan's land use recommendations into practice. The Master Plan recommended zones that reflected the goals and objectives of the Master Plan.

The Master Plan proposed a new mixed use zone for the Town Center of Damascus. The new zone, called MXTC, or Mixed-Use Town Center, "will establish town-scale development that emphasizes the scale, proportion, design, and architectural context of structures, rather than separation of uses. The zoning allows a broad range of uses, but with density and review standards appropriate for this small town setting." (p 95) The recently approved comprehensive revision to the Montgomery County Zoning Ordinance replaced the Mixed-Use Town Center Zone with the CRT (Commercial-Residential Town)

Zone. The densities and building heights allowed in Damascus in the CRT Zone are the same as those allowed in MXTC. The CRT Zone reflects the goals and objectives of the Master Plan just as its predecessor, the MXTC Zone, did.

Once the appropriate zones are in place, the County's Zoning Ordinance, which provides standards for development, and its subdivision regulations, are the basis for reviewing development proposals. The Planning Board has final approval of these development applications: sketch plans, preliminary plans and site plans.

The implementation Chapter of the Master Plan describes an inner core Town Center and an outer area with different emphases. In the inner core, the Master Plan envisioned mixed uses with a focus on commercial activities and, in the outer core, mixed uses with a focus on residential uses. (The Town Center Framework map on page 14 shows the areas designated for the Town Center.) The Plan clearly indicated both the maximum theoretical potential of its zoning recommendations and a more realistic estimate that reflected constraints on development from development guidelines, environmental conditions and historic densities of development achieved in Damascus. These estimates depict potential residential development and are not meant to set development targets. The tables on page 96 of the Master Plan show both the theoretical and realistic development potential under the Master Plan's recommendations, about 1,000 units under the realistic estimate and about 1,700 units under the theoretical maximum estimate. The recommendations, the Master Plan notes on page 95, "will not exceed the potential intensity within the cumulative range of the existing zones in the Town Center." The Master Plan did not intend to allow any more—or any less—development than could have occurred under the zones in place before the Master Plan was done.

Before the 2006 Master Plan, the town center of Damascus was comprised of a complex mix of single-purpose commercial zones, one family residential zones, town house zones and planned development zones. The single purpose commercial zones allowed FARs of about 1.5, and the town house and planned development zones allowed a range of development between seven and 12.5 units per acre. The MXTC Zone generally allowed commercial floor area ratios of about 1.5, and allowed residential development maximums of eight or 20 units to the acre, depending on the type of development (standard or optional) a landowner chose. The CRT Zone now in place allows similar densities.

Woodfield Commons is proposed for standard method development. Standard method development in the CRT Zone occurs under specific development standards for building placement, parking facilities, building orientation and required open space. Regulatory review of the project through the preliminary and site plan processes focuses on how the project meets these standards. Optional method development would allow a higher density and the detailed development standards would be determined as part of a site plan approval process. In the CRT Zone, the development would include additional amenities in specified categories, such as building and site design, environmental protection, connectivity and diversity of uses and activities. Again, Woodfield Commons is a standard method project – not optional method.

The 84 units proposed in the project will total approximately 118,000 square feet of residential space, less than the allowable standard method maximum of 169,000 square feet. Regulatory review under the site plan process includes a required finding that a project substantially conformed to the recommendations of the applicable guidelines, which means that the Planning Board will have to

Sussman
November 20, 2015
Page 8

determine, among other things, compatibility with adjacent residential neighborhoods, which the Master Plan explicitly recommends on page 97.

The most developed parts of Damascus are included in the County's Priority Funding Area. The State of Maryland enacted the Priority Funding Areas Act of 1997 and local jurisdictions were required to map areas that met the legislative criteria. These areas have been designated to allow for targeted investment of State funds for infrastructure such as schools and transportation facilities. Areas for which public sewer service is available and with densities greater than two units to the acre are eligible to be included in Priority Funding Areas. For a complete description of the state program and criteria, please visit the Maryland Department of Planning web site.

<http://planning.maryland.gov/OurWork/smartGrowth.shtml>

In conclusion, Woodfield Commons is currently under review in accordance with the zoning and subdivision ordinance. A tentative Planning Board date has been set for Thursday, December 17, 2015 to review the proposed project. We understand that the community is interested in a community meeting on this project and we, as noted above, are working to organize one for Monday, November 30th. More information on the exact time and location will be sent to you by my staff.

Our Staff is available to meet with you to discuss the proposed projects and Damascus Master Plan. If you have any questions, do not hesitate to contact Richard Weaver at (301) 495-4544 or richard.weaver@montgomeryplanning.org.

Sincerely,



Rose Krasnow
Deputy Director

Attachment

cc: Kipling Reynolds, Chief, Area 3
Richard Weaver Supervisor, Area 3
CTRACK 2015-1070

Casey, Jonathan

From: Casey, Jonathan
Sent: Friday, October 23, 2015 3:06 PM
To: Boyd, Fred
Subject: FW: Development in Damascus

FYI

From: Seth Gottesman [mailto:sethgottesmandev@gmail.com]
Sent: Friday, October 23, 2015 2:42 PM
To: Councilmember.Rice@montgomerycountymd.gov; Councilmember.Elrich@montgomerycountymd.gov; Floreen's Office, Councilmember <Councilmember.Floreen@montgomerycountymd.gov>; Councilmember.Leventhal@montgomerycountymd.gov; Councilmember.Riemer@montgomerycountymd.gov
Cc: MCP-Chair <mcp-chair@mncppc-mc.org>; Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Berbert, Benjamin <benjamin.berbert@montgomeryplanning.org>
Subject: Development in Damascus

Council Members/Planning Board:

I am aware that you have received a number of e-mails regarding the upcoming development plans in Damascus. I am the one that initiated this effort and have found that people care deeply about this and that there is tremendous opposition from my community to the existing plans to develop around the town center. A lot of people are telling me that they moved further away to Damascus to get away from the urban sprawl and enjoy the rural community as it exists currently. The plan to create a more urban town center is counter to the desires of the majority of people that live here.

I made a promise to my community that I would engage our leaders and report back to my community the response from each elected official. I have connected with a significant number of people and am connecting with more people every single day so we're not some insignificant group. I realize that most people are disengaged and don't pay attention, but people care and are paying attention to this. They want to hear updates from me and I'm going to keep my promise and give them. To be clear, this is not a partisan effort. My sincere hope is to report that our Democratic leadership hears us and is fighting for the interest of its constituents. I'd like to encourage everyone to support you on Election Day, however that depends on your priorities. I have the ear of a lot of people and there is an opportunity to gain or lose a substantial number of votes in 2018.

Thus far I have heard from the County Council that they have no role to play as it pertains to the approval of these developments and have been referred to the Planning Board. I also understand that the recommendation to approve/deny projects come from the Planning Board and that their recommendations are guided by the Damascus Master Plan which absolutely does not reflect the desires of the majority of Damascus residents. It's my understanding that only the County Council is able to authorize a review/revision of the Master Plan so this is why I am reaching out to you..

As of this moment, I have met once with Nancy Floreen, I plan to attend the community meeting with Craig Rice on 10/28 and also have a separate appointment with Mr. Rice on 11/9. I would welcome the opportunity to meet with any of you and look forward to your favorable replies.

Seth Gottesman

Casey, Jonathan

From: Tracy Diaz <tcyalf@yahoo.com>
Sent: Tuesday, September 29, 2015 12:39 PM
To: benjamin.bertbert@montgomerycountyplanning.org
Cc: Casey, Jonathan
Subject: Plan 120150170

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Bertbert and Mr. Casey,

I am a resident of Damascus. My family moved here from Germantown eight years ago. I chose this area specifically because of the "small town" feel it has. I love the quaintness the town has. I love the fields, the trees and rolling hills. The residents of Damascus do not want to loose that. We do not want more apartment complexes, townhouse or condos. We do not want highways rolling through our neighborhoods. Our children are packed into classroom with 30+ kids in them. My daughter attends Baker. I know. It's real. There are drugs in our schools. It's not because "there is nothing to do" in Damascus. Urbanization is not what Damascus wants or needs! By building more apartments as proposed in Plan 120150170 we will have over crowded classrooms, our road structures will be packed and most importantly Damascus but be Damascus anymore. Stop Plan 120150170.

Sincerely,
Tracy Diaz
24324 Newbury Rd
Gaithersburg, MD 20882

Casey, Jonathan

From: Stacy Stonich <sstonich@gmail.com>
Sent: Wednesday, October 07, 2015 12:01 PM
To: Casey, Jonathan; Berbert, Benjamin; MCP-Chair
Subject: Upcoming Damascus Building & Development Plans

Follow Up Flag: Follow up
Flag Status: Completed

Good Day Sirs,

Per the recommendation of Councilmember Marc Elrich, I am reaching out to you. When I raised concerns of new proposed developments in Damascus Mr. Elrich agrees that "looking back on it [Master Plan] now I would question a number of its assumptions and recommendations".

I would like to personally raise concerns about these plans as well as echo Elrich's statement of questioning the assumptions and recommendations in the Damascus Master Plan. It has come to the attention of the residents of Damascus, Maryland that two plans are underway for development projects in Damascus, one near a Safeway grocery store, the other on Lewis Drive.

My family and I moved to Damascus in 2008 for the community and small town appeal. When I consider the ongoing massive Clarksburg expansion and the impact it is having on the traffic through Damascus, I am very concerned that adding new developments to Damascus will further diminish the town and dramatically impact our already overburdened roads.

We love our town for what it is today and do not want to see it's rural roots changed.

Thank you,
Stacy Stonich
Concerned Damascus Resident

Casey, Jonathan

From: matthew booth <matthewjbooth@aol.com>
Sent: Wednesday, October 14, 2015 4:54 PM
To: Casey, Jonathan; Berbert, Benjamin
Subject: Keeping damascus a charming small town.

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Lead reviewer,

I have been hearing rumors that Damascus is going to taking away green space and expanding housing developments and apartment buildings. I just moved from the Silver Spring area up to Damascus because of the farming and green space. Reduced traffic, great scenery, small town, close knit community feel and a family oriented life style was why I moved here. More traffic and more housing would hinder Damascus from keeping these qualities.

PLEASE KEEP DAMASCUS A CHARMING SMALL TOWN.

Thanks,

Matthew

Casey, Jonathan

From: fenati <fenati@verizon.net>
Sent: Wednesday, October 21, 2015 6:01 PM
To: Casey, Jonathan
Subject: People Who Move To The Country Want To Live In The County

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear County Mr. Casey,

The Citizens of Damascus enjoy our small town and wish to keep our area rural. We make sacrifices to live here, because People Who Move To The Country Want To Live In The County. It is important you hear the voices of our community.

I moved to Damascus almost 43 years ago. At that time it was a small town of 3,000 people without a library or major grocery chain. Once we left 270 we drove past cow pastures, corn fields and ancient cherry trees that lined the road and formed a pink tunnel in the spring. Damascus was a delightful environment for my children to grow up in. Since we have been here, Damascus has grown considerably. Two shopping centers and many more homes are here now including town homes, however the development has been somewhat controlled.

Of course I realized that there would be development along route 27 as the years progressed, but **never** did I expect to see a small city of thousands compacted into a relatively small space destroy all the farmlands. As I drive along Rt. 27 now my heart breaks and all I can think is the name of the Movie: *How Green Was My Valley*. Those beautiful fields are now office buildings, parking lots and garages, houses built too close to each other, stacked town homes, shopping centers and apartment buildings. Hardly a typical suburban town. The development did not stick to the master plan and the damage cannot be undone.

Looking at the Clarksburg "travesty", I have become much more interested in the plans for Damascus. I see apartment buildings, crowded town homes and closely built homes are currently planned and that is just the start. The citizens of Damascus do not want another development frenzy destroying the town we now have. I understand you are heading the Apartment development behind the Safeway. I have heard it is too late in the process to stop that development, which many of us would like, but does it have to be 160 apartments? And what are the considerations for infrastructure changes needed for this development? Schools? Roads. We do not want large highways going through our town. We do not want crowded schools. The scant bus routes to this town are not sufficient to bring large numbers of people to where jobs are. And we do not want busses running all the time everywhere. People Who Move To The Country Want To Live In The County

We have heard from some Council members that the Master Plan is not a priority and we have been referred to the Planning Board. We realize Planning Board does not have the power to change the Master Plan. However, we are hoping you will pressure the County Council to make our interests a priority.

Thank you. A Damascus Citizen,

Pat Fenati

Casey, Jonathan

From: Heidi Sussmann <hsussmann.1@gmail.com>
Sent: Thursday, October 22, 2015 12:53 PM
To: Casey, Jonathan
Subject: Fw: Woodfield Commons Plan Number: 120150170 – Preliminary Plan submitted on 9-1-2015 - and - discrepancies in the Master Plan

Importance: High

Dear Mr. Casey,

Thank you for the opportunity to comment on this proposed Preliminary Plan in Damascus, in terms of plan details and also how well it does or does not uphold the vision for Damascus as stated in the most recently approved 2006 Damascus Master Plan (MP).

The existing small town character of Damascus compliments and serves the nearby higher density planning area of Clarksburg and also the surrounding agricultural lands and lower density suburbs. The 2006 Damascus Master Plan was based on stated goals, concepts and visions for Damascus, but the unfolding reality of currently proposed development plans does not seem to align with these visions that were presented to residents 10 to 12 years ago. This proposed Plan Number 120150170, Preliminary Plan, is an example of a disconnect between the stated Master Plan vision and goals for Damascus and what is now being proposed for implementation. It appears that much of the Master Plan language and images put forward one thing, but, the implementation tables and zoning maximums mean quite another and this has misled residents. It may be worth reexamining whether or not some of the 'implementation parameters' as stated in the MP align well with the 'vision' for Damascus town center and its surrounding areas, as stated in the very same Master Plan. (See comments under II. and III.)

I. Plan Number 120150170 – Preliminary Plan submitted for review on 9-1-2015, and related submittals posted on the M-NCPPC website.

When reviewing information specific to this project we have the following questions:

1) In the community meeting, where 16 residents attended, the minutes state that residents were told "the (proposed) community will feature 12.5% MPDUs". The Preliminary Plan (not final Site Plan) chart indicates that 89% will be MPDUs. *This is a huge difference, 12.5% versus 89%, and has obviously been very misleading to residents. What does it mean, and, if there is an explanation was this full explanation ever given to surrounding residents?*

2)
How is this percentage for MPDUs arrived at (89% or is it 12.5%) and what has been the norm in the broader areas that are nearby such as Clarksburg, Laytonsville, Olney, Iamsville, Poolesville?

3)
Four stories ("max" 55') is very tall for the character of existing small town 1-story Damascus and would be visually very out of place and very much alter the small town rural character. Furthermore, Damascus is situated at a regional highpoint. Therefore, a related question is - has any view-shed study ever been done for

(example is TDRs) and the two do not match up well in terms of a vision for Damascus and apparently what will really be built. Was this discrepancy misleading to residents that participated in the Master plan process during 2008-2010? Furthermore, it appears that developers can attain zoning amendments to Master Plans (example is the new proposed outlet mall), but can Montgomery County residents attain what they would like to see in areas where they live, or not?

When reading the 2006 approved Master Plan, it is very difficult to understand how these three 4-story buildings, with 84-apartments, situated on 3.88 acres fits in with the stated vision and goals? Is this moderate density; is this limited additional density; is this small-lot clustered development OR is it maximum density tall buildings?

(Master Plan, pages 3 – 5) “Damascus provides a unique contrast to extensive development in nearby Clarksburg ... Maintaining this unique difference is a paramount goal of this Master Plan. Extensive growth in Mt. Airy and job growth along the I-270 corridor contribute extensively to commuter traffic congestion in Damascus. Additional growth...is anticipated and will increase through-traffic in Damascus, a primary conduit for commuters....”

“Housing – This plan recommends moderate-density development within the town center, including senior housing opportunities. Beyond the Town Center, the small town character of Damascus will be maintained through limited additional density and use of small lot clustered development...”

“Transitional Area – Cluster design is encouraged on properties immediately accessible to the Town Center.”

“Town Center – Zoning will emphasize proportion, design, and an architectural context of structures...”

AND

the master plan includes an example photo image of what is envisioned for the commercial properties; it shows 2 and 3 story attractive brick buildings.

III. ‘Implementation’ of the Damascus Master Plan (pages 95 –97), when reading this section of the MP, it talks about small town context and the reality that high residential densities are not actually attainable in Damascus. It includes tables that ‘appear’ to compare realistic attainable density numbers compared with max numbers in zones (?), and, that indicate number of TDRs (transfer development rights) under each case. The tables also indicate ‘standard method’ versus ‘optional method’ but one cannot readily find an explanation of this? The MP does show 55’ as the ‘maximum’ building height for Burdette property (think that’s one of the proposed developments?) and also for the town. However the example photo images for the town show 2 and 3 story brick structures (misleading residents) AND on page 95 it states that ‘at the time of development, the MNCPPC Planning Board (PB) should evaluate compatibility with adjacent neighborhoods and limit height on the outer edge of the Town Center (TC) to reflect heights of adjacent neighborhoods’. How does this 4 story, three building complex follow the vision and goals stated in the approved 2006 Master Plan and has M-NCPPC evaluated its compatibility with surroundings?

(Pages 95-97) “This mixed-use zone will establish town-scale development that emphasizes scale, proportion, design, and architectural context of structures, rather than separation of uses. ... The zoning allows a broad range of residential, commercial, light industrial, service, and institutional uses, but it will require site plan review ... The range of uses will limit certain uses previously allowed that are not appropriate for small town context ... the outer area will encourage... residential uses and have slightly higher residential density allowed”.

“Second, development guidelines for building height, environmental constraints on individual sites, and protecting the character of nearby existing development will reduce the maximum yield in the zone.”

“At the time of development, the Planning Board must evaluate compatibility with adjacent neighborhoods and limit height on the outer edge of the Town Center to reflect heights of adjacent neighborhoods.”

IV. It does not appear that Damascus is located within what has been designated a *Smart Growth Area* of Montgomery County.

Casey, Jonathan

From: Seth Gottesman <sethgottesmandev@gmail.com>
Sent: Friday, October 23, 2015 2:42 PM
To: Councilmember.Rice@montgomerycountymd.gov;
Councilmember.Erich@montgomerycountymd.gov; Floreen's Office, Councilmember;
Councilmember.Leventhal@montgomerycountymd.gov;
Councilmember.Riemer@montgomerycountymd.gov
Cc: MCP-Chair; Casey, Jonathan; Berbert, Benjamin
Subject: Development in Damascus

Follow Up Flag: Follow up
Flag Status: Completed

Council Members/Planning Board:

I am aware that you have received a number of e-mails regarding the upcoming development plans in Damascus. I am the one that initiated this effort and have found that people care deeply about this and that there is tremendous opposition from my community to the existing plans to develop around the town center. A lot of people are telling me that they moved further away to Damascus to get away from the urban sprawl and enjoy the rural community as it exists currently. The plan to create a more urban town center is counter to the desires of the majority of people that live here.

I made a promise to my community that I would engage our leaders and report back to my community the response from each elected official. I have connected with a significant number of people and am connecting with more people every single day so we're not some insignificant group. I realize that most people are disengaged and don't pay attention, but people care and are paying attention to this. They want to hear updates from me and I'm going to keep my promise and give them. To be clear, this is not a partisan effort. My sincere hope is to report that our Democratic leadership hears us and is fighting for the interest of its constituents. I'd like to encourage everyone to support you on Election Day, however that depends on your priorities. I have the ear of a lot of people and there is an opportunity to gain or lose a substantial number of votes in 2018.

Thus far I have heard from the County Council that they have no role to play as it pertains to the approval of these developments and have been referred to the Planning Board. I also understand that the recommendation to approve/deny projects come from the Planning Board and that their recommendations are guided by the Damascus Master Plan which absolutely does not reflect the desires of the majority of Damascus residents. It's my understanding that only the County Council is able to authorize a review/revision of the Master Plan so this is why I am reaching out to you..

As of this moment, I have met once with Nancy Floreen, I plan to attend the community meeting with Craig Rice on 10/28 and also have a separate appointment with Mr. Rice on 11/9. I would welcome the opportunity to meet with any of you and look forward to your favorable replies.

Seth Gottesman

Casey, Jonathan

From: Susan Wells <sswells@gmail.com>
Sent: Tuesday, October 27, 2015 12:06 PM
To: Casey, Jonathan; Berbert, Benjamin
Subject: Damascus planning

Dear Sirs,

I wonder, how many of you have spent any amount of time here in Damascus? We have lived here for 28 years and see huge changes - now almost no farms, overcrowded schools, vastly deteriorated roads between here and everywhere. Our once small, rural community has become a major traffic thoroughfare for tour buses, massive delivery semis, dump trucks and just plain commuter traffic. The town benefits from almost none of this traffic - only our roads (especially Rte. 27) are prized.

Any plans before the Planning Board should be looked at with an eye to the requests and pleas of the community for no more development until, at the very least, these problems are addressed. There desperately needs to be a cut-through from Rte. 70 west to Rte, 270 south (well to the north of Damascus) that does not involve sending so much of this traffic through our community. I believe that, at least once, there was a plan to construct such a bypass. All too much of the traffic is meant for down county and should be using Rte. 270. We are merely a short cut.

Rte. 27 is used as a walking road for a large number of students who are not afforded bussing, yet a large part of Rte. 27 has no side walks. Would you want your children walking to and from school on a major traffic conductor with no sidewalks?

Damascus is struggling to retain the vestiges of rural, small town feeling that made it a desirable place to live. Please do not permit the developers to destroy that; they have had their way in Clarksburg, and it is not a pretty sight. The Master Plan needs to be updated to reflect the desires and hopes of the community, not to be a template for developers getting all of their wish lists met.

I hope that you will take the time to talk to the people of this community to find out how they would feel with more traffic added into the overwhelming pattern that has developed. Damascus does not need more building, we need more protections for our rapidly shrinking open lands and farms. The quality of life for Damascus residents should be as big a consideration as it would be in other parts of the county.

Sincerely,

Susan S. Wells
10913 Bellehaven Boulevard
Damascus, MD 20872
301-253-0341
sswells@gmail.com

Casey, Jonathan

From: Nikki Pena <nikki.pena89@gmail.com>
Sent: Tuesday, November 17, 2015 9:06 AM
To: Casey, Jonathan
Subject: Feedback on further development in Damascus, MD

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good Morning, Mr. Casey,

My name is Nikki Peña, and I am an 8 year resident of Damascus, Maryland.

I am writing to you in an appeal for you and your colleagues to strongly reconsider and dismiss the plans to further develop the Damascus area.

I am not going to be in town for the planning board meeting on December 17th, so I wanted to share my feedback with you in advance of that meeting, as I truly hope that the voice of the community will first and foremost be considered as decisions are made for the area in which we live.

Prior to relocating to Damascus from Germantown, I'd been admiring the rural nature, serenity and small town look and feel of Damascus for many years. My goal was to one day purchase a home in Damascus and raise a family in that environment. I watched and drove through Damascus for many years and the fact that there hadn't been development and overgrowth as in so many other areas was very appealing.

I relocated to Damascus in 2007 and I loved the feel of the community, the farmland, small roads, and open space.

The growth in the surrounding areas, specifically the Germantown/Clarkburg areas has had a definite negative impact on me and probably all of us living in and commuting to and from Damascus. Hundreds, maybe thousands of people have been packed into a very small radius, which bleeds onto Rt. 27, and the road infrastructure is not in place to handle all of the additional commuters. It's truly a nightmare.

It saddened me to watch the farmland swallowed up by new (unnecessary) developments. The State of Maryland and Montgomery County highlight and tout agriculture and the importance of being environmentally friendly, yet I don't see those words being put into practice. It appears that any "green space" must be paved over and built upon, regardless of the effects or consequences to the environment, the citizens and the little bit of agriculture we have remaining in our county.

Casey, Jonathan

From: Nelson, Calvin
Sent: Tuesday, November 17, 2015 5:15 PM
To: Faiola, Lynn
Cc: Casey, Jonathan
Subject: RE: Proposed Woodfield Commons apartment project in Damascus

Dear Ms. Faiola,

Thank you for your letter and your comments. Your letter will be added to the record for the Woodfield Commons item which is scheduled for the Thursday, **December 17th** Planning Board hearing.

Sincerely,
Calvin Nelson, Jr.
MNCPPC, Area 3

From: Faiola, Lynn [mailto:Lynn.Faiola@montgomerycountymd.gov]
Sent: Tuesday, November 17, 2015 4:17 PM
To: Nelson, Calvin <calvin.nelson@montgomeryplanning.org>
Subject: Proposed Woodfield Commons apartment project in Damascus

Dear Mr. Nelson:

I will not be able to attend the Planning Board mtg. on November 17 in Silver Spring, however, I would like to voice my concerns with the proposed Woodfield Commons apartment project in Damascus. As a 28 year resident of Damascus I have seen the problems over the past years that increased housing has caused. Not only does it present an eyesore because it over builds the pleasant rural land, but it increases the already terrible traffic in the area. Please consider my opinion over this matter. Thank you for your time.

Mrs. Lynn Faiola
25119 Applecross Terrace
Damascus, MD 20872
301-570-3927

Casey, Jonathan

From: Katie Junghans <katie@redwiggler.org>
Sent: Wednesday, November 25, 2015 11:32 AM
To: Casey, Jonathan; Nelson, Calvin
Subject: Woodfield Commons development plan

Follow Up Flag: Follow up
Flag Status: Completed

Hi,
I'm a long-time Damascus resident, and was involved in the Master Planning effort years ago. I have heard about the Woodfield Commons development plan only through Facebook. I live on Main Street near the town center, and would like to know more about the development. Can you send me some information, or let me know where additional info is available online or elsewhere?

I will look forward to your response.

Thanks,
Katie

--

Katie Junghans
Volunteer and Grower Coordinator
Red Wiggler Community Farm
volunteer@redwiggler.org
301 916-2216

Casey, Jonathan

From: Heidi Sussmann <hsussmann.1@gmail.com>
Sent: Sunday, November 29, 2015 2:09 PM
To: Wright, Gwen; MCP-Chair; Krasnow, Rose
Cc: Casey, Jonathan; Berbert, Benjamin
Subject: Re: Woodfield Commons Plan Number: 120150170 – Preliminary Plan submitted on 9-1-2015 - and - discrepancies in the Master Plan

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Gwen Wright,

I received the very detailed CTrack 2015-1070 staff reply letter, via USPS in hard copy, on November 24th (32 days after my first letter-email was received by MNCPPC on October 22nd). The MNCPPC reply letter was dated November 20th but I received it only via USPS mail on November 24th. The letter provides a lot of very helpful background information and is appreciated, although it seems like 32 days is a long time to receive any reply and is much longer than 'shortly' or 'a few days'. The CTrack letter also includes several long links on various subjects that may provide additional information/answers to Damascus issues. *It would be very appreciated if this word document CTrack letter could be forwarded to me via email and in word format, as soon as possible, so I can readily access these links. I would like to have time to learn something more before the public meeting tomorrow* and do feel fortunate I could plan to attend this public meeting and hope word gets out to other area residents in time as I know a lot of effort and energy goes into these public meetings. I do look forward to the presentations of these projects and very much appreciate the opportunity to learn more about them.

Also – while this was requested before to the Office of the Chair, Montgomery County Planning Board (MCPB), could you please ensure that my two letters regarding Damascus and Woodfield Commons are included in the written testimony for Woodfield Commons, which I believe will go to the MCPB on December 17th for approval. The two letters were emailed to Casey Anderson, Chair MCPC and others on: October 22, 2015 first letter; and November 2, 2015 second letter. These were also sent to you as well.

Thank you very much for all your assistance.

Sincerely,

Heidi Sussmann and Jim Quinn

From: Wright, Gwen
Sent: Wednesday, October 28, 2015 4:15 PM
To: Heidi Sussmann
Cc: Casey, Jonathan ; Berbert, Benjamin ; Keep Damascus Rural ; Reynolds, Kipling ; Weaver, Richard
Subject: RE: Woodfield Commons Plan Number: 120150170 – Preliminary Plan submitted on 9-1-2015 - and - discrepancies in the Master Plan

Thank you for your email. It has been received and my staff are currently working on a detailed response, which you should receive in a few days. We understand your interest in the Woodfield Commons application and will make sure to provide as much information as possible.

Thank you.

Heidi Sussmann and Jim Quinn

From: Heidi Sussmann

Sent: Thursday, October 22, 2015 12:51 PM

To: MCP-chair@mncppc-mc.org

Subject: Re: Woodfield Commons Plan Number: 120150170 – Preliminary Plan submitted on 9-1-2015 - and - discrepancies in the Master Plan

Dear

Casey Anderson,

Chair M-NCPPC Planning Board,

Thank you for the opportunity to comment on this proposed Preliminary Plan in Damascus, in terms of plan details and also how well it does or does not uphold the vision for Damascus as stated in the most recently approved 2006 Damascus Master Plan (MP).

The existing small town character of Damascus compliments and serves the nearby higher density planning area of Clarksburg and also the surrounding agricultural lands and lower density suburbs. The 2006 Damascus Master Plan was based on stated goals, concepts and visions for Damascus, but the unfolding reality of currently proposed development plans does not seem to align with these visions that were presented to residents 10 to 12 years ago. This proposed Plan Number 120150170, Preliminary Plan, is an example of a disconnect between the stated Master Plan vision and goals for Damascus and what is now being proposed for implementation. It appears that much of the Master Plan language and images put forward one thing, but, the implementation tables and zoning maximums mean quite another and this has misled residents. It may be worth reexamining whether or not some of the 'implementation parameters' as stated in the MP align well with the 'vision' for Damascus town center and its surrounding areas, as stated in the very same Master Plan. (See comments under II. and III.)

I. Plan Number 120150170 – Preliminary Plan submitted for review on 9-1-2015, and related submittals posted on the M-NCPPC website.

When reviewing information specific to this project we have the following questions:

1) In the community meeting, where 16 residents attended, the minutes state that residents were told "the (proposed) community will feature 12.5% MPDUs". The Preliminary Plan (not final Site Plan) chart indicates that 89% will be MPDUs. *This is a huge difference, 12.5% versus 89%, and has obviously been very misleading to residents. What does it mean, and, if there is an explanation was this full explanation ever given to surrounding residents?*

2)
How is this percentage for MPDUs arrived at (89% or is it 12.5%) and what has been the norm in the broader areas that are nearby such as Clarksburg, Laytonsville, Olney, Iamsville, Poolesville?

3)
Four stories ("max" 55') is very tall for the character of existing small town 1-story Damascus and would be visually very out of place and very much alter the small town rural character. Furthermore, Damascus is situated at a regional highpoint. Therefore, a related question is - has any view-shed study ever been done for impacts of several 4-story (55') buildings on a primarily 1-story town surrounded by 1-2 story residential homes and agricultural uses?

process during 2008-2010? Furthermore, it appears that developers can attain zoning amendments to Master Plans (example is the new proposed outlet mall), but can Montgomery County residents attain what they would like to see in areas where they live, or not?

When reading the 2006 approved Master Plan, it is very difficult to understand how these three 4-story buildings, with 84-apartments, situated on 3.88 acres fits in with the stated vision and goals? Is this moderate density; is this limited additional density; is this small-lot clustered development OR is it maximum density tall buildings?

(Master Plan, pages 3 – 5) “Damascus provides a unique contrast to extensive development in nearby Clarksburg ... Maintaining this unique difference is a paramount goal of this Master Plan. Extensive growth in Mt. Airy and job growth along the I-270 corridor contribute extensively to commuter traffic congestion in Damascus. Additional growth...is anticipated and will increase through-traffic in Damascus, a primary conduit for commuters....”

“Housing – This plan recommends moderate-density development within the town center, including senior housing opportunities. Beyond the Town Center, the small town character of Damascus will be maintained through limited additional density and use of small lot clustered development...”

“Transitional Area – Cluster design is encouraged on properties immediately accessible to the Town Center.”

“Town Center – Zoning will emphasize proportion, design, and an architectural context of structures...”

AND

the master plan includes an example photo image of what is envisioned for the commercial properties; it shows 2 and 3 story attractive brick buildings.

III. ‘Implementation’ of the Damascus Master Plan (pages 95 –97), when reading this section of the MP, it talks about small town context and the reality that high residential densities are not actually attainable in Damascus. It includes tables that ‘appear’ to compare realistic attainable density numbers compared with max numbers in zones (?), and, that indicate number of TDRs (transfer development rights) under each case. The tables also indicate ‘standard method’ versus ‘optional method’ but one cannot readily find an explanation of this? The MP does show 55’ as the ‘maximum’ building height for Burdette property (think that’s one of the proposed developments?) and also for the town. However the example photo images for the town show 2 and 3 story brick structures (misleading residents) AND on page 95 it states that ‘at the time of development, the MNCPPC Planning Board (PB) should evaluate compatibility with adjacent neighborhoods and limit height on the outer edge of the Town Center (TC) to reflect heights of adjacent neighborhoods’. How does this 4 story, three building complex follow the vision and goals stated in the approved 2006 Master Plan and has M-NCPCC evaluated its compatibility with surroundings?

(Pages 95-97) “This mixed-use zone will establish town-scale development that emphasizes scale, proportion, design, and architectural context of structures, rather than separation of uses. ... The zoning allows a broad range of residential, commercial, light industrial, service, and institutional uses, but it will require site plan review ... The range of uses will limit certain uses previously allowed that are not appropriate for small town context ... the outer area will encourage... residential uses and have slightly higher residential density allowed”.

“Second, development guidelines for building height, environmental constraints on individual sites, and protecting the character of nearby existing development will reduce the maximum yield in the zone.”

“At the time of development, the Planning Board must evaluate compatibility with adjacent neighborhoods and limit height on the outer edge of the Town Center to reflect heights of adjacent neighborhoods.”

IV. It does not appear that Damascus is located within what has been designated a *Smart Growth Area of Montgomery County.*

I believe some of these areas are designated for additional higher residential densities?

Casey, Jonathan

From: Seth Gottesman <sethgottesmandev@gmail.com>
Sent: Tuesday, December 01, 2015 12:32 PM
To: Richard Weaver; Boyd, Fred; Catherine Matthews; Casey, Jonathan; Berbert, Benjamin
Subject: Thoughts on last night's Damascus meeting and next steps

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

Thank you once again for hosting the meeting last night in Damascus. I know that some of the comments and complaints were repetitive and I'm sure you got tired of hearing them, but I hope at some level the message that the existing plans adversely affect the community that many people here care about got through.

Please advise as to what the next steps are. I know that we have the 12/17 meeting and I'm working on gathering a composed group to speak at that meeting. I know that the precise time is unknown, but can you tell me the earliest it could be so that we can plan? Or when you'll have that time?

It seems that requirement to only evaluate traffic at the intersections of 124/108 and 124/27 and not along the 124 and 27 corridors is insufficient and unfortunately the community pays the price for this. I recall Fred discussed opportunities for the community to provide feedback to reshape the traffic evaluation so that it is more comprehensive. If there really is an opportunity to contribute to the creation of a more comprehensive traffic evaluation beyond what is currently in place, I would be interested in learning more about this and sharing this with the community.

Lastly, I understand that the Planning Board is required to ensure that the developer adheres to the requirements set forth in the Master Plan which I hope is becoming apparent is inconsistent with what many people want to see here. I understand that there was community involvement in 2005/2006 (which possibly was over represented by land owners that want to maximize their investment and leave), however I think we saw first hand tonight some healthy community involvement that clearly says otherwise. It appears that a majority of the constituency was not aware of the opportunity to participate at the time, but does care. Certainly I can help get more of the community involved. I would also be happy to work with you or form a composed team to work with you that works on answering the question "what is your vision for the town center?" Hopefully on the basis of the feedback being heard, the Planning Board can recommend to the County Council that the recommendations in the Damascus Master Plan should at least be reviewed. I hope you agree that based on what you are hearing that that is reasonable.

Again, thank you for your effort to listen to our community. I realize that it's beyond what you have to do so I recognize that and certainly appreciate it.

Seth Gottesman

Casey, Jonathan

From: Lisa Rendelman <lmrendelman@gmail.com>
Sent: Friday, December 04, 2015 8:54 AM
To: Boyd, Fred; Weaver, Richard; Casey, Jonathan; Berbert, Benjamin
Subject: Letter to Montgomery County Planning
Attachments: Letter to Montgomery County PLanning Commission.docx

Dear Sirs:

My son is a boy scout in Troop 945. He recently attended a community meeting at John T. Baker Middle School to discuss the new housing developments known as the Woodfield Commons and Armstrong projects. He has written a letter to you as part of his merit badge requirements; however, he feels strongly that the new housing development will have a negative impact within the Damascus Community. Please read his attached letter. Thank you.

Sincerely,
Lisa Rendelman

To the Montgomery County Planning Commission:

I am a 9th grade student at Damascus High School and a boy scout in Troop 945. I recently attended a community meeting held on November 30 at Baker Middle School with other Damascus residents and staff from the Upcounty Regional Services Center and the Montgomery County Department of Planning. The purpose of the meeting was to discuss the new development applications and proposed changes to the Damascus Master Plan. As a student who is active within our Damascus community, I would like to express my opinion that the proposed new housing developments for Woodfield Commons and along Lewis Drive is not a good idea for Damascus, and I hope the Planning Commission will reconsider the developer's application.

The staff from the Upcounty Regional Services Center and the Montgomery County Department of Planning made it clear to all who attended the meeting that the property owner has a right to put the type of housing or other development projects on its property that it wants. The role of the Planning Commission to make sure that all the rules established by Montgomery County are followed according to the law.

While I believe that the property owner has certain rights when it comes to the use of their property, I also believe that the residents of Damascus have a right to live in the friendly, small town community that Damascus has been known for throughout the county. There is no doubt that the new housing will have a direct and negative impact on traffic, crime, and our schools. The residents that attended the meeting presented many viewpoints regarding the limited traffic study that was used for the Woodfield Commons development. A policeman commented that the lower income housing development might bring in more crime to an area that is already overwhelmed by Damascus Gardens. Although Damascus High School has lost a few teachers because the student population has decreased, it is also well known that the high school is in need of many repairs and in need of modernization. With new students expected to overcrowd the school, how will the current students receive the needed upgrades to their classrooms? Property owners are afraid that the county will need to widen the roads and others are angry that the current roads are not properly fixed. The new development is in partnership with the Housing Opportunity Commission so that lower income residents can afford to have a nice home. However, current Damascus residents would rather see the new residents buy a home instead of renting an apartment as a way of truly being a part of the community.

I agree with all of the viewpoints presented by the Damascus residents at the meeting, but I also have a few of my own. I love to ride my bike and scooter through the neighborhoods and parks to get into town. I like to go to Jimmie Cone, Chipotle and the Dollar Tree with my friends and it's important to me that I can be independent in getting there and don't have to ask my parents for a ride. I also like that the High School students can walk to nearby restaurants like Taco Bell, Burger King and McDonalds during their lunch period. I like that I can go to Tom and Ray's on Friday mornings before school to eat breakfast with my friends and participate in bible study led by one of my best friends' Dad. All of these things that I like to do are in jeopardy if the new housing development goes in as planned. The increased traffic will make it impossible for me to ride my bike and scooter into town or walk to McDonalds during lunch. I will lose the freedom that I have been given by my parents because they are afraid that I will get hurt. I will miss the small town feeling that is part of living in Damascus. It is a place where everyone watches out

Casey, Jonathan

From: Casey, Jonathan
Sent: Friday, September 18, 2015 9:41 AM
To: Nelson, Calvin
Cc: Weaver, Richard
Subject: FW: Woodfield Commons (Plan # 120150170)

Categories: Woodfield Commons

-----Original Message-----

From: Alison Pruziner [mailto:alpruziner@gmail.com]
Sent: Thursday, September 17, 2015 1:49 PM
To: Casey, Jonathan
Subject: Woodfield Commons (Plan # 120150170)

Mr. Casey

I am writing to request any information you are able to share about the development being proposed for Damascus (Woodfield Commons, Plan # 120150170). Many residents of the town were not informed of the plan to develop, nor was the information session for the community well publicized, so most information we have received has been second-hand.

I will state that there is a large group of residents who oppose this (and other) development in town, and we are working to organize and concisely provide this feedback to you, the reviewers, and the County. Would you please 1) provide me an overview the process, to include who makes the decisions on these types of projects, 2) share any information you currently have about this development, 3) provide insight into how it has been progressing to date, and 4) any other information you are able/willing to share. Speaking to reviewers for other projects in Damascus we have gained an appreciation that apparently the majority of the town has not been voicing their disapproval of these developments to the correct individuals, and so we are attempting to correct this.

I would also love an opportunity to sit and speak with you regarding the approval process and then this development in particular if possible. Please let me know if this is possible.

Thank you in advance for any/all support and information you are able to provide.

Alison Pruziner

MCP-CTRACK

RECEIVED

DEC 08 2015

OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

From: James Mullally <jmullally2@gmail.com>
Sent: Thursday, December 03, 2015 1:05 PM
To: MCP-Chair
Subject: "Woodfield Commons" Plan number: 120150170
Attachments: Woodfield Commons testimony.docx

Dear Planning Board,

Please find my written testimony, attached, regarding the following proposed development:

"Woodfield Commons"
Plan number: 120150170
Damascus, MD

Please let me know if you have any questions or concerns. Thank you for your time and consideration!

Sincerely,
Jim Mullally
Damascus Resident
240-855-7742

James E. Mullally
26103 Mount Vernon Ave
Damascus, MD 20872

December 3, 2015

RE: "Woodfield Commons" proposal for Damascus, MD
Plan number: 120150170

Dear Members of the Planning Board,

Please accept my written testimony regarding the proposed "Woodfield Commons" development, to be constructed near Damascus town center (Damascus, MD).

The citizens of Damascus applaud the County's objective to ensure affordable housing for our young teachers, police and firefighters. I personally know all too well of their sacrifices, since I had to bury my college roommate and dear friend, Lt. Edward Walsh (Boston Fire Dept. Engine 33/Ladder 15) last year, after he perished in the line of duty.

However, we citizens of Damascus are concerned about the current plans for the proposed "Woodfield Commons" development (not only for our community, but also for the residents of the proposed development). Please take into consideration the following related concerns (*and an alternate proposal at end*), when making your decision whether to approve the "Woodfield Commons" development, as it is currently proposed:

Concerns:

1. Low income housing has historically been shown to be poor policy toward the goal of raising individuals out of the cycle of poverty:

The "Woodfield Commons" proposal calls for the construction of 84 units, 90% of which will be reserved for lower income individuals (income can be as low as 30% of the median income, when family size is taken into consideration)—therefore, Woodfield Commons fits the definition of a low income housing development. These types of developments have been constructed since the early 1960s, and have, almost without exception, resulted in blight and crime for the communities in which they have been introduced, and resulted in stagnation in the economic mobility of the residents of those developments.

There is no need to *theorize* about what will become of "Woodfield Commons" under the current proposal (*this is about statistics, after all, not about individuals*), since one such development (section 8 housing) already exists in Damascus (a block away from my house): Damascus Gardens. The unfortunate residents of Damascus Gardens who would like to lead a productive life, instead reside in a hot-spot of drugs and violence. There has been a recent homicide, as well as drive-by shootings, drug busts, and assaults in this development, and local police have to man a detail there.

By contrast, the voucher system (which the County already employs) has been shown to be a more effective means at removing people from the cycle of poverty. Those with vouchers can *choose* where they live and are not forced (by necessity of living in a housing project) to live in a crime-infested community.

2. *Public Transportation in Damascus does not support a high density of low income individuals:*

Unfortunately, the local economy is not sufficiently large enough to ensure that many of the residents of the proposed Woodfield Commons could expect to find employment within Damascus; meaning they would have to commute to work.

However, the local transportation infrastructure does not support the ability of low-income individuals to obtain jobs outside of Damascus and to progress up the social ladder. The 2006 Master Plan itself notes the following characteristic about Damascus: "the long distance to jobs, and the limited transit opportunities". The only public transportation available is public bus; however, it takes *1.5 hours to reach the Shady Grove area using this bus route (which requires 3 bus changes)!*

3. *Alteration of residential community economic dynamics:*

The 2006 Damascus Master Plan states the following:

"Residential Uses—This Plan recommends that careful attention be given at the time of subdivision or site plan to proposed new residential development that directly adjoins existing single - family residential development, ensuring compatibility of scale, height, *and proportion*. Such review may limit development potential below that allowed in the zone."

The introduction such a high-density of low income individuals to the lot directly adjacent to single-family residential neighborhoods, would not be in keeping with the concept of "ensuring proportion", as it would be not only disproportionate to those neighborhoods, but to Damascus as a whole: the proposed low income individuals in the housing project would amount to *approximately 3.5% of the population of all of Damascus!*

4. *Support of local businesses:*

The 2006 master plan was designed to promote commerce in Damascus center that in turn would support local businesses, thus strengthening the local economy. Introduction of a high proportion of low income residents will be unlikely serve this purpose since they simply do not have the economic resources to do so. A more economically diverse community is what is needed to ensure economic vitality in Damascus town center.

5. *Civic participation:*

The proposed units are largely/all apartments. Apartment dwellers in general simply have a less vested interest in their community than do homeowners (due to the transient nature of rental tenants).

Nelson, Calvin

From: Faiola, Lynn <Lynn.Faiola@montgomerycountymd.gov>
Sent: Tuesday, November 17, 2015 4:17 PM
To: Nelson, Calvin
Subject: Proposed Woodfield Commons apartment project in Damascus

Dear Mr. Nelson:

I will not be able to attend the Planning Board mtg. on November 17 in Silver Spring, however, I would like to voice my concerns with the proposed Woodfield Commons apartment project in Damascus. As a 28 year resident of Damascus I have seen the problems over the past years that increased housing has caused. Not only does it present an eyesore because it over builds the pleasant rural land, but it increases the already terrible traffic in the area. Please consider my opinion over this matter. Thank you for your time.

Mrs. Lynn Faiola
25119 Applecross Terrace
Damascus, MD 20872
301-570-3927

Nelson, Calvin

From: Nikki Pena <nikki.pena89@gmail.com>
Sent: Tuesday, November 17, 2015 1:35 PM
To: Nelson, Calvin
Subject: Re: Feedback on further development in Damascus, MD

Hello, Mr.Nelson,

Thank you for your response, and for adding my feedback to the record.

Enjoy the rest of your week.

Nikki Peña, PHR, SHRM-CP

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*If God brings you to it,
He will bring you through it.
Happy moments, praise God.
Difficult moments, seek God
Quiet moments, worship God.
Painful moments, trust God
Every moment, thank God.*

On Tue, Nov 17, 2015 at 12:20 PM, Nelson, Calvin <calvin.nelson@montgomeryplanning.org> wrote:

Ms. Pena,

Thank you for your letter and your comments. Your letter will be added to the record for the Woodfield Commons item which is scheduled for the December 17th Planning Board hearing.

Sincerely,

Calvin Nelson, Jr.

MNCPPC, Area 3

From: Nikki Pena [mailto:nikki.pena89@gmail.com]

Sent: Tuesday, November 17, 2015 9:06 AM

To: Nelson, Calvin <calvin.nelson@montgomeryplanning.org>

Subject: Feedback on further development in Damascus, MD

Good Morning, Mr. Nelson,

My name is Nikki Peña, and I am an 8 year resident of Damascus, Maryland.

I am writing to you in an appeal for you and your colleagues to strongly reconsider and dismiss the plans to further develop the Damascus area.

I am not going to be in town for the planning board meeting on December 17th, so I wanted to share my feedback with you in advance of that meeting, as I truly hope that the voice of the community will first and foremost be considered as decisions are made for the area in which we live.

Prior to relocating to Damascus from Germantown, I'd been admiring the rural nature, serenity and small town look and feel of Damascus for many years. My goal was to one day purchase a home in Damascus and raise a family in that environment. I watched and drove through Damascus for many years and the fact that there hadn't been development and overgrowth as in so many other areas was very appealing.

I relocated to Damascus in 2007 and I loved the feel of the community, the farmland, small roads, and open space.

The growth in the surrounding areas, specifically the Germantown/Clarkburg areas has had a definite negative impact on me and probably all of us living in and commuting to and from Damascus. Hundreds,

maybe thousands of people have been packed into a very small radius, which bleeds onto Rt. 27, and the road infrastructure is not in place to handle all of the additional commuters. It's truly a nightmare.

It saddened me to watch the farmland swallowed up by new (unnecessary) developments. The State of Maryland and Montgomery County highlight and tout agriculture and the importance of being environmentally friendly, yet I don't see those words being put into practice. It appears that any "green space" must be paved over and built upon, regardless of the effects or consequences to the environment, the citizens and the little bit of agriculture we have remaining in our county.

Additionally, all of this development has created a significant traffic issue. I commute from Damascus to Gaithersburg (to drop off my son) to Bethesda (to work) every day and my commute has become very stressful, long and painful. Again, the emissions from the standstill traffic is not conducive to protecting our environment, and truly it creates a quality of life issue for many of us who have to sit through this every day.

Further development in Damascus to add more people (housing) and "attractions" to the Damascus area will only create further overcrowding and will completely detract from the original reason many of us chose to live in Damascus. We want to keep the small town charm, quaint community feel that makes us feel at home. We don't have much of that feel left in our community. PLEASE don't take what's left away from us by continuing development in our town - it's not needed or wanted.

I want my son to grow up, understand and appreciate all that's special and important about a rural environment.

Thank you in advance for reading my feedback and experience.

I truly hope that you will take this into consideration as you realize that the proposed development in Damascus in no way reflects the desires of the community.

Please feel free to contact me with any questions.

Sincerely,

Nikki Peña

Nikki Peña, PHR, SHRM-CP

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*If God brings you to it,
He will bring you through it.
Happy moments, praise God.
Difficult moments, seek God
Quiet moments, worship God.
Painful moments, trust God
Every moment, thank God.*

Nelson, Calvin

From: Weaver, Richard
Sent: Wednesday, December 02, 2015 9:15 AM
To: Casey, Jonathan; Nelson, Calvin
Subject: FW: Damascus Master Plan Comments

For the file

From: Oquinn, Marybeth
Sent: Tuesday, December 01, 2015 9:12 AM
To: Boyd, Fred <fred.boyd@montgomeryplanning.org>; Weaver, Richard <richard.weaver@montgomeryplanning.org>
Subject: FW: Damascus Master Plan Comments

Fred & Rich: FYI. MB

From: anna hunter [<mailto:awhunter@hotmail.com>]
Sent: Monday, November 30, 2015 8:36 PM
To: Reynolds, Kipling; Boone, Rebecca; Oquinn, Marybeth; Weaver, Richard; Casey, Jonathan; Sigworth, Ryan; Garcia, Michael
Subject: Damascus Master Plan Comments

Good evening.

I just sat down to read my email and was notified by a friend that there was a town meeting to discuss the master plan tonight that I am sad to say I am missing as I did not know it was going on.

I am a happy resident of Damascus. We moved here, versus Gaithersburg or Rockville, as we like the small town feel and the low crime rate.

I think the new shopping center area with Safeway as an anchor is nice and I am happy that business are moving into the empty spaces (albeit very slowly).

Below, I would like to mention

- Smart Growth
- The need for sidewalks, bike lanes, making Woodfield Road safer, and traffic relief to be addressed prior to adding more housing

I agree that keeping mixed density close to the town center is a wise decision IF the correct infrastructure is in place FIRST. I am concerned when I read the synopsis of the proposal this evening as Damascus experiences very bad traffic in the morning and evening, starting at around 4 PM. And high density housing, where there are an average of two drivers per housing unit, will add enough cars to further negatively impact traffic.

It is not uncommon for the traffic to back up from the traffic light on Woodfield Road & Hawkins Creamery all the way past the traffic light at Sweepstakes and back all the way to Woodfield Elementary. (Making it very dangerous to make a left onto this road in the evening from roads such as Moyer Road where Clearspring Elementary is located.)

I think many in Damascus can testify that our short trip to Germantown has now become difficult due to the high density developments along Ridge Road without needed road infrastructure (need to widen the road - not just the one, small segment, it needs to go all the way to Aurora Hills traffic light). Many in Damascus, like myself, now go to Mt. Airy for our shopping needs, meaning that tax and business revenue is now leaving the city. People now workout in Mt. Airy, send their children to swim lessons, ballet, gymnastics, children's dentists, Walmart and more in Mt. Airy as the drive there is still 15-20 minutes, while the drive to Germantown is now consistently 30 minutes due to non-stop traffic.

Montgomery County should pride itself on maintaining comprehensive plans on all its towns and cities. I just hope they are followed and not conveniently altered or only partly followed.

For example, in the Damascus Master Plan intro it states the following, yet we have sidewalks that end for no apparent reason, making it difficult for people to walk around town. Also, there is no shoulder along Woodfield Road, again, not allowing a safe alternative to cars. For example, the Damascus Recreation Pool (a private pool) would be easily accessible for many children if a sidewalk or bikeway was placed along Woodfield Road.

Build a strong transportation network by layering pedestrian access, bicycle connections, and regional trails.

....

Add moderate additional residential opportunities on the perimeter of the Town Center, primarily through the creation of additional TDR receiving sites.

Thank you for reading this, as I take pride in Montgomery County. However, no one likes to think that someone is trying to sneak something past them - which is what this apartment proposal would be, as I was not aware of it until this evening. (And I LOVE Magruder Park's Walking Path, thank you.)

I work full-time, so email is the best way to contact me.

Sincerely,

Anna Hunter
10120 Durango Drive
Damascus, MD 20872



FIRE MARSHAL COMMENTS

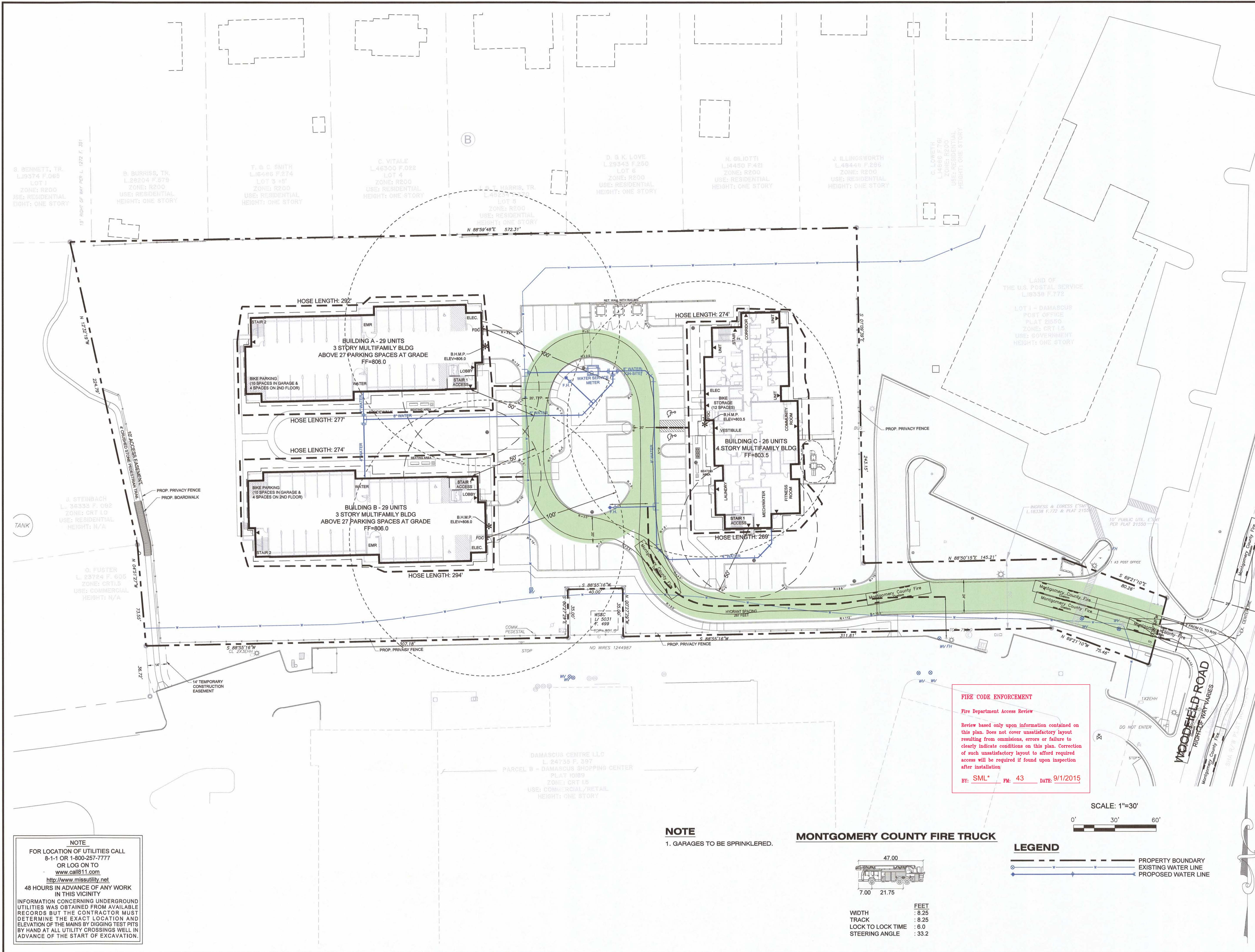
DATE: 01-Sep-15
TO: Joanne Cheok - jcheok@dewberry.com
Dewberry
FROM: Marie LaBaw
RE: Woodfield Commons
820150170 820150900

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **01-Sep-15** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

WOODFIELD COMMONS
MONTGOMERY COUNTY, MARYLAND
12TH ELECTION DISTRICT
PARCEL 453

TAX MAP FX343, GRID FX43
WSSC 200' SHEET 237NW10
LIBER 5212, FOLIO 400



FIRE CODE ENFORCEMENT
Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
BY: SML* PK: 43 DATE: 9/1/2015

NOTE
1. GARAGES TO BE SPRINKLERED.

MONTGOMERY COUNTY FIRE TRUCK

LEGEND
--- PROPERTY BOUNDARY
--- EXISTING WATER LINE
--- PROPOSED WATER LINE

SCALE: 1"=30'

NOTE
FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.call811.com http://www.missutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MAINS BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.

SEAL



Professional Certification: 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.

License No. 18095
Expiration Date: 12/21/16

SCALE 1"=30'-0"

No.	DATE	BY	Description
1	09.01.15	WB	Per DRC Comments

REVISIONS
DRAWN BY: WB
APPROVED BY: MB
CHECKED BY: GW
DATE: 05/28/2015

TITLE
SITE PLAN
FIRE ACCESS PLAN

PROJECT NO. 50069274

FDA-1
SHEET NO. 1 OF 1

WETLAND IMPACT STATEMENT OF JUSTIFICATION
WOODFIELD COMMONS
PRELIMINARY PLAN 120150170 and SITE PLAN NO. 820150090

I. INTRODUCTION

Woodfield Commons Associates, LLC (“Applicant”) is a joint venture between Conifer Realty, LLC, (“Conifer”) a highly qualified real estate developer with 40+ years of experience in developing, owning and operating mixed income housing and the Housing Opportunities Commission of Montgomery County (HOC) the local public housing agency whose mission is to increase the production of quality housing opportunities for Montgomery County families of lower economic means. (See, Redacted Joint Venture Agreement between Conifer and HOC, as Exhibit A). Woodfield Commons (the “Project”) is a multi-family mixed income development consisting of 84 units of which 90% of the units will be restricted to families that earn 60% and below the area median income (AMI). The remaining 10% of the units will be unrestricted. Additionally, the Applicant has reserved 15% of the Project’s dwelling units for Persons with Disabilities (“PWD”). The Project is located northwest of the intersection of Woodfield Road and High Corner Street in Damascus, Maryland (the “Property” or the “Project site”).

The Project will offer modern amenities to include spacious floorplans, balconies, ample onsite parking, ample storage space, access to high speed internet, indoor and outdoor recreational facilities, a walking trail, a laundry facility and an onsite professional management and maintenance staff. More importantly, the Project will promote energy efficiency and sustainability in accordance with Energy

Star and the National Green Building Standards. All of the dwelling units and the laundry facility will be equipped with Energy Star appliances, Energy Star qualified programmable thermostats, energy efficient light fixtures, Energy Star windows and water conservation faucets and toilets. Additionally, the Applicant is committed to providing continuing resident education seminars on ways to conserve energy after the buildings are placed in service.

Lastly, the Project is consistent with the 2006 Approved and Adopted Damascus Master Plan for this site. The proposed Project is an in-fill, Smart Growth development that transforms a vacant piece of land into a valuable community asset and is the highest, and best use of the site. Moreover, the Project has received funding from the Maryland Department of Housing and Community Development, Montgomery County Government and HOC, demonstrating both state and local support.

II. WETLAND DISCOVERY

As part of the entitlement process for the Project, the Applicant had the Natural Resources Inventory/Forest Stand Delineation plan (NRI/FSD) (Plan # 420130340) (approved on September 09, 2012 by Maryland National Capital Park and Planning Commission) re-certified. The Applicant hired Design With Nature, LLC the company that completed the 2012 NRI/FSD plan to re-certify the onsite conditions of the Property.

Two and one-half years after the original NRI/FSD approval, the re-certified NRI/FSD (still, Plan #420130340), identified and delineated a previously

undocumented isolated, non-tidal wetland and buffer located in the southwest area of the Property, using the hydrophytic vegetation dominance test. The area of the newly discovered wetland is approximately 9,765 square feet in size. The area of the entire environmental feature which includes the 25 foot wetland buffer is approximately 25,533 square feet in size.

A combination of the natural surface water drainage pattern and the construction of the commercial shopping center to the south of the Property have created the conditions in the southwest area of the site for opportunistic wetland plants to become established. Off-site runoff flows onto the site from the developed properties north and west of the Project site, following the existing contours toward the southern property line. Once the drainage reaches the southern portion of the site, flow of the stormwater is impeded by the shopping center's parking lot and a raised Washington Suburban Sanitary Commission ("WSSC") concrete generator pad. Both, the shopping center's parking lot and WSSC generator pad are constructed at a higher elevation than the subject Property. Exacerbating the conditions which impede the flow of runoff is the fact that extensive grading in this same southwest area of the property, associated with the construction of the shopping center, has compacted the soil. The lack of infiltration due to soil compaction and the lack of a path of overland relief for the off-site drainage over time have created the conditions for the isolated wetland to develop.

III. EXISTING WETLAND

The existing wetland is limited in its functions and values and does not provide the water quality or wildlife habitat benefits that other higher quality wetlands provide. This wetland is

- isolated; and
- is not part of a larger more integrated eco-system.

While it provides some limited pollutant trapping and sediment control functions it does not release any treated surface hydrology into nearby streams. This wetland has no connection to other waters. Moreover, this wetland serves a relatively small, localized drainage area, less than ten acres in size. The only source of the wetland's hydrology is the intermittent surface run-off from the small drainage area.

The quality of the wetland can also be established by observing the diversity of its vegetation. The existing wetland contains and is surrounded by numerous, opportunistic invasive species. Due to the inconsistent hydrology, very little native wetland vegetation is present in the area.

Given the small drainage area, and the small physical size of the wetland (less than a quarter of an acre), the existing wetland (even if it were of a higher quality) only has the potential to provide marginal environmental benefits. Further, without a consistent source of hydrology throughout the year, the isolated wetland's potential to provide habitat for aquatic/amphibious biota is quite limited.

Despite the best efforts, as set forth below, to avoid the wetlands, this Wetland Impact Justification Statement has been prepared to demonstrate that the limited disturbance of the wetland meets the *Guidelines for Environmental Management of Development in Montgomery County*.

IV. WETLAND GUIDELINES ANALYSIS

The wetland guidelines are based on the Maryland Non-tidal Wetlands Protection Act. It is the goal of the State's program to attain no net loss in non-tidal wetland acreage and function and to strive for a net resource gain in non-tidal wetlands over present conditions. The guidelines as set forth below, are applied to protect sensitive environmental features on development plans, as identified by the Natural Resources Inventory, and are the basis of staff recommendations to the Planning Board.

a) Wetlands will be regulated in accordance with State (Code of Maryland Regulations {COMAR} 08.05.04) and Federal Nontidal Wetlands Regulations (Secs. 401 & 404 of the Clean Water Act).

RESPONSE: The Applicant requested a Jurisdiction Determination ("JD") and verification of the delineation of wetlands under Section 404 of the Clean Water Act from the Baltimore District, Army Corps of Engineers (the "Corps"). In its response, the Corps found "(t)here are no areas indicated as waters of the United States, including jurisdictional wetlands, that would be regulated by this office..." (Corp's

Letter dated September 15, 2015, as Exhibit B). A copy of the Corps letter is being coordinated with the Maryland Department of the Environment (“MDE”). The Applicant has also independently contacted MDE to ascertain whether or not the agency will take jurisdiction over the wetland. The presence of an isolated non-tidal wetland was established through the re-approval of NRI/FSD (420130340), in March of 2015, using the hydrophytic vegetation dominance test performed in February of 2015. The existing 9,765 square foot area identified on the NRI is located in the southwest corner of the subject Property.

b) A minimum buffer width of 25 feet will be established around nontidal wetland areas. The buffer will be expanded up to 100 feet around wetlands of special State concern and around wetlands with adjacent areas containing steep slopes or highly erodible soils as described in Table 2 (page 13). When a wetland buffer extends beyond the stream buffer that would be required according to Table 1 (page 8) of these guidelines, the stream buffer will be expanded to the wetland buffer line.

RESPONSE: The standard buffer width of 25 feet was assigned to the subject wetlands through the approval of the NRI/FSD. The existing wetlands do not possess any characteristics that would identify them as wetlands of special State concern.

The wetlands:

- are not associated with a stream or any other natural source of hydrology;
- the area adjacent to the isolated wetland identified on the Property does not contain steep slopes; and
- the soils are not highly erodible.

- c) *The Park and Planning Department evaluates proposed wetland impacts under the federal and State avoidance guidelines that are listed in order of preference as follows:*

AVOIDANCE

- (1) Avoiding the wetland impact altogether by not taking a certain action or parts of an action;*

RESPONSE: Despite the Applicant's best efforts, the inherent physical site constraints (See Exhibit C) make it impractical and infeasible to avoid the wetland altogether for the following reasons:

1. The western portion of the Property is rectangular in shape, the long axis running east to west, the eastern portion is a narrow 50 foot wide panhandle running eastward to connect to Woodfield Road. A steep (greater than 3:1), 20 foot high slope runs the entire length of the northern property line of the rectangular portion of the site. While this wooded 50 foot wide slope **reduces the developable width of the site by over 17% to approximately 24 feet**, its preservation serves to buffer the proposed development of four story buildings from the existing single family residences.

2. The site is also encumbered with two WSSC utility easements. The 20 foot wide water and sewer easements run in a north south direction through the center of the site and then make a ninety degree bend to the east, then run parallel to the northern property line for approximately 250 feet. A second 20 foot diameter WSSC water main runs along the entire southern boundary of the site, from 6 to 30 feet north of the property line. An existing storm drain line is located at the juncture of

the panhandle and the rectangular portions of the site. **The cumulative impacts of these site constraints reduces the usable area of the site for the location of the buildings by more than an acre.** The natural and man-made constraints also limit the possible locations for the buildings, parking areas, driveways, fire department and emergency vehicle access, utilities, storm water management facilities and storm drain elements of the proposed development.

3. The configuration of the Property dictates the location of the site's vehicular access along the southern property line and the location of the central parking area. The onsite storm drain system must connect to the off-site system along the southeastern corner of the rectangular portion of the Property. The buildings cannot be located over the utility easements, water and sewer lines in the center of the site, or along the northern and southern property lines. The proposed building locations on either side of the utility lines and away from the northern and southern property lines are the only viable option. Unfortunately, due to the configuration and location of the isolated wetland in the southwestern area of the site a small portion of the Building B footprint, approximately 1600 square feet, encroaches into the wetland.

4. Regardless of whether the buildings completely avoid or slightly encroach upon the existing wetland, as is the case, the geotechnical analysis of the Project site has identified a high water table and soil characteristics that preclude the use of certain types of Environmental Site Design (ESD) techniques within the western quarter of the Property. In response to the results of the analysis the Stormwater Management Concept has been revised to substitute a gravel wetland (also an

approved and accepted ESD technique) for the previously proposed two micro-bio facilities, to be located north of the existing wetland and west of proposed Buildings A and B. The gravel wetland will be constructed completely outside of the existing wetland and its buffer. The Montgomery County Department of Permitting Services (MCDPS), Water Resources Section and the Project's geotechnical engineering consultant support the use of a gravel wetland as a viable solution to address the shallow ground water and soil conditions within the western quarter of the project site.

MINIMIZATION

(2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation;

RESPONSE: The Applicant in good faith has made every attempt to minimize impacts of the development on the non-tidal wetlands. The layout shown in the Pre-application Plan (See Exhibit D) the original site plan, prepared before the wetland was discovered, has been revised (See Exhibit E) to move the buildings to the north and east to the furthest degree possible.

- Buildings A and B have been relocated to the north approximately 11 feet and to the east approximately 57 feet;
- Building C has been rotated 90 degrees;
- The on-site parking and vehicular circulation has been revised; and

- The storm water management facilities have been relocated to minimize the wetland disturbance.

The shift to the north is limited by the steep slopes and existing woodland buffer. The shift to the east is limited by the WSSC easements.

In response to the comments received during the initial review of the Preliminary Plan, the Applicant has provided a pedestrian trail along the western site boundary to connect the subdivision located to the north of the Property to the Damascus Shopping Center. The trail alignment provides a direct route to the shopping center and avoids the steep topography and the proposed western stormwater management facilities. The proposed trail has been revised from an at-grade, crushed stone pathway to an elevated boardwalk approximately 40 foot in length, in accordance with M-NCPPC staff's recommendation. The boardwalk allows the contours to remain and the existing path of the surface runoff to be preserved, thus continuing to provide the hydrology for the remaining portion of the existing wetland, located south of Building B. In addition, runoff will be collected from the northern portion of the site into a swale around Building A and B and re-directed into the wetland as well.

Before the wetland was identified, all 9,765 square feet of the wetlands and 25,533 square feet of wetland buffer, would have been impacted by the construction of Building B and an on-site stormwater management facility located south of Building B. The revised plan reduces the wetland area disturbed to only 1,600 square feet (an 84% reduction in the disturbed area) and the wetland buffer disturbed has

been reduced to 6,635 square feet (a 74% reduction in disturbed area) (See Exhibit F),

MITIGATION

- (3) Rectifying the impacts by repairing, rehabilitating, or restoring the affected environment;***
- (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;***
- (5) Compensating for the impact by replacing or providing substitute resources or environments;***

RESPONSE: The Applicant proposes to rectify the limited impacts by repairing, rehabilitating, or restoring the affected environment. The most important factor in maintaining the viability of a non-tidal wetland is to maintain the source of hydrology. The drainage from the adjacent properties to the west have channelized runoff that is deposited onto the site and provides the hydrology for the isolated wetland. The original design diverted the off-site stormwater originating west of the site from entering the Property. The modified design no longer diverts the off-site stormwater, but rather directs it to the wetland which helps maintains the hydrology. (See Exhibit G).

The preserved wetland will also be enhanced through onsite invasive species management and supplemental plantings of native vegetation. Prior to the approval of the final Forest Conservation Plan, the Applicant will provide an Invasive Species Management Plan for the remaining wetland. This plan will be implemented prior to use and occupancy permit issuance. The proposed landscape plan reflects a mix of shade trees, flowering trees and shrubs that are suitable for wet locations to be

planted within the remaining wetland. This planting will not only improve the appearance of the wetland, but provide shade to prevent dry out in summer and discourage the recurrence of invasive species. (See, Exhibit H)

The combination of maintaining the hydrology and enhancing the plant material will serve to repair and restore the disturbed area. Regular on-going maintenance of the area over time will reduce, and eventually eliminate, the impact of the disturbance attributable to the construction. Preserving 84% of the area of existing wetland, nearly three-quarters of the buffer, and continuing to provide a source of hydrology will increase the likelihood that the remaining wetland will continue to thrive. The combination of invasive species control and supplemental plantings of native wetland vegetation will create an improved environmental resource, as well as, an attractive community feature.

d) Wetlands and their associated buffer areas must be maintained in their natural condition unless the proposed disturbance is for a project determined to be necessary and unavoidable for the public good,

RESPONSE: Those portions of the wetland (84%) and wetland buffer (74%) not disturbed will be maintained and enhanced. The natural hydrology will be maintained and additional vegetation will be added. Only those limited portions of the wetland and buffer disturbed in conjunction with the grading and construction of Building B and its associated site development will be disturbed. The impacts to the

wetland and buffer have been minimized to the greatest degree possible, given the site constraints, as set forth herein.

The limited impact to the isolated non-tidal wetlands must be balanced against the communal benefits of the Project. Seventy-five of the 84 multi-family units will be restricted to households whose income is at or below 60% of AMI. Five percent of the units will be fully compliant with the Uniform Federal Accessibility Standards and 2% of the units will be specially equipped with hearing/vision features. A preference will also be given to PWD for 15% of the units. In addition, the Project promotes energy efficiency and sustainability in accordance with Energy Star and the National Green Building Standards. Additional Project's communal benefits include:

- the development of a vacant parcel of land into an attractive, viable piece of real estate;
- a new development that complements and enhances the surrounding community;
- a new development that promotes walkability, and
- a new development that promotes Smart Growth.

The construction of high quality mixed income housing, with rents well below the County's median income that meets or exceeds market quality standards and a development that is consistent with the adopted and approved Damascus Master Plan is a very significant and necessary public good.

d) Proposed alterations to areas designated as wetlands must be reviewed and approved by MDE, DNR, and the U.S. Army Corps of Engineers (U.S. ACOE), as appropriate, prior to commencement of any alteration activities. Park and Planning staff may recommend

deferral of final approval of development plans pending the permit decision for disturbances of wetlands of extraordinary quality or environmental sensitivity. These include:

(1) Nontidal wetlands with threatened or endangered species or species in need of protection

(2) Nontidal wetlands of special State concern

RESPONSE: A representative of the Corps visited the Project site on July 31, 2015 and by letter dated September 15, 2015 found that the proposed commercial development “does not require a Department of the Army authorization pursuant to Section 10 of the Rivers and Harbor Act of 1899 and/or Section 404 of the Clean Water Act since no work is proposed in, over, or under navigable waters and no fill is proposed within Section 404. Therefore we have no jurisdiction over the proposed parcel as shown on the enclosed Dewberry plan dated May 28, 2015. You are informed, however, that the Maryland Department of the Environment should be contacted.” (See, Exhibit B),

In light of the Corps decision not to take jurisdiction the Applicant argues that the isolated non-tidal wetland identified on the Property is not a “wetland of extraordinary quality or environmental sensitivity”. As previously stated, the newly discovered wetland is limited in its function and value and does not provide the water quality or wildlife habitat benefits that other wetlands of high quality or environmentally sensitivity provide. Moreover, this wetland serves a relatively small, localized area and contains numerous invasive species with little native vegetation. Therefore, Park and Planning staff does not have to recommend deferral of final approval of development plans pending any permit decisions for disturbance

of “non-tidal wetlands of extraordinary quality or environmental sensitivity”; “non-tidal wetlands with threatened or endangered species or species in need of protection” or “non-tidal wetlands of special State concern”.

V. CONCLUSION

The Applicant respectfully requests that the Planning Board grant approval of the proposed wetland impact. The above analysis establishes that the proposed wetland impact meets the criteria for the approval in full accordance with the *Guidelines for Environmental Management of Development in Montgomery County*.



September 5, 2014

Stacy L. Spann
Executive Director
Housing Opportunities Commission of Montgomery County
10400 Detrick Avenue
Kensington, Maryland 20895

RE: LETTER OF INTENT TO ENTER INTO A JOINT VENTURE AGREEMENT WOODFIELD ROAD AND HIGH CORNER STREET, DAMASCUS, MARYLAND

Dear Mr. Spann:

We are pleased to present to you an offer outlining proposed terms to form a Joint Venture to develop, improve, maintain, own and operate a multifamily rental development to be located at Woodfield Road and High Corner Street, Damascus, Maryland 20872 (the "Development"). Conifer Realty, LLC ("Conifer") and Housing Opportunities Commission of Montgomery County ("HOC") have experience in construction and rehabilitation of real property and in developing affordable housing for low-income persons, each possess certain necessary skills and resources and it is in the mutual interest of the parties to jointly participate in implementing the Development. The HOC is a government organization with a mission that includes providing affordable housing and supportive services to low- and moderate-income households in Montgomery County.

Please find below an outline of the terms and conditions with respect to the Development:

1. **PURPOSE OF VENTURE.** The purpose of the Joint Venture shall be to carry out the acquisition, improvement, and ownership of the Development.
2. **PROGRAM.** The principal activities of the Joint Venture shall be the construction of the Development, including architectural and engineering analysis and design, securing necessary financing, subsidies and grants for acquisition and construction and all other acts deemed necessary and proper in furtherance of the purpose of the venture. The Development shall be used as primarily affordable multifamily rental housing, in accordance with the federal low income housing tax credit requirements. The sources of financing for the Development are expected to include construction and permanent loans from private lender or HOC, Rental Housing Funds (RHF's) financing, additional funding from the HOC equal to \$350,000, other resources available from the State and/or local government, low income housing tax credit equity, and a payment in lieu of taxes agreement from the municipality in which the Development is located.
3. **FORMATION OF LIMITED LIABILITY COMPANY.** The parties anticipate that a limited liability company ("LLC") will be formed to assume the obligations of the Joint Venture and to be the

building opportunities, achieving dreams™

8808 Centre Park Drive, Suite 205
Columbia, MD 21045
phone: 443.320.0490
fax: 443.320.0493
www.coniferllc.com

EXHIBIT A

managing member of the owner of the Development, which will also be a limited liability company ("Owner"). Conifer will act as managing member of the LLC [REDACTED] and HOC will participate as a member in the LLC [REDACTED]. The parties agree that they may mutually agree to change their percentage ownership as members of the LLC to the extent needed to comply with funding requirements. Conifer and HOC agree to enter into an LLC operating agreement to further memorialize the terms of their joint venture.

It is contemplated that the LLC will own a 0.01% ownership interest in the Owner as its managing member and 99.99% of the ownership interest in the Owner will be sold through a private offering to low income housing tax credit investors who will become non-managing members of the Owner. The objective is to provide investor equity in exchange for tax credits and other benefits. The terms of the LLC operating agreement and the Owner operating agreement will be subject to the approval of both Joint Venture members, which approval shall not be unreasonably withheld, conditioned or delayed

If needed as part of the tax credit syndication, HOC shall create a wholly owned for-profit subsidiary to be a member in its place and/or to form a housing development fund company, if applicable.

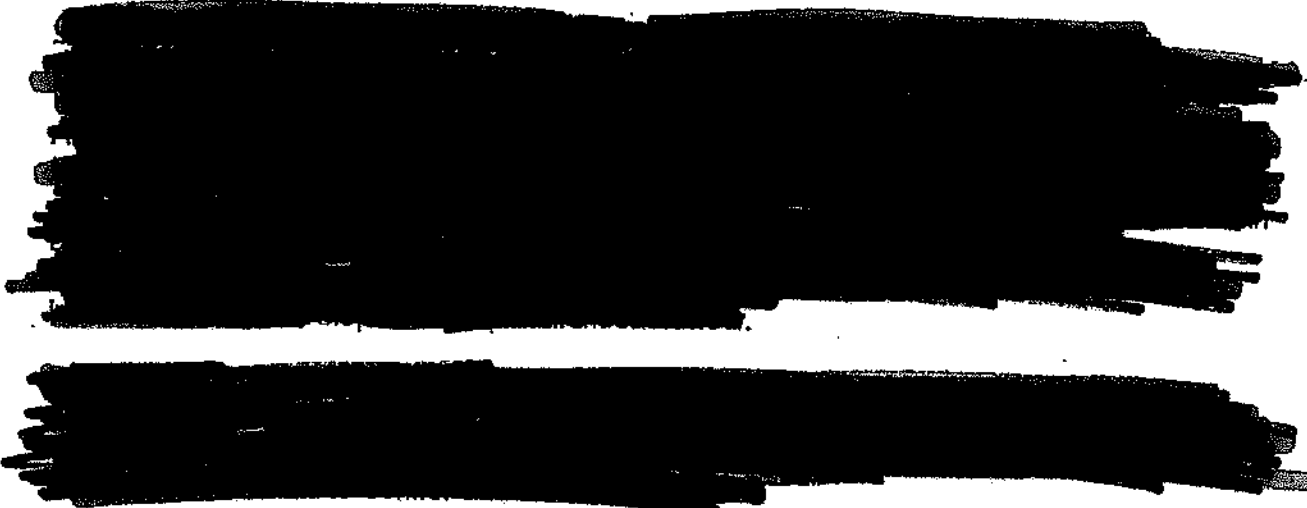
4. **RESPONSIBILITIES OF THE JOINT VENTURE.** The Joint Venture shall have the following responsibilities:

- a) HOC, or its affiliate, will become a member of the LLC and shall be named Co-Developer of the Development. HOC and/or its affiliate shall materially participate in the development and operation of the Development throughout the compliance period and will have the following additional development and member responsibilities:
 - i. act as point of contact with local agencies, neighborhood groups, and other local organizations, as appropriate;
 - ii. act as Applicant on behalf of the LLC and/or Owner in obtaining low interest loans and grants and/or provide acquisition, construction and/or permanent financing in its capacity as a lender;
 - iii. act as the resident services coordinator and provide documentation and reporting as required for funding applications and compliance, [REDACTED]
 - iv. act as the service coordinator for any designated special needs population and assist in securing grants and other funding such as rental subsidy, as available, to ensure the long-term success of these residents at the Development;
 - v. review and approve design aspects of the Development;
 - vi. attend bi-monthly construction meetings, and review monthly construction reports and updates;

- vii. review and approve contracts and costs during operations in accordance with the terms of the operating agreement and
 - viii. act as Applicant on behalf of the LLC and Owner in obtaining a real property tax PILOT Agreement from Montgomery County.
- b) Conifer, or its affiliate, will become managing member of the LLC and shall be named Co-Developer of the Development. Conifer and/ or its affiliates will have the following additional development and managing member responsibilities:
- i. prepare a detailed development budget for the overall project scope;
 - ii. oversee preparation of plans and specifications, and identify and approve the scope of work for rehabilitation and any site improvements;
 - iii. obtain all necessary governmental approvals and permits;
 - iv. apply for and obtain low income housing tax credits, grants, construction and permanent financing in amounts sufficient to fund the overall project costs pursuant to the budget, plans and specifications;
 - v. select the design and construction team, and others for supplies and services to be utilized in the design, construction and improvement of the Development;
 - vi. provide construction supervision and construction management, including administering construction contracts, perform construction closeout functions and punchlist;
 - vii. work with the Development property management agent during initial rent up and occupancy;
 - viii. obtain insurance coverage for the Development;
 - ix. conduct construction and permanent loan closings and tax credit syndication of the Development, including engaging attorneys and accountants and other professionals needed in connection with the Development;
 - x. negotiate and cause to be executed on behalf of the LLC and/or Owner, as applicable, contracts with architects, contractors, vendors and others for supplies and services to be utilized in the design, construction and improvement of the Development;
 - xi. establish and implement appropriate administrative and financial controls, including, periodic updating and revision of cost projections, preparing annual investor reports, communications, and tax forms;
 - xii. conduct tax credit monitoring and reporting; and

- xiii. agree to provide any construction completion, development deficit and tax credit compliance guarantees required by lenders and/or tax credit investor for successful completion of the Development so long as Conifer or its affiliate is the property manager and a managing member of the LLC.

5.



- 6. **CONSTRUCTION AND PROPERTY MANAGEMENT.** Conifer Management, LLC, who has significant experience in the management of affordable multifamily housing, will be the management agent for the project. Conifer-LeChase Construction, LLC, who has significant experience in the construction of affordable multifamily housing, will be the General Contractor for the Development.

7.



Should these terms meet with your approval, please indicate your agreement by executing below. We look forward to working with you on this exciting community development project.

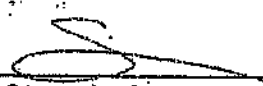
Sincerely,

A handwritten signature in black ink, appearing to read 'Jessica D. Zuniga', is written over a horizontal line.

Jessica D. Zuniga
Vice President

This Letter of Intent to Enter Into a Joint Venture Agreement is hereby acknowledged and accepted on this 5th day of September, 2014.

HOUSING OPPORTUNITIES COMMISSION OF MONTGOMERY COUNTY



By: Stacy L. Spann
Title: Executive Director



DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

SEP 15 2015

Operations Division

Mr. Jeffrey Ratnow
Woodfield Common Associates, Inc.
8808 Centre Park Drive, Suite 205
Columbia, Maryland 21045

Dear Mr. Ratnow:

This is in reference to your June 8, 2015 request for a jurisdictional determination (JD) and verification of the delineation of waters of the United States, including wetlands, for the development of 3.88-acre Parcel 453 off Woodfield Road in Damascus, in the watershed of Scott Branch in Montgomery County, Maryland. This JD request has been assigned the number CENAB-OPR-M (WOODFIELD COMMONS) 2015-01035.

Our evaluation has determined that the proposed commercial development, if accomplished in accordance with the enclosed plan indicated within the limit of the parcel, does not require a DA authorization pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act since no work is proposed in, over, or under navigable waters and no fill is proposed within Section 404 waters. Therefore, we have no jurisdiction over the proposed parcel as shown on the enclosed Dewberry plan dated May 28, 2015. You are informed, however, that the Maryland Department of the Environment should be contacted. Further, any required Federal or local authorizations should be obtained prior to commencement of the proposed work. If any of the information presented to our office and/or plan(s) is later found to be in error, this determination may be subject to modification, suspension, or revocation. If any of the information presented to our office and/or plan(s) is later found to be in error, this determination may be subject to modification, suspension, or revocation. If, at a later date, it is discovered that the proposed work may impact Waters of the U.S., including jurisdictional wetlands and/or if the proposed scope of work changes, you must coordinate the revised plan(s) and accompanying information with our office.

We have reviewed and concur with the Wetland Delineation Report for Woodfield Commons prepared by Mr. Kenneth Wallis of Wetland Studies and Solutions, Inc. dated June 8, 2015. In addition, a pre-application field inspection was conducted on July 31, 2015. This inspection indicated that the delineation of waters of the United States, including jurisdictional wetlands within the property boundary of Parcel 453 on the enclosed drawing dated May 28, 2015, is accurate. There are no areas indicated as waters of the United States, including jurisdictional wetlands, that would be regulated by this office pursuant to Section 10 of the River and Harbor Act of 1899 and/or Section

EXHIBIT B

404 of the Clean Water Act. Enclosed is a document that outlines the basis of our determination of jurisdiction over these areas.

This letter contains an approved jurisdictional determination for your subject site. This approved jurisdictional determination is valid for five years from the date of this letter unless new information warrants revision of the determination before the expiration date, or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the North Atlantic Division Office at the following address:

Mr. James Haggerty
Administrative Appeals Review Officer
North Atlantic Division, Corps of Engineers
Fort Hamilton Military Community
General Lee Avenue Building 301
Brooklyn, NY 11252-6700

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit a RFA form, it must be received at the above address by **NOV 15 2015**. It is not necessary to submit an RFA form to the Division office if you do not object to the determination in this letter.

Please be advised that various development activities, within waters of the United States, including jurisdictional wetlands may be regulated by the Corps. Wetlands and other waters under the jurisdiction of the Maryland Department of the Environment (MDE) may also be located on the parcel. You may contact the MDE at (410) 537-3768 for information regarding jurisdiction and permitting requirements.

You are reminded that any grading or filling of waters of the United States, including jurisdictional wetlands, is subject to DA authorization. Other local authorizations may also be required to conduct activities in these locations. In addition, the Interstate Land Sales Full Disclosure Act may require that prospective buyers be made aware, by the seller, of the Federal authority over any waters of the United States, including wetlands, being purchased.

In future correspondence and permit applications regarding this parcel, please include the file number located in the first paragraph of this letter.

A copy of this letter is being coordinated with the Maryland Department of the Environment. If you have any questions concerning this matter, please call Mr. Steven Harman, of this office, at 410-962-6082.

Sincerely,

A handwritten signature in black ink that reads "Kathy B. Anderson". The signature is written in a cursive, flowing style.

Kathy B. Anderson
Chief, Maryland Section Southern

Enclosures

To identify how we can better serve you, we need your help. Please take the time to fill out our customer service survey at <http://www.usace.army.mil/Missions/Regulatory.aspx>

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): SEP 15 2015

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CENABOPR-M(WOODFIELD COMMONS/JD) 2015-01035

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Maryland County/parish/borough: Montgomery City: Damascus
Center coordinates of site (lat/long in degree decimal format): Lat. 39.29083333333° N, Long. -77.2025° W.
Universal Transverse Mercator:

Name of nearest waterbody: Scott Branch

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Patuxent River

Name of watershed or Hydrologic Unit Code (HUC): 02060006

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date:

Field Determination. Date(s): 7/31/15

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

Waters subject to the ebb and flow of the tide.

Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

TNWs, including territorial seas

Wetlands adjacent to TNWs

Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs

Non-RPWs that flow directly or indirectly into TNWs

Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs

Impoundments of jurisdictional waters

Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: 0 linear feet; 0 width (ft) and/or 0 acres.

Wetlands: 0 acres.

c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual

Elevation of established OHWM (if known):

2. Non-regulated waters/wetlands (check if applicable):³

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.

Explain:

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. **TNW**

Identify TNW: .

Summarize rationale supporting determination: .

2. **Wetland adjacent to TNW**

Summarize rationale supporting conclusion that wetland is "adjacent": .

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) **General Area Conditions:**

Watershed size: **Pick List**

Drainage area: **Pick List**

Average annual rainfall: inches

Average annual snowfall: inches

(ii) **Physical Characteristics:**

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through **Pick List** tributaries before entering TNW.

Project waters are **Pick List** river miles from TNW.

Project waters are **Pick List** river miles from RPW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Project waters are **Pick List** aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain: .

Identify flow route to TNW⁵: .

Tributary stream order, if known: .

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

- Tributary is: Natural
 Artificial (man-made). Explain:
 Manipulated (man-altered). Explain:

Tributary properties with respect to top of bank (estimate):

Average width: feet
Average depth: feet
Average side slopes: **Pick List**.

Primary tributary substrate composition (check all that apply):

- | | | |
|--|--|-----------------------------------|
| <input type="checkbox"/> Silts | <input type="checkbox"/> Sands | <input type="checkbox"/> Concrete |
| <input type="checkbox"/> Cobbles | <input type="checkbox"/> Gravel | <input type="checkbox"/> Muck |
| <input type="checkbox"/> Bedrock | <input type="checkbox"/> Vegetation. Type/% cover: | |
| <input type="checkbox"/> Other. Explain: | | |

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain:

Presence of run/riffle/pool complexes. Explain:

Tributary geometry: **Pick List**

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for: **Pick List**

Estimate average number of flow events in review area/year: **Pick List**

Describe flow regime:

Other information on duration and volume:

Surface flow is: **Pick List**. Characteristics:

Subsurface flow: **Pick List**. Explain findings:

- Dye (or other) test performed:

Tributary has (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Bed and banks | |
| <input type="checkbox"/> OHWM ⁶ (check all indicators that apply): | |
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> the presence of litter and debris |
| <input type="checkbox"/> changes in the character of soil | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> shelving | <input type="checkbox"/> the presence of wrack line |
| <input type="checkbox"/> vegetation matted down, bent, or absent | <input type="checkbox"/> sediment sorting |
| <input type="checkbox"/> leaf litter disturbed or washed away | <input type="checkbox"/> scour |
| <input type="checkbox"/> sediment deposition | <input type="checkbox"/> multiple observed or predicted flow events |
| <input type="checkbox"/> water staining | <input type="checkbox"/> abrupt change in plant community |
| <input type="checkbox"/> other (list): | |
| <input type="checkbox"/> Discontinuous OHWM. ⁷ Explain: | |

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> High Tide Line indicated by: | <input type="checkbox"/> Mean High Water Mark indicated by: |
| <input type="checkbox"/> oil or scum line along shore objects | <input type="checkbox"/> survey to available datum; |
| <input type="checkbox"/> fine shell or debris deposits (foreshore) | <input type="checkbox"/> physical markings; |
| <input type="checkbox"/> physical markings/characteristics | <input type="checkbox"/> vegetation lines/changes in vegetation types. |
| <input type="checkbox"/> tidal gauges | |
| <input type="checkbox"/> other (list): | |

(iii) **Chemical Characteristics:**

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain:

Identify specific pollutants, if known:

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷Ibid.

(iv) **Biological Characteristics. Channel supports (check all that apply):**

- Riparian corridor. Characteristics (type, average width):
- Wetland fringe. Characteristics:
- Habitat for:
 - Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings:

2. **Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain:

Wetland quality. Explain:

Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: **Pick List**. Explain:

Surface flow is: **Pick List**

Characteristics:

Subsurface flow: **Pick List**. Explain findings:

Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

Directly abutting

Not directly abutting

Discrete wetland hydrologic connection. Explain:

Ecological connection. Explain:

Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are **Pick List** river miles from TNW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Flow is from: **Pick List**.

Estimate approximate location of wetland as within the **Pick List** floodplain.

(ii) **Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain:

Identify specific pollutants, if known:

(iii) **Biological Characteristics. Wetland supports (check all that apply):**

- Riparian buffer. Characteristics (type, average width):
- Vegetation type/percent cover. Explain:
- Habitat for:
 - Federally Listed species. Explain findings:
 - Fish/spawn areas. Explain findings:
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings:

3. **Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) being considered in the cumulative analysis: **Pick List**

Approximately () acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N) Size (in acres) Directly abuts? (Y/N) Size (in acres)

Summarize overall biological, chemical and physical functions being performed:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
 TNWs: linear feet width (ft), Or, acres.
 Wetlands adjacent to TNWs: acres.
2. **RPWs that flow directly or indirectly into TNWs.**
 Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:
 Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

Provide estimates for jurisdictional waters in the review area (check all that apply):

Tributary waters: linear feet width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters: .

3. Non-RPWs⁸ that flow directly or indirectly into TNWs.

- Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

Tributary waters: linear feet width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters: .

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.

- Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
- Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
- Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.

- Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.

- Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. Impoundments of jurisdictional waters.⁹

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- Demonstrate that impoundment was created from "waters of the U.S.," or
- Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
- Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
- from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- which are or could be used for industrial purposes by industries in interstate commerce.
- Interstate isolated waters. Explain: .
- Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

⁸See Footnote # 3.

⁹To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: linear feet width (ft).
- Other non-wetland waters: acres.
- Identify type(s) of waters: .
- Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
- Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- Lakes/ponds: acres.
- Other non-wetland waters: acres. List type of aquatic resource: .
- Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- Lakes/ponds: acres.
- Other non-wetland waters: acres. List type of aquatic resource: .
- Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Wetland Studies & Solutions dated 8 June 2015.
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps: .
- Corps navigable waters' study: .
- U.S. Geological Survey Hydrologic Atlas:
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Damascus 1983.
- USDA Natural Resources Conservation Service Soil Survey. Citation: SSURGO Soil Survey.
- National wetlands inventory map(s). Cite name: US FWS digital download.
- State/Local wetland inventory map(s): .
- FEMA/FIRM maps: .
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): .
or Other (Name & Date): Report .
- Previous determination(s). File no. and date of response letter: .
- Applicable/supporting case law: .
- Applicable/supporting scientific literature: .
- Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD:

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL (NAO/NAP fact sheet & REA form)**

Applicant: Woodfield Commons		File Number: 2015-01035	Date: SEP 15 2015
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the Baltimore District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations (JD) associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the Baltimore District Engineer. Your objections must be received by the Baltimore District Engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the Baltimore District Engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the Baltimore District Engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the Baltimore District Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the North Atlantic Division Engineer, ATTN: CENAD-PD-PSD-O, Fort Hamilton Military Community, Building 301, General Lee Avenue, Brooklyn, NY 11252-6700. This form must be received by the North Atlantic Division Engineer within 60 days of the date of this notice with a copy furnished to the Baltimore District Engineer.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the North Atlantic Division Engineer, ATTN: CENAD-PD-PSD-O, Fort Hamilton Military Community, Building 301, General Lee Avenue, Brooklyn, NY 11252-6700. This form must be received by the North Atlantic Division Engineer within 60 days of the date of this notice with a copy furnished to the Baltimore District Engineer.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the North Atlantic Division Engineer, ATTN: CENAD-PD-PSD-O, Fort Hamilton Military Community, Building 301, General Lee Avenue, Brooklyn, NY 11252-6700. This form must be received by the North Atlantic Division Engineer within 60 days of the date of this notice with a copy furnished to the Baltimore District Engineer.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Mr. Frank Plewa
U.S. Army Corps of Engineers, Baltimore District
ATTN: CENAB-OP-R
Regulatory Branch, Baltimore District
Baltimore, MD 21203-1715
(717) 249-2522 or (410) 962-3670

If you only have questions regarding the appeal process you may also contact:

Mr. James W. Haggerty
Administrative Appeals Review Officer
North Atlantic Division, Corps of Engineers Fort Hamilton
General Lee Avenue, Military Community Bldg. 301
Brooklyn, NY 11252-6700
Telephone: (718) 765-7163
Email: James.W.Haggerty@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

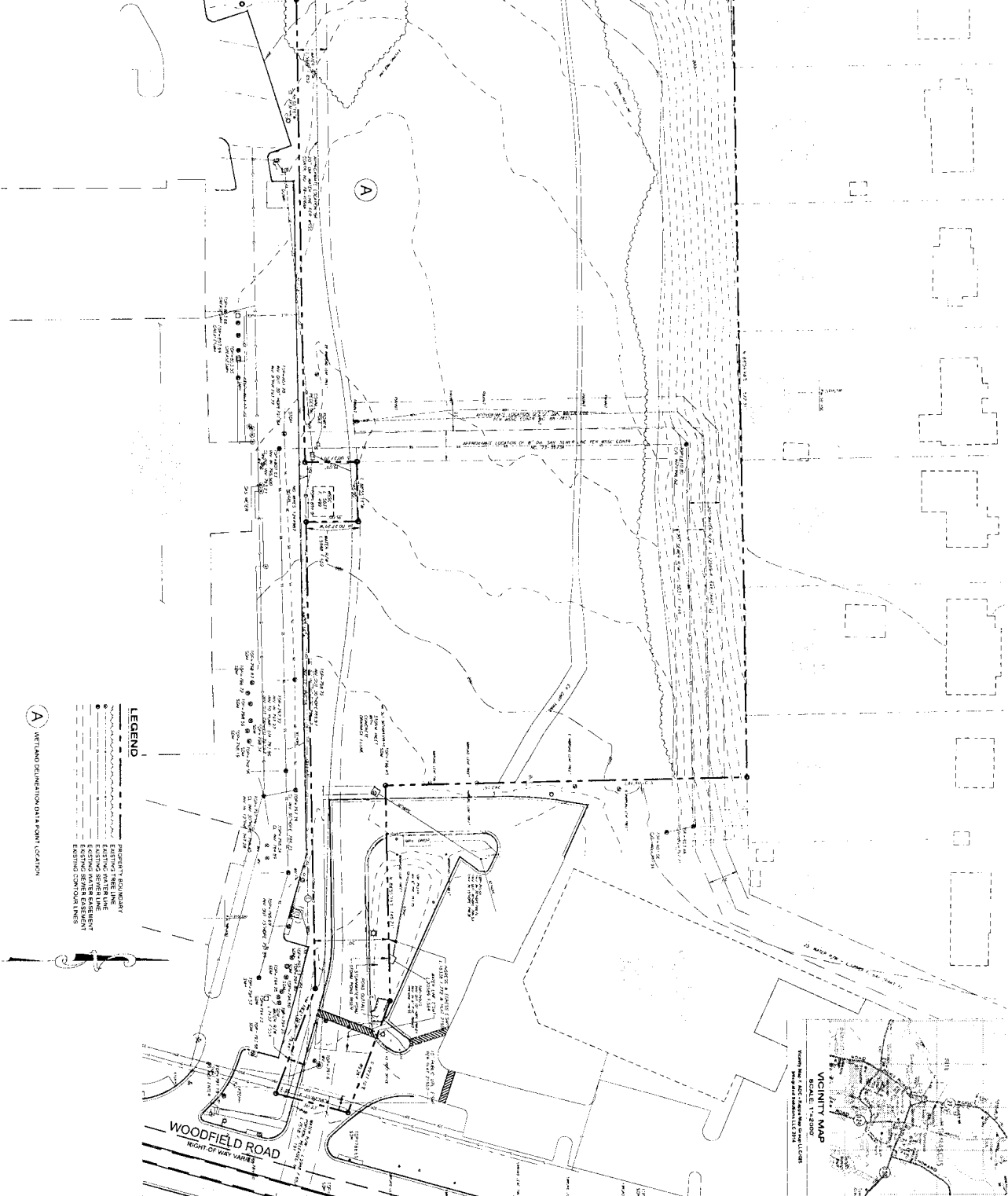
Signature of appellant or agent.

Date:

Telephone number:

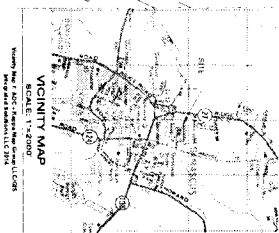
NOTE
 FOR LOCATION OF UTILITIES CALL
 311 OR 1-800-391-3333
 48 HOURS IN ADVANCE OF ANY WORK

INFORMATION CONTAINED ON THIS DRAWING IS FOR THE USE OF THE CLIENT ONLY. IT IS THE CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES OF THE STATE OF MARYLAND.



LEGEND

- PROPERTY BOUNDARY
- EXISTING TRAIL LINE
- EXISTING BRIDGE LINE
- EXISTING DRIVE EXISTENT
- EXISTING CONDUIT LINES
- WETLAND DELINEATION DATA POINT LOCATION



SCALE: 1" = 300'

NO.	DATE	BY	DESCRIPTION
1	08/01/15	J.A.	PRELIMINARY
2	08/10/15	J.A.	REVISED
3	08/17/15	J.A.	REVISED
4	08/24/15	J.A.	REVISED
5	09/01/15	J.A.	REVISED
6	09/08/15	J.A.	REVISED
7	09/15/15	J.A.	REVISED
8	09/22/15	J.A.	REVISED
9	09/29/15	J.A.	REVISED
10	10/06/15	J.A.	REVISED
11	10/13/15	J.A.	REVISED
12	10/20/15	J.A.	REVISED
13	10/27/15	J.A.	REVISED
14	11/03/15	J.A.	REVISED
15	11/10/15	J.A.	REVISED
16	11/17/15	J.A.	REVISED
17	11/24/15	J.A.	REVISED
18	12/01/15	J.A.	REVISED
19	12/08/15	J.A.	REVISED
20	12/15/15	J.A.	REVISED
21	12/22/15	J.A.	REVISED
22	12/29/15	J.A.	REVISED
23	01/05/16	J.A.	REVISED
24	01/12/16	J.A.	REVISED
25	01/19/16	J.A.	REVISED
26	01/26/16	J.A.	REVISED
27	02/02/16	J.A.	REVISED
28	02/09/16	J.A.	REVISED
29	02/16/16	J.A.	REVISED
30	02/23/16	J.A.	REVISED
31	03/02/16	J.A.	REVISED
32	03/09/16	J.A.	REVISED
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34	03/23/16	J.A.	REVISED
35	03/30/16	J.A.	REVISED
36	04/06/16	J.A.	REVISED
37	04/13/16	J.A.	REVISED
38	04/20/16	J.A.	REVISED
39	04/27/16	J.A.	REVISED
40	05/04/16	J.A.	REVISED
41	05/11/16	J.A.	REVISED
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53	08/03/16	J.A.	REVISED
54	08/10/16	J.A.	REVISED
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56	08/24/16	J.A.	REVISED
57	08/31/16	J.A.	REVISED
58	09/07/16	J.A.	REVISED
59	09/14/16	J.A.	REVISED
60	09/21/16	J.A.	REVISED
61	09/28/16	J.A.	REVISED
62	10/05/16	J.A.	REVISED
63	10/12/16	J.A.	REVISED
64	10/19/16	J.A.	REVISED
65	10/26/16	J.A.	REVISED
66	11/02/16	J.A.	REVISED
67	11/09/16	J.A.	REVISED
68	11/16/16	J.A.	REVISED
69	11/23/16	J.A.	REVISED
70	11/30/16	J.A.	REVISED
71	12/07/16	J.A.	REVISED
72	12/14/16	J.A.	REVISED
73	12/21/16	J.A.	REVISED
74	12/28/16	J.A.	REVISED
75	01/04/17	J.A.	REVISED
76	01/11/17	J.A.	REVISED
77	01/18/17	J.A.	REVISED
78	01/25/17	J.A.	REVISED
79	02/01/17	J.A.	REVISED
80	02/08/17	J.A.	REVISED
81	02/15/17	J.A.	REVISED
82	02/22/17	J.A.	REVISED
83	02/29/17	J.A.	REVISED
84	03/06/17	J.A.	REVISED
85	03/13/17	J.A.	REVISED
86	03/20/17	J.A.	REVISED
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88	04/03/17	J.A.	REVISED
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90	04/17/17	J.A.	REVISED
91	04/24/17	J.A.	REVISED
92	05/01/17	J.A.	REVISED
93	05/08/17	J.A.	REVISED
94	05/15/17	J.A.	REVISED
95	05/22/17	J.A.	REVISED
96	05/29/17	J.A.	REVISED
97	06/05/17	J.A.	REVISED
98	06/12/17	J.A.	REVISED
99	06/19/17	J.A.	REVISED
100	06/26/17	J.A.	REVISED

PROJECT NO. 2006274

WD-1

1 OF 1

Dewberry

DEWBERRY CONSULTANTS LLC
 2101 CANTER ROAD
 ROCKVILLE, MD 20850
 PH: 301.342.3300
 WWW.DEWBERRY.COM

APPLICANT / DEVELOPER
 WOODFIELD COMMONS ASSOCIATES, LLC
 SUITE 200 ONE PARK DRIVE
 COLUMBIA, MD 21046

WOODFIELD COMMONS
MONTGOMERY COUNTY, MARYLAND
 12TH ELECTION DISTRICT
 PARCEL 453

TAX MAP FX43, GRID FX43
 WSSC 2007 SHEET 237NW10
 LIBER 5212, FOL IO 400

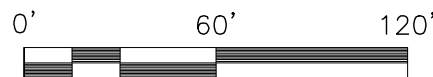
STEEP SLOPES

WETLAND

8" SEWER & 12" WATER LINE EASEMENT

20" WATER LINE EASEMENT

SCALE: 1"=60'

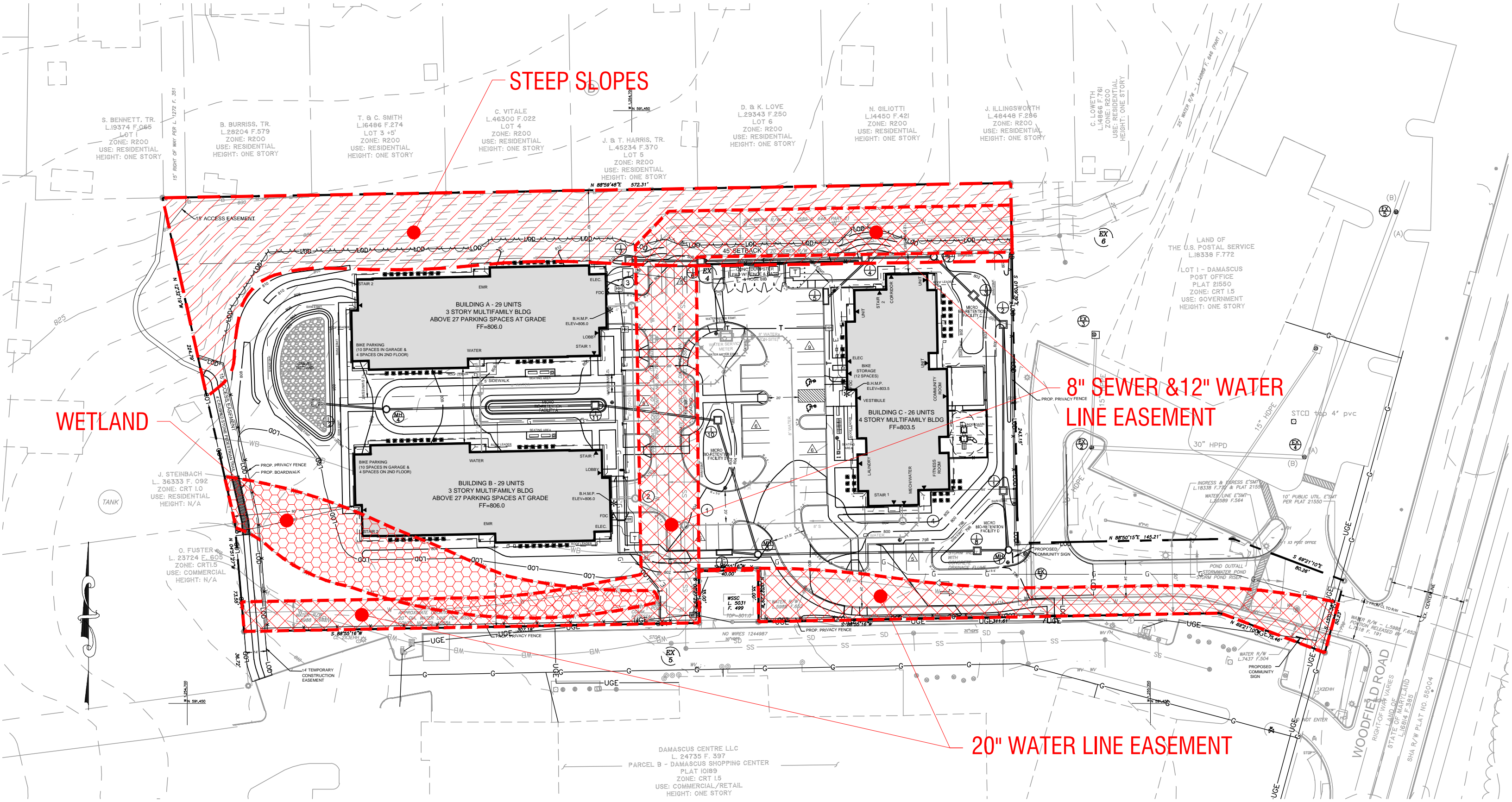


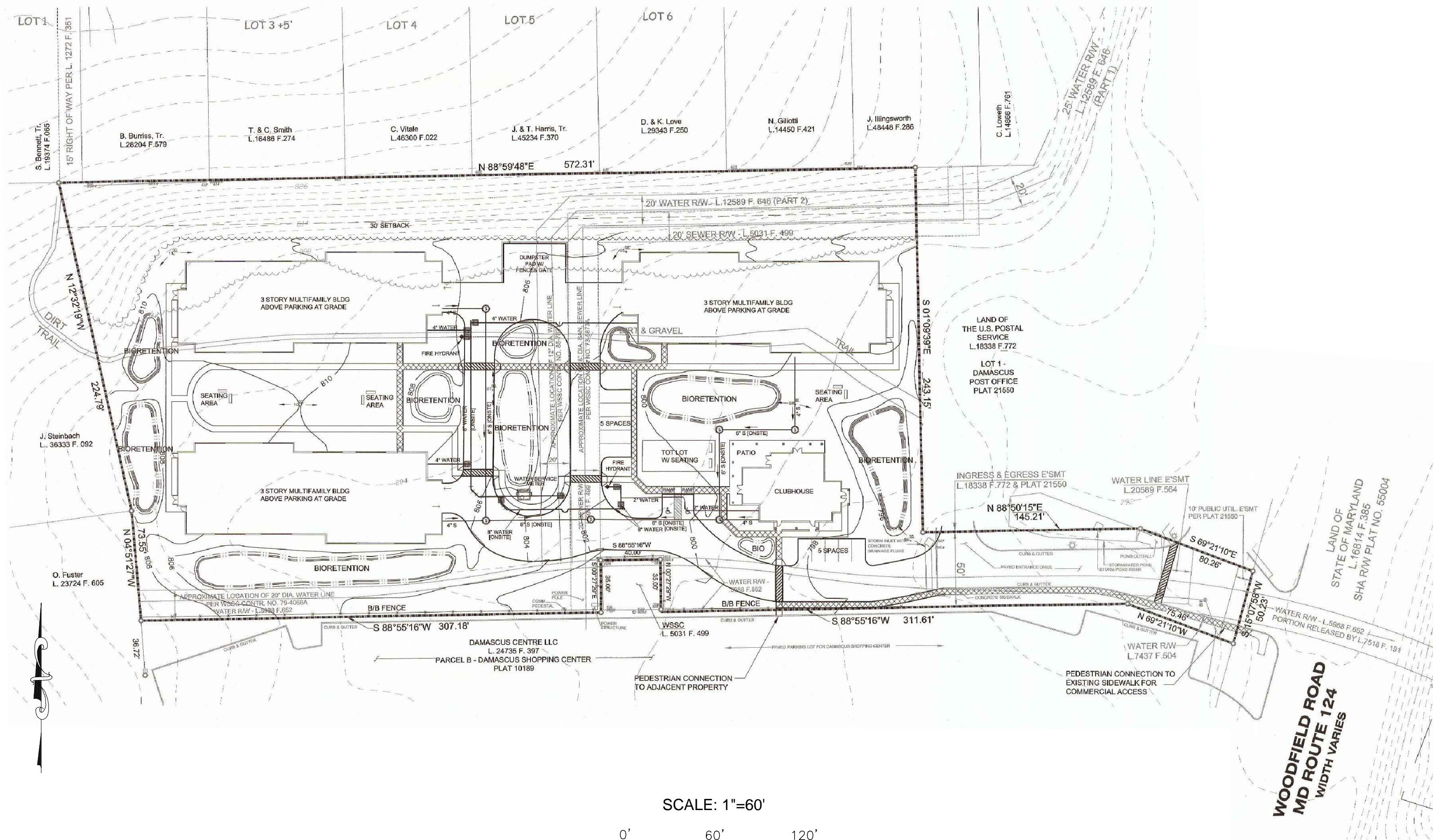
WOODFIELD COMMONS

DAMASCUS, MD
WOODFIELD COMMONS ASSOCIATES, LLC

EXHIBIT C - CONSTRAINTS PLAN

OCTOBER 13, 2015





WOODFIELD COMMONS

DAMASCUS, MD
WOODFIELD COMMONS ASSOCIATES, LLC

EXHIBIT D - PRE-APPLICATION PLAN

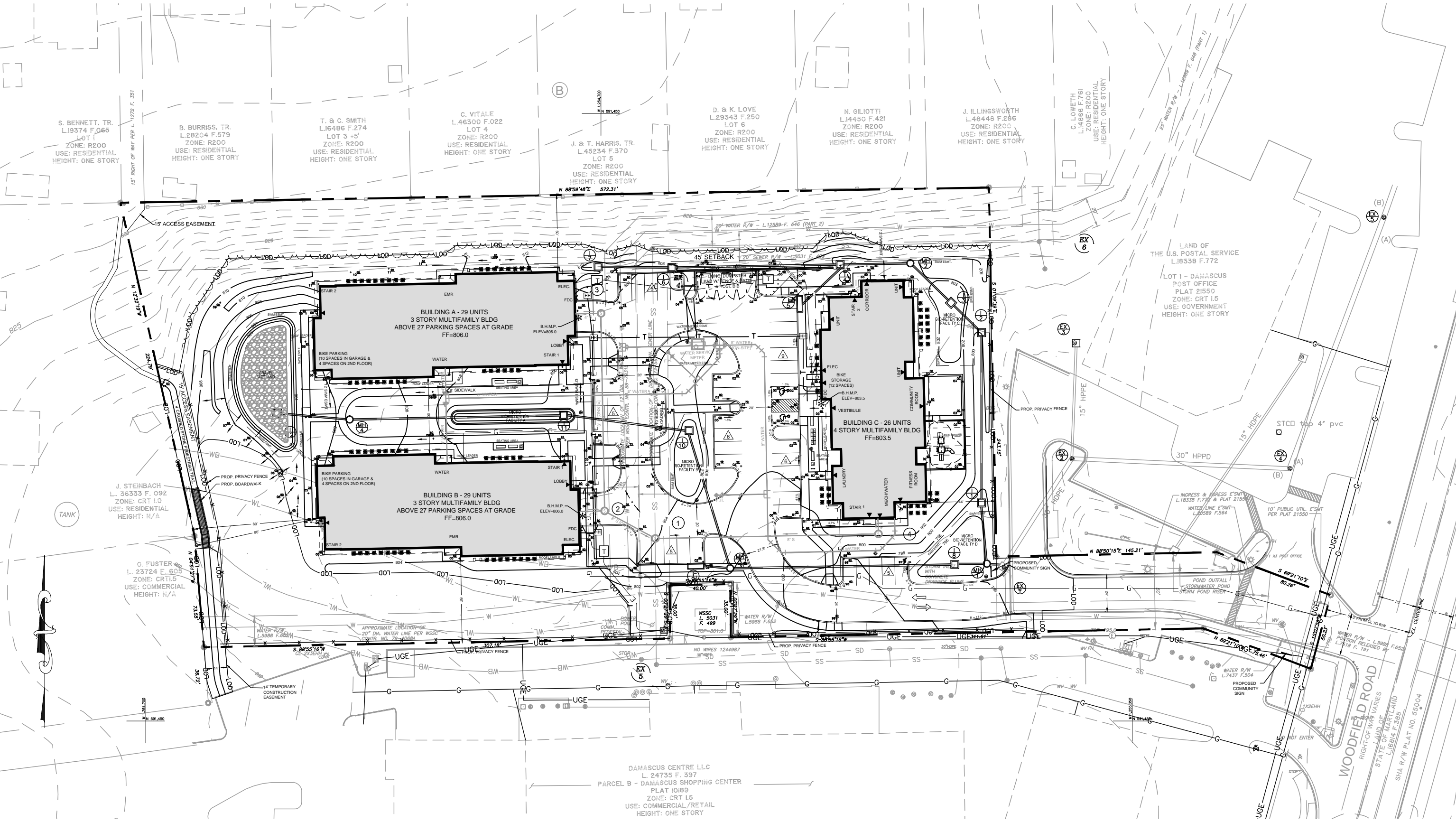
OCTOBER 13, 2015



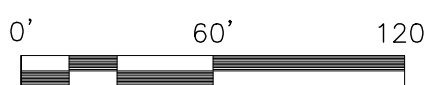
SCALE: 1"=60'



**WOODFIELD ROAD
MD ROUTE 124
WIDTH VARIES**



SCALE: 1"=60'



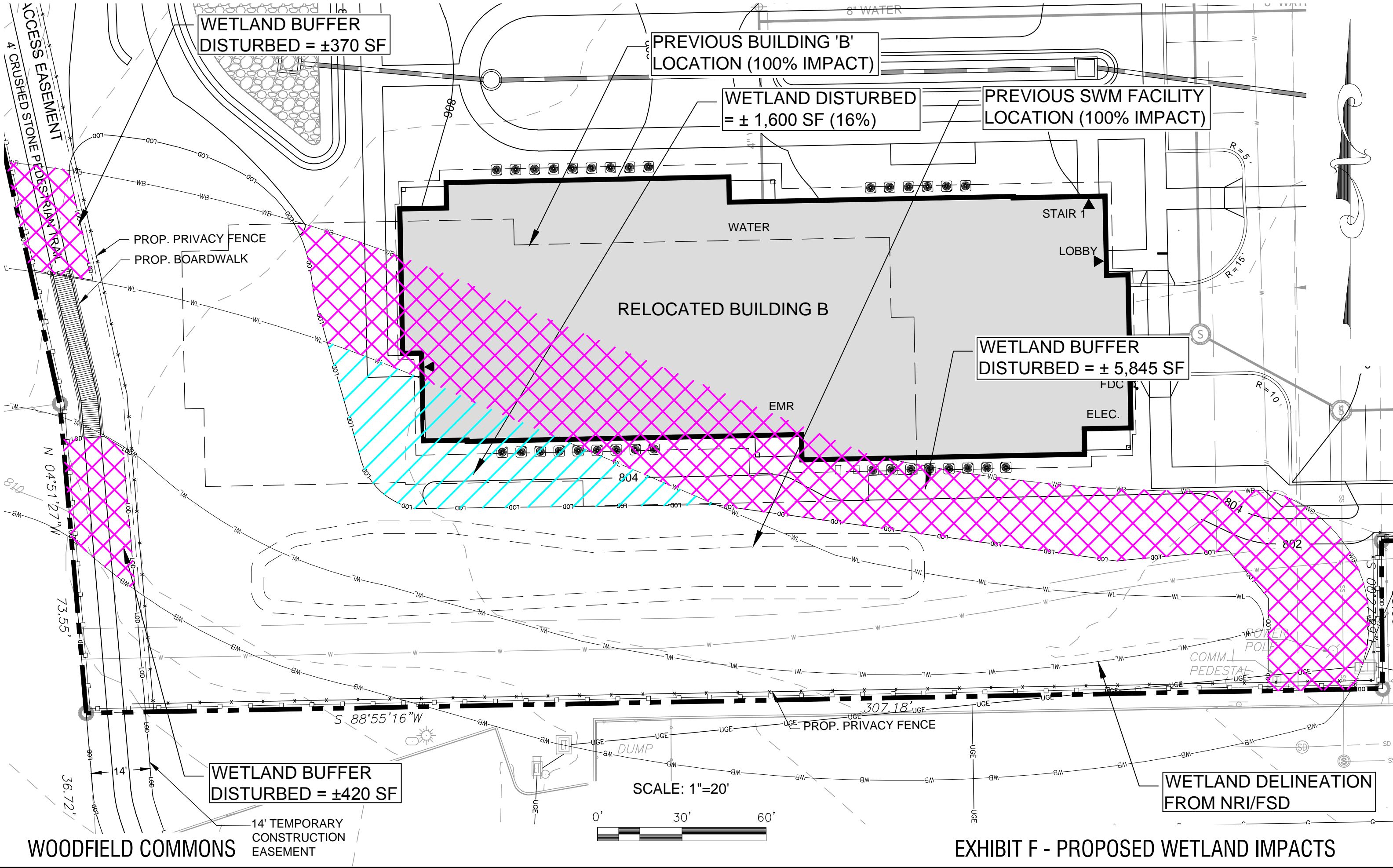
WOODFIELD COMMONS

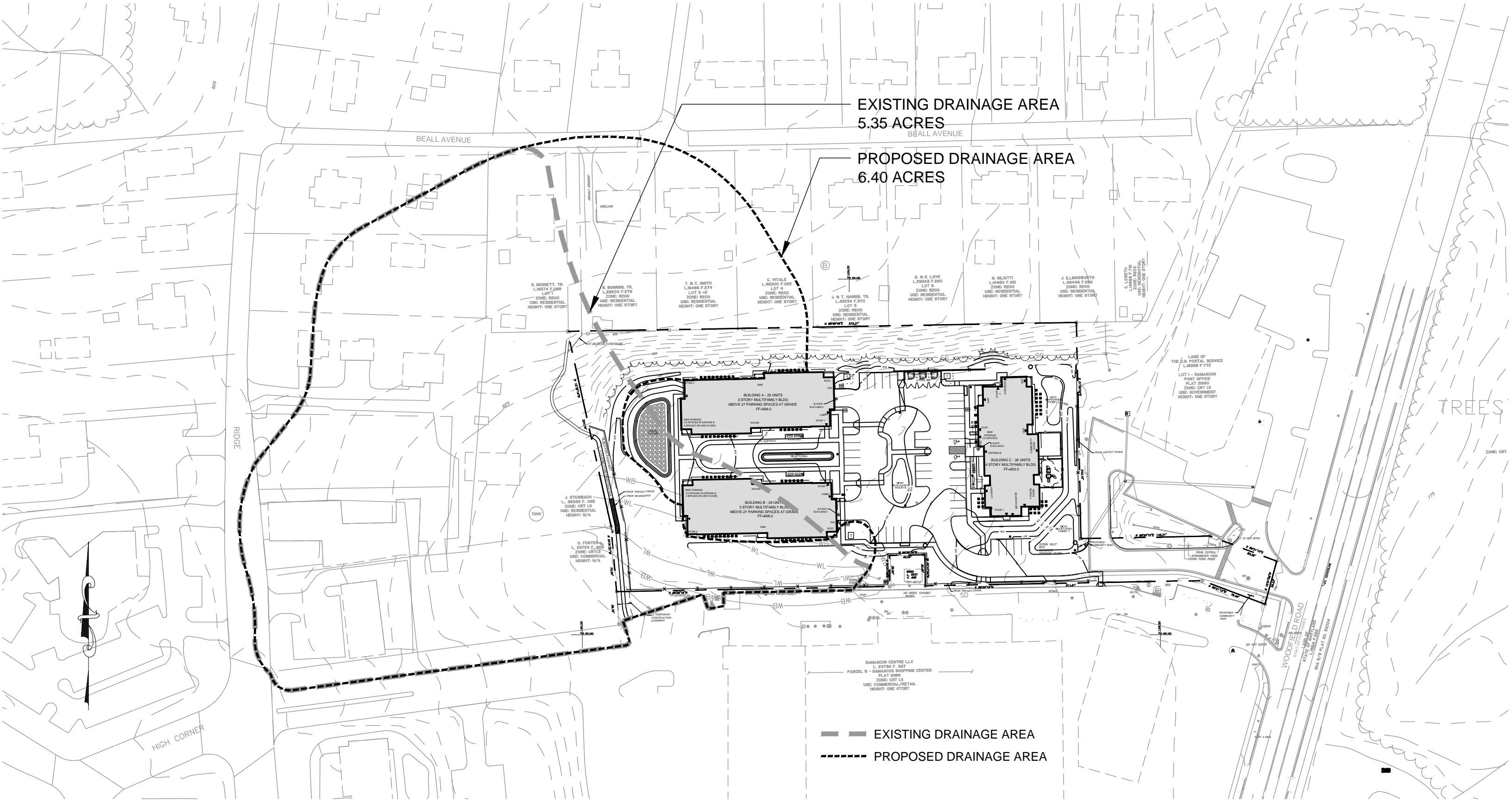
EXHIBIT E - OVERALL SITE PLAN

DAMASCUS, MD
WOODFIELD COMMONS ASSOCIATES, LLC

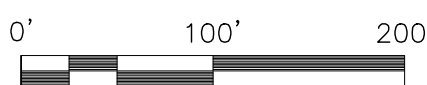
OCTOBER 13, 2015







SCALE: 1"=100'



WOODFIELD COMMONS

DAMASCUS, MD
WOODFIELD COMMONS ASSOCIATES, LLC

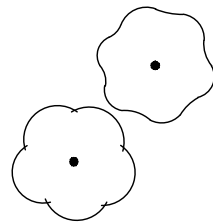
EXHIBIT G - DRAINAGE AREA PLAN

OCTOBER 13, 2015



PLANT SCHEDULE

LARGE TREES

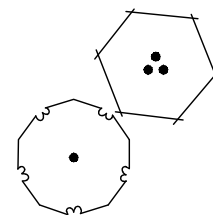


BOTANICAL NAME / COMMON NAME

Celtis occidentalis `Prairie Pride` / Prairie Pride Hackberry

Platanus occidentalis / American Sycamore

MEDIUM TREES

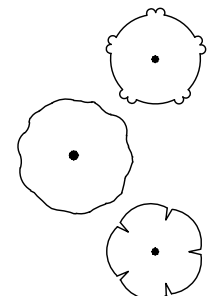


BOTANICAL NAME / COMMON NAME

Betula nigra `Duraheat` / Duraheat River Birch

Quercus coccinea / Scarlet Oak

SMALL TREES



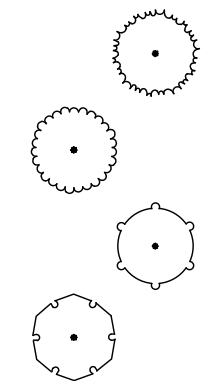
BOTANICAL NAME / COMMON NAME

Amelanchier laevis `Cumulus` / Cumulus Allegheny Serviceberry

Carpinus caroliniana `Native Flame` / Native Flame Hornbeam

Cercis canadensis `Appalachian Red` / Eastern Redbud

SMALL TREES / LARGE SHRUBS



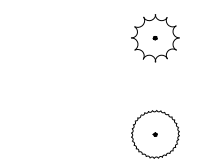
BOTANICAL NAME / COMMON NAME

Ilex opaca / American Holly

Itea virginica `Henry's Garnet` / Henry's Garnet Sweetspire

Magnolia virginiana `Moon Glow` / Sweet Bay

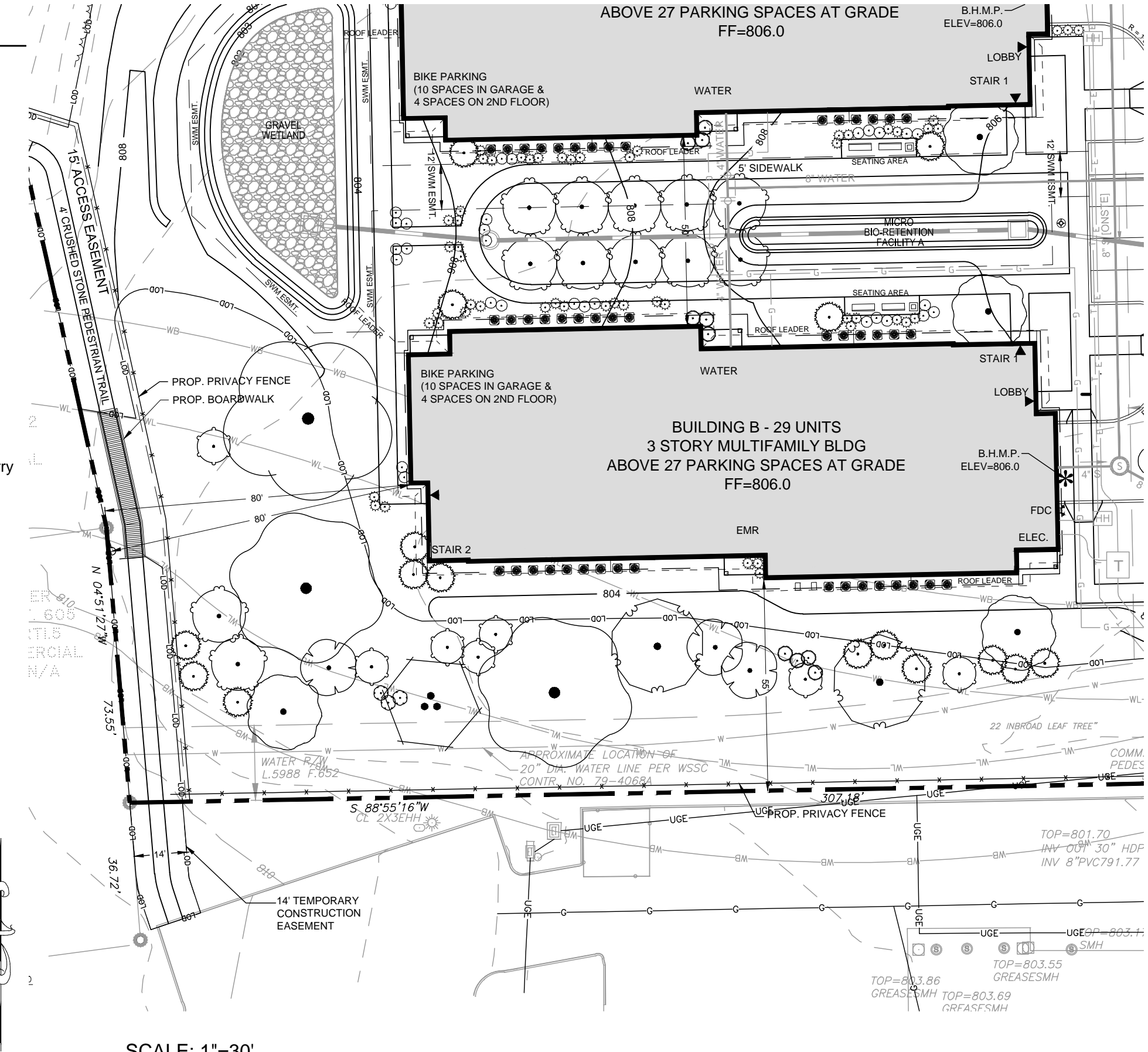
SHRUBS



BOTANICAL NAME / COMMON NAME

Ilex glabra `Nordic` / Nordic Inkberry

Prunus laurocerasus `Otto Luyken` / Luykens Laurel



SCALE: 1"=30'



WOODFIELD COMMONS

DAMASCUS, MD
WOODFIELD COMMONS ASSOCIATES, LLC

EXHIBIT H - LANDSCAPE PLAN

OCTOBER 13, 2015





WOODFIELD COMMONS

DAMASCUS, MD
WOODFIELD COMMONS ASSOCIATES, LLC

EXHIBIT I - RENDERING

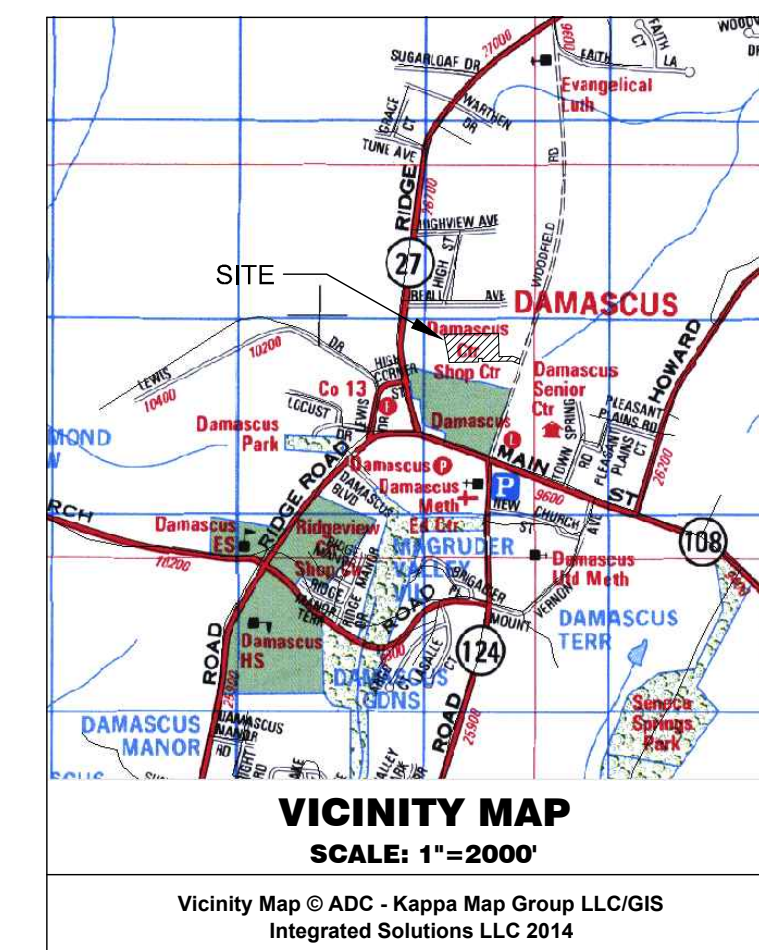
OCTOBER 13, 2015



WOODFIELD COMMONS

MONTGOMERY COUNTY, MARYLAND

PRELIMINARY / FINAL FOREST CONSERVATION PLAN



Dewberry
DEWBERRY CONSULTANTS LLC
2101 GAITHER ROAD
SUITE 340
ROCKVILLE, MD 20850
PH: 301.948.8300
FX: 301.258.7607
www.dewberry.com

APPLICANT / DEVELOPER
WOODFIELD COMMONS ASSOCIATES, LLC
5560 STERRETT PLACE
SUITE 200
COLUMBIA, MD 21044

FOREST CONSERVATION NOTES

Sequence of Events for Property Owners Required to Comply With Forest Conservation and/or Tree-Save Plans

Pre-Construction

- An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The property owner should contact the Montgomery County Planning Department inspection staff before construction to verify the limits of disturbance and discuss tree protection and tree care measures. The developer's representative, construction superintendent, ISA certified arborist or Maryland-licensed tree expert that will implement the tree protection measures, forest conservation inspector, and Department of Permitting Services (DPS) sediment control inspector should attend this pre-construction meeting.
- No clearing or grading shall begin before stress-reduction measures have been implemented. Appropriate measures may include, but are not limited to:
 - Root pruning
 - Crown reduction or pruning
 - Watering
 - Fertilizing
 - Vertical mulching
 - Root aeration matting

Measures not specified on the forest conservation plan may be required as determined by the forest conservation inspector in coordination with the arborist.

- A Maryland-licensed tree expert or an International Society of Arboriculture-certified arborist must perform all stress reduction measures. Documentation of stress reduction measures must be either observed by the forest conservation inspector or sent to the inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The forest conservation inspector will determine the exact method to convey the stress reductions measures during the pre-construction meeting.
- Temporary tree protection devices shall be installed per the Forest Conservation Plan/Tree Save Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre-construction meeting. The forest conservation inspector, in coordination with the DPS sediment control inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan. Temporary tree protect devices may include:
 - Chain link fence (four feet high)
 - Super silt fence with wire strung between support poles (minimum 4 feet high) with high visibility flagging.
 - 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.

- Temporary protection devices shall be maintained and installed by the contractor for the duration of construction project and must not be altered without prior approval from the forest conservation inspector. No equipment, trucks, materials, or debris may be stored within the tree protection fence areas during the entire construction project. No vehicle or equipment access to the fenced area will be permitted. Tree protection shall not be removed without prior approval of forest conservation inspector.
- Forest retention area signs shall be installed as required by the forest conservation inspector, or as shown on the approved plan.
- Long-term protection devices shall be installed per the Forest Conservation Plan/Tree Save Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures to be installed.

During Construction

- Periodic inspections by the forest conservation inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the forest conservation inspector, must be made within the timeframe established by the inspector.
- Post-Construction
 - Removal and replacement of dead and dying trees
 - Pruning of dead or declining limbs
 - Soil aeration
 - Fertilization
 - Watering
 - Wound repair
 - Clean up of retention areas

- After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. Removal of protection devices that also operate for erosion and sediment control must be coordinated with both the Department of Permitting Services and the forest conservation inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

FOREST CONSERVATION FIELD INSPECTIONS

INSPECTIONS

All field inspections must be requested by the applicant. Inspections must be conducted as follows:

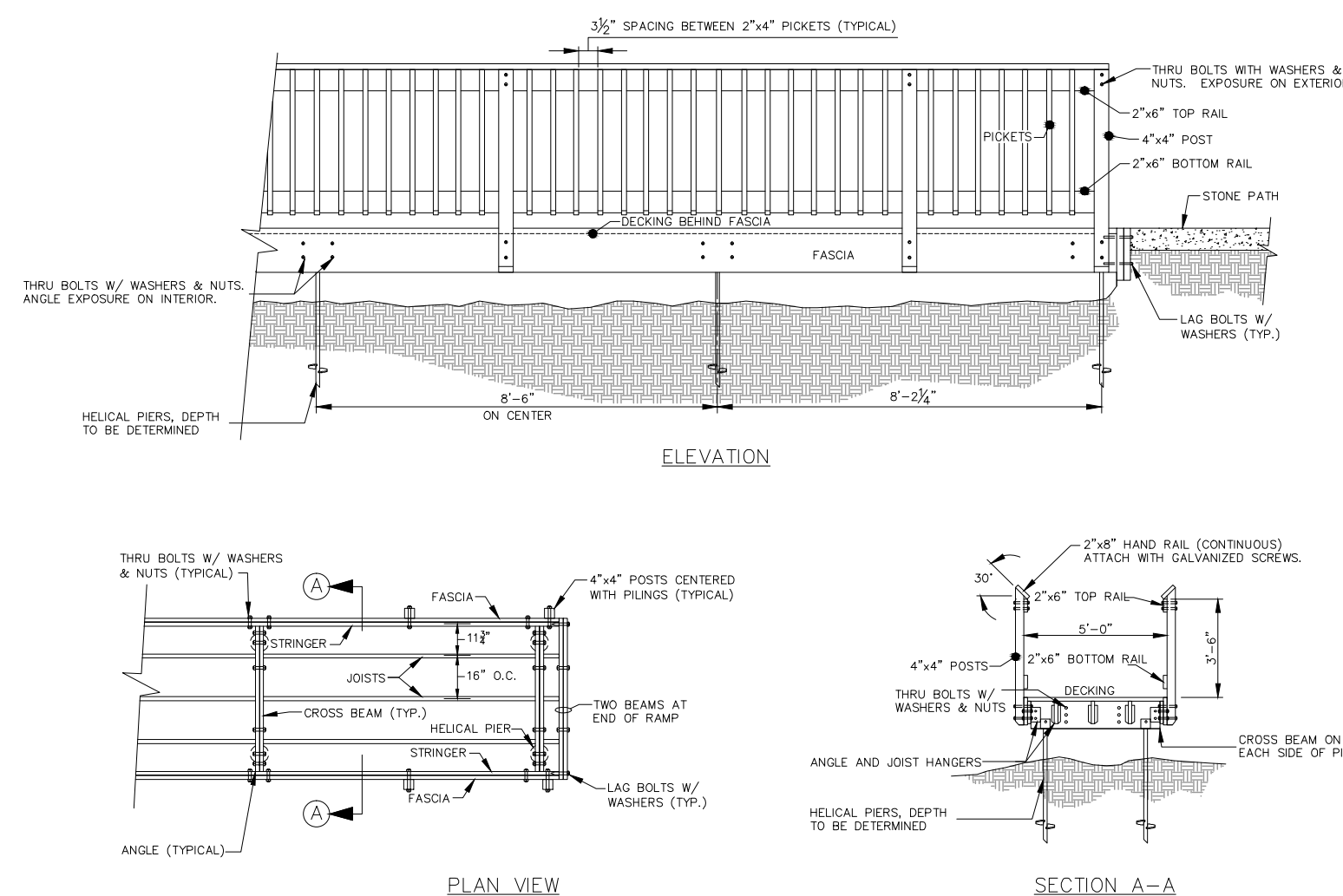
Tree Save Plans and Forest Conservation Plans without Planting Requirements

- After the limits of disturbance have been staked and flagged, but before any clearing or grading begins
- After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin.
- After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

Additional Requirements for Plans with Planting Requirements

- Before the start of any required reforestation and afforestation planting
- After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
- At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

NOTE
FOR LOCATION OF UTILITIES CALL
8-1-1 OR 1-800-267-7777
OR LOG ON TO
www.call811.com
http://www.missutility.net
48 HOURS IN ADVANCE OF ANY WORK
IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND
UTILITIES WAS OBTAINED FROM AVAILABLE
RECORDS BUT THE CONTRACTOR MUST
DETERMINE THE EXACT LOCATION AND
ELEVATION OF THE MAINS BY DIGGING TEST PITS
BY HAND AT ALL UTILITY CROSSINGS WELL IN
ADVANCE OF THE START OF EXCAVATION.



- NOTES:
1) MINIMUM PILE PENETRATION FOR PIERS SHALL BE DETERMINED BY GEOTECHNICAL ENGINEER.
2) SMALL MEMBERS SHALL HAVE PRE-DRILLED HOLES TO PREVENT SPLITTING DURING CONSTRUCTION. DECKING TO BE ATTACHED TO JOISTS USING GALVANIZED SCREWS & HARDWARE (ALL WOOD MEMBERS SHALL BE BOLTED OR SCREWED TOGETHER, NO NAIL CONNECTIONS).
3) ALL BOLTS, NUTS, WASHERS, ETC. SHALL BE HOT DIP GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A153.
4) CONTRACTOR SHALL PROVIDE GEOTECHNICAL REPORT TO THE ENGINEER INDICATING THE SOIL SOIL PROPERTIES THAT CAN SUPPORT FOUNDATION LOADS PRIOR TO BEGINNING CONSTRUCTION.
5) JOIST HANGER SHALL BE CAPABLE OF SUPPORTING A MINIMUM LIVE LOAD OF 90 PSF AND SHALL BE GALVANIZED.
6) CONTRACTOR SHALL PROVIDE SHOP DRAWINGS.

FOREST CONSERVATION WORKSHEET

Woodfield Commons

NET TRACT AREA:

- | | |
|--|------|
| A. Total tract area ... | 3.88 |
| B. Land dedication acres (parks, county facility, etc.) ... | 0.00 |
| C. Land dedication for roads or utilities (not being constructed by this plan) ... | 0.00 |
| D. Area to remain in commercial agricultural production/use ... | 0.00 |
| E. Other deductions (specify) | 0.00 |
| F. Net Tract Area | 3.88 |

LAND USE CATEGORY: (from *Trees Technical Manual*)
Input the number "1" under the appropriate land use,
limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA
0	0	0	1	0	0

- | | | | |
|--------------------------------|-----|-------|------|
| G. Afforestation Threshold ... | 15% | x F = | 0.58 |
| H. Conservation Threshold ... | 20% | x F = | 0.78 |

EXISTING FOREST COVER:

- | | |
|---|------|
| I. Existing forest cover | 0.90 |
| J. Area of forest above afforestation threshold | 0.32 |
| K. Area of forest above conservation threshold | 0.12 |

BREAK EVEN POINT:

- | | |
|---|------|
| L. Forest retention above threshold with no mitigation | 0.80 |
| M. Clearing permitted without mitigation | 0.10 |

PROPOSED FOREST CLEARING:

- | | |
|--|------|
| N. Total area of forest to be cleared | 0.90 |
| O. Total area of forest to be retained | 0.00 |

PLANTING REQUIREMENTS:

- | | |
|---|------|
| P. Reforestation for clearing above conservation threshold | 0.03 |
| Q. Reforestation for clearing below conservation threshold | 1.55 |
| R. Credit for retention above conservation threshold | 0.00 |
| S. Total reforestation required | 1.58 |
| T. Total afforestation required | 0.00 |
| U. Credit for landscaping (may not exceed 20% of "S") | 0.00 |
| V. Total reforestation and afforestation required | 1.58 |

worksheet updated 8/5/2002

MITIGATION REQUIREMENT TO BE MET THROUGH PAYMENT OF FEE-IN-LIEU.

TREE DATA TABLE

TREE #	DBH	BOTANICAL NAME	COMMON NAME	CRZ	CONDITION	PROPOSED ACTION
1	26"	<i>Morus rubra</i>	Mulberry	39'	Critical	Remove
2	19"	DEAD	-	-	Dead	Remove
3	23"	<i>Acer platanoides</i>	Norway Maple	35'	Poor	Remove
4	26"	DEAD	-	-	Dead	Off-site
5	24"	DEAD	-	-	Dead	Off-site
6	25"	<i>Acer platanoides</i>	Norway Maple	38'	Fair	Off-site
7	22" & 8"	<i>Morus rubra</i>	Mulberry	20'	Poor	Save
8	15" & 12"	<i>Fraxinus americana</i>	White Ash	18'	Fair	Save

NO SPECIMEN TREES WILL BE REMOVED OR IMPACTED.

GENERAL NOTES

- PARCEL: P453
TAX MAP: FX343
TAX ID#: 12-01874202
WSSC GRID: 237NW10
- TOTAL AREA OF THIS APPLICATION IS 3.88 ACRES.
- EXISTING ZONING: CRT-1.5.
- THIS PLAN IS PROPOSING 3 MULTI-FAMILY BUILDINGS WITH 84 UNITS.
- NRI / FSD PLAN (NO. 420130340) WAS RE-CERTIFIED BY MNCPPC ON MARCH 31, 2015.
- THIS PROJECT IS SUBJECT TO FOREST CONSERVATION LAW.
- WATER CATEGORY: W-1 AND SEWER CATEGORY: S-1.
- BOUNDARY INFORMATION IS FROM A FIELD-RUN SURVEY BY DEWBERRY.
- HORIZONTAL DATUM IS IN MARYLAND STATE GRID SYSTEM, NAD-83.
- TOPOGRAPHY IS FROM AN AERIAL SURVEY DONE BY AIR SURVEY IN FEBRUARY 2001.
- VERTICAL DATUM IS IN MARYLAND STATE GRID SYSTEM, NGVD29 USING WSSC BENCHMARKS.
- WATERSHED: UPPER PATUXENT RIVER, USE CLASS III.
- NO 100-YEAR FLOODPLAIN EXISTS ON THE SITE, PER FIRM MAP 24031C0065D, EFFECTIVE DATE: SEPTEMBER 29, 2006
- WETLANDS ARE PRESENT ON THE SITE AND WERE DELINEATED BY VORTEX ENVIRONMENTAL, INC., APRIL 2015.
- NO HISTORIC RESOURCES EXIST ON THE SITE PER THE LOCATIONAL ATLAS OF HISTORIC SITES IN MONTGOMERY COUNTY, MARYLAND.
- A STORMWATER MANAGEMENT CONCEPT HAS BEEN SUBMITTED TO MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES (SWM FILE # 273495). THE PROPOSED STORM WATER MANAGEMENT FACILITIES ARE SUBJECT TO MINOR MODIFICATIONS DURING FINAL ENGINEERING REVIEW AND APPROVAL.
- A PRE PRELIMINARY PLAN (WOODFIELD COMMONS NO.720150030) WAS SUBMITTED AND COMMENTS PROVIDED AT DEVELOPMENT REVIEW COMMITTEE (DRC) MEETING ON NOVEMBER 24, 2014
- PROPOSED ROAD NETWORK WILL BE PRIVATE.

Forest Conservation Data Table

Tract	Number of Acres
Tract	3.9
Remaining in Agricultural Use	-
Road & Utility ROWs ¹	-
Total Existing Forest	0.9
Forest Retention	-
Forest Cleared	0.9

Land Use & Thresholds ²		ARA, MDR, IDA, HDR, MDP, or CIA
Land Use Category	HDR	percent
Conservation Threshold	15%	percent
Afforestation Threshold	20%	percent

Stream(s)	Total Channel Length (ft.) ³	Average Buffer Width (ft.) ³
-	-	-

Acres of Forest in	Retained	Cleared	Planted
Wetlands	-	-	-
100-Year Floodplain	-	-	-
Stream Buffers	-	-	-
Priority Areas	-	-	-

¹ Only Road or Utility ROWs not to be improved as part of development application.
² Information from FC Land Use Categories & Thresholds document.
³ Measured from stream edge to buffer edge.

SOILS INFORMATION

Descriptions per Montgomery County Soil Survey, websoilsurvey.nrcs.usda.gov

- Linganore 3 to 45 percent slopes
Linganore series are loamy-skeletal, mixed, mesic Ultic Hapludalfs. They are moderately deep and well-drained.
- Hyattstown 3 to 45 percent slopes
Hyattstown series are loamy-skeletal, mixed, mesic, shallow Typic Hapludalfs. They are shallow and well-drained.

- Linganore 3 to 45 percent slopes
Linganore series are loamy-skeletal, mixed, mesic Ultic Hapludalfs. They are moderately deep and well-drained.

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 820150090 including financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Woodfield Commons Associates, LLC.
Printed Company Name

Contact Person or Owner: Jessica D. Zuniga
Printed Name

Address: 5560 Sterrett Place, Suite 200
Columbia, MD 21044

Phone and Email: 443.320.0490 / jzuniga@conferlic.com

Signature: _____

WOODFIELD COMMONS
MONTGOMERY COUNTY, MARYLAND
12TH ELECTION DISTRICT
PARCEL 453
TAX MAP FX343, GRID FX43
WSSC 200' SHEET 237NW10
LIBER 5212, FOLIO 400

SEAL

SCALE AS NOTED

No.	DATE	BY	Description
4	12/03/15	GW	REVISED PER MNCPPC STAFF COMMENTS
3	11/06/15	WB	REVISED PER MNCPPC STAFF COMMENTS
2	10/06/15	WB	REVISED PER 1st ROUND COMMENTS
1	09/01/15	GW	REVISED PER DRC COMMENTS

REVISIONS

DRAWN BY: WB
APPROVED BY: MB
CHECKED BY: GW
DATE: 05/28/2015

TITLE
PRELIMINARY / FINAL
FOREST CONSERVATION PLAN
COVER SHEET AND INDEX

PROJECT NO. 50069274

FCP-1

WOODFIELD COMMONS

MONTGOMERY COUNTY, MARYLAND

PRELIMINARY / FINAL FOREST CONSERVATION PLAN

FOREST CONSERVATION NOTES

Sequence of Events for Property Owners Required to Comply With Forest Conservation and/or Tree-Save Plans

Pre-Construction

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2. No clearing or grading shall begin before stress-reduction measures have been implemented. Appropriate measures may include, but are not limited to:
 - a. Root pruning
 - b. Crown reduction or pruning
 - c. Watering
 - d. Fertilizing
 - e. Vertical mulching
 - f. Root aeration matting

Measures not specified on the forest conservation plan may be required as determined by the forest conservation inspector in coordination with the arborist.

3. A Maryland-licensed tree expert or an International Society of Arboriculture-certified arborist must perform all stress reduction measures. Documentation of stress reduction measures must be either observed by the forest conservation inspector or sent to the inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The forest conservation inspector will determine the exact method to convey the stress reductions measures during the pre-construction meeting.
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 - a. Chain link fence (four feet high)
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During Construction

8. Periodic inspections by the forest conservation inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the forest conservation inspector, must be made within the timeframe established by the inspector.

Post-Construction

9. After construction is completed, an inspection shall be requested. Corrective measures may include:

- a. Removal and replacement of dead and dying trees
- b. Pruning of dead or declining limbs
- c. Soil aeration
- d. Fertilization
- e. Watering
- f. Wound repair
- g. Clean up of retention areas

10. After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. Removal of protection devices that also operate for erosion and sediment control must be coordinated with both the Department of Permitting Services and the forest conservation inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

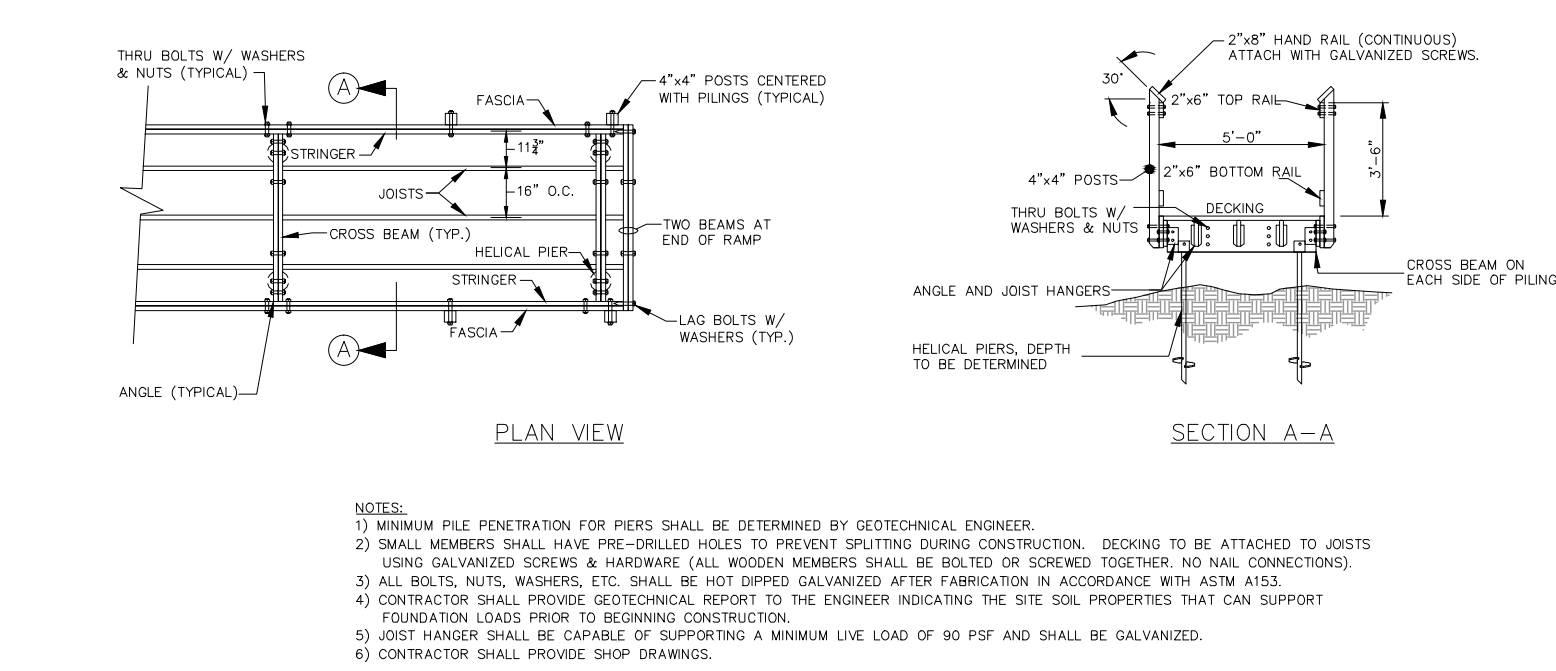
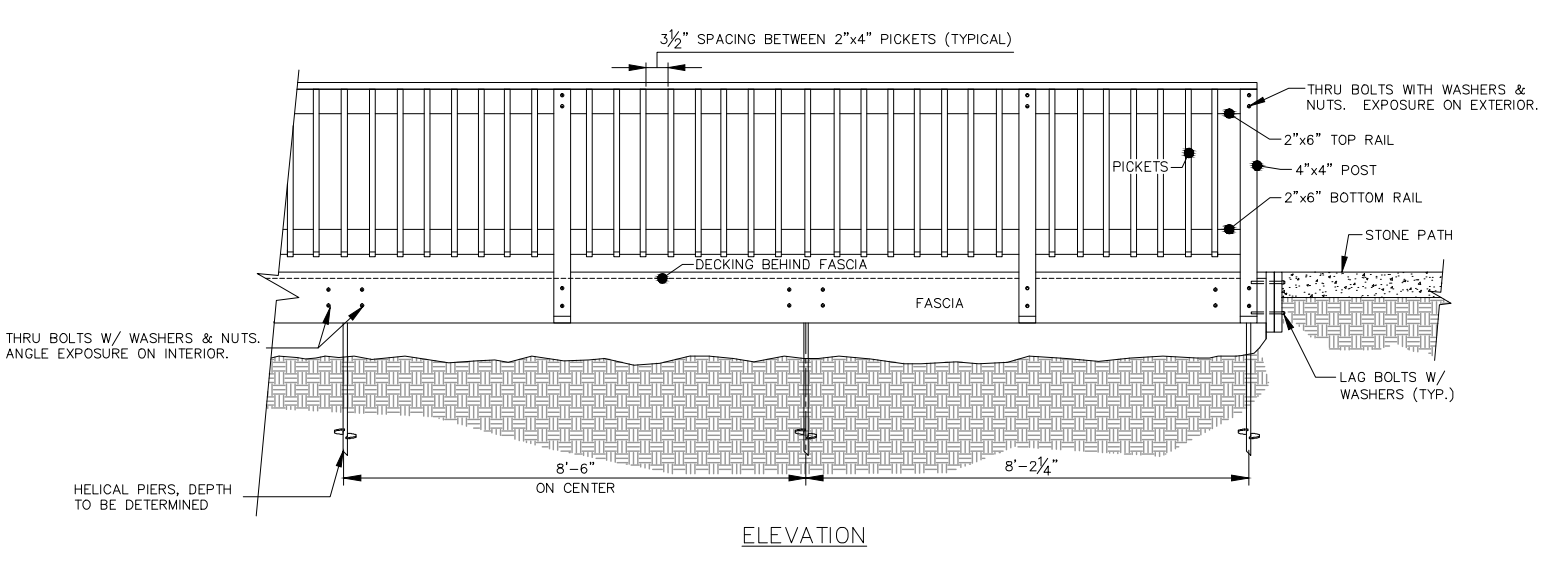
FOREST CONSERVATION FIELD INSPECTIONS

INSPECTIONS

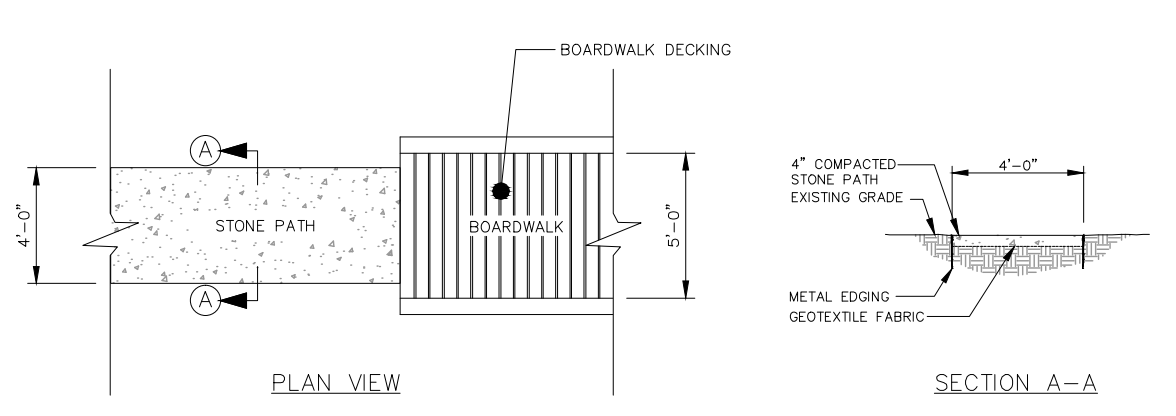
All field inspections must be requested by the applicant. Inspections must be conducted as follows:

- ##### Tree Save Plans and Forest Conservation Plans without Planting Requirements
1. After the limits of disturbance have been staked and flagged, but before any clearing or grading begins
 2. After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin.
 3. After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.
- ##### Additional Requirements for Plans with Planting Requirements
4. Before the start of any required reforestation and afforestation planting
 5. After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
 6. At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.

NOTE
FOR LOCATION OF UTILITIES CALL
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http://www.missutility.net
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DETERMINE THE EXACT LOCATION AND
ELEVATION OF THE MAINS BY DIGGING TEST PITS
BY HAND AT ALL UTILITY CROSSINGS WELL IN
ADVANCE OF THE START OF EXCAVATION.



1 BOARDWALK DETAIL
NO SCALE



2 CRUSHED STONE PATH
NO SCALE

FOREST CONSERVATION WORKSHEET

Woodfield Commons

NET TRACT AREA:

A. Total tract area ... 3.88

B. Land dedication acres (parks, county facility, etc.) ... 0.00

C. Land dedication for roads or utilities (not being constructed by this plan) ... 0.00

D. Area to remain in commercial agricultural production/use ... 0.00

E. Other deductions (specify) 0.00

F. Net Tract Area = 3.88

LAND USE CATEGORY: (from Trees Technical Manual)
Input the number "1" under the appropriate land use, limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA		
0	0	0	1	0	0		

G. Afforestation Threshold ... 15% x F = 0.58

H. Conservation Threshold ... 20% x F = 0.78

EXISTING FOREST COVER:

I. Existing forest cover = 0.90

J. Area of forest above afforestation threshold = 0.32

K. Area of forest above conservation threshold = 0.12

BREAK EVEN POINT:

L. Forest retention above threshold with no mitigation = 0.80

M. Clearing permitted without mitigation = 0.10

PROPOSED FOREST CLEARING:

N. Total area of forest to be cleared = 0.90

O. Total area of forest to be retained = 0.00

PLANTING REQUIREMENTS:

P. Reforestation for clearing above conservation threshold = 0.03

Q. Reforestation for clearing below conservation threshold = 1.55

R. Credit for retention above conservation threshold = 0.00

S. Total reforestation required = 1.58

T. Total afforestation required = 0.00

U. Credit for landscaping (may not exceed 20% of "S") = 0.00

V. Total reforestation and afforestation required = 1.58

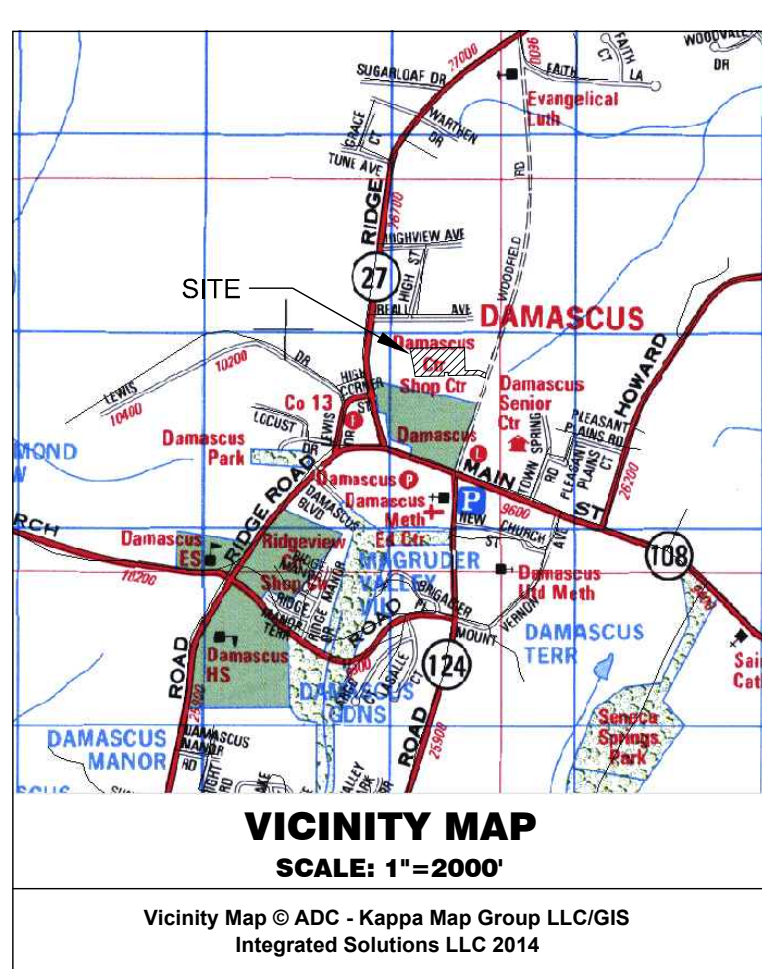
worksheet updated 8/5/2002

MITIGATION REQUIREMENT TO BE MET THROUGH PAYMENT OF FEE-IN-LIEU.

TREE DATA TABLE

TREE #	DBH	BOTANICAL NAME	COMMON NAME	CRZ	CONDITION	PROPOSED ACTION
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NO SPECIMEN TREES WILL BE REMOVED OR IMPACTED.



Dewberry

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2101 GAITHER ROAD
SUITE 340
ROCKVILLE, MD 20850
PH: 301.948.8300
FX: 301.258.7607
www.dewberry.com

APPLICANT / DEVELOPER
WOODFIELD COMMONS ASSOCIATES, LLC
5560 STERRETT PLACE
SUITE 200
COLUMBIA, MD 21044

GENERAL NOTES

1. PARCEL: P453
TAX MAP: FX343
TAX ID#: 12-01874202
WSSC GRID: 237NW10
2. TOTAL AREA OF THIS APPLICATION IS 3.88 ACRES.
3. EXISTING ZONING: CRT-1-5.
4. THIS PLAN IS PROPOSING 3 MULTI-FAMILY BUILDINGS WITH 84 UNITS.
5. NRI / FSD PLAN (NO. 420130340) WAS RE-CERTIFIED BY MNCPPC ON MARCH 31, 2015.
6. THIS PROJECT IS SUBJECT TO FOREST CONSERVATION LAW.
7. WATER CATEGORY: W-1 AND SEWER CATEGORY: S-1.
8. BOUNDARY INFORMATION IS FROM A FIELD-RUN SURVEY BY DEWBERRY.
9. HORIZONTAL DATUM IS IN MARYLAND STATE GRID SYSTEM, NAD-83.
10. TOPOGRAPHY IS FROM AN AERIAL SURVEY DONE BY AIR SURVEY IN FEBRUARY 2001.
11. VERTICAL DATUM IS IN MARYLAND STATE GRID SYSTEM, NGVD29 USING WSSC BENCHMARKS.
12. WATERSHED: UPPER PATUXENT RIVER, USE CLASS III.
13. NO 100-YEAR FLOODPLAIN EXISTS ON THE SITE, PER FIRM MAP 24031C0065D, EFFECTIVE DATE: SEPTEMBER 29, 2006
14. WETLANDS ARE PRESENT ON THE SITE AND WERE DELINEATED BY VORTEX ENVIRONMENTAL, INC., APRIL 2015.
15. NO HISTORIC RESOURCES EXIST ON THE SITE PER THE LOCATIONAL ATLAS OF HISTORIC SITES IN MONTGOMERY COUNTY, MARYLAND.
16. A STORMWATER MANAGEMENT CONCEPT HAS BEEN SUBMITTED TO MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES (SWM FILE # 273495). THE PROPOSED STORM WATER MANAGEMENT FACILITIES ARE SUBJECT TO MINOR MODIFICATIONS DURING FINAL ENGINEERING REVIEW AND APPROVAL.
17. A PRE PRELIMINARY PLAN (WOODFIELD COMMONS NO.720150030) WAS SUBMITTED AND COMMENTS PROVIDED AT DEVELOPMENT REVIEW COMMITTEE (DRC) MEETING ON NOVEMBER 24, 2014
18. PROPOSED ROAD NETWORK WILL BE PRIVATE.

Forest Conservation Data Table

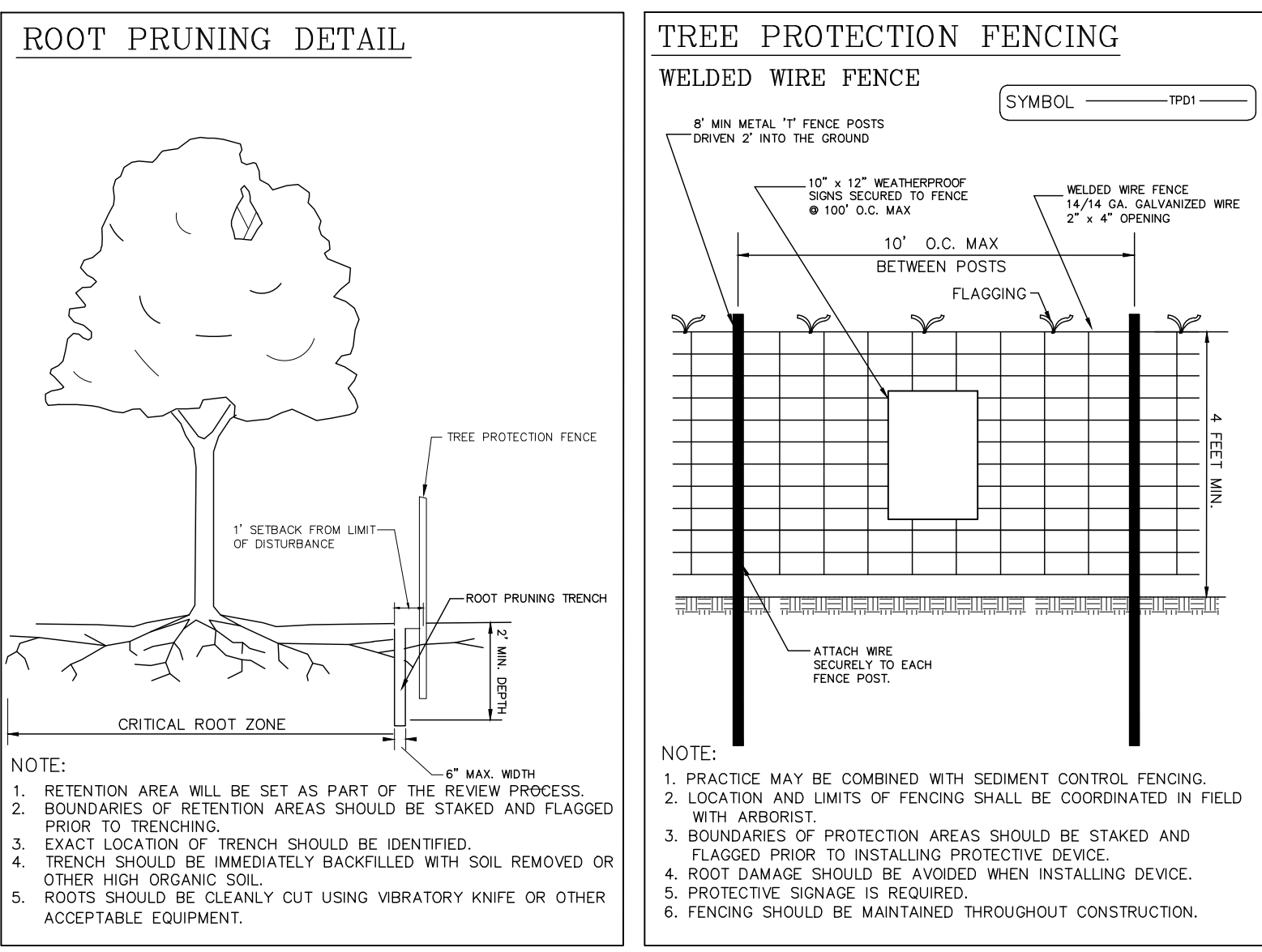
Tract	Number of Acres
Tract	3.9
Remaining in Agricultural Use	-
Road & Utility ROWs ¹	-
Total Existing Forest	0.9
Forest Retention	-
Forest Cleared	0.9

Land Use & Thresholds ²	Land Use Category	Conservation Threshold	Afforestation Threshold	Forest Conservation Metrics	
				ARA, MDR, IDA, HDR, MDP, or CIA	percent
	HDR	15%	20%		

Stream(s)	Total Channel Length (ft.)	Average Buffer Width (ft.) ³
	-	-

Acres of Forest in	Retained	Cleared	Planted
	Wetlands	-	-
100-Year Floodplain	-	-	-
Stream Buffers	-	-	-
Priority Areas	-	-	-

¹ Only Road or Utility ROWs not to be improved as part of development application.
² Information from FC Land Use Categories & Thresholds document.
³ Measured from stream edge to buffer edge.



SOILS INFORMATION

Descriptions per Montgomery County Soil Survey, websoilsurvey.nrcs.usda.gov

9C Linganore 3 to 45 percent slopes
Linganore series are loamy-skeletal, mixed, mesic Ultic Hapludalfs. They are moderately deep and well-drained.

109D Hyattstown 3 to 45 percent slopes
Hyattstown series are loamy-skeletal, mixed, mesic, shallow Typic Hapludalfs. They are shallow and well-drained.

9B Linganore 3 to 45 percent slopes
Linganore series are loamy-skeletal, mixed, mesic Ultic Hapludalfs. They are moderately deep and well-drained.

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 820150090 including financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Woodfield Commons Associates, LLC.
Printed Company Name: _____

Contact Person or Owner: Jessica D. Zuniga
Printed Name: _____

Address: 5560 Sterrett Place, Suite 200
Columbia, MD 21044

Phone and Email: 443.320.0490 / jzuniga@conferllc.com

Signature: _____

WOODFIELD COMMONS
MONTGOMERY COUNTY, MARYLAND
12TH ELECTION DISTRICT
PARCEL 453
TAX MAP FX343, GRID FX43
WSSC 200 SHEET 237NW10
LIBER 5212, FOLIO 400

SEAL

SCALE AS NOTED

No.	DATE	BY	Description
4	12/03/15	GW	REVISED PER MNCPPC STAFF COMMENTS
3	11/06/15	WB	REVISED PER MNCPPC STAFF COMMENTS
2	10/06/15	WB	REVISED PER 1st ROUND COMMENTS
1	09/01/15	GW	REVISED PER DRC COMMENTS

REVISIONS

DRAWN BY: _____ WB

APPROVED BY: _____ MB

CHECKED BY: _____ GW

DATE: 05/28/2015

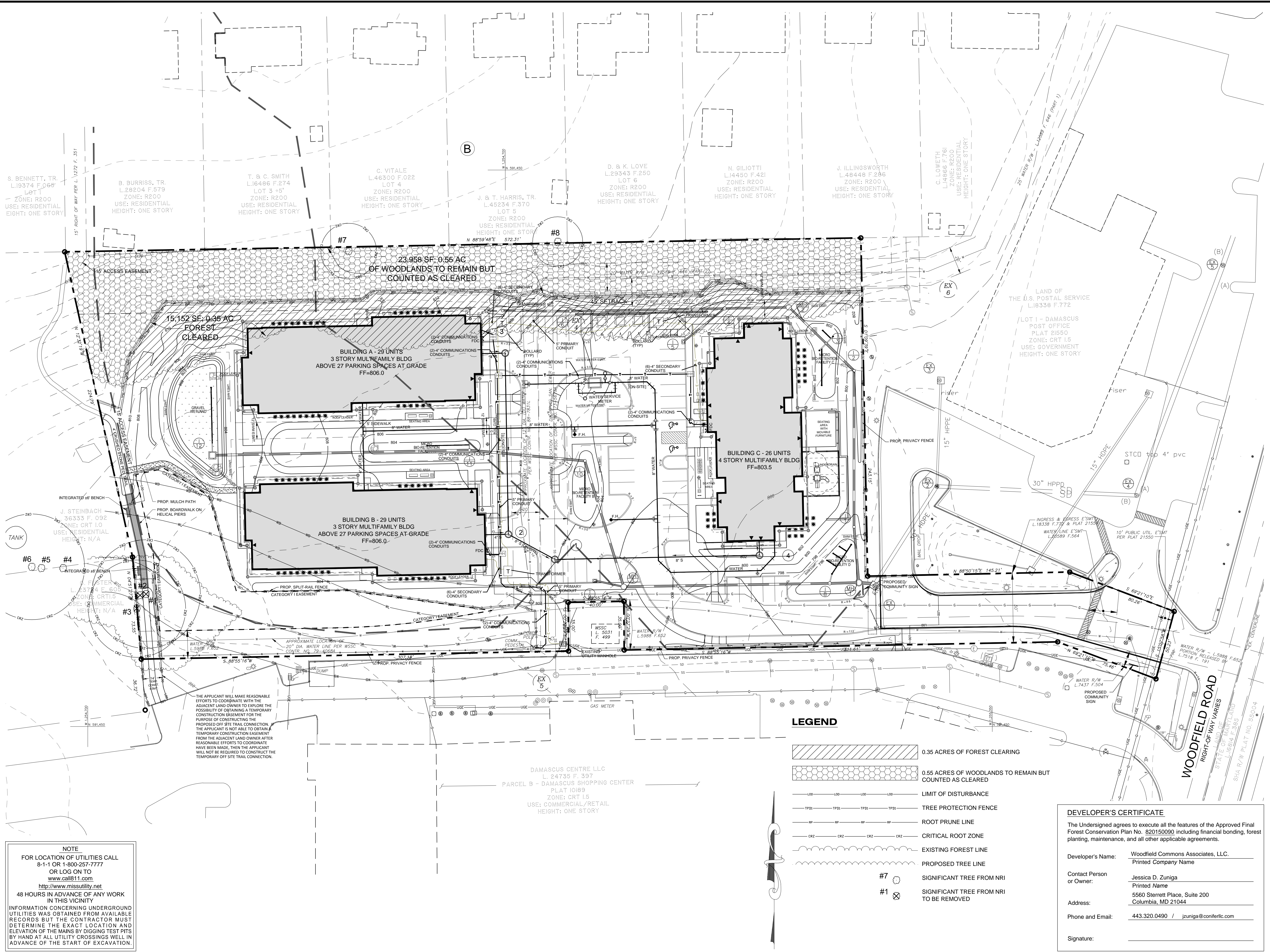
TITLE

PRELIMINARY / FINAL
FOREST CONSERVATION PLAN
COVER SHEET AND INDEX

PROJECT NO. 50069274

**WOODFIELD COMMONS
MONTGOMERY COUNTY, MARYLAND
12TH ELECTION DISTRICT
PARCEL 453**

TAX MAP FX343, GRID FX43
WSSC 200 SHEET 237NW10
LIBER 5212, FOLIO 400



S. BENNETT, TR.
L.19374 F.065
LOT 1
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

B. BURRIS, TR.
L.28204 F.579
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

T. & C. SMITH
L.18486 F.274
LOT 3 & 5
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

C. VITALE
L.46300 F.022
LOT 4
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

J. & T. HARRIS, TR.
L.45234 F.370
LOT 5
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

D. & K. LOVE
L.29343 F.250
LOT 6
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

N. GILLOTTI
L.44450 F.421
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

J. ILLINGSWORTH
L.49448 F.286
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

C. LOWELL
L.10676 F.761
ZONE: R200
USE: RESIDENTIAL
HEIGHT: ONE STORY

LAND OF
THE U.S. POSTAL SERVICE
L.18338 F.772
LOT 1 - DAMASCUS
POST OFFICE
PLAT 21830
ZONE: CRT 1.5
USE: GOVERNMENT
HEIGHT: ONE STORY

J. STEINBACH
L.36333 F.092
ZONE: CRT 1.0
USE: RESIDENTIAL
HEIGHT: N/A

P. FIER
L.3778 E.60
ZONE: CRT 1.5
USE: COMMERCIAL
HEIGHT: N/A

THE APPLICANT WILL MAKE REASONABLE EFFORTS TO COORDINATE WITH THE ADJACENT LAND OWNER TO EXPLORE THE POSSIBILITY OF OBTAINING A TEMPORARY CONSTRUCTION EASEMENT FOR THE PURPOSE OF CONSTRUCTING THE PROPOSED OFF-SITE TRAIL CONNECTION. IF THE APPLICANT IS NOT ABLE TO OBTAIN A TEMPORARY CONSTRUCTION EASEMENT FROM THE ADJACENT LAND OWNER AFTER REASONABLE EFFORTS TO COORDINATE HAVE BEEN MADE, THEN THE APPLICANT WILL NOT BE REQUIRED TO CONSTRUCT THE TEMPORARY OFF-SITE TRAIL CONNECTION.

DAMASCUS CENTRE LLC
L. 24735 F. 397
PARCEL B - DAMASCUS SHOPPING CENTER
PLAT 10189
ZONE: CRT 1.5
USE: COMMERCIAL/RETAIL
HEIGHT: ONE STORY

NOTE
FOR LOCATION OF UTILITIES CALL
8-1-1 OR 1-800-257-7777
OR LOG ON TO
www.call811.com
http://www.missutility.net
48 HOURS IN ADVANCE OF ANY WORK
IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MAINS BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.

LEGEND

- 0.35 ACRES OF FOREST CLEARING
- 0.55 ACRES OF WOODLANDS TO REMAIN BUT COUNTED AS CLEARED
- LIMIT OF DISTURBANCE
- TREE PROTECTION FENCE
- ROOT PRUNE LINE
- CRITICAL ROOT ZONE
- EXISTING FOREST LINE
- PROPOSED TREE LINE
- #7 SIGNIFICANT TREE FROM NRI
- #1 SIGNIFICANT TREE FROM NRI TO BE REMOVED

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. 820150090 including financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Woodfield Commons Associates, LLC.
Printed Company Name
Contract Person or Owner: Jessica D. Zuniga
Printed Name
Address: 5560 Sterrett Place, Suite 200
Columbia, MD 21044
Phone and Email: 443.320.0490 / jzuniga@conferllc.com
Signature: _____

SEAL

SCALE 1" = 30'
0' 30' 60' 90'

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3	11/06/15	WB	REVISED PER MNCPPC STAFF COMMENTS
2	10/06/15	GW	REVISED PER 1st ROUND COMMENTS
1	09/01/15	GW	REVISED PER DRC COMMENTS

REVISIONS

DATE	BY	DESCRIPTION
05/28/2015	WB	
	MB	
	GW	

TITLE
**PRELIMINARY / FINAL
FOREST CONSERVATION PLAN
PLAN SHEET**

PROJECT NO. 50069274

FCP-2



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

October 26, 2015

Ms. Joanne Cheok
Dewberry Consultants LLC
2101 Gaither Road, Suite 340
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request
for Woodfield Commons
Preliminary Plan #: TBD
SM File #: 273495
Tract Size/Zone: 3.88/CRT-1.5
Total Concept Area: 3.88ac
Lots/Block: N/A
Parcel(s): P 453
Watershed: Upper Patuxent

Dear Ms. Cheok:

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 proposes to meet required stormwater management goals via the use of micro biofiltration and a gravel wetland.

The following **item(s)/condition(s)** will need to be addressed **during/prior to** the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
5. Gravel wetlands are not ideal stormwater management treatment devices in residential settings. It appears that the more appropriate location for the proposed gravel wetland would be in the area that is delineated as wetlands on the plan view. A concept revision will not be required to relocate the gravel wetland, if permitted.
6. If the proposed building is not permitted within the wetland and buffer areas a formal concept revision will be required.

Ms. Joanne Cheok
October 26, 2015
Page 2 of 2

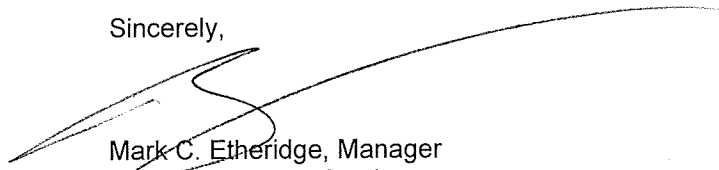
This list may not be all-inclusive and may change based on available information at the time.

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 Thomas Weadon at 240-777-6309.

Sincerely,



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

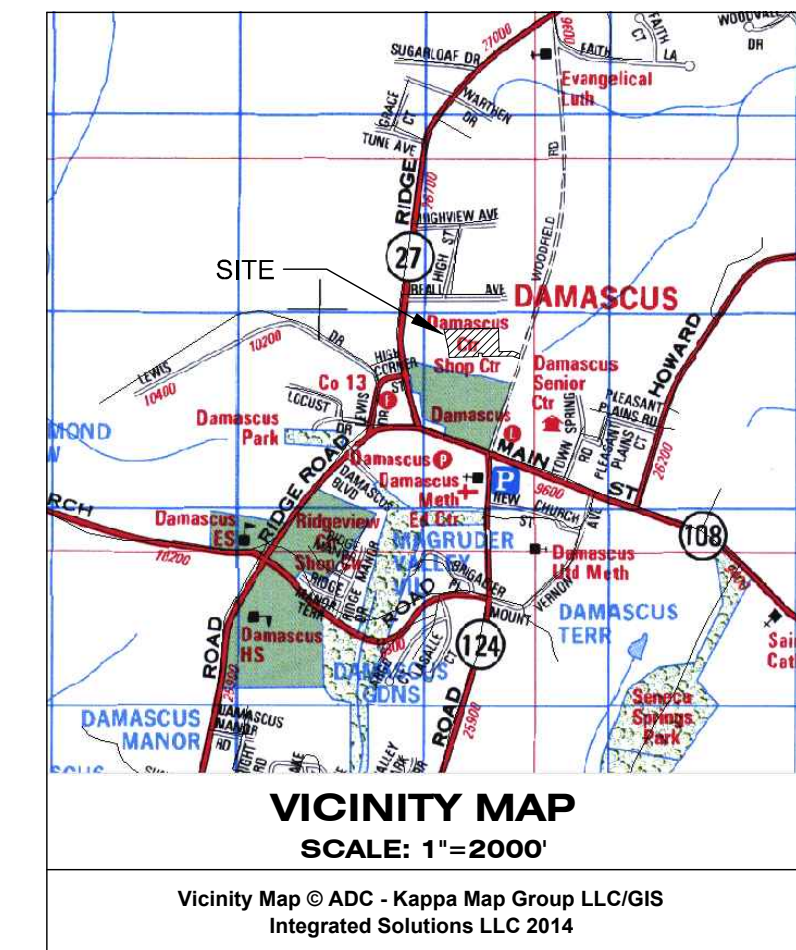
MCE: me TEW

cc: C. Conlon
SM File # 273495

ESD Acres:	3.88ac
STRUCTURAL Acres:	N/A
WAIVED Acres:	N/A

WOODFIELD COMMONS

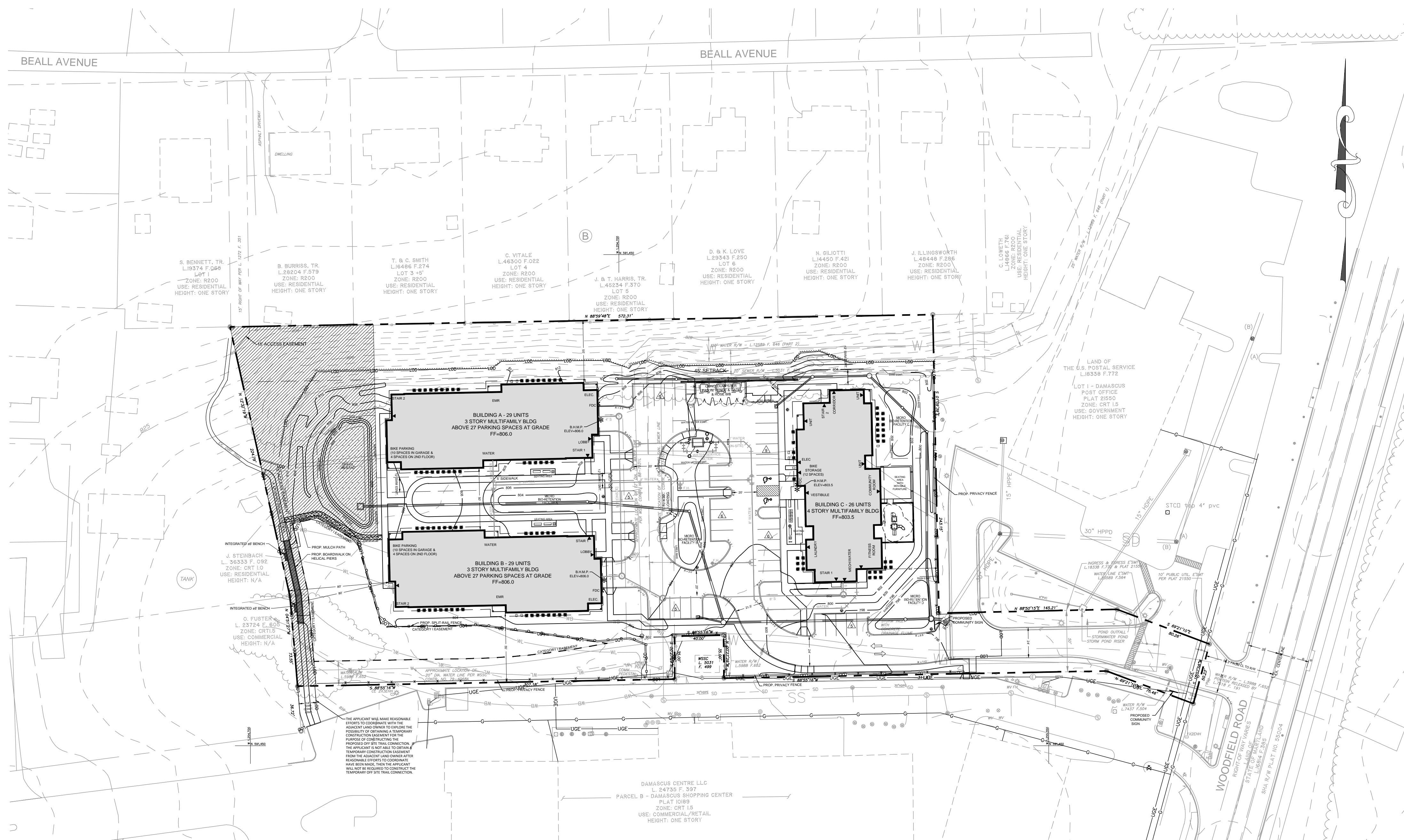
MONTGOMERY COUNTY, MARYLAND PRELIMINARY PLAN #120150170



Dewberry
DEWBERRY CONSULTANTS LLC
2101 GAITHER ROAD
SUITE 340
ROCKVILLE, MD 20850
PH: 301.948.8300
FX: 301.258.7607
www.dewberry.com

APPLICANT / DEVELOPER
WOODFIELD COMMONS ASSOCIATES, LLC
5560 STERRETT PLACE
SUITE 200
COLUMBIA, MD 21044

WOODFIELD COMMONS
MONTGOMERY COUNTY, MARYLAND
12TH ELECTION DISTRICT
PARCEL 453
TAX MAP FX343, GRID FX43
WSSC 200' SHEET 237NW10
LIBER 5212, FOLIO 400



GENERAL NOTES

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TAX ID#: 12-01874202
WSSC GRID: 237NW10
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- NO 100-YEAR FLOODPLAIN EXISTS ON THE SITE, PER FIRM MAP 24031C0065D, EFFECTIVE DATE: SEPTEMBER 29, 2006
- WETLANDS ARE PRESENT ON THE SITE AND WERE DELINEATED BY DESIGN WITH NATURE, LLC, FEBRUARY 2015. LOCATION SHOWN IS FROM THE RE-CERTIFIED NRI/FSD #420130340.
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- A STORMWATER MANAGEMENT CONCEPT HAS BEEN SUBMITTED TO MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES (SWM FILE # 273495), THE PROPOSED STORM WATER MANAGEMENT FACILITIES ARE SUBJECT TO MINOR MODIFICATIONS DURING FINAL ENGINEERING REVIEW AND APPROVAL.
- A PRE PRELIMINARY PLAN (WOODFIELD COMMONS NO.720150030) WAS SUBMITTED AND COMMENTS PROVIDED AT DEVELOPMENT REVIEW COMMITTEE (DRC) MEETING ON NOVEMBER 24, 2014
- PROPOSED ROAD NETWORK WILL BE PRIVATE.

SITE INVENTORY		
GROSS TRACT AREA	384,199 SF	8.82 AC
PREVIOUS DEDICATION - MONTGOMERY COUNTY TRANSFER	154,202 SF	3.54 AC
PREVIOUS DEDICATION - SHA TRANSFER	60,984 SF	1.40 AC
SITE AREA	169,013 SF	3.88 AC
PROPOSED DEDICATIONS	0 SF	0.00 AC
NET SITE AREA	169,013 SF	3.88 AC

Zone: CRT 1.5 (C0.5, R1.0, H55 T)		
STANDARD METHOD OF DEVELOPMENT (59-4.5.3.B)		
RESIDENTIAL DENSITY	ALLOWED/REQUIRED	PROVIDED
MAXIMUM FAR = 1.0	384,199 SF	118,000 SF
HEIGHT	ALLOWED/REQUIRED	PROVIDED
MAXIMUM HEIGHT	55'	55' max

SETBACKS - BUILDING (59-4.5.3.C.3)		
	ALLOWED/REQUIRED	PROVIDED
FRONT BRL	0' MIN.	DETERMINED AT SITE PLAN
SIDE SETBACK	0' MIN.	DETERMINED AT SITE PLAN
SIDE SETBACK @ R-200 (Rear)*	45' MIN.	DETERMINED AT SITE PLAN
REAR SETBACK	0' MIN.	DETERMINED AT SITE PLAN

* 59-4.1.8 Setback is equal to 1.5 times the minimum required for a detached house on abutting property in R-200 zone or (1.5 x 30' = 45')

PUBLIC OPEN SPACE (59-4.5.3.C.1)		
Apartment Use under Standard Method on a site greater than 10,000 SF Required 10% Public Open Space		
Site Area	ALLOWED/REQUIRED	PROVIDED
169,013 SF	16,901 SF	18,600 SF

LOADING SPACE REQUIREMENT (59-6.2.8.B)		
	REQUIRED	PROVIDED
Multi-Unit Living Uses		
1 SPACE FOR 50 DWELLING UNITS AND ABOVE		
84 D.U. PROPOSED	1 SPACES	1 SPACES
TOTAL	1 SPACES	1 SPACES

PROPOSED UNIT MIX							
UNIT TYPE	TOTAL # UNITS	PERCENTAGE	12.5% MPDU UNITS*	PERCENTAGE	MPDU EQUIVALENT UNITS*	PERCENTAGE	MARKET RATE UNITS
1 BR UNITS	29	35%	4	35%	21	33%	4
2 BR UNITS	45	54%	6	54%	35	55%	4
3 BR UNITS	10	12%	1	12%	8	12%	1
TOTALS	84	100%	11	100%	64	100%	9

*Note: The notation of MPDU on the plans shall mean MPDU or equivalent units as defined in County Executive Regulation 13-05 Paragraph 3.2. Upon expiration of the affordability period for the low-income housing tax credit ("LIHTC") affordable units, 12.5 percent of the total number of dwelling units will be administered as MPDU's in accordance with Chapter 25A for the balance of the applicable MPDU affordability period.

RESOLUTION

NOTE
FOR LOCATION OF UTILITIES CALL
8-1-1 OR 1-800-267-7777
OR LOG ON TO
www.call811.com
http://www.missutility.net
48 HOURS IN ADVANCE OF ANY WORK
IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND
UTILITIES WAS OBTAINED FROM AVAILABLE
RECORDS BUT THE CONTRACTOR MUST
DETERMINE THE EXACT LOCATION AND
ELEVATION OF THE MAINS BY DIGGING TEST PITS
BY HAND AT ALL UTILITY CROSSINGS WELL IN
ADVANCE OF THE START OF EXCAVATION.

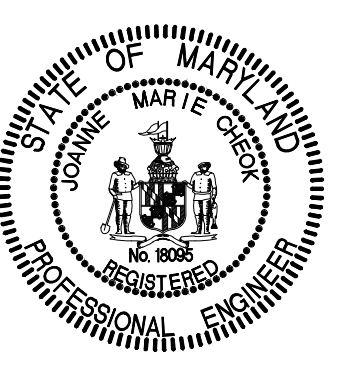
LEGEND

- PROPERTY BOUNDARY
- EXISTING TREE LINE
- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING WATER EASEMENT
- EXISTING SEWER EASEMENT
- EXISTING CONTOUR LINES
- PROPOSED TREELINE
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- PROPOSED STORM DRAIN
- PROPOSED CONTOUR LINES
- PUBLIC OPEN SPACE
- WL --- EXISTING WETLAND
- WB --- EXISTING 25' WETLAND BUFFER

DEVELOPMENT PROGRAM

PROJECT TO BE COMPLETED IN ONE PHASE

SEAL



Professional Certification: 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.

License No. 18095
Expiration Date: 12/21/16

SCALE 1"=50'
0' 50' 100' 150'

No.	DATE	BY	Description
4	12/03/15	GW	REVISED PER MNCPPC STAFF COMMENTS
3	11/06/15	WB	REVISED PER MNCPPC STAFF COMMENTS
2	10/06/15	GW	REVISED PER 1st ROUND COMMENTS
1	09.01.15	WB	Per DRC Comments

REVISIONS
DRAWN BY: WB
APPROVED BY: MB
CHECKED BY: GW
DATE: 05/28/2015

TITLE
**PRELIMINARY PLAN
PLAN AND NOTES**

PROJECT NO. 50069274

P-1

SHEET NO. 1 OF 1



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdiah
Acting Director

August 13, 2015

Mr. Jonathan Casey, Senior Planner
Area 3 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120150170
Woodfield Commons

Jonathan
Dear Mr. Casey:

We have completed our review of the preliminary plan dated May 28, 2015. This plan was reviewed by the Development Review Committee at its meeting on August 17, 2015. We recommend approval for the plan based 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 the Department of Permitting Services 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. Woodfield Road:
 - a. Per the 2006 Damascus Master Plan; Woodfield Road is an Arterial Road with 80-ft right-of-way and 2-travel lane. The Right-of-Way Plat # 765 for Woodfield Road shows that the existing driveway entrance is within the limits of Maryland State Highway Administration (MDSHA). Please revise the maps to clearly show the limits of right-of-way owned by MDSHA and Montgomery County per the record plat no. 21550 and the deed (to the State of Maryland State Highway Administration from Richard J. Schoeb and John A Judge, Jr.) recorded in the Land Records of Montgomery County in liber 16814 at folio 365. We defer to MDSHA for access and improvements along Woodfield Road (MD-124).
2. Applicant shall coordinate with MDSHA as Woodfield Road (MD-124) is a state owned roadway at the subject site. We recommend the following comments be considered:
 - a. A new driveway entrance for the trucks shall be proposed for the post office towards the north of Woodfield Road.
 - b. The current access to the Post Office from the common driveway which is closer to the MD-124 be realigned to be a right in only movement – with exits moved to the west away from the MD124 entrance.

Office of the Director

101 Monroe Street, 10th Floor • Rockville, Maryland 20850 • 240-777-7170 • 240-777-7178 FAX
www.montgomerycountymd.gov/dot

Mr. Jonathan Casey
Preliminary Plan No. 120150170
August 13, 2015
Page 2

3. We defer to the MDSHA for the review of the storm drain and sight distance studies.
4. The Traffic Impact Study has been received and remains under review.
5. MCDOT defers to the Planning Department for design of the proposed private streets – including alignment, profile, typical section, drainage, maintenance and liability, etc.
6. Record plat to reflect recorded covenant for the operation and maintenance of private streets, storm drainage systems, and/or open space areas.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Area Engineer for this project, at deepak.somarajan@montgomerycountymd.gov or (240) 777-2194.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

M: /corres/FY15/Traffic/Active/120150170, Woodfield Commons – MCDOT final plan review ltr.doc

Enclosure

cc: Richard Schoeb; D.D.S
Jessica Zuniga; Conifer Realty, LLC
Wayne Baldwin; Dewberry
Richard Weaver; M-NCPPC Area 3
Michael Garcia; M-NCPPC Area 3
Pranoy Choudhury; MDSHA District 3
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri; MCDPS RWPR
Sam Farhadi; MCDPS RWPR
Kyle Hanley MCDOT DHM
Deepak Somarajan; MCDOT DO



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdiah
Acting Director

August 13, 2015

Mr. Jonathan Casey, Senior Planner
Area 3 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
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www.montgomerycountymd.gov/dot

Mr. Jonathan Casey
Preliminary Plan No. 120150170
August 13, 2015
Page 2

3. We defer to the MDSHA for the review of the storm drain and sight distance studies.
4. The Traffic Impact Study has been received and remains under review.
5. MCDOT defers to the Planning Department for design of the proposed private streets – including alignment, profile, typical section, drainage, maintenance and liability, etc.
6. Record plat to reflect recorded covenant for the operation and maintenance of private streets, storm drainage systems, and/or open space areas.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Area Engineer for this project, at deepak.somarajan@montgomerycountymd.gov or (240) 777-2194.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

M: /corres/FY15/Traffic/Active/120150170, Woodfield Commons – MCDOT final plan review ltr.doc

Enclosure

cc: Richard Schoeb; D.D.S
Jessica Zuniga; Conifer Realty, LLC
Wayne Baldwin; Dewberry
Richard Weaver; M-NCPPC Area 3
Michael Garcia; M-NCPPC Area 3
Pranoy Choudhury; MDSHA District 3
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri; MCDPS RWPR
Sam Farhadi; MCDPS RWPR
Kyle Hanley MCDOT DHM
Deepak Somarajan; MCDOT DO



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Clarence J. Snuggs
Director

September 17, 2015

Mr. Calvin Nelson
Area 3 Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Woodfield Commons
Preliminary Plan No. 120150170
Site Plan No. 820150090

Dear Mr. Nelson:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the applicant's revisions to the above referenced plans and find them responsive to DHCA's Development Review Committee (DRC) comments. DHCA therefore recommends Approval of the plans.

Please note that an MPDU Agreement that is in compliance with Chapter 25A must be executed between the applicant and DHCA prior to the release of any residential building permits.

Sincerely,

Lisa S. Schwartz
Senior Planning Specialist

cc: Jonathan Casey, M-NCPPC
George Warholic, Dewberry

S:\Files\FY2014Housing\MPDULisa Schwartz\Woodfield Commons DHCA Letter 9-17-2015.doc

Division of Housing

Affordable
Housing Program
FAX 240-777-3709

Multifamily Housing
Programs
FAX 240-777-3691

Landlord-Tenant Affairs
FAX 240-777-3691

Licensing & Registration Unit
240-777-3666
FAX 240-777-3699

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Larry Hogan, *Governor*
Boyd K. Rutherford, *Lt. Governor*



Pete K. Rahn, *Secretary*
Gregory C. Johnson, P.E., *Administrator*

October 1, 2015

RE: Montgomery County
MD 124
Mile Point: 17.03
Woodfield Commons
SHA Tracking No. 15APMO030XX

Mr. Michael Lenhart
Lenhart Traffic Consulting
331 Redwood Grove Court
Millersville, Maryland 21108

Dear Mr. Lenhart:

Thank you for the opportunity to review the Traffic Impact Study (TIS) prepared by Lenhart Traffic Consulting, dated March 28, 2015 (received on August 6, 2015), for the Woodfield Commons residential development in Montgomery County, Maryland. The State Highway Administration (SHA) review is complete and we are pleased to respond.

- Proposed access to the 84 multi-family units is via one (1) full movement site access to MD 124 (Woodfield Drive).
- The following intersections were analyzed under existing, background and future conditions:
 - Ridge Road and Woodfield Road
 - Woodfield Road and Site Access Entrance (Existing Post Office Driveway)
 - MD 108 and MD 124/ Woodfield Road
 - MD 27 and High Corner Street
 - MD 27 and Lewis Drive
- The report concludes that the study intersections will continue to operate at acceptable levels of service under future conditions.

My telephone number/toll-free number is [410-545-0400](tel:410-545-0400) or [1-800-206-0770](tel:1-800-206-0770)
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.roads.maryland.gov

Mr. Michael Lenhart
15APMO030XX
Page No. 2
October 1, 2015

The SHA concurs with the report findings for this project as currently proposed and will not require the submission of any additional traffic analyses. However, an access permit will be required for all construction within the SHA right of way. Please submit five (5) sets of the revised plans (including a set of hydraulic plans and computations) and a CD containing the plans and all supporting documentation to Mr. Brian Young at 9300 Kenilworth Avenue, Greenbelt, MD 20770, attention of Mr. Pranoy Choudhury. Please reference the SHA tracking number on any future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <http://www.roads.maryland.gov/pages/amd.aspx>. Please note, if this project has not obtained an SHA access permit and begun construction of the required improvements within five (5) years of this approval, extension of the permit shall be subject to the submission of an updated traffic impact analysis in order for SHA to determine whether the proposed improvements remain valid or if additional improvements will be required of the development. If you have any questions, or require additional information, please contact Mr. Pranoy Choudhury at 301-531-7325, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7325), or via email at pchoudhury@sha.state.md.us

Sincerely,



Brian W. Young,
District Engineer, District 3, SHA

BMR/nk

cc:

Mr. Dave Murnan, District 3 Traffic dmurnan@sha.state.md.us
Mr. Mike Garcia, Michael.garcia@montgomeryplanning.org



8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Effective: December 5, 2014

Phone 301.495.4550

Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

Request #1 Request #2

MCPB Status Only			
File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: Woodfield Commons

Plan No. 8-20150090

This is a request for extension of:

- Project Plan Sketch Plan
 Preliminary Plan Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: Nov. 19/26, 2015

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable.)

Michael S. Nagy, Esquire		Rifkin, Weiner, Livingston, Levitan & Silver, LLC	
Name		Affiliation/Organization	
7979 Old Georgetown Road, Suite 400			
Street Address			
Bethesda			
City		Maryland	
(301) 951-0150		20814	
ext. 506		State	
(301) 951-0172		Zip Code	
Telephone Number		E-mail	
ext. 506		mnagy@rwlls.com	

We are requesting an extension for 1 months until December 17, 2015

Describe the nature of the extension request. Provide a separate sheet if necessary.

Applicant, Woodfield Commons Associates, LLC, is hereby requesting a one month extension of the current Planning Board hearing date to address several issues that have been identified through the review of the concept stormwater management plan and the site plan. The geo-technical and groundwater conditions under a sizable portion of the site have required a revision to the type of approved Environmental Site Design (ESD) technique that would be most suitable for the site conditions. Grant of the extension will allow the Applicant to fully address the issues and will provide the Technical Staff and the Montgomery County Department of permitting Services, Water Resources Section to fully review and analyze the final design solutions. Thank you.

Signature of Person Requesting the Extension

Signature 

Date 10.07.2015

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from NOV. 19/26 until DEC. 17.

Jwen Wright
Signature

10/13/15
Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.