

M E M O R A N D U M

DATE: June 14, 2002
TO: Montgomery County Planning Board
FROM: A. Malcolm Shaneman
Development Review Division
(301) 495-4587
SUBJECT: Informational Maps for Subdivision Items on the
Planning Board's Agenda for June 20, 2002.

Attached are copies of plan drawings for Items #10, #11, #12. These subdivision items are scheduled for Planning Board consideration on June 20, 2002. The items are further identified as follows:

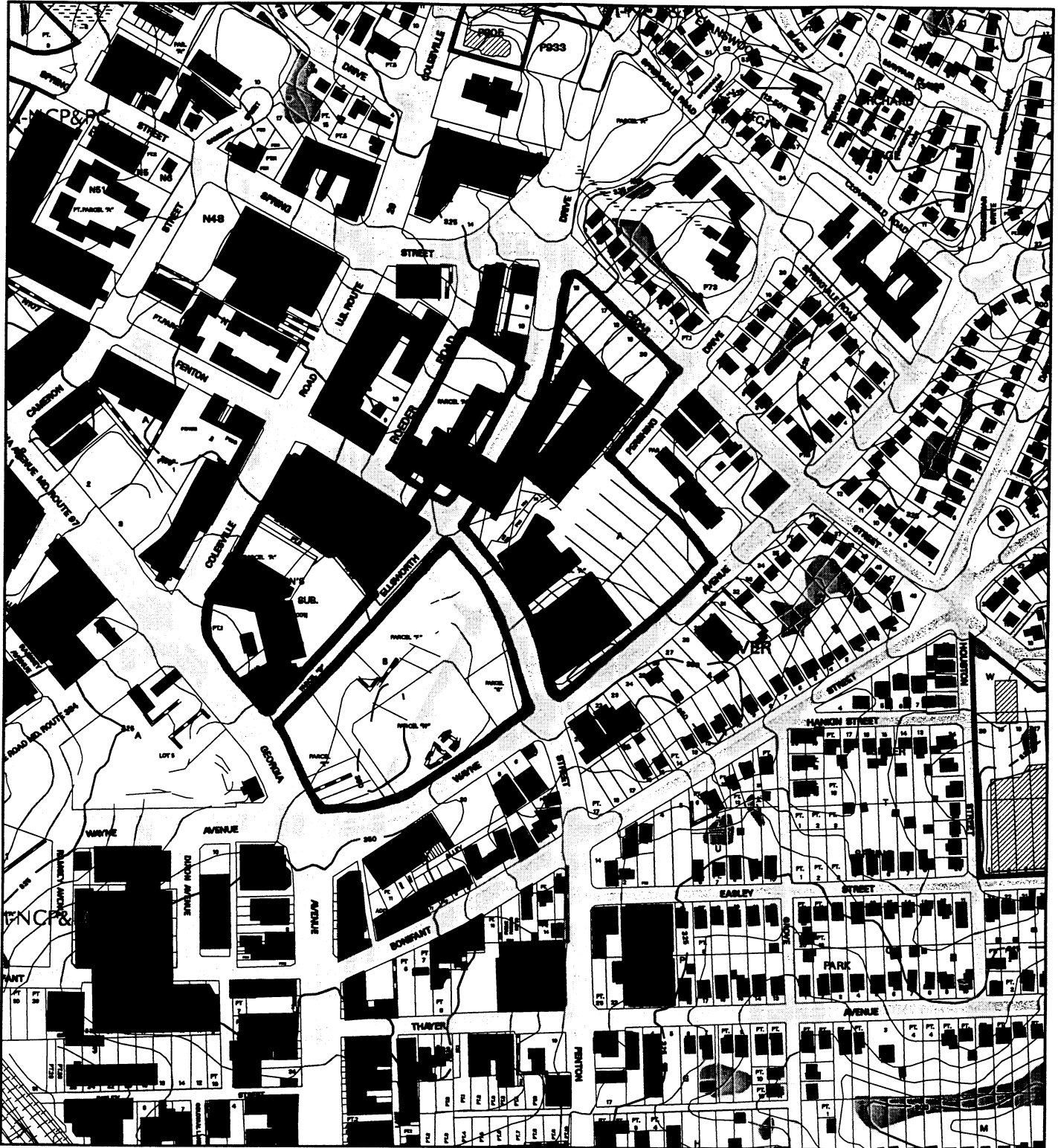
Agenda Item #10 - Preliminary Plan 1-98107
Downtown Silver Spring

Agenda Item #11 - Preliminary Plan 1-02001
Fernwood

Agenda Item #12 - Pre-Preliminary Plan 7-02056
Hartsock Property

Attachment

VICINITY MAP FOR
DOWNTOWN SILVER SPRING (1-98107)



Map compiled on June 14, 2002 at 10:34 AM | Site located on base sheet no - 210NW01

NOTICE

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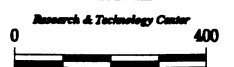
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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Key Map

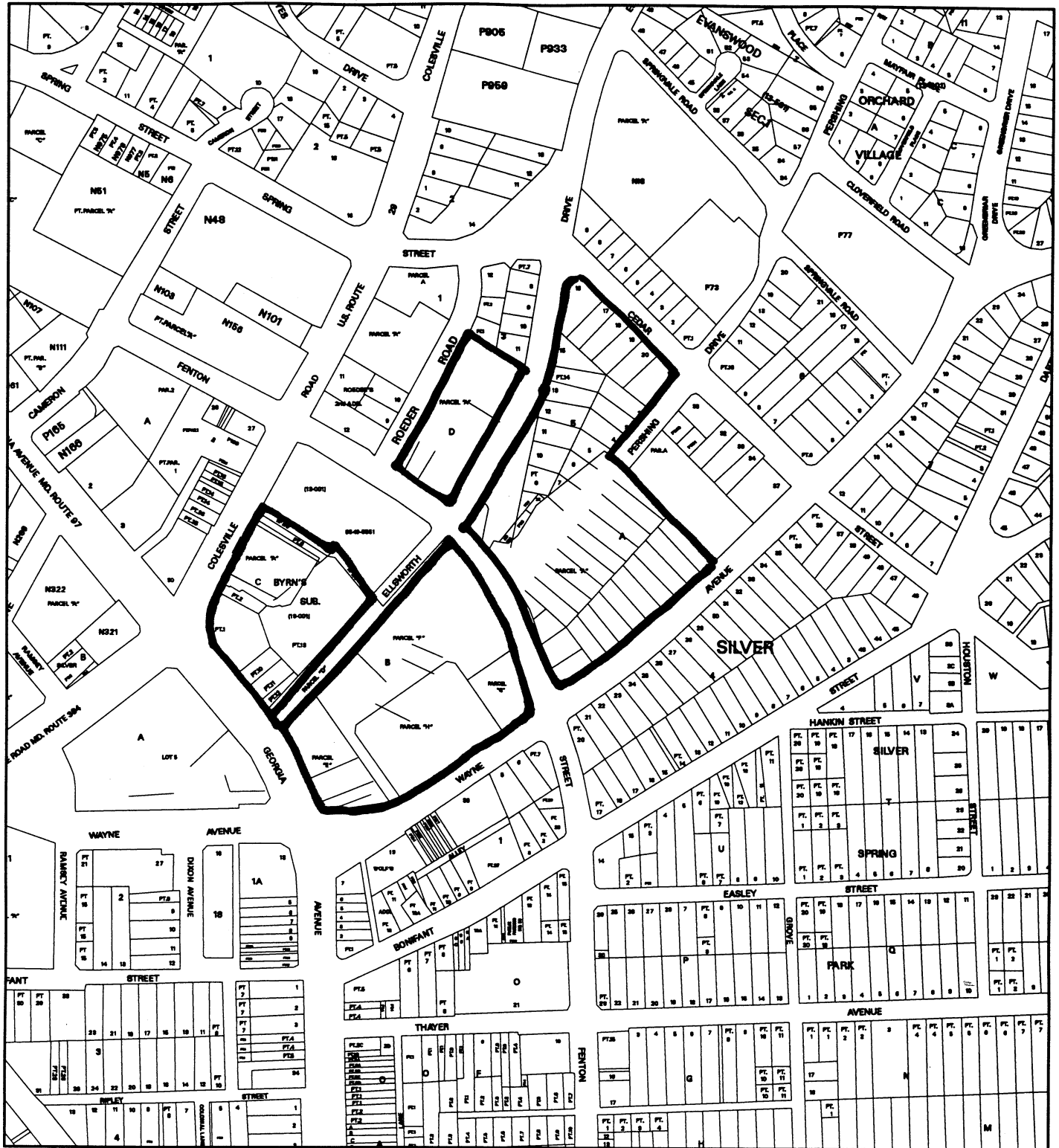


N



1 : 4800

VICINITY MAP FOR
DOWNTOWN SILVER SPRING (1-98107)



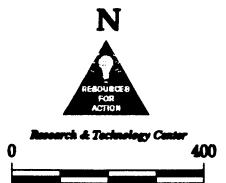
Map compiled on June 13, 2002 at 7:58 PM | Site located on base sheet no - 210NW01

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Item # 11

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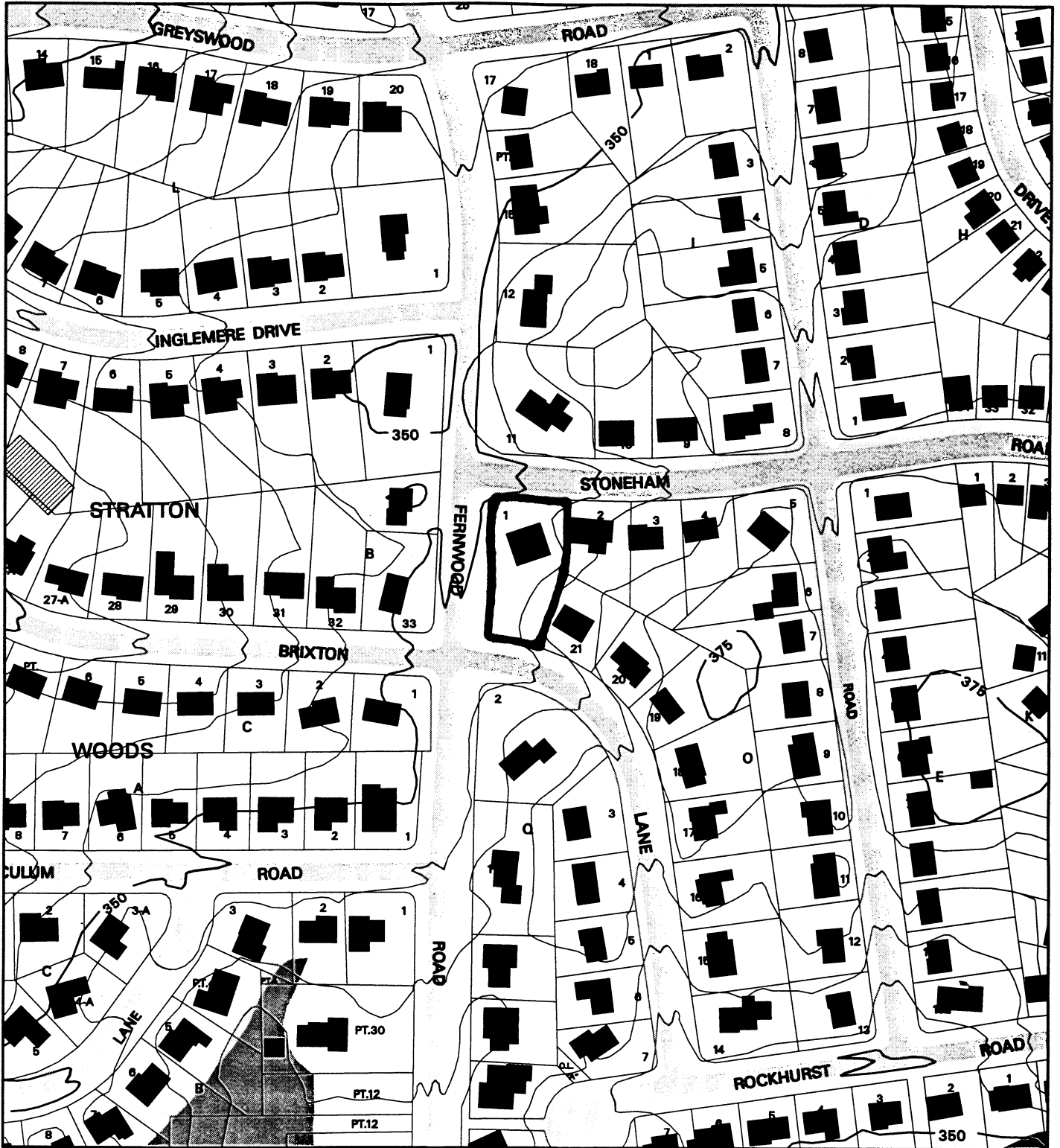
Agenda Item #10 - Preliminary Plan 1-98107
Downtown Silver Spring

Agenda Item #11 - Preliminary Plan 1-02001
Fernwood

Agenda Item #12 - Pre-Preliminary Plan 7-02056
Hartsock Property

Attachment

VICINITY MAP FOR
FERNWOOD (1-02001)



Map compiled on June 13, 2002 at 7:44 PM | Site located on base sheet no - 212NW06

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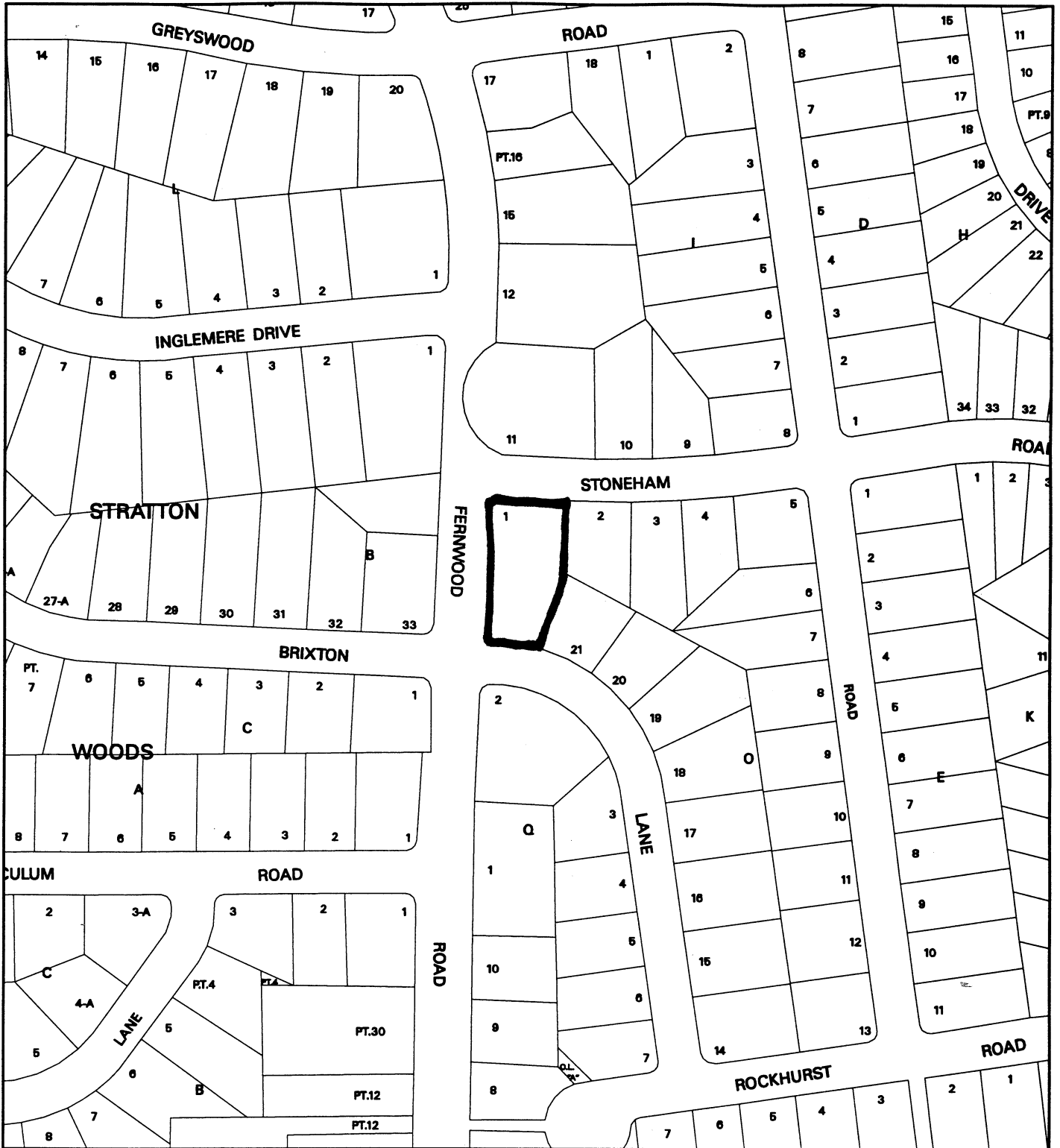
Key Map

Research & Technology Center

0 200
 1 : 2400

VICINITY MAP FOR

FERNWOOD (1-02001)



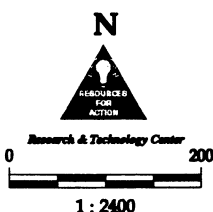
Map compiled on June 14, 2002 at 10:14 AM | Site located on base sheet no - 212NW06

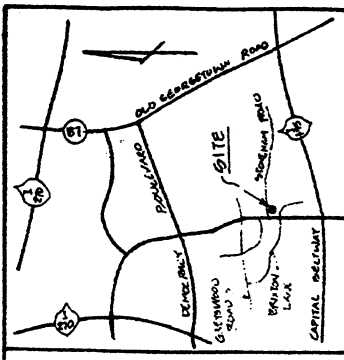
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VICINITY MAP
SCALE: 1" = 2000'

PRELIMINARY PLAN FERNWOOD

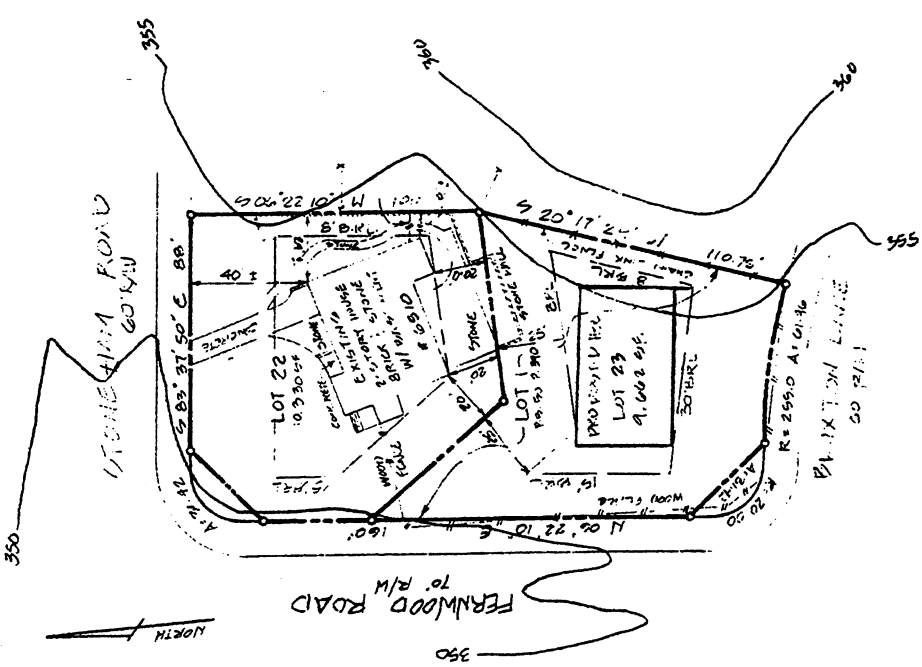
PROPOSED LOTS 22 & 23, BLOCK O

NOTES:

1. Boundary from survey by R.C. Kelly & Assoc., Inc. dtd. Nov. 2000
2. Topography from MNCPPC supplemented by field surveys.
3. Area Tabulation: Ex. Lot 1 = 20,348 square feet = 0.47 Acres
4. Zoning: R - 80
 Requalified: Provided
 Min. Lot Size: 9,000 sq. ft. Lot 22 = 10,330 sq. ft.
 Lot 23 = 9,862 sq. ft.
 15' on Ferrowood and 20' other streets
 Min. Setback from Street: 8'
 Min. Side yard set-back: 8'
 Sum of both sides: 25'
 Rear Setback: 25'
 Maximum Building Height: 35'
 Maximum Building coverage: 30%
 Water Category: W-1; Sewer Category: S-1
 North Bethesda-Garrett Park Planning Area
 Cabin John Watershed
 Shown on Tax Map GP562
 200 scale base map 212NW06
 The current address is 6510 Stoneham Road.
 The property is exempt from Forest Conservation requirements.
 11. The property qualifies for a standard Stormwater Management waiver.
 12. The property qualifies for a standard Stormwater Management waiver.
 13. Servicing utilities for the site are: Water & Sewer - WSSC
 Electricity - PEPCO
 Telephone - Verizon

I certify that the information shown hereon is correct.

Walter J. Petzold
Walter J. Petzold, P.E.



1-0200

Prepared for: Mr & Mrs. Mitchell Lumar
 6510 Stoneham Road
 Bethesda, MD 20817
 Telephone 202-205-6857

OYSTER, IMUS & PETZOLD, INC.
 CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS
 11230 G Grandview Avenue • Wheaton, Maryland • Phone 301-949-2011

PRELIMINARY PLAN
 RESUBDIVISION OF LOT 1, BLOCK O

FERNWOOD
 Montgomery County, Maryland

DATE
 May 2002
 SCALE
 1" = 30'
 SHEET
 2282-E-1
 1 of 1

Item #12

M E M O R A N D U M

DATE: June 14, 2002
TO: Montgomery County Planning Board
FROM: A. Malcolm Shaneman
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SUBJECT: Informational Maps for Subdivision Items on the
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Downtown Silver Spring

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Fernwood

Agenda Item #12 - Pre-Preliminary Plan 7-02056
Hartsock Property

Attachment

VICINITY MAP FOR
HARTSOCK PROPERTY (7-02056)



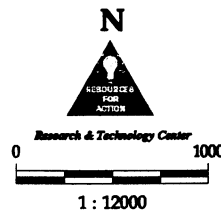
Map compiled on April 26, 2002 at 10:41 AM | Site located on base sheet no - 236NW12

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VICINITY MAP FOR
HARTSOCK PROPERTY (7-02056)



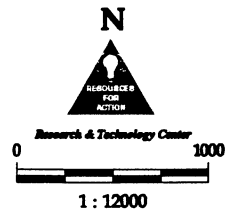
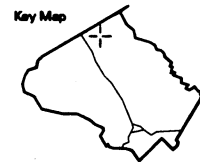
Map compiled on June 13, 2002 at 7:23 PM | Site located on base sheet no - 236NW12

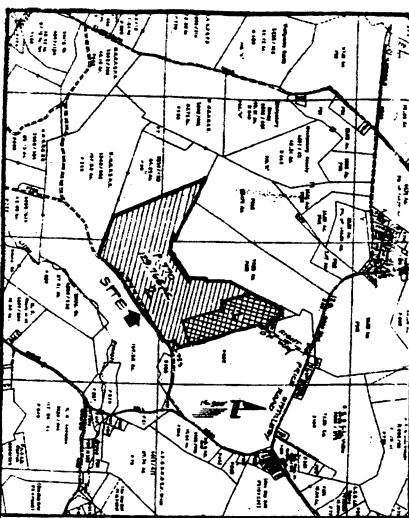
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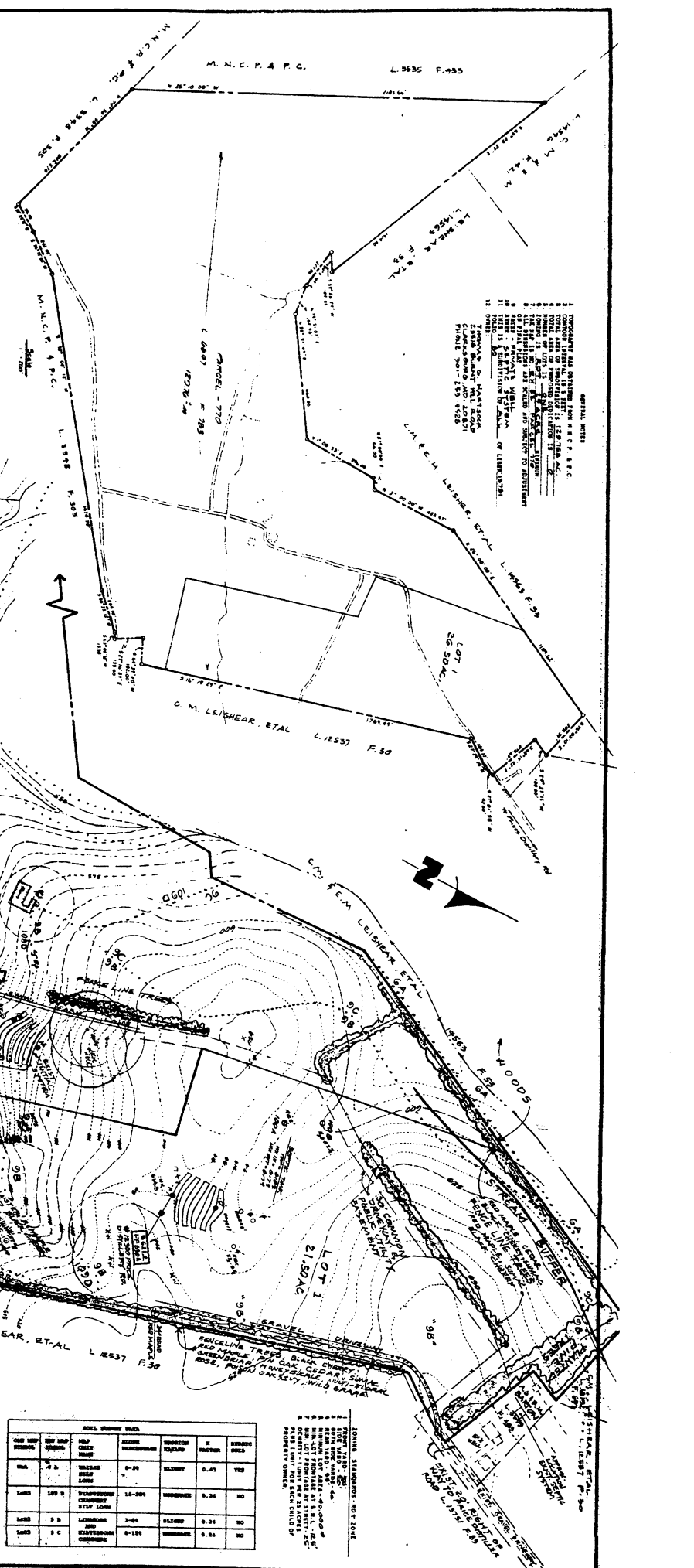
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VICINITY MAP SCALE - 1/4" = 50'

BENTON SYSTEM TESTING DATA										PERM TEST RESULTS									
Lot No.	Depth	Soil	Moist. Cont.	Permeability	Flow Rate	Permeability	Flow Rate	Time (min)	Permeability	Flow Rate	Time (min)	Permeability	Flow Rate	Time (min)	Permeability	Flow Rate	Time (min)	Permeability	Flow Rate
1	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
2	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
3	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
4	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
5	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
6	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
7	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
8	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
9	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35
10	19"	S	11.08	571'	0.18	1.30	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35	10	0.35



REMARKS:
 1. THIS SURVEY WAS MADE FOR THE PURPOSE OF DETERMINING THE LOCATION OF THE SEWER LINE TRACES AND THE PERMEABILITY OF THE SOILS.
 2. THE PERMEABILITY TESTS WERE CONDUCTED AT THE DEPTHS INDICATED IN THE TABLE.
 3. THE RESULTS OF THE TESTS ARE GIVEN IN THE TABLE.
 4. THE LOCATION OF THE SEWER LINE TRACES IS INDICATED BY THE DASHED LINES.
 5. THE PERMEABILITY OF THE SOILS IS INDICATED BY THE SHADING.
 6. THE LOT AREA IS 21.50 AC.
 7. THE PLOT AREA IS 26.50 AC.
 8. THE SURVEY WAS MADE ON THE 15th DAY OF MARCH, 2002.
 9. THE SURVEYOR IS MONTGOMERY DISTRICT NO. 12, MONTGOMERY COUNTY, MARYLAND.
 10. THE SCALE IS 1" = 100'.

DATE: 3/15/02
BY: MONTGOMERY DISTRICT NO. 12, MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 100'
PROJECT: HARTSOCK PROPERTY
CLIENT: HARTSOCK PROPERTY
ADDRESS: P.O. BOX 55, DANMARCUS, MARYLAND 20872
PHONE: 301-831-3655

SOIL TYPES		PERMEABILITY		FLOW RATE	
LOT	DEPTH	PERMEABILITY	FLOW RATE	PERMEABILITY	FLOW RATE
1	19"	S	11.08	571'	0.18
2	19"	S	11.08	571'	0.18
3	19"	S	11.08	571'	0.18
4	19"	S	11.08	571'	0.18
5	19"	S	11.08	571'	0.18
6	19"	S	11.08	571'	0.18
7	19"	S	11.08	571'	0.18
8	19"	S	11.08	571'	0.18
9	19"	S	11.08	571'	0.18
10	19"	S	11.08	571'	0.18

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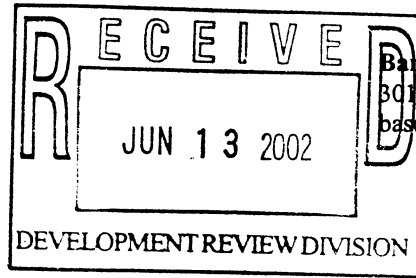
LINOWES AND BLOCHER LLP

ATTORNEYS AT LAW

1010 Wayne Avenue, Tenth Floor
Silver Spring, MD 20910-5600
301.588.8580
Fax 301.495.9044
Website: www.linowes-law.com

10

June 7, 2002



Barbara A. Sears
301.550.7057
bas@linowes-law.com

By Hand Delivery

Mr. Joseph R. Davis
Development Review
Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Preliminary Plan No. 1-98107 (Downtown Silver Spring) -- Extension of
Validity Period

Dear Mr. Davis:

On behalf of the Applicants, PFA Silver Spring, LC and Montgomery County, Maryland, the purpose of this letter is to request a 24-month extension of the validity period for the Downtown Silver Spring Preliminary Plan. This request is filed pursuant to Section 50-35(h)(3)c of the Montgomery County Subdivision Regulations.

The Montgomery County Planning Board approved Preliminary Plan No. 1-98107 ("Preliminary Plan") for the Downtown Silver Spring project ("Project") by Opinion mailed March 2, 1999 and revised Opinion mailed September 1, 1999. Condition 12 of the Opinion mailed March 2, 1999 states the Preliminary Plan will remain valid until April 2, 2002. Pursuant to Section 50-20 of the Subdivision Regulations, the Project's APFO approval will remain valid until March 2, 2011.

The Downtown Silver Spring Project is a cornerstone of the County's efforts to revitalize Silver Spring. The Project consists of numerous sections and has received project plan, preliminary plan and site plan approvals. The Project includes approximately 507,000 square feet of retail, movie theaters, entertainment and recreation space; 297,000 square feet of office space; a 170-room hotel; and 160 residential dwelling units. In furtherance of the Project, the Applicants and/or their affiliates have entered into an Adequate Public Facilities Ordinance Agreement and Site Plan Enforcement Agreement with the Planning Commission and numerous public improvement contracts with Montgomery County. Subdivision plats have been recorded for Sections A, B, the AFI/Silver Theatre and

Mr. Joseph R. Davis

June 7, 2002

Page 2

Section D. The retail components of Section A have been completed and AFI/Silver Theatre is under construction. Section C Retail, the Town Square and Civic Building, and the residential component are the only remaining aspects of the Project for which subdivision plats have not yet been recorded. A plat for Section C Retail is pending and Applicants expect to record this plat within the next few weeks.

Pursuant to Section 50-35(h)(3)c, where a preliminary plan has been allowed to expire, the Board may reinstate the expired plan and establish a new validity period where practical difficulty or undue hardship is demonstrated by the Applicant. In the instant case, the Applicants' ability to proceed with the Section C Retail, Town Square and Civic Building, and residential components of the Project is critical to the successful revitalization of downtown Silver Spring. This revitalization will depend, to a significant extent, on the Project's ability to create an urban environment populated at all times of the day. The retail and restaurant uses proposed for Section C, the civic uses proposed for the Town Square and Civic Building and the residential uses are necessary to help populate the downtown area after typical office hours and on weekends. The Project, and more significantly, the downtown revitalization process, would suffer extreme hardship if the Preliminary Plan validity period is not extended.

Further, the requested extension is necessary because of delays not created by the Applicants and the occurrence of unanticipated events beyond the Applicants' control. As noted above, subdivision plats for Sections A, B, AFI/Silver Theatre, and Section D have already been recorded, thus validating those components of the Preliminary Plan. However, unanticipated events in the motion picture distribution and theater industry created significant delays in the Project. The proposed movie theaters are a significant anchor to the Project. Without an agreement with a viable theater company, other tenants had been reluctant to move forward with prospective leases. However, once an agreement was reached with the movie theater operator, uncertainty as to the delineation of individual property lines within the Project were sufficiently able to be resolved to complete the record plats. Clearly exceptional and undue hardship will result to the Applicants and the overall revitalization effort if the extension is not granted, particularly in light of the Applicants' validation of the majority of this complex project as discussed above, the completion of Section A and the on-going construction of AFI/Silver Theater.

In light of the foregoing, we respectfully request a 24-month extension of the Preliminary Plan validity period. Enclosed is a completed application, list of adjoining and confronting property owners for notification purposes, filing fee of \$660.00, and current preliminary plan opinion.

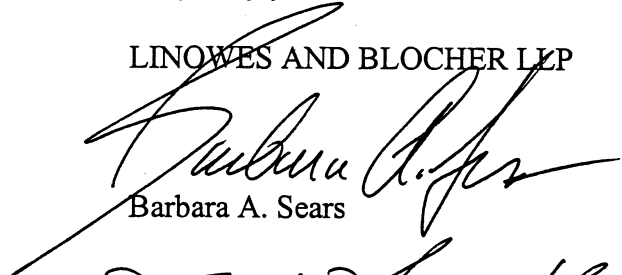
■ LINOWES AND BLOCHER LLP

Mr. Joseph R. Davis
June 7, 2002
Page 3

Thank you for your consideration.

Very truly yours,

LINOWES AND BLOCHER LLP



Barbara A. Sears



Todd D. Brown

Enclosures

cc: Mr. Bryant Foulger
Ms. Damona Strautmanis
Mr. Steve Green
Mr. A. Malcolm Shaneman
Mr. Richard Weaver
Diane Schwartz Jones, Esquire

#293523 v1