

**ATTACHMENT A:
RESIDENTIAL DEVELOPMENT POTENTIAL**

Area/Property Name	Acres	Existing Residential (du)	Existing Zoning Potential (du)	Public Hearing Draft Potential (du)	Housing/TDR Potential (du)
TOWN CENTER					
Town Center Total	194	357	501	1,339	1,339
TRANSITION AREAS					
<i>Town Neighborhood Transition</i>	1,254	2,389	2,392	2,392	2,401
<i>Neighborhood Transition</i>	3,234	1,158	1,288	1,320	1,614
<i>Rural Transition</i>	2,950	558	909	930	1,005
Transition Area Total	7,438	4,105	4,589	4,642	5,020
RURAL AREAS					
<i>Agricultural Reserve</i>	14,384	1,033	1,033	1,033	1,029
<i>Rural Hamlets</i>	134	77	89	89	89
Rural Area Total	14,518	1,110	1,122	1,122	1,118
PLANNING AREA TOTAL	22,150	5,572	6,212	7,103*	7,477**

Note: *Includes 76 TDRs.
**Includes 311 TDRs.

**ATTACHMENT B
TRANSITION AREA SPECIFIC PROPERTY INFORMATION**

1. MODIFICATIONS UNCHANGED FROM THE PUBLIC HEARING DRAFT PLAN

Two land use recommendations in the Transition Area are unchanged from the Public Hearing Draft Plan. They are not appropriate for additional density.

A.	<u>Miller Property:</u>	21 acres - vacant	
	Existing Master Plan:	RE-2C	8 DU potential
		PD-5	100 DU potential
	Public Hearing Draft:	RE-1	15 DU potential
	Alternative Proposal:	RE-1	15 DU potential

Rationale: The Public Hearing Draft Plan recommends changing this property from the RE-2C/PD-5 to the RE-1 Zone. Despite its Master Plan history and proximity to the Town Center, the property is within the Patuxent watershed, and faces major imperviousness constraints. Extending sewer to this property would be difficult unless it had significantly higher density. For these reasons, the Public Hearing Draft Plan recommendation is retained.

B.	<u>Patuxent Neighborhood Properties:</u>	580 acres with 230 DU
	Existing Master Plan:	RE-2C 362 DU potential
	Public Hearing Draft:	RC 316 DU potential
	Alternative Proposal:	RC 316 DU potential

Rationale: The Public Hearing Draft Plan recommends changing this area from the RE-2C to the Rural Cluster Zone. The Rural Cluster Zone more realistically reflects the true development potential in this area (due to poor soil conditions), and provides increased protection for this portion of the Patuxent watershed. No change from the Public Hearing Draft Plan recommendation is proposed.

2. NEW RECOMMENDATION CONFORMING ZONING IN CERTAIN NEIGHBORHOODS TO EXISTING LOT PATTERN

The staff recommends four neighborhood areas for essentially corrective zoning to conform the zoning to the actual lot patterns of the existing neighborhoods. These areas were developed under the R-200 Zone years ago, and changed to the RE-2C Zone in the 1980 Master Plan. The staff believes that a zone that more closely matches the existing lot sizes is more appropriate for these communities located in immediate proximity to the Town Center.

A.	<u>Town Spring Neighborhood Properties:</u>	18 acres with 28 DU
	Existing Master Plan:	RE-2C 28 DU potential
	Public Hearing Draft:	RE-2C 28 DU potential
	Alternative Proposal:	RE-1 33 DU potential

Rationale: Since the lots in this neighborhood located between the Miller Property and Damascus Road (MD 108), are generally smaller than one acre in size; a change to the RE-1 Zone, as recommended for the Miller Property, is

proposed. The properties have existing homes and the existing lots are small, so few new building lots are anticipated. The change would conform the zoning to the existing lot pattern.

B.	<u>South Ridge Road Neighborhood:</u>		22 acres with 27 DU
	Existing Master Plan:	RE-2C	28 DU potential
	Public Hearing Draft:	RE-2C	28 DU potential
	Alternative Proposal:	R-200	33 DU potential

Rationale: This neighborhood is along Ridge Road in the RE-2C Zone between Bethesda Church Road and Oak Drive. This area was in the R-200 Zone until the 1982 Plan. As an outgrowth of subsequent Planning Board discussions, they are proposed to return to the R-200 Zone. This modification would be unlikely to generate much additional development since there are only three properties without homes, although some re-development might occur over the life of the Master Plan.

C.	<u>Ridge Road North Town Neighborhood:</u>		36 acres with 47 DU
	Existing Master Plan:	RE-2C	49 DU potential
	Public Hearing Draft:	RE-2C	49 DU potential
	Alternative Proposal:	R-200	53 DU potential

Rationale: This neighborhood is located immediately north of the Town Center. As with the Town Spring Neighborhood on the east side of Damascus, the rezoning would make the zoning consistent with the existing lot pattern, and make it more logical to extend sewer to this area as needed to replace failing septic systems on existing lots. Little additional development would be anticipated, as there are only a few parcels with subdivision potential.

D.	<u>Ridge Road North Transition Neighborhood:</u>		27 acres with 16 DU
	Existing Master Plan:	RE-2C	18 DU potential
	Public Hearing Draft:	RE-2C	18 DU potential
	Alternative Proposal:	RE-1	23 DU potential

Rationale: This neighborhood is located just north of the Town Neighborhood Area along Ridge Road. The RE-1 Zone will be more consistent with the existing lot sizes, and appropriate for the northern edge of the town's developed area. Little additional development would be anticipated as few parcels have subdivision potential.

3. DENSITY INCREASED FROM THE PUBLIC HEARING DRAFT PLAN

Four of the eight property groups in this section – Burdette, Warfield, Smart/Miner, and Kingstead/Leishear – were proposed for additional density in the Public Hearing Draft Plan. In this report, alternative density proposals are now proposed for these properties, primarily through the use of TDRs. The properties proposed for increased density are discussed below, including their advantages and disadvantages.

A.	<u>Burdette Properties:</u>	82 acres	
	Existing Master Plan:	RE-2C	32 DU
	Public Hearing Draft:	RNC .4	32 DU (4 MPDU) - sewer
	Alternative Proposal:	RNC .4/TDR 1.0 - sewer	
			32 DU (4 MPDUs) or
			100 DU
			(50 TDRs and 15 MPDUs)

Rationale: Development of the Burdette properties will create a new moderate density neighborhood immediately adjacent to the Town Center, along the route of the extension of Woodfield Road. The staff believes this is an excellent location for additional housing from a land planning perspective. A proposed development plan indicates all housing (a mix of small lot single family and townhomes) to be located west of the route of Woodfield Road Extended, to avoid impact to almost 50 acres of the site within the Patuxent Primary Management Area. The proposed development is unlikely to achieve its full potential via gravity sewer service and will require the use of supplemental grinder pumps for the northern portion.

Generally, new development at densities higher than one dwelling per two acres within the Patuxent River watershed is discouraged unless it is a logical extension of a pre-existing town center and can take advantage of existing infrastructure. The Burdette property is immediately adjacent to the Town Center, and can take advantage of existing or planned infrastructure, but its location in the Patuxent River watershed makes it problematic for the R-200 or higher density zoning that would normally be proposed at a location like this. The proposed use of the RNC .4/TDR 1.0 Zone will allow some additional housing potential at a location in immediate proximity to the Town Center retail and service opportunities, while still protecting a large portion of the site, and contributing a TDR receiving site.

Concerns: At full density potential, the proposal raises concerns because it would create additional imperviousness in the Town Spring tributary of the Patuxent watershed. If this proposal is selected, the Master Plan will include language discussing the environmental concerns and indicating that full density potential may not be possible due to environmental constraints.

The Upper Patuxent River tributaries are Use III streams with good to excellent water quality and habitat conditions located upstream from two reservoirs that provide drinking water to Montgomery and Prince George's Counties. Because these reservoirs are under stress due to nutrient enrichment and sedimentation, this watershed is protected by a number of land use policies. As part of the Functional Master Plan for Preservation of Agriculture and Rural Open Space, most of the Upper Patuxent watershed was put in the Rural Density Transfer Zone, Rural Cluster Zone, and RE-2C Zone. The 1982 Damascus Master Plan reinforced this intent with the recommendation to cluster lower-density suburban development (the RE-2C Zone), stating, "*Open space uses, conservation areas and low-density residential development are preferred land uses in these drainage basins (Patuxent and Little Bennett).*"

This zoning pattern was intended to provide sufficient protection of water quality, but over time the reservoirs continued to be under stress and additional measures were needed. The Functional Master Plan for the Patuxent River Watershed (1993) established the Primary Management Area (PMA), an area 660-feet from tributary streams. The guidelines for development in the Plan state that when possible, development should be directed outside this area, and if not possible, no more than a 10% impervious level should be allowed in the PMA. This concern is why the Public Hearing Draft Master Plan recommends rezoning a large area of RE-2C in this watershed to the Rural Cluster Zone, reducing imperviousness potential; or to the RNC Zone allowing tighter clustering and reducing imperviousness farther away from the streams.

On a watershed scale, the proposal for increased development on the Burdette properties when combined with the completed Woodfield Road Extended and the proposed down-zoning within the Town Spring tributary subwatershed (RE-2C to RC) would bring the impervious level of this subwatershed to approximately 15%, slightly higher than the impervious 14.3% level anticipated under the buildout of the current zones and the 13.5% anticipated from the Public Hearing Draft Plan recommendation. If fully implemented, this change will also impact the larger secondary downstream subwatershed, raising its imperviousness to over 10%, threatening the excellent existing water quality downstream of this tributary.

In addition, this tributary of the Patuxent River mainstem is one of two in the County that have attracted the attention of the State. The Maryland Department of the Environment (MDE) issued a water quality regulation listing the tributary, along with Scott Branch and two segments of the mainstem of the Patuxent River, for Tier II listing. This level of protection is for streams of high water quality that should not be allowed to undergo significant decline in water quality.

A submitted development plan locates the housing almost exclusively on the west side of Woodfield Road Extended, although much of it is still in the Primary Management Area (PMA). This proposal also raises sewer service issues discussed in Attachment F. For these reasons, the staff recommends that the Plan include guidelines to require any proposed development to meet the 10% impervious guideline for areas in the PMA.

- B. Warfield Property: 78 acres
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| Existing Master Plan: | RE-2C | 31 DU |
| Public Hearing Draft: | RNC .4/TDR .75 (sewer) | 31 DU (4 MPDUs) or
58 DU (27 TDRs and 9 MPDUs) |
| Alternative Proposal: | RNC .4/TDR 1.0 (sewer) | 31 DU (4 MPDUs) or
95 DU (47 TDRs and 14 MPDUs) |

Rationale: Development of the Warfield property will create a new neighborhood just south of the Town Center. It is proposed as one of two TDR receiving sites in the Public Hearing Draft Plan. This alternative proposal allows an additional 37 dwelling units (through TDRs and MPDUs) and would not conflict with the overall vision for the community on this large site where over 50 acres would remain as open space.

Concerns: Under the RNC Zone proposed in the Housing/TDR proposal there will be an approximate site impervious level of 18% (vs. 9% in the Staff Draft Master Plan proposal), although subwatershed imperviousness would not increase substantially. It may also raise sewer service issues, discussed in Attachment F. For these reasons, the staff recommends that development be limited to the extent possible without the creation of a new pump station. If this proposal is selected, the Master Plan will include guidelines to protect environmental resources, and indicating that full density potential may not be possible due to environmental constraints.

- C. Kingstead/Leishear Property Group: 138 acres
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|-----------------------|--|---|
| Existing Master Plan: | RE-2C/10 acres | 4 DU |
| | RC/126 acres | 22 DU |
| | RDT/174 acres | 6 DU |
| Public Hearing Draft: | RNC. 21/TDR .56 (sewer)/136 acres | 28 DU (2 MPDUs) or
93 DU (49 TDRs and 12 MPDUs) |
| | RDT/174 acres - 1 existing DU/5 potential DU | (Historic site and parkland) |
| Alternative Proposal: | RNC .4/TDR 1.0 (sewer)/ 136 acres | 55 DU (8 MPDUs) or
168 DU (83 TDRs and 25 MPDUs) |
| | RDT/174 acres | 1 existing DU
(Historic site and parkland) |

Rationale: The Kingstead and Leishear properties located along Kings Valley Road, north of Kingstead Road are the only properties being considered for additional density in the Rural Transition Area. They were recommended as one of two TDR receiving sites in the Public Hearing Draft Plan, and a proposal for additional density was considered at Work Session No. 4. Although not located

in close proximity to the Town Center, two elements make some additional density at this location feasible and logical. First, they already have access to a sewer pump station. Second, Kings Valley Road gives them an alternate access route to connect to Ridge Road south of the Plan area, avoiding further congestion on Ridge Road.

The Housing/TDR alternative increases the TDR and MPDU potential. It also eliminates any further residential development potential on the RDT property and creates a strong rural edge. A proposed development plan creates two "village" type development areas providing housing options that save open space while retaining vistas to truly rural landscapes. The development plan indicates a mix of unit types including 5,000 to 8,000sf single-family lots, and 2,000sf townhouse lots. At this density, affordable housing is more likely to be part of the dwelling unit mix, and it increases the limited supply of the very popular small lot, single-family housing in Montgomery County.

Without the additional density, some development of large, estate lots will be likely on the RDT portion of the Kingstead Farm. With the modifications now proposed, there are advantages to a community of this type at this location. In addition, this development has the potential to offer other benefits to Montgomery County beyond additional housing and TDR potential. The proposal would also preserve the historic farmstead with its historic setting, place a large area along upper Little Bennett Creek and its associated wetlands in parkland (a designated Legacy Open Space area), and provide connections outlined in the Countywide Trails Plan.

Concerns: At full density potential, this proposal creates environmental concerns as it would nearly triple the Public Hearing Draft Plan impervious expectation for this site to at least 20%, and will require extending sewer along the route of Little Bennett Creek. This will conflict with longstanding policies that protect the Little Bennett Creek headwaters. If this proposal is selected, the Master Plan will identify the environmental concerns and provide guidelines that ensure that development will be constrained by the environmental features.

Little Bennett Creek is a Use III stream and the Kingstead/Leishear properties are located in the headwaters area of this sensitive stream system. This watershed has long been recognized as an important environmentally sensitive area. The *Functional Master Plan for the Preservation of Agriculture and Rural Open Space* identified this watershed as an Area of Critical State Concern and designated it as a conservation area. As a result, approximately 51% of the watershed is either existing or proposed parkland, and the Little Bennett Creek mainstem was shown as a conservation area all the way to the southern edge of the Damascus Master Plan boundary. With the exception of the edges of Damascus and Hyattstown, the entirety of the watershed in Montgomery County is in the Rural Density Transfer Zone. The Clarksburg Master Plan further underscored the uniqueness of this watershed by recommending the removal of an interchange along I-270 and further limiting development in Hyattstown.

Since the headwaters of Little Bennett Creek are located in Damascus, the Damascus Master Plan responded to the sensitivity of this watershed with low-density existing zoning designations in the 1982 Damascus Master Plan of RDT and Rural Cluster in the Little Bennett headwaters. Over 163 acres of existing and proposed parkland are located along the Little Bennett mainstem in Damascus including stream valleys, forests and extensive wetlands. In the Housing/TDR proposal, almost 80 acres of the Kingstead property in the RDT Zone are designated for park acquisition, adding to that protection. Although it must be acknowledged that fewer acres are likely to be contributed for parkland if the proposed density is not approved.

Headwaters are the principal source of watercourses, and often originate from springs, seeps or other wetlands. These tiny streams are vulnerable to the land use changes within their drainage basins because of their size and small dilution capacity, especially when the natural baseflow is overwhelmed by a much larger quantity of storm runoff. Degradation of a headwater area adversely affects the water quality and aquatic habitat of the immediate area; and it can also harm downstream reaches, especially if the effects occur near the top of the watershed. Headwaters that drain to the middle or bottom of a watershed are buffered to a certain extent by the greater baseflow of the stream's mainstem. For these reasons, headwaters near the top of the watershed should receive the highest degree of protection possible.

For these reasons, and the sewer service issues discussed in Attachment F, the staff recommends that if the Housing/TDR proposal is selected by the Planning Board, the Master Plan state that the Little Bennett stream valley not be disturbed by development at this location, and development be limited to the extent possible without damage to the stream valley.

D.	<u>Smart/Miner/Rice/Conway Property Group:</u>	51 acres
	Existing Master Plan:	RE-2C 20 DU
	Public Hearing Draft:	Smart/Miner RNC .4 (sewer) 6 DU Rice/Conway RE-2C 14 DU
	Alternative Proposal:	RNC .4/TDR 1.0 (sewer) 20 DU or 62 DU (31 TDRs and 9 MPDUs)

Rationale: The Smart/Miner properties were proposed for the RNC Zone in the Public Hearing Draft Plan. The Rice/Conway properties were proposed for additional density during Work Sessions No. 3 and 4. Assembly of these properties is now anticipated. The Smart/Miner properties would also be designed in conjunction with the Kings Valley property. The proposed development plan would create a pleasant neighborhood with three primary development areas, very close to the Town Center, within easy walking distance to schools, shopping, recreation, and services.

Concerns: These properties are the northern-most extreme of Little Bennett Creek, and when combined with the Kings Valley property, they include 30 acres of stream valley, 11 acres of wetlands, and 57 acres of forest. The centerpiece of these properties is a 12-acre forest that contains the stream valley and 5-acre wetland that forms the beginning of Little Bennett Creek. The staff believes this wetland area (at the approximate location where these properties meet) should be left undisturbed. The importance of headwater areas is discussed in the Kingstead/Leishear property section above. Development on these properties should use the ample open areas rather than disturbing forest, wetland, and stream valley buffers.

Increasing development on all sides of this forested stream valley also increases the potential for impacting the headwaters through forested lots, connector roads, sewer easements and safe conveyance of stormwater to the stream. Sewer service implications are of concern and discussed in Attachment F. If the Housing/TDR proposal is selected, the Master Plan will identify the environmental concerns and provide guidelines that ensure that development will be constrained by the environmental features. And because of the above issues, the following requirements should be included in the Plan:

- Extend the Little Bennett Stream Valley conservation park to include its headwater spring.
- Replace the existing easternmost headwater wetland to its pre-farmed size and condition utilizing existing soils and hydrology.
- Consolidate development areas to avoid the stream valley and require no stream crossings.
- Limit most development to open areas.
- Protect all critical natural resources through park dedication or conservation easements.
- Work with the electric power utility to relocate an existing powerline to a location outside the stream valley buffer and restore these areas to their natural condition.

E.	<u>Kings Valley Property:</u>	114 acres	
	Existing Master Plan:	RDT Zone	4 DU
	Public Hearing Draft:	RDT Zone	4 DU
	Alternative Proposal:	RNC .4/TDR .5 (sewer)	4 DU or 69 DU (53 TDRs and 10 MPDUs)

Rationale: This property was first discussed at Work Session No. 3, and given consideration again at Work Session No. 4. The proposal for alternative development on the Kings Valley property would be the first time that an RDT property has been proposed for a change to a higher density zone – as a TDR receiving site. This property is unique in its location in immediate proximity to the Town Center. It offers the opportunity to create a desirable TDR receiving site, and protect the remainder of the property from any further non-residential development.

Currently, four homes would be allowed on this 114-acre property. The proposal would allow 65 additional dwelling units through the use of TDRs and MPDUs, on approximately 21 acres of the property. This would entail the use of any existing TDRs attached to the property (up to 22) and additional TDRs for full potential. The remaining 90+ acres would have all non-residential building rights removed, and be protected for agriculture or open space use.

Concerns: The proposal sets a precedent for rezoning RDT property for residential use, although the location makes this a unique situation. The actual development potential is dependent on the developer's interest in securing the TDRs. And the potential for non-agricultural uses on the open space portion will need to be eliminated, as the intent of this proposal is to secure the area for agricultural or open space uses.

As noted previously, when combined with the Smart/Rice property group, these properties include 30 acres of stream valley, 11 acres of wetlands, and 57 acres of forest. The centerpiece of these properties is a 12-acre forest at the approximate place the properties meet. This forest contains the stream valley and 5-acre wetland that forms the beginning of Little Bennett Creek. The staff believes that this area must be left undisturbed. Development of this property should be planned to use the ample open areas and protect forests, wetlands, and stream valley buffers. Implications for sewer service are discussed in Attachment F. For these reasons, the staff recommends the use of the development guidelines noted for the Smart/Miner Property Group above for the Kings Valley property.

F.	<u>Casey/Lewis Property Group:</u>	50 acres
	Existing Master Plan:	RE-2C 20 DU
	Public Hearing Draft:	RE-2C 20 DU
	Alternative Proposal:	RNC .04/TDR 1.0 (sewer) 20 DU-61 DU (30 TDRs and 9 MPDUs)
	Developer Request:	R-200 100 DU

Rationale: This property was not proposed for additional density in the Public Hearing Draft Plan due primarily to environmental concerns, especially the topography of the properties. The staff was requested to present a proposal for additional density on these properties. The proposal now includes six properties comprising approximately 50 acres that would have two building areas with

separate access. In addition to the building area accessing Bethesda Church Road, it now incorporates another building area along Lewis Drive. The two areas are separated by a stream in a steep ravine that is a headwater of Bennett Creek.

Most of this site is not appropriate for development due to the slopes that are associated with the wide stream valley. Development should be limited to the less topographically challenged areas along the ridgelines of Bethesda Church Road and Lewis Drive.

The building area on Lewis Drive incorporates a large relatively level area, currently used as an occasional parking lot for community functions. The Bethesda Church Road area has a much smaller level area with better access. If approximately 25 DUs were built in that area, and the remaining 36 DUs at the Lewis Drive site, the site environmental impact would be limited.

The original Casey property, which included the ridge that is now Lewis Drive, was a farm on the outskirts of Damascus. Lewis Drive began to develop along the ridgeline with homes and other public uses and the surrounding slopes remained in agriculture. Agriculture gradually ceased and by the 1990's, the Casey property was completely reforested. The Lewis property on the south side of the stream has been forested since the 1950's.

The 50-acre group of properties now known as Casey has 33 acres of significant forest, including five acres of interior forest. There are 14 acres of sensitive areas within the stream valley including seeps, springs, wetlands, and extremely steep slopes. Outside the sensitive areas, are 14-20% slopes. The relatively flat areas are limited to the stream floodplain and the areas close to the Lewis Drive and Bethesda Church Road ridgelines. There are 1,300-feet of power lines located on or adjacent to the western edge of the property.

A Use I headwater stream of Bennett Creek watershed with good water quality and habitat conditions bisects this property. The Legacy Open Space program has identified this property as part of the Bennett Creek Headwaters, a unique area of the county where practically the entire headwater stream valley is forested and relatively undisturbed by development.

Concerns: While these properties are close to the Town Center, the topography limits development potential. If density is limited and development area is limited to the level areas through use of the RNC Zone, the steep slopes behind Bethesda Church Road and Lewis Drive would meet environmental guidelines. Major development on Lewis Drive would cause congestion concerns, as this is a long dead-end street with access only to Ridge Road in the Town Center, a very busy intersection during peak commuter times. Sewer service issues are discussed in Attachment F. For these reasons, the staff recommends that no disturbance of the Bennett Creek stream valley be allowed for this development on slopes that exceed 15%.

Developer Request: Mr. Casey requests the R-200 Zone allowing up to 100 dwelling units. The staff does not support the use of the request. Mr. Casey's proposal indicates 54 townhouses on the property fronting on Bethesda Church Road, and on the property fronting on Lewis Drive. It indicates 8 single-family homes and 38 townhouses. The staff considers this proposal to be problematic from transportation, land use, and environmental perspectives. The R-200 proposal would change the character of Lewis Drive, which is currently characterized by small, single-family homes and a community institutional use, and it would face traffic concerns.

Development at this density would entail building on the steep slopes that characterize both these sites. The proposal to build on these slopes is contrary to all prior policy for Damascus. The 1982 Damascus Master Plan states, *"Approval should not be given to a subdivision where paved surfaces, structures or septic fields are likely to be located on slopes in the range of 15-25% . . . such areas should be included in the open space required by the zoning. Where such open space is not available, lots should be designed to provide a buildable area which does not intrude on the 15-25% slopes."*

The R-200 proposal would cause the loss of about 15 acres of forest, and all of the significant and interior forest. This latter loss is primarily due to the need for a pump station located within the stream valley. The pump station, pressure sewer connection to the existing gravity lines, stormwater management facility discharges, and connections to the development pods will fragment the forest, creating a loss in forest acres as well as decreased ecological value for the remaining forest.

Development should take place only in the areas that are relatively flat, and the townhouse development to the extent requested by the developer would require significant re-shaping of the landscape in order to make it buildable. Stormwater management for this intensity of development is problematic on steep slopes and it is likely that additional forest would have to be removed in order to accommodate the required facilities. This has occurred with recent townhouse development in Damascus on forested slopes that are less steep than this site. For all these reasons, the staff strongly opposes this proposal.

G.	<u>Souder Property Group:</u>	3.7 acres with 5 properties
	Existing Master Plan:	RE-2C 4 existing DU + 1 vacant lot
	Public Hearing Draft:	RE-2C 4 existing +1 vacant lot
	Alternative Proposal:	R-90 14 DU (sewer)

Rationale: As a result of Planning Board discussions at Work Sessions No. 3 and 4, these five small properties located on the edge of the Town Center are proposed for up to 14 dwellings, 10 more than the current RE-2C Zone would allow. This is the only property with development potential proposed for additional density without the use of TDRs. The staff supports the modification because of the location at the edge of the Town Center.

Concerns: This proposed density would require assembly of the existing properties, and replacement of the existing homes. Although this assembly is not likely to happen soon, during the life of the Master Plan this level of additional density would be appropriate at this location.

H.	<u>Stanley/Leishear/Day Property Group</u>	27 acres on 3 properties
	Existing Master Plan:	RE-2C 10 DU
	Public Hearing Draft:	RE-2C 10 DU
	Alternative Proposal:	RNC .4/TDR 1.0 (sewer) 10 DU or 32 DU (17 TDRs and 5 MPDUs)
	Developer Request:	R-200 54 DU

Rationale: Consistent with the other proposals, this development would allow additional density only through the use of TDRs. It would also require a new pump station. The location is very convenient to the Town Center, and would provide additional single-family housing.

Concerns: There are no significant concerns with this property proposal if creativity is used in the design of the development. It cannot be built using standard suburban design and unit types. If the alternative option is selected, the Master Plan will include language discussing the environmental concerns and development guidelines to address the environmental constraints. Sewer service issues are discussed in Attachment F.

This group of properties is located in a headwater area of the Bennett Creek watershed, a Use I stream with good water quality and habitat conditions. There are approximately 16 acres of forest on the site with two stream valleys. The stream valleys together with wetlands and adjacent steep slopes total over 12 acres of environmental buffers on site. The Legacy Open Space program has identified the forested stream valleys of these properties as part of the Bennett Creek Headwaters, a unique area in the county where practically the entire headwater stream valley is forested and relatively undisturbed by development.

The proposed development of 32 units may require the loss of about 3 acres of forest in order to access Ridge Road and the impervious level could reach 18%. The proposed RNC Zone will allow protection of the stream valley and Legacy Open Space by clustering the development on the high, open land, close to Ridge Road. This will have the dual benefit of maximizing the open space and preserving sensitive natural areas.

Developer Request: The developer is requesting R-200 up to 38 lots, which would require a cluster design in the R-200 Zone rather than the RNC Zone, citing inability to meet open space requirements. The staff does not support this request. The developer can meet the open space requirements of the RNC Zone with more creative use of lot sizes and dwelling unit types.