



Cabin John Village, Preliminary Plan No. 120180120

RS

Ryan Sigworth AICP, Senior Planner, Area 3, Ryan.Sigworth@Montgomeryplanning.org 301-495-2112

SP

Sandra Pereira, Supervisor, Area 3, Sandra.Pereira@Montgomeryplanning.org 301-495-2186

RAW

Richard Weaver, Chief, Area 3, Richard.Weaver@Montgomeryplanning.org 301-495-4544

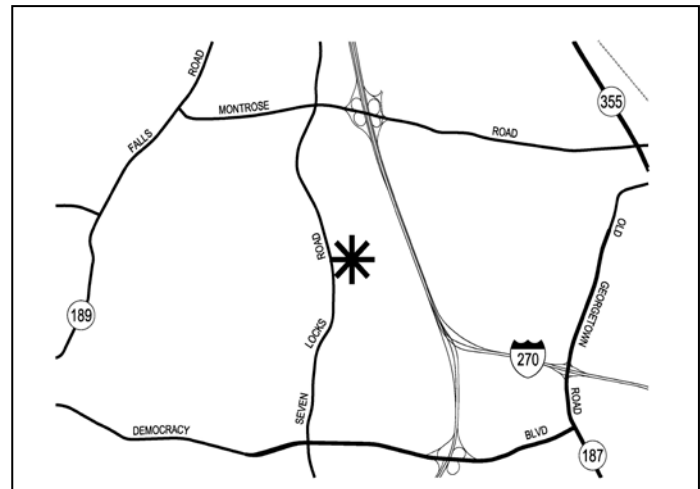
Completed: 9/21/18

Description

Cabin John Village, Preliminary Plan No. 120180120:

Request to subdivide the Subject Property into fifty-nine (59) lots for 59 townhouses and two (2) platted parcels for 300,000 square feet of retail/office uses (240,915 sq. ft. already existing) and, one parcel for forest conservation/stormwater management, and three (3) parcels for private streets from three (3) platted parcels and one (1) unplatted parcel; located on the northeast corner of Seven Locks Road and Tuckerman Lane, 25.32 acres, CRT-0.75, C-0.5, R-0.25, H-35 and R-90 Zone, 2002 Potomac Master Plan.

Staff Recommendation: *Approval with conditions*



Applicant: Cabin John (EDENS), LLC

Accepted Date: February 20, 2018

Review Basis: Chapter 50, 22A, 19

Summary

- Staff recommends **Approval with conditions**
- Redevelopment of this property is constrained by existing commercial leases, existing topography, and contaminated soils resulting from the existing gas station and a former dry cleaner.
- Project to be constructed in three phases while the commercial center continues to operate.
- Phase I Site Plan No. 820190020 is currently under review.
- Meets requirements of Chapter 22A, Forest Conservation Law.
- Staff supports request to approve a 10 year of Adequate Public Facilities validity period and Preliminary Plan validity of 9 years.
- Substantially conforms to the 2002 Potomac Subregion Master Plan.
- Historical data has referenced a potential unmarked cemetery in the vicinity of the Property. The Applicant has provided a cemetery assessment, and although not entirely dispositive, the assessment indicates there is no evidence of a cemetery on the Property.
- Staff has received ten letters of interest regarding this Application and met with local residents on multiple occasions.

SECTION 1 – EXECUTIVE SUMMARY

The current preliminary plan and forthcoming site plans will deliver a renovated and more walkable shopping center with a new residential component while retaining the small amount of existing office uses and expanding commercial retail, add new public and common open spaces, structured parking, renovation of the existing structures, and enhancing connections to the Cabin John Regional Park. The preliminary plan application proposes to subdivide the property into 59 residential lots for townhouses including 12.5% MPDUs. It retains two larger lots for commercial uses to encompass the existing buildings as well as approximately 60,000 square feet of additional square footage (approximately 18,000 square feet to be demolished).

The Applicant intends to keep the shopping center in operation during the construction timeline, which is expected to take at least 10 years to complete. As such, the project will be done in three phases, which will limit construction to specific areas at a given time and helps the Applicant work around long-term leases held by tenants on the property. Phase 1, which is currently under review by Staff with Site Plan No. 820190020, encompasses the 48 townhouses and 45,000 square feet (18,255 square feet to be demolished) of new commercial square footage. Phase 2 includes 32,000 square feet of commercial uses, and Phase 3 includes 11 townhouses and 3,000 of new commercial uses. The timing and sequencing of futures phases is dependent upon market conditions and it has not been finalized yet.

Given the long-term nature of the project and in response to community input on current conditions, the Applicant intends to make interim improvements to the existing parking lot in front of the Giant/CVS and existing building facades to comply with ADA requirements, improve functionality and enhance the aesthetics of the shopping center. These interim improvements are not subject to review as part of this Preliminary Plan, and they are located outside the boundaries of the Phase I Site Plan No. 820190020, which is currently under review. As part of the phased renovations, two additional retail pad sites with food establishments were recently constructed at the corner of Seven Locks Road and Tuckerman Lane, per administrative Subdivision Plan No. 620170050 approved on October 6, 2017.

The property is split zoned with CRT-0.75, C-0.5, R-0.25, H-35 covering the shopping center and a relatively small portion of R-90 zoning covering a forested area and stormwater management facility in the northeast corner.

The property has environmental constraints stemming from contamination created by the existing on-site gas station and a previous drycleaner on the property. This environmental contamination creates limitations on where residential uses can be located without the need for soil remediation. The property has environmental resources, including a tributary stream, wetlands, and forest, which are generally located in the northeast corner of the property.

Historical references indicate the possibility of an unmarked African American cemetery somewhere in the vicinity of the Property but not necessarily within the property boundary. A cemetery assessment is included in this Staff Report.

The property is currently served by public water and sewer. All new structures will also be served by public utilities. As part of the redevelopment of this project, the stormwater management facilities, originally designed in the 1950s, will be upgraded to meet current stormwater standards.

Staff recommends approval of the both the Preliminary Plan and associated Forest Conservation Plan.

SECTION 2 - RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN NO. 120180120: Staff recommends approval of the Preliminary Plan subject to the following conditions:

1. This Application is limited to fifty-nine (59) lots for attached single family houses (townhouses) including a minimum of 12.5% MPDUs, two (2) lots for up to 300,000 square feet of commercial/retail uses, one (1) parcel for stormwater management/forest conservation, and three (3) parcels for private roads.
2. The Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan No. 120180120, approved as part of this Preliminary Plan:
 - a. Prior to Certification of the Preliminary Plan, the Applicant must revise the Preliminary Forest Conservation Plan to correct the forest retention and Category I Conservation Easement acreage labels so that they are consistent.
 - b. Prior to Certification of the Site Plan, the Applicant must obtain M-NCPPC approval of a Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan.
 - c. The Final Forest Conservation Plan associated with the Site Plan No. 820190020 must include a report from an International Society of Arboriculture (ISA) certified arborist and Maryland Licensed Tree Expert (LTE) with a minimum of 10 years of experience. The report must include an evaluation and recommendations for tree protection measures including necessary methods and details to appropriately protect the trees along the proposed limits of disturbance and edge of the forest retention area in the northeastern corner of the Property. The report will also address invasive species management and provide any necessary recommendations. The purpose of the evaluation is to minimize the stress to the trees along the proposed forest edge during and after construction, and to maintain and enhance the forest that will now include a natural surface path system connecting to the adjacent Cabin John Regional Park.
 - d. For five years after the start of forest clearing in the northeastern corner of the Subject Property, the Applicant must maintain the new forest edge in direct consultation with the M-NCPPC forest conservation inspector. This will include necessary pruning, removal of dead, dying or hazardous limbs and trees, removal of invasive species per the *Best Management Practices for Control of Non-Native Invasives* (Department of Parks, Montgomery County, January 2015), and replanting of a maximum of thirty (30), 3-inch caliper native trees under the direction of the M-NCPPC forest conservation inspector to maintain a healthy, intact, and continuous forest edge. The M-NCPPC forest conservation inspector has the authority to allow smaller caliper trees to be planted if appropriate to protect the root zones of surrounding trees.
 - e. The Applicant must locate the proposed natural surface trail to minimize impacts to trees and their roots, in direct consultation with the M-NCPPC forest conservation inspector.
 - f. Prior to record plat, the Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting, and stream valley buffers, as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded among the Montgomery County Land Records by deed prior to the start of any demolition, clearing or grading on the Subject Property. The Liber Folio of the Category I Conservation Easement must be referenced on the record plat(s).

- g. Prior to any clearing, grading, or demolition on the Subject Property, the Applicant must provide financial surety to guarantee the forest planting on the Subject Property, as specified on the approved Final Forest Conservation Plan, in a form acceptable to the M-NCPPC Office of the General Counsel.
 - h. Prior to any clearing, grading or demolition on the Subject Property, the Applicant must submit a Maintenance and Management Agreement to Staff for the required forest planting on the Subject Property as shown on the approved Final Forest Conservation Plan. The Agreement must be in a form approved by the M-NCPPC Office of the General Counsel.
 - i. The Final Sediment and Erosion Control Plan must be consistent with the final limits of disturbance shown on the approved Final Forest Conservation Plan.
 - j. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the approved Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
 - k. The Applicant must install permanent conservation easement signage along the perimeter of the Category I Conservation Easement. Signs must be installed a maximum of 100 feet apart with additional signs installed where the easement changes direction, or at the discretion of the M-NCPPC forest conservation inspector. The M-NCPPC forest conservation inspector is authorized to determine the timing of sign installation.
3. Prior to the submittal of a site plan application for Phase III, as shown on the phasing plan in this Preliminary Plan, the Applicant must submit an amendment to the *Cabin John Shopping Center Phase I Transportation Noise Analysis* report dated April 27, 2018 to include an analysis and recommendations for the proposed residential homes in the northwest portion of the Property, utilizing the *Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development*.
 4. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated September 21, 2018, except Condition No. 11 (Bikeshare), Condition No. 12 (TMAg), Condition No. 13 (Real Time Transit Information) and hereby incorporates the remaining conditions as part of the Preliminary Plan approval. The Applicant must comply with each of the remaining 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.
 5. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated July 23, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.
 6. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated June 21, 2018, 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.

7. The Applicant must dedicate and show on the record plat(s) the following dedications:
 - a. Up to 7 feet from the existing property line on Tuckerman Lane where the Applicant and opposite property owners have already dedicated the Master Plan required dedication of 80 feet east of Angus Place and 100 feet west of Angus Place. Final dedication will be determined in coordination with MCDOT and Planning Staff prior to record plat. In addition, where needed at the intersection of Tuckerman Lane and the access drive on Tuckerman Lane (at Angus Drive), any additional right-of-way dedication needed to accommodate the sidepath and sidewalk frontage upgrades required of this project should be dedicated in a Public Improvement Easement (PIE) to be shown on the Certified Preliminary Plan.
 - b. Up to 11 feet from the existing property line on Seven Locks Road where the Applicant and opposite property owners have already dedicated the Master Plan required dedication of 80 feet. Final dedication will be determined in coordination with the Montgomery Department of Permitting Services and M-NCPPC Staff prior to the record plat. This additional dedication is to accommodate the necessary right-of-way requirements for the Seven Locks Bikeway & Safety Improvements project (CIP 501303).
8. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
9. The Applicant must construct the following frontage improvements along Tuckerman Lane:
 - a. A 5.5-foot-wide westbound bike lane between Seven Locks Road and the entrance to the Cabin John Regional Park Picnic Area parking lot on the north side of Tuckerman Lane, approximately 450 feet east of the southeast corner of the Subject Property.
 - b. A 10-foot wide sidepath with 2-foot wide buffer between the curb and the sidepath between Seven Locks Road and Angus Place.
 - c. A 5-foot wide sidewalk with minimum 5-foot wide tree panel, except where there are utility poles, between Angus Place and the entrance to the Cabin John Regional Park Picnic Area parking lot on the north side of Tuckerman Lane, approximately 450 feet east of the southeast corner of the Subject Property.
 - d. Prior to certification of Site Plan No. 820190020, the Applicant must finalize the design for the currently proposed sidewalk/path at Angus Place to bring bikes and pedestrians closer to the intersection.
10. The Applicant must include a structured parking facility in the construction of Building C-1 and/or C-2, as shown on the Preliminary Plan.
11. If the Applicant encounters a funerary object or human remains at any time prior to issuance of the Use and Occupancy Certificate of any commercial or residential structure, the Applicant must immediately contact law enforcement to determine whether the remains are associated with a crime scene and contact the Historic Preservation Section of the Montgomery County Planning Department.
12. Record plat must show all necessary easements, including a public access easement on Lot 41 where the sidewalk overlaps the lot boundary.
13. The record plat must reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.

14. The record plat must reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). The Applicant must provide verification to Staff prior to release of the final building permit that the Applicant's recorded HOA Documents incorporate the Covenant by reference.
15. Applicant must replace the existing one westbound (outbound) lane on Coddle Harbor Lane at Seven Locks Road with two westbound lanes (one left lane and one right turn lane) to mitigate for the intersection congestion delay which exceeds the Potomac Policy Area standard.
16. The Applicant must provide private road(s) on Coddle Harbor Lane and Private Road "A", including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:
 - a. The record plat must show the Private Road in a separate parcel(s). The record plat must clearly delineate the Private Road and include a metes and bounds description of the boundaries of the Private Road.
 - b. The Private Road must be referenced on the plat and subject to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
 - c. Prior to issuance of building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications as shown on the Preliminary Plan or as required by the Montgomery County Road Code, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal subject to any approved modifications. Coddle Harbor Lane must be built to the structural standards of a Primary Residential Street (MC-2003.11) and Private Road 'A' must be built or upgraded to the structural standards of a Tertiary Residential Street (MC-2001.02) according to Montgomery County Design Standards.
17. The Applicant must provide Private Alleys 'A' through 'D', including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems, and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated area (collectively, the "Private Alleys"), subject to the following conditions:
 - a. The Private Alleys must be shown on their own parcels on the record plat and built to the structural standards of a public tertiary road standard (MC-2001.01) or residential alley (MC-200.01) as required by the Montgomery County Road Code, with the exception of Private Alley 'A' which must be built to the structural standards of a commercial alley (MC-

201.01). Prior to issuance of building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Alleys have been designed and the applicable permits will provide for construction in accordance with the structural standards noted above and the cross-section specifications included on the plans.

- b. The record plat must reflect common ingress/egress and utility easements over all alleys.
18. Prior to approval of Site Plan No. 820190020, the Applicant must demonstrate acceptable traffic mitigation alternatives as required by the Master Plan. These traffic mitigation alternatives must be addressed through an agreement between the Applicant and appropriate agencies as determined by Staff.
 19. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for one hundred and twenty (120) months from the date of mailing of the Planning Board resolution.
 20. The Preliminary Plan Validity will remain valid for up to 108 months (9 years) from the date of mailing of the Resolution. The Applicant must record plats for at least 48 residential lots, three private road parcels, one stormwater management parcel, and one commercial lot in the first 36 months (3 years) from the date of the Resolution, an additional one commercial lot within the 72 months (6 years) from the date of the Resolution, and must complete record plats for 11 residential lots and rerecord one commercial lot within 108 months (9 years) from the date of the Resolution.
 21. Prior to recordation of any plat, Site Plan No. 820190020 must be certified by M-NCPPC Staff.
 22. The final number of MPDU's to be determined at site plan.
 23. Final approval of the size and location of building and open space amenities will be determined at site plan.
 24. The Certified Preliminary Plan must contain the following note:

“Unless specifically noted on this plan set 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 approval of a Site Plan. 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.”
 25. Certified Preliminary Plan

Prior to approval of the Certified Preliminary Plan, the following revisions must be made and/or information provided subject to M-NCPPC Staff review and approval:

 - a. Applicant must remove reference to ‘Alley E’ on sheets 003 and 004.
 - b. Applicant must note on sheet 004 which pavement section applies to which cross section.

SECTION 2 – SITE LOCATION & DESCRIPTION

Site Location

The property is described on Plat No. 11341, Plat No. No. 12383, Plat No. 25344 (Attachment 6), and Liber 53660 Folio 431 (“Subject Property” or “Property”). The Subject Property is located on the northeast corner of Tuckerman Lane and Seven Locks Road, approximately a half mile west of I-270. It is about a mile north of Westfield Montgomery Mall; a mile south of Park Potomac and the Rockville City limits; and approximately a mile east from Herbert Hoover Middle School and Winston Churchill High School (Figure 1). The Property abuts the Cabin John Regional Park to the east. The Subject Property has multiple natural surface (users choice) trails which connect the Property to the Cabin John Park and the Inverness subdivision directly to the north. The Brookdale Potomac assisted living facility is located to the south directly across Tuckerman Lane in the R-90 zone. Properties to the north, west, southwest, and south are dominated by townhouses in the RT-15 and R-90 zones with some single family detached housing as well.

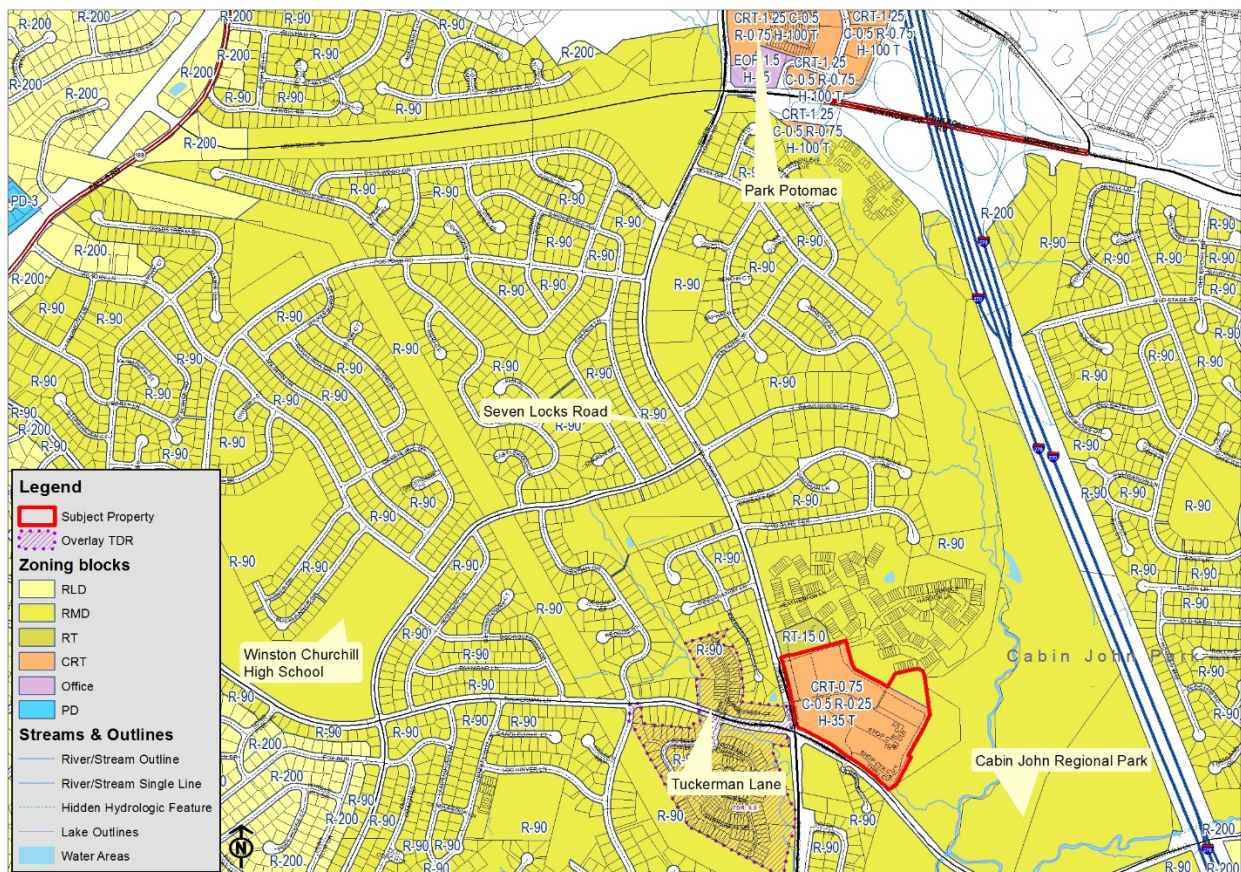


Figure 1– Vicinity

Subdivision/Lotting Background

In May 1967, Parcel A was recorded; it included approximately 607,228 square feet (± 13.94 acres). A portion of Parcel A, totaling approximately 27,878 square feet (± 0.64 acres), was subsequently incorporated into adjacent Parcel C of the Seven Locks Plaza Subdivision, as shown on Plat No. 11341, recorded in the Montgomery County Land Records. The reduced Parcel A, totaling approximately 500,069 square feet (11.48 acres), was later subdivided by a deed recorded in the Land Records at Liber 3813 in Folio 733 on December 2, 1968, which created Parcel N240. The remaining part of Parcel A, now identified

as Parcel N266, is 79,712 square feet (±1.83 acres). An additional 8,712 square feet (±0.2 acres) was dedicated from Parcel A for Tuckerman Road (Attachment 8). The 2014 Countywide District Map Amendment comprehensively rezoned the Property from the RMX-2C Zone (Residential Mixed-Use Development, Specialty Center, Commercial Base) to the existing CRT Zone while retaining a small portion of R-90 zoning is the northeast corner of the Property.

Site Description

The Property is currently improved with a shopping center with a total of 240,915 square feet of commercial uses originally developed in the 1950s-1960s. Construction is currently underway on an additional 9,997 square feet of commercial uses near the front corner of the Property at Tuckerman Lane and Seven Locks Road. The portion of the Subject Property which encompasses the entire shopping center is zoned CRT-0.75, C-0.5, R-0.25, H-35. In the northeast corner of the Property is a forested area and stormwater management facility which is zoned R-90. The Subject Property contains 1,229 parking spaces. Some of the major tenants include: Giant (grocery store), CVS, SunTrust Bank, Starbucks, and PNC Bank. The Subject Property also includes a forested area in the northeast corner which contains a large stormwater management facility and forest. The Property has a signalized access point on Tuckerman Lane at the mid-point of the Tuckerman frontage, opposite Angus Place. The Property has two, non-signalized access points on Seven Locks Road. One access point at the mid-point of the Seven Locks Road frontage is a unsignalized driveway access. At the northern end of the Subject Property is another unsignalized access point known as Coddle Harbor Lane. Coddle Harbor Lane acts as a private street which provide access to not only the Cabin John Shopping Center but also to over 200 housing units abutting the Property.

The Subject Property also has environmental contamination issues. Due to the existing gas station on existing Parcel C (Plat No. 11341, Attachment 6), soil contamination has occurred which is regulated by the Oil Control Program with the Maryland Department of Environment (MDE). In addition, a previous drycleaner on existing Parcel D (Plat 25334, Attachment 6) created additional soil contamination which MDE has issued a *No Further Requirements Determination* on in 2005 which restricts residential land uses. These environmental constraints limit where the Application can support residential development.

Cemetery Assessment

Historical references¹ indicate the possibility of an unmarked African American cemetery somewhere in the vicinity of the Property. Although not required by code, the Applicant has conducted a cemetery assessment of the Property. The assessment indicates that no historical or cultural features are identified in any deeds associated with the Property. A summary of the vicinity's history and the Applicant's cemetery assessment are attached to this report as Attachment 15. Given the Property's history, Staff recommends a condition of approval requiring the Applicant to notify the Planning Department's, Historic Preservation office if any human remains or funerary objects are discovered, which are not associated with a crime scene as determined by law enforcement. This will allow the historic preservation staff to catalogue the location of the remains and consider whether the site is appropriate for listing in the County's Cemetery Inventory. The Applicant will also be required to comply with all applicable laws governing the disturbance of human remains, including but not limited to Md. Code, Criminal Law Article, Title 10, Subtitle 4 – Crimes Relating to Human Remains.²

¹ Information is from the 12/1/2005 recollection of a Mr. Snowden, a funeral director in the area

² See Attachment 15 for historical preservation background



Figure 2 - Aerial

Site Analysis

The Subject Property is 25.32 acres and is made up three (3) platted parcels and one (1) unplatted parcel (Figure 1 & 2). The Property is located within the Cabin John Creek watershed, classified by the State of Maryland as Use Class I-P waters. There are approximately 1.86 acres of forest on the Property as well as numerous large trees, including specimen trees. The remainder of the Property consists of a developed shopping center with associated surface parking and a stormwater management pond. The Property generally slopes upward from Tuckerman Lane approximately 25-30 feet in elevation as the gradient moves northward. From the Subject Property's eastern boundary, the land drops off considerably down to the Cabin John Regional Park.

SECTION 3 – APPLICATIONS AND PROPOSAL

Previous Approvals

Administrative Subdivision Plan No. 620170050 was approved to create Parcel 'D' by consolidating parts of platted parcels into one lot of approximately 13.10 acres in size to develop two retail pad sites (Attachment 8). The Administrative Subdivision included approval of a Final Forest Conservation Plan for the 13.10 acres; therefore, this area was deducted from the Forest Conservation Plan for this Application. The Final Forest Conservation Plan for the Administrative Subdivision included retention of 0.03 acres of forest existing within that portion of the Property, and a forest planting requirement of 1.93 acres to be satisfied at an off-site location.

Current Application

Preliminary Plan 120180120

The plan, designated as Preliminary Plan No. 120180120, Cabin John Village (“Preliminary Plan” or “Application”), proposes to subdivide from three (3) platted parcels and one (1) unplatted parcel in order to create 59 lots for 59 attached single family units (townhouses) and two lots for 300,000 square feet of commercial/retail uses in the CRT-0.75, C-0.5, R-0.25, H-35 zone. The Application lays the groundwork for the Applicant to transform this aging shopping center into a more walkable mixed-use shopping center with a residential component. The shopping center currently contains approximately 240,000 square feet of commercial uses. This Application proposes to add approximately 60,000 additional square feet of commercial uses (includes 18,255 square feet of demolition). Public water and sewer will serve all lots associated with the Application. The Application is already in compliance with the right-of-way requirements for both Seven Locks Road and Tuckerman Lane according to the *2002 Potomac Subregion Master Plan*. The Application is proposing to dedicate up to an additional 7 feet on Tuckerman Lane to ensure that the pedestrian and bicycle frontage upgrades are within the future right-of-way. All internal streets, parking areas, and driveways will be private including Coddle Harbor Lane. Coddle Harbor Lane is proposed to be reconstructed and placed in a private street parcel from Seven Locks Road to the existing townhouse community adjacent to this Application.

The Application proposes frontage improvements along Tuckerman Lane to provide bike and pedestrian infrastructure consistent with the Draft 2018 Bicycle Master Plan. Furthermore, the Application proposes to extend frontage improvements beyond the Subject Property frontage in conformance with Section 50.4.3.E.5.b which allows for off-site sidewalks and bikeways to connect to a public facility, such as a park, for residents or uses of a development. The Applicant will extend a 5-foot sidewalk and extend a 5.5-foot bike lane, which will connect to the bike lane as part of the frontage improvements along the Subject Property, down to the parking lot entrance of Cabin John Park on Tuckerman Lane.

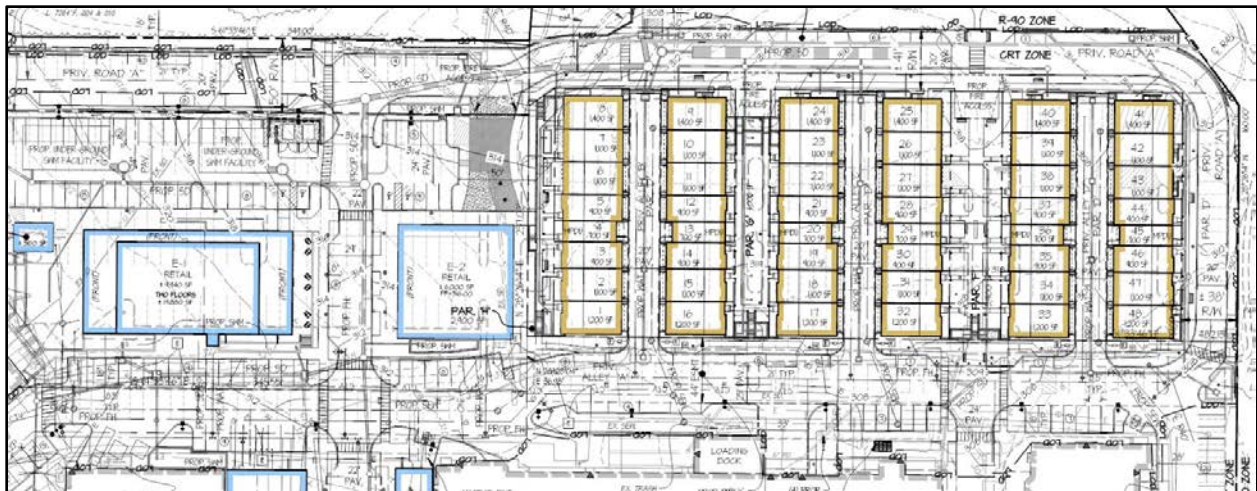


Figure 3 – Preliminary Plan, Townhouse and Retail Section (blue outlines are new commercial buildings and yellow are new townhouses, grey is existing structures)

Given that the project will be phased over 10 years, and in response to community input regarding current conditions, the Applicant intends to make interim improvements to the existing parking lot in front of Giant/CVS and existing building facades. The parking lot will be improved in order to comply with ADA accessibility requirements, and upgrade the existing lighting, landscaping, and parking space widths. The Applicant will add landscape islands to add tree canopy coverage in this parking area. Additionally, the facades of the existing buildings will also be updated and enhanced to create a more attractive and modern look for the center that will be consistent with the architecture and design of the proposed new buildings. These interim improvements are not subject to review as part of this Preliminary Plan, and they are located outside the boundaries of the Phase I Site Plan No. 820190020, which is currently under review.

SECTION 4 – ANALYSIS AND FINDINGS - Preliminary Plan No. 120180120

1. The Preliminary Plan substantially conforms to the Master Plan

The Preliminary Plan substantially conforms with the recommendations of the *2002 Potomac Subregion Master Plan*. The Master Plan specifically identifies the Subject Property and makes specific recommendations starting on Page 43. However, it should be understood that the Master Plan envisioned the Subject Property to be completely razed to achieve the Master Plan vision. The Application proposes to retain all but 18,255 square feet of the existing buildings and strives to substantially conform to the Master by adapting the Subject Property and its existing buildings to meet the Master Plan vision.

At the time the Master Plan was approved, optional method development in the RMX zones was explicitly identified as an appropriate tool for mixed use development. Because the optional method language in the old zoning code explicitly allowed increases in uses and densities if they were in accord with “density, numerical limitations and other guidelines” in the applicable master plan, the optional method was deemed the most suitable way to achieve the Master Plan’s recommendations. It also reflects an effort to increase the ability of the Master Plan to control development on this site, in response to concerns from local residents. The optional method also enabled the provision of townhouses, which would not have been allowed under the standard method.

The optional method specification was intended to be used to facilitate the total number of units (135) proposed in the Master Plan and the mix (75 units of elderly housing and 60 units of townhouses and housing over retail). The Master Plan’s guidelines also specified building heights, townhouse location along Coddle Harbor Lane, removal of the gas station, and provision of structured parking. The Master Plan’s assumption was that subsequent site plan review would offer the opportunity to achieve development that followed its recommendations.

Establishment of the CR family of zones in the 2014 Zoning Ordinance allowed mixed use development while providing more defined development standards. Site plan review for a broader array of development projects provides the opportunity for detailed review of standard method as well as optional method projects. Since the Master Plan’s mixed-use development goals can be achieved in standard method projects, the Master Plan’s requirement for optional method development when housing is proposed can be considered obsolete.

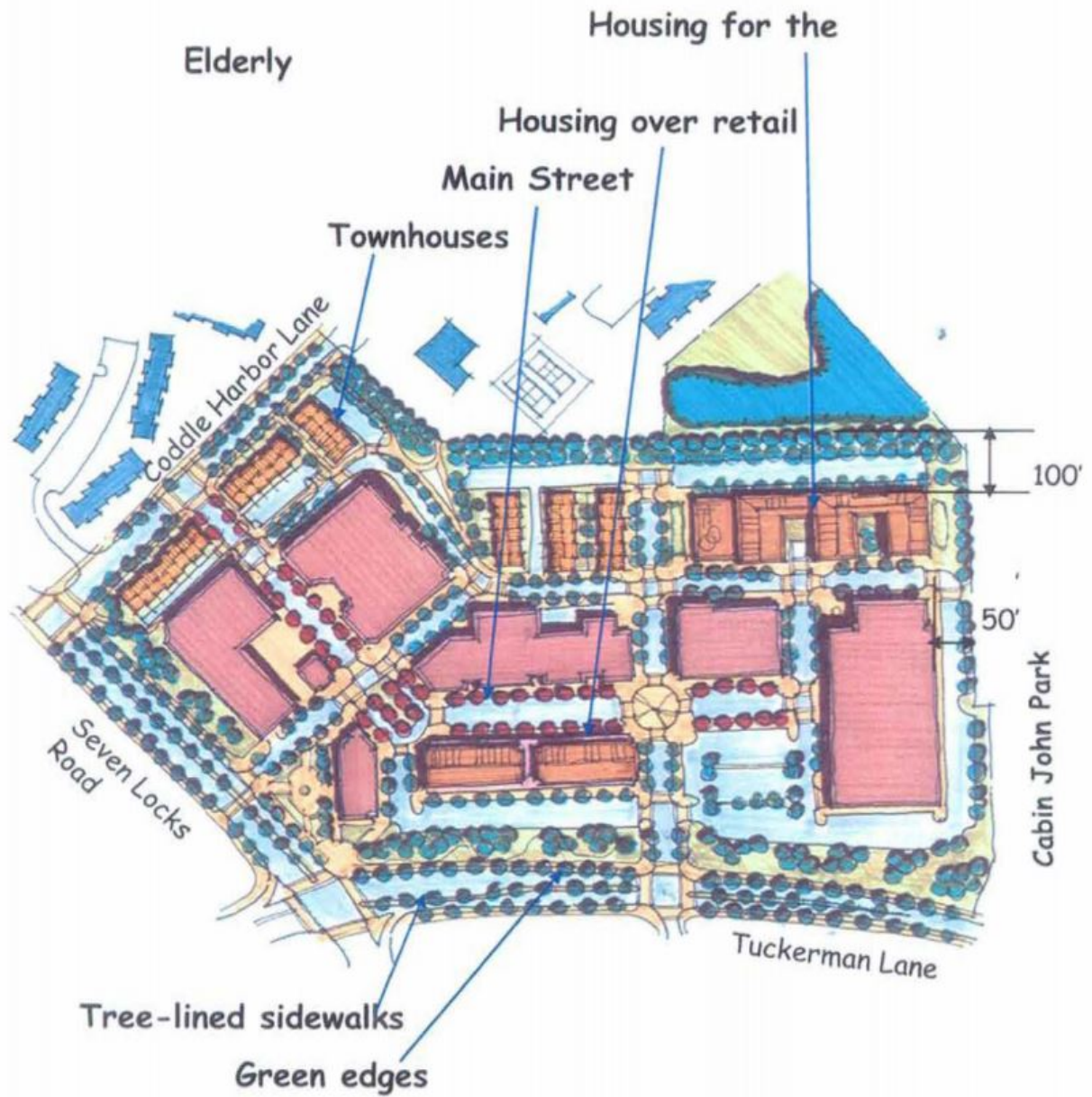


Figure 6 – Cabin John Center Concept, Page 47 of the 2002
Potomac Subregion Master Plan

Other requirements in the Master Plan—for store types and sizes, structured parking and detailed height requirements—should be viewed similarly. The Master Plan’s intent is that housing be provided as part of any redevelopment of the Subject Property, enabling creation of a mixed-use village center, so the Master Plan’s limit of 40 townhouses need not be a hard and fast ceiling. The Applicant may apply currently allowed measuring techniques to determine appropriate heights in the context of the Master Plan recommendations. To maximize compatibility with the existing Inverness Knolls community, residential uses along Coddle Harbor Lane remain an important component of appropriate development of the center. Redevelopment proposals should include a commitment,

through phasing of development, to residential uses in that portion of the Subject Property. With that commitment, housing in the northeast portion of the site complies with Master Plan's intent.

Setbacks

The Master Plan set out the original Cabin John Village setbacks because the recommended RMX zone deferred to applicable master plans for densities and development standards. The pre-rewrite ordinance included a provision in that zone requiring substantial compliance with the Master Plan as a condition of approving a site plan for the Subject Property. The Master Plan recommended a setback of 100 feet along the northeastern property line but provided an acceptable alternative setback for optional method projects (which the Master Plan assumed would be any new project that included housing). An optional method project could propose a 50-foot setback along the zoning boundary (RMX to R-90 at the time the Master Plan was approved), to achieve "a more compatible site layout that accommodates a significant residential component." (p 49)

The comprehensive revision of the Zoning Ordinance replaced the RMX Zone on this Property with the CRT Zone, which provides specific setbacks for standard method projects and defers optional method setback determinations to the site plan process. The applicable standard method setback for townhouses in the CRT Zone is 10 feet, considerably less than the 100-foot recommendation in the Master Plan or the 50-foot optional method alternative. The Master Plan's intent for this part of the Property is to provide separation between any new mixed-use development and the existing Inverness Knolls community. More broadly, the Master Plan intends to create a mixed-use center with a neighborhood focus—a "walkable village center compatible with adjacent neighborhoods"—from the existing entirely non-residential strip shopping center.

The 10-foot setback permitted under the CRT Zone in standard method development is unlikely to achieve either objective; it is insufficient to achieve clear natural separation from Inverness Knolls, which in turn would fail to achieve compatibility with the adjacent neighborhood. The 37-foot setback proposed is less than the 50-foot optional method setback set out in the Master Plan guidelines, but clearly more than the 10 feet permitted in the zone. It should be noted that the zoning boundary in the portion of the Property proposed for townhouses does not entirely follow a property line; it bisects a single parcel owned by the Applicant and is included in its entirety in the Application. In this portion of the Property the proposed setback is augmented by existing open space also owned by the Applicant. An illustrative drawing in the Master Plan shows a stormwater facility in this area, but current aerial photography shows forest in this area. The proposed setback, combined with existing open space on the R-90 side of the zoning boundary, does comply with the Master Plan's intent for this portion of Cabin John Village.

2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

Roads and Other Transportation Facilities

Transportation access is adequate to serve the proposed development by this Preliminary Plan. The Subject Property has frontage on two public roads (Seven Locks Road and Tuckerman Lane) and proposes a network of private streets, alleys, and commercial driveways to serve the interior of the project.

Master Planned Improvements

Seven Locks Road is a Master Planned Arterial Road (A-79) with two lanes, except at intersections where localized improvements are allowed. It is master planned with a minimum 80-foot right-of-

way. In both the 2005 Countywide Bikeways Functional Master Plan and the Draft 2018 Bicycle Master Plan, Seven Locks Road is designated to have a sidepath on the west side and signed shared roadway (2005) or bikeable shoulders (2018). The minimum required right-of-way already exists on Seven Locks Road. However, the MCDOT Seven Locks Bikeway & Safety Improvements Project (P501303) will implement an 8-foot wide shared use path on the west side of Seven Locks Road and bikeable shoulders (5-foot bike lanes) per the Master Plan and require up to 11 feet of additional right-of-way along the Subject Property that is conditioned. This MCDOT project has started design, land acquisition will start in fiscal year (FY) 2019, and according to the County's website will be completed by FY 25. Sidewalks already exist along the Property frontage along Seven Locks Road.

Tuckerman Lane is a Master Planned Arterial Road (A-71) with two lanes, except at intersections where localized improvements are allowed. It is master planned with a minimum 80-foot right-of-way. The 2005 Countywide Bikeways Functional Master Plan recommends bike lanes and the Draft 2018 Bicycle Master Plan recommends one-way separated bike lanes on both sides. However, there is an ongoing MCDOT capital improvement project to design bicycle and pedestrian improvements on Tuckerman Lane. The Tuckerman Lane facilities proposed by the Draft 2018 Bicycle Master Plan include conventional bike lanes (approximately 5-foot wide bike lanes with no buffer) and a shared use path which would run on the north side of Tuckerman Lane from Seven Locks Road to Angus Place then switch to the south side of the road. The Applicant is proposing to dedicate the additional right-of-way necessary to implement the ultimate bicycle and pedestrian improvements on Tuckerman Lane as currently agreed to by M-NCPPC and MCDOT staff in July (5.5 foot bike lane, 6 foot tree panel, and 12 foot shared use path west of Angus Place and 5.5 foot bike lane, 5 foot tree panel, 5 foot sidewalk, and 2 foot maintenance strip east of Angus Place), including up to 7 feet of additional right-of-way dedication (up to seven feet will be needed west of Angus Place, around two feet will be needed east of Angus Place). Additional right-of-way may be required at the entrance drive of the project and Tuckerman Lane (at Angus Place) in order to avoid recently implemented signal and utility poles. In this area, additional right-of-way will be acquired in the form of a Public Improvement Easement (PIE) and will be determined prior to approval of the certified preliminary plan. The Applicant is proposing to construct these improvements east of Angus Place while working around the constraints of existing utility poles, but given excessive grading and physical constraints (i.e., utility poles, existing sign for the development) is constructing an interim solution west of Angus Place coordinated with staff. The interim solution west of Angus Place includes a 5.5 foot bike lane, 2 foot grass panel, 10 foot sidepath, and a retaining wall where needed.

In addition to the frontage improvements on Tuckerman Lane, Planning Staff requested the Applicant construct bicycle and pedestrian improvements off-site to connect the project to the Cabin John Picnic Area parking lot to the east (per 50.4.3.E.5.b – reasonable amount of off-site improvements). The Applicant has agreed to these improvements and will construct a westbound 5 foot bike lane, 5 foot buffer, and 5 foot sidewalk from the southeast corner of their property to the vehicular entrance of the Cabin John Picnic Area parking lot approximately 450 feet to the east.

Internal Circulation and Parking

The Applicant proposes to reconstruct Coddle Harbor Lane to modified Primary Residential Street standards as a private street, as this road is currently not designated public or private. The Applicant is also proposing to create private streets to connect from Coddle Harbor Lane back to the townhouse units as recommended by staff. Alleys and private streets will be placed in their own parcels adjacent to the townhouse development to provide access to the townhouses and another alley will provide access to the alleys serving the 48 townhouses in the eastern corner of the site, while also serving the

back of the retail (behind the existing Giant). For the alley which serves both townhouses and retail, Staff is requiring the Applicant to build the alley to commercial alley standards as it will serve as the loading and access for trucks serving the commercial development. The remainder of the Property will consist of the existing commercial driveways that currently serve the shopping center.

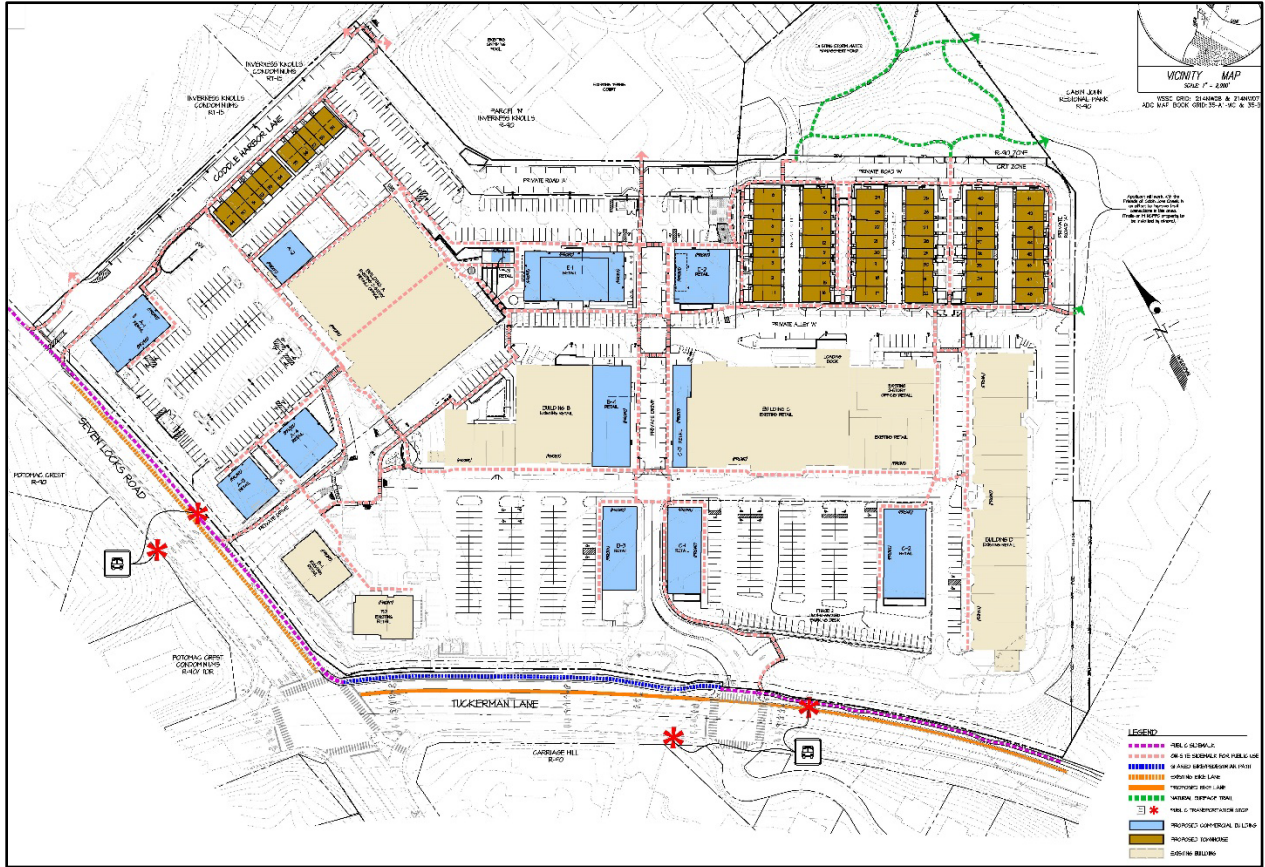


Figure 7 – Circulation Plan

Within the site, adequate pedestrian circulation is provided, including lead-in sidewalks along one side of each of the access drives to the property. The Applicant is providing bicycle parking for both the existing and proposed development and providing vehicular parking within the range of parking required by zoning. While the majority of parking will be provided in surface parking lots, some will be provided as parallel parking spaces and part of the parking will be provided in a parking garage that is proposed in a later phase along the Tuckerman Lane frontage. The parking garage will be built into the hillside, so as to reduce the visual impacts to the project. While the vehicular circulation to the parking garage requires visitors to create a loop through the commercial center to leave the Property, the Applicant acknowledges this constraint and has worked with Staff to create the safest internal circulation design possible.

Transit and TMAg or equivalent transportation agreement

Two Ride-On bus routes serve the Subject Property: Routes 47 and 37. Ride-On Route 47 serves the bus stop near the Seven Locks Road access drive aisle to the project. Route 47 runs between Bethesda and Rockville Metro stations, providing service every 25-30 minutes on weekdays and weekends. Ride-On Route 37 serves the bus stop near the Tuckerman Lane access drive aisle (at Angus Place) and runs between the Potomac Community Center and the Grosvenor Metro Station, with certain trips

extending to the Wheaton Metro Station. Route 37 runs on weekdays only approximately every 30 minutes and only during peak morning and evening periods.

The Potomac Subregion Master Plan includes the following recommendation for this property: “a bus shelter and shuttle service to Metro or acceptable traffic mitigation alternatives must be provided with any increase in density” (p. 46). However, because the Subject Property is located outside of a Traffic Management District, the Applicant opposes MCDOT recommendation for a Transportation Mitigation Agreement (TMAg). Instead, the Applicant has agreed to provide traffic mitigation alternatives similar to those recommended by MCDOT, in order to support the guidance provided by the Master Plan, via an agreement between the Applicant and other appropriate agencies, as determined by Staff. As conditioned, the details of this agreement will be negotiated prior to approval of Site Plan No. 820190020.

Justification of Private Roads

The Applicant is proposing turning Coddle Harbor Lane into a private street and proposing a private street (Private Road ‘A’) that will connect off Coddle Harbor Lane to serve the 48 townhomes in the back part of the Subject Property. Per section 50.4.3.E.4.b of the Subdivision Code, an applicant must provide a list of proposed design elements that do not meet public road standards and justify why those design elements are necessary for the proposed development (Attachment 1 and 7). The Applicant has requested the following revisions to the public road design elements:

- Intersection spacing (i.e., Coddle Harbor Lane and where the secondary portion of Coddle Harbor Lane intersects – within 100 feet of Seven Locks Road)
- Reduced width parcels and therefore insufficient spacing for street trees, five-foot wide sidewalks or sidewalks on both sides, and maintenance strips
- Horizontal and vertical curve alignments
- Minimum centerline radii
- Revised cross slope (i.e., no crown) due to the existing grading and drainage systems

Minimum sidewalks are being provided where alternative sidewalk options are not available and where Planning Staff thought they were necessary or logical. The private roads, when reconstructed to the proper structural depth with subgrade, should function properly for safe vehicular and pedestrian traffic and emergency access. The Applicant has also proposed four private alleys serving townhouse Lots 1 through 48.

Signal Warrant Analysis

The Potomac Subregion Master Plan also includes a recommendation to explore with MCDOT whether a traffic signal is warranted at the intersection of Seven Locks Road and Coddle Harbor Lane “to enhance vehicular and pedestrian safety and accommodate the traffic volume” (p.48). Therefore, the Applicant completed a signal warrant analysis. Planning Staff defers to MCDOT with regard to operational improvements such as traffic signals. MCDOT, in its letter dated September 21, 2018, concurred with the Applicant’s traffic consultant that a traffic signal was not warranted at the intersection of Coddle Harbor Lane and Seven Locks Road.

Local Area Transportation Review (LATR)

The Preliminary Plan was reviewed using the 2016-2020 Subdivision Staging Policy and associated 2017 Local Area Transportation Review (LATR) Guidelines. The project would generate 74 person trips during the AM weekday peak hour and 294 person trips during the PM weekday peak period based

on the *ITE Trip Generation Manual*, 10th Edition and adjusted for the Potomac policy area. Because the project generated 50 or more person trips during a peak hour, a full traffic study was required to satisfy the LATR Guidelines. The project would not generate enough transit, bicycle, or pedestrian person trips to require additional analysis for any of those transportation modes. Additionally, the project would generate 49 AM and 202 PM peak hour auto driver trips (excluding pass-by trips), and therefore only one tier of intersections was analyzed in the traffic study.

The traffic study was completed on July 24, 2018 and studied two local intersections in addition to the three access points of the project. All study area intersections were located within the Potomac policy area, where the Critical Lane Volume (CLV) standard for intersections is 1450. The traffic study looked at existing conditions, background conditions which include approved but unbuilt projects that may send trips through the study area intersections, and total future traffic which adds the projected impact of the Application to the background traffic. The traffic study also analyzed the study area intersections both with and without the planned MCDOT improvements associated with the Seven Locks Bikeway & Safety Improvements Project. This project includes the addition of northbound and eastbound auxiliary lanes, as well as on-road bike lanes, at the intersection of Seven Locks Road and Tuckerman Lane, in addition to minor changes to lane use at other study intersections. This project is funded for design in FY 18, but construction funding is programmed beyond the six-year horizon of the Capital Improvements Program (CIP). Given that construction funding is not allocated within the six-year CIP, the project improvements were not considered in the analysis by staff.

Two of the five studied intersections in the future condition would have CLV values under the CLV threshold of 1350 and, therefore are considered adequate based on the LATR Guidelines. Three of the five studied intersections in the future traffic condition would have a CLV standard that exceeds 1350, the LATR threshold at which additional Highway Capacity Manual (HCM) delay-based level of service analysis is required. These three intersections (Seven Locks Road and Coddle Harbor, Site Access, and Tuckerman Lane) were evaluated using the HCM methodology and evaluated against the Potomac policy area HCM average vehicle delay standard of 55 seconds. Two of these three intersections were found to have average delays that did not meet or exceed 55 seconds and, therefore are considered adequate. The intersection of Coddle Harbor Lane and Seven Locks Road did exceed the 55 second average delay threshold in the PM peak hour without the MCDOT intersection improvements (66.5 seconds) and, therefore, would require mitigation. The Applicant is proposing to mitigate the delay at this intersection by providing separate left and right turn lanes for the westbound Coddle Harbor Lane approach. This improvement would cause the intersection to operate better than the 55 second delay threshold, thereby meeting the requirements of the LATR Guidelines.

Table 1- Critical Intersection Capacity and Delay Analysis without MCDOT Improvements

Intersection	CLV Analysis					
	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
Seven Locks Rd & Gainsborough Rd	1137	1174	1138	1177	1144	1193
Seven Locks Rd & Coddle Harbor Ln	949	1394	950	1401	958	1429
Seven Locks Rd & Site Access	573	1295	575	1315	602	1415
Seven Locks Rd & Tuckerman Ln	1275	1381	1275	1385	1287	1419
Tuckerman Ln & Angus Pl/Site Access	965	849	966	858	971	913

	HCM Analysis (seconds)					
	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
Seven Locks Rd & Coddle Harbor Ln	--	--	--	--	2.7	66.5
Seven Locks Rd & Site Access	--	--	--	--	1.0	5.5
Seven Locks Rd & Tuckerman Lane	--	--	--	--	50.8	53.7
	HCM Analysis <u>with Mitigation</u> (seconds)					
Seven Locks Rd & Coddle Harbor Ln	--	--	--	--	3.6	34.0

Preliminary Plan Validity and Adequate Public Facilities Validity Extension

Preliminary Plan Validity

Under Section 50.4.2.G.2.b, multi-phase projects are subject to the following standards:

- i. *An approved preliminary plan for a multi-phase project remains valid for the period of time allowed in the phased schedule approved by the Board*

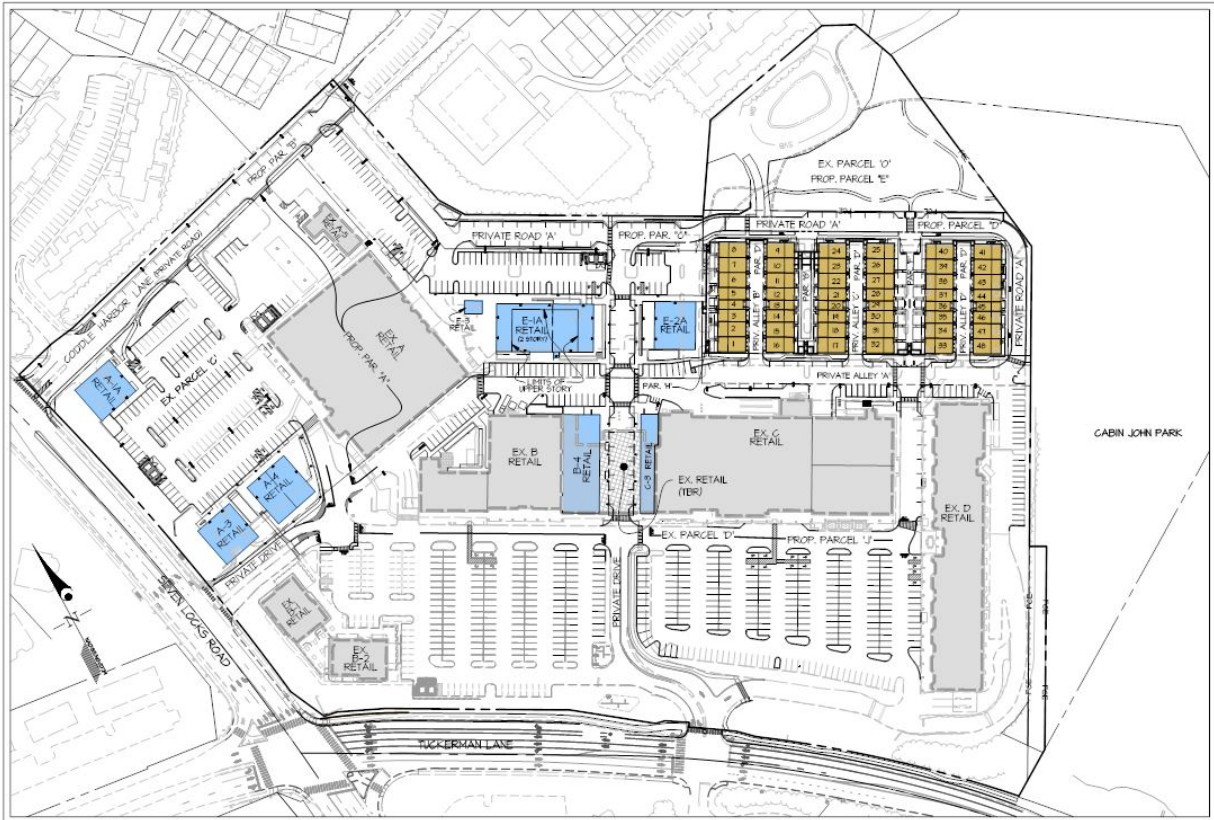
The phasing schedule for Preliminary Plan validation in the State of Justification indicates the following:

Table 2 – Preliminary Plan Validation Phasing

Phase	Benchmark	Duration
Phase I	Recording of plats for 48 residential lots, three private road parcels, one stormwater management parcel, and rerecording of plat for one commercial lot	36 months
Phase II	Rerecord one commercial lot	36 months (72 months cumulative)
Phase III	Recording plats for 11 residential lots and recording of one commercial lot	36 months (108 months (9 years) cumulative)

- ii. *The applicant must propose a phasing schedule and the duration of the validity period for each phase as part of an application for preliminary plan approval or amendment. The Board must assign each phase a validity period after considering the size, type, and location of the project.*

Staff recommends that the Planning Board approve a validity period of 36 months for each phase.



PHASE I
SCALE: 1"= 100'

Figure 8 – Phase I



PHASE 2
 UPPER LEVEL PARKING GARAGE LAYOUT SHOWN
 SCALE: 1"=100'

Figure 9 – Phase II



PHASE 3
SCALE: 1"= 100'

Figure 10 – Phase III

- iii. *The time allocated to any phase must be 60 months or less after the initiation date for that particular phase for any preliminary plan approved after March 31, 2009, but before April 1, 2017, and 36 months after the initiation date for that particular phase for any preliminary phase for any preliminary plan approved after March 31, 2017.*

This Application is being approved after March 31, 2017. As such, each preliminary plan phase conforms with the 36-month requirement for each phase.

- iv. *The cumulative validity of all phases must be shorter than or equal to the APFO validity period which begins on the initiation date of the first preliminary plan approval, including any extension granted under Section 4.3.J.7.*

The recommended APFO validity period is 10 years. The recommended preliminary plan validity period is 9 years. This allows the Applicant to obtain the final building permits in the final year of the project. The Application meets this finding.

- v. *If the recordation of an approved preliminary plan occurs within 5 years of approval for a multi-phase project that includes land or building space to be transferred to the County for*

an arts or entertainment use under Section 59-C06.2356 of the zoning ordinance in effect on October 29, 2014, all phases of the preliminary plan are validated. After approval, an amendment or modification to the phasing plan or the preliminary plan will not affect the validations if the requirements of the Subsection have otherwise been met.

This section does not apply because the proposed Preliminary Plan does not intend to transfer land or building space to the County for an art or entertainment use.

Adequate Public Facilities

The Applicant has requested an extended validity of the Adequate Public Facilities finding for 10 years (121 months) instead of the typical 5 years (61 months).

Under Section 50.4.3.J.5.iv, an Adequate Public Facilities finding shall be “for no less than 5 and no more than 10 years after the preliminary plan is approved, as determined by the Board when it approved the plan, for any plan approved after July 31, 2007, and before April 1, 2009, or after March 31, 2017.” As such, the Applicant’s request is for the maximum allowable time period under the Subdivision Regulations.

The Subdivision Regulation continues under Section 50.4.3.5.b:

“If an applicant requests a longer validity period than the minimum specified in 5.a, the applicant must submit a development schedule or phasing plan for completion of the project in the Board for its approval.

- i. At a minimum, the proposed development schedule or phasing plan must show the minimum percentage of the project that the applicant expects to complete in the first 5 or 7 years, where is the applicable minimum, after the preliminary plan is approved.*

The phasing plan indicates that the Phase I will take approximately 5 years to complete. This includes the 48 townhouse units and 45,000 square feet of commercial square footage. This phase is the most intensive phase of the three comprising over 50% of the overall project.

Table 3 – Adequate Public Facilities Phasing

Phase	Benchmark	Duration
Phase I	Building permits for 48 residential units and up to 45,000 sq. ft. (net increase of approx. 29,000 square feet) of commercial uses	60 months
Phase II	Building permits for 32,000 sq. ft. of new commercial uses and structured parking facility	48 months (108 months cumulative)
Phase III	Building permits for 11 residential units and 3,000 sq. ft. of new commercial uses (345 sq. ft. of net new commercial uses)	12 months (120 months (10 years) cumulative)

- ii. To allow a validity period longer than the specified minimum, the Board must find that the size or complexity of the subdivision warrant the extended validity period and would not be adverse to the public interest. The Board must condition a validity period longer than the*

specified minimum on adherence to the proposed development schedule or phasing plan, and may impose other improvements or mitigation conditions if those conditions are needed to assure adequate levels of transportation or school service during the validity period.

Upon reviewing the Applicant’s request for 10 years of APF validity, Staff recommends approval of the increased validity period as requested. Staff finds that the size and complexity of this project warrants the extended validity period due to the amount of new residential and commercial square footage while keeping the shopping center open for existing tenants, retrofitting new open spaces into an existing shopping center, implementing construction around long-term leases of existing tenants, and responding to market forces during the life span of the project. This increase in APF validity is not adverse to the public interest. In fact, by increasing the APF validity period, it gives the Applicant more flexibility to reduce disruption and improve the public experience during implementation.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the proposed lots. The Subject Property is in the W-1 and S-1 water and sewer service categories, respectively, and will utilize public water and sewer.

The Application was reviewed by the MCDPS, Fire Department Access and Water Supply Section, and a Fire Access Plan was approved on July 23, 2018 (Attachment 14). Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Subdivision Staging Policy in effect at that time that the Application was submitted.

Applicable School Test

Preliminary Plan #120180120 for Cabin John Village is scheduled for Planning Board review after June 30, 2018, therefore the applicable annual school test is the FY19 Annual School Test, approved by the Planning Board on June 21, 2018 and effective July 1, 2018.

Calculation of Student Generation

To calculate the number of students generated by the proposed development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit. The Subject Property is located in the southwest region of the County.

Table 4 - Per Unit Student Generation Rates – Southwest Region

	Elementary School	Middle School	High School
SF Detached	0.193	0.111	0.147
SF Attached	0.191	0.094	0.124
MF Low- to Mid-Rise	0.146	0.063	0.083
MF High-Rise	0.055	0.022	0.031

With a net of 59 single family attached units, the proposed project is estimated to generate the following number of students:

Table 5 – Student Generation Rate

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Attached	59	0.191	11.269	0.094	5.546	0.124	7.316
TOTAL	59		11		5		7

This project is estimated to generate 11 new elementary school students, 5 new middle school students, and 7 new high school students.

Cluster Adequacy Test

The project is located in the Winston Churchill High School Cluster. The student enrollment and capacity projections from the FY19 Annual School Test for the Churchill Cluster are noted in Table 6:

Table 6 – Cluster Adequacy Test

School Level	Projected Cluster Totals, September 2023			Moratorium Enrollment Threshold	Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	2,396	2,849	84.1%	3,419	2,407
Middle	1,358	1,794	75.7%	2,153	1,363
High	2,031	1,986	102.3%	2,384	2,038

The Moratorium Enrollment Threshold identified in Table 6 is the enrollment at which the 120% utilization threshold is exceeded, resulting in a cluster-wide residential development moratorium. As indicated in the last column, the projected enrollment plus the estimated impact of this application fall below the moratorium thresholds at all three school levels. Therefore, there is sufficient capacity at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by this project.

Individual School Adequacy Test

The applicable elementary school and middle school serving this project’s property are Beverly Farms ES and Herbert Hoover MS, respectively. Based on the FY19 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 7:

Table 7 – Individual School Adequacy

School	Projected School Totals, September 2023				Moratorium Enrollment Thresholds		Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization	Seat Deficit	120% Utilization	Seat Deficit	
Beverly Farms ES	518	690	75.1%	+172	829	800	529
Herbert Hoover MS	760	1,139	66.7%	+379	1,367	1,319	765

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and if the school seat deficit meets or exceeds 110 seats for the elementary school or 180 seats for the middle school. If a school’s projected enrollment exceeds *both* thresholds, then the school service area is placed in a residential development moratorium.

The Moratorium Enrollment Thresholds identified in the table above are the enrollments at which the 120% utilization threshold and the seat deficit threshold are exceeded. As indicated in the last column, the projected enrollment plus the estimated impact of this application falls below both applicable moratorium thresholds for both Beverly Farms ES and Herbert Hoover MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this project.

Analysis Conclusion

Based on the school cluster and individual school capacity analysis performed, using the FY2019 Annual School Test, there is adequate school capacity for the amount and type of development proposed by this application.

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. The proposed lot sizes, widths, shapes and orientations are appropriate for the location of the subdivision, taking into account the recommendations of the Master Plan, and for the building type (townhouses and commercial retail) contemplated for the Property.

The lots intended for townhouses provide an orientation allowing the rear of each lot to face the rear of another lot. This allows for each lot to be rear loaded with a garage space. Conversely, the lot orientation of the townhouses allows the front yard of each lot to face the front of another lot. As a result, the front of each townhouse lot looks at either a central muse, common open space, or forest area on adjacent property.

The two proposed parcels are of appropriate size, shape and orientation to provide a floor area ratio in compliance with the CRT while being large enough to provide all the required parking within the minimum and maximum range allowed. Under the definition of a Reduced Parking Area in Section 59.1.4.2, the Subject Property qualifies as a Reduced Parking Zone due to it being zoned CRT. Currently, the Subject Property includes 1,229 parking spaces to serve all uses. At full build out, this Application will reduce the parking count by 99 parking spaces compared to the existing condition. This results in a parking ratio of 3.77 spaces per 1,000 sq. feet. The proposed parking is 165 vehicle parking spaces in excess of the minimum required by the Zoning Ordinance (Table 8).

Staff finds that the parking ratio proposed of 3.77 spaces per 1,000 feet is adequate, especially when compared to other commercial projects recently approved by the Planning Board in the CRT zone. The Pike & Rose project in the While Flint area has 1.7 million sq. feet of commercial development resulting in 2.4 spaces per 1,000 sq. feet. Travilah Square in the Great Seneca Science Corridor area has 260 spaces to serve 58,102 sq. feet of commercial resulting in 4.5 spaces per 1,000 sq. feet. Finally, the retail component of the Park Potomac project at Montrose and Seven Locks Road provides 407 spaces to serve 108,382 sq. feet resulting in 3.7 spaces per 1,000 sq. feet.

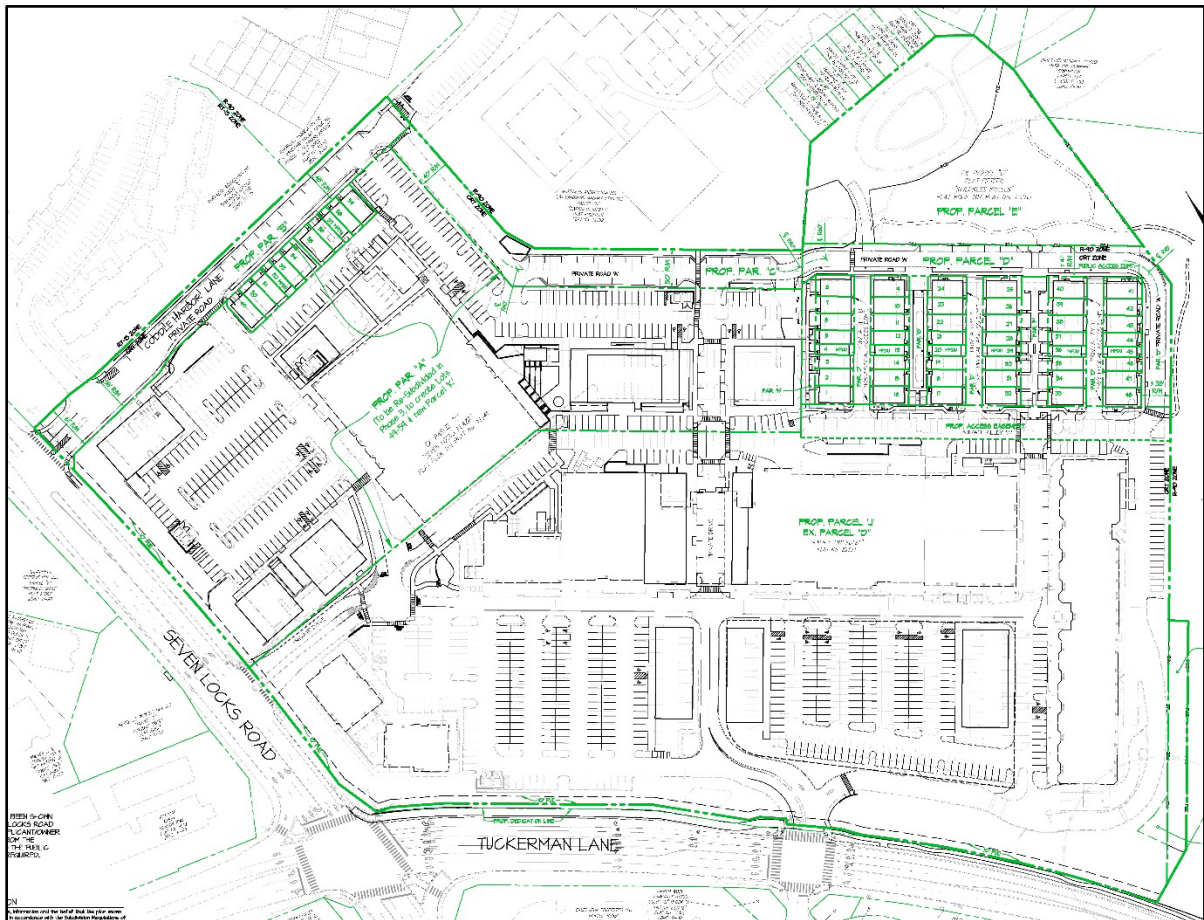


Figure 11 – Proposed Lot Layout

The lots were reviewed for compliance with the dimensional requirements for the CRT-0.75, C-0.5, R-0.25, H-35 and R-90 zones as specified in the Zoning Ordinance. The lots will meet all the dimensional requirements for area, frontage and can accommodate the residential and commercial (both existing

and proposed) buildings which can reasonably meet the width and setbacks requirements in that zone. A summary of this review is included in Table 8. The Preliminary Plan has been reviewed by other applicable county agencies, all of whom have recommended approval.

Table 8 – Development Standards Table - CRT-0.75, C-0.5, R-0.25, H-35

CRT-0.75, C-0.5, R-0.25, H-35	Required by the Zone	Proposed for Approval
FAR (Floor Area Ratio) Commercial	0.50 FAR (509,652 sq. ft.)	0.29 FAR (300,000 sq. ft.)
FAR (Floor Area Ratio) Residential	0.25 FAR (254,826 sq. ft.)	0.20 FAR (200,000 sq. ft.)
Total FAR	0.75 FAR (764,478 sq. ft.)	0.49 FAR (500,000 sq. ft.)
Open Space - Public Open Space (Commercial) - Common Open Space (Townhouses)	10% min. 10% min.	10% min. 10% min.
Minimum Lot Frontage	N/A	N/A
Minimum Lot Width at B.R.L.	N/A	N/A
Maximum Lot Coverage	N/A	N/A
Min. Setbacks (Commercial)		
Front	0 feet	0 feet
Side, abutting R-90	12 feet min. (1.5 X 8 feet)	12 feet min.
Rear, abutting R-90	37.5 feet (1.5 X 25 feet)	37.5 feet
Side, abutting RT-15	12 feet min. (1.5 X 8 feet)	12 foot min.
Rear, abutting RT-15	30 feet min. (1.5 X 20 feet)	30 foot min.
Side, all other	0 feet min.	0 foot min.
Rear, all other	0 feet min.	0 foot min.
Rear, alley	4 feet min.	4 foot min.
Min. Setbacks (Residential)		
Front	5 foot min.	5 foot min.
Side Street	5 foot min.	5 foot min.
Side	2 foot min.	2 foot min.
Side (abutting R-90/RT-15)	4 foot min.	4 foot min.
Rear (abutting R-90/RT-15)	10 foot min.	10 foot min.
Rear	10 foot min.	10 foot min.
Rear, alley	4 foot min.	4 foot min.
Building Orientation		
Entrance Facing Street or Open Space	Required	To be provided at Site Plan
Build-to-Area (Commercial)		
Front	20 feet max.	20 feet max or as approved on Site Plan
Side Street	20 feet max.	20 feet max or as approved on Site Plan
Building in Front BTA	70% min.	70% min. or as approved on Site Plan

CRT-0.75, C-0.5, R-0.25, H-35	Required by the Zone	Proposed for Approval
Building in Side Street BTA	35% min.	35% min. or as approved on Site Plan
Townhouse Residential		
Front	15 feet max.	15 feet max. or as approved on Site Plan
Building Front in BTA	70% min.	70 feet min. or as approved on Site Plan
Building Height	35 feet max.	35 feet (Building Height Averaging using all buildings on the site, per Section 4.5.2.C.2.f)
Total Vehicle Parking ³	965 spaces min. – 1,940 spaces max.	1,130 spaces
Motorcycle Parking	10	11
Bicycle Parking, Short Term	34	34
Bicycle Parking, Long Term	11	11
Site Plan Required	Yes	Yes

Table 9 – Development Standards Table – R-90

R-90	Required by the Zone	Proposed for Approval
Minimum Lot Area	9,000 sq. ft.	179,467 sq. ft.
Minimum Lot Frontage	25 feet	444 feet
Minimum Lot Width at B.R.L.	75 feet	N/A
Maximum Lot Coverage	30%	N/A
Min. Setbacks (for all lots)		
Front	30 feet	N/A
Side, abutting Residential	8 feet min./ 25 feet total	N/A
Rear, abutting Residential	25 feet	N/A
Building Height	35 feet max.	N/A
Site Plan Required	Yes	Yes

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

The Subject Property is in compliance with all of the applicable requirements of the Forest Conservation Law including the tree variance.

Natural Resource Inventory/Forest Stand Delineation

³ The total parking calculation includes the residential, retail, office and restaurant uses.

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #420171210 for the Property was approved on December 13, 2017. The NRI/FSD identifies the environmental features and forest resources on the Property. The Property contains approximately 1.86 acres of forest, including approximately 0.39 acres of forested stream valley buffer. There is one tributary stream to Cabin John Creek that originates below the on-site stormwater management pond in the northeastern corner of the Property. This stream flows off-site onto the adjacent Cabin John Regional Park. An off-site stream exists east of the southeastern corner of the Property, and the buffer associated with this stream is on-site. A total of 1.13 acres of stream buffer exists on the Property, 0.39 acres of which is forested. The remainder of the stream buffer includes an existing stormwater management pond in the northeast corner and existing development and related slope and storm drain easements in the southeastern corner of the Property. Approximately 0.02 acres of non-forested wetlands were identified around the perimeter of the existing stormwater management pond in the northeastern portion of the Property. The Property does not contain any 100-year floodplain or highly erodible soils. Steep slopes ($\geq 25\%$) are located within the slope easement adjacent to Tuckerman Lane and in the southeastern corner of the Property. There are 97 trees greater than or equal to 24" Diameter at Breast Height (DBH) that were identified on or adjacent to the Subject Property, 17 of which are 30" DBH and greater. The Property is not located within a Special Protection Area.

Forest Conservation Plan

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. As required by the County Forest Conservation Law (Chapter 22A of the County Code), a Preliminary Forest Conservation Plan ("FCP") for the project was submitted with the Preliminary Plan (Attachment 3). The net tract area for forest conservation is 12.84 acres, which excludes 13.10 acres previously covered under the approved Forest Conservation Plan for Parcel 'D' as part of Administrative Subdivision Plan 62017050, and 0.07 of land located within existing storm drain, slope and stormwater management easements. Approximately 0.69 acres that will be disturbed to construct required off-site improvements along Tuckerman Lane is included in the net tract area. After deducting the forest located on the 13.17 acres of land deducted from the net tract area, the FCP includes 1.70 acres of existing forest located within and adjacent to the stream valley buffers. The Application proposes to retain 1.21 acres and remove 0.49 acres of forest. The retained forest will be protected in a Category I conservation easement but will allow for a proposed natural surface trail within the easement that connects to the trail system on the adjacent Cabin John Regional Park. The proposed forest clearing generates a reforestation requirement of 0.98 acres, and there is an additional afforestation requirement of 0.23 acres, for a total of 1.21 acres of forest mitigation planting required. The Applicant proposes to meet the planting requirement through a combination of forest planting on the Property and at an off-site location to be determined at time of Final Forest Conservation review.

The Applicant has proposed to remove portions of the existing stormwater management easement and convert these areas to Category I conservation easement, and to consolidate the location of the proposed stormwater management pond ingress/egress easement with the proposed storm drain outfall to the pond. These efforts have increased the amount of existing forest that will be protected in a Category I conservation easement.

Approximately 0.44 acres of the proposed 0.49 acres of forest clearing is along the edge of the existing forest in the northeastern corner of the Property. This forest is contiguous with the forest on the adjacent Cabin John Regional Park. Staff worked with the Applicant to try to preserve all of this forest. Given the various constraints on the Property, including preserving much of the existing development

and buildings, and the limited area available for residential development, it was determined that there was not a layout that allowed the preservation of the forest and the Applicant's desired number of residential units. The forest is proposed to be cleared for the construction of a private road with parallel parking spaces designed to serve visitors to the park and the proposed residences, and a storm drain system, including stormwater management facilities. The road is the minimum width necessary to meet fire access requirements. Staff has concerns that the removal of the existing forest edge will result in additional forest loss and potential hazards due to dieback experienced by exposing interior forest to these altered conditions. To alleviate these concerns, Staff recommends a condition of approval requiring further evaluation of proposed tree protection measures to minimize the stress to the trees during and after construction and to maintain and enhance the forest that will now include a natural surface path system connecting to the Cabin John Regional Park. This new forest edge will be located along a private road, parallel parking spaces, and a newly defined access point to a trail system that connects to the adjacent park. Additional measures may include pruning, removal of dead, dying or hazardous limbs and trees, and replanting of native trees if necessary to maintain a healthy, intact and continuous forest edge. These proposed requirements will be incorporated into the Final Forest Conservation Plan. The remaining 0.05 acres of forest clearing is located off-site, along Tuckerman Lane. This clearing is a result of improvements within the right-of-way of Tuckerman Lane.

Forest Conservation Variance

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees and other vegetation as high priority for retention and protection. The law requires that there be no impact to: trees that measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to high priority vegetation, including disturbance to the critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. Development of the Property requires impact to trees identified as high priority for retention and protection (Protected Trees), therefore, the Applicant has submitted a variance request for these impacts. Staff recommends that a variance be granted.

Variance Request – The Applicant submitted a variance request in a letter dated September 7, 2018, for the impacts to trees (Attachment 13). The Applicant wishes to obtain a variance to impact, but not remove, ten (10) Protected Trees that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. Details of the Protected Trees to be affected but retained are listed in Table 10 and shown graphically in Figure 12 & 13.

Table 10 - Protected Trees to be affected but retained

Tree No.	Common Name	Botanical Name	Size (DBH)	CRZ Impact	Tree Condition	Location
2	White Oak	<i>Quercus alba</i>	30 inch	29%	Good	Tuckerman Ln. bike path
8	Red Oak	<i>Quercus rubra</i>	30 inch	11%	Good	Offsite; Private Road 'A'
42	Pin Oak	<i>Quercus palustris</i>	34 inch	4%	Good	SWM and curb construction
44	Tulip Tree	<i>Liriodendron tulipifera</i>	37 inch	27%	Good	Private Road 'A'; SWM
46	Tulip Tree	<i>Liriodendron tulipifera</i>	30 inch	5%	Fair/Poor	SWM access; storm drain
55	Tulip Tree	<i>Liriodendron tulipifera</i>	31 inch	2%	Good	Storm drain connection
65	Red Oak	<i>Quercus rubra</i>	31 inch	5%	Good	Private Road 'A'
74	Post Oak	<i>Quercus stellata</i>	31 inch	34%	Good	Offsite; Private Road 'A'
66221	Tulip Tree	<i>Liriodendron tulipifera</i>	32 inch	13%	Good	Offsite; Tuckerman Ln. bike path
66231	White oak	<i>Quercus alba</i>	42 inch	23%	Good	Offsite; Tuckerman Ln. bike path

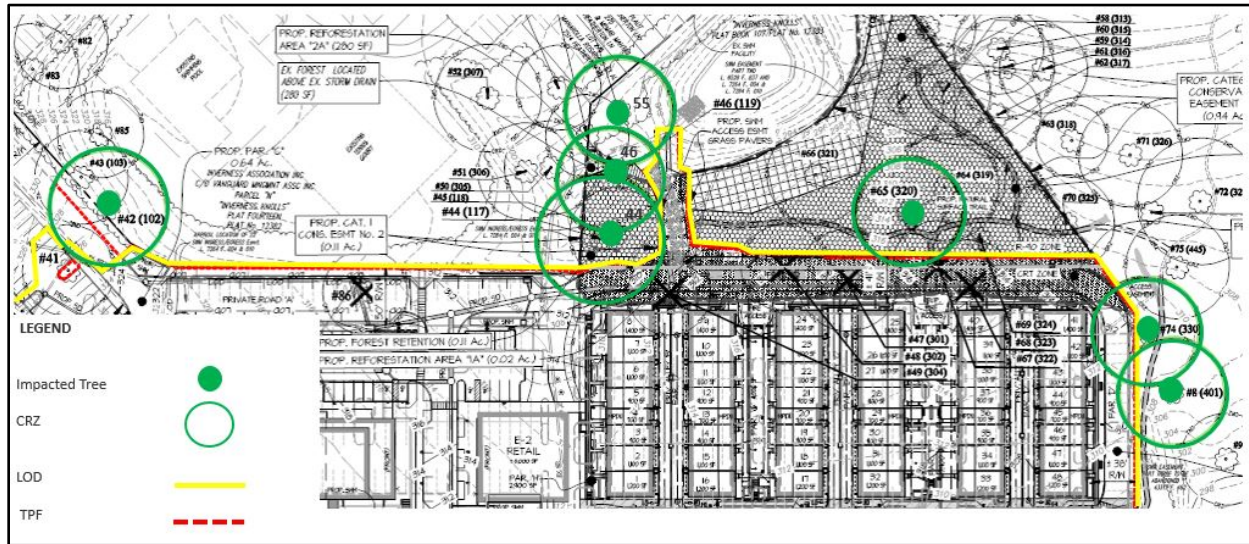


Figure 12 - Protected Trees to be affected but retained on the north side of the Property

Granting of the requested variance:

- a. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the disturbance to the Protected Trees is due to the reasonable development of the Property. Protected Trees are located in the developable area of the Property, including adjacent to Tuckerman Lane, and along the existing access to the Property from Coddle Harbor Lane. In order to utilize this existing access, improvements are required to meet the requirements for a private road and to provide stormwater management resulting in impacts to Protected Trees. Additional impacts to Protected Trees will occur due to requirements to construct a path along Tuckerman Lane. The requested impacts to Protected Trees are due to required road improvements and storm drain connections that would be necessary under any application for development of the Property, and disturbance within the anticipated developable area of the site. Any redevelopment considered for this Property would be faced with the same considerations. Granting a variance to allow land disturbance within the developable portion of the Property is not unique to this Applicant. Staff believes that the granting of this variance is not a special privilege that would be denied to other applicants.

- b. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon existing Property conditions, including the location of the Protected Trees within the developable area.

- c. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The need for a variance is a result of the existing conditions and the proposed design and layout of the Property, and not a result of land or building use on a neighboring property.

- d. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. None of the Protected Trees are proposed to be removed, adequate tree protection measures are proposed during construction and the severed roots will be allowed to regenerate and continue to function as they do today. In addition, the Montgomery County Department of Permitting Services (MCDPS) has found the stormwater management concept for the proposed project to be acceptable as stated in a letter dated June 25, 2018 (Attachment 11). The stormwater management concept incorporates Environmental Site Design standards.

Mitigation for Protected Trees – None of the trees subject to the variance provision will be removed. Staff does not recommend mitigation for trees affected, but not removed. The affected root systems of these trees will receive adequate tree protection measures allowing the roots to regenerate and the functions provided restored.

County Arborist's Recommendation on the Variance – In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance

request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist as part of the review process. As of the date of this staff report, no response related to this request has been received from the County Arborist.

Variance Recommendation – Staff recommends that the variance be granted with no additional mitigation as described above.

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

The Preliminary Plan received an approved water quality inventory from the Montgomery County Department of Permitting Services, Water Resources Section on June 21, 2018 (Attachment 11). The Application will meet stormwater management goals through the use of microbio retention and structural methods.

SECTION 5 – CITIZEN CORRESPONDENCE AND ISSUES

This Application was submitted and noticed in accordance with all Planning Board adopted procedures. One sign referencing the proposed Application was posted along the Subject Property's frontage. A pre-submission meeting was held at the Herbert Hoover Middle School Cafeteria located at 8810 Post Oak Road in Potomac, Maryland on December 19, 2017.

As of the date of this report, Staff has received nine letters in opposition (Attachment 16) to this Application. The concerns stated in the letters focus on primarily the granting on a tree variance, parking, redevelopment of the shopping center as a whole, increased traffic, and the removal of the gas station.

Staff met with a group of citizens primarily made up of citizens from the Inverness neighborhood concerned about the proposed tree variance and the proposed tree impacts in M-NCPPC office. During this meeting, the citizens better understood the tree impacts to the specimen trees and appreciated Staff clarifying which trees would be removed or affected. They were reassured that a substantial amount of forest would remain as a buffer between their homes and the proposed development.

Citizens were concerned that not enough parking is provided with this application. After further review and analysis, the Application is 165 parking spaces over the minimum requirement in the Zoning Ordinance. Furthermore, the parking ratio provided by this Application is comparable to other similar mixed-use projects recently approved in the County.

Other citizens have expressed concerns about this shopping center becoming more of the regional center than a neighborhood center, the Master Plan which had significant input from citizens in 2002 envisioned a very similar type of project with the exact amount of square footage proposed by this Application.

The letters also raise concerns with increased traffic on Tuckerman Lane, Seven Locks Road, and in the area as a whole. As part of this application, the Applicant was required to perform a signal warrant analysis at Coddle Harbor Lane and Seven Locks Road which did not meet the criteria to require signalized intersection. Furthermore, a traffic study has been reviewed and approved by M-NCPPC Staff and MCDOT which has determined that the transportation system meets all the requirements to handle the trip generation created by the Application at full build-out.

Finally, many citizen letters have expressed a desire to retain the gas station as a land use on the Property. The Applicant has informed Staff that the gas station has a long-term lease, and therefore, the gas station cannot be removed at the time. However, current plans indicate that the gas station will be removed in Phase 3 of the project to accommodate residential development. Any property owner may add or remove any land use permitted under the Zoning Ordinance.

SECTION 6 – CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations in Chapter 50, Forest Conservation Law in Chapter 22A, and the proposed use substantially conform to the recommendations of *2002 Potomac Subregion Master Plan*. Access and public facilities will be adequate to serve the proposed lot, and the Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the Preliminary Plan with the conditions provided. Therefore, approval of the Application with the conditions specified herein is recommended.

ATTACHMENTS

- Attachment 1 – Statement of Justification
- Attachment 2 – Preliminary Plan
- Attachment 3 – Forest Conservation Plan
- Attachment 4 – Lot Layout
- Attachment 5 – Phasing Plan
- Attachment 6 – Previous Plats
- Attachment 7 – Private/Public Road Comparison
- Attachment 8 – Administrative Subdivision Plan #620170050
- Attachment 9 – MCDOT Approval Letter, September 21, 2018
- Attachment 10 – MCDOT Traffic Impact Study Approval Letter, August 30, 2018
- Attachment 11 – MCDPS Stormwater Concept Approval Letter, June 21, 2018
- Attachment 12 – DHCA Approval Letter, August 24, 2018
- Attachment 13 – Applicant’s Tree Variance Request, September 7, 2018
- Attachment 14 – DPS Fire Department Access and Water Supply Approval Letter, July 23, 2018
- Attachment 15 – Cemetery Background
- Attachment 16 – Citizen Correspondence

Attachment 1

CABIN JOHN VILLAGE JUSTIFICATION STATEMENT PRELIMINARY PLAN NO. 120180120

I. INTRODUCTION

Applicant, Cabin John (Edens), LLC (the “Applicant”), by its attorneys, Linowes and Blocher LLP, submits this Preliminary Plan Justification Statement to demonstrate conformance of the proposed development with all applicable review requirements and criteria. The subject property, known in the community as the Cabin John Shopping Center, contains a gross tract area of approximately 25.32 acres and is generally located at 7817 Tuckerman Lane and 11325 Seven Locks Road in the northeast corner of the intersection of Tuckerman Lane and Seven Locks Road, in Potomac, Maryland (the “Property”). More specifically, the Property is comprised of recorded lots known as Parcel D of the Seven Locks Plaza Subdivision, as shown on a Record Plat recorded among the Land Records of Montgomery County, Maryland (the “Land Records”) at Plat No. 25334 on November 16, 2017, Parcel C of the Seven Locks Plaza Subdivision, as shown on a Record Plat recorded among the Land Records at Plat No. 11341 on September 27, 1976, Parcel O of the Inverness Knolls Subdivision, as shown on a Record Plat recorded among the Land Records at Plat No. 12383 on April 9, 1979, and unrecorded parcel 328. The Property is currently improved with a commercial strip shopping center, a two-story mall building, and surface parking.

The majority of the Property is zoned CRT-0.75, C-0.5, R-0.25, H-35T pursuant to the Countywide District Map Amendment effective on October 30, 2014,¹ although the northern portion of Parcel O is zoned R-90. The Property is located within the planning boundaries of the Potomac Subregion Master Plan, approved and adopted in April 2002 (the “Master Plan”).

¹The Countywide District Map Amendment comprehensively rezoned the Property from the RMX-2C (Residential Mixed Use Development, Specialty Center, Commercial Base) to the existing CRT Zone.

Pursuant to the applicable provisions of Chapter 50 of the Montgomery County Code, (“Subdivision Regulations”), Applicant submits this preliminary plan application (“Application”) to seek approval for the proposed development on the Property of an additional 59,085 square feet of commercial development, which would create a total of 300,000 square feet of commercial uses on the Property, and up to 200,000 square feet of new residential uses (consisting of approximately 59 new single-family attached units) on 69 record lots/parcels (collectively, the “Project”).

As discussed more fully below, the Project will revitalize the existing aging strip shopping center and enhance community connectivity, creating a more vibrant, pedestrian friendly, mixed-use village center, as envisioned by the Master Plan. Applicant therefore respectfully requests that the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission (“Planning Board”) grant approval of the Application.

II. EXISTING CONDITIONS AND SURROUNDING AREA

The Property is currently developed with approximately 240,915 square feet of commercial uses, the majority of which was developed in the 1950 - 1960s, in the form of a retail strip shopping center and a two-story “mall” building. Construction is currently underway on an additional 9,997 square feet of commercial development, located near the corner of Seven Locks Road and Tuckerman Lane, recently approved as part of Administrative Subdivision No. 620170050. The Property also contains approximately 1,229 surface parking spaces. The existing improvements include an anchor grocery store and drug store, a variety of restaurants, retail/service establishments, offices, and one gas station.

As noted by the Master Plan, the “shopping center can be described as a community center, smaller than a regional mall, but larger than a neighborhood shopping center.” Master

Plan, p. 43. The Master Plan further observes that “[t]he site’s configuration and resulting circulation patterns are inefficient. While the uses in the center serve the needs of the surrounding community, pedestrian and bicycle access and circulation are unsafe.” *Id.*

The Property is bordered on the north by the residential townhouse community of Inverness, zoned RT-15 and R-90, and on the east by the Cabin John Regional Park, zoned R-90. Confronting the Property across Tuckerman Lane to the south is a senior housing facility operating pursuant to a Conditional Use in the R-90 zone and confronting the Property to the southwest across Seven Locks Road is a townhouse community in the R-90/TDR 6.0 zone and to the west is the predominantly single-family community known as Regency Estates, located in the R-90 zone.

III. PROPOSED PROJECT AS REFLECTED IN PRELIMINARY PLAN

The Applicant proposes to redevelop the Property under the standard method of development in the CRT Zone in accordance with Section 59.4.5.3 of the Montgomery County Zoning Ordinance (the “Zoning Ordinance”). Specifically, as shown on the plans included with the Application, the Applicant seeks to construct up to 200,000 square feet of residential uses, comprised of approximately 59 new single-family attached dwelling units, of which 12.5% would be MPDUs, and approximately 59,000 square feet of new commercial uses (for a total of 300,000 square feet of commercial uses on the site) on 69 recorded lots/parcels.

As reflected in the Phasing Plan included with the Application, the Project is anticipated to be constructed in three phases: Phase I is comprised of the residential portion of the development located in the northeast corner of the Property and approximately 270,000 square feet of commercial uses inclusive of approximately 29,000 net new commercial square feet, Phase II is comprised of approximately 30,000 square feet of net new commercial uses and a

structured parking facility, and Phase III is comprised of the 11 residential units proposed in the northwest corner of the site along with the demolition of the gas station and its replacement with a small retail building with a negligible change in square footage, proximate to Coddle Harbor Lane. The phases may be done together or in any order and a phase need not be completed before another is started.

A. Circulation and Access

Vehicular access to the Property will continue to be provided from the existing signalized full movement intersection along Tuckerman Lane and the two curb cuts along Seven Locks Road, the southern of which is full movement except limited right-out during the morning and evening rush hour, and the northern of which, at Coddle Harbor Lane, is full movement.

As noted above, the Master Plan identified concerns with the on-site circulation at the center and the Project will address those issues by enhancing vehicular circulation, pedestrian connectivity and traffic efficiency to and through the site. To improve both pedestrian and vehicular circulation within the site, approximately 15,600 square feet of existing retail space will be demolished and reconfigured in the center of the existing shopping center. Under existing conditions, the shopping center has a long, uninterrupted frontage of almost 700 linear feet. Urban design principles dictate that the best environments are short, walkable blocks. The bifurcation of the existing retail strip to create shorter blocks with a through connection is therefore intended to create new paths of travel and enhanced circulation across the entire 25-acre Property. The Applicant plans to reconstruct the majority of the displaced retail along the new drive aisle, creating space in a configuration that will activate the central shopping center spine. This new space and street reconfiguration will create nodes of activity rather than a linear experience with limited interaction. In this regard, the Applicant notes that, in order to

accommodate the proposed layout and the orientation of the buildings to this new internal drive, as well as the orientation of other buildings on the site to central nodes and drive aisles, approval of the proposed building placements, pursuant to Section 59.4.5.3.C.3 of the Zoning Ordinance, will technically be required at the time of site plan review. The Applicant requests, however, that such necessary placement modifications be considered as part of this Application as well, to avoid the need for significant redesign at the later site plan stage.

In addition to the retail reconfiguration, there will also be a realignment of drive aisles and internal intersections to aid in traffic calming and create more rational patterns of circulation within the center. Parking spaces will also be widened in some areas from their current 8.5-foot width to 9.0 feet to allow for easier movement of vehicles. These measures will all improve the functionality and usability of the surface parking facilities.

Additionally, in accordance with Master Plan guidance, connections to the surrounding community will be enhanced through the addition of sidewalks connecting the retail blocks to Seven Locks Road, Tuckerman Lane, the adjacent Inverness community and the Cabin John Regional Park. Sidewalks and crosswalks will also be added, enhanced and/or modified throughout the Project to connect buildings and promote the flow of pedestrians throughout the site in a safe and clear pattern.

The Project also includes significant improvements to bicycle storage and circulation on and around the Property, including a new 10-foot shared use path and 5½-foot bike lane along Tuckerman Lane, in accordance with the Master Plan, as well as the incorporation of new bicycle lockers and racks within the Project.

B. Open Space and Amenity Areas

As shown on the open space exhibit included with the Application, significant new public open space will be included on the Property as part of the redevelopment. These public open spaces will include both hardscape gathering areas and smaller parks that will be designed for communal gathering, including areas for children, adults and teenagers. As is the hallmark of most great mixed-use centers, the Project will also be programmed to put an emphasis on bringing private activities into the public realm including such activities as outdoor dining, physical fitness classes, community events, and children's activities.

The residential areas of the Project will also contain private common open spaces, in accordance with the requirements of the Zoning Ordinance, for residents' use and enjoyment.

C. Green Features and Stormwater Management

As much of the site currently drains untreated directly into Cabin John Regional Park, the redevelopment plans will significantly improve the current stormwater management treatment for the Property. Stormwater management goals will be achieved through the installation of new Environmental Site Design (ESD) facilities to the maximum extent practicable, the installation of structural practices, and the preservation of an existing stormwater management pond located in the northern portion of the site, in the R-90 zone.

Additionally, the existing Property is largely impervious, with large expanses of asphalt parking areas with little to no vegetation. The Project will significantly increase the amount of tree coverage and landscaping on the Property, providing the additional benefits of a reduction of the heat island effect and interception of rainfall.

IV. COMPLIANCE WITH SUBDIVISION REGULATIONS

Sections 50.4 *et seq.* of the Subdivision Regulations set forth the findings the Planning Board must make before approving a preliminary plan application. The following analysis establishes the Application's conformance with these required findings:

§ 50.4.1.C.9 *Recording and Construction Phasing Schedule.*

- b. *Where the subdivider proposes a phased project that will cumulatively exceed the minimum validity periods under Sections 4.2.G.2.a and 4.3.J.5.a, the applicant must submit a recording and construction phasing schedule as part of the preliminary plan for approval by the Board. The schedule must indicate the portions of the preliminary plan for which record plats and building permits will be obtained during each of the proposed phases, up to the expiration of the maximum adequate public facilities validity period under Section 4.3.J.5.a.*
- c. *When applicable, the phasing schedule must identify the timing for the completion of construction and conveyance to unit owners of such things as common open areas and recreational facilities. In addition, the phasing schedule must indicate the timing for the provision of moderate priced dwelling units, and infrastructure improvements associated with each phase. The subdivider must design such a phasing schedule to minimize dependence on features (other than community-wide facilities) that will be provided in subsequent phases and have minimal impact during construction on phases already built and occupied.*

The Applicant is requesting a ten (10)-year Adequate Public Facilities validity period pursuant to Section 4.3.J.5.a of the Subdivision Regulations, as described more fully below. While a more detailed recording and construction phasing schedule is included on the Phasing Plan included with the Application, a summary of that phasing plan is also included below:

Plat Recordation:

Phase I – Recordation of plats for 48 residential dwelling units (up to 165,000 square feet) and, if necessary, recordation of applicable plats to allow for up to an additional 45,000 square feet of new commercial uses, within 36 months from the 30th day after the Resolution is mailed; or if an administrative appeal is timely noted by any party authorized to take an appeal, the date upon which the court having final jurisdiction acts, including the running of any further applicable appeal periods.

Phases II – Recordation of plats, if necessary, to allow for up to an additional 32,000 square feet of new commercial uses 36 months from the expiration date of the validity period for Phase I.

Phase III- Recordation of plats for an additional 11 residential dwelling units (up to 35,000 square feet) and an additional 3000 SF of new commercial uses 36 months from the expiration date of the 36 month validity period for Phase II.

Construction Phasing:

Phase I – Issuance of building permits for 48 residential dwelling units (165,000square feet), including 12.5% MPDUs, and a total of up to 45,000 square feet of commercial uses (net increase of approximately 29,000 square feet) within 60 months from the 30th day after the Resolution is mailed, or if an administrative appeal is timely noted by any party authorized to take an appeal, the date upon which the court having final jurisdiction acts, including the running of any further applicable appeal periods. Common open spaces and recreational facilities for the residential units within Phase I will be constructed contemporaneously with the units in Phase I and available to residents prior to the final residential use and occupancy permit for Phase I.

Phase II – Issuance of building permits for up to an additional 32,000 square feet of new commercial uses and structured parking facility within 48 months from the expiration date of Phase I.

Phase III – Issuance of building permits for an additional eleven (11) residential dwelling units (35,000 square feet), and an additional 3,000 square feet of new commercial uses (345 square feet of net new commercial uses) within 12 months from the expiration date of the Phase II validity period. Common open spaces and recreational facilities for the residential units within Phase III will be constructed contemporaneously with the units in Phase III and available to residents prior to the final residential use and occupancy permit for Phase III.

§ 50.4.2.D Required Findings.

To approve a preliminary plan, the Board must find that:

- 1. the layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59;*

The proposed size, width, shape, orientation and density of lots in the subdivision is appropriate given the primarily commercial nature of the Property and its location at the corner of Seven Locks Road and Tuckerman Lane. The proposed subdivision largely maintains the existing commercial lots that are appropriate for, and commensurate with, the size of the existing and proposed commercial components of the Project, and the proposed 59 residential lots are appropriate for the proposed single-family attached portions of the development, which are proximate to the adjacent single-family attached neighborhood of Inverness, which has similar residential lot sizes.

The location and design of roads is also appropriate given the Property's location, the types of uses contemplated, and the applicable requirements of Chapter 59. Access through the shopping center has historically been provided through private drive aisles, including Coddle Harbor Lane, a private road, owned and maintained by the Applicant. After discussions with Planning Staff, as well as the Montgomery County Department of Transportation ("MCDOT"), the Applicant has agreed to make Coddle Harbor Lane a more formalized private street, on a separate record parcel, and to extend such private street to and around the eastern side of the townhouses proposed in the northeast corner of the site. The Applicant is also proposing to place a Public Access Easement between the proposed townhouses in the northeast corner of the Property and the existing retail area to the south to ensure public access along this area in perpetuity for future residents and their invitees.

2. *the preliminary plan substantially conforms to the master plan;*

The Preliminary Plan substantially conforms to the Master Plan's specific guidance for the Property, as well as its area-wide planning goals. It must be noted that at the time of the adoption of the Master Plan in 2002, certain assumptions were made regarding market conditions, construction costs, the applicable zoning, best planning practices, environmental conditions and the means by which the Property would be developed that are no longer applicable in 2018. More specifically, the Master Plan envisioned both a RMX-2C zoning for the Property, which zone no longer exists, and a wholesale redevelopment of the Property to facilitate new development, which is no longer a feasible option.² See Master Plan p. 47. Therefore, while the Application substantially conforms with the recommendations of the Master Plan, as discussed in more detail below, certain recommendations and guidelines need to be more liberally interpreted to address current-day realities.³

Prior to the adoption of the Master Plan in 2002, the Property was split zoned C-1 and R-90. The Master Plan recommended the rezoning of the majority of the Property (with the exception of the portion of Parcel O containing stormwater management facilities, which remained R-90) to the RMX-2C (Residential Mixed Use Development, Specialty Center, Commercial Base) zone. The RMX-2C zone was first established in 1993 to "allow commercial developments under the base standards and mixed use development under an optional procedure." See January 11, 1993 Technical Staff Memorandum on ZTA No. 92019, p. 1. The zone largely relied on specific master plan recommendations to set development parameters and

²Existing leases on the property, as well as economic feasibility prohibit any redevelopment that would demolish all of the existing structures and create an entirely new development.

³It is important to note that the relevant criteria for site plan approval requires substantial conformance, not strict conformance.

ensure compatibility of mixed-use developments with adjacent areas. *See* October 29, 2014 Zoning Ordinance Section 59-C-10.3.1 (“This method of development is a means to encourage development in accordance with the recommendations and guidelines of approved and adopted master plans”). As referenced above, the Property was subsequently rezoned to the CRT Zone (Commercial Residential Town) pursuant to the 2014 Countywide District Map Amendment. As a result of this rezoning, many of the recommendations of the Master Plan that clearly anticipated and related to the previous zone need to be “translated” to the current CRT zone.

For example, the Master Plan distinguishes between the “standard method” and “optional method” of development as such were then defined under the RMX-2C zone. In the RMX-2C zone, any development above a 0.3 FAR triggered the optional method. Under the current CRT zoning, however, development on the Property, up to the maximum 0.75 FAR allowed by the zone,⁴ would be permitted under the standard method of development. Additionally, the CRT zone’s standard method is more akin in form and function to the optional method of development in the RMX-2C zone. For example, the RMX-2C optional method was typically used for mixed-use developments, the details of which were set forth in a master plan, whereas CRT standard method encourages such mixed-use developments and requires a finding of master plan compliance. The RMX-2C optional method also established such requirements as minimum outside amenity areas and minimum building setbacks, which are now established under the standard method in the CRT zone. Therefore, references in the Master Plan to the “optional method” of development should be properly applied to the CRT standard method as the current equivalent.

⁴Pursuant to Section 59.4.5.3.A of the Zoning Ordinance, projects in the CRT zone may develop to “[t]he greater of 1.0 FAR or 10,000 SF of gross floor area” under the standard method of development.

The Master Plan identifies a number of zoning and land use recommendations specific to the Property that largely echo the more general area-wide recommendations of the Master Plan regarding environmental protection, including improved stormwater controls, increased tree canopy, and enhancements to pedestrian and bicycle facilities. See Master Plan, pp. 1-2, 29, 33-35. With regard to the Property-specific recommendations, the Master Plan notes that such recommendations “are intended to provide redevelopment flexibility while ensuring that such redevelopment will create a walkable village center compatible with adjacent neighborhoods.”⁵ See Master Plan, p. 46. These recommendations and the design guidelines relating thereto are reviewed below, along with a brief description of how the Application substantially conforms to each:

- *Provide a pedestrian-friendly, mixed-use village center consisting primarily of retail uses and also including offices, housing, open space, and small scale entertainment/recreational activities. Retail uses must be neighborhood-serving; regional and big box uses must be avoided. Stores must not exceed 8,000 square feet with the following exceptions: a grocery store limited to 50,000 square feet and one additional anchor limited to 30,000 square feet. If the gas station is relocated within the property, compatibility with housing must be maintained by adequate separation, efficient vehicular access and circulation, and reduction of visual impact by attractive landscaping. (p. 46).*

The Application proposes to transform the existing retail center and surface parking facilities into a vibrant mixed-use center with primarily retail uses. As noted above, in addition to new commercial uses and the retention of approximately 30,000 square feet of existing office space, the Applicant proposes the introduction of residential uses to the Property in the form of approximately 59 townhouse dwelling units to establish a broader mix of complementary uses.

⁵The flexibility embraced by this Master Plan language is consistent with well-established case law in Maryland that stands for the principle that master plans “are continually subject to modification in light of actual land use development and serve as guide rather than a strait jacket.” *Montgomery County v. Woodward & Lothrop, Inc.*, 280 Md. 686, 704 (1977).

The Application will also provide a series of open spaces that will serve as gathering spots, and which will be programmed for entertaining and recreational activities.

With regard to the specific nature and sizes of the retail, all of the proposed retail uses will be neighborhood-serving. As noted above, the Property currently has an anchor grocery store with a long-term lease, as well as an additional anchor of approximately 15,000 square feet. Because these tenants were in place at the time of the adoption of the Master Plan and are expected to remain for the foreseeable future, the Applicant does not believe the stated limitations should apply to those uses. Additionally, some flexibility in the stated floor areas is necessary in light of the fact that retail norms have changed significantly since the adoption of the Master Plan in 2002. Current highly desirable tenants who are not typically considered “big box” uses, such as Terrain, West Elm, Anthropologie or Equinox⁶ have typical floorplates in excess of 8,000 square feet. Slight modifications to the stated limits are therefore appropriate and can be accommodated while preserving the overall intent, and ensuring substantial compliance with, the objectives of this Master Plan language.

As illustrated on the Preliminary Plan, the Application proposes a number of new smaller commercial buildings throughout the Property, the vast majority of which are proposed to range between 1,000 square feet to 6,000 square feet. One or two retailers and/or fitness users may have footprints up to approximately 10,000-16,000 square feet, however, which are reflective of updated business models whereby select retailers have fewer, larger footprint stores. Examples of these users might include home wares, fitness concepts, bookstores, music venues, outdoor retailers and food operators. The intent in bringing these retailers to the center is to create a

⁶It is unclear in the Master Plan whether a fitness use would be included or exempt from the stated retail caps.

synergistic retail experience while diversifying the options and depth of retail available to the community. In addition, the Project could potentially include one additional user of up to 21,000 square feet, as prescribed in the Master Plan, which would most likely be a fitness user.

- *Commercial development is limited to 300,000 square feet of gross floor area. (p. 46).*

Although the existing zoning for the Property would permit over 500,000 square feet of commercial uses, the Application proposes a maximum of 300,000 square feet of commercial development as recommended by the Master Plan.

- *Housing is not permitted under the standard method. Under the optional method, the following residential components are permitted up to a total of 135 dwelling units (MPDUs): 75 units of elderly or affordable housing, to be generally located at the northeast section of the site; (135 units will only be permitted if 75 units are elderly or affordable); up to 40 townhouses located to provide a transition to the adjacent residential community and to enhance the residential character of Coddle Harbor Drive; and up to 40 dwelling units in a single story above retail, located to enliven the street environment. The combination of housing units in the latter two categories shall not exceed 60 units. (p. 46).*

As noted above, the Master Plan recommendations were reflective of the then proposed RMX-2C zoning for the Property. Residential uses were restricted under standard method RMX-2C zoning and, as a result, the Master Plan tied housing to the optional method of development. With the change to the current CRT zone, however, the Applicant believes that housing is properly permitted under the standard method.

As illustrated on the Preliminary Plan included in the Application, up to 59 townhouse dwelling units composed of 51 market-rate units and 8 (12.5%) moderately priced dwelling units are proposed along the northeast and northwest portions of the Property. The townhouse units in the northeast portion of the Property will replace existing surface parking facilities near the stormwater management facilities on Parcel O and will provide the transition envisioned by the

Master Plan between the existing and proposed retail buildings to the south and the adjacent residential community to the north. The remaining eleven (11) townhouse units will be located on the site of the existing gas station, to be developed in a later phase, upon expiration of the gas station's existing long term lease and appropriate environmental remediation. These residential units will also provide a transition between the adjacent mall building to the south and residential community to the north and will enhance the residential character of Coddle Harbor Drive, as envisioned by the Master Plan.

The Application does not exceed the maximum of 60 units within "the latter categories," as specified in the Master Plan, but rather proposes that all of these units be townhouse dwelling units as opposed to some being dwelling units in a single story above retail, which product type is not feasible today given the complexity of ownership, building type, height constraints, and costs associated with that form of development. As was recognized by Planning Staff as part of the Concept Plan for the Project, the Master Plan's limit of 40 townhouses was not intended to be a hard and fast ceiling; rather, the Master Plan's intent was that housing be provided as part of any redevelopment of the Property to create a mixed-use village center, which objective the Application achieves.

- *Provide sidewalk improvements at the confronting quadrants of Tuckerman Lane and Seven Locks Road to facilitate pedestrian access to center. (p. 46).*

The confronting quadrants of Tuckerman Lane and Seven Locks Road have already been improved with sidewalks to accommodate pedestrian access to Cabin John Village.

- *A bus shelter or shuttle service to Metro or acceptable traffic mitigation alternative must be provided with any increase in density. (p. 46).*

A bus shelter has already been constructed along Seven Locks Road in compliance with this recommendation. Additionally, the Applicant is proposing the provision of 5 car-sharing

spaces within the center, significant bicycle parking, new shared use path and new sidewalks which will further enhance traffic mitigation objectives.

- *Any new auxiliary lanes at the intersection will require the installation of a tree lined median and clearly marked pedestrian crosswalk to provide pedestrian refuge when crossing Seven Locks and Tuckerman Roads. (p. 48).*

The clearly marked pedestrian crosswalks have already been constructed at this location. MCDOT is currently in the process of constructing necessary auxiliary lanes as part of an ongoing CIP project.

- *Provide intersection improvements on Tuckerman Lane and Seven Locks Road to facilitate pedestrian crossing, subject to DPW&T and M-NCPPC approval, prior to any new construction. (p. 48).*

The pedestrian intersection improvements, including new pedestrian signals and clearly delineated crosswalks, have already been instituted at the intersection of Tuckerman Lane and Seven Locks Road. These will be continued throughout the Project by the developer.

- *Link the on-site pedestrian street and path system to intersection improvements at Tuckerman Lane and Seven Locks Road to draw pedestrians and bikers to the site from confronting properties. (p. 48).*

This Application will improve the functionality of the on-site street and pedestrian pathway systems by introducing additional retail buildings and streetscape improvements including sidewalks and crosswalks that make the Property more readily and safely accessible for pedestrians and bikers. The Project will connect this enhanced internal street and sidewalk system to the various intersection improvements along the Property's frontages. To this end, the Application is also consistent with the Master Plan's area-wide recommendation to "provide pedestrian and bike links to surrounding streets and neighborhoods." (p. 34).

- *Provide a tree-lined hiker/biker path along the site perimeter on Tuckerman Lane and Seven Locks Road. The path should be eight to ten*

feet wide and separated from the road by a landscaped panel extensively planted with shade trees.

As part of the Project, the Applicant has agreed to construct a 10-foot wide shared use path with a grass panel along Tuckerman Lane, from Seven Locks Road to Angus Place, and a 5-foot grass strip from Angus Place to the property line.

- *Landscaped medians to provide pedestrian refuge when crossing Seven Locks and Tuckerman Roads.*

An earlier recommendation, discussed above, contemplates the construction of such medians with the installation of any new auxiliary lanes at the intersection. As noted above, such lanes are the subject of an ongoing CIP project that is beyond the control of the Applicant.

- *Heights of buildings, including combination of housing and structured parking, shall not exceed 35 feet to ensure a scale compatible with the surrounding neighborhoods. (p. 48).*

During the 2014 rezoning of the Property from the RMX-2C to the CRT zone, the height allowed under the standard conversion to the new CRT zoning was dropped from 65 feet to 35 feet to reflect this recommendation. None of the existing or new commercial buildings on the Property will exceed 35 feet in height. Because a 35-foot height limit is especially restrictive for current townhouse products, however, the proposed townhouse units will utilize the provisions of Section 59.4.5.2.C.2.f of the Zoning Ordinance⁷ to average the height of all the uses on the Property to ensure an average height of 35 feet is maintained, as permitted by the Zoning Ordinance and Planning Board practice.

⁷Section 59.4.5.2.C.2.f states, “Height on a portion of a building may be increased above the number following the H on the zoning map so long as the average height of the building is no greater than the maximum height allowed by a mapped zone. Average building height is calculated as the sum of the area of each section of the roof having a different height multiplied by that height, divided by the total roof area. Height is measured at the midpoint of each roof section along each frontage.”

- *Maintain the existing berms and wide margin of trees along the perimeter of the site, especially adjacent to the Cabin John Stream Valley Park. (p. 48).*

The Application proposes to maintain existing berms and the wide margin of trees along the perimeter of the Property, with only minor modifications that will be remediated with new plantings. The additional retail buildings, residential uses and associated streetscape improvements will be sited and designed to be compatible with the adjacent Cabin John Stream Valley Park.

- *Meet a significant portion of the parking requirements in structured parking. Place as large a proportion as possible below grade. Any parking structure above grade must be located in the northeast corner of the site and be limited in height to 20 feet. Housing may be placed on top of garage, however, the combined above-grade height shall not exceed 35 feet. A parking structure must be designed with compatibility features that minimize its bulk such as landscaped building elevations, wall offsets and architectural articulation. The structure shall be designed to shelter grocery store shoppers from inclement weather.*

Current market conditions and the density proposed by the Project do not support the costs associated with structured parking at this time. Structured parking is, however, contemplated for Phase II, in the form of underground parking in the southeast corner of the site. Given existing and proposed grades, structured parking can be accommodated in this location, away from adjacent residential neighborhoods, and largely obstructed from view. In this regard, a parking structure in the proposed location would be less impactful on the adjacent residential areas and more completely shielded from view as envisioned by the Plan.

- *Provide a 100-foot building setback along the northeastern property line of which 50 feet is continuous landscaped buffer between any development and adjacent residential neighborhoods. (p. 48) In optional method projects, “[t]o achieve a more compatible site layout that accommodates a significant residential component, the required building setbacks may be reduced to 50 feet with appropriate landscaping in the following locations: along Cabin John Park, along the R-90 zoning boundary line at*

the stormwater management pond, and along Coddle Harbor Lane if residential townhouses are provided.”

As discussed above, the Application was designed to comply with the practical equivalent of the RMX-2C optional method, which is the CRT standard method. Therefore, the reduced setbacks under the Master Plan’s “optional method” are understood to be the applicable ones. Additionally, there is a discrepancy in the Master Plan regarding from where the referenced setback line is to be drawn. While the clear language of the guideline on page 48 refers to the “property line,” the diagram on page 47 of the Master Plan shows the setback starting from mid-property (which is the approximate location of the zoning line), and the language on page 49 refers to a “zoning boundary line.” The only logic of measuring from the zoning boundary line is if single-family homes were proposed to be constructed in that R-90 zoned area, which they are not; therefore, a measurement from the Property line is the most logical in this case and could easily be complied with given the existing open space in this location.

Given the ambiguity of the provision, however, assuming *arguendo* that the setback is measured from the zoning line, strict adherence to the 50-foot setback would create substantial issues for residential development on the Property, mainly due to the fact that the existing center is proposed to remain essentially intact, and is not necessary to achieve the objectives of the Master Plan, as viewed from current realities and zoning. As noted above, the Master Plan contemplated an RMX-2C zone for the property, the standard setback for which was 100’ (which could be reduced to 50’ with Planning Board approval). The language of the plan therefore reflects the RMX-2C development standards of that time. As noted above, however, the property has now been rezoned to CRT, which would only require a setback of 10 feet from the property line, which the proposed setbacks on the Property would exceed significantly.

Additionally, the Master Plan recommended a more significant redevelopment of the site, which would have allowed for larger setbacks. The current plan proposes the retention of the existing retail strip, which limits the available space for residential in this area, especially given the need for drive aisles, fire department access, etc. Therefore, to accommodate the Master Plan's vision for residential development in the northeast corner of the site,⁸ a reduction in the recommended setback to allow for desired redevelopment is appropriate.

The Application therefore reflects an approximately 37-foot setback from the zoning line along Parcel O in one location and 45-foot setback in one other location but the majority of the proposed residential units are located over 100 feet from the property line. This substantially complies with the setback recommendation and objectives considering the fact that the area between the zoning line and the Property line will remain as a wooded area and stormwater pond, with townhouses beyond. Strictly enforcing an arbitrary 50-foot setback from a zoning line for a residential use abutting another residential use in this location is therefore unnecessary to achieve the Master Plan's objectives.

- *Enhance the residential character of Coddle Harbor Lane by removing the gas station, providing townhouses along Coddle Harbor Lane, and relocating access to the center away from the adjacent neighborhood.*

Although the gas station currently has a long term lease on the Property, in accordance with this recommendation, Phase III of the Project contemplates the removal of the gas station and its replacement with residential uses along Coddle Harbor Lane. In light of the fact that much of the existing commercial uses on the Property will remain, however, it is not feasible to relocate the existing access points for the center. Keeping the current entrance to the mini-Mall

⁸It should also be noted that the Master Plan specifically called for multi-family development in this area, the massing of which would have been much greater than the townhouses proposed by the Application.

structure allows consumers to more quickly access the commercial portion of the center, allowing residential traffic to continue to the Inverness Knolls neighborhood. The Project does contemplate eliminating one of the entrances in Phase I to the gas station in order to control traffic flow along Coddle Harbor Lane and keep a more residential feel.

- *Provide streetscaping along Coddle Harbor Lane that is consistent with its residential character. (p. 48).*

The Applicant intends to make modifications that enhance the residential character of Coddle Harbor Lane through the addition of a sidewalk and additional landscaping. In the final phase of development, residential uses will also be introduced along the south side of Coddle Harbor Lane to reinforce its residential character.

- *Explore with DPW&T whether a traffic light is warranted at Seven Locks Road and Coddle Harbor Lane to enhance vehicular and pedestrian safety and accommodate the traffic volume. (p. 48).*

The Applicant's traffic consultant performed a traffic signal warrant analysis for this intersection that concluded that no signal was warranted. A copy of the study is included with the revised Application materials.

- *Provide public facilities and amenities, such as a green park.*

As noted above, the Project will include a number of open spaces throughout the Property that provide gathering spaces, open parks and landscaped areas as amenities to the retail customers, residents and office workers in the site. The applicant also intends to work with the Parks Department to enhance the connection to the trails system along and within Parcel O that connect to the adjacent Cabin John Park in order to offer better accessibility, safety and usability to this important amenity for the public.

- *Provide storm water management according to current standards and retrofit projects for currently untreated sites. Incorporate alternative techniques that increase filtration and enhance natural hydrology, such as*

small bioretention areas, rooftop gardens, disconnection of impervious cover, alternative pavers, soil amendments and conditioning, or other landscaping techniques. (p. 34).

In connection with the proposed redevelopment of the Property, which currently is almost entirely impervious, stormwater management will be significantly improved with on-site stormwater management facilities meeting current standards and the introduction of more green elements in parking areas, the disconnection of impervious cover, and enhanced landscaping. Various ESD facilities including micro bioretention facilities and permeable pavement will also be evaluated to manage stormwater along with structural practices.

3. *public facilities will be adequate to support and service the area of the subdivision;*

A. Roads and Public Transportation Facilities

Vehicular circulation to the Property is proposed to remain from the existing access points along Tuckerman Lane and Seven Locks Road, as discussed above. These existing roadways and access points currently provide efficient and adequate circulation to the Property. As more fully described in the Traffic Study included with the Application, with the provision of a turn lane along Coddle Harbor Drive within the existing right-of-way, implementation of the Project will not result in any of the study intersections operating in excess of the applicable standards.

Additionally, the Property is served by an existing bus stop that provides access to Ride On Bus Routes 37 and 47, Ride On Bus 47 runs between the Bethesda and Rockville Metro Stations, providing service every 25-30 minutes on weekdays, and Ride On Bus 37 runs between the Potomac Community Center and the Grosvenor/Wheaton Metro Station, providing service approximately every 30 minutes on weekdays.

B. Sewerage and Water Service, Schools, Police Stations, Firehouses, and Health Clinics

Other available public facilities and services are similarly adequate to serve the proposed Project. As the Property is located in the S-1 and W-1 sewer and water categories, there is adequate on-site sewer and water service to serve the Project. With regard to schools, the Property is situated in the Churchill School Cluster. Per the FY 2018 Schools Test, the Whitman Cluster, including Beverly Farms Elementary School and Herbert Hoover Middle School, is adequate under applicable capacity criterion.⁹ Police stations, firehouses, and health clinics are considered adequate under the 2016-2020 Subdivision Staging Policy unless there is evidence that a local area problem will be generated. There are no circumstances present that would rebut this presumption of adequacy.

4. all Forest Conservation Law, Chapter 22A requirements are satisfied;

Applicant will comply with all applicable requirements of Chapter 22A of the Montgomery County Code as detailed in the Forest Conservation Plan included with the Application.

With regard to tree preservation in the northeast portion of the site in particular, the Project has been specifically designed to minimize disturbance along the existing forest edge. Given site constraints stemming from retaining existing buildings, as well as necessary regulatory considerations including stormwater management and fire access, total avoidance of any tree impacts was not possible. Although the proposed impacts will slightly reduce the forest edge, a portion of the existing storm water management easement, which is heavily treed, is proposed to be converted into Forest Conservation Area, essentially maintaining the same width

⁹Per this test, Churchill High School is projected to be at 102.5% capacity, while Beverly Farms is at 75.5% (with a projected surplus of 169 seats in 2022-2023) and Hoover Middle School is at 67.7% (with a projected surplus of 368 seats in 2022-2023).

of forest in this area that currently exists, while also ensuring the longevity of the forest area. Additionally, the Applicant intends to implement tree preservation measures, potentially including standard TPF, signage, root pruning, vertical mulching and fertilization to further aid in mitigating disturbance and protecting the forest line. These measures will be further explored and identified as part of the Final Forest Conservation Plan included with the upcoming Site Plan.

5. *all stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied; and*

As detailed above, stormwater management on the Property will be greatly enhanced as part of the Project, and a concept stormwater management plan has been submitted with the Application. No water quality plan is required for the Property.

6. *any other applicable provision specific to the property and necessary for approval of the subdivision is satisfied.*

The Applicant is not aware of any other provisions specific to the Property that would need to be addressed for approval of the Application.

V. DURATION OF PRELIMINARY PLAN APPROVAL

§ 50.4.2.G.2.b. Multi-phase project.

- i. *An approved preliminary plan for a multi-phase project remains valid for the period of time allowed in the phasing schedule approved by the Board.*
- ii. *The applicant must propose a phasing schedule and the duration of the validity period for each phase as part of an application for preliminary plan approval or amendment. The Board must assign each phase a validity period after considering the size, type, and location of the project.*
- iii. *The time allocated to any phase must be . . . 36 months after the initiation date for that particular phase for any preliminary plan approved after March 31, 2017.*

iv. *The cumulative validity period for all phases must be shorter than or equal to the APFO validity period which begins on the initiation date of the first preliminary plan approval, including any extension granted under Section 4.3.J.7.*

In light of the dependence of the full build-out proposed on market conditions and the expiration of existing leases, the Applicant requests a ten (10)-year APF validity period, as explained further in Section VII below, and proposes the following phasing plan for preliminary plan validity:

Phase I – 36 months from the 30th day after the Resolution is mailed; or if an administrative appeal is timely noted by any party authorized to take an appeal, the date upon which the court having final jurisdiction acts, including the running of any further applicable appeal periods.

Phases II – 36 months from the expiration date of the validity period for Phase I.

Phase III – 36 months from the expiration date of the validity period for Phase II.

VI. ROADS

ROAD DESIGN

§ 50.4.3.D.3. Area for public roads and associated utilities and storm drainage.

a. *Roads. In its consideration of the approval of a subdivision, the Board must require dedications and platting of adequate area to provide public roads and other public transportation facilities. These must be coordinated with other existing, planned, or platted roads, other features in the district, or with any road plan adopted or approved as a part of the General Plan.*

The adjacent rights-of-way for Tuckerman Lane and Seven Locks Road have already been dedicated to their full master-planned widths, so no further dedication for these roadways is required as part of the Application. However, in light of the agreed upon frontage improvements, the Applicant will be providing minor dedication along Tuckerman Lane to

accommodate the proposed improvements. No other public roads or transportation facilities are proposed for the site in the Master Plan.

- c. *Rights-of-way and easements other than roads. The Board may require dedication to public use of rights-of-way or platting of easements necessary for public use, such as pedestrian paths, equestrian trails, bicycle facilities, water and sanitary sewer, and stormwater management and storm drainage facilities. The Board must approve the extent, location, and width of each pedestrian path, equestrian trail, and bikeway right-of-way after considering the master plan. The extent and width of water and sanitary sewer rights-of-way must be determined by the Washington Suburban Sanitary Commission in its jurisdiction. The extent and width of drainage rights-of-way must be determined by the Department of Permitting Services after receipt of drainage studies prepared by the applicant's engineer.*

Sidewalk and bikeway improvements along the majority of the Property's frontages can be accommodated within the existing right-of-ways. In some areas, additional dedication is being provided to accommodate the proposed improvements along with any future improvements that are being contemplated. The location and extent of easements necessary for water and sanitary sewer, stormwater and storm drainage will be coordinated with the Washington Suburban Sanitary Commission and the Department of Permitting Services as part of the Preliminary Plan review process and will be shown on the final record plat for the Property.

§ 50.4.3.E. Roads

1. *Plan requirements*

- a. *Master plan roads. Preliminary plans must include roads shown on any adopted Master Plan of Highways, in satisfaction of the Road Design and Construction Code. Where applicable, an approved plan must include recommendations of the State Highway Administration for construction and access to State roads. Where private roads are specifically recommended by a master plan, the roads must be provided to the standards for private roads under this Section.*

The Preliminary Plan depicts the full right-of-way widths for the adjacent Tuckerman Lane and Seven Locks Road. No public or private roads are depicted within the limits of the Property on either the Master Plan or Master Plan of Highways.

2. *Design standards.*

- a. *Right-of-way. Area for a road on a subdivision plan must include the full width of all rights-of-way recommended for the applicable road classification in the adopted master plan and in the Road Design and Construction Code.*

As noted above, Seven Locks Road and Tuckerman Lane, both adjacent to the Property, already have the full right-of-way width called for in the Master Plan. The proposed dedication area along Tuckerman Lane is also depicted on the Preliminary Plan. The Master Plan does not identify any specific roads or right-of-way widths for within the Property.

4. *Additional standards for private roads.*

- a. *Designating Private roads.*
In general, except when a private road is identified in a master plan, the creation of public roads is preferred; an applicant must justify the use of a private road based upon the criteria below and the specific compelling circumstances of the property being developed.

In coordination with Planning Staff and MCDOT, the Applicant is proposing a private road along Coddle Harbor Lane that will extend east along the northern Property boundary and terminate in the southeast corner of Parcel O to provide access to both the adjacent Inverness community and new townhouse community in the northeast portion of the site. The remainder of access through the site will be provided via existing private driveways and alleys.

- b. *Justification for a private road:*
A subdivider who proposes a private road must provide a list of proposed design elements that do not meet public road standards, including context-sensitive road design standards or a previously approved Design Exception, and justify why those design elements are necessary for the proposed development. The justification for a private road must not be based solely on the installation of non-standard amenities that could be

addressed under a Maintenance and Liability Agreement with the County.

The Applicant notes that Coddle Harbor Lane and its extension along the northern portion of the site could not effectively function as a public road constructed to public standards because of the following:

- Intersection spacing of existing and proposed driveways
- Insufficient spacing for street trees, public utility easements and sidewalk
- Horizontal and vertical curve alignments do not meet public road design standards
- Minimum centerline radii cannot meet public road standards
- The existing driveways are unable to meet the standard road cross section (crown) due to the existing grading and drainage systems.

VII. DETERMINATION OF ADEQUATE PUBLIC FACILITIES

§ 50.4.3.J Adequate public facilities.

2. The Board may only approve a preliminary plan when it finds that public facilities will be adequate to support and service the subdivision. Public facilities and services to be examined for adequacy include roads and transportation facilities, sewer and water service, schools, police stations, firehouses, and health clinics.

Compliance with the requirements of this provision are detailed in Section IV above.

5. Validity Period

a. A determination of adequate public facilities made under this Chapter is timely and remains valid:

- iv. for no less than 5 and no more than 10 years after the preliminary plan is approved, as determined by the Board when it approved the plan, for any plan approved after July 31, 2007, and before April 1, 2009, or after March 31, 2017.*

b. If an applicant requests a longer validity period than the minimum specified in 5.a, the applicant must submit a development schedule or phasing plan for completion of the project for its approval.

- i. *At a minimum, the proposed development schedule or phasing plan must show the minimum percentage of the project that the applicant expects to complete in the first 5 or 7 years, whichever is the applicable minimum, after the preliminary plan is approved.*
- ii. *To allow a validity period longer than the specified minimum, the Board must find that the size or complexity of the subdivision warrant the extended validity period and would not be adverse to the public interest. The Board must condition a validity period longer than the specified minimum on adherence to the proposed development schedule or phasing plan, and may impose other improvements or mitigation conditions if those conditions are needed to assure adequate levels of transportation or school service during the validity period.*

As noted above, given the size and complexity of the Project, which will need to be implemented in a manner responsive both to existing leases and market conditions, the Applicant is requesting a 10-year APF validity period as part of its approvals, and, as part of this request, proposes the following phasing plan:

Phase I – Issuance of building permits for forty-eight (48) residential dwelling units (165,000 square feet) and a total of up to 45,000 square feet of new commercial uses within 60 months from the 30th day after the Resolution is mailed, or if an administrative appeal is timely noted by any party authorized to take an appeal, the date upon which the court having final jurisdiction acts, including the running of any further applicable appeal periods.

Phase II – Issuance of building permits for up to an additional 32,000 square feet of new commercial uses and the structured parking facility within 48 months from the expiration date of the Phase I validity period.

Phase III – Issuance of building permits for an additional eleven (11) residential dwelling units (35,000 square feet) and a total of up to 3,000 square feet of new commercial uses within 12 months from the expiration date of the Phase II validity period.

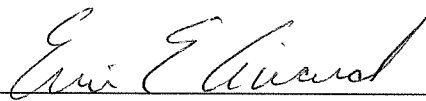
VIII. CONCLUSION

The Application proposes a vibrant, neighborhood serving, mixed-use redevelopment of the Property that will accomplish the Master Plan's objectives, while also being cognizant of

current market realities. More specifically, the Applicant intends to replace existing surface parking facilities with a mix of commercial buildings, townhouse dwelling units and associated streetscape and open space improvements while significantly improving the current condition of existing buildings. The Application also proposes the implementation of on-site pedestrian and bicycle pathways that allow for safe and efficient access to Seven Locks Road, Tuckerman Lane and the surrounding community. In summary, the Application establishes a framework for transforming the Property from an aged strip shopping center into a pedestrian friendly, mixed-use village center with high quality retail, office, housing and open spaces.

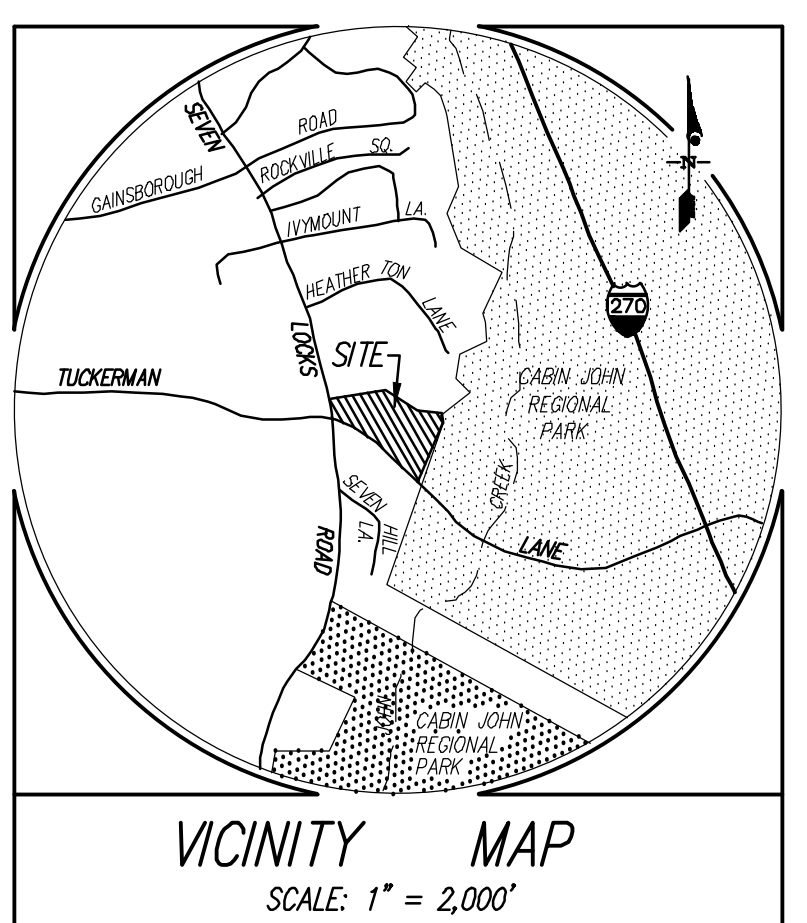
Respectfully submitted,

LINOWES AND BLOCHER LLP

By: 
Erin E. Girard

7200 Wisconsin Avenue, Suite 800
Bethesda, Maryland 20814
(301) 961-5153

Attorney for Applicant



VICINITY MAP
SCALE: 1" = 2,000'

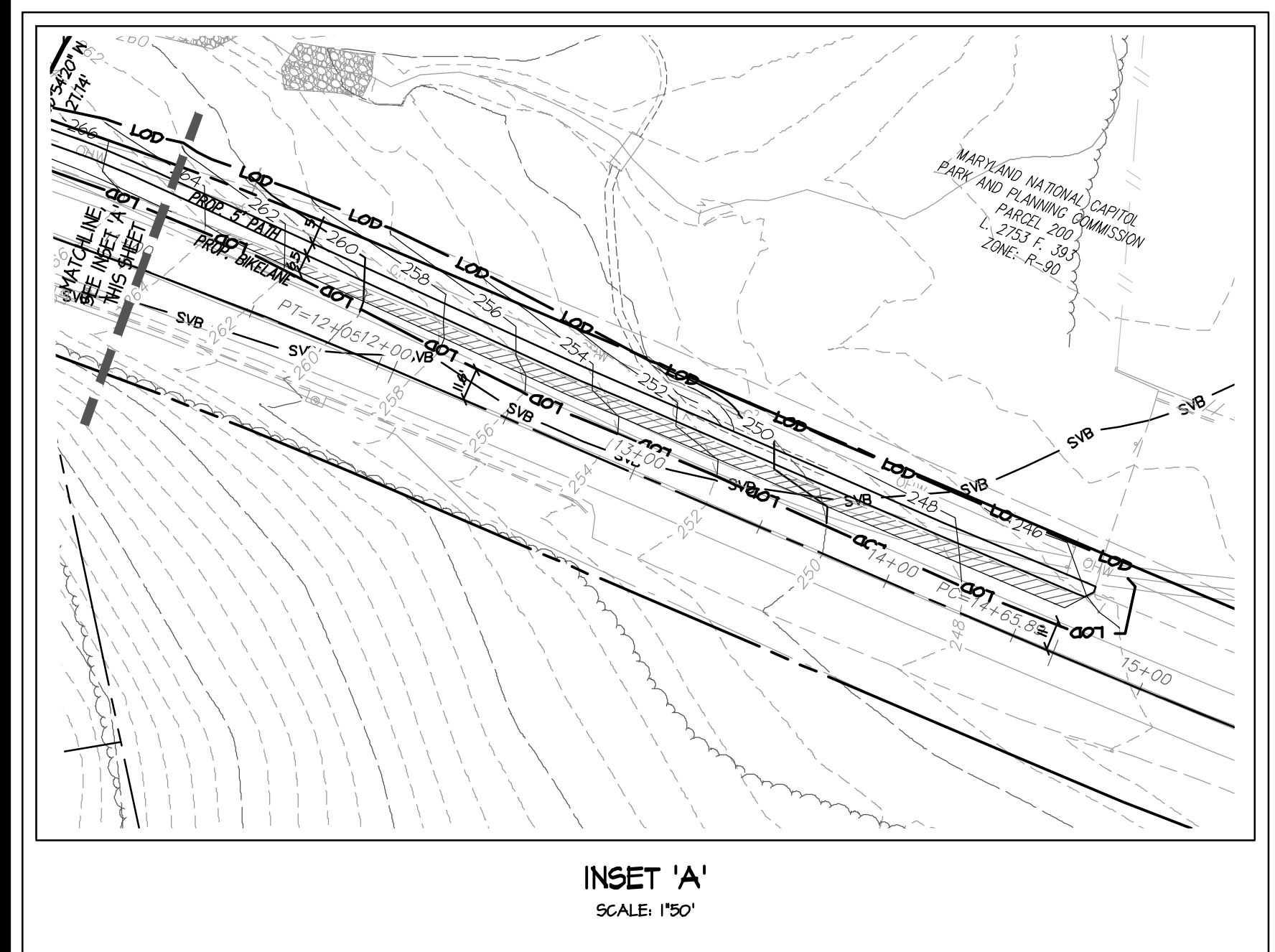
WSSC GRID: 214NW08 & 214NW07
ADC MAP BOOK GRID: 35-A1-MC & 35-B1-MC

Attachment 2

- LEGEND**
- EX. CONTOURS
 - PROP. CONTOURS
 - EX. BUILDING (TO BE REMOVED)
 - EX. BUILDING (TO REMAIN)
 - PROP. BUILDING (RESIDENTIAL)
 - PROP. BUILDING (RETAIL)
 - EX. STREAM
 - EX. CURB
 - PROP. CURB
 - EX. SIDEWALK
 - PROP. SIDEWALK
 - EX. GAS
 - EX. SEWER
 - PROP. SEWER
 - EX. WATER
 - PROP. WATER
 - EX. STORM DRAIN
 - PROP. STORM DRAIN
 - PROP. LOD
 - EX. OVER HEAD WIRE
 - EXISTING TREE LINE
 - HAPPED SOILS BOUNDARY LINE
 - FCE FOREST CONSERVATION EASEMENT AREA
 - EX. FENCE
 - SHM ACCESS
 - GRASS PAVERS

RIGHT OF WAY DEDICATION NOTE:
EXACT RIGHT OF WAY DEDICATION AREA TO BE CONFIRMED PRIOR TO CERTIFIED SITE PLAN. THIS DEDICATION AREA WILL EFFECT THE FINAL PARCEL AREA FOR PROPOSED PARCEL 'J'.

PUBLIC UTILITY EASEMENT NOTE:
A PUBLIC UTILITY EASEMENT HAS BEEN SHOWN ALONG THE FRONTAGE OF SEVEN LOCKS ROAD AND TUCKERMAN LANE. IF THE APPLICANT/OWNER OBTAINS LETTERS OF SUPPORT FROM THE APPROPRIATE UTILITY COMPANIES THE PUBLIC UTILITY EASEMENTS WILL NOT BE REQUIRED.



INSET 'A'
SCALE: 1"=50'

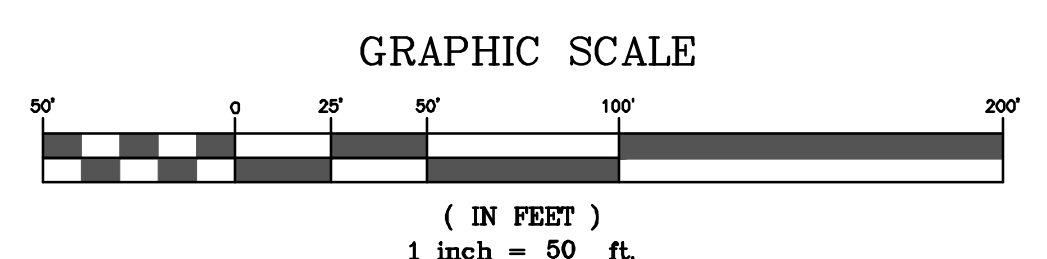
PROFESSIONAL CERTIFICATION

I hereby certify that to the best of my knowledge, information and belief that the plan shown hereon is true and correct; it has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland; and the boundary has been field surveyed. I hereby certify that these plans 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. 28914
Expiration Date: January 20, 2020

Date _____

Tim Longfellow
Professional Engineer
Gutschick, Little & Meber, P.A.



GLW
PLANNING | ENGINEERING | SURVEYING

3905 NATIONAL DRIVE | SUITE 200 | BURTONSVILLE, MD 20886 | GLWPA.COM
PHONE: 301-424-1000 | FAX: 301-424-1100

DESIGNED BY				
DRAWN BY	KAB			
CHECKED BY	TML	5/17/18	REVISED PER M-NCPPC DRC COMMENTS	
DATE			REVISION	BY
				KAB
				TML
				BY
				APPR.

PREPARED FOR:
CABIN JOHN (EDENS), LLC
1272 5th Street NE
Suite 200
Washington, DC 20002
ATTN: JIM MCKENNEY
(202) 902-2600

SCALE	1" = 50'
DATE	MAY, 2018
ZONING	CRT-0.75 C-0.5, R-0.25, H-35T & R-90
TAX MAP - GRID	GQ-121/341

CABIN JOHN VILLAGE
Proposed Lots I-59 & Parcels 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'J' & 'K'

Being a ReSubdivision of Parcels 'C' & 'D', "Seven Locks Plaza" Plat No. 11341 & 25334,
Parcel 'D', "Inverness Knolls" Plat No. 12383, and all of Tax Parcel 338 (L 35660 P. 431)
ELECTION DISTRICT No. 04 MONTGOMERY COUNTY, MARYLAND

G. L. W. FILE NO.
16066

SHEET
3 OF 6

SITE DATA

- Existing Zoning: CRT-0.75, C-0.5, R-0.25, H-35 T & R-40 CRT (Commercial Residential Town) 23.4 Ac R-40 (Single Family Residential) 1.72 Ac
- Watershed: Cabin John Creek - Upper Mainstream
- Watershed Use Class: U-I-P
- This site is not in a Special Protection Area or a Primary Management Area.

AREA TABULATIONS

AREA	AREA	FOREST
SITE AREA	12.91 Ac.	1.71 Ac.
STREAM BUFFER	1.08 Ac.	0.26 Ac.
100-YR FLOODPLAIN	N/A	N/A
KETLANDS	0.11 Ac.	N/A
KETLANDS BUFFER	0.51 Ac.	0.00 Ac.
INTERMITTENT & PERENNIAL STREAM	N/A	N/A

SOILS

SYMBOL	SOIL NAME	PRIME FARMLAND	EROSION HAZARD	HYDRIC
2B	Glenn silt loam, 3-8% slopes	YES	NO	NO
1C	Galla silt loam, 8 to 15 percent slopes	NO	NO	NO
2C	Glenn silt loam, 8 to 15 percent slopes	NO	NO	NO
16D	Brinklow-Blocktown channery silt loams, 15-25% slopes	NO	YES	NO
400	Urban land	NO	NO	NO

TREE LIST

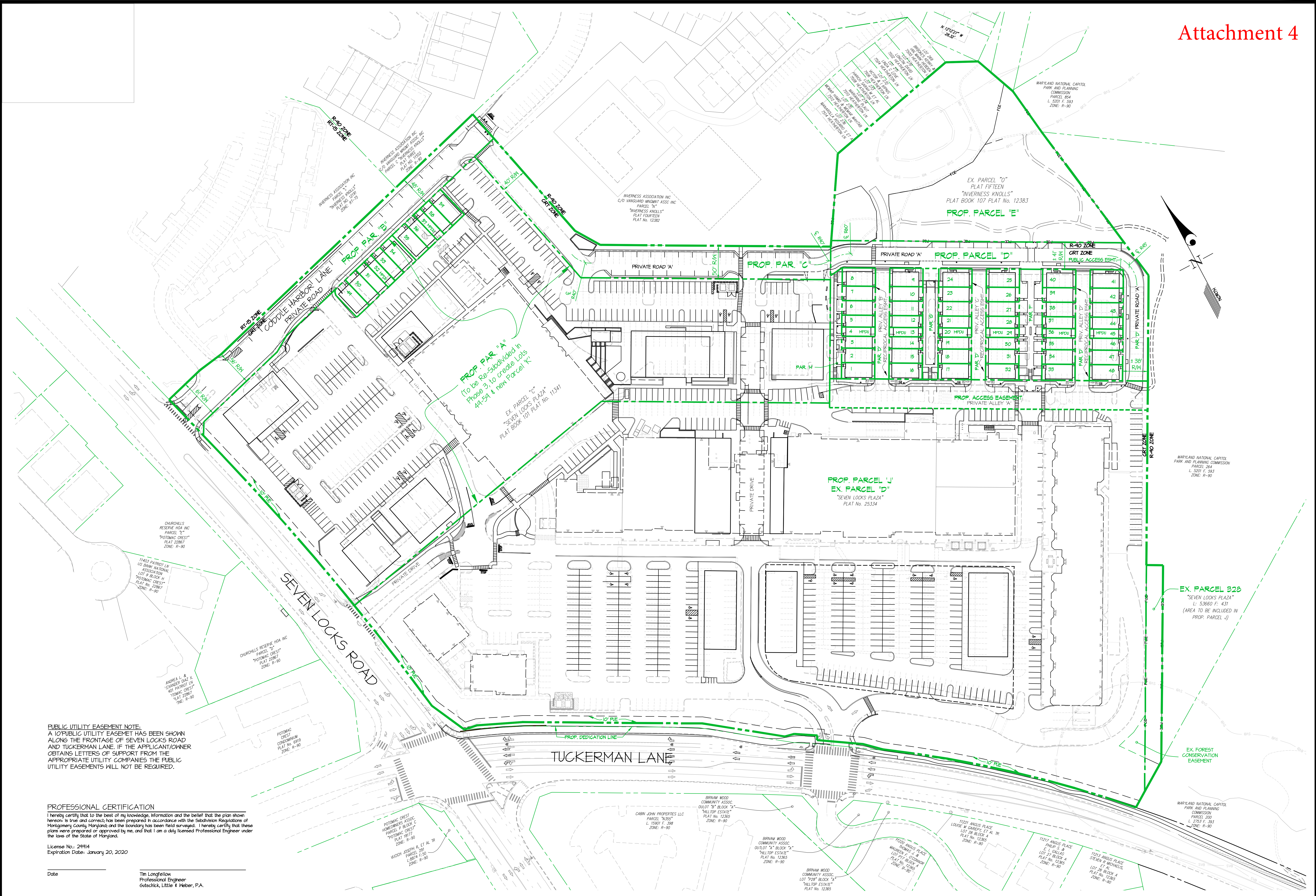
No.	Field Tag #	Common Name	Species Name	DBH	Condition	Disposition
1	1101	Red Maple	Acer rubrum	28"	Good	Save
2	1102	White Oak	Quercus alba	30"	Good	Disturbed 25%
3	1103	Willow Oak	Quercus phellos	21"	Good	Save
4	1104	Willow Oak	Quercus phellos	26"	Good	Save
5	1105	Willow Oak	Quercus phellos	24"	Fair - crown & limb damage	Save
6	1106	Tulip Poplar	Liriodendron tulipifera	28"	Good	Save
7	1107	Tulip Poplar	Liriodendron tulipifera	30"	Good	Save
8	1108	Red Oak	Quercus rubra	30"	Good	Disturbed 18%
9	1109	Red Oak	Quercus rubra	26.5"	Good	Save
10	1110	Tulip Poplar	Liriodendron tulipifera	28"	Good	Save
11	1111	Red Oak	Quercus rubra	33"	Good	Save
12	1112	Tulip Poplar	Liriodendron tulipifera	21"	Good	Save
13	1113	Tulip Poplar	Liriodendron tulipifera	27"	Good	Save
14	1114	Tulip Poplar	Liriodendron tulipifera	25.5"	Good	Save
15	1115	Red Oak	Quercus rubra	24.5"	Good	Save
16	1116	White Oak	Quercus alba	21.5"	Dead	Dead
17	1117	Tulip Poplar	Liriodendron tulipifera	28"	Good	Save
18	1118	Red Oak	Quercus rubra	21.5"	Good	Save
19	1119	Red Oak	Quercus rubra	21"	Good	Save
20	1120	Red Oak	Quercus rubra	21"	Good	Save
21	1121	Tulip Poplar	Liriodendron tulipifera	26.75"	Good	Save
22	1122	Red Oak	Quercus rubra	33.5"	Good	Save
23	1123	Tulip Poplar	Liriodendron tulipifera	21.5"	Good	Save
24	1124	Tulip Poplar	Liriodendron tulipifera	24"	Good	Save
25	1125	Red Oak	Quercus rubra	27"	Good	Save
26	1126	Tulip Poplar	Liriodendron tulipifera	25"	Good	Save
27	1127	Red Oak	Quercus rubra	29"	Good	Save
28	1128	White Oak	Quercus alba	24"	Fair/Floor - trunk damage	Save
29	1129	Red Oak	Quercus rubra	21"	Good	Save
30	1130	White Oak	Quercus alba	26.5"	Good	Save
31	1131	Tulip Poplar	Liriodendron tulipifera	25.75"	Good	Save
32	1132	Tulip Poplar	Liriodendron tulipifera	29"	Good	Save
33	1133	Red Oak	Quercus rubra	25"	Good	Save

TREE LIST (CONT.)

No.	Field Tag #	Common Name	Species Name	DBH	Condition	Disposition
1	1134	Tulip Poplar	Liriodendron tulipifera	25.75"	Good	Save
2	1135	Red Oak	Quercus rubra	26.5"	Good	Save
3	1136	Tulip Poplar	Liriodendron tulipifera	28"	Good	Save
4	1137	Tulip Poplar	Liriodendron tulipifera	24.25"	Good	Save
5	1138	White Pine	Pinus strobus	25"	Good	Remove
6	1139	Yoshino Cherry	Prunus x yedoensis	24"	Fair/Poor - trunk & limb damage	Remove
7	1140	Yoshino Cherry	Prunus x yedoensis	24.5"	Good	Remove
8	1141	Bradford Pear	Pyrus calleryana	26.5"	Floor - trunk damage	Remove
9	1142	Bradford Pear	Pyrus calleryana	24"	Floor - trunk damage	Remove
10	1143	Yoshino Cherry	Prunus x yedoensis	25"	Good	Remove
11	1144	Pin Oak	Quercus palustris	26.5"	Good	Disturbed
12	1145	Pin Oak	Quercus palustris	24"	Good	Disturbed 8%
13	1146	Pin Oak	Quercus palustris	27"	Good	Save
14	1147	Tulip Poplar	Liriodendron tulipifera	31"	Good	Disturbed 21%
15	1148	White Oak	Quercus alba	26.5"	Good	Save
16	1149	Tulip Poplar	Liriodendron tulipifera	30"	Fair/Floor - trunk damage	Disturbed 5%
17	1150	Red Oak	Quercus rubra	24.5"	Good	Save
18	1151	Red Oak	Quercus rubra	25"	Good	Remove
19	1152	Red Oak	Quercus rubra	26.5"	Good	Disturbed
20	1153	White Oak	Quercus alba	28"	Good	Save
21	1154	Pin Oak	Quercus palustris	25"	Good	Disturbed
22	1155	Tulip Poplar	Liriodendron tulipifera	25"	Good	Save
23	1156	Yoshino Cherry	Prunus x yedoensis	25"	Good	Save
24	1157	Pin Oak	Quercus palustris	24.5"	Good	Remove
25	1158	Tulip Poplar	Liriodendron tulipifera	24"	Good	Save
26	1159	Tulip Poplar	Liriodendron tulipifera	25"	Good	Save
27	1160	Tulip Poplar	Liriodendron tulipifera	31"	Good	Save
28	1161	White Oak	Quercus alba	21.5"	Good	Save
29	1162	Pin Oak	Quercus palustris	21.5"	Good	Save
30	1163	White Oak	Quercus alba	27"	Good	Save
31	1164	White Oak	Quercus alba	21"	Good	Save
32	1165	White Oak	Quercus alba	47"	Dead	Remove
33	1166	Tulip Poplar	Liriodendron tulipifera	26"	Good	Disturbed
34	1167	Red Oak	Quercus rubra	24"	Good	Disturb

TREE LIST (CONT.)

No.	Field Tag #	Common Name	Species Name	DBH	Condition	Disposition
1	1168	White Oak	Quercus alba	27"	Good	Save
2	1169	White Oak	Quercus alba	27"	Good	Save
3	1170	White Oak	Quercus alba	27"	Good	Save
4	1171	White Oak	Quercus alba	27"	Good	Save
5	1172	White Oak	Quercus alba	27"	Good	Save
6	1173	White Oak	Quercus alba	27"	Good	Save
7	1174	White Oak	Quercus alba	27"	Good	Save
8	1175	White Oak	Quercus alba	27"	Good	Save
9	1176	White Oak	Quercus alba	27"	Good	Save
10	1177	White Oak	Quercus alba	27"	Good	Save
11	1178	White Oak	Quercus alba	27"	Good	Save
12	1179	White Oak	Quercus alba	27"	Good	Save
13	1180	White Oak	Quercus alba	27"	Good	Save
14	1181	White Oak	Quercus alba	27"	Good	Save
15	1182	White Oak	Quercus alba	27"	Good	Save
16	1183	White Oak	Quercus alba	27"	Good	Save
17	1184	White Oak	Quercus alba	27"	Good	Save
18	1185	White Oak	Quercus alba	27"	Good	Save
19	1186	White Oak	Quercus alba	27"	Good	Save
20	1187	White Oak	Quercus alba	27"	Good	Save
21	1188	White Oak	Quercus alba	27"	Good	Save
22	1189	White Oak	Quercus alba	27"	Good	Save
23	1190	White Oak	Quercus alba	27"	Good	Save
24	1191	White Oak	Quercus alba	27"	Good	Save
25	1192	White Oak	Quercus alba	27"	Good	Save
26	1193	White Oak	Quercus alba	27"	Good	Save
27	1194	White Oak	Quercus alba	27"	Good	Save
28	1195	White Oak	Quercus alba	27"	Good	Save
29	1196	White Oak	Quercus alba	27"	Good	Save
30	1197	White Oak	Quercus alba	27"	Good	Save
31	1198	White Oak	Quercus alba	27"	Good	Save
32	1199	White Oak	Quercus alba	27"	Good	Save
33	1200	White Oak	Quercus alba	27"	Good	Save
34	1201	White Oak	Quercus alba	27"	Good	Save
35	1202	White Oak	Quercus alba	27"	Good	Save
36	1203	White Oak	Quercus alba	27"	Good	Save
37	1204	White Oak	Quercus alba	27"	Good	Save
38	1205	White Oak	Quercus alba	27"	Good	Save
39	1206	White Oak	Quercus alba	27"	Good	Save
40	1207	White Oak	Quercus alba	27"	Good	Save
41	1208	White Oak	Quercus alba	27"	Good	Save
42	1209	White Oak	Quercus alba	27"	Good	Save
43	1210	White Oak	Quercus alba	27"	Good	Save
44	1211	White Oak	Quercus alba	27"	Good	Save
45	1212	White Oak	Quercus alba	27"	Good	Save
46	1213	White Oak	Quercus alba	27"	Good	Save
47	1214	White Oak	Quercus alba	27"	Good	Save
48	1215	White Oak	Quercus alba	27"	Good	Save
49	1216	White Oak	Quercus alba	27"	Good	Save
50	1217	White Oak	Quercus alba	27"	Good	Save
51	1218	White Oak	Quercus alba	27"	Good	Save
52	1219	White Oak	Quercus alba	27"	Good	Save
53	1220	White Oak	Quercus alba	27"	Good	Save
54	1221	White Oak	Quercus alba	27"	Good	Save
55	1222	White Oak	Quercus alba	27"	Good	Save
56	1223	White Oak	Quercus alba	27"	Good	Save
57	1224	White Oak	Quercus alba	27"	Good	Save
58	1225	White Oak	Quercus alba	27"	Good	Save
59	1226	White Oak	Quercus alba	27"	Good	Save
60	1227	White Oak	Quercus alba	27"	Good	Save
61	1228	White Oak	Quercus alba	27"	Good	Save
62	1229	White Oak	Quercus alba	27"	Good	Save
63	1230	White Oak	Quercus alba	27"	Good	Save
64	1231	White Oak	Quercus alba	27"	Good	Save
65	1232	White Oak	Quercus alba	27"	Good	Save
66	1233	White Oak	Quercus alba	27"	Good	Save
67	1234	White Oak	Quercus alba	27"	Good	Save
68	1235	White Oak	Quercus alba	27"	Good	Save
69	1236	White Oak	Quercus alba	27"	Good	Save
70	1237	White Oak	Quercus alba	27"	Good	Save
71	1238	White Oak	Quercus alba	27"	Good	Save
72	1239	White Oak	Quercus alba	27"	Good	Save
73	1240	White Oak	Quercus alba	27"	Good	Save
74	1241	White Oak	Quercus alba	27"	Good	Save
75	1242	White Oak	Quercus alba	27"	Good	Save
76	1243	White Oak	Quercus alba	27"	Good	Save
77	1244	White Oak	Quercus alba	27"	Good	Save
78	1245	White Oak	Quercus alba	27"	Good	Save
79	1246	White Oak	Quercus alba	27"	Good	Save
80	1247	White Oak	Quercus alba	27"	Good	Save
81	1248	White Oak	Quercus alba	27"	Good	Save
82	1249	White Oak	Quercus alba	27"	Good	Save
83	1250	White Oak	Quercus alba	27"	Good	Save
84	1251	White Oak	Quercus alba	27"	Good	Save
85	1252	White Oak	Quercus alba	27"	Good	Save
86	1253	White Oak	Quercus alba	27"	Good	Save
87	1254	White Oak	Quercus alba	27"	Good	Save
88	1255	White Oak	Quercus alba	27"	Good	Save
89	1256	White Oak	Quercus alba	27"	Good	Save
90	1257	White Oak	Quercus alba	27"	Good	Save
91	1258	White Oak	Quercus alba	27"	Good	Save
92	1259	White Oak	Quercus alba	27"	Good	Save
93	1260	White Oak	Quercus alba	27"	Good	Save
94	1261	White Oak	Quercus alba	27"	Good	Save
95	1262	White Oak	Quercus alba	27"	Good	Save
96	1263	White Oak	Quercus alba	27"	Good	Save
97	1264	White Oak	Quercus alba	27"	Good	Save
98	1265	White Oak	Quercus alba	27"	Good	Save
99						



PUBLIC UTILITY EASEMENT NOTE:
 A 10' PUBLIC UTILITY EASEMENT HAS BEEN SHOWN ALONG THE FRONTAGE OF SEVEN LOCKS ROAD AND TUCKERMAN LANE. IF THE APPLICANT/OWNER OBTAINS LETTERS OF SUPPORT FROM THE APPROPRIATE UTILITY COMPANIES THE PUBLIC UTILITY EASEMENTS WILL NOT BE REQUIRED.

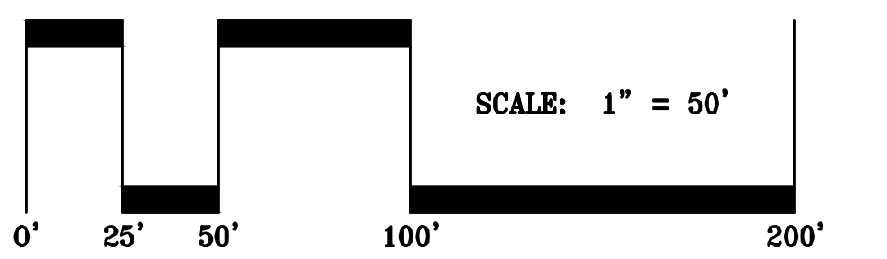
PROFESSIONAL CERTIFICATION
 I hereby certify that to the best of my knowledge, information and the belief that the plan shown hereon is true and correct; has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland, and the boundary has been field surveyed. I hereby certify that these plans 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.: 29914
 Expiration Date: January 20, 2020

Date: _____
 Tim Longfellow
 Professional Engineer
 Gutschick, Little & Neber, P.A.

GLW
 PLANNING | ENGINEERING | SURVEYING
 3909 NATIONAL DRIVE | SUITE 200 | BURTONSVILLE, MD 20886 | GLWPA.COM
 PHONE: 301-474-4004 | FAX: 410-980-1829 | LOCAL: 301-488-9254 | FAX: 301-402-4186

DESIGNED BY:				
DRAWN BY:	KAB			
CHECKED BY:	KAF			
DATE:	5/17/18	REVISED PER M-NCPDC DRC COMMENTS		
REVISION			KAB	TML
			BY	APPR.

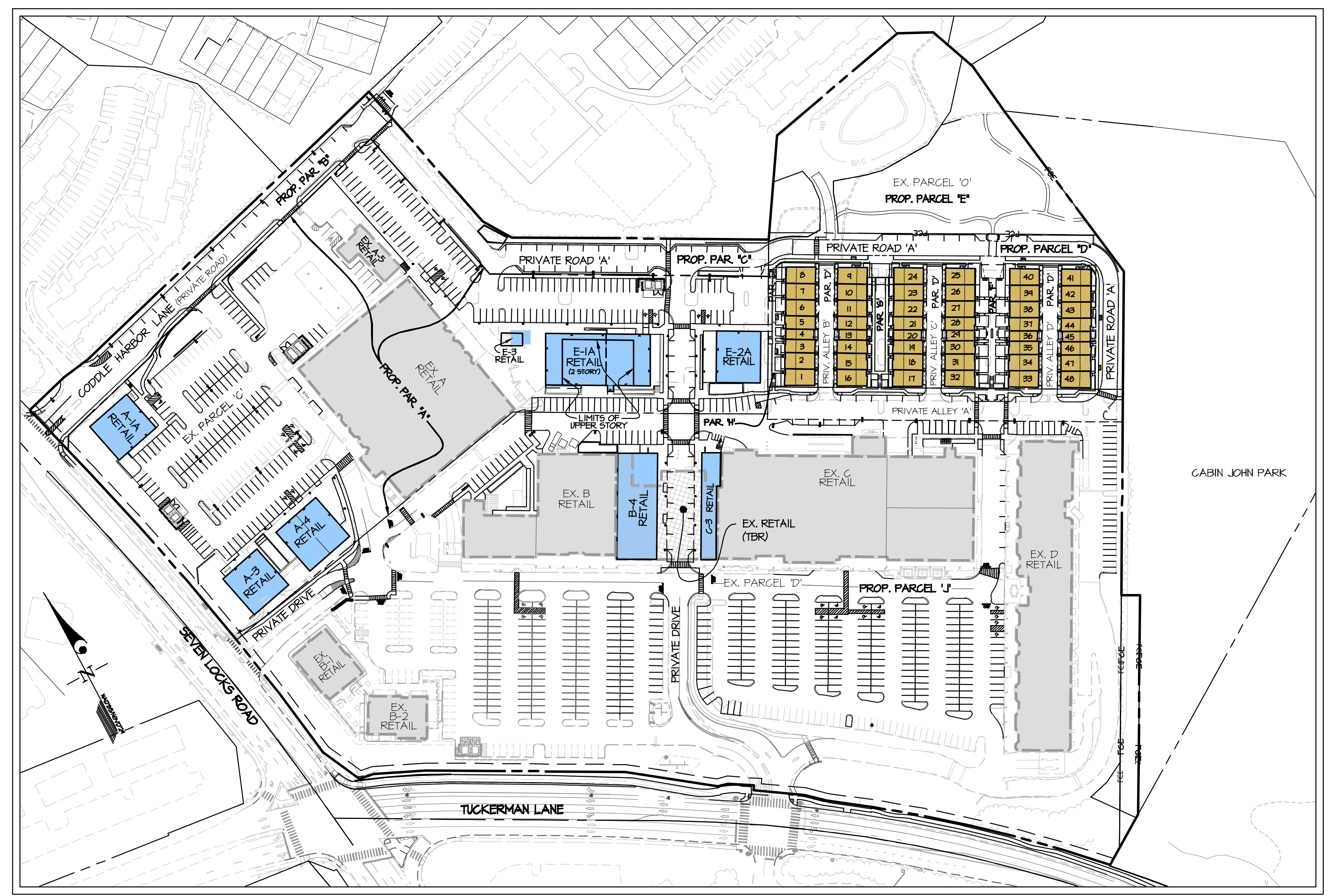


PREPARED FOR:
 CABIN JOHN (EDENS), LLC
 1272 5th Street NE
 Suite 200
 Washington, DC 20002
 ATTN: JIM MCKENNEY
 (202) 902-2600

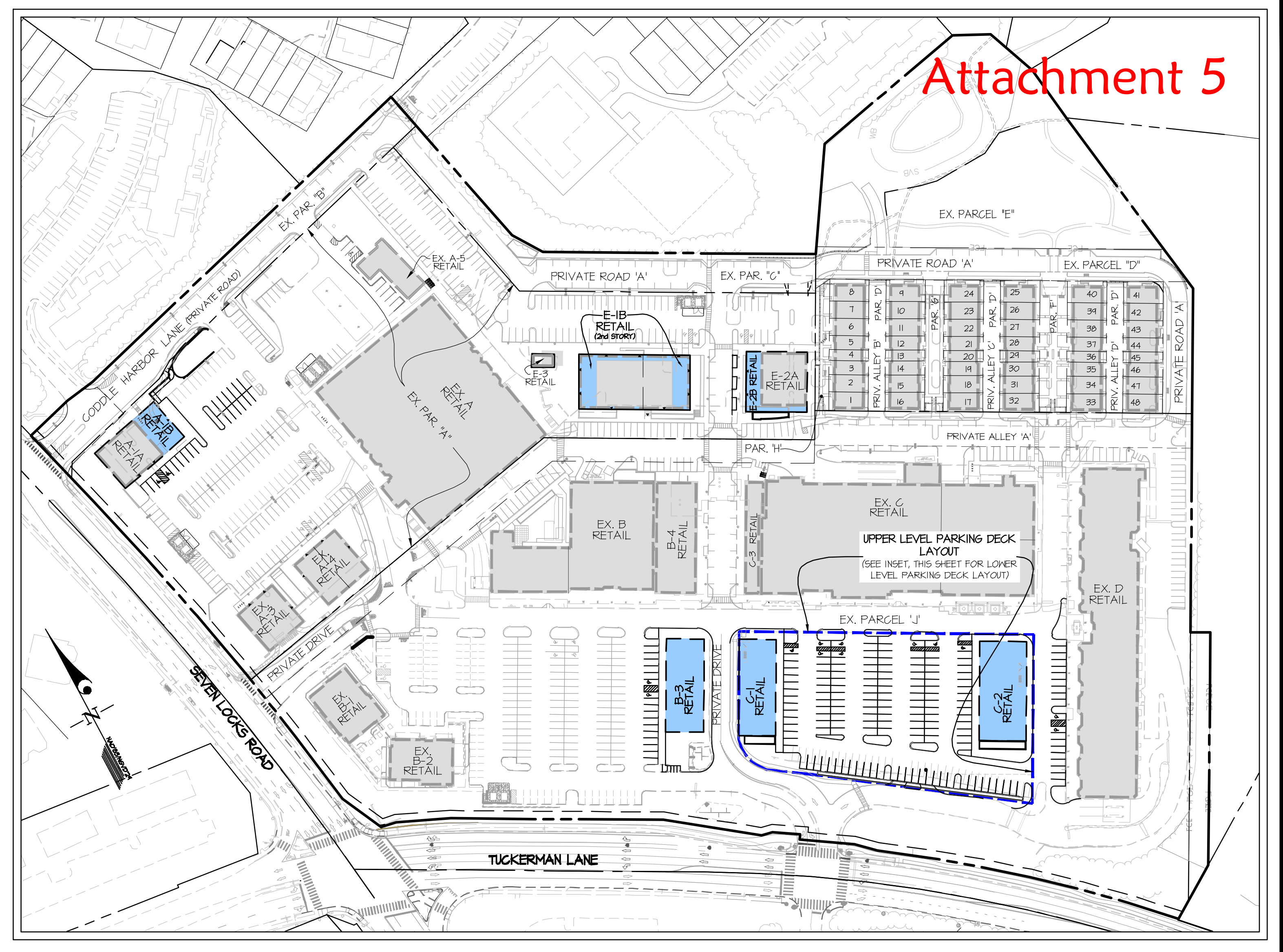
SCALE: 1" = 50'
 ZONING: CRT-0.75, C-0.5, R-0.25, H-35T & R-90
 DATE: MAY, 2018
 TAX MAP - GRID: GQ-121/341

LOT EXHIBIT
CABIN JOHN VILLAGE
 Proposed Lots 1-59 & Parcels 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'J' & 'K'
 Being a ReSubdivision of Parcels 'C' & 'D', "Seven Locks Plaza" Plat Nos. 11341 & 25334, Parcel 'O', "Inverness Knolls" Plat No. 12383, and all of Tax Parcel 328 (L. 53660 R. 431)
 ELECTION DISTRICT No. 04 MONTGOMERY COUNTY, MARYLAND

G. L. W. FILE No. 16066
 SHEET 6 OF 6



PHASE 1
SCALE: 1"=100'



PHASE 2
UPPER LEVEL PARKING GARAGE LAYOUT SHOWN
SCALE: 1"=100'

LEGEND

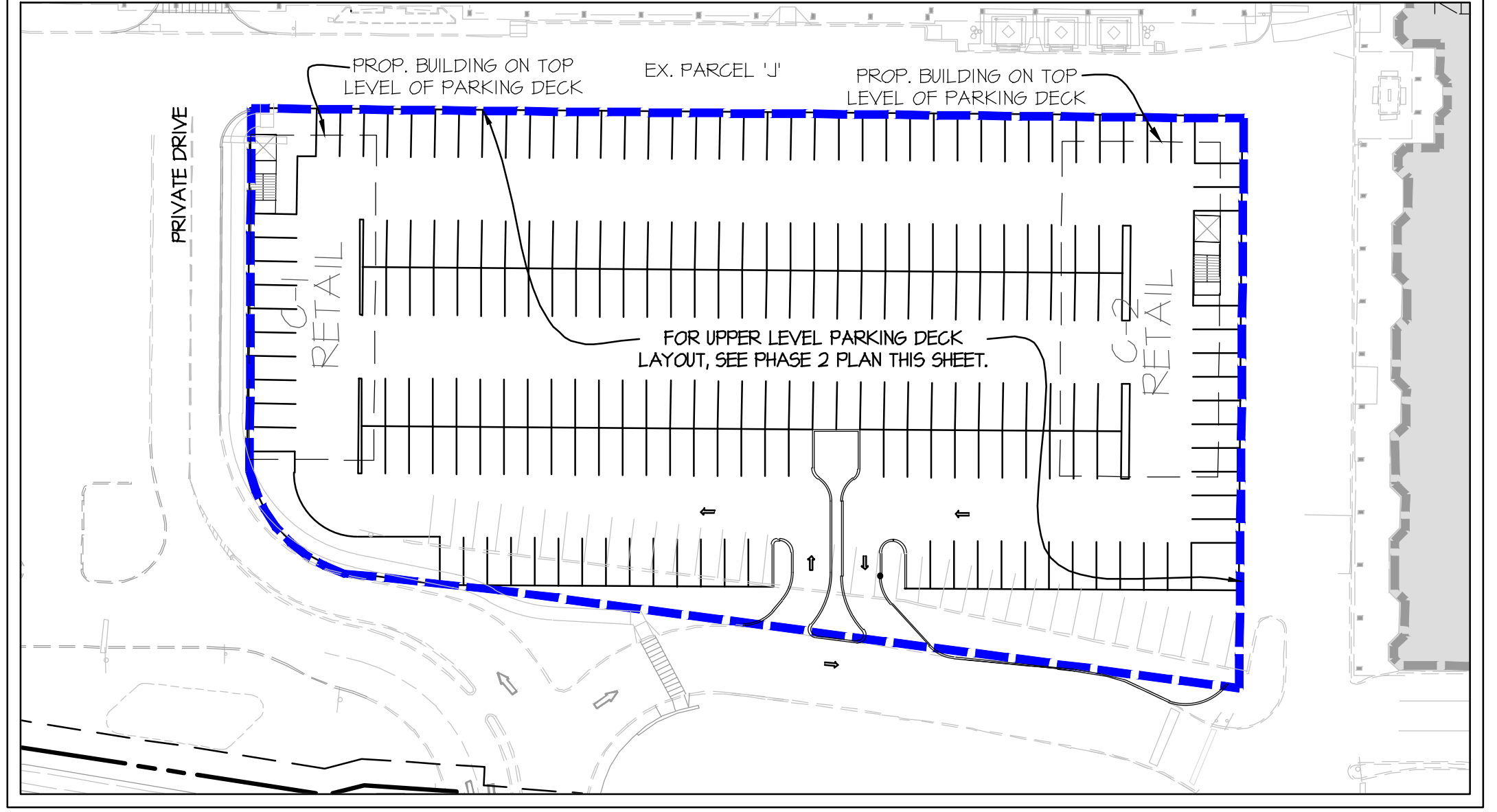
- PROP. RESIDENTIAL
- PROP. RETAIL/COMMERCIAL
- PROP. PARKING DECK
- EX. BUILDING
- BUILDING TBR

SCHEDULE

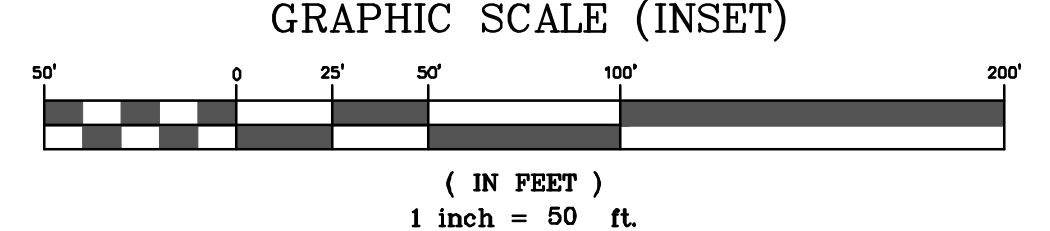
PHASE 1	
PARKING REQUIRED (RETAIL, OFFICE, & RESTAURANT):	
Office (30,000 SF x 2.0 Sp/1,000 SF)	60 Sp.
Restaurant (10,000 x 60% *) x 4.0 Sp/1,000 SF	185 Sp.
Retail (150,000 SF x 3.5 Sp/1,000 SF)	525 Sp.
Parking Required (Retail, Office, & Restaurant)	810 Sp.
Parking Provided (Retail, Office, & Restaurant)	914 Sp.
PARKING REQUIRED (RESIDENTIAL)	
Residential (48 D.U. x 1 Sp/D.U.)	48 Sp.
Parking Required (Residential)	48 Sp.
Parking Provided (Residential)	91 Sp.
Total Parking Required	860 Sp.
Total Parking Provided	1,011 Sp.
PHASE 2	
PARKING REQUIRED (RETAIL, OFFICE, & RESTAURANT):	
Office (30,000 SF x 2.0 Sp/1,000 SF)	60 Sp.
Restaurant (10,000 x 60% *) x 4.0 Sp/1,000 SF	214 Sp.
Retail (110,000 SF x 3.5 Sp/1,000 SF)	626 Sp.
Parking Required (Retail, Office, & Restaurant)	900 Sp.
Surface Parking Provided (Retail, Office, & Restaurant)	815 Sp.
Lower Level Structured Parking Provided (Ret., Off., & Rest.)	211 Sp.
Parking Provided (Retail, Office, & Restaurant)	1,024 Sp.
PARKING REQUIRED (RESIDENTIAL)	
Residential (48 D.U. x 1 Sp/D.U.)	48 Sp.
Parking Required (Residential)	48 Sp.
Parking Provided (Residential)	91 Sp.
Total Parking Required	953 Sp.
Total Parking Provided	1,123 Sp.
PHASE 3	
PARKING REQUIRED (RETAIL, OFFICE, & RESTAURANT):	
Office (30,000 SF x 2.0 Sp/1,000 SF)	60 Sp.
Restaurant (10,000 x 60% *) x 4.0 Sp/1,000 SF	214 Sp.
Retail (114,000 SF x 3.5 Sp/1,000 SF)	627 Sp.
Parking Required (Retail, Office, & Restaurant)	901 Sp.
Surface Parking Provided (Retail, Office, & Restaurant)	820 Sp.
Lower Level Structured Parking Provided (Ret., Off., & Rest.)	211 Sp.
Parking Provided (Retail, Office, & Restaurant)	1,032 Sp.
PARKING REQUIRED (RESIDENTIAL)	
Residential (54 D.U. x 1 Sp/D.U.)	54 Sp.
Parking Required (Residential)	54 Sp.
Parking Provided (Residential)	111 Sp.
Total Parking Required	965 Sp.
Total Parking Provided	1,130 Sp.

* 60% is the patron area for restaurant spaces

Note: The phasing illustrated may be adjusted and the density of the phases shifted at the time of site plan. Phases may be done in any order or combined.



PHASE 2 - INSET
LOWER LEVEL PARKING DECK LAYOUT SHOWN
SCALE: 1"=50'



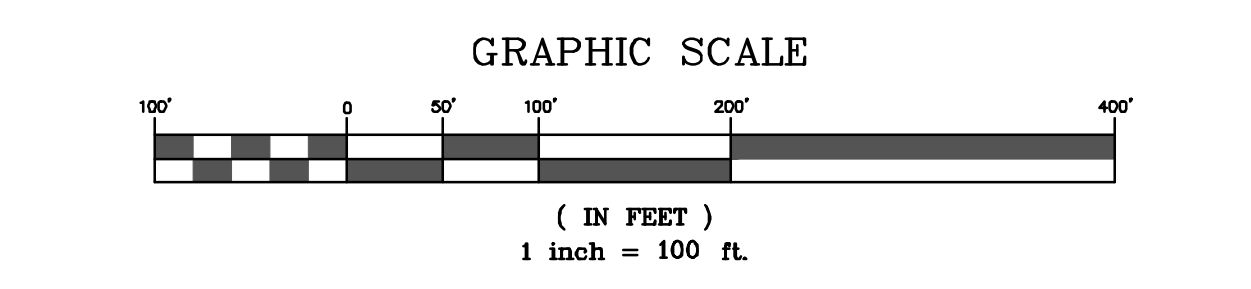
PHASE 3
SCALE: 1"=100'

PROFESSIONAL CERTIFICATION

I hereby certify that to the best of my knowledge, information and the belief that the plan shown hereon is true and correct; has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland; and the boundary has been field surveyed. I hereby certify that these plans 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.: 24914
Expiration Date: January 20, 2020

Date: _____
Tim Longfellow
Professional Engineer
Gutschick, Little & Weber, P.A.



GLW
PLANNING | ENGINEERING | SURVEYING

3909 NATIONAL DRIVE | SUITE 200 | BURTONSVILLE, MD 20886 | GLWPA.COM
PHONE: 301-512-6424 | FAX: 301-512-6424 | TOLL FREE: 1-800-451-1111

DESIGNED BY:				
DRAWN BY:				
CHECKED BY:				
TML	5/17/18	REVISED PER M-NCPPC DRC COMMENTS	KAB	TML
DATE		REVISION	BY	APPR.

PREPARED FOR:
CABIN JOHN (EDENS), LLC
1272 5th Street NE
Suite 200
Washington, DC 20002
ATTN: JIM MCKENNEY
(202) 902-2600

SCALE	ZONING
1"=100'	C-0.5, R-0.25, H-351 & R-90
DATE	TAX MAP - GRID
MAY, 2018	GQ-121/341


CABIN JOHN VILLAGE
Proposed Lots 1-59 & Parcels 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'J' & 'K'

Being a ReSubdivision of Parcels 'C' & 'D', "Seven Locks Plaza" Plat Nos. 11341 & 25334, Parcel 'O', "Inverness Knolls" Plat No. 12385, and all of Tax Parcel 328 (L. 53660 & 431)

ELECTION DISTRICT No. 04 MONTGOMERY COUNTY, MARYLAND

PLAT NO. 11341

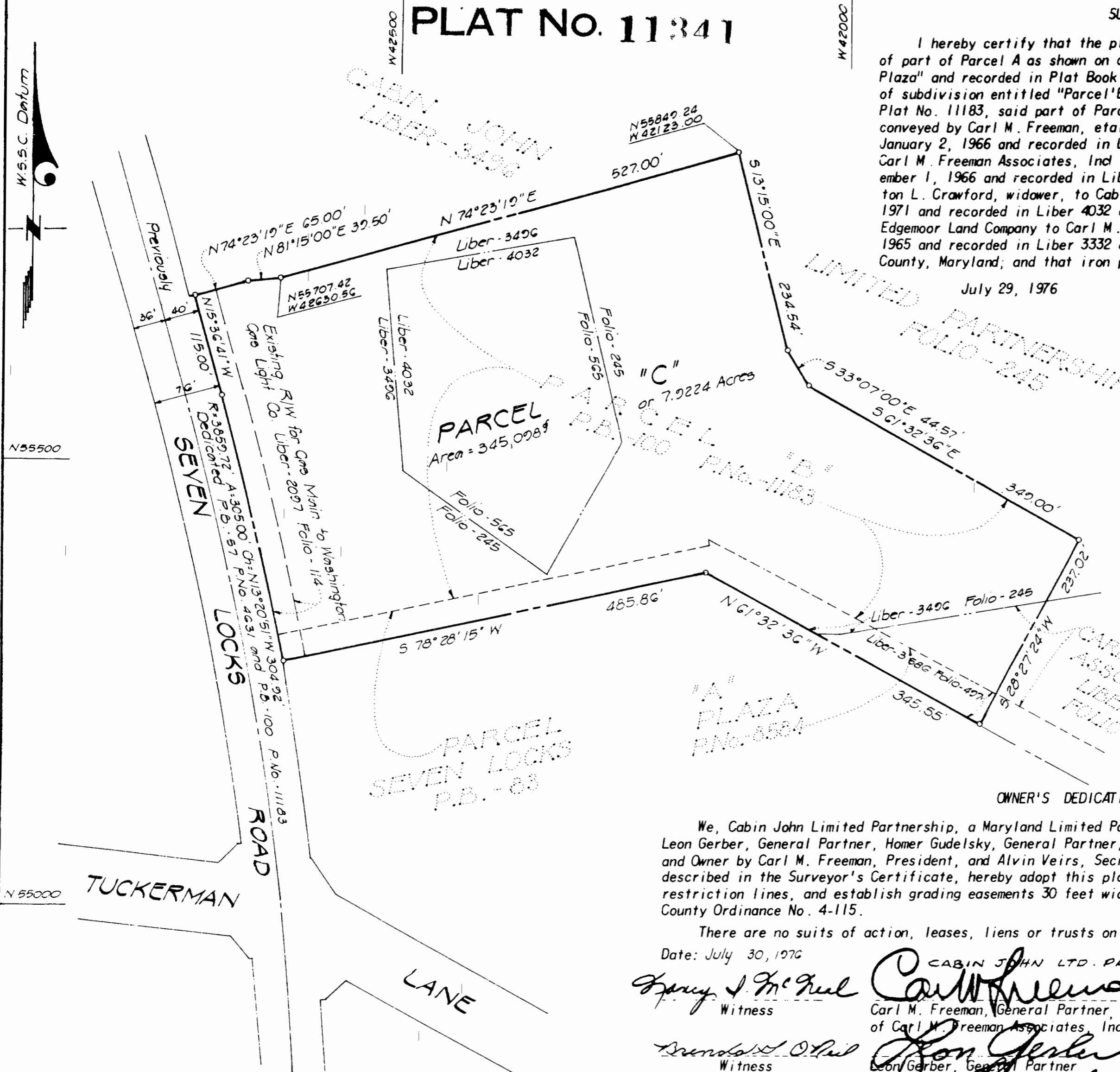
SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown hereon is correct; that it is a resubdivision of part of Parcel A as shown on a plat of subdivision entitled "PARCEL 'A', Seven Locks Plaza" and recorded in Plat Book 83 as Plat No. 8584 and Parcel B as shown on a plat of subdivision entitled "Parcel 'B', Seven Locks Plaza" and recorded in Plat Book 100 as Plat No. 11183, said part of Parcel 'A' and Parcel 'B' also being part of the land conveyed by Carl M. Freeman, et al, to Cabin John Limited Partnership by deed dated January 2, 1966 and recorded in Liber 3496 at Folio 245, part of the land conveyed by Carl M. Freeman Associates, Inc. to Cabin John Limited Partnership by deed dated December 1, 1966 and recorded in Liber 3586 at Folio 497, all the land conveyed by Edington L. Crawford, widower, to Cabin John Limited Partnership by deed dated January 5, 1971 and recorded in Liber 4032 at Folio 565 and part of the land conveyed by The Edgemoor Land Company to Carl M. Freeman Associates, Inc. by deed dated February 8, 1965 and recorded in Liber 3332 at Folio 270; all among the Land Records of Montgomery County, Maryland; and that iron pipes shown thus  are in place as indicated.

July 29, 1976

Harry L. Stoner, Jr.
 Harry L. Stoner, Jr.
 Registered Land Surveyor
 Md. No. 2363

Attachment 6



We, Cabin John Limited Partnership, a Maryland Limited Partnership, by Carl M. Freeman, General Partner, Leon Gerber, General Partner, Homer Gudelsky, General Partner, and Carl M. Freeman Associates, General Partner, and Owner by Carl M. Freeman, President, and Alvin Veirs, Secretary, owners of the property shown hereon and described in the Surveyor's Certificate, hereby adopt this plan of subdivision, establish the minimum building restriction lines, and establish grading easements 30 feet wide along the streets as required by Montgomery County Ordinance No. 4-115.

There are no suits of action, leases, liens or trusts on the property shown on this plan of subdivision.

Date: July 30, 1976

Harry J. McNeil Witness
Brenda L. O'Neil Witness
Brenda L. O'Neil Witness
Brenda L. O'Neil Witness

Carl M. Freeman CABIN JOHN LTD. PART.
 Carl M. Freeman, General Partner, and President of Carl M. Freeman Associates, Inc. General Partner
Leon Gerber Leon Gerber, General Partner
Homer Gudelsky Homer Gudelsky, General Partner
Alvin Veirs Alvin Veirs, Secretary, of Carl M. Freeman Associates, Inc.

PARCEL "C" A RESUBDIVISION OF PART OF PARCEL "A" AND ALL OF PARCEL "B" **SEVEN LOCKS PLAZA**

4TH DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 Scale: 1" = 100'
 July, 1976

GREENHORNE & O'MARA, INC.
 Engineers Architects Planners Surveyors
 6715 Kenilworth Avenue
 Riverdale, Maryland 20840

17247G
 V.H.
 1960-M-2

For Public Sewer and Water Systems Only.

Maryland National Capital Park & Planning Commission
 Montgomery County Planning Board

APPROVED: September 9, 1976
Robert A. Edwards Chairman
A. Edward Marone Secretary-Treasurer

M.N.C.P. & P.C. RECORD FILE No. 522-41

Montgomery County, Maryland
 Department of Transportation

APPROVED: AUGUST 25, 1976

BY: *Richard J. Lynch* Director

RECORDED:
 PLAT BOOK:
 PLAT No.:

PLAT NO. 12383

OWNER'S DEDICATION

We, Carl M. Freeman Associates, Inc., a Maryland Corporation, by Carl M. Freeman, President and Alvin B. Veirs, Secretary, owners of the property shown hereon and described in the Surveyor's Certificate, hereby adopt this plan of subdivision, establish the minimum building restriction lines and grant to the Washington Suburban Sanitary Commission, their successors agents and assigns, easements within Parcel "O" for the construction, reconstruction, maintenance and operation of water mains, storm and sanitary sewers.

There are no suits of action, leases, liens or trusts on the property included in this plan, except a certain deed of trust and the parties in interest thereto have below indicated their assent.

February 1, 1979
Attest: *Alvin B. Veirs* Secretary
By: *Carl M. Freeman* President
Carl M. Freeman Associates, Inc. (seal)

We hereby assent to this plan of subdivision:
Sandra L. Foster Witness
Ellis M. Jones Trustee
Sandra L. Foster Witness
David P. O'Brien Trustee

SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown hereon is correct; that it is a subdivision of part of the land conveyed by Cabin John Limited Partnership to Carl M. Freeman Associates, Inc., by deed dated May 13, 1977, and recorded in Liber 4977 at Folio 225 and part of the land conveyed by the Edgemoor Land Company to Carl M. Freeman Associates, Inc., by deed dated February 8, 1965 and recorded in Liber 3332 at Folio 270 both among the Land Records of Montgomery County, Maryland; that iron pipes shown thus \circ and concrete monuments shown thus \bullet are in place as indicated and that the total area included on this plan is 4.1148 acres.

February 1, 1979
Harry L. Stoner, Jr.
Harry L. Stoner, Jr.
Registered Land Surveyor
Md. Reg. No. 2566

Note: This development conforms with the requirements of Chapter 25-A of the Montgomery County Code to provide Moderate Priced Dwelling Units. This development lies within an approved R-90 Cluster Development. Subdivision or Resubdivision is permitted only in accordance with land uses indicated on an approved Development Plan.

FILED
APR 9 1979

PLAT FIFTEEN
INVERNESS KNOLLS
ROCKVILLE (4TH) DISTRICT
MONTGOMERY COUNTY, MARYLAND

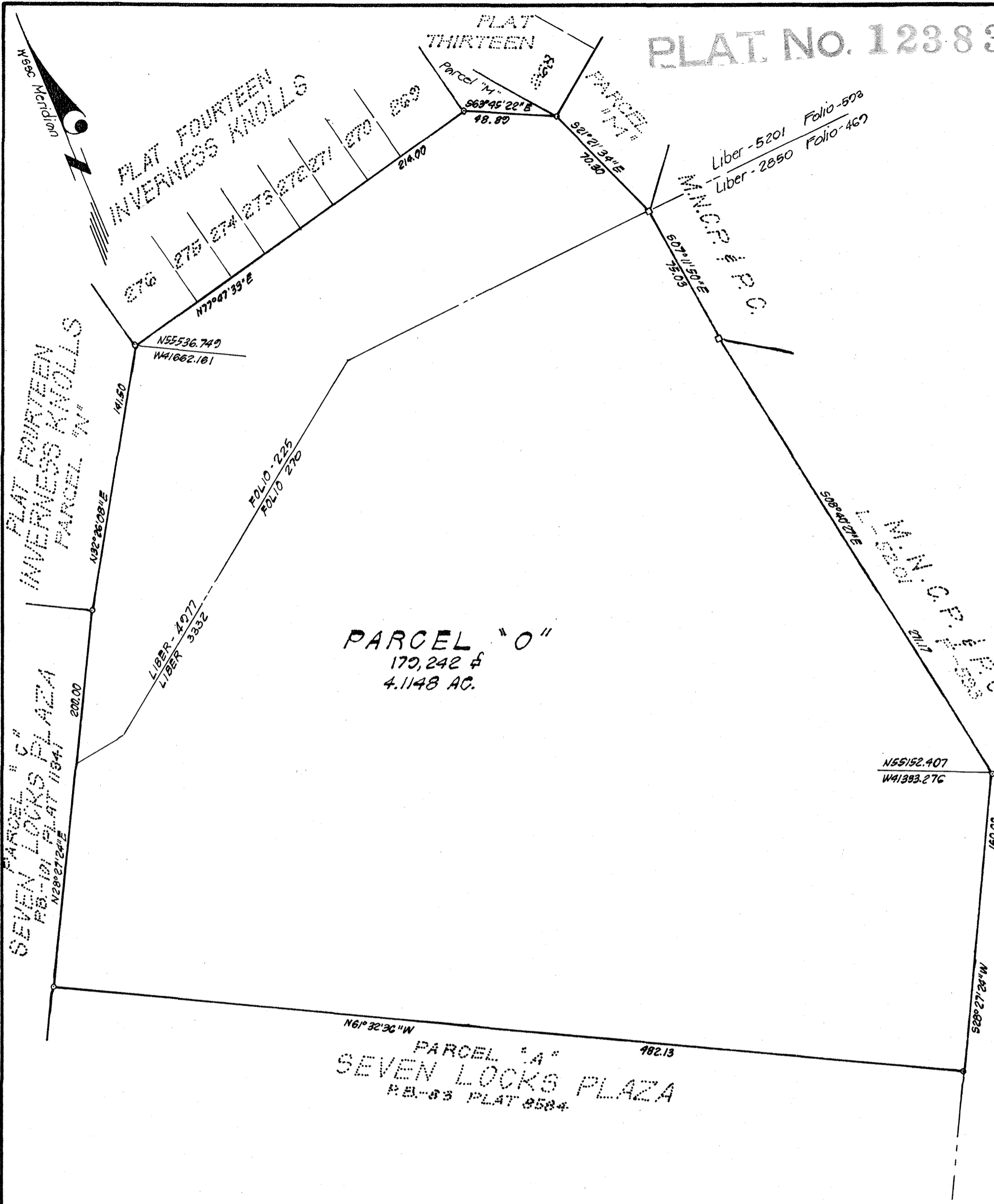
SCALE: 1" = 50'

FEBRUARY, 1979

GREENHORNE & O'MARA
ENGINEERS & SURVEYORS
6715 KENILWORTH AVE.
RIVERDALE, MD.

190411
V.H.
205C-M-03-03

531-48



PARCEL "O"
170,242 sq ft
4.1148 AC.

PARCEL "A"
SEVEN LOCKS PLAZA
P.B. 83 PLAT 8584

For Public Water and Sewer Systems Only.

MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD

APPROVED: MARCH 8, 1979
DATE

P. Royetta CHAIRMAN
A. Edward Navarre SECRETARY-TREASURER

M.N.C.P. & P.C. RECORD FILE NO. 531-48

MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF TRANSPORTATION

APPROVED: 19 MARCH 1979
DATE

BY: *Anthony E. Kay*
ACTING DIRECTOR

Recorded: _____
Plat Book: _____
Plat No: _____

7501990

MONTGOMERY COUNTY CIRCUIT COURT (Subdivision Plats, MO) Plat 12383, MSA_S1249_26674. Data available 1979/04/09. Printed 1979/05/20/79. Maryland State Archives

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THE PLAT OF SUBDIVISION SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF PART OF THAT LAND CONVEYED BY CABIN JOHN ASSOCIATES LIMITED PARTNERSHIP, A MARYLAND LIMITED PARTNERSHIP (CJALP) AND CARL M. FREEMAN ASSOCIATES, INC., A MARYLAND CORPORATION (CMA) TO CABIN JOHN (EDENS), LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY BY A DEED DATED DECEMBER 20, 2016 AND RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN BOOK 53660 AT PAGE 431 AND ALSO BEING A RESUBDIVISION OF PART OF PARCEL "A", AS SHOWN ON A PLAT OF SUBDIVISION ENTITLED, "PARCEL 'A', SEVEN LOCKS PLAZA" RECORDED AMONG SAID LAND RECORDS AS PLAT No. 8584.

I HEREBY CERTIFY THAT, ONCE ENGAGED AS DESCRIBED IN THE OWNER'S CERTIFICATE HEREON, ALL PROPERTY MARKERS WILL BE SET IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 50.4.3.G OF THE MONTGOMERY COUNTY CODE.

THE TOTAL AREA INCLUDED IN THIS PLAT OF SUBDIVISION IS 570,846 SQUARE FEET OR 13.1048 ACRES OF LAND, NONE OF WHICH IS DEDICATED TO PUBLIC USE BY THIS PLAT.



William E. Grueninger, III
 FOR: GUTSCHICK, LITTLE & WEBER, P.A.
 WILLIAM E. GRUENINGER, III
 PROFESSIONAL LAND SURVEYOR
 MD. REGISTRATION No. 21542 (Exp./RENEWAL 12/21/2017)
 DATE: 10/19/2017

OWNER'S CERTIFICATE

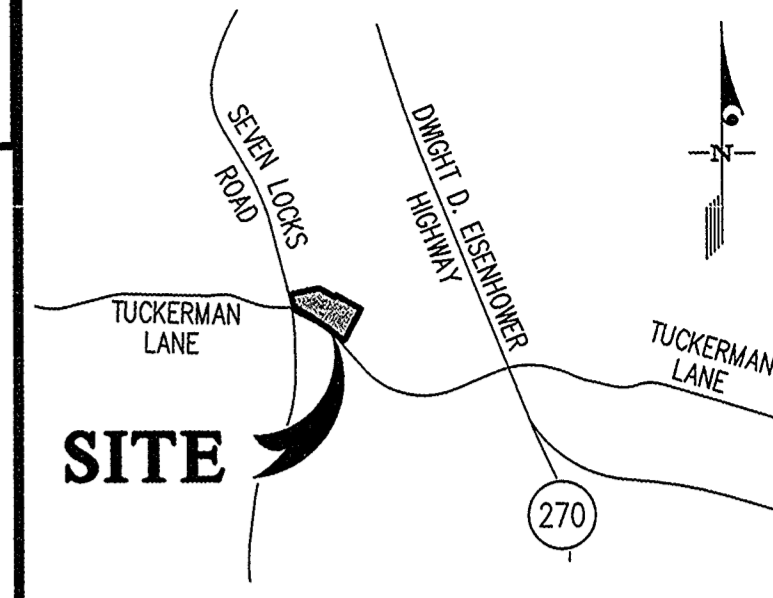
CABIN JOHN (EDENS), LLC OWNER OF THE PROPERTY SHOWN HEREON, HEREBY ADOPTS THIS PLAT OF SUBDIVISION AND ESTABLISHES THE MINIMUM BUILDING RESTRICTION LINES, AS OWNERS, THE UNDERSIGNED OR THEIR SUCCESSORS AND ASSIGNS WILL CAUSE ALL PROPERTY CORNER MARKERS AND ANY OTHER REQUIRED MONUMENTS, TO BE SET BY A REGISTERED MARYLAND LAND SURVEYOR, IN ACCORDANCE WITH SECTION 50.4.3.G OF THE MONTGOMERY COUNTY CODE. THERE ARE NO SUITS OR ACTIONS OF LAW, TRUSTS, LEASES, MORTGAGES OR LIENS INCLUDED IN THIS PLAT OF SUBDIVISION, EXCEPT FOR TWO (2) MEMORANDA OF LEASE THAT OUTLINE CERTAIN PROVISIONS CONTAINED IN THOSE CERTAIN LEASES i) BETWEEN OWNER AND GIANT RECORDED IN LIBER 3671 AT FOLIO 533, AND ii) BETWEEN OWNER AND CVS IN LIBER 3671 AT FOLIO 542. THE OWNER HEREBY CERTIFIES THAT THE TERMS SPECIFIED IN EACH OF THE FOREGOING LEASE AGREEMENTS PERMITS THE EXECUTION OF THIS PLAT, BY THE OWNER, WITHOUT CONSENT OF THE LESSEES.

FOR: CABIN JOHN (EDENS), LLC

William C. Caldwell
 WILLIAM C. CALDWELL
 MANAGING DIRECTOR

10/20/17 DATE
 [Signature] WITNESS

PLAT No.
25334

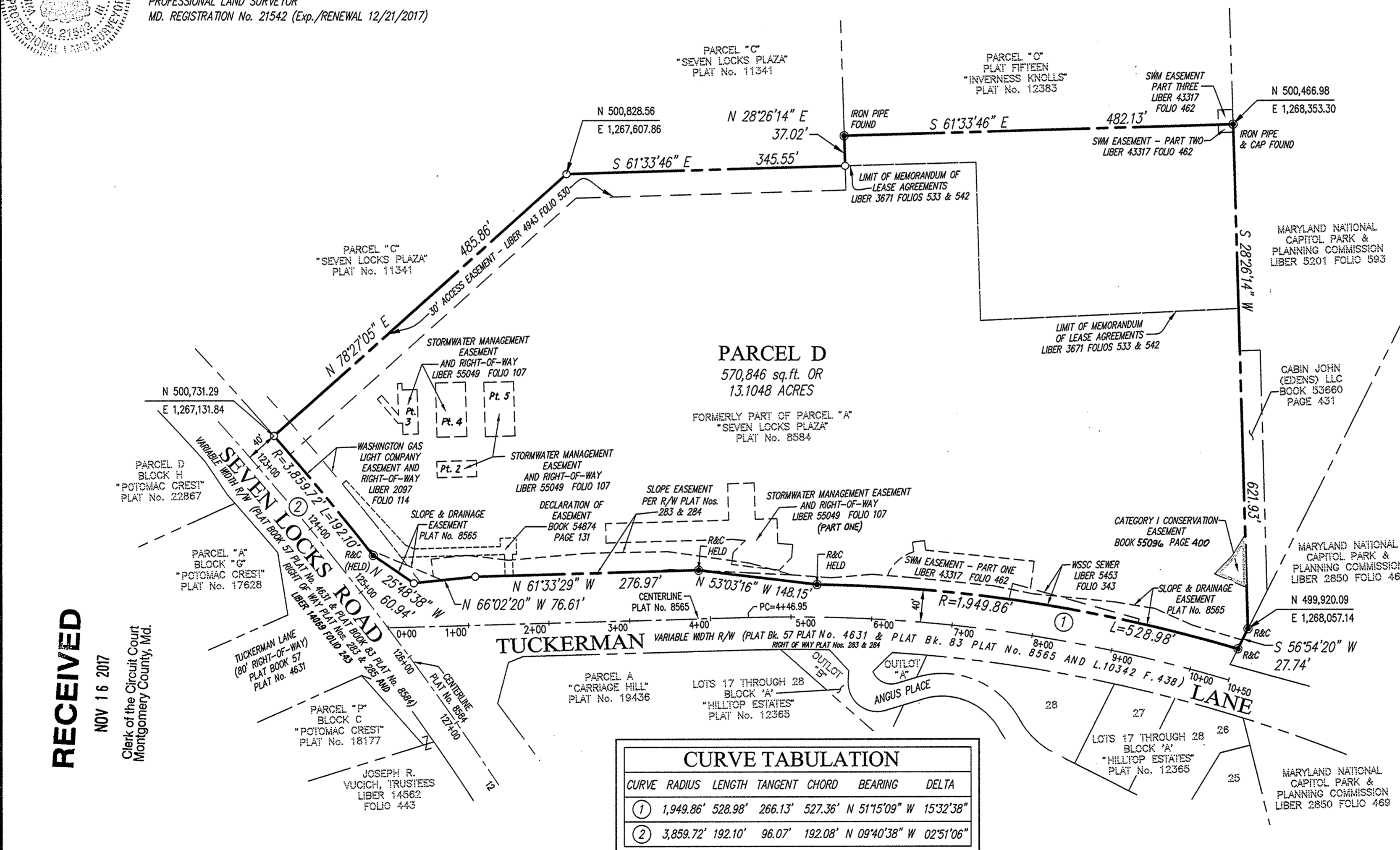


VICINITY MAP
 SCALE 1" = 2,000'

WSSC 200 SCALE SHEET 214 NW 08
 W.S.S.C CONTROL STATIONS
 STATION No. 20160 - N. 500,555.705 E. 1,267,221.859
 STATION No. 20320 - N. 504,726.888 E. 1,262,693.905
 COMBINED SCALE FACTOR 0.99995429

LEGEND

- WSSC WASHINGTON SUBURBAN SANITARY COMMISSION
- R/W RIGHT-OF-WAY sq.ft. SQUARE FEET
- SWM STORMWATER MANAGEMENT
- R&C REBAR & CAP FOUND CORNER TO BE SET
- LIMITS OF CATEGORY I CONSERVATION EASEMENT



GENERAL NOTES:

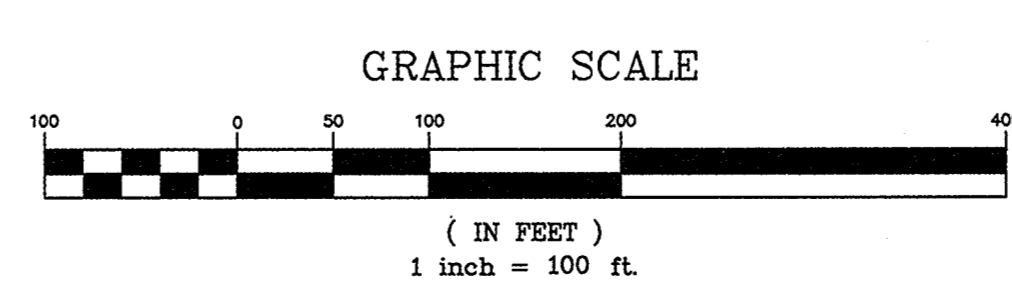
1. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE, OF THE PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
2. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
3. THE PARCEL SHOWN HEREON IS LIMITED TO THE USES AND CONDITIONS AS REQUIRED BY ADMINISTRATIVE SUBDIVISION PLAN 620170050, ENTITLED "SEVEN LOCKS PLAZA". ANY PROPOSED CHANGES IN USE WILL REQUIRE FURTHER PLANNING BOARD REVIEW AND APPROVAL.
4. THE PROPERTY SHOWN HEREON IS ZONED CRT-0.75 C-0.5 R-0.25 H-35T AT THE TIME OF THIS SUBDIVISION AND LOCATED ON TAX MAP GQ 121 & GQ 341.
5. THE PROPERTY SHOWN HEREON IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS ONLY.
6. THE PROPERTY SHOWN HEREON IS SUBJECT TO A PARKING AND ACCESS EASEMENT RECORDED IN LIBER 7930 FOLIO 855.
7. THE PROPERTY SHOWN HEREON IS SUBJECT TO A DECLARATION WITH THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, WASTE MANAGEMENT ADMINISTRATION (MDE) RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 30687 FOLIO 274.

RECEIVED
 NOV 16 2017
 Clerk of the Circuit Court
 Montgomery County, Md.

220180090 CRT
 THE MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD
 Approved November 9, 2017
 [Signature] CHAIRMAN
 [Signature] ASST. SECRETARY TREASURER
 M.N.C.P. & P.C. RECORD FILE No. 639-107

220180090
 MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
 Approved October 25, 2017
 [Signature] DIRECTOR

RECORDED: _____
 PLAT NO.: _____
 DRAWN BY: STJ/WEG
 CHECKED BY: WEG
 GLW FILE NO.: 16066



**SUBDIVISION RECORD PLAT
 PARCEL D
 SEVEN LOCKS PLAZA**

BEING A RESUBDIVISION OF PART OF PARCEL "A"
 "SEVEN LOCKS PLAZA" PLAT No. 8584
 ROCKVILLE ELECTION DISTRICT NO. 4
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1"=100' OCTOBER 2017

GLWGUTSCHICK LITTLE & WEBER, P.A.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
 3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
 BURTONSVILLE, MARYLAND 20866
 TEL: 301-421-4024 BALT: 410-680-1820 DC/VA: 301-989-2524 FAX: 301-421-4186

S:\Survey Drawings\16066\PLATS\16066 Seven Locks Plaza_Parcel D.dwg, PLOTTED: 10/19/2017 3:31 PM, LAST SAVED: 10/19/2017 3:24 PM, PLOTTED BY: Bill Grueninger

MONTGOMERY COUNTY CIRCUIT COURT (Subdivision Plats, MO) Plat 25334, MSA_S1249_30894. Date available 2017/11/16. Printed 12/14/2017.

Attachment 7

Private Road Comparison to Public Road Sections

Section 2

MC-2003.11 vs Modified Section

The 2' sidewalk abuts the curb on the left which shifts the landscape strip on that side of the modified section

The landscape strip is narrower on the right side of the modified section

There is a drainage swale on the left side of the modified section

The right of way is 22' narrower on the modified section for the private road (public 70' – private 48')

The paving section is wider on the section for the public road by 2.5'

The public road section is no symmetrical (70' – 39'/31')

The private road section is not symmetrical (48' – 28'/20')

The travel lanes are 1' to 1.5' narrower for the private road

Section 3

MC-2001.01 vs Modified Section

The right of way is 4' narrower on the modified section for the private road

There is no sidewalk on the modified section

The paving is 2' wider on the modified section

Section 4

MC-2002.03 vs Modified Section

The 2' sidewalk abuts the curb and is 3' narrower on the modified section

The landscape strip on the left side of the modified section is behind the sidewalk

The modified section is not symmetrical (50' - 28'/22')

The modified section is 20' narrower which results in narrower lawn panels on both sides

Section 5

MC-2002.02 vs Modified Section

There's no sidewalk on the left side of the modified section

The sidewalk is located on the right side of the modified section

The paving is 1.5' narrower on the modified section

The right of way is 18'-10" narrower on the modified section

The public road section is no symmetrical (60' – 33.5'/26.5')

The private road section is not symmetrical (41'-2" – 19.67'/21.5')

The landscape strip is narrower on both sides of the modified section

The sidewalk is 1' narrower on the modified section

Section 6

MC-2001.01 vs Modified Section

There's no sidewalk on the left side of the modified section

The sidewalk is located on the right side of the modified section.

The right of way is narrower on the modified section

Section 7

MC-201.01 vs Modified Section

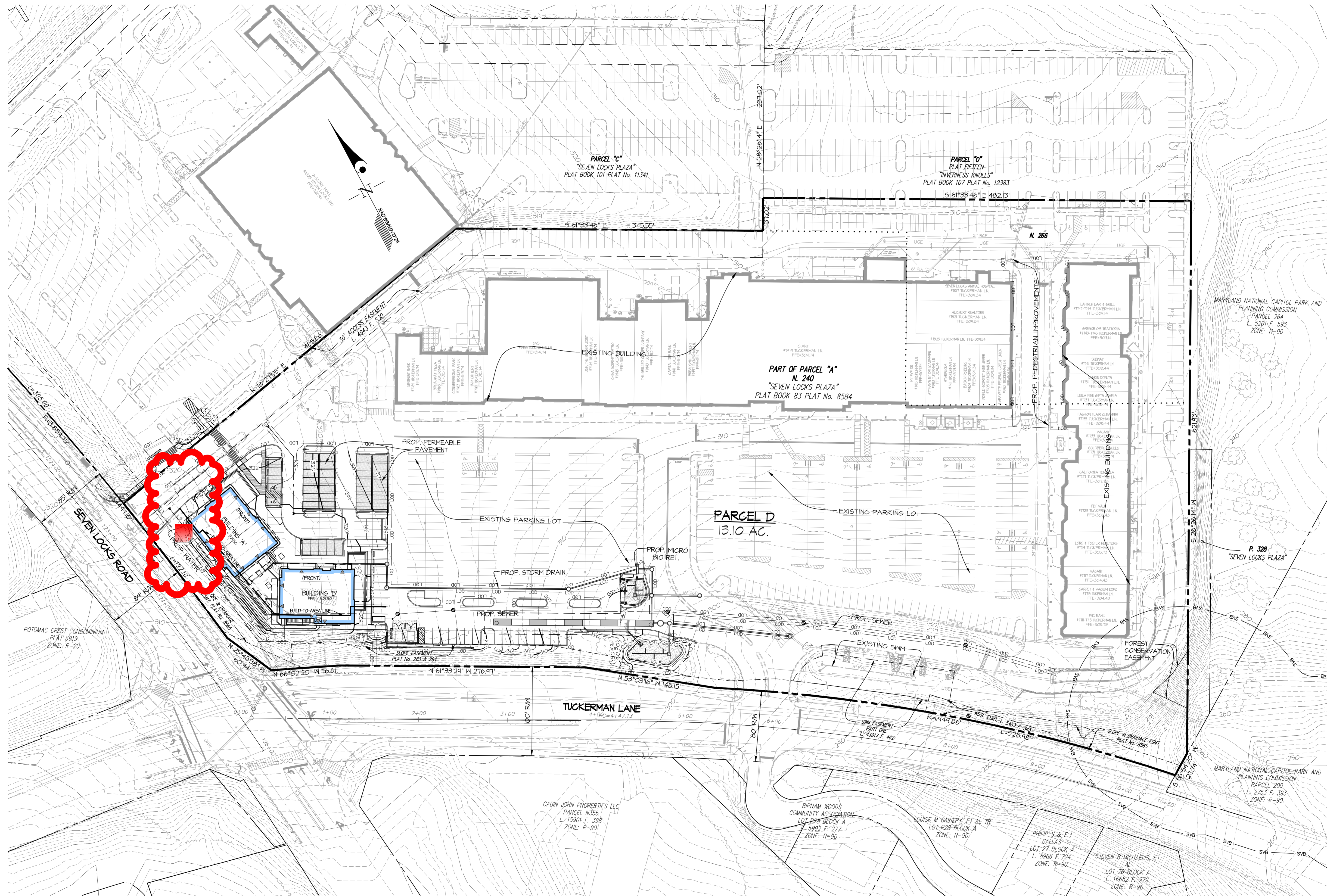
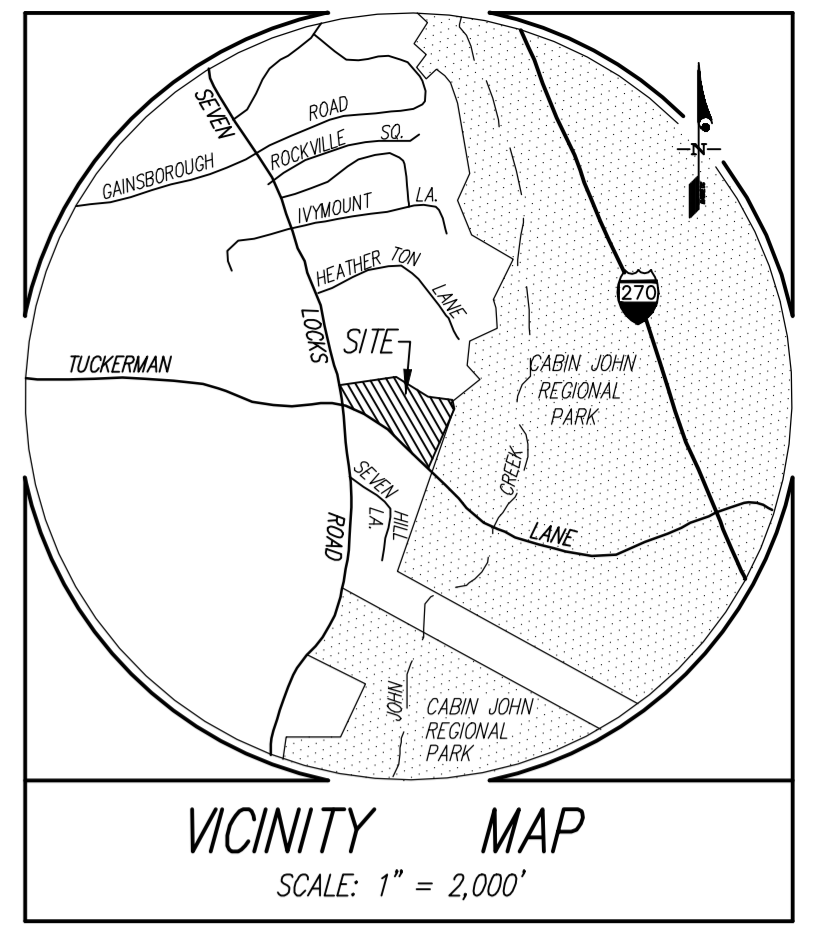
There's sidewalk and landscape strip on the left side of the modified section

The right of way is wider on the modified section

There is curb on the modified section

There is parallel parking on the left side of the modified section

The paving is wider on the modified section



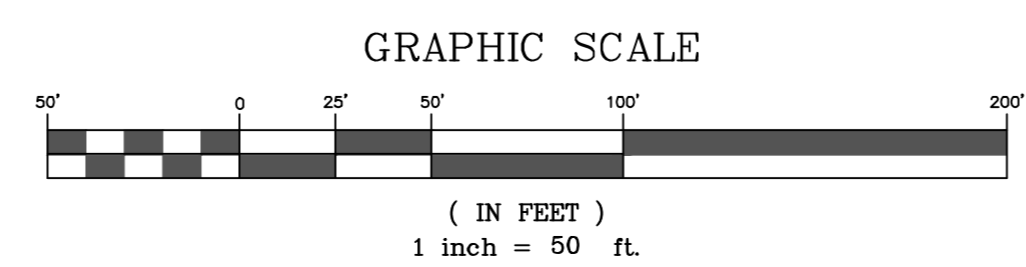
PROFESSIONAL CERTIFICATION

I hereby certify that to the best of my knowledge, information and the belief that the plan shown herein is true and correct has been prepared in accordance with the Subdivision Regulations of Montgomery County, Maryland and the boundary has been field surveyed. I hereby certify that these plans 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.: 29814
 Expiration Date: January 20, 2018

Date: _____
 Tim Longfellow
 Professional Engineer
 Gutschick, Little & Weber, P.A.

GLWGUTSCHICK LITTLE & WEBER, P.A.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
 3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
 BURTONSVILLE, MARYLAND 20866
 TEL: 301-421-4024 FAX: 301-421-4186



PREPARED FOR:
 EDENS, L.P.
 7200 WISCONSIN AVENUE
 SUITE 400
 BETHESDA, MARYLAND 20814
 ATTN: JIM MCKENNEY
 301-652-7400

SCALE: 1" = 50'
 ZONING: CRT
 DATE: AUGUST, 2017
 TAX MAP: - GRD
 GQ-121/341

ADMINISTRATIVE SUBDIVISION PLAN
CABIN JOHN SHOPPING CENTER
PROPOSED PARCEL D (SEVEN LOCKS PLAZA)
 (EXISTING PARCELS N366 & N340
 PART OF PARCEL 'A', PLAT 8584)
 ELECTION DISTRICT No. 04
 MONTGOMERY COUNTY, MARYLAND

G. L. W. FILE No.
16066
 SHEET
3 OF 4



Attachment 9

Isiah Leggett
*County
Executive*

Al R. Roshdieh
Director

DEPARTMENT OF TRANSPORTATION

September 21, 2018

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

REVISED

RE: Preliminary Plan No. 120180120
Cabin John Shopping Center

Dear Mr. Sigworth:

We have completed our review of the revised preliminary plan uploaded August 2, 2018. A previous plan was reviewed by the Development Review Committee at its meeting on March 13, 2018. This letter supersedes the previous DOT letter dated August 30, 2018. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to 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.

Significant Comments

1. Roadway Improvements:
 - a. Along Tuckerman Lane between the site's vehicular access point and Seven Locks Road provide the following:
 - A. 10-foot-wide left turn lane

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

- B. Two- 10-foot-wide travel lanes
 - C. A Westbound 5.5-foot-wide bike lane
 - D. One 11-foot wide right turn lane
 - E. 2-foot-wide grass buffer
 - F. 10-foot-wide shared use path
- b. Along Tuckerman Lane between the site's vehicular access point and the M-NCP&PC property to the east provide the following:
- A. 10-foot-wide left turn lane
 - B. Two 10-foot-wide travel lanes
 - C. 5.5-foot-wide bike lane
 - D. 5-foot-wide grass buffer, except where there are utility poles
 - E. 5-foot-wide sidewalk
- c. Along Seven Locks Road no street frontage improvements are required at this time.
2. At certified Preliminary Plan:
- a. Label the width of the Tuckerman Lane right-of-way after dedication;
 - b. Show the 10-foot-wide Public Utility Easement along the street frontages; and
 - c. Show the location of the cross sections on the plan.
 - d. Show the dedication area as described in condition #4 below.
3. Necessary dedication along Tuckerman Lane to have the improvements listed in condition #1 above must all be in the right-of-way.
4. Necessary dedication of up to 11 feet at this time along Seven Locks Road (as per the Seven Locks Bikeway and Safety Improvement CIP P501303). The existing sign and retaining walls may remain; however, they will require a maintenance and liability agreement. The maintenance and liability agreement is required to be approved prior to record plat. If the sign and/or retaining walls are reconstructed in any way, they must be moved at the owner's expense, out of the right-of-way. In the future, DOT may require at the owner's expense, to remove the retaining walls and sign within 30-days written notice to allow for construction of improvements along either Tuckerman Lane or Seven Locks Road.
5. DOT approved the following condition for the approved Administrative Plan No. 620170050: *Provide a ten (10) foot wide Public Utilities Easement (PUE) along all existing street frontages. Where Public Improvement Easements (PIE) are being proposed, the PUE will need to be increased by the width of the PIE. Please note the maximum cross-slope for a PUE is 4:1 ratio.*

This condition was deferred to this Preliminary Plan due to the location of existing easements for Washington Gas and WSSC. The applicant continues to work on removing the easements, which are placed where the PUE would go. The Washington Gas easement is 30 feet along Seven Locks Road; however, the gas line is in the right-of-way and not in the easement. Prior to Certified Preliminary Plan, the applicant should provide in writing the status of removing the easement to DPS and MCDOT.

Standard Comments

6. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, retaining walls and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
7. The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.
8. The sight distances studies have been accepted. A copy of the accepted Sight Distances Evaluation certification forms are enclosed for your information and reference.
9. At or before the permit stage, please coordinate with Ms. NikKia Carver of our Division of Transit Services to coordinate improvements to the RideOn bus facilities in the vicinity of this project. Ms. Carver may be contacted at 240 777-5800.
10. We recommend that the applicant coordinate with Ms Angel Cheng of our Transportation Engineering Section for bike facilities at angel.cheng@montgomerycountymd.gov or at 240-777-7274.
11. Bikeshare: Bikeshare at Cabin John Village will provide a non-auto means of connecting to the Transit Center at Montgomery Mall and destinations in the Rock Spring Park area. A station at this site will connect to existing bikeshare stations located within 2 miles. Additional planned stations are to be located in Rock Spring Park and at Montgomery Mall Transit Center. Show a location for a 19-dock bikeshare station on the Project near Seven Locks Road in the public open space at the first driveway entrance. Extend the sidewalk along the private drive to Tuckerman for safe pedestrian access to a bikeshare station. The dimensions for the space should be 53' x7'. The station must be in a highly visible, publicly accessible, and well-lit (4+ hours of daily solar access) location. Applicant must pay the capital costs for one 19-dock station. All payments must be made to the County or its designee. The final location of this docking station will be selected jointly by the Applicant and the County, based on the requirements of the bikeshare system. Applicant must take other actions in concert with MCDOT to promote use of bikesharing among employees, residents and visitors at the Project.

12. Traffic Mitigation Agreement (TMAg): At Concept Plan, it was recommended that the Cabin John Village project be required to submit a draft Traffic Mitigation Agreement (TMAg) as part of its Preliminary Plan application. However, no such draft TMAg was submitted. MCDOT **recommends** that the applicant be required to enter into a Traffic Mitigation Agreement on the following basis:

- a. Montgomery County Chapter 50 Subdivision of Land (Article II. Division 50.4, Section 4.3 Technical Review, J. APFO, 4 (c) Approval Procedure) states:

If the Board finds, under criteria and standards adopted by the Council, that additional transportation facilities will be adequate to serve the subdivision and to meet the transportation goals established by a master plan or the Subdivision Staging Policy for that portion of the County, the subdivision may also be subject to the execution of a Traffic Mitigation Agreement (TMAg) at the discretion of the Board."

In this case, the standard adopted by the County Council is the *2002 Approved and Adopted Potomac Subregion Master Plan*.

- b. The Potomac Subregion Master Plan (Potomac/Cabin John Center, Land Use and Design Guidelines, [pg 46]), states the following: "*A bus shelter and shuttle service to Metro or acceptable traffic mitigation alternatives must be provided with any increase in density.*" A TMAg, executed with the Department and MNCPPC prior to the issuance of any building permits, will require the implementation of TDM measures (traffic mitigation alternatives) at the development to help reduce the traffic generated by residents of the 60 new single family attached dwelling units and employees associated with the additional 58,000 square feet of commercial uses at the project.

TDM provisions in the TMAg will include but not be limited to:

- A. Electric Car Charging. Provide two electric car charging stations on site or other EV charging arrangements acceptable to MCDOT, or the number required by law, whichever is greater, on site.
- B. Car Sharing Parking. Provide adequate number of car sharing vehicle parking spaces in highly visible, preferentially-located spots.
- C. Bicycle Facilities. Provide bike racks/lockers in weather-protected, highly visible/active locations. Provide a small bicycle repair station in the public amenity space area near the townhouses located near the TH #1 Common Open Space.
- D. Bikeshare Station. See comment above.

- E. Real Time Transit Information – See comment below.
- F. Permanent Information Displays - Incorporate permanent/static display space into retail locations and other high pedestrian activity areas, to provide opportunity for display of transit and other alternative transportation information.

It is not anticipated that the TMAg will include monitoring requirements for this project as this typically required where a specific number of trips must be mitigated.

13. Real Time Transit Information: If the new public amenity space(s) or gathering areas, include a solid wall or structure, provide opportunity and connections the mounting of an electronic (LCD) display monitor. The monitor will display real time transit and other transportation related-information to be seen by Project residents, employees and retail visitors.
14. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
- a. Street grading, paving, curbs and gutters, sidewalks, shared use paths and handicap ramps, and storm drainage and appurtenances along Tuckerman Lane per Comments #1 A and 1B .
 - b. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - c. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
 - d. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
 - e. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Mr. Ryan Sigworth
Preliminary Plan No. 120180120
September 21, 2018
Page 6

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact myself for this project at (240) 777-2118 or at rebecca.torma@montgomerycountymd.gov.

Sincerely,



Rebecca Torma, Manager
Development Review Team
Office of Transportation Policy

Sharepoint/DOT/Development Review/Rebecca/developments/Potomac subregion/120180120 Cabin john shopping ctr.docx

Enclosures (2)

cc: Kate Bucklew, Cabin John (Edens) LLC
Letters notebook

cc-e: Tim Longfellow, Gutschick, Little & Weber P.A.
Sam Farhadi, MCDPS RWPR
Laura Hodgson, M-NCPPC Area 3
NikKia Carver, MCDOT DTS
Angel Cheng, MCDOT DTE
Sandra Brecher, MCDOT CSS
Beth Dennard, MCDOT CSS



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: CABIN JOHN SHOPPING CENTER Preliminary Plan Number: 1- 20180120

Street Name: SEVEN LOCKS ROAD Master Plan Road Classification: ARTERIAL

Posted Speed Limit: 35 mph mph

Street/Driveway #1 (SOUTHERN ENTRANCE) Street/Driveway #2 (NORTHERN ENTRANCE)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>415</u>	<u>YES</u>	Right <u>495</u>	<u>YES</u>
Left <u>700</u>	<u>YES</u>	Left <u>1050</u>	<u>YES</u>

Comments: _____

GUIDELINES

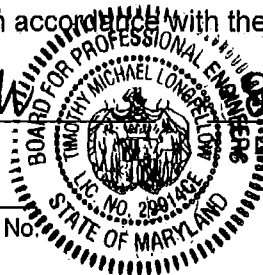
Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*	Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)
Tertiary - 25 mph	150'	
Secondary - 30	200'	
Business - 30	200'	
Primary - 35	250'	
Arterial - 40	325'	
Major - 50 (55)	400' 475' 550'	

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature: [Handwritten Signature] Date: 08-08-2017
 PLS/P.E. MD Reg. No: 29914



Montgomery County Review:

Approved
 Disapproved:

By: Rebecca Lom
 Date: 9/21/18



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: CABIN JOHN SHOPPING CENTER Preliminary Plan Number: 1-20180120

Street Name: TUCKERMAN LANE Master Plan Road Classification: ARTERIAL

Posted Speed Limit: 35 mph

Street/Driveway #1 (ENTRANCE) Street/Driveway #2 ()

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>525</u>	<u>YES</u>	Right _____	_____
Left <u>540</u>	<u>YES</u>	Left _____	_____

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that the information is accurate and was collected in accordance with these guidelines.

[Signature]
 Signature _____ Date 08-20-2017
29914



Montgomery County Review:

Approved
 Disapproved:

By: *[Signature]*
 Date: 9/21/18

PLS/P.E. MD Reg. No.



Attachment 10

Isiah Leggett
*County
Executive*

DEPARTMENT OF TRANSPORTATION

Al R. Roshdiah
Director

August 30, 2018

Ms. Laura Hodgson, Planner Coordinator
Area 3 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Cabin John Shopping Center
12018120
Traffic Impact Study Review
Traffic Signal Warrant Review

Dear Ms. Hodgson:

We have completed our review of the Local Area Transportation Review and Transportation Policy Area Review (TIS) revised report dated July 24, 2018, and the Traffic Signal Warrant study dated April 19, 2018. Both reports were prepared by Lenhart Traffic consulting, Inc. As noted in your transmittal letter, this study was prepared in accordance with the direction in the 2016-2020 Subdivision Staging Policy. Total development evaluated by the analysis includes:

- 60 townhouse units; and
- 59,085 square feet of shopping center.

The previously approved 9,997 square feet of retail space for Administrative Review No. 620170050 was included with the background traffic.

We offer the following comments:

Adequacy Determination

1. The study indicates that the subject development will generate at least 50 total weekday peak hour person trips; therefore, the Motor Vehicle Adequacy test is required.
2. The study indicates that the proposed development generates fewer than 50 pedestrian, transit and bicycle trips; therefore, these adequacy tests are not required.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Motor Vehicle System Adequacy

1. The LATR test for the Potomac policy area retains the critical lane volume (CLV) with a congestion standard of 1350. In addition, if the CLV is more than 1350, then the new Subdivision Staging Policy (SSP) requires an analysis of the average delay using Highway Capacity Manual (HCM) and are considered adequate if average delay for the overall intersection is less than 55 seconds.
2. The consultant studied five (5) intersections during the peak period hours. These intersections were evaluated with and without DOT programmed improvements.
3. During the morning peak hour all the intersections with and without the DOT improvements will not exceed the congestion standard in the Potomac Policy area under total future conditions.
4. During the PM peak hour:
 - a. Two intersections do not exceed the congestion standard with and without the DOT improvements in the policy area under total future conditions.
 - b. Three intersections will exceed the level of service without the improvements and with the improvements they will not exceed the congestion standard.

Pedestrian and Bicycle Impact Statement

1. The consultant provided an evaluation of the pedestrian and bicycle access and circulation near the site and the transit and other non-automotive operations in the study area. The consultant provided the location of sidewalks, pedestrian signal heads, accessible ramps and bus stops and routes within the study area.
2. In accordance with the LATR, the consultant gathered pedestrian and bicycle counts at the studied intersections. These counts show low pedestrian volumes at all the intersections.
3. The applicant provided the locations of bus stops and the routes; however, no amenities at the stops were identified.

Traffic Signal Warrant Study

1. The consultant provided a Traffic Signal Warrant Analysis (TSWA) for the intersection of Seven Locks Road and Coddle Harbor Lane for both existing and total traffic conditions.
2. A thirteen (13) hour turning movement count was conducted on April 12, 2018.
3. The consultant does not recommend a traffic signal be installed at this intersection due to numerous reasons, including:
 - a. The intersection marginally meets the minimum number of minor street vehicles;

Ms. Laura Hodgson
Cabin John Shopping Center
August 30, 2018
Page 3


- b. The minimum spacing between Coddle Harbor and Tuckerman Lane; and
- c. The delay on Coddle Harbor does not meet mitigation requirements.

SUMMARY

1. We concur with the consultant's conclusion that the motor vehicle delay will not exceed the Potomac policy area threshold with the DOT improvements.
2. We concur with the consultant that the pedestrian, transit and bicycle adequacy tests are not required.
3. We concur with the consultant that the Coddle Harbor Lane and Seven Locks Road intersection does not warrant a traffic signal.

Thank you for the opportunity to review these reports. If you have any questions or comments regarding this letter, please contact myself for this project, at Rebecca.torma@montgomerycountymd.gov or (240) 777-2118.

Sincerely,



Rebecca Torma, Manager
Development Review Team
Office of Transportation Policy

[sharepoint/transportation/directors_office/development_review/Potomac_subregion/120180120_cabin_john_shopping_center_TIS_DOT.docx](#)

cc: Mike Lenhart, Lenhart Traffic Consulting, Inc.
Letters notebook

cc-e: Ryan Sigworth, M-NCP&PC



Attachment 11

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

June 21, 2018

Mr. Mark Johnston, PE
Gutschick, Little & Weber, P.A.
3909 National Drive, Suite 250
Burtonsville, Maryland 20866

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Cabin John Shopping Center
Preliminary Plan #: 520180030
SM File #: 283567
Tract Size/Zone: 25.32 Acres
Total Concept Area: 25.32 Acres
Lots/Block: NA
Parcel(s): Parcel C, D Seven Locks Plaza
Watershed: Cabin John Creek

Dear: Mr. Johnston

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 Microbioretention and Structural Methods.

The following items will need to be addressed during 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 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.

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**.



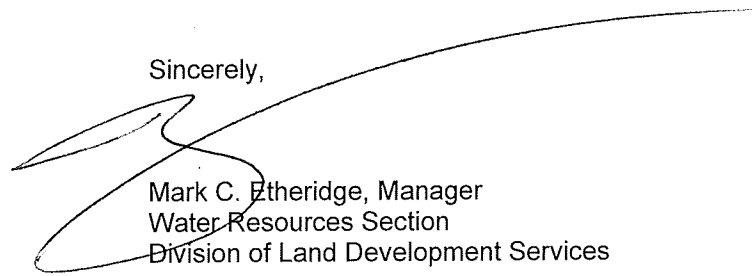
255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Mr. Mark Johnston, P.E.
June 21, 2018
Page 2 of 2

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 Andrew Kohler at 240-777-6275.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark C. Etheridge', is written over the typed name and title.

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

MCE: AK

cc: N. Braunstein
SM File # 283567



Attachment 12

DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Clarence J. Snuggs
Director

August 24, 2018

Mr. Ryan Sigworth
Area 3 Division
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Cabin John Village
Preliminary Plan No. 120180120

Dear Mr. Sigworth:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval.

Sincerely,

Lisa S. Schwartz
Senior Planning Specialist

cc: Kevin Foster, Gutschick, Little & Weber, P.A.

S:\Files\recurring\Housing\MPDU\Developments\Cabin John Village\Cabin John Village DHCA Letter_8-24-2018.docx

Division of Housing

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • www.montgomerycountymd.gov/dhca



September 7, 2018

Forest Conservation Program Manager
Maryland National Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Cabin John Village - Variance Request (amendment)
Preliminary Forest Conservation Plan No. 120180120

On behalf of the applicant, EDENS, we are requesting a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code.

(3) The following trees, shrubs, plants, and specific areas are priority for retention and protection and must be left in an undisturbed condition unless the Planning Board or Planning Director, as appropriate, finds that the applicant qualifies for a variance under Section 22A-21:

- (C) Any tree with a diameter, measured at 4.5 feet above the ground, of:*
- (i) 30 inches or more; or*
 - (ii) 75% or more of the diameter, measured at 4.5' above ground of the current State champion tree of that species.*

This variance request is an amendment to the previous request granted for FCP 620170050 for Parcel D. This request is for the redevelopment of the overall site that includes Parcels C, O and Tax Parcel 328, as well as Parcel D.

The subject property, known in the community as the Cabin John Shopping Center, contains a gross tract area of approximately 25.32 acres and is generally located at 7817 Tuckerman Lane and 11325 Seven Locks Road in the northeast corner of the intersection of Tuckerman Lane and Seven Locks Road, in Potomac, Maryland. More specifically, the Property is comprised of recorded lots known as Parcel D of the Seven Locks Plaza Subdivision, as shown on a Record Plat recorded among the Land Records of Montgomery County, Maryland (the "Land Records") at Plat No. 25334 on November 16, 2017, Parcel C of the Seven Locks Plaza Subdivision, as shown on a Record Plat recorded among the Land Records at Plat No. 11341 on September 27, 1976, Parcel O of the Inverness Knolls Subdivision, as shown on a Record Plat recorded among the Land Records at Plat No. 12383 on April 9, 1979, and unrecorded Parcel 328. The Property is currently improved with a commercial strip shopping center, a two-story mall building, and surface parking.

The majority of the Property is zoned CRT-0.75, C-0.5, R-0.25, H-35T pursuant to the Countywide District Map Amendment effective on October 30, 2014, although the northern portion of Parcel O is zoned R-90. The Property is located within the planning boundaries of the 2002 Potomac Subregion Master Plan.

Pursuant to the applicable provisions of Chapter 50 of the Montgomery County Code, the Applicant submitted a preliminary plan application to seek approval for the proposed development on the Property of an additional 59,085 square feet of commercial development, which would create a total of 300,000 square feet of commercial uses on the Property, and up to 200,000 square feet of new residential uses consisting of approximately 59 single-family attached townhouse units.

The site is bordered along the east side by a wooded area that is part of Cabin John Regional Park, The Inverness townhome community to the north and single family detached houses to the west and south. The northern portion of the site contains an existing outdated stormwater management facility that treats the stormwater on a portion of the property. The remaining areas of the property were built prior to current stormwater management regulations and have no stormwater management treatment for the surface areas that flow to the Cabin John Creek.

As part of development on the Subject Property, the applicant is requesting a variance to affect the following trees that measures 30” or greater in diameter at breast height (dbh).

<u>TREE #</u>	<u>TREE TYPE</u>	<u>% DISTURBED</u>	<u>REASON</u>	<u>DISPOSITION</u>
2	White Oak 30” dbh	29%	Proposed Bike Path Construction along Tuckerman Lane.	To be disturbed
8 (401)	Red Oak 30” dbh	11%	Construction of Private Road ‘A’.	To be disturbed
42 (102)	Pin Oak 34” dbh	4%	Curb and SWM construction and associated grading.	To be disturbed
44 (117)	Tulip Poplar 37” dbh	27%	Construction of Private Road ‘A’, Site construction, SWM facilities and associated grading.	To be disturbed
46 (119)	Tulip Poplar 30” dbh	5%	Storm drain construction, SWM access, site construction and grading.	To be disturbed
55 (310)	Tulip Poplar 31” dbh	2%	Storm drain construction	To be disturbed
65 (320)	Red Oak 31” dbh	5%	Construction of Private Road ‘A’.	To be disturbed
74 (330)	Post Oak 31” dbh	34%	Site construction and associated grading	To be disturbed
66221	Tulip Poplar 32”	13%	Proposed Bike Path Construction and grading.	To be disturbed
66231	White oak 42”	23%	Proposed Bike Path Construction and grading.	To be disturbed

Section 22A-21 (b) lists the criteria for the granting of the variance requested herein. The following narrative explains how the requested variance is justified under the set of circumstances described above.

1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship:

Disturbance of Tree #2, 8, 42, 44, 46, 55, 65, 74, 66221 & 66231

The proposed development of additional retail area and residential townhouses on the Subject Property will require new building construction, associated grading, utility installation, access/road frontage improvements, parking lot construction, on-site stormwater management and other associated improvements on the property. The proposed building layout was designed to minimize disturbance and impacts to the existing shopping center, landscape and adjacent forested area, while taking advantage of existing utility lines and vehicular circulation.

- Tree #2 (Previous variance approved) will be impacted by required addition of an 8' shared-use bike path along Tuckerman Lane.
- Tree #8 (Off-site) will have minimal impacted by the conversion of existing parking spaces to Private Road A along the eastern edge of the property along Cabin John Park. A large section of the new curb will be in the same location as the old curb
- Tree #42 (Off-site) will have minimal disturbance to its critical root zone to construct a SWM facility and parking lot revisions.
- Tree #44 will have disturbance to its critical root zone to construct a retaining wall, SWM access, Private Road A construction, and utility installation. Specialized construction techniques will be utilized to help preserve this tree.
- Tree #46 will have minimal disturbance in order to provide SWM access to the existing stormwater management facility located on the northern parcel of the site. The existing SWM facility was not originally constructed with an access road, but the applicant will be required to install a new access road as part of the site redevelopment.
- Tree #55 will have minimal disturbance to its critical root zone to construct a storm drain.
- Tree #65 will be disturbed to construct new curb and parking for the proposed site redevelopment.
- Tree #74 will be impacted by the conversion of existing parking spaces to Private Road A, a retaining wall and site construction along the eastern edge of the property along Cabin John Park. A large section of the new curb will be in the same location as the old curb. Specialized construction techniques will be utilized to help preserve this tree.
- Tree #66221 & 66231 will have disturbance to the critical root zone to construct the required path along Tuckerman Lane.

Not being allowed to disturb the critical root zones of these trees and obtain a Specimen Tree Variance would deprive the Applicant of the reasonable and substantial use of the Property and clearly demonstrate an unwarranted hardship. The ability to provide residential housing,

additional commercial density, parking, and site construction is allowed within the existing zoning and within a reasonable and substantial use of the Property. Not allowing disturbance in these areas would deny the Applicant the ability to provide the required on-site stormwater management and would therefore not comply with the Stormwater Management Concept Plan. If a Variance were to be denied, the Applicant would be deprived from developing the Property for a reasonable and significant use enjoyed by virtually all others similar property owners in the community

2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas:

The subject specimen trees are located mostly on the perimeter of the property, and in the rear of the property on Parcel O. There is an existing environmental ground contamination condition on-site that limits any current residential development to the area of Parcel O. With the configuration of the existing development on the Subject Property including the shopping center building, parking areas, driveway access and forest cover along the perimeter of the property, in combination with the proposed retail pads, the remaining potential development area for additional commercial development was limited to the already developed portion of the site, and residential development on Parcel O. The proposed retail and residential additions, associated parking and utility improvements have been specifically designed to maximize the already improved areas of the site, use the existing access/utilities and minimize any forest impacts. As stated previously, the existing site contains inadequate stormwater management and the existing trees occupy suitable areas for stormwater management. The ten (10) impacted specimen trees are located in the areas of utility, stormwater management, private road, parking or shared-use bike path construction and denial of a variance would keep the applicant from fulfilling the county's goal of avoiding sprawl and locating density in already developed areas, and providing additional housing including affordable housing in Montgomery County.

Not granting the variance would cause undue hardship on the applicant because development would be very limited or not possible, and therefore will deny the applicant ability to fully use the property. By denial of a Variance, it will deprive the landowner the significant and reasonable use on the property as allowed in the zone, and as shown in the Master Plan. Granting of the variance will ultimately allow the property to be developed in a safe and efficient manner as other property owners in the community.

3. Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance:

The variance will not violate state water quality standards or cause measurable degradation in water quality. All proposed land development activities in Montgomery County require Conceptual Storm Water Management Plan approval and detailed technical Sediment Control and Storm Water Management Plan approvals by Montgomery County Department of

Permitting Services. A Storm Water Management Concept Plan will be approved by the Montgomery County Department of Permitting Service. The approval of these plans confirms that the SWM Concept Plan meets or exceeds all Montgomery County and State of Maryland storm water management regulations and water quality standards through the use of micro-bio filters and other similar treatment features and therefore verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur. In addition to providing state-of-the-art “Environmental Site Design” storm water management for a site that currently has virtually no storm water management and completely uncontrolled runoff, the proposed development will add significant stormwater management to the site while also be reducing the existing uncontrolled overland flow on adjacent properties, and provide forest cover through additional site afforestation.

4. Provide any other information appropriate to support the request:

The variance request is not based on conditions or circumstances which result from the actions of the applicant. The applicant has taken great care to locate development in the buildable area of the site while trying to maximize usage of existing utility lines and minimize disturbance to the significant and specimen trees. The Applicant intends to implement tree preservation measures, potentially including standard tree protection fencing, signage, root pruning, vertical mulching and fertilization to further aid in mitigating disturbance and protecting the forest line. This will be explored and identified as part of the Final Forest Conservation Plan included with the upcoming Site Plan. The applicant recognizes the value and need for mature trees and will give special attention to any construction work that may impact the critical root zones of specimen trees as noted above.

The Applicant believes that the information set forth above is adequate to justify the requested variance to disturb ten (10) specimen trees on the Subject Property. Furthermore, the Applicant's request for a variance complies with the "minimum criteria" of Section 22A-21 (d) for the following reasons:

1. This Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available to any other applicant.
2. The variance request is not based on conditions or circumstances which result from the actions of the applicant. The applicant did not create the existing site conditions, including the random location of the specimen trees.
3. The variance is not based on a condition relating to the land or building use, either permitted or nonconforming on a neighboring property.
4. The impact to, or loss of the requested trees will not violate State water quality standards or cause measurable degradation in water quality.

M-NCPPC Forest Conservation Program Manager
Cabin John Village – Variance Request

September 7, 2018
Page 6 of 6

If you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

Kevin Foster
Kevin Foster, ASLA AICP



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 23-Jul-18
TO: Tim Longfellow
Gutschick Little & Weber, PA
FROM: Marie LaBaw
RE: Cabin John Village
120180120

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **23-Jul-18**. 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.

***** Intersection detailed on Sheet 2 Insets 1A&B to be reevaluated for layout and functionality at site plan *****

***** Proposed alternative surfaces to be detailed and approved at site plan *****

***** Parking restrictions to be finalized at site plan *****

Montgomery County Cemeteries

Name: Scotland Cemetery **ID:** 305
Alternate Name: Snake Hollow Cemetery
Address: Vicinity of Seven Locks Rd/Tuckerman Lane/Coddle Harbor Lane - NE side
Town: Scotland

ADC Map: 35 **Grid:** A/B-1 vic

Cemetery Association: Free Black, Community, Enslaved?

Setting: Suburban **Condition:** Poor

Negative Impacts:

Burials: Unknown **Date range of burials:** Unknown

Description: Specific location unknown. According to George Snowden of Snowden's Funeral Home, the graves here were not moved and were not visible by the time the Cabin John Shopping Center and mall were constructed on the site (1967-78).

Comments: Overgrown, in woods with new houses around. Near Park & Planning off Tuckerman Lane. Mostly uncarved stones. Family names are Cooper, Thomas, Simms, et al

Survey date: 12/1/2005

Historic Status:

Additional Sources: Catholic Records reference Snake Hollow Cemetery; Recollection of George R. Snowden, Sr. Dec. 2005, Bette Thompson, Soctland AMEZ, 301-983-1094

Run date: 8/30/2007

Attachment 5



Cemetery Assessment for the Cabin John Shopping Center Potomac, Montgomery County, Maryland

August 23, 2017

Introduction

The Ottery Group has prepared this assessment in order to evaluate the potential for one or more unmarked cemeteries associated with the historically African American community of Scotland to have existed at the location of the Cabin John Shopping Center. The shopping center, owned by EDENS, is located at the intersection of Seven Locks Road and Tuckerman Lane in Potomac, Maryland. EDENS requested this assessment for purposes of due diligence associated with planning future construction at the property.

African Americans purchased land along Seven Locks Road after the Civil War. Many had been enslaved, and at least one founder of the community that became Scotland was a Civil War veteran; Henry Dove who resided in this area by 1879 (Hopkins 1879) had served in the 37th Regiment of the United States Colored Troops. The community grew to fifty to seventy-five families, dwelling on approximately fifty acres from north of Tuckerman Lane reaching south to the location of Democracy Boulevard. Originally the community was called Snake Den, after the Snake Den Branch of Cabin John Creek; this place name was established during the mid-eighteenth century, well before African American settlement (Levine 2000). The community had an elementary school by 1901, on Seven Locks Road north of Tuckerman Lane, and a community of worship with two churches, one of which became the Scotland African Methodist Episcopal (AME) Zion Church, established by 1906 and erected in its current location by 1924. Snake Den began to be called Scotland around 1915. By the middle of the twentieth century houses in the area became dilapidated, even though people throughout the community were employed; Scotland received no sewer or water infrastructure, and the county provided no trash collection. Montgomery County desired land for the creation of Cabin John Regional Park, and real estate speculators and developers put a premium on the land as well. Facing condemnation of their homes, Scotland residents pooled their capital and invested in the first affordable housing development in the county, the Scotland Community Apartments, which were completed between 1968 and 1971 using grants and loans from the Federal Housing Administration (FHA) under President Johnson's administration. Developer Carl M. Freeman purchased large areas in the north part of Scotland for redevelopment, creating Cabin John Shopping Center during the same period.

The Montgomery County Planning Department Cemetery Inventory includes two cemeteries associated with Scotland, one located adjacent to the Scotland AME Zion Church (MIHP M:29-15) approximately one-half mile south along Seven Locks Road, and one identified as "Scotland Cemetery" and "Snake Hollow Cemetery" in the inventory, located generally in the vicinity of Seven Locks Road, Tuckerman Lane, and Coddle Harbor Lane on the northeast side of these intersections (Montgomery County Planning Department 2007a; 2007b). This assessment consisted of compiling available research on the history of the Scotland community including title histories, reviewing historical source materials, and an analysis of this research in order to evaluate and assess the likelihood for this or another cemetery to exist within the 23.55 ac EDENS property.

This preliminary effort did not include a field investigation of the property other than a visual walkover to document existing conditions, including examination of the approximately two-acre wooded area in the eastern portion of the property (Attachment 1), and utilizes only publicly available documents from various repositories located in Washington DC and Maryland.

Methodology for Survey of Primary Documentary Research

This assessment builds upon research with primary historical documents, defined as documents with known provenience, authored in past contexts, and associated with events pertaining to the property under investigation, such as newspaper reports, legal records such as deeds and plats, administrative records, and other available documents. The Ottery Group carried out background historical research into the following records and topics:

Historic land records. Digital imagery of Montgomery County land records is accessible online via the retrieval system hosted at www.mdlandrec.net, and <http://plats.net>, the latter being supported by the Maryland State Archives. Title history research was carried out for the entire EDENS property for Cabin John Shopping Center (Attachment 2), in order to identify portions of the property associated with the Scotland community and thus having potential to contain unrecorded family cemeteries. The full text of all deeds was reviewed for information about possible cemeteries. Historic title information is presented in Attachment 3.

Historic maps and aerial photography. Relevant maps including U.S. Geological Survey topographic maps, real estate atlases, and aerial photographs were accessed and provide pertinent spatial data and chronological markers for development of Cabin John Shopping Center and adjacent lands. A GIS database layering together historical map data with information contained in deed and plat records has not been created under the present scope of work.

Historic newspapers. Regional newspapers were used to develop a basic chronology and land use history, alongside deed research, tax assessments, and other documentary sources. These can help identify specific information about cemeteries operating in Scotland. In some cases, published death notices can be linked with other archival records, namely death certificates on file at the Maryland State Archives in Annapolis.

The Washington Evening Star, the newspaper of record for the District of Columbia and adjacent areas in Maryland is available digitally through the District of Columbia Public Libraries as keyword searchable, full-text original print images from 1852-1981, as is the Washington Post starting in 1877. These newspapers were searched for relevant material using keywords such as “Snake Den”, “Scotland Cemetery”, “Snake Hollow Cemetery”, “Scotland AME Zion”, “Scotland, Md”, and so forth. This yielded several pertinent stories under some topics, which helped to refine the timeline for development of the Scotland community, and placement of landmarks such as schools and churches. A small number of published death notices mentioning Scotland area cemeteries were identified.

The Jane C. Sween Library of the Montgomery County Historical Society in Rockville, Maryland maintains a vertical file on the Scotland community, containing a complete record of relevant newspaper items from the period of Scotland’s relocation from 1964 through 1971, and after.

Genealogical records. Genealogical material contained in the Maryland State Archive (MSA) was accessed, including Donna Cuttler’s (Cuttler 2000) *The Genealogical Companion to Rural Montgomery County Cemeteries*, which contains no references to Scotland, and the Genealogical Council of Maryland’s *Directory of Maryland Burial Grounds* (Maryland 1996), which similarly excludes Scotland’s cemeteries. The MSA also holds Maryland census records, tax assessments, wills and probates, records of the Orphan’s Court and other court records. Many of these records are also available from other sources, for instance the Maryland Room of the University of Maryland Libraries in College Park, the Enoch Pratt Free Library in Baltimore, and www.Ancestry.com. These wider genealogical records were selectively consulted, but hold potential to characterize the historical African American community of Scotland, and the social networks linking them with the region more broadly.

Cemetery Assessment for the Cabin John Shopping Center
Potomac, Montgomery County, Maryland

Death records are an important component of genealogical research, and archived death records in Maryland are organized for the convenience of amateur and professional genealogists who are searching these records for named individuals. Pertinent death records consist of State of Maryland death certificates and indices recording names, counties of residence, and dates of death. Death records held at the MSA for the period from 1897 to 1972 are available, often in digital format, organized by county, year of death, and name of the decedent (MSA 2015a; 2015b; 2015c).

The Montgomery County Archives contain no death records for the county, but the Montgomery County Planning Department maintains an inventory of cemeteries in the county, at http://www.montgomeryplanning.org/historic/education/cemeteries_location.shtm. The associated records including hand-written notes and forms for the county's cemetery inventory are held at the Montgomery County Historical Society in Rockville, and these were consulted, resulting in the identification of two cemeteries associated with Scotland. The Montgomery County Historical Society maintains a vertical file on cemeteries, and a cemetery card file created by a genealogy club during the 1970s, searchable by name and cemetery within a selection of burying grounds in Montgomery County, both held in the Jane C. Sween Library in Rockville; these resources contained no mention of any cemeteries in Scotland.

Using published death notices and census data for the family of Henry Dove, available on www.Ancestry.com, one death certificate was identified at the MSA listing Scotland cemetery as the place of burial in 1933, and another listed the Dove family cemetery as place of burial, in 1953; subsequent research locates this cemetery outside of the EDENS property at Cabin John Shopping Center.

Overview and Land Use History

Land within the Cabin John Shopping Center derives partly from a large landholding of the Scriven family of Washington, DC, which passed through several speculative real estate companies during the middle decades of the twentieth century, and partly from the accumulation of small parcels associated with the Scotland community. The African American community at Scotland traces its founding to the 1879 purchase at auction of 36 acres by freeman William Dove, one progenitor of a large clan that remained associated with the Scotland community into the twenty-first century; the Scotland Community Apartments had a section nicknamed "Dove Land" at the time Dove descendent Bette Thompson was interviewed by the Washington Post in 2005 (Rathner 2005). The settlement was initially known as Snake Den, after the Snake Den Branch of Cabin John Creek, which runs on the west side of Seven Locks Road near what was historically Dove family property northeast of the intersection of Seven Locks Road and Tuckerman Lane. Henry Dove, William Dove's uncle, a former slave and Civil War veteran who was enlisted in the 37th Regiment of the U.S. Colored Troops (Ancestry.com 2017), purchased 28.5 ac in this area in 1886, and his land was divided among his heirs who held it until the mid-twentieth century (Attachment 4).

The place name was changed to Scotland by 1917, possibly earlier, based upon references to the place as Scotland in public notices (Evening Star 1917; 1918). Scotland grew to a community of approximately 75 African American families by the mid-twentieth century, but subdivision of land within families, and regulation of acceptable land use by Montgomery County authorities, constrained improvements by Scotland residents, created extremely poor housing conditions in the community (Montgomery Sentinel 1965c). Decades of disinvestment by the county led to the Scotland residents eventually selling their land and relocating to Scotland Community Apartments, the first such affordable housing project in Montgomery County, between 1968 and 1971. Developer Carl M. Freeman acquired much of the land in Scotland north of Tuckerman Lane by 1955, including the Cabin John Shopping Center property, and the mall and shopping center were constructed starting in 1968

Cemetery Assessment for the Cabin John Shopping Center
Potomac, Montgomery County, Maryland

and continuing into the 1970s (Levine 2000; Rathner 2005; Ryan 2009). Title research shows that a portion of the EDENS property is comprised by lands formerly owned by Scotland residents, namely Henry Dove's descendants (see Attachments 3-4).

The Scotland community extended from north of Tuckerman Lane to reach the present-day location of Democracy Boulevard, with the intersection of Tuckerman Lane with Seven Locks Road being the location Scotland Elementary School, which existed by 1901 (Evening Star 1901) and was dilapidated by the 1920s (Montgomery Sentinel n.d.) but provided an alternative to the Seven Locks Colored Elementary School, established in 1879 further north within the county-operated, state-funded segregated school system. Construction of Scotland AME Zion Church in its present location was completed in 1924 (Dwyer 1975), and a one-room Rosenwald elementary school was established nearby in 1927 (Diggins 1964; Levine 2000; Montgomery Sentinel 1965b). These structures appear on historic maps and atlases of the vicinity (Baist 1918; USGS 1923; USGS 1944). Scotland AME Zion Church was home to a group of worshipers that first gathered in 1906 as the Warren Church and held services in a private home until completion of the church building in 1924 (Dwyer 1975). There is some evidence that services took place in a building located on Seven Locks Road immediately northeast of the intersection with Tuckerman Lane; a map published by the United States Geological Survey (USGS) in 1923 shows a church in this location, on the south side of the road that became Coddle Harbor Way (USGS 1923) (Attachment 5). The structure is not labeled except to identify it as a church or place of worship, and a structure is depicted in the same location on a USGS topographic map published in 1944, but is not indicated as a church. Bette Thompson, born around 1935 and great-granddaughter of Henry Dove, commented during an interview with Bethesda Magazine interview 2009 that "The Scotland AME Zion Church... Until 1905, it was where Cabin John Shopping Center is" (Ryan 2009). Bette Thompson's 2009 statement and the structure included on the 1923 USGS topographic map are the only historical data identified during preparation of this assessment indicating a church in this location.

Circumstances of land ownership in Scotland became complicated to the point of obscurity by midcentury (Zweigenhaft 1965). "Much of the land is in joint or indeterminate ownership, making it difficult at present for individuals or families to sell even if they wanted to do so," reported the Montgomery Sentinel in July 1965 (Montgomery Sentinel 1965d). "Tracts, cut up and handed down from one generation to the next, have cloudy titles; many of the lots are too small to meet county minimum legal requirements for septic tanks and wells" (Evening Star 1965a). Intervention in Scotland by county, state and federal agencies was heralded by efforts of the Scotland Civic Association and the organization called Save Our Scotland, which held its first meeting in February 1965 and publicized the living conditions of the approximately fifty families residing there in severe deprivation (Diggins 1964; Montgomery Sentinel 1965c, 1965d; Rathner 2005).

The Scotland Community Development Corporation was created in 1965, with Scotland residents pooling their land and receiving equity shares in a new housing development, the current Scotland Community apartments located on Scotland Drive in Potomac, Maryland. An FHA demonstration grant was secured in 1965, and a \$1.6 million FHA loan to construct townhomes followed in 1967 (Evening Star 1965b; Evening Star 1967; Montgomery Sentinel 1965a). Construction on the 100-unit townhome development began in 1967 and was completed in 1971, with units being occupied by owners or tenants as quickly as they were finished (Montgomery Sentinel 1971).

The Cabin John Shopping Center began construction in 1968, and examination of available aerial photography shows that the southern, shopping center portion of the development was completed by 1969 (Real Estate Directories 1970). The Cabin John Mall began construction by November 1970, and a portion of the neighboring Inverness development were completed by 1979.

Preliminary Results

Three cemeteries associated with the Scotland community were identified within proximity to the Cabin John Shopping Center, but it does not appear that these occur within the 23.55 ac EDENS property. Two of the cemeteries have recorded locations. These consist of the cemetery associated with Scotland AME Zion Church, directly adjacent to the present-day church property on Seven Locks Road (Montgomery County Planning Department 2007a), which is still extant and was presumably established after construction of the church in this location began in 1915, and the Dove family cemetery, which is situated a short distance north of the shopping center within a portion of the Inverness development, north of Coddle Harbor Lane.

The Dove family cemetery was identified during title history research for that part of the current land title survey for Cabin John Shopping Center identified as Parcel “O” (Plat No. 12383), which is part of the Inverness Knolls subdivision, in the eastern portion of the shopping center. Carl M. Freeman’s 1955 purchase of a number of parcels totaling 28.35 ac included much of the land in the northernmost part of Scotland, including the former properties and homeplaces of Henry Dove and his descendants, among them a woman named Elizabeth M. J. Dove. A plot of land containing 7,250 square feet, and a right of way providing access to it, were held back from the sale of 21.5 ac by Elizabeth Dove, and subsequent deed records for transfers in 1966 and 1977 maintain the exclusion of this small plot, indicating that it contains a cemetery. No cemetery is visible on aerial photography of the 21.5 ac property, but real estate atlases published in 1970 and 1972 appear to show the location of the cemetery clearly (ARCATA Real Estate Data 1972; Real Estate Directories 1970) (for instance, Attachment 6). Finally, a death certificate for Tilghman Edward Dove, a descendant of Henry Dove, was located at the MSA, and this record indicates that he was buried at the Dove Cemetery in Scotland in October of 1953.

The Montgomery County Planning Department’s Cemetery Inventory includes one additional cemetery associated with Scotland, called Scotland Cemetery or Snake Hollow Cemetery (Montgomery County Planning Department 2007b) (Attachment 7). The location of this cemetery could not be ascertained, and little corroborating evidence regarding the cemetery was discovered during this assessment. Information in the county’s inventory draws on several sources: recollections of George R. Snowden, Sr. who operated the Snowden funeral home in Rockville, Maryland and had first-hand experience of the cemetery; recollections of Bette Thompson, a Dove descendant and community leader who pursued the relocation of Scotland during the 1960s; and unspecified Catholic records referencing Snake Hollow Cemetery. This last note suggests that the cemetery was Catholic, or inter-denominational. According to George Snowden’s description, graves were never removed from the cemetery, and the cemetery was not visible at the time that Cabin John Shopping Center and Mall were constructed. The location recorded in the inventory is “Vicinity of Seven Locks Rd/Tuckerman Lane/Coddle Harbor Lane – NE side”. Other comments in the inventory suggest that the surveyors had located and visited the cemetery, in December 2005 when vegetation would have died back giving grave markers greater visibility. The form notes that the Snake Hollow Cemetery is “Overgrown, in woods with new houses around. Near Park & Planning [facilities for Cabin John Regional Park] off Tuckerman Lane. Mostly uncarved stones. Family names are Cooper, Thomas, Simms, et al”. If the cemetery was visited in 2005, as it appears, then it would not have been directly impacted by past construction on the Cabin John Shopping Center property.

The Ottery Group staff carried out a pedestrian walkover of the undeveloped, wooded area in the eastern portion of the shopping center property, in the vicinity of a stormwater management facility (Attachment 2). This approximately two-acre area contains second-growth mixed hardwood forest on a gradual hillslope that descends towards a drainage to the northeast, which exits a pond that collects stormwater from the Cabin John Shopping Center and the adjacent Inverness Knolls development. The stormwater management facility was built during the above-mentioned development projects, and

was not examined. The balance of this two-acre area appears to contain the early twentieth-century ground surface with regenerated forest. No evidence of a cemetery was noted within this portion of the Cabin John Shopping Center property, suggesting that the Snake Hollow Cemetery likely falls on M-NCPPC property, within Cabin John Regional Park.

Summary and Recommendations

The Ottery Group has prepared this assessment in order to assist in determining whether the EDENS property at Cabin John Shopping Center in Potomac, Maryland is likely to contain one or more unmarked cemeteries associated with the African American community of Scotland from the later nineteenth century to the mid-twentieth century, when the property was assembled for subdivision and redevelopment by developer Carl M. Freeman, and his partners. The Montgomery County Planning Department Cemetery Inventory includes two cemeteries associated with Scotland, one associated with Scotland AME Zion Church one half-mile south of the shopping center on Seven Locks Road, and one located generally in the vicinity of the shopping center, known as Scotland Cemetery or Snake Hollow Cemetery. Title history research and other documentary sources identified a third historic cemetery, the Dove family cemetery formerly situated on a 21.5 ac parcel north of and adjoining Coddle Harbor Lane north of the shopping center. This land is now part of the Inverness development, also associated with developer Carl M. Freeman.

Historic map and title information clearly situate the Dove family cemetery outside of the Cabin John Shopping Center property. The position of the cemetery may be depicted in real estate atlases published in 1970 and 1972, when the small cemetery of 7,250 square feet was recognized as separate from the lands that Freeman and his partners reassembled for subdivision in the Inverness development. The site of the Dove family cemetery was not located on the ground and its present condition has not been ascertained.

The Scotland Cemetery or Snake Hollow Cemetery has unclear associations. It may have been utilized by Scotland residents prior to the establishment of the Scotland AME Zion Church cemetery further south. Undertaker George R. Snowden indicated during an interview in 2005 that Scotland Cemetery/Snake Hollow Cemetery was not visible at the time Cabin John Shopping Center was constructed, implying disuse and neglect. Details in Montgomery County's inventory data for the cemetery suggest that it was located and visited during survey in 2005, and that it is situated in woodlands near new residential construction, adjacent to M-NCPPC facilities for Cabin John Regional Park. No evidence of a cemetery, such as carved or uncarved grave markers, was identified during pedestrian survey of the approximately two acre, wooded, eastern portion of the shopping center property. All of this suggests that Scotland Cemetery/Snake Hollow Cemetery is not located within the 23.55 ac property associated with Cabin John Shopping Center, but further east along Tuckerman Lane.

This assessment provides a baseline evaluation of the potential for a cemetery to be located on land currently part of the Cabin John Shopping Center. The preliminary conclusion of this historical records review is that no known cemeteries can be documented within the Cabin John Shopping Center property. Based on the information presented in this assessment, no further measures or investigations are recommended at this time.

Cemetery Assessment for the Cabin John Shopping Center
Potomac, Montgomery County, Maryland

Works Cited

Ancestry.com

2017 U.S., Colored Troops Military Service Records, 1863-1865 (database - online). Provo, UT: Ancestry.com Operations, Inc.

Archives, Maryland State (MSA)

2015a Department of Health Bureau of Vital Statistics (Death Record, Index, Counties) 1898-1944 (SE58). Annapolis: Maryland State Archive.

2015b Department of Health Bureau of Vital Statistics (Death Record, Index, Counties) 1945-1968 (SE8). Annapolis: Maryland State Archive.

2015c Department of Health Bureau of Vital Statistics (Death Record, Index, Counties) 1918-1944 (SE58). Annapolis, MD: Maryland State Archives.

ARCATA Real Estate Data

1972 Real Estate Atlas of Montgomery County, MD. Aerial/Map Volume (Fifth Edition). Miami, Florida. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.: ARCATA Real Estate Data, Inc.

Baist, George William

1918 Baist's Map of the Vicinity of Washington D.C. Philadelphia. Accessed online at the Library of Congress, Washington DC at <http://hdl.loc.gov/loc.gmd/g3850.la002292>: G. Wm. Baist.

Cuttler, Donna L.

2000 The Genealogical Companion to Rural Montgomery Cemeteries. Bowie, Maryland: Heritage Books.

Diggins, Peter

1964 Poverty Area Toured by Montgomery Group. *In* The Washington Post. Washington, D.C. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

Dwyer, Michael F.

1975 Maryland Historical Trust State Historic Sites Inventory Form for Scotland A.M.E. Zion Church (M:29/15). Crownsville, Maryland: On file, Maryland Historic Trust.

Evening Star, The

1901 Rockville and Vicinity. General News of Interest from Montgomery County's Capital. *In* The Evening Star. Pp. 5/4/1901. Washington, DC (Online NewsBank, accessed): NewsBank, accessed via District of Columbia Public Libraries, Washington, DC.

1917 Colored M.E. Pastors Given Assignments. *In* The Evening Star. Pp. 18. Washington, DC: NewsBank, accessed via District of Columbia Public Libraries, Washington, DC.

1918 Marriage Licenses. *In* The Evening Star. Washington, DC.

1965a Fight for Survival: Neighbors Aid Negro Town. *In* The Evening Star. Washington, DC. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

Cemetery Assessment for the Cabin John Shopping Center
Potomac, Montgomery County, Maryland

1965b Negro Town of Scotland Gets \$78,400 Grant. *In* The Evening Star. Washington, DC. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

1967 \$1.6 Million Loan OK'd To Rebuild Negro Town. *In* The Evening Star. Washington, DC. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

Hopkins, Griffith Morgan, Jr.

1879 Atlas of Fifteen Miles Around Washington Including the County of Montgomery. Philadelphia: G. M. Hopkins. Electronic resource accessed at Sheridan Libraries, Johns Hopkins University, Baltimore, MD at <http://jhir.library.jhu.edu/handle/1774.2/33358>.

Levine, Harvey A.

2000 The Resurrection of "Scotland". *The Montgomery County Story* 43(2):125-135.

Maryland, Genealogical Council of

1996 Directory of Maryland Burial Grounds. Westminster, MD: Family Line Publications.

Montgomery Sentinel, The

1965a \$75,000 Federal Grant Is a Big Step Forward. *In* The Montgomery County Sentinel. Rockville, MD. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

1965b Pre-Schoolers Enjoy Own Head Start Classes. *In* The Montgomery County Sentinel. Rockville, MD. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

1965c Scotland Aid Pushed. *In* The Montgomery Sentinel. Rockville, MD. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.: The Sentinel Newspapers.

1965d Scotland: Story of a New Beginning. *In* The Montgomery Sentinel. Rockville. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD: The Sentinel Newspapers.

1971 Scotland Rebuilding is Now Completed. *In* The Montgomery County Sentinel. Rockville, MD. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

n.d. Geneva Mason Recalls When TR Came to Town. *In* The Montgomery County Sentinel. Rockville, MD. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

Montgomery County Planning Department

2007a Montgomery County Cemetery Inventory: Scotland AMEZ Church Cemetery. Silver Spring, Maryland. Accessed at <http://www.montgomeryplanning.org/historic/education/cemeteries.shtm>: Montgomery County Planning Department.

2007b Montgomery County Cemetery Inventory: Scotland Cemetery (AKA Snake Hollow Cemetery). Silver Spring, Maryland. Accessed at <http://www.montgomeryplanning.org/historic/education/cemeteries.shtm>: Montgomery County Planning Department.

Cemetery Assessment for the Cabin John Shopping Center
Potomac, Montgomery County, Maryland

Rathner, Janet Lubman

2005 Generations of Residents Settle Down in Scotland. *In* The Washington Post. Washington, DC. Accessed online at <http://www.washingtonpost.com/wp-dyn/content/article/2005/06/17/AR2005061700588.html>.

Real Estate Directories

1970 Real Estate Atlas of Montgomery County, MD. Aerial-Tax Map Volume (Third Edition). Miami, Florida. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD: Real Estate Directories, Inc.

Ryan, Ellen

2009 Remembering When: Seven Area Residents Recall the Days of Dinner Dances, Wartime Rationing and Memorable Encounters with Celebrity. *In* Bethesda Magazine, November-December 2009. Accessed <http://www.bethesdamagazine.com/Bethesda-Magazine/November-December-2009/Remembering-When/index.php?cparticle=1&siarticle=0> - artanc.

United States Geological Survey (USGS)

1923 Rockville Quadrangle, Maryland-Virginia. Washington, DC: Department of the Interior, U.S. Geological Survey.

1944 Rockville Quadrangle, Maryland-Virginia, 15 Minute Series (Topographic). Washington, DC: Department of the Interior, U.S. Geological Survey.

Zweigenhaft, Penny

1965 Homes to Be Provided to 3 Scotland Families. *In* The Montgomery County Sentinel. Rockville, MD. On file, Jane C. Sween Library of the Montgomery County Historical Society, Rockville, MD.

**Attachment 1: Field Photographs Depicting Existing Conditions at Cabin John Shopping Center,
Potomac, Maryland**



1. Overview of Cabin John Shopping Center, Facing West



2. Overview of the Cabin John Mall, Facing Northeast



3. View South from Coddle Harbor Lane at Northwest Corner of Cabin John Shopping Center Property, Along Berm Separating Parking Lot from Public Way on Seven Locks Road (right of frame)



4. View of Proposed Construction Area at Southwestern Corner of Property, Parcel "A"



5. View Southeast from Southwest Corner of Cabin John Shopping Center Property, Along Berm Separating Shopping Center Driveway from Public Way on Seven Locks Road (right of frame)



6. View North from Southwest Corner of the Cabin John Shopping Center Property, Area for Proposed Construction (Seven Locks Road at right of frame)



7. View Facing Northwest Along the Tree Line from the Eastern Corner of the Cabin John Shopping Center Parking Lot, Wooded Portion of the Property at Right



8. View Facing North Along Eastern Property Line of Cabin John Shopping Center, Showing Ground Cover and Conditions in Wooded Portion of Property

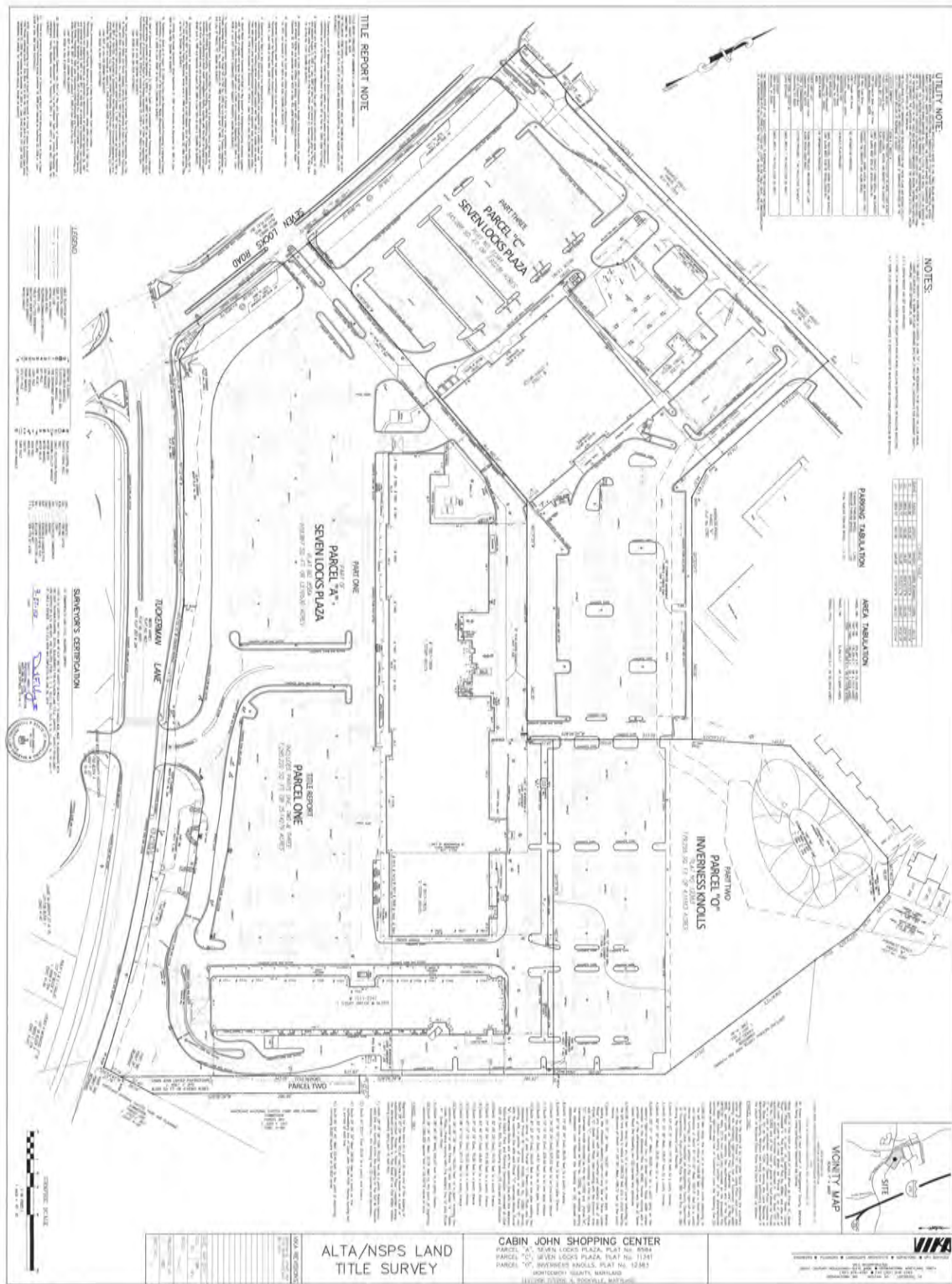


9. View Towards Southwest from Interior of Wooded Portion of Cabin John Shopping Center Property, Showing Grade and Ground Cover



10. Overview of Stormwater Management Facility in the Wooded Portion of the Cabin John Shopping Center Property, Facing East-Northeast

Attachment 2: Survey of Cabin John Shopping Center Property Completed in 2016, Noting Parcel Divisions and Plat References Within the Property



Attachment 3: Title History for EDENS Property at Cabin John Shopping Center

Part 1, Parcel "A", Plat 8584 (Scriven/Sherman Tract)

Book	Page	Date	Grantor	Grantee	Acreage	Notes
53660	431	12/20/16	Cabin John Associates Limited Partnership, a Maryland Limited Partnership, and Carl M. Freeman Associates, Inc., a Maryland Corporation	Cabin John (EDENS), LLC, Bethesda	25.33	
3586	497	12/1/66	Carl M. Freeman Associates, Inc.	Cabin John Limited Partnership	9.89	
3332	270	2/8/65	The Edgemoor Land Company	Carl M. Freeman Associates, Inc.	366(?)	"Being part of a tract of land called "Hensley", "The Addition to Hensley", "Rock Spring", "Boon's Good Luck Again", or by whatever name or names the same may be known as and called..."
1429	583	8/24/50	Park and Country Club District, Inc.	The Edgemoor Land Company	366	Park and Country Club District Incorporated, formerly known as Bethesda Amusement Corporation
540	62	6/20/32	The Security Land Company	Bethesda Amusement Corporation	No acreage listed	
392	274	1/12/26	James M. Mount, and Zeru A. Mount, his wife	The Security Land Company	366	Sale of three parcels specifically excludes a tract NOT conveyed by Margaret V. Sherman to Cornelia Elizabeth Scriven et al, 6/12/1917,

Book	Page	Date	Grantor	Grantee	Acreage	Notes
						L268 f152, 69 acres. See Deets and Maddox 1917 Real Estate Atlas, Attachment 4
310	71	9/22/21	George P. Scriven, and Elizabeth McQuade Scriven, his wife, and Katherine Scriven, all of the District of Columbia	James M. Mount	Three parcels totalling 325.158 ac	"...pieces and parcels of lands and premises...being part of a tract of land called "Hensley" part of a tract called "The Addition to Hensley", part of a tract called "Rock Spring", and part of a tract allled "Boon's Good Luck Again..."
310	76	9/22/21	Cornelia Elizabeth Scriven, unmarried, and Katherine Scriven, unmarried, of the District of Columbia	James M. Mount	40	
PBR268	152	6/12/17	Margaret B. Sherman, widow, of Mobile, Alabama	Cornelia Elizabeth Scriven and Katherine Scriven, District of Columbia	40	Indenture; references 1915 subdivision deed of Geroge P. Scriven, et ux., et al.
252	244	7/30/15	George P. Scriven, widower, of the District of Columbia, Katherine Scriven, unmarried, of Washington, and Margaret B. Sherman of Mobile, Alabama		433.54	All of the land described as the "Farm Property"; "...whereas the said parties hereto have concluded to make an amicable division of said "Farm Property", and have agreed upon the following partition of said "Farm Property"...

Book	Page	Date	Grantor	Grantee	Acreage	Notes
226	253	2/16/12	Edward S. Bragg, Fond du Lac, Wisconsin	Cornelia C. Bragg, his wife, Fond du Lac, Wisconsin	433.54	Same three parcels described above, and the same deed references that follow
TD27	68	9/1/03	James B. Wimer and Mary M. Wimer, his wife, of the District of Columbia	George P. Scriven of the District of Columbia	154.849	(1) from L.226 f.253 above, "all that piece or parcel of land called "Hensley", "The Addition to Hensley", "Rock Spring", and "Boones Good Luck Again", situated in the County of Montgomery, State of Maryland."
TD27	70	9/1/03	James B. Wimer and Mary M. Wimer, his wife, of the District of Columbia	George P. Scriven of the District of Columbia	145.175	(2) from L.226 f.253 above. Also "all that piece or parcel of land called, "Hensley", "The Addition to Hensley", "Rock Spring", and "Boones Luck Again".." Conveyance is EBP 34 f325, 1885 sale of 452 ac from William W. Anderson and wife, and Julie Anderson to John H. Bumgardiner?
180	16	9/24/04	James B. Wimer and Mary M. Wimer, his wife, of the District of Columbia	George P. Scriven of the District of Columbia	133.52	(3) from L.226 f.253 above
TD 24	387	2/10/03	J. Hite Miller, Charles M. Barrick, and Cadwell C. Tyler, all unmarried, of the District of Columbia	James B. Wimer	133.52 (?)	Antecedent for all three James B. Wirt sales, L.TD27 f.68, L. TD27 f.70, and L.180 f.16

Book	Page	Date	Grantor	Grantee	Acreage	Notes
TD 12	220	11/10/1899	Phil H. Tuck of Baltimore City, Attorney, German H. Hunt, and The Tenallytown and Rockville Railroad Land Company of Montgomery County	J. Hite Miller, Charles M. Barrick, and Cadwell C. Tyler, of the District of Columbia	442	
		5/12/1899	German H. Hunt, widower of Baltimore City	J. Hite Miller, Charles M. Barrick, and Cadwell C. Tyler, of the District of Columbia		
JA43	29	1/24/1894	The Tenallytown and Rockville Railroad Land Company of Montgomery County	German H. Hunt, widower of Baltimore City	442	Mortgage
JA27	6	5/13/1891	Annie Vance, unmarried, Washington City District of Columbia	The Tenallytown and Rockville Railroad Land Company of Montgomery County	1230.125 and 10 square perches	Deed documents transfer of a whole series of holdings from Annie Vance to Railroad Land Co., listing a whole series of deed references: JA23 f.64, JA21 f. 309, JA21 f. 384, JA21 f. 381, JA21 f.396, JA23 f. 41
JA23	64	9/20/1890	Julian H. Miller and Anna L. Miller, his wife	Annie Vance of Washington City in the District of Columbia	442	Merges parcels from transactions from Thomas C. Magruder to two grantees, deeds dated 1815 and 1813; no clear statement of how the Millers obtained the land
		10/4/1815	Thomas C. Magruder	Robert P. Magruder		Referenced in L. JA 23 f.64
		12/21/1813	Thomas C. Magruder	William Wilson		Referenced in L. JA 23 f.64

Part 2, Parcel "O", Plat 12383

Southern section obtained through The Edgemoor Land Company in 1965, part of the Scriven/Sherman Tract

Book	Page	Date	Grantor	Grantee	Acreage	Notes
53660	431	12/20/16	Cabin John Associates Limited Partnership, a Maryland Limited Partnership, and Carl M. Freeman Associates, Inc., a Maryland Corporation	Cabin John (EDENS), LLC, Bethesda	25.33	
3332	270	2/8/65	Edgemoor Land Company, a Maryland Corporation	Carl M. Freeman Associates, Inc., a Maryland Corporation	19.35	
1429	583	8/24/50	Park and Country Club District, Inc., a Maryland Corporation, formerly Bethesda Amusement Corporation	Edgemoor Land Company, a Maryland corporation	366	See title chain for Part 1 for continuation.

Northern section obtained from Dove descendants in Scotland in 1955

Book	Page	Date	Grantor	Grantee	Acreage	Notes
53660	431	12/20/16	Cabin John Associates Limited Partnership, a Maryland Limited Partnership, and Carl M. Freeman Associates, Inc., a Maryland Corporation	Cabin John (EDENS), LLC, Bethesda	25.33	
4977	225	5/13/77	Cabin John Limited Partnership, a Maryland Limited Partnership	Carl M. Freeman Associates, Inc.	28.35	"All that certain tract of land... Being part of the Lancaster and Pumphrey Tracts (Parcels Nos. 2 and 10), part of the Thomas Tract (Parcel No. 3) and part of the Elizabeth M. J. Dove Property (Tract No. 6),

Book	Page	Date	Grantor	Grantee	Acreage	Notes
						all described in..." L. 3496 f. 245
3496	245	1/2/66	Carl M. Freeman, individual and Trustee, and Virginia A. Freeman, his wife, and Carl M. Freeman and Alexander Chase, Trustees	Cabin John Limited Partnership, a Maryland Limited Partnership	n.a.	One of the parcels included in this deed, The Elizabeth M. J. Dove Property (Tract No. 6) appears to contain a cemetery of 7,250 ft ² in area, plus ROW for access to cemetery site; Property with cemetery is part of the purchase by Carl M. Freeman in 1955, but <u>does not</u> fall within the 23.55 ac EDENS property; Follow up documents below
2243	29	12/1/55	Martha E. Jordan, Trustee	Carl M. Freeman, Trustee	n.a.	See Plat No 4631 for beginning point metes and bounds;
60	138	9/10/1896	Sarah Ann Dove, widow, Victorine (?) D. Williams, and Richard B. Williams, her husband, Caroline V. Dove, unmarried, Samuel W. Dove and Henrietta Dove, his wife, Tilghman E. Dove and Jane Dove his wife, and Bertha P. Crawford and Lorenzo S. Crawford her	Lorenzo Snowden Dove of Montgomery County	28.5	Being Lot No. 3 in the division of the lands of Cephas F. Willett and an adjoining tract lying on the East Side of the public way leading from Rockville to Orndorf's mill, being part of a tract of land called "Sweepstakes", being the same

Book	Page	Date	Grantor	Grantee	Acreage	Notes
			husband, all of Montgomery County			lands which the aforesaid Henry Dove obtained from Elizabeth A. Willett administratrix, of Cephas F. Willett, deceased... "the same lands upon which the said Henry Dove resided at the time of his [Willett's] death."
JA 33	408	4/21/1886	Elizabeth A. Willett of Washington City, District of Columbia, administratrix of Cephas F. Willett, deceased	Henry Dove		Cephas F. Willett died while Henry Dove was still paying off the land; his admin. Elizabeth A. Willett deeds the land to Dove after he filed w/ Orphan's Court saying that he had paid the balance of the purchase money. "All that piece or parcel of land lying on the East side of the Public Road leading from Rockvile to Orndorff's Mill, being Lot No. 3 in the Division of said Willetts Lands being part of a tract of land called "Sweepstakes" of by whatsoever name the same

Book	Page	Date	Grantor	Grantee	Acreage	Notes
						may be called...", and also a second parcel, deed ends "Being the same land on which the said Henry Dove and family now reside."

Part 3, Parcel "C", Plat 11341

Section of 1.5 ac within Parcel "C" on Plat 11341 (Balance of Parcel "C", see L.3496 f.245 in Part 2, Parcel "O" Inverness Knolls for continuation, and L. 3332 f. 270 in Part 1, Parcel "A", the Scriven/Sherman Tract.)

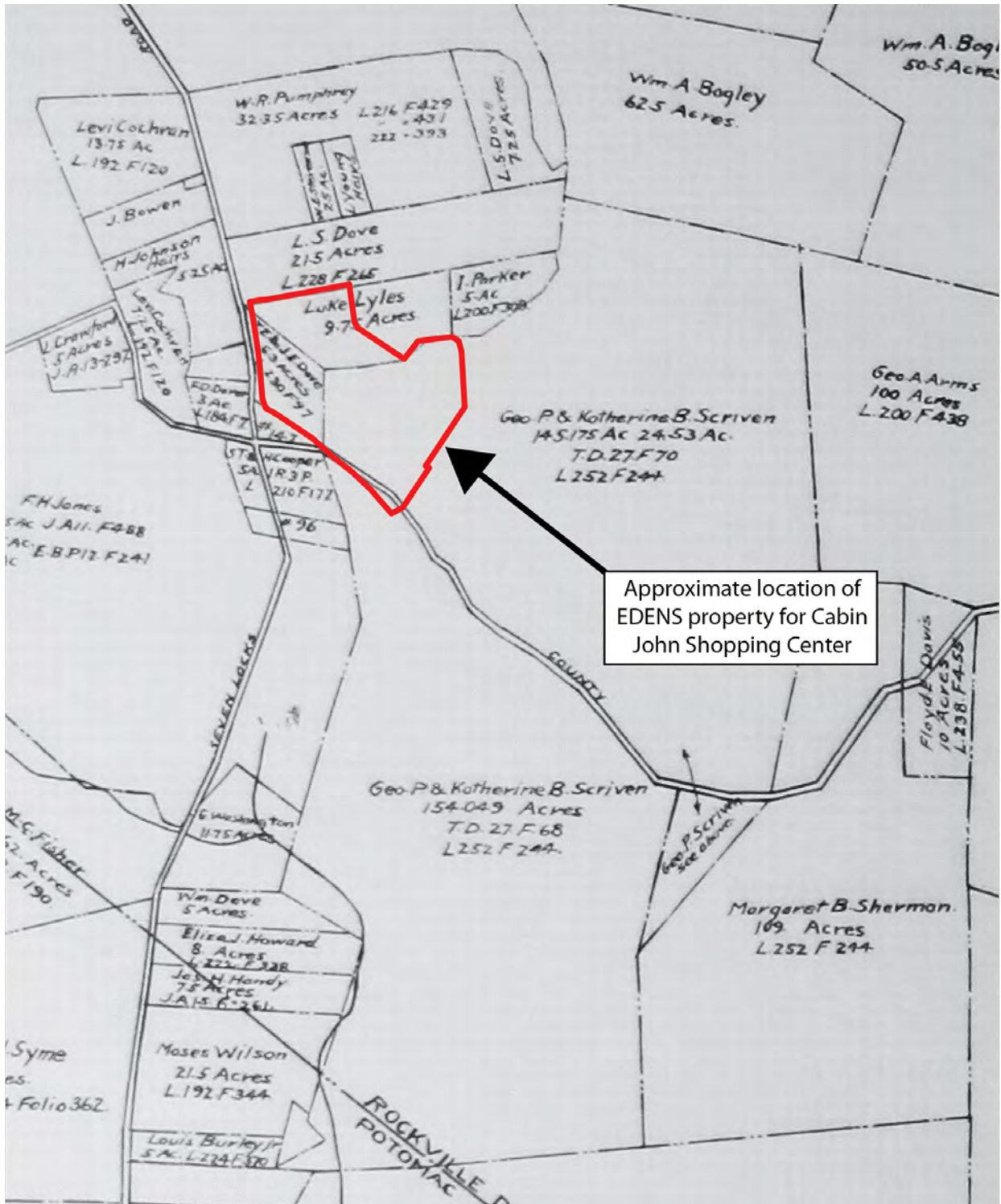
Book	Page	Date	Grantor	Grantee	Acreage	Notes
53660	431	12/20/16	Cabin John Associates Limited Partnership, a Maryland Limited Partnership, and Carl M. Freeman Associates, Inc., a Maryland Corporation	Cabin John (EDENS), LLC, Bethesda	25.33	
4032	565	1/5/71	Eddington L. Crawford, widower	Cabin John Limited Partnership, a Maryland limited partnership	1.5889	References plat of subdivision "Parcel A, Seven Locks Plaza" Plat no. 8584
1173	550	7/26/48	Nancy Pratt	Virginia M. Crawford and Eddington L. Crawford, Tenants by the Entireties	1.5	All that tract of land called "Sweepstake", containing one and one-half acres of land, more or less
668	131	5/10/37	Harvey Milton Matthews and Susie M. Matthews, his wife, of Bethesda, Maryland	Virginia M. Crawford of near Scotland, Maryland	1.5	Same Matthews family as resided in the River Road African American community in Bethesda; "Whereas Basil Matthews of

Book	Page	Date	Grantor	Grantee	Acreage	Notes
						<p>Scotland Montgomery County, died seized and possessed of a certain piece or pieces, parcel or parcels of land... and left as his sole heirs at law two persons, his issue, a son Harvey Milton Matthews, and a daughter Virginia M. Crawford, who together as tenants in common would lawfully inherit the aforesaid land..." Virginia M. Crawford has paid Harvey Milton Matthews \$50, for his interest in the property</p>
JLB 214	356	8/16/10	Berry E. Clark	Basil Matthews	1.5	<p>Sale of land by clerk of MOCO county commissioners, sold to settle tax debt by Emory H. Bodley, collector of state and county taxes. Sale of land to Basil Matthews referenced MOCO Circuit Court 9/12/1906 No. 548 Misc. Petitions</p>

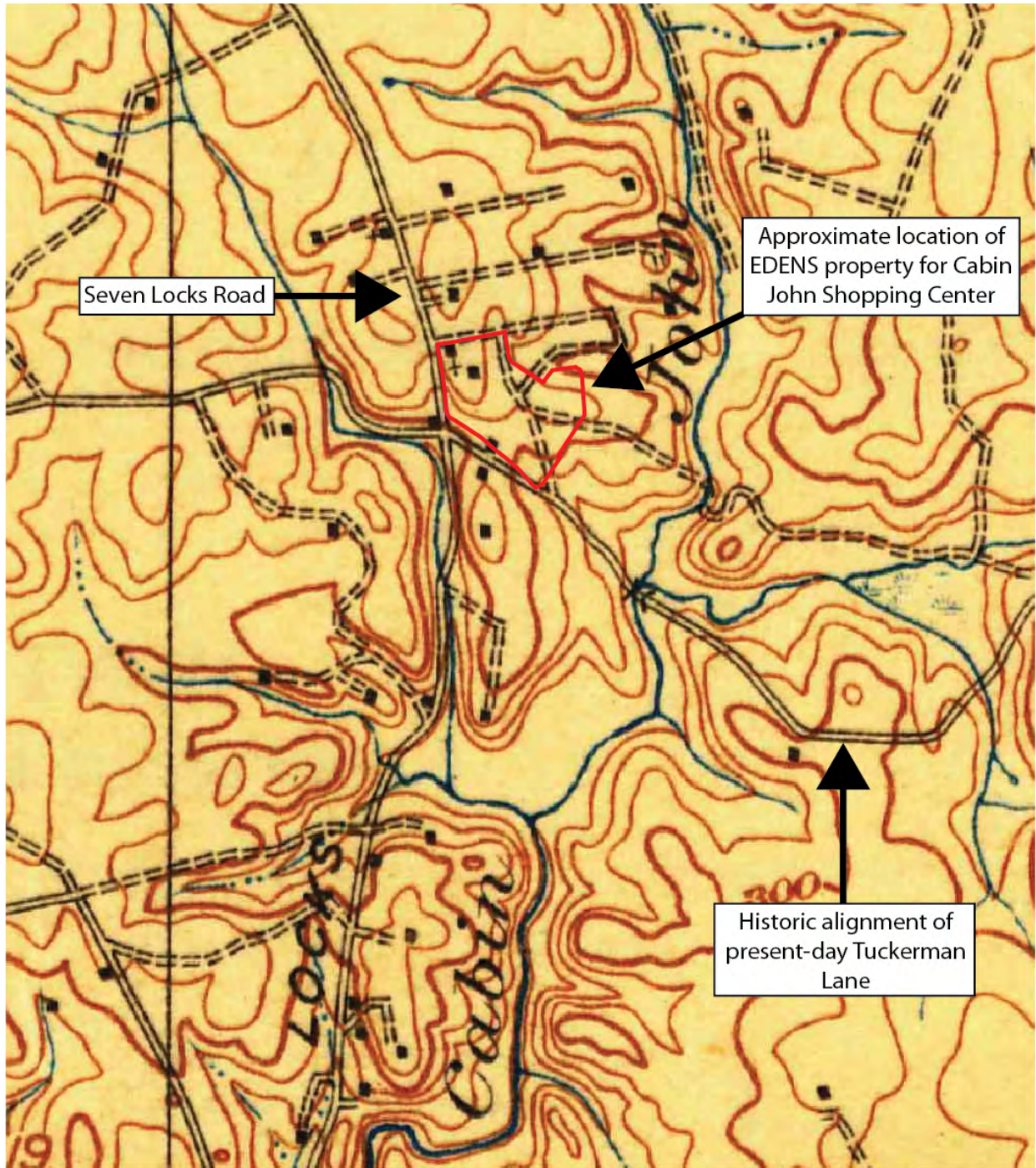
Book	Page	Date	Grantor	Grantee	Acreage	Notes
EBP 15	169	1/4/1876	Cephas F. Willett and Elizabeth A. Willett, his wife	Margaret Handy	1 ac 2 roods	"...all that tract, part of tract, piece or parcel of land called "Sweepstakes", situate, lying and being in the said Montgomery County and conveyed by William Thompson of R. Late Sherriff to Cephas F. Willett by deed.." Referenced for metes and bounds of 1.5 ac parcel. Metes and Bounds mention properties of Henry Dove and Luke Lyles, see Deets and Maddox 1917 Real Estate Atlas, Attachment 4
JGH 2	245	5/19/1853	William Thompson, late Sheriff of Montgomery County	Cephas F. Willett of Montgomery County	See antecedent deeds	Indenture - lands known as "Sweepstakes" and "The Reserve", the latter being a resurvey of "Magruder's Rich Levels" and "Hickory Levels" (referenced with three deeds recorded 1807-1816) seized and sold to Cephas Willett at Sheriff's auction, in

Book	Page	Date	Grantor	Grantee	Acreage	Notes
						judgement against William C. Chappell and Burgess Willett, deceased of Montgomery County – possible relation of the Chappell family in Tenleytown
P, G or L	47	1/1/1816	Warren Magruder	Burgess Willett		
P, G or L	50	12/22/1815	Henry Summers and Mary Summers	Burgess Willett		
N	421	10/15/1807	Catherine Jones, Jesse Leach and Sarah Leach his wife, and Polly Willett of Montgomery County	Burgess Willett of Montgomery County		"...whereas Ninian Willett late of the county aforesaid died intestate and seized in fee a part of a tract of land called Sweepstakes and part of a tract called Jones Inheritance lying in the county aforesaid", heirs of Ninian Willett sell the land mentioned and other lands, but no clear description of the land in this document.

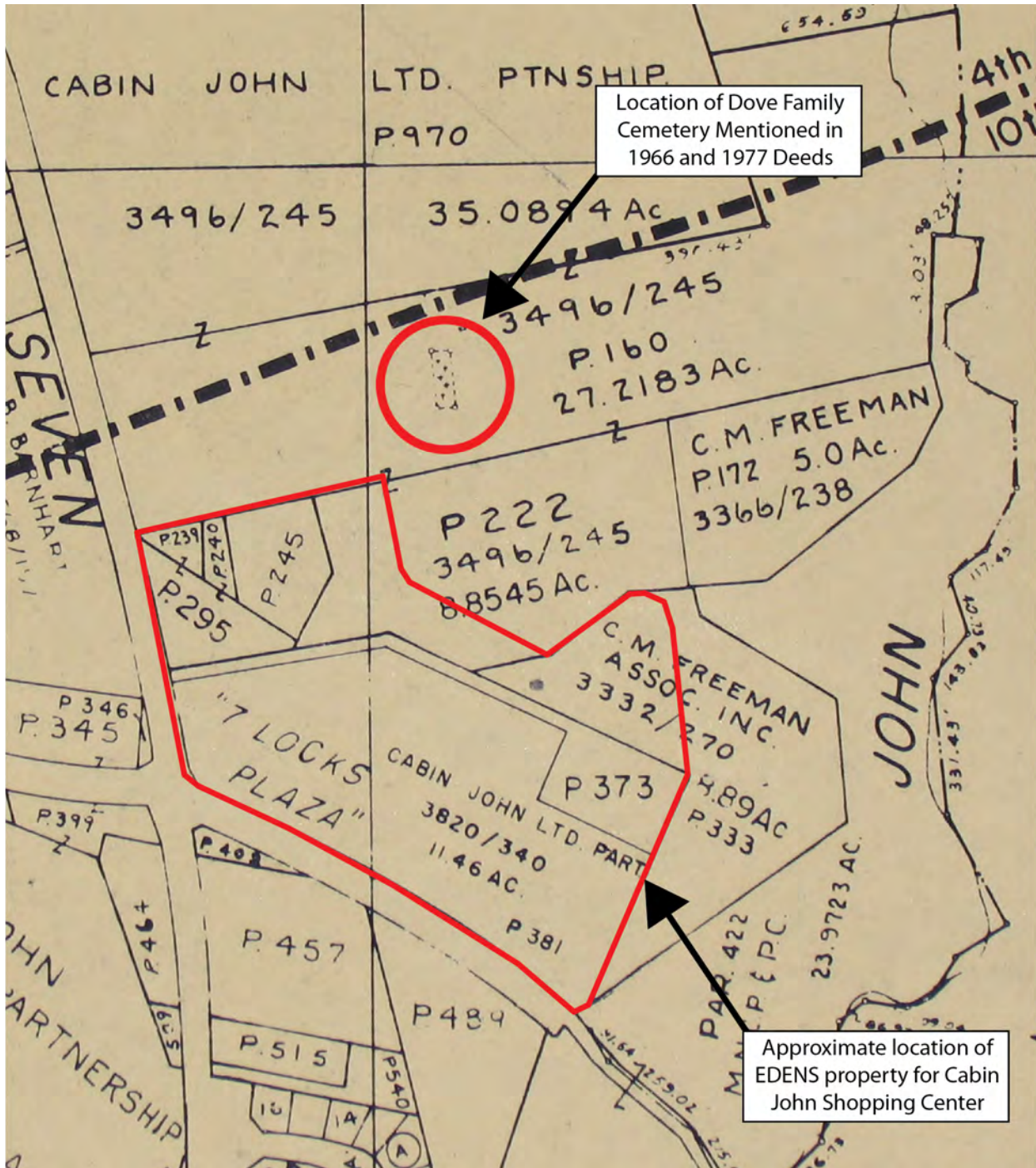
Attachment 4: Detail of Deets and Maddox's 1917 *Real Estate Atlas of the Part of Montgomery County Adjacent to the District of Columbia* Depicting Land Ownership in the Vicinity of Seven Locks Road and Tuckerman Lane.



Attachment 5: Detail of USGS Rockville Quadrangle Published in 1923, Depicting the Present-Day Location of Cabin John Shopping Center and Historical Structures and Landmarks



Attachment 6: Detail of Montgomery County Real Estate Atlas Published in 1970 Depicting Dove Family Cemetery Location on Former Property of Elizabeth Dove



Montgomery County Cemeteries

Name: Scotland Cemetery **ID:** 305
Alternate Name: Snake Hollow Cemetery
Address: Vicinity of Seven Locks Rd/Tuckerman Lane/Coddle Harbor Lane - NE side
Town: Scotland

ADC Map: 35 **Grid:** A/B-1 vic

Cemetery Association: Free Black, Community, Enslaved?

Setting: Suburban **Condition:** Poor

Negative Impacts:

Burials: Unknown **Date range of burials:** Unknown

Description: Specific location unknown. According to George Snowden of Snowden's Funeral Home, the graves here were not moved and were not visible by the time the Cabin John Shopping Center and mall were constructed on the site (1967-78).

Comments: Overgrown, in woods with new houses around. Near Park & Planning off Tuckerman Lane. Mostly uncarved stones. Family names are Cooper, Thomas, Simms, et al

Survey date: 12/1/2005

Historic Status:

Additional Sources: Catholic Records reference Snake Hollow Cemetery; Recollection of George R. Snowden, Sr. Dec. 2005, Bette Thompson, Scotland AMEZ, 301-983-1094

Attachment 6

Historical Preservation Background/History of the Scotland Community in the Vicinity

Scotland Community History

The Property and neighboring land in the vicinity were the original nucleus of Scotland, a free black community that grew after the Civil War. By the mid-1890s, Scotland extended along Seven Locks Road from Democracy Boulevard to a point between Tuckerman and Montrose Roads. The area now known as Scotland is about a half mile to the south of the intersection and consists of the Scotland African Methodist Episcopal Zion Church, an individually designated historic site (MP 29/15) on the west side of Seven Locks Road, and the Scotland townhouse community on Scotland Drive off the east side of Seven Locks Road.

Historic maps and other documents give clues to the character of the early Scotland community, which was first known as Snakeden or Snake Hollow for the nearby Snakeden Branch. The northeastern quadrant of the intersection of Seven Locks Road and Tuckerman Lane contained dwellings owned or occupied by black residents, an early black schoolhouse and associated privy, a church (probably African American), and, per the Montgomery County Cemetery Inventory (See Attachment 4), a black cemetery (precise location unknown). The northwestern quadrant of the intersection likewise contained dwellings owned or occupied by black residents, a black family cemetery, and a church (probably African American). Black residents also lived in the southeastern quadrant.

Suburbanization began in the broader area from the late 1950s, and Scotland underwent rezoning, land swaps, and redevelopment in the late 1960s and early 1970s, resulting in new multi-family housing, a community center, and a smaller footprint for the neighborhood. The northeastern quadrant of the Seven Locks/Tuckerman Road intersection maintained its rural character until the late 1960s, when developer Carl Freeman opened the Cabin John Shopping Center, on the subject Property. He opened Cabin John Mall to north in 1978. About the same time, he also developed Inverness Knolls townhomes to the north of Cabin John Mall. The northwestern quadrant of the intersection maintained its rural character until single-family homes on Patriot and Declaration Lanes were built starting in the late 1960s, townhomes on Cedar Ridge Drive and Foxcrest Court were built starting in the late 1990s, and larger homes were built on an extension of Patriot Lane in the mid-2000s. The southeastern quadrant was developed with an assisted living facility in the late 1990s.

Attachment 16

From: Karen Paikin Barall
To: [MCP-Chair](#); [Sigworth, Ryan](#); [Kishter, Mary Jo](#)
Cc: [Allan Barall](#)
Subject: EDENS - Protect our trees
Date: Wednesday, March 07, 2018 6:41:34 PM

To the Forest Conservation Program Manager, Maryland National Park & Planning Commission:

We write to express opposition to the request amended on January 15, 2018, by Gitschick, Little and Weber, on behalf of the applicant, EDENS, for a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code.

As part of the redevelopment of the Cabin John shopping center, Edens is requesting a variance to remove seven trees that measure 30" or greater in diameter at breast height.

The trees in question are near our home and would impact the privacy of our neighborhood. Granting the variance will be adverse to the use and enjoyment of our property.

We purchased our home in large part because of the green scenery and lovely woods that provide us with privacy and a suburban setting. There are many townhouse communities in the surrounding neighborhoods, and we chose to buy a home in Inverness because of the green space that surrounds our community. Without that, our homes are less enjoyable and less valuable.

We are extremely concerned about this request and urge the planning commission to consider also the needs of the neighbors in the existing townhouses. We are a community of families who chose to live in a green community, and we would be greatly distressed to find the very trees that attracted us to our community removed.

Thank you for considering our request.

Karen and Allan Barall
7631 Coddle Harbor Lane
[Potomac, MD 20854](#)

From: Alessandra Delgado
To: [MCP-Chair](#); [Sigworth, Ryan](#); [Kishter, Mary Jo](#); [Maziar](#)
Subject: Request to oppose tree removal Cabin John Village
Date: Monday, March 12, 2018 10:36:46 PM

To the Forest Conservation Program Manager, Maryland National Park & Planning Commission:

We write to express opposition to the request amended on January 15, 2018 by Gitschick, Little and Weber, on behalf of the applicant, EDENS, for a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code. As part of the redevelopment of the Cabin John shopping center, Edens is requesting a variance to remove seven trees that measures 30" or greater in diameter at breast height.

Our community has been a natural haven from commercial constructions since its inception. With the significant clearing of trees that has taken place in the last couple of decades in the Potomac/Rockville area, we strongly advocate for the preservation of our community's natural integrity. We plea with you for the safety and tranquility of our community and the preservation of our diminishing natural resources.

We also want to raise the issue of further cutting of trees in order to allow for the construction of commercial buildings at the intersection of Seven Locks Road and Coddle Harbor Lane. We are concerned about the reduced visibility and hence safety considerations that will result from this. Even before construction, this intersection has witnessed numerous accidents and the reduced visibility at that intersection caused by additional construction will only exacerbate this situation.

Please take into consideration that the Inverness Association constitutes family homes which enjoy the safety of the natural buffer that the woods surrounding us offer. Our children walk to and from Cabin John Village knowing there is little traffic in a natural environment where we enjoy foxes, birds, deer, squirrels and even bobcats. It is a special community and we are reaching to you to keep it this way.

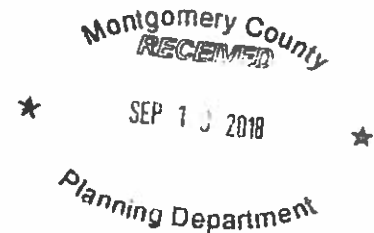
Thank you for considering our request.

Maziar and Alessandra Kakhi
7512 Coddle Harbor Ln
Potomac, MD 20854

Norman I. Gelman

September 14, 2018

Mr. Casey Anderson
Chairman, Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD. 20910



Dear Chairman Anderson:

I am writing about Preliminary Plan No. 120180120 for redevelopment of Cabin John Mall in Potomac. For reasons explained below, I question the project's viability in its present form.

Cabin John Mall, the subject of the Preliminary Plan, is located in the northeast quadrant at the intersection of Seven Locks Road and Tuckerman Lane. I live in Potomac Crest, located in the southwest quadrant of the same intersection.

I have lived in my house for nearly 25 years and in the vicinity for another 20 years. As you may know, my wife, Esther Gelman, was a three-term member of the Montgomery County Council. Prior to that, she served a four-year term on the MNPPC. Because of her 16 years of involvement in planning issues and the friendships she and I developed with Commission members and staff, I have had considerable exposure to the pressures which recurrently converge on planning proposals. I am especially familiar with the frequent differences of opinion between developers and residents of nearby communities. This is one of those occasions.

I am not, however, one of the NIMBY's. I support redevelopment of Cabin John Mall—if it is done carefully. The trouble with the Preliminary Plan is that it fails to deal with existing problems at Cabin John Mall. Instead, it will aggravate them.

The chief difficulties at present are excess traffic and insufficient parking. For me, the four restaurants that will occupy new buildings on the southwestern edge of the property are welcome additions to the Mall. But they've already reduced available parking and caused a substantial increase in traffic.

I believe the remainder of the property is much too small to accommodate the layout that is being proposed. While there is a large, under-utilized parking lot on the

7904 Turncrest Drive . Potomac, Md. 2Ph: 240-838-4490 . Fax (301) 299-5775
Email: normangelman@verizon.net

northern side of the property, most customers currently use lots located on the southern and western sides, abutting Tuckerman Lane and Seven Locks Road respectively. The north side parking lot will no longer be available for overflow parking under the proposed plan. That will increase the traffic and parking loads on the southern and western lots.

I am aware that traffic studies have been submitted by the developer. I suspect, however, that they are, in a word, irrelevant. The traffic problem at Cabin John Mall has relatively little to do with the amount of traffic it will generate. The chief traffic problem is INTERNAL—on the site itself. The proposed plan is certain to aggravate existing problems. In fact, as I pointed out above, the restaurants that have been added to the Mall, though welcome, have *already done so*.

Someone on your staff needs to spend a weekday and a Saturday on the lots in front of CVS, Giant, Starbucks, the Grilled Oyster, Cava, Le Pain Quotidien, Shake Shack, LaHinch, M&T Bank, MacDonald's, and the rest. What he or she will see at peak hours are extremely crowded lots on the south and west, vehicles freely parked at the curb with lights flashing, trucks likewise parked at the curb to unload, pedestrians dodging cars while looking at their cell-phones, parents shepherding small children through traffic, and customers coming out of Giant and wheeling loaded shopping carts to their vehicles, leaving the carts to be retrieved by Giant employees.

Long lines of cars back up at exits leading to Tuckerman and to Seven Locks. During the morning and afternoon rush hours, exits onto Seven Locks are restricted, adding to the number of cars waiting to exit onto Tuckerman. At busy hours, Cabin John Mall is a danger zone. Pedestrians are often careless, and courteous behavior by drivers is commonly absent. Management does absolutely nothing to mitigate these problems.

Eliminating parking on the north side of the property and adding parking below surface-level on the south side will merely aggravate traffic problems, not improve them. It's not as if nobody parks on the north lot. Customers of the County Liquor Store and other occupants of the enclosed portion of the Mall use it regularly, as do customers of LaHinch and—most important—tractor-trailers serving Giant.

How many of the too few surface parking spaces on the south lot will be eliminated to accommodate how many underground spaces? How will cars entering and leaving the underground parking affect surface traffic? How much additional surface traffic will be generated by the next stages of development?

It would be irresponsible of the Planning Board to act on the Preliminary Plan without doing a traffic study of its own. Yes, it's important to know how much additional traffic will come to and from Cabin John Mall as a result of redevelopment. But, as I've explained, that's a secondary issue, and the traffic study submitted by the developer is of little or no use in assessing the primary issue.

I have no idea whether the property can or can't accommodate the town houses that the developer wants to build or how the property will meet the parking needs of the eventual residents. The board needs to consider, however, the contributions that multi-car households will make to the surface traffic on the rest of the property. It also needs to assess the effects of further additions of commercial space. Where will additional customers park? How many more cars will they add to surface traffic?

With respect to the proposed town house construction: As I understand it, the residential development would be located on the north side of the property on the space currently occupied by the Sunoco station and the parking lot. Like my neighbors, I hope the Sunoco station will remain. It is the only gas station within a radius of many miles. However, that is between the developer and the Planning Board. Provided there's enough square footage to accommodate approved construction, I trust the Planning Board and the Commission staff to make the appropriate calculations and decisions.

I urge members of the Planning Board, however, to *insist* upon on-site visits by staff to assess the parking and traffic situations under real-time conditions. As a regular customer of Cabin John Mall, I would be very interested in their findings. I believe they will confirm my observations and that staff will recommend changes in the Preliminary Plan to alleviate the situation. Without such a visit and changes reflecting the staff's on-site observations, I would have to urge disapproval of the Preliminary Plan.

I would appreciate it if this letter is entered into the record.

Sincerely,

A handwritten signature in cursive script, appearing to read "Norman Dreyfuss".

Cc: Commissioners Norman Dreyfuss, Natali Fani-Gonzalez, Gerald R. Cichy, Tina Patterson, Planning Director Gwen Wright and Mr. Ryan Sigworth

From: Kerry.Brookes-Hebden@fco.gov.uk
To: [MCP-Chair](#)
Cc: [Sigworth, Ryan](#); [Kishter, Mary Jo](#)
Date: Tuesday, March 13, 2018 1:57:58 PM

To the Forest Conservation Program Manager, Maryland National Park & Planning Commission:

We write to express opposition to the request amended on January 15, 2018 by Gitschick, Little and Weber, on behalf of the applicant, EDENS, for a variance of Section 22A-12.(b)(3) (c) of the Montgomery County Code.

As part of the redevelopment of the Cabin John shopping centre, Edens is requesting a variance to remove seven trees that measures 30" or greater in diameter at breast height.

The trees in question directly abut our home, and granting the variance will be adverse to the use and enjoyment of our property.

We purchased our home in large part because of the green scenery and lovely woods behind it. There are many town house communities in the surrounding neighbourhoods, and we chose to buy a home in Inverness because of the green space that surrounds our community. Without that, our homes are less enjoyable and less valuable.

Our house is located in the last row of Inverness town houses that is closest to the shopping centre and the row of new townhouses Edens plans to build. We enjoy being shielded from the noise, lights and activity of the shopping centre by the trees in question. They provide privacy and safety to our young children, who play in the yard. This separation and privacy screen will become even more important during the long period of noise, dust, and general upheaval due to the renovations Edens is undertaking. Without them, our family will be completely vulnerable to the contamination of a major building project for months or years, and our deck and backyard will eventually abut a new row of townhouses instead of a lovely wooded area.

We are extremely concerned about this request and urge the planning commission to consider also the needs of the neighbours in the existing townhouses. We are a community of families who chose to live in a green community, and we would be greatly distressed to find the very trees that attracted us to our community removed.

Thank you for considering our request.

Ian and Kerry Brookes-Hebden
7500 Heatherton Lane
Potomac
MD 20854

Visit <http://www.gov.uk/fco> for British foreign policy news and travel advice and <http://blogs.fco.gov.uk> to read our blogs.

This email (with any attachments) is intended for the attention of the addressee(s) only. If you are not the intended recipient, please inform the sender straight away before deleting the message without copying, distributing or disclosing its contents to any other person or organisation. Unauthorised use, disclosure, storage or copying is not permitted.

Any views or opinions expressed in this e-mail do not necessarily reflect the FCO's policy.

The FCO keeps and uses information in line with the Data Protection Act 1998. Personal information may be released to other UK government departments and public authorities.

All messages sent and received by members of the Foreign & Commonwealth Office and its missions overseas may be automatically logged, monitored and/or recorded in accordance with the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000.

From: Dave Longtin
To: [MCP-Chair](#)
Cc: [Kishter, Mary Jo](#); [Sigworth, Ryan](#)
Subject: Subject: EDENS request for a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code
Date: Friday, March 16, 2018 10:18:47 AM

To the Forest Conservation Program Manager, Maryland National Park & Planning Commission:

We are writing to express strong opposition to the request amended on January 15, 2018 by Gitschick, Little and Weber, on behalf of the applicant, EDENS, for a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code. As part of the redevelopment of the Cabin John shopping center, Edens is requesting a variance to remove seven trees that measure 30" or greater in diameter at breast height.

The trees in question stand at the edge of the woods, across a drainage area, in direct view of our home. Behind them stands the shopping center and its rear parking lot. Presently the trees provide visual screening and help shield us from activity, street lighting, and noise. We count on every single tree as contributing to the beauty of the area and to our privacy.

The plan calls for townhouses to occupy the current parking lot and for a private drive to replace the trees. A proposed natural surface trail that borders the drainage area appears on their plan to be at points wider than the wooded area between it and the proposed private drive. That would bring road and vehicles even closer to our property than they now are with even less buffer. During a period of construction these large trees will be all the more important as shields against the noise, dust, and disturbances associated with the construction.

There are other reasons to preserve the woods as it now exists, and especially these larger trees. The woods serve as a habitat for the local wildlife. Do not take lightly our pleasure sitting in our kitchen or on our deck watching the birds and the serenity of forest life. We are concerned that any tree removal will not only decrease the pleasure of our surroundings but reduce the value of our home as well. If we wanted to live in a congested, treeless community, there are many other places to go. This wooded area is what is unique and valuable to our community and we ask you to preserve these mature trees and the rest of the wooded areas.

We will end up viewing a townhouse development that towers over us, blocking light, adding noise, and intruding on our privacy. The noise that already comes from one of the restaurants blasting music, which is greatly magnified by the emptiness of the drainage area, will be even greater with the loss of those trees. The lights of cars on the new private driveway will be most disturbing. Every tree between us and this development will help preserve some of the pleasure we have enjoyed up until now. Montgomery County is known for their value of forest land and beautiful natural resources. It is the reason we moved here. We appeal to you to hold fast to these ideals and preserve these trees.

Thank you for considering our request.

Sincerely,

David and Luann Longtin
7502 Heatherton Lane
Potomac MD 20854
(301) 793-1450

Sigworth, Ryan

From: McGovern, Christopher
Sent: Wednesday, May 09, 2018 7:26 AM
To: Neam, Dominique; Sigworth, Ryan
Cc: MCP-DAICHELP
Subject: Re: Development application # 120180120

This is related to one of Ryan's plans. I was thinking maybe it should go into mctracker?

Chris

Sent from my iPhone

> On May 8, 2018, at 4:32 PM, Lynn Gowen <lynnmgowen@gmail.com> wrote:

>

> I'd like to know more about this proposed development. When is the hearing?

>

> My concerns are the added traffic, the reasoning behind more shops when Westfield Mall is 10 minutes away. There is a closed shopping center off of Wooten Parkway. And 2- current Shopping Centers next to Westfield Mall with more transportation options. Shopping meca is along Rockville Pike.

>

> This was intended as a small neighborhood shopping center- not a destination or drive through development area. Was there any type of survey performed for the surrounding neighborhoods about wanting additional shopping? Did anyone ask the close by homes if they 1- use public transportation or 2-walk to the current shopping center when they shop? these should be done before approval of enlarging this center and adding more homes. The roads are one lane each direction which allows less accidents and lower speeds. Denser living units will create more traffic and will severely impact the surrounding neighborhoods. We are already impacted by the new Wooten Parkway extension which allows people to "skirt" 495 & 270 and use 7 Locks Road and Montrose as a cut through. More studies on current traffic patterns would be best. Locating denser housing near more public transportation so they would use them would benefit more.

From: Arielle Poleg
To: [Kishter, Mary Jo](#); [Sigworth, Ryan](#)
Cc: [Oren Poleg \(ICE\)](#)
Subject: Re: Cabin John Village 120180120
Date: Tuesday, March 06, 2018 1:17:58 PM
Attachments: [image003.png](#)

Good afternoon, Mary Jo and Ryan:

I'm following up on your below email correspondence with Oren Poleg. I'm his wife and share his concerns about this issue- detailed in writing here.

Please let us know if there are others we should speak to, and how we can go about registering to attend the hearing on March 13th.

We write to express opposition to the request amended on January 15, 2018 by Gitschick, Little and Weber, on behalf of the applicant, EDENS, for a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code.

As part of the redevelopment of the Cabin John shopping center, Eden's requested a variance to remove seven trees that measures 30" or greater in diameter at breast height.

The trees in question directly abut our home, and granting the variance will be adverse to the use and enjoyment of our property.

We purchased our home in large part because of the green scenery and lovely woods behind it. There are many town house communities in the surrounding neighborhoods, and we chose to buy a home in Inverness because of the green space that surrounds our community. Without that, our homes are less enjoyable and less valuable.

Our house is located in the last row of Inverness town houses that is closest to the shopping center and the row of new townhouses Edens plans to build. We enjoy being shielded from the noise, lights and activity of the shopping center by the trees in question. They provide privacy and safety to our young children, who play in the yard. This separation and privacy screen will become even more important during the long period of noise, dust, and general upheaval due to the renovations Edens is undertaking. Without them, our family will be completely vulnerable to the contamination of a major building project for months or years, and our deck and backyard will eventually abut a new row of townhouses instead of a lovely wooded area.

We are extremely concerned about this request and urge the planning commission to consider also the needs of the neighbors in the existing townhouses. We are a community of families who chose to live in a green community, and we would be greatly distressed to find the very trees that attracted us to our community removed.

Thank you for for considering our request.

Arielle and Oren Poleg

On Tue, Mar 6, 2018 at 1:05 PM, Oren Poleg <orenpoleg@gmail.com> wrote:

----- Forwarded message -----

From: Kishter, Mary Jo <maryjo.kishter@montgomeryplanning.org>

Date: Wed, Feb 28, 2018 at 2:27 PM

Subject: Cabin John Village 120180120

To: orenpoleg@gmail.com <orenpoleg@gmail.com>

Cc: Sigworth, Ryan <Ryan.Sigworth@montgomeryplanning.org>

Mr. Poleg,

Thank you for your interest in this pending development application. As promised, I am putting you in touch with the lead reviewer from our office. I've copied Ryan Sigworth on this email. Please feel free to contact Ryan or myself with any questions or concerns.

Sincerely,

Mary Jo Kishter

Mary Jo Kishter

Planning Department, Area 3

M-NCPPC

[\(301\) 495-4701](tel:(301)495-4701)

maryjo.kishter@montgomeryplanning.org

www.montgomeryplanning.org



Potomac Crest Homeowners Association

Potomac, MD. 20854

May 17, 2018

Development Application and Regulatory Coordination Division
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Subject: Cabin John Development
Admin. Subdivision Plan No. 620170050
Preliminary Plan No. 120180120

Dear Members of the DARC and the MNPPC:

This letter is written on behalf of the Potomac Crest Homeowner's Association, a group of more than 170 homes located directly across Tuckerman Lane and Seven Locks Road from the Cabin John Shopping Center ("CJSC").

We have met individually on March 30 with Ms. Katie Bucklew about Eden's plans for the CJSC and, in addition, attended the community meeting held recently at Churchill High School (on May 16). On both occasions we presented the HOA's concerns with the above-referenced plans. These principally revolved around:

1. Inadequate parking in all Phases of the project.
2. Increased traffic in all Phases of the project.
3. Removal of the Sunoco gas station during Phase III.

Notwithstanding our expressed and repeated concerns, there is no indication that Edens is considering taking any of them into account.

Indeed, at the community meeting on May 16 there was widespread condemnation of the project on the grounds of inadequate parking and increased traffic, neither of which the more than 100 attendees thought had been adequately addressed by the Edens representatives. And, more significantly, there was NO indication that Edens plans on including the community concerns into their final site plan.

Instead, Edens is standing by its proposal to increase existing retail space in three phases by more than 80,000 square feet (to more than 300,000 square feet; an increase of 30%) while, at the same time, reducing the number of parking spaces by almost 40%. (And this does not include the effect of badly needed widening of all existing parking spaces by 6".)

Given parking problems already being experienced during high volume periods, this in itself is a recipe for disaster, not only for the community residents who frequent the CJSC, but the new and existing tenants of the CJSC as well. One particular affected tenant comes to mind: Lahinch restaurant, located at the north end of Building D adjacent to what is now a parking lot, will soon lose *all* reasonable parking access to its location; replaced by 48 townhomes. When this was raised by many attendees at the May 16 meeting, Edens basically said "customers could just walk there from the Giant parking lot," ignoring rain, snow or nighttime conditions or the needs of elderly residents who may be handicapped in one or more ways.

It is our view that, in a misguided effort to maximize revenue and profit, Edens has forsaken reasonableness and just plain ignored reality. There are many alternatives that would better address the need for adequate parking and accessibility to all retail spaces, avoid traffic problems due to high density residential space and improve the viability of existing and future retail businesses. We are suggesting two (2) possible examples for your consideration that would address these concerns.

1. Have Edens cut down the number of Phase I townhouses to 24 (instead of 48) and eliminate the additional retail space identified as E-1 and E-2 to the rear of the CVS and Giant.

or

2. Have Edens eliminate all residential space and locate all planned "satellite" retail buildings (A-1, A -2, A-3, A-4, B-3, C-1, C-2, E-1, and E-2) to the rear of the CVS and Giant.

This way, adequacy of parking and traffic additions can be measured before further construction takes place. If Phase I is allowed to go forward as planned, the detriment to the community and the CJSC will be realized with no hope of undoing or remedying the damage.

We appreciate Edens efforts to improve the look and feel of CJSC. But, we feel strongly that their own goals will not materialize as a result of the plans set forth to date.

Thank you for your consideration of these concerns which we believe are largely shared by most homeowner associations and citizens groups throughout the nearby area.

Respectfully submitted,

JoAnn Marceron

JoAnn Marceron

President

Jmarceron1@aol.com

301-983-8383

Norm Leventhal

Norman Leventhal

Vice President

norml@comcast.net

301-983-8199

Cc: Ryan Sigworth, Senior Planner, Area 3
Ryan.sigworth@montgomeryplanning.org
Katie Bucklew, Edens, L.P.
kbucklew@edens.com

From: caryn wechsler
To: [MCP-Chair](#)
Cc: [Sigworth, Ryan](#); wex5@aol.com
Subject: EDENS project at Cabin John Village
Date: Friday, September 14, 2018 1:49:37 PM

Dear Mr. Anderson,

I am writing in support of the EDENS plan to redevelop Cabin John Village. The preliminary plan for this project will come before the Planning Board on October 4. As a resident of Montgomery County, I urge you to vote for its approval.

My family has lived in Montgomery County since 1984. We visited Cabin John Village in our early years, to meet some of our basic shopping needs. But in recent years we have not visited at all. The center is outdated and has not seen a serious upgrade in decades. The stores are not interesting, traffic is disorganized and congested, parking is poorly laid out, and the entire property is unwelcoming. As I understand the plan EDENS has proposed, the "new" Cabin John village will become more of a community area, easily walkable, and offering appealing restaurants and stores. As nearby residents, living in a neighborhood historically drawn to Cabin John Village, we would welcome a revitalized destination center that would meet the broadest range of our shopping and dining interests.


I am familiar with EDENS as a redeveloper of mature shopping centers. The company has a stellar reputation in the industry and a proven track record. They have a history of enhancing parklike space in their projects, which is a significant benefit for the local community. Their project would be a fabulous addition to Montgomery County and a real improvement over what is currently available. I hope you will hear the positive anticipation of area residents, and support this project.






Sincerely,
Caryn Wechsler
6520 Bradley Boulevard
Bethesda, MD 20817
(301) 365-3372





Email

Save the trees

Email

From  connie.wones@gmail.com

To  <MCP-Chair MCP-Chair>;  Clyde Dmonte;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

Cc  Mary Jo Kishter;  maryjo.kishter@montgomeryplanning.org;  Ryan Sigworth;  Ryan.Sigworth@montgomeryplanning.org

Subject Save the trees

Date Sent **Date Received** 3/7/2018 2:00 PM

To the Forest Conservation Program Manager, Maryland National Park & Planning Commission:

I am writing to express opposition to the request amended on January 15, 2018 by Gitschick, Little and Weber, on behalf of the applicant, EDENS, for a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code.

The new additions to the Shopping Center are already causing confusion, difficulties getting in and out of our neighborhood, and a lessening of the quality of the life of those of use who live near the shopping center. Removing any of the barrier trees would do a serious dis-service to the home owners of Inverness Knolls, and would ultimately lower the value of our homes.

Please deny the variance which would allow further distress to the neighborhood.

Thank you for your consideration of this important issue.

Constance G. Wones
7516 Coddle Harbor Lane
Potomac, MD 20854

Attachments


File Name	File Size (Bytes)
No Attachment records are available in this view.	
0 - 0 of 0 (0 selected)	












Email

EDENS request for a va...

Email

From  morahlivia@me.com

To  <MCP-Chair MCP-Chair>;  Clyde Dmonte;  MCP-Chair #;  mcp-chair@mncppc-mc.org;  MCP-Chair@mncppc-mc.org

Cc  Mary Jo Kishter;  maryjo.kishter@montgomeryplanning.org;  Ryan Sigworth;  Ryan.Sigworth@montgomeryplanning.org

Subject EDENS request for a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code

Date Sent

Date Received

3/13/2018 2:39 PM

To the Forest Conservation Program Manager, Maryland National Park & Planning Commission:

We are writing to express strong opposition to the request amended on January 15, 2018 by Gitschick, Little and Weber, on behalf of the applicant, EDENS, for a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code. As part of the redevelopment of the Cabin John shopping center, Edens is requesting a variance to remove seven trees that measure 30" or greater in diameter at breast height.

The trees in question stand at the edge of the woods, across a drainage area, in direct view of our home. Behind them stands the shopping center and its rear parking lot. Presently the trees provide visual screening and help shield us from activity, street lighting, and noise. We count on every single tree as contributing to the beauty of the area and to our privacy.

The plan calls for townhouses to occupy the current parking lot and for a private drive to replace the trees. A proposed natural surface trail that borders the drainage area appears on their plan to be at points wider than the wooded area between it and the proposed private drive. That would bring road and vehicles even closer to our property than they now are with even less buffer. During a period of construction these large trees will be all the more important as shields against the noise, dust, and disturbances associated with the construction.

There are other reasons to preserve the woods as it now exists, and especially these larger trees. The woods serve as a habitat for the local wildlife. Do not take lightly our pleasure sitting in our kitchen or on our deck watching the birds and the serenity of forest life. Had those woods and view not been there, we would have never purchased this house. We are concerned that any tree removal will not only decrease the pleasure of our surroundings but reduce the value of our home as well. If we wanted to live in a congested, treeless community, there are many other places to go. This wooded area is what is unique and valuable to our community and we ask you to preserve these mature trees and the rest of the wooded areas.

We invite you to join us on our deck and look out at the view we now have. From there you can see the large trees that will be cut down. We will end up viewing a townhouse development that towers over us, blocking light, adding noise, and intruding on our privacy. The noise that already comes from one of the restaurants blasting music, which is greatly magnified by the emptiness of the drainage area, will be even greater with the loss of those trees. The lights of cars on the new private driveway will be most disturbing. Every tree between us and this development will help preserve some of the pleasure we have enjoyed up until now. Montgomery County is known for their value of forest land and beautiful natural resources. It is the reason we moved here. We appeal to you to hold fast to these ideals and preserve these trees.

Thank you for considering our request.

Sincerely,

Allen and Linda Zollman

7405 Heatherton Lane
Potomac MD 20854
301-219-2100

Attachments

File Name	File Size (Bytes)
No Attachment records are available in this view.	
0 - 0 of 0 (0 selected)	Page 1

From: Jesse Sadikman
To: [MCP-Chair](#)
Cc: [Sigworth, Ryan](#)
Subject: Cabin John Shopping center letter of support
Date: Friday, September 21, 2018 12:42:01 AM

Dear Montgomery County Planning Board Committee,

This is a letter in support of the Cabin John redevelopment project being undertaken by Edens. Our family moved into the Cabin John area two years ago, and are in walking distance to the Cabin John shopping center. We have been using the center for two years, and are very excited about the redevelopment plans of Edens. In addition to the aesthetic and parking/traffic flow improvements that are sorely needed, we are excited about the communal space that will be created. We moved to Potomac from the Fallsgrove community in Rockville where we had a first hand experience of what a walkable, livable community looks and feels like, and are looking forward to a similar experience at Cabin John. We have three children, and look forward to walking to the shopping center and eating, shopping and using the bike/walking trails. There is a tremendous amount of potential for this community, and we look forward to the changes to come!

Sincerely,

Jesse Sadikman MD
7825 Mary Cassatt Dr.
Potomac MD 20854
240-793-5574

From: Caren S
To: [MCP-Chair](#)
Cc: [Sigworth, Ryan](#)
Subject: Cabin John Village project
Date: Friday, September 21, 2018 1:02:35 PM

Dear Chairman Anderson and the Montgomery County Planning Board,

It is with enthusiasm that I write to express my family's support for the revitalization of the Cabin John Shopping center. The Cabin John Shopping Center has not seen any improvements or enhancements in over 40 years, and we are ready for rejuvenation! Currently, the buildings are outdated and unattractive, and the parking/ walking situation is outmoded. Enhancing and creating new pedestrian and bike paths, bringing in live/work options, and introducing new retail and restaurant options, will create a "village" feel that the community needs.

The parking and traffic circulation situations are currently inferior, and we welcome upgrades such as the widening of spaces in the CVS/Giant lots, improvements at Coddle Harbor Lane, and the re-orientation of buildings to provide better access for currently underutilized spaces.

We especially welcome the creation of community/open space elements, such as gathering spaces, parks, and enhancements to the Cabin John trail.

We look forward to the achievement of the Master Plan to create a "pedestrian-friendly, mixed-use village center." Edens' Project conforms to the goals and objectives of the Master Plan, and adheres to the density caps of the Master Plan.

We are eager for this project to be implemented and executed as soon as possible. We have been waiting a long time for something like this in Potomac, having previously lived in Falls Grove in Rockville, and having watched the expansions and creations of other lovely mixed-use areas in our county. The Cabin John Center deserves to be a "Village Center" once and for all. Please move this project forward.

Thank you,

Caren Sadikman, MD
240 426 5522

--

Caren Sadikman, MD | *Congressional Aesthetics*
121 Congressional Lane
Suite 204
Rockville, Maryland 20852
301.545.1000

