



Charles County Planning Commission Meeting of November 4, 2024

Department of Planning and Growth Management Staff Report

Project Name & Number: Falcon Ridge, XPN #98-0004, Revision #4

**Type of Project: Request for Extension of
Preliminary Subdivision Plan Approval and Conformity Review**

Presented by Heather Kelley, Planning Division
For questions, please contact the Planning Division at 301-645-0592

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I. Project & Applicant Information:

A. Project Name: Falcon Ridge

Owner: White Oak, LLC
Consultant: Charles P. Johnson & Associates, Inc.

B. Project Number: XPN #98-0004

C. Initial Planning Commission Approval: The Planning Commission initially approved the Preliminary Subdivision Plan for Falcon Ridge on February 1, 1999 for a total of 184 lots intended for single-family detached dwellings. The most recent approval of the Preliminary Subdivision Plan is Revision #4, which was administratively approved on March 22, 2018 for a total of 183 lots.

D. Subject Property: The subject property, known as Tax Map 21, Grid 7, Parcels 38 and 219, consists of 117.30+/- acres in the 10th election district. The proposed Falcon Ridge development is located off MD Route 425 (Mason Springs Road). Location, Zoning and Aerial maps of the subject property are attached and have been uploaded to the [County Website](#).

E. Land Use & Zoning Category: The subject property is located within the Watershed Conservation District (WCD) zoning district and outside of the Development District and the Priority Funding Area. As described below in the general description of the request, this project has been permitted to continue for review and development under the previous regulations in place, i.e. the former RL – Low Density Residential zoning. The property is located within Tier I (areas that are served by public sewerage systems) on the “Sustainable Growth and Agricultural Preservation Act Tier Area Designations Map” most recently updated on July 12, 2016.

F. General Description of the Request: Because it has not been verified that the project has completed at least 25% of physical improvements for the project and has also not recorded at least 25% of the lots associated with the project in accordance with the Subdivision Regulations, § 278-25I(2)(b)[2], the Applicant is requesting an extension of the approval of the approved Preliminary Subdivision Plan for Falcon Ridge, XPN #98-0004. This plan was most recently extended by County Commissioner Resolution No. 2014-13 to 6/6/2017. The current request for an extension was received 4/26/2017.*

As stated above, the initial Planning Commission approval of the plan occurred on February 1, 1999; therefore, the plan was approved for at least eight years as of December 13, 2013, and is eligible for one additional four-year extension from the most recent expiration date of 6/6/2017 to 6/6/2021. Additionally, it has been determined that the project experienced a moratorium on development in the amount of 1411 days from September 20, 2016 to July 31, 2020 (the effective date of Resolution No. 2016-20, Watershed Conservation District (WCD) Transitional provisions and the effective date of Bill No. 2020-03, the modification of transitional and grandfathering provisions within the WCD zone, respectively); therefore the expiration date of June 6, 2021 may be supplemented in the amount of 1411 days for a final expiration date of April 17, 2025.

Because this request is for an extension of the approval beyond eight (8) years from the initial approval date, a Conformity Review was required in accordance with § 278-25I(2)(d) of the Subdivision Regulations.

*This Preliminary Subdivision Plan (PSP) typically would have been eligible for one additional four-year extension from the most recent expiration date of 6/6/2017 to 6/6/2021; however, the property had been rezoned as Watershed Conservation District per Bill Nos. 2017-03 and 2017-04 approved by the County Commissioners on 6/6/2017 and effective 7/21/2017. The property did not meet the grandfathering provisions for the WCD zoning at that time. To address the pending PSP extension request dated 4/20/2017, received 4/26/2017, an extension of the PSP was granted in the amount of 304 days, from July 21, 2017 until May 21, 2018. This was based on the determination that a moratorium on issuance of development approvals had occurred in the amount of 304 days (the amount of time between the date the WCD transitional provisions were adopted on 9/20/2016 and the date they expired on 7/21/2017, which was the effective date of Bill Nos. 2017-03 and 2017-04). The Applicant was advised that if after that time the actual development of a cumulative total of at least 25% of the project's associated infrastructure had not been completed and 25% of the lots recorded by May 21, 2018, then the PSP would expire. The project did not meet this threshold by the deadline of May 21, 2018; therefore, the Applicant was notified, and the PSP was voided.

As amended 6/16/2020 by Bill No. 2020-03, the Zoning Ordinance § 297-98, WCD Watershed Conservation District, now allows for applications located within the WCD zone, with previous approvals at the time of adoption of this section, to continue for review and development under the previous regulations in place, in this case, the former RL – Low Density Residential zoning, provided that one of the five criteria identified in § 297-98E(3) is met. As a total of thirty-three (33) lots (18% of the total 183 approved lots) are recorded, built upon, and occupied, Falcon Ridge qualifies for grandfathering under § 297-98E(3)(d) that

states "Preliminary plans which have recorded at least 10% of the lots associated with the project, and have completed at least 10% of the physical improvements beyond excavation, grading and filling..."

II. Current Status:

As noted above, a total of thirty-three (33) lots (18% of the total 183 approved lots) are recorded, built upon, and occupied. These thirty-three (33) lots derive access to Maryland Route 225 via the adjacent Hunter's Brooke development.

A Step 1 – Concept Stormwater Management Plan, CSWM-170033 was approved on 3/12/2018. A Step 2 – Site Stormwater Management Plan, SSWM-230020, was submitted on 9/20/2024 and first review comments were issued to the Applicant on 10/11/2024.

The Applicant has submitted the necessary documentation that is needed to bring the extension request forward.

III. Status of Adequate Public Facilities:

A. Zoning Ordinance, Article XVI – Adequate Public Facilities (APF):

The following provides a review of impacts and findings for applicable public facilities:

1. APF-Roads (§ 297-257): An updated Traffic Impact Study (TIS) was required as part of this request because the Project is expected to generate more than 35 peak-hour trips, in accordance with the Charles County Adequate Public Facilities Manual. The TIS analyzed the Project's expected traffic impact on the nearby transportation system.

- **Intersection of MD 425 (Mason Springs Road) @ Site Access:**

Traffic Analyses under an unsignalized condition show that in the Future condition, this intersection is projected to function at a Level of Service 'A' during the AM, PM, and Saturday peak hours using the Critical Lane Volume Methodology. Since the intersection Level of Service 'B' or better, **this intersection meets the standards of § 257 of the Zoning Ordinance.**

- **Intersection of MD 425 (Mason Springs Road) @ MD 484 (Poorhouse Road):**

Traffic Analyses under an unsignalized condition show that in the Future condition, this intersection is projected to function at a Level of Service 'A' during the AM, PM and Saturday peak hours using the Critical Lane Volume Methodology. Since the intersection Level of Service 'B' or better, **this intersection meets the standards of § 257 of the Zoning Ordinance.**

- **Intersection of MD 425 (Mason Springs Road) @ MD 224 (Chicamuxen Road):**

Traffic Analyses under an unsignalized condition show that in the Future condition, this intersection is projected to function at a Level of Service 'A' during the AM, PM, and Saturday peak hours using the Critical Lane Volume Methodology. Since the intersection Level of Service 'B' or better, **this intersection meets the standards of § 257 of the Zoning Ordinance.**

- **Intersection of MD 224 (Chicamuxen Road) @ MD 225 (Hawthorne Road):**

Traffic Analyses under a signalized condition show that in the Future condition, this intersection is projected to function at a Level of Service 'A' during the AM, PM, and Saturday peak hours using the Critical Lane Volume Methodology. Since the intersection Level of Service 'B' or better, **this intersection meets the standards of § 257 of the Zoning Ordinance.**

2. **APF-Schools (§ 297-258):** The Project has received all required School Allocations.
3. **APF-Water Supply (§ 297-260):** The Project will connect to the public water and sewer system.
4. **APF-Fire Suppression (§ 297-261):** Because the proposed subdivision will be served by public water, this section of the Zoning Ordinance is not applicable.

Staff Finding: Staff finds that the proposed Preliminary Subdivision Plan will not adversely affect the adequacy of public facilities, as specified in Article XVI of the Charles County Zoning Ordinance.

B. Secondary Access - Subdivision Regulations § 278-74C: The Project will produce greater than 1000 vehicle trips per day; therefore, the requirement for a "secondary point of access" must be addressed.

Staff Finding: In December of 2012, the Planning Commission approved a modification to the requirement for a "secondary point of access" (and consequently the removal of the inter-parcel road connection previously shown between the Falcon Ridge and Hunters Brooke subdivisions) pending that the State Highway Administration (SHA) would not permit two (2) access point on MD Route 425 (Mason Springs Road) to the Falcon Ridge subdivision. In February of 2013, it was determined that SHA would not permit the concept of (2) access points on MD 425 to the Falcon Ridge subdivision; therefore, the Applicant was directed to proceed with the design of a centrally located single access point to MD 425.

C. Standards for Right of Way and Road Frontage Improvements - Subdivision Regulations § 278-75(A)(B)(C): These regulations are not applicable as the site does not have road frontage on a County-owned roadway.

IV. Subdivision Regulations, § 278-25: Section 25I(2)(a) of the Subdivision Regulations outlines the process that must be followed for extensions of Major Subdivisions, i.e. Preliminary Plans. Because the Planning Commission issued its approval of the Preliminary Plan in 1999, the procedures and requirements of § 278-25I(2)(a)[1] govern the Planning Commission's review of this extension request. Additionally, § 278-25I(2)(b) regarding the provision of Adequate Public Facilities, § 278-25I(2)(c) regarding the legal effect of the expiration of the approval period, and § 278-25.I(2)(d) regarding Conformity Reviews are further discussed as required elements of an application to extend a Preliminary Plan approval.

Section 278-25I(2)(a) Extensions. Before expiration, the Commission may, at the request of the applicant, extend the approval period in increments of not more than four years at a time, twice for a maximum extension period of eight additional years, except as otherwise noted.

Staff Comment: Falcon Ridge is subject to the extension provisions as otherwise noted below within items [1] and [3].

Section 278-25I(2)(a)[1] Previously approved preliminary plans which have been approved for at least eight years as of December 13, 2013, shall be eligible for one additional four-year extension provided they apply for such prior to their preliminary plan expiration date.

Staff Comment: As provided in the General Description of this request, Falcon Ridge is eligible for one more time extension.

Section 278-25I(2)(a)[2] Previously approved preliminary plans which have been approved for less than eight years as of December 13, 2013, shall be eligible for up to three additional extensions, provided all extensions do not exceed 12 years from the preliminary plan's approval date.

Staff Comment: This item is not applicable to the subject Preliminary Plan.

Section 278-25I(2)(a)[3] Preliminary plans that have been extended for the maximum period of time specified in § 278-25.I(2)(a) may be extended further if a moratorium on issuance of development approvals occurs, such that a preliminary plan is unable to satisfy § 278-25.I(2)(b)[2]. Extensions will be equal to the time of such moratorium.

Staff Comment: As provided for in the General Description of this request, it has been determined that the project experienced a moratorium on development in the amount of 1411 days from September 20, 2016 to July 31, 2020 (the effective date of Resolution No. 2016-20, Watershed Conservation District (WCD) Transitional provisions and the effective date of Bill No. 2020-03, a modification of transitional and grandfathering provisions with the WCD zone, respectively); therefore the expiration date of June 6, 2021 may be supplemented in the amount of 1411 days for a final expiration date of April 17, 2025.

Section 278-25I(2)(a)[4] In conjunction with such approval extensions, the Commission shall have the right to require changes in the development when it finds that time has necessitated such changes for health, safety, and welfare of the residents of the community or when applicable ordinances and regulations have been changed. The Planning Commission may act on specific phases of a preliminary plan individually, where such phases were defined at the time of initial approval. An application and associated fee will be provided to the Department of Planning and Growth Management (PGM) with all requests for approval extensions.

Staff Comment: As required by § 278-25I(2)(d)[3], the Applicant has submitted for a Conformity Review. The review performed by the Technical Review Committee resulted in a minor redline drafting correction to certain building restriction lines on the plan and the Applicant chose to delineate the limits of "Phase 4". The application and associated fee for the extension of the approval were provided to the Department of Planning and Growth Management (PGM) with the request for the approval extension.

Section 278-25I(2)(a)[5] Preliminary plans which exceed the expiration date and have not complied with extension requirements or Subsection I(2)(b), below, shall be null and void.

Staff Comment: The Applicant's request for this extension was timely filed.

Section 278-25I(2)(b) Adequate Public Facilities required. Approved preliminary plans are required to provide for adequate public facilities to mitigate the impacts of development and to commence construction in accordance with the time set forth in § 278-25.I(2) and I(2)(a).

Staff Comment: As noted in Section III above, Staff finds that the proposed Preliminary Subdivision Plan will not adversely affect the adequacy of public facilities, as specified in Article XVI of the Charles County Zoning Ordinance. Because the project does meet APF Standards, mitigation is not required.

Section 278-25I(2)(b)[1] Any request for an extension beyond eight years from the initial approval date shall include a revised and updated adequate public facilities analysis and schedule for completion of required public facilities along with an assessment of compliance with conditions. A phasing plan may be considered as a part of the extension request.

Staff Comment: An updated Adequate Public Facilities Analysis is provided above in Section III. As noted in Section III above, Staff finds that the proposed Preliminary Subdivision Plan will not adversely affect the adequacy of public facilities, as specified in Article XVI of the Charles County Zoning Ordinance. Because the project does meet APF Standards, mitigation is not required.

Section 278-25.I(2)(b)[2] Preliminary plans which have commenced construction and have completed substantial physical improvements for the project, and have also recorded at least 25% of the lots associated with the project, are not required to apply and obtain extensions of preliminary plans and can continue to completion without extension approvals, provided the projects are also in compliance with any other conditions of approval.

Staff Comment: The developer has not reached "substantial completion" of the physical improvements, nor has 25% of the lots been recorded, which is why this extension is requested.

Section 278-25.1(2)(b)[3] Substantial physical improvements are those beyond excavation, grading and filling, and may include:

[a] Construction of roads, or a portion of roads for the entire project (at least 25%) or for an entire phase of the project as previously defined on a preliminary plan; or

[b] Construction and installation of stormwater management facilities for the project (at least 25%) or for an entire phase of the project; or

[c] For those projects on shared or public sewer and water systems, construction of a portion of the sewer and water facilities (at least 25%) for the project or for an entire phase of the project as previously defined.

Staff Comment: N/A

Section 278-25.1(2)(b)[4] A letter of verification of substantial physical improvement may be requested from the County by the applicant or owner. A fee may be required with such verification.

Staff Comment: N/A

Section 278-25.1(2)(c) Expiration. Upon the expiration of any approval period specified under this section, the plan shall be deemed as disapproved by the Commission, and shall be automatically null and void without any further action by the Planning Commission being required.

Staff Comment: N/A

Section 278-25.1(2)(d) Conformity Review. A review is required for additional extensions of time beyond eight years from the initial date described in this subsection; unless otherwise in compliance with Subsection 1(2)(b)[2], such extensions may be granted by the Planning Commission, subject to the following requirements:

Staff Comment: The subject request is for is for an extension beyond eight (8) years from the initial approval date. The subsections below are applicable at this time. A Conformity Review was conducted, which resulted in a minor redline drafting correction to certain building restriction lines on the plan and the Applicant chose to delineate the limits of "Phase 4". Two (2) new conditions were recommended by Environmental Planning staff.

Section 278-25.1(2)(d)[1] A request for an extensions [sic] must be submitted by the applicant prior to the expiration date. This

request is to provide a reason for the extension request, and the amount of time that is anticipated to be needed to complete the project through recordation of all final plats.

Staff Comment: The request was timely filed.

Section 278-25I(2)(d)[2] A time table providing dates of submittals, approval, applicant or administrative actions for preliminary plans and revisions, all improvement plans and final plats to be submitted as an attachment to the request.

Staff Comment: 33 of the 183 approved lots are recorded in the Land Records of Charles County. Lots 6-25 were recorded at Plat Book 55 Pages 490-492 on 5/18/2005. Lots 1-5 were recorded in Plat Book 56 Page 28 on 8/16/2005. Lots 1-6 were recorded in Plat Book 57 Page 214 on 8/22/2007. Lots 75 and 76 were recorded in Plat Book 57 Page 215 on 8/22/2007. The improvements including roads, water, sewer, storm drainage, and stormwater management associated with those 33 lots have been completed under Charles County permits VR #'s 99-0045, 04-0098, and 05-0058, and associated revisions. The Project received the last of the required one-hundred and fifty (150) School Allocations on January 26, 2024. An updated Traffic Impact Study was approved in October of 2024. A list of anticipated approvals has been submitted by the Applicant and is attached to this report.

Section 278-25I(2)(d)[3] Upon receipt of the request, the Planning Director is to prepare a conformity review in the form of a staff report to the Planning Commission. This review is to compare the original or revised preliminary subdivision plan to the existing or approved physical improvements as shown on improvement plans, final plats, adequate public facility mitigation requirements, public water or sewer allocations, pace of development including build-out rate, and the Planning Commission conditions of approval. The process for this review is to be consistent with that of a new preliminary subdivision plan, as described in §§ 278-23 and 278-24 above.

Staff Comment: The subject staff report to the Planning Commission has been prepared under the guidance of the Planning Director.

With regard to the comparison of the approved Preliminary Subdivision Plan to existing or approved physical improvements as shown on improvement plans, as described above, 33 of the 183 approved lots (18%) are recorded in the Land Records of Charles

County, built upon and occupied. All necessary approvals were obtained, infrastructure completed, and permits closed out.

Regarding a comparison of the approved Preliminary Subdivision Plan to Adequate Public Facility mitigation requirements, please see Section III above.

Regarding a comparison of the approved Preliminary Subdivision Plan to the pace of development including build-out rate, the information provided above, including a summary of recorded plats, completed infrastructure, timelines of moratoriums on development in the WCD, etc., demonstrates the rate at which the Applicant has pursued the development of the project.

Regarding a comparison of the approved Preliminary Subdivision Plan to the Planning Commission conditions of approval, all remain in effect, although some have been satisfied. Please see Section VI below.

Section 278-25I(2)(d)[4] As part of the conformity review, the Planning Director shall include recommendations to the Planning Commission for preliminary subdivision plan extension approval or denial, or recommend any revisions to the conditions of approval, including, but not limited to, an update of the adequate public facilities or traffic impact studies, additional infrastructure improvements based upon state or County capital improvement projects, revised or new federal, state or County regulatory requirements, or approved developments in the area.

Staff Comment: Planning staff recommends approval of this request subject to the conditions noted below in Section VI.

Section 278-25I(2)(d)[5] The Planning Commission shall act on the request for extension consistent with the procedures of Subsection I(2)(a) and may include new or revised conditions of approval, based upon the status of the development, County or state plans or regulatory requirements, surrounding development, and any other factors considered relevant by the Commission.

Staff Comment: This request for an extension has been reviewed and processed consistent with the Subdivision Regulations and is being presented to the Planning Commission for approval subject to the conditions noted in Section VI below.

V. Status of Conditions of Approval:

In accordance with the administrative approval of Revision #4 on March 22, 2018, the previous conditions of approval for the plan will remain in effect as necessary and/or applicable. Additionally, the following conditions shall apply:

Community Planning:

1. The Phase II Archaeological Report must be reviewed and approved by the Historic Preservation Commission. The project is currently scheduled on the April 16, 2018 Historic Preservation Commission agenda.

Status: This condition has been satisfied.

2. All comments from the County's Archaeologist, including General Report Comments, must be addressed within 60 days of approval of Preliminary Plan Revision #4.

Status: This condition has been satisfied.

Environmental Planning:

3. A Final Habitat Protection Plan (HPP) will be provided with the Final Forest Conservation Plan. This HPP will address protection measures for lots 17 through 26, and include a drawing which shows the limits of clearing for lots 17 through 26.

Status: This condition remains valid.

4. Recordation of the abandonment of easement documents and replacement easement documents will be required prior to approval of the first/next building permit, final plat, or development services permit for the Falcon Ridge project.

Status: This condition remains valid.

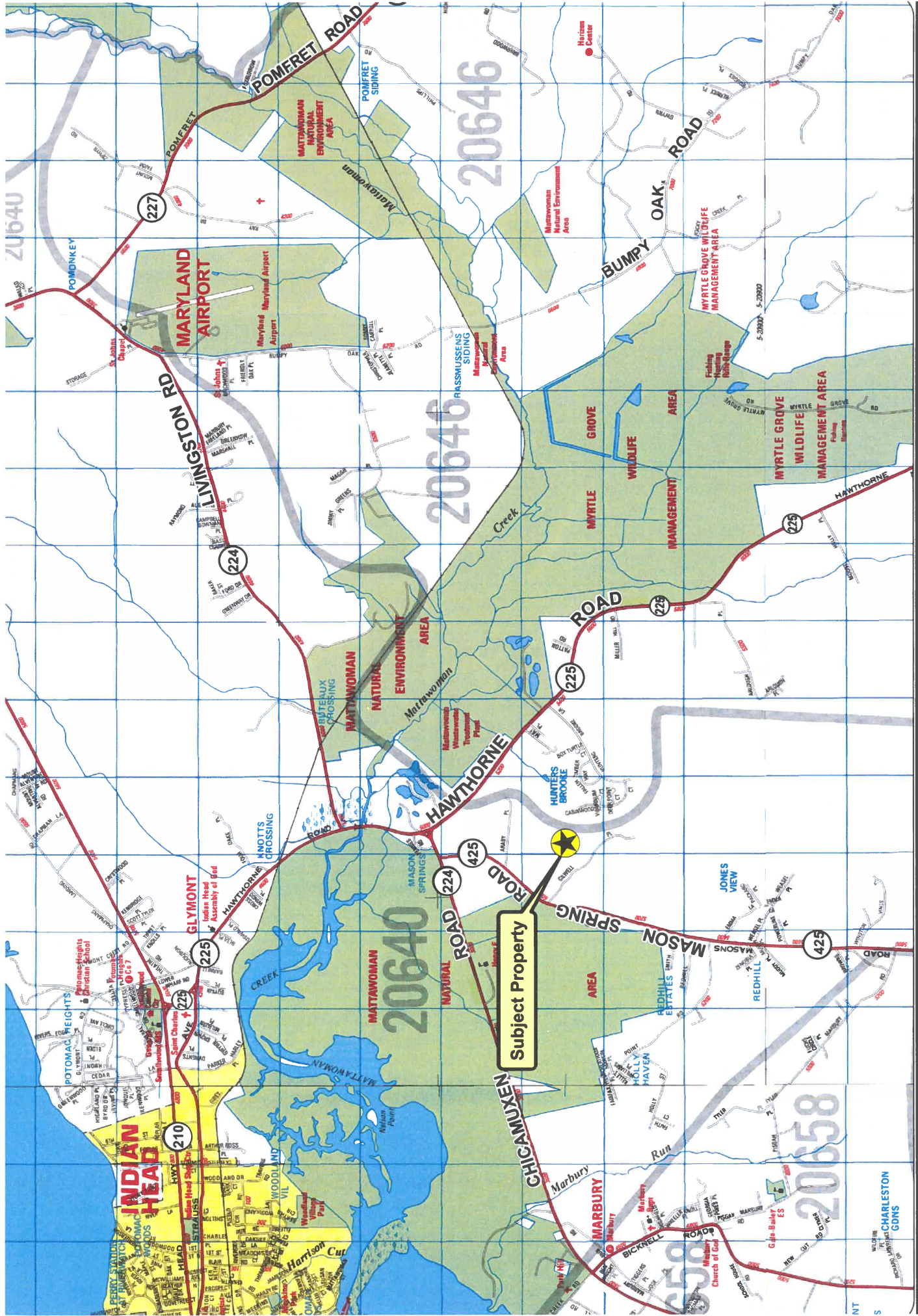
VI. Conclusions & Recommendation:

Staff concludes that the project meets applicable standards; therefore, Staff recommends that the approval of the Preliminary Subdivision Plan for Falcon Ridge, XPN #98-0004 be extended until April 17, 2025, subject to the conditions noted above and the additional conditions below:

Environmental Planning:

1. If you plan to recertify the Forest Stand Delineation, please submit the FSD plan and narrative under a Forest Stand Delineation application through the CSS portal. Please be aware a Forest Stand Delineation will need to be approved prior to approval of the Final Forest Conservation Plan because the current FSD has expired.
2. Please be aware a Final Forest Conservation Plan will need to be approved prior to approval of the plat or Development Services Permit, whichever comes first. Any changes to the Habitat Protection Plan will be confirmed during the review of the Final Forest Conservation Plan.

VII. Appendices (Attached & [Online](#)).



FALCON RIDGE

XPN 980004

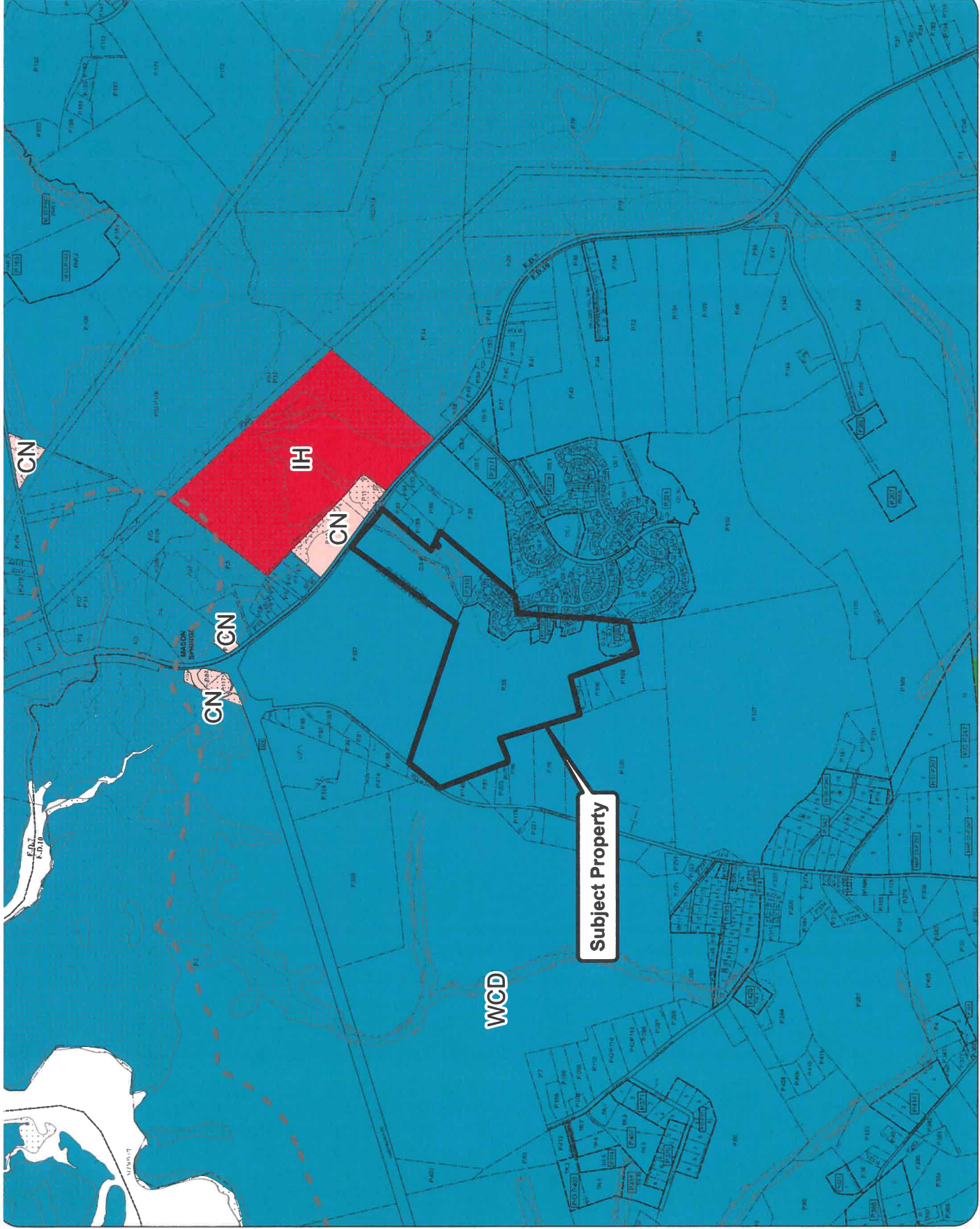
LOCATION MAP

CHARLES COUNTY, MD

	DATE	OCT 2024
	CHARLES COUNTY GOVERNMENT Department of Planning and Growth Management 200 Baltimore St La Plata, MD 20646 (301)645-0627	

SCALE	0 2,000 4,000 8,000 Feet
DRAWN BY:	
CHECKED BY:	





- AC AGRICULTURAL CONSERVATION
- RC RURAL CONSERVATION
- WCD WATERSHED CONSERVATION DISTRICT
- RR RURAL RESIDENTIAL
- RV RURAL RESIDENTIAL
- RL VILLAGE RESIDENTIAL
- RM LOW DENSITY SUBURBAN RESIDENTIAL
- RM MEDIUM DENSITY SUBURBAN RESIDENTIAL
- RH HIGH DENSITY SUBURBAN RESIDENTIAL
- RO RESIDENTIAL / OFFICE
- CER CORE DEVELOPMENT / RESIDENTIAL
- CMR CORE MIXED RESIDENTIAL
- CRR CORE RETAIL RESIDENTIAL
- CN CORE RETAIL RESIDENTIAL
- CC NEIGHBORHOOD COMMERCIAL
- CB COMMUNITY COMMERCIAL
- CB CENTRAL BUSINESS
- CV VILLAGE COMMERCIAL
- BP BUSINESS PARK
- IG LIGHT INDUSTRIAL
- IH HEAVY INDUSTRIAL
- AUC ACTION URBAN CENTER
- WC WALDORF CENTRAL
- OVERLAY ZONES
- HIGHWAY CORRIDOR
- RESOURCE PROTECTION
- CRITICAL AREA BOUNDARY
- FLOATING ZONES
- PRD PLANNED RESIDENTIAL DEVELOPMENT
- PMH PLANNED MOBILE HOME PARK
- PEP PLANNED EMPLOYMENT/INDUSTRIAL PARK
- MX PLANNED MIX USE
- PUD PLANNED UNIT DEVELOPMENT
- WPC WATERFRONT PLANNED COMMUNITY
- TOD TRANSIT ORIENTED DEVELOPMENT

FALCON RIDGE
XPN 980004
ZONING MAP

CHARLES COUNTY GOVERNMENT
Department of Planning and Growth Management
200 Baltimore St
La Plata, MD 20646
(301)645-0627

DATE: OCT 2024

SCALE: 1" = 5,000'

DRAWN BY: []
CHECKED BY: []

0 1,250 2,500 5,000 Feet

100



Subject Property

MATTAWOMAN
WASTEWATER
TREATMENT PLANT

HAWTHORNE RD

HUNTER'S BROOKE DR

HUNTER'S BROOKE

OAK FOREST CT

CABINWOOD CT

MASON SPRINGS RD

LACKEY
HIGH SCHOOL

DATE

OCT 2024

CHARLES COUNTY GOVERNMENT

Department of Planning and Growth Management

200 Baltimore St
La Plata, MD 20646
(301)645-0627

SCALE

DRAWN BY:

CHECKED BY:

0

350

700

1,400

Feet

FALCON RIDGE

XPN 980004

AERIAL MAP

OFFICE OF CARTOGRAPHY

101

April 20, 2017

Charles County Government
Department of Planning & Growth Management
P.O. Box 2150
La Plata, Maryland 20646

Attention: Steve Ball, Planning Director

RE: Falcon Ridge – XPN# 98-0004, Rev. #3
Preliminary Plan Extension Request

Dear Mr. Ball:

Please accept this letter as a request for an extension of Preliminary Plan for Falcon Ridge. As you know, we have been working with Charles County Government and SHA to resolve minor revisions to the Preliminary Plan in a manner consistent with the direction we received by the Planning Commission when the plan was approved on October 22, 2012. Since then it has been duly extended.

ATCS submitted the Falcon Ridge Plan, Revision #4, on June 2, 2016 for review and was subsequently advised in the fall of 2016 that although the review was complete comments were not being distributed to us due to the WCD conditions imposed on County staff to stop all review of projects, applications, etc. in that area of the County mapped WCD.

Since then, we have submitted a letter and report through our client's attorney, Nancy Slepicka, Esq., testifying to our compliance with the spirit and intent of the "grandfathering provisions" of the preliminary plan process which indicates that this project should in fact, be grandfathered.

Please accept this letter as our formal request for a 4 year preliminary plan extension without further review. Based on the exhaustive effort at compliance with staff and before the Planning Commission in 2012 no conformity review should be required.

If you require additional information or if I can assist you in any way please contact me at your earliest convenience.

Sincerely,
ATCS, PLC



James W. Whitehead, L.S., V.P.
Office Manager – Waldorf

Cc: Mohamed Tobah
Nancy Slepicka, Esq.

Preliminary Subdivision Plan Extension Request Application

Effective April 2014

Charles County Planning Commission
 c/o: Department of Planning and Growth Management, Planning Division
 Post Office Box 2150, La Plata, Maryland 20646

Office Use Only:

File Number: _____

Date Submitted: _____

A. Application is hereby made for consideration of the Preliminary Subdivision Plan Extension

herein described: (Per Section 25(i) of the Charles County Subdivision Regulations, effective December 13, 2013.)

Falcon Ridge
 Name of Approved Preliminary Subdivision

Tm 21 P. 38, p/o P. 219
 Tax Map and Parcel Number (s) p/o P. 222

98-0004
 XPN Number Assigned to Approved Preliminary Subdivision

2/1/99
 *Original approval date of Preliminary Plan

*Please note that with the enactment of Bill 2013-16, all approved preliminary plans are now valid for a period of four (4) years from the original date of approval.

Has this preliminary plan received prior extensions? If so, please list date(s) of prior extensions: _____

yes 9/27/13

6/6/17
 *Current Preliminary Plan Expiration Date

6/6/2021
 **Proposed Preliminary Plan Expiration Date

** Please refer to the attached questionnaire for guidance. Applications for preliminary plan extensions for projects that are not "substantially complete" at the time of application will require Planning Commission review. Please plan to submit all requests for preliminary plan extensions at least three (3) months prior to the expiration date.

B. Applicant/Property Owner/Contact Information

White Oak, LLC
c/o Mohamed Tobati
 Property Owner's Name

9737 Middleton Ridge Rd, VA
 Property Owner's Address City State Zip

ATCS, PLLC
Attn: James W. Whitehead
 Applicant's Name #G

7 Post Office Rd, Waldorf, MD 20602
 Applicant's Address City State Zip

ATCS PLLC
Attn: James W. Whitehead
 Engineering/Surveying/Consulting Firm

7 Post Office Rd #G Waldorf MD 20602
 Address City State Zip

703-926-8881
 Contact Telephone Number(s) - Daytime

[Signature] 4/20/17
 Signature of Property Owner Date

301-870-4530
 Contact Telephone Number(s) - Daytime

[Signature]
 Signature of Applicant Date

James W. Whitehead
 Contact Person

301-870-4530 301-843-1262
 Contact Telephone Number Fax Number

C. Submittal Requirements

	<u>Provided</u>	<u>N/A</u>
1 Application	☒	
2 Two copies of an updated preliminary plan showing physical improvements that have commenced construction (water, sewer, roads, stormwater management, etc).	☒	
3 If substantial improvements have been completed, please include a letter of verification, along with an updated preliminary plan, both detailing the physical improvements that have been made to date. Include all information as required by the Subdivision Regulations. Please provide four (4) copies of all materials submitted.	☒	☐
4 If an eight (8) year conformity review and Adequate Public Facilities analysis is required, please submit all required documentation as required the Subdivision Regulations, along with <u>four (4) additional copies of all materials submitted.</u>	☐	☒
5 NOTE: Please indicate whether or not this preliminary plan was affected by County Commissioners Resolution 2013-35, dated May 14, 2013. This resolution granted a one year extension for preliminary plans expiring during the time period of July 1, 2013-June 20, 2014.	☐	☒
6 All applicable fees, depending upon type(s) of review(s) required.	☒	
7 NOTE: Applications for preliminary plan extensions for projects that are not "substantially complete" at the time of application will require Planning Commission review. Upon staff completing an initial review of the application, the applicant will be required to submit ten (10) additional copies of all application materials for inclusion in the Planning Commission agenda packet.		

on 4 p 1

#_{ac} = 117.3

Total # Lots = 184 Falcon Ridge
Recorded = 33 (18%)
#98-0004, Rev 1
Orig. approval = 2/1/1999
Latest = 10/22/12
Expire Date: 6/6/17
105
A. Truitt

***Guide for Evaluating Preliminary Plan Time Extension Requests**
Updated April 2014

1. YES ☐ NO ☒ Are at least 25% of the lots within the above named Preliminary Plan recorded? If YES, proceed to question #2. If NO, proceed to question #3.

N/A 2. YES ☐ NO ☐ Has the Preliminary Plan also completed substantial improvements as listed below? If YES, please attach additional documentation, as outlined in the application and Subdivision Regulations, which will provide verification per the standards listed below in a - c. If NO, proceed to question #3.

- Construction of roads or a portion of roads for the entire project (at least 25% or an entire phase) or
- Construction and installation of stormwater management facilities for the entire project (at least 25%) or an entire phase, or
- If on public water and sewer, construction of water and sewer facilities for the entire project (at least 25%) or an entire phase.

3. YES ☒ NO ☐ As of January 1, 2014, has the preliminary plan been approved for a period of at least eight (8) years? If NO, proceed to statement #4. If YES, then the preliminary plan is eligible for one additional four-year extension upon completion of an Adequate Public Facilities and Conformity Reviews, and subsequent approval by the Planning Commission. Approved preliminary plans are required to provide for Adequate Public Facilities to mitigate the impacts of development and to commence construction in accordance with the time set forth in the Charles County Subdivision Ordinance.

2/1999 → 1/2014 = 15 yrs

Any request for an extension beyond eight (8) years from the initial approval date shall include a revised and updated Adequate Public Facilities analysis and Schedule for Completion of required public facilities along with an assessment of compliance with conditions. A phasing plan may be considered as part of the extension request. See Subdivision Ordinance for specific requirements.

N/A 4. As of January 1, 2014 the preliminary plan has been approved for a period of less than eight (8) years. Therefore, the preliminary plan is eligible to request up to three additional four (4) year extensions provided that all extensions do not exceed twelve (12) years from the original approval date of the preliminary plan. All extension requests must be approved by the Planning Commission.

Note: If no substantial improvement has occurred after twelve (12) years, then the preliminary plan shall be voided.

*For full details regarding Preliminary Plan Time Extension requests, please refer to the following:

- Charles County Subdivision Regulations, Section 25(i)
- Bill 2013-16
- Green Notice 13-14



CASH RECEIPT

Charles County Government • Planning and Growth Management

P.O. Box 2150 • La Plata, MD 20646

Equal Opportunity County • www.CharlesCountyMD.gov

Project Name: Falcon Ridge

Date: 4/26/17

Item	Account Number	Amount
APF Preliminary APF Application Fee	01-07-19-0351-080 PAPF	
APF Study Review Fee – Residential	01-07-19-0351-022 SRFR	
APF Study Review Fee – Commercial	01-07-19-0351-023 SRFC	
APF Mitigation Proposal – Residential	01-07-19-0351-024 MPR	
APF Mitigation Proposal – Commercial	01-07-19-0351-025 MPC	
Appeals	01-07-19-0351-003 SPEX	
Copies	01-00-0351-033 COPY	
Critical Area Fee-In-Lieu	01-07-19-0351-044	
DRRA Review Fee	07-07-91-155-0351-054 DRRA	
DRRA Payment Account	02-07-19-0359-003 DRAD	
Forest Conservation Review	01-07-19-0351-015 FORR	
Forest Conservation Inspection Fee	01-07-19-0351-017 FORI	
Forest Conservation Fee-In-Lieu	35-07-19-13-0353-001 FCFL	
Forest Con Non-Compliance Penalties	35-07-19-13-0368-002	
Forest Conservation Violations	35-07-19-13-0368-003	
Preliminary Subdivision Revision	01-07-19-0351-007 PLAT	
School Allocation Extension of Time	01-07-19-0351-035	
School Allocation Deposit (\$1,000 per lot)	02-2400-0021 SADH	
SDAR – Site Design & Architectural Rev Fee	7-07-19-49-0351-52 SDAR	
SDAR Application Fee for Residential Site Design	01-07-19-0351-042	
SDAR Application Fee for Commercial Site Design	01-07-19-0351-039	
Sewer Allocation 30% (Final) Deposit	30-07-62-0365-001 SEDE	
Sewer Allocation 20% Deposit (Liability)	30-2360-3006 SELI	
TDR Certification Review	01-07-19-0351-014	
TDR Transfer to Receiving Parcel	01-07-19-0351-014	
Water Allocation 30% (Final) Deposit	30-07-63-0365-001 WADE	
Water Allocation 20% Deposit (Liability)	30-2360-3005 WALI	
Water and Sewer Plan Amendments	01-07-19-0351-002	
Water and Sewer Allocation Application Fee	30-07-06-0350-007 WSAF	
Zoning Verification	01-07-31-0330-008	
* Other: <u>XP 4 Ext PS</u>	<u>01-07-19-0351-076</u>	<u>\$ 300</u>

TOTAL FEE: \$ 300

Office Use Only

Name on Check: Kingdon Gold III

#13840

Permit Specialist Initials: ASL

WHITE – File

YELLOW – Customer

PINK – Treasury

Rev. 07/15

7 Post Office Road, #G
Waldorf, MD 20602

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atcsplc.com

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□ 2 Hamill Road, Suite 320 • Baltimore, MD 21210 • (443) 961-3015 • FAX (443) 438-4418
■ 7 Post Office Road, Suite G • Waldorf, MD 20602 • (301)870-4530 • FAX (301)843-1262

LETTER OF TRANSMITTAL

DATE	04/25/17	JOB NO:	W041-2125
ATTENTION	Mr. Steve Ball, Planning Director		
RE:	Falcon Ridge Subdivision		
PGM#	XPN# 98-0004, Rev. #3		
	Preliminary Plan		
	Request for 4 yr Extension		

TO: **Charles County Government / Planning /PGM**

P.O. Box 2150, County Government Building

La Plata, MD 20646

TO WHOM IT MAY CONCERN:

WE ARE SENDING YOU

☐ Drawings

☐ Copy of letter/contract

☒ Attached

☐ Prints

☐ Change order

☐ Under separate cover via _____ the following items:

☐ Plans

☐ Grade Sheets

☐ Specifications

☐ _____

COPIES	DATE	NO.	DESCRIPTION
2	4/20/17	1	Extension Request Letter
2	4/25/17	2	Preliminary Plan Extension Request Application (3 pages)
2	4/25/17	3	Letter of Completed Improvements (2 pages)
2	10/22/12	4	Approved Preliminary Plan (5 sheets)
2	4/25/17	5	Exhibits and description showing recorded and 100% completed Phases I, II & III (3 pages)
1	4/7/17	6	Check # 3840 for \$300.00 from Kingdon Gould – extension fee

THESE ARE TRANSMITTED as checked below:

☒ For approval

☒ For your use

☒ As requested

☐ For review and comment

☐ FOR BIDS DUE _____

☐ Approved as submitted

☐ Approved as noted

☐ Returned for corrections

☐ _____

☐ Resubmit _____ copies for approval

☐ Submit _____ copies for distribution

☐ Return _____ corrected prints

☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS. _____

COPY TO Mohamed Tobah/ Nancy Slepicka SIGNED: James W. Whitehead L.S., VP, Office Manager-Waldorf.

If enclosures are not as listed, please notify us at once.

K:\Projects\FALCON RIDGE\Transmittals - 2017\4-25-17 Transmittal Steve Ball_Extension Request ltr pkg.docx

**Charles County Government
Department of Planning and Growth Management
Permit Document Receipt**

Section I

Document Title: XPN 980004

Receipt#: 56897

Document Type: Preliminary Subdivision Plan (XPN)

Status: OPEN

Other Type: Extension with Fee

Division: Planning

Notes: Heather

Section II

Project Name:

Falcon Ridge

Project Engineer:

ATCs

Total Fees Received:

300.0

Section III

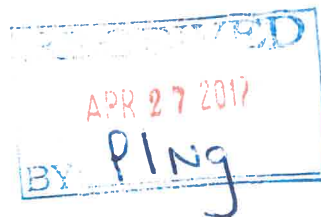
Addressee:

Entered by Agent :

mullenda

04/26/2017 14:44

Received by Agent:





Charles County Government
**DEPARTMENT OF PLANNING &
GROWTH MANAGEMENT**

CHARLES COUNTY COMMISSION

Candice Quinn Kelly, *Pres*
Reuben B. Collins, II, Esq., *Vice Pres*
Ken Robi
Debra M. Davis,
Bobby F

Mark Be
County Administ

Peter Alu
Dire

June 2, 2014

James Whitehead
ATCS
7 Post Office Box Road, Ste. G
Waldorf, MD 20602

RE: XPN 98-0004
Falcon Ridge

Per Charles County Commissioners' Resolution 2014-13, approved on May 20, 2014, all Preliminary Plans will be extended for a 24-month period. Therefore, XPN 98-0004, Falcon Ridge, will be extended to June 6, 2017.

Should you have any questions, please feel free to contact Heather Kelley at kelleyh@charlescountymd.gov or at (301) 645-0540.

Sincerely,

Joseph Raczkowski

Joseph Raczkowski
Program Manager
Subdivision and Site Plan Review

Cc: File

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P.O. Box 2150 • 200 Baltimore Street • La Plata, MD 20646 • 301-645-0627 • 301-870-3935

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CHARLES COUNTY GOVERNMENT
Department of Planning & Growth Management

Steve Kaii-Ziegler, AICP
 Director

Phone | 301-645-0627
 Fax | 301-638-0807
 Email | PGMadmin@CharlesCountyMD.gov

July 21, 2017

Mr. James W. Whitehead, L.S., V.P.
 ATCS, PLC
 7 Post Office Road, Suite G
 Waldorf, MD 20602

RE: XPN#98-004, Falcon Ridge, Preliminary Plan Extension Request

Dear Mr. Whitehead:

This letter is in response to your request for a Preliminary Plan extension as documented in your letter dated April 20, 2017. There are several issues to consider in your request and I'll clarify them in this letter.

1. WCD Transitional Provisions:

In a previous letter sent to you dated January 18, 2017 from Mr. Steve Kaii-Ziegler the Planning and Growth Management Director, it was documented that the project could not go forward for further consideration due to the Watershed Conservation District's (WCD) Transitional Provisions in place at that time because this project did not comply with the criteria established in those provisions. It was subsequently stopped from further review until adoption of the new WCD zoning.

2. WCD Zoning Text Amendment:

The Watershed Conservation District (WCD) Zoning Text and Zoning Map amendments were approved by the County Commissioners on June 6, 2017. A review of the Preliminary Subdivision Plan for Falcon Ridge indicates the plan was last approved on October 22, 2012. The project was approved for 186 lots and that at this time there are 33 lots platted and constructed within the Falcon Ridge Preliminary Subdivision Plan (17.7% of the entire project).

§ 297-98 WCD Watershed Conservation District zoning states that for previously approved and pending development applications with previous approvals at the time of adoption of the ordinance may continue for review and development under the previous regulations in place provided they have one of the following:

- a. An executed and valid Development Rights and Responsibilities Agreement (DRRA) or similar development contract;
- b. An approved Site Development Plan;
- c. A Development Services Permit under review, not issued, but with a posted bond and associated Developers Agreement;

- d. Preliminary Plans that are in compliance with Section 25 of the Charles County Subdivision Ordinance (Commencement of Construction – recorded 25% of lots and associated infrastructure has been built);
- e. The request is for a residential building permit application or other application relating to an existing lot of record;

A review of the file indicates that XPN#98-004 - Falcon Ridge, Preliminary Subdivision Plan was approved separately from the Hunters Brooke subdivision. Although you may be constructing the project in phases, it was not approved in phases and does not meet any of these criteria.

3. Subdivision Regulations, Section 25, Extensions:

Also relative to the extension request is the Charles County Subdivision Regulations - Section 25, Extensions A3 states:

“Preliminary plans that have been extended for the maximum period of time specified in Section 25(i) iA may be extended further if a moratorium on issuance of development approvals occurs, such that a preliminary plan is unable to satisfy Section 25(i) i.B.2. Extensions will be equal to the time of such moratorium.”

4. Extension Request for XPN#98-004 - Falcon Ridge, Preliminary Subdivision Plan:

Our records indicate that the transitional provisions effectuated such a moratorium as described in 3 above for properties such as this within the WCD zone. The transitional provisions were adopted on September 20, 2016 and will expire on the effective date of the new WCD zoning district which is July 21, 2017. This equals a period of 304 days. Therefore, XPN#98-004 - Falcon Ridge, Preliminary Subdivision Plan is extended 304 days from July 21, 2017 until May 21, 2018.

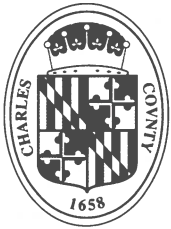
If after that time the actual development of a cumulative total of at least 25% of the project's associated infrastructure has not been completed and 25% of the lots recorded, then the Preliminary Subdivision Plan will expire.

Because the site is now within the Watershed Conservation District (WCD), the project design no longer complies with the regulations and density requirements established in the WCD and will no longer have future opportunities for additional extensions under previous zoning after May 21, 2018.

Sincerely,



Steven Ball
Planning Director



CHARLES COUNTY GOVERNMENT
Department of Planning & Growth Management

Deborah A. Carpenter, AICP
Director

Phone | 301-645-0692
Email | PGMadmin@CharlesCountyMD.gov

December 21, 2020

Mr. Mohamed Tobah, Managing Member
White Oak, L.L.C.
9737 Middleton Ridge Road
Vienna, VA 22182

**Re: Falcon Ridge, XPN #98-0004
Zoning Officer Determination and
Response to Request for Reinstatement &
Request for Extension of Approval**

Dear Mr. Tobah:

This letter is in response to your request submitted August 25, 2020 (attached) requesting, among other items, the reinstatement of the Falcon Ridge Preliminary Subdivision Plan (PSP) that was deemed void per a letter dated August 9, 2018 from our Department.

This letter is also in response to the Preliminary Subdivision Plan Extension request submitted April 26, 2017 (also attached) for the Falcon Ridge PSP, which is further discussed below.

Regarding the validity of the Falcon Ridge PSP, staff offers the following assessment: The Zoning Ordinance § 297-98, WCD Watershed Conservation District as modified by the recently approved Zoning Text Amendment #19-155 Watershed Conservation District Zone Transitional and Grandfathering Provisions known as Bill No. 2020-03, allows for applications located within the WCD zone, with previous approvals at the time of adoption of this section, to continue for review and development under the previous regulations in place, namely for the former RL – Low Density Residential zoning, provided that one of the five criteria identified in § 297-98E(3) is met. Staff concludes that the Falcon Ridge project qualifies for grandfathering under § 297-98E(3)(d), which states “Preliminary plans which have recorded at least 10% of the lots associated with the project, and have completed at least 10% of the physical improvements beyond excavation, grading and filling...”

Staff's concurrence is based on the fact that 33 of 183 approved lots (18%) are recorded in the Land Records of Charles County at Plat Book 55 Pages 490-492 (Lots 6-13), Plat Book 56 at Page 28 (Lots 1-5), Plat Book 57 at Page 215 (Lots 75 & 76) and Plat Book 57 at Page 214 (Lots 1-6), and that the improvements including roads, water, sewer, storm drainage, and stormwater management associated with those 33 lots have been completed under Charles County permits VR #'s 99-0045, 04-0098, and 05-0058, and associated revisions.

Concurrent with the request for the reinstatement of the PSP, you have requested confirmation of the status of several other items. We offer the following responses:

School Allocations: You have requested that the PSP be reinstated and placed at the top of the school seat list; a position it occupied before it was voided. Staff can confirm that the PSP will be placed back onto the school allocation waiting list in the order of its original approval date.

Forest Stand Delineation (FSD) and Forest Conservation Plan: You have requested the reinstatement of these plans. These plans were not formally voided. An FSD for Forest Stand AA was approved in January of 2018 and will expire in 2023. A Preliminary Forest Conservation Plan was approved March of 2018. There is no expiration noted for the Preliminary Forest Conservation Plan.

Adequate Public Facilities (APF) Application: You have requested that the APF/traffic report submitted in February 2018, and found acceptable, be reinstated. This APF/traffic report is required to be updated in accordance with the requirements of a Conformity Review as noted below, which states that a revised and updated Adequate Public Facilities analysis (Traffic Impact Analysis) and schedule for completion of required public facilities along with an assessment of compliance with conditions, is required.

Flag lot Justification/Cluster Justification/Habitat Protection Plan: You have requested these approvals be reinstated as previously approved. Pending that no changes occur that would warrant revisions to these items, the Flag lot and Cluster justifications, and the approval of the Habitat Protection Plan, do not expire.

Phase 1 Archeology Report: You have requested that this report and its conditions be reinstated as approved. The Historic Preservation Commission approved the project with two conditions in April of 2018. This approval remains valid; however, the first condition of that approval is still outstanding, which concerns comments from the County's archeologist on the subject report that need to be addressed. A revised report addressing these outstanding comments (attached) needs to be submitted for review.

Entrance Road Variance Request: You have requested the reinstatement of the approval of a variance request to have a four-lane divided entrance road from Route 425 with a depressed median and mountable curb. A variance was granted December 14, 2017 for the entrance road cross-section, subject to numerous conditions. A variance was also granted June 20, 2016 to not provide a cul-de-sac on Falcon Ridge Drive, subject to numerous conditions. These variances will not expire unless circumstances affecting them change, such as modifications to a lane width.

Concept Stormwater Management Plan: You have requested reinstatement of the approved Concept Stormwater Management Plan. This approved plan (VSC_170033) generally does not expire.

Numerous studies, letters of report, computations, and related documents: You have requested reinstatement of all applicable documents that support the project. Those documents will remain valid to the extent that approvals have been granted and are still valid as noted above. The validity of additional documents not listed will require separate determinations as deemed necessary by PGM staff.

You have requested to be allowed to proceed immediately with construction documents based [off] of these plans and approvals; however, as the project has now been determined to be grandfathered from the WCD zoning regulations, and the Preliminary Subdivision Plan subsequently reinstated, the pending Preliminary Subdivision Plan Extension request dated April 20, 2017, submitted April 26, 2017, for the Falcon Ridge PSP must be addressed. To properly process the pending PSP Extension request, the requirements for a Conformity Review submittal need to be addressed, in accordance with § 278-25I(2)(d) of the Subdivision Regulations.

These requirements include:

- 1) Submittal of the most recently approved plan with the required Conformity Review fee.
- 2) A revised and updated Adequate Public Facilities analysis (Traffic Impact Analysis) and schedule for completion of required public facilities along with an assessment of compliance with conditions, as required by the Subdivision Regulations, § 25I(2)B(1). This will require the submittal of a new Preliminary Adequate Public Facilities (PAPF) Application with updated trip generation information, and fee. Please contact Ben Yeckley in the Planning Division for guidance regarding the submittal of the new PAPF application and subsequent Traffic Impact Analysis submittal and fee.

- 3) A reason for the extension request, and the amount of time that is anticipated to be needed to complete the project through recordation of all final plats, as required by the Subdivision Regulations, § 25I(2)(d)[1].
- 4) A time table providing dates of submittals, approval, Applicant or administrative actions for preliminary plans and revisions, all improvement plans and final plats to be submitted as an attachment to the request, as required by the Subdivision Regulations, § 25I(2)(d)[2].
- 5) Advisory: The Subdivision Regulations, § 25I(2)(a)[1] states: Previously approved preliminary plans which have been approved for at least eight years as of December 13, 2013, shall be eligible for one additional four-year extension provided they apply for such prior to their preliminary plan expiration date.

The initial Planning Commission approval of the plan occurred on February 1, 1999; therefore, the plan was approved for at least eight years as of December 13, 2013, and is eligible for one additional four-year extension from the most recent expiration date of June 6, 2017 to June 6, 2021. Additionally, the project experienced a moratorium on development in the amount of 1411 days from September 20, 2016 to July 31, 2020 (the effective date of Resolution No. 2016-20, Watershed Conservation District (WCD) Transitional provisions and the effective date of Bill No. 2020-03, a modification of transitional and grandfathering provisions within the WCD zone, respectively); therefore, the expiration date of June 6, 2021 may be supplemented in the amount of 1411 days for a **final expiration date of April 17, 2025**.

In accordance with the Subdivision Regulations § 278-25I(2)(d)[3], the process for the Conformity Review is to be consistent with that of a new preliminary subdivision plan; therefore, requirements such as Superior Design are required to be addressed.

Additionally, please note that a **fee of \$108.16 is due** for the subject Zoning Verification/Zoning Officer Determination (\$104 + 4% Development Technology Fee, line items 22 and 7 respectively from the FY 21 adopted fees & charges). If you have any questions, or need additional information, please contact Heather Kelley at 301-645-0592 or E-Mail her at KelleyH@CharlesCountyMD.gov.

Sincerely,

Deborah A. Carpenter
Deborah A. Carpenter (Dec 30, 2020 13:27 EST)

Deborah A. Carpenter, AICP
Director/Zoning Officer

Attached:

- 1) Memo from Esther Doyle Read dated 23 March 2018 re: Falcon's Ridge (XPN 98-0004) Phase I and II Report
- 2) White Oak, L.L.C. letter re: Reinstatement of Approved Plans for Falcon Ridge dated August 24, 2020
- 3) ATCS, P.L.C. Preliminary Subdivision Plan Extension Request transmittal & application submitted April 26, 2017

Cc Electronic only:

James W. Whitehead, L.S., jwhitehead@atcsplc.com
XPN_980004 via Melissa Hively
Read File



CHARLES COUNTY GOVERNMENT
Department of Planning & Growth Management

Steve Kaii-Ziegler, AICP
Director

Phone | 301-645-0627
Fax | 301-638-0807
Email | PGMadmin@CharlesCountyMD.gov

From: Esther Doyle Read
To: Beth Groth
Date: 23 March 2018
Re: Falcon's Ridge (XPN 98-0004) Phase I and II Report

The report details the Phase I and II investigation of the proposed Falcon Ridge Residential Development.

Phase I

Four areas of the property proposed for development were selected for testing during the Phase IA archival portion of the project. These were on level upland landforms overlooking small stream valleys at the base of the ridges. During the Phase IB, 162 shovel test units were excavated in these four areas. An additional 18 supplement units were also excavated around some of the positive find units. Five Sites were identified during the Phase I. Four of them (18CH934, 18CH935, 18CH936, and 18CH937) are prehistoric sites, the fifth site (18CH938) is associated with the Digges mill complex (Maryland Inventory of Historic Properties [MIHP] CH-197).

Sites 18CH934 and 18CH936, are small, low density sites that are unlikely to yield additional information concerning the prehistory of Charles County. **No additional archaeological study was recommended for these two sites beyond the Phase I survey.**

Site 18CH935, is a large site on an upland location that yielded 134 artifacts, all prehistoric, in two separate loci. The majority of these artifacts were lithic debitage associated with the production of lithic tools, and an associated biface, core, and hammerstone. Fire-cracked rock was also recovered. The number of artifacts, large size of the site, and the presence of fire cracked rock suggested that there might be intact sub-surface features at this location. **A Phase II Evaluation was recommended for this site to establish its NRHP eligibility, or its eligibility as a local landmark.**

Site 18CH937, is also a large site on an upland location that yielded 56 artifacts, all prehistoric. The majority of these artifacts were lithic debitage associated with the production of lithic tools. Portions of two quartzite projectile points were also recovered that date to the Late Archaic Period. In addition to the debitage and projectile point fragments, fire-cracked rock was recovered across the site. The number of artifacts, large size of the site, and the presence of fire cracked rock suggested that there might be intact sub-surface features at this location. **A Phase II Evaluation was recommended for this site to establish its NRHP eligibility, or its eligibility as a local landmark.**

Site 18CH938 (MIHP CH-197), Digges/Millard Mill grist mill complex, includes the hydraulic system (mill dams and ponds) associated with the mill complex. The foundations for the mill are located on the adjacent property and are not within the bounds of the proposed Falcon's Ridge subdivision. Dr. Gibb has mapped the hydraulic system and included the map in the report. He also obtained an archaeological site number for the mill and hydraulic system. Currently the site is within the forest conservation area and will not be disturbed by construction. Dr. Gibb believes that the mill complex is eligible for the NRHP under criteria C and D. The original MIHP form was updated in 2015, but consists of two paragraphs with a total of six sentences, and two historic photographs of the mill. Dr. Gibb's investigations have added substantially to our knowledge about this mill, which had its origin in the nineteenth century, if not earlier in the eighteenth. **No further archaeological work is currently recommended for the hydraulic system. If it is threatened by future disturbance, then further recordation of the feature is recommended and a Phase I may be recommended.**

Phase II

Sites 18CH935 and 18CH937 were both subjected to Phase II archaeological evaluation to determine their potential eligibility to the National Register of Historic Places. Both sites appear to be unplowed, at least by mechanical plowing. They both appear to have been timbered repeatedly during the late 19th century and through much of the 20th century.

Site 18CH935: 49 supplemental shovel tests were excavated in addition to the 40 Phase I shovel tests. Based on the results of the artifact distributions noted in all of the shovel tests six excavation units measuring 3 by 3 feet were placed on the site in the high concentration areas. One feature, a stone hearth was uncovered in Unit 1. No charcoal was recovered in the hearth, and a soil sample taken within it was devoid of macro-botanical remains. A total of 305 artifacts were recovered on the site, most of them were lithic debitage associated with late stage core-reduction during the production of stone tools. The setting of the site on a ridge with a south face aspect suggests that this site was occupied during the winter months. It was probably an upland site associated with larger base camps on the flood plains below. Smaller groups from the larger camp would have broken off (or fissioned) from the larger group during the winter to gather resources or to hunt, making temporary camp on the ridges. While the site was productive in terms of artifacts, the artifact concentrations were tightly focused in a few areas and the artifacts were almost entirely recovered from the A horizon of the soil profile. Only one feature was located, and it failed to provide materials that could be used for a radiocarbon 14 date. A single Bare Island projectile point recovered on the site points to a Late or Transitional Archaic occupation. However, while the site has provided valuable data about upland interior sites from this time period, Phase III mitigation is not recommended as the site will not provide any additional information beyond what has been collected to date. Efforts to locate other hearths on the site or evidence of other features were fruitless and additional collection of lithic debitage will only confirm what has already been discovered, that most of the material used on the site was quartzite and that the occupants of the site were reducing material brought onto the site into final tool forms. **The site is not considered eligible for the National Register of Historic Places under criterion D, nor is additional archaeological excavation recommended.**

Site 18CH937: 64 supplemental shovel tests were excavated in addition to the 21 Phase I shovel tests. Based on the results of the artifact distributions noted in all of the shovel tests, six excavation units measuring 3 by 3 feet were placed on the site in the high concentration areas. This site was very similar to 18CH935. However, unlike 18CH935, no features were recovered during excavation of 18CH937. A total of 2,692 artifacts were recovered on the site, most of which were lithic debitage associated with the late stage core-reduction and tool production. Most of material recovered was quartzite. This site also has a south facing aspect, suggesting that this site was occupied during the winter months. Three Bare Island projectile points were recovered pointing to a Late or Transitional Archaic occupation. Like 18CH935, this site has provided valuable data about upland interior sites from this time period, but additional Phase III mitigation is not recommended as the site will not provide any additional information beyond what has been collected to date. **The site is not considered eligible for the National Register of Historic Places under criterion D, nor is additional archaeological excavation recommended.**

Comments

1. **No further work is recommended for 18CH934, 18CH935, 18CH936, or 18CH937.**
2. **No further archaeological work is currently recommended for the hydraulic system associated with 18CH938, the Digges Mill Complex. If it is threatened by future disturbance then further recordation of the feature is recommended and a Phase I may also be recommended.**
3. Dr. Gibb's synthesis at the end of the report concerning the similarities between 18CH935 and 18CH937 with other Charles County sites of similar function and age located on like landforms was refreshing. This is something that all archaeologists should be doing with the datasets in the county and I applaud his efforts to expand our understanding of this type of Transitional Archaic Period site. I hope he will continue this work and request that he develop this synthesis into **an article to be included in a future edition of *Preservation Matters***. I also hope that he will use this work to develop a model of what we should be looking for while investigating this type of site during future projects.

4. The attached general comments should be addressed before the final version of the report is submitted. **Please submit one draft with the revisions for final review** before submitting all the final versions. I will let you know when all of the requested changes are completed and then you can print the required number of final reports for submission to this office.

General Report Comments: Falcon's Ridge Phase I/II

Title

Please change the title of the report to reflect the fact that this is a Phase I/II Investigation of Falcon's Ridge.

Abstract

Page 2

First Paragraph, Second Sentence: "The tract consists of a ridgetops and steep slopes..." Remove the "a".

First Paragraph, Fourth Sentence: "The northern fringed where..." Remove the "d".

Fourth Paragraph, First Sentence: Please make clear that the initial field work was a Phase IB. "I conducted [Phase IB] surface reconnaissance and shovel testing..."

Fourth Paragraph, Third Sentence: "...lithic debitage (mostly quartzite with some quartz and few rhyolite flakes)[,] and some fire cracked rock, and two ..."

Page 3

First Full Paragraph: Please include the number of units excavated at both sites.

Second Paragraph: It makes no sense to me that you talk about the prehistoric sites in the previous paragraph, then about the mill in this one, and then return to the prehistoric site in the following paragraph, all followed by a return to the mill in the fourth paragraph. Please rearrange the paragraphs so that they flow in a logical manner from the prehistoric sites to the mill site, in this order:

- Phase II site examinations...
- The recovery of aboriginal materials...
- Surface examinations of the hydraulic system...
- The Digges mill complex...

Second Paragraph as currently written, First Sentence: "Surface examination of the hydraulic system of the [Digges] mill complex [(CH-197; 18CH939)] revealed..." Please add site name and numbers.

Second Paragraph as currently written, Third/Fourth Sentence: Please put a space between the period at the end of the third sentence and the beginning of the fourth – "...1950. Archival..."

Third Paragraph as currently written, Last Sentence: "...with a southerly aspect, suggest[ing] winter occupations."

Page 4

First Full Paragraph, Last Sentence: "...as is ~~there~~ [their] shifting racial status." Misspelled word correction.

Chapter 1: Introduction

Page 8

First Paragraph, First and Second Sentences: "(Maryland Archaeological Research Unit 11[; Figure 2-1]). The tract consists of a ridgetops and steep slopes..." Please add a reference to the figure in the first sentence and remove the "a" in the second.

Second Paragraph, Second Sentence: Please make clear that the initial field work was a Phase IB. "I conducted [Phase IB] surface reconnaissance and shovel testing..."

Add a new paragraph after Second Paragraph with information about the Phase II.

Chapter 3: Culture History

Colonial Period

Page 26, Last paragraph of the Section: The Piscataway Reservation of 1666 was very close to the subject parcel. It was located between the headwaters of Piscataway and Mattawoman Creeks, which puts it right across the creek from the

subject parcel. While the sites you found may be earlier, the reservation is part of the context and should be added here. This is the primary documentation:

- <http://acmol.msa.maryland.gov/000001/000002/html/am2--25.html>
- <http://acmol.msa.maryland.gov/000001/000002/html/am2--131.html>

The reservation also figures in the 1732 Court case of George Williams (“Indian George”) Vs. Charles Pye. I find no mention of the reservation in the prehistoric background, nor do I find mention of the court case. Please add information, see Strickland and King's Indigenous Cultural Landscapes; Dennis Curry's article, page 351

(<https://mht.maryland.gov/documents/pdf/archeology/currentresearch/conoy-last-appearance.pdf>)

This is a comment from the last set that did not get addressed.

Digges Mill

Page 34: You mentioned to me during my site visit that you thought there may have been a saw mill on the property during the period that the Spears family owned the property, citing the Irish Timber Man mentioned in the first paragraph on this page. If the Spears family was timbering the property, then this could explain the lack of evidence of mechanical plowing on the property during the twentieth century; something that you should discuss here. I still think it's possible that the land was used for tobacco before the Civil War. I'm not sure what types of plowing was used for that crop in the 19th century, but my recollection is that tobacco was hand hoed in the 17th and 18th century. Again, something to consider if you intend to make the argument about the lack of plowing. The timbering of course would result in denuded hillslopes and erosion, leading to the deflated soils that you noted.

Summary and Expectations

Page 39, First Paragraph of Section, Seventh Sentence: “...that fissioned off ~~of~~ large groups...” Remove “of”, trust me this is grammatically correct.

Chapter 4: Methodology

Page 44

Second Paragraph, Penultimate Sentence: Is “Surface trend analysis” the same as “Trend Surface Analysis” used in Geology and Botany? If it is, correct the name in the report. Regardless of the name, do the following:

- Explain what it is and how it works.
- Cite a few sources so that researchers who have no idea what you're talking about can go to get more information about this type of analysis.
- Explain kriging algorithms and the associated methodology, cite a source or two.

Chapter 5: Results

Page 50, Figure 5-3: Please clearly label are 3 and 4 on the map.

Page 52, Figure 5-5: b looks like a Holmes Projectile Point base, any thoughts?

Summary

Page 54

Second Paragraph of Section, Last Sentence: “...with a southerly aspect, suggest[ing] winter occupations.”

Third Paragraph of Section, First Sentence: The number for the Digges mill complex is 18CH938 not 18CHE as indicated in the text, please include the MIHP number (CH-197) as well.

Page 55, Figure 5-7: I can't read any of the text in red. Can you please redo it in a larger font point in black?

Page 70, Second Paragraph, Last Sentence: The Christopher Pointe sites, 19CH684 and 18CH921 are above Piney Branch not Mattawoman Creek. True, Mattawoman is on the north side of Berry Road, but it's a bit of a hike to that creek and the sites over look Piney Branch.

Comparisons

General: A map of the county showing the approximately locations of the sites in relationship to one another would be helpful for the discussion. Mark them with a big triangle or something so no one can pin-point them.

Page 72, Last Paragraph, Fourth Sentence: "Given that the assemblage is largely quartz and [that] bipolar reduction..."

Page 73, First Partial Sentence on the Page: Either capitalize "Early and late" or make them both lower case, be consistent.

Chapter 7: Summary, Conclusions, and Recommendations

Summary

Page 74

First Paragraph, Second Sentence: "The tract consists of a ridgetops and steep slopes..." Remove the "a".

First Paragraph, Fourth Sentence: "The northern fringed where..." Remove the "d".

Fourth Paragraph, First Sentence: Please make clear that the initial field work was a Phase IB. "I conducted [Phase IB] surface reconnaissance and shovel testing..."

Fourth Paragraph, Third Sentence: "...lithic debitage (mostly quartzite with some quartz and few rhyolite flakes)[,] ~~and~~ some fire cracked rock, and two ..." ~~and~~

Conclusions

Page 75

Second Paragraph of Section, First Sentence: Please include the MIHP number with the archaeology site number (CH-197).

Page 76

First Full Paragraph, First Sentence: Please include the MIHP number with the archaeology site number (CH-197).

Second Paragraph, Third Sentence: The use of the word "rich" at the end of the sentence makes it sound like we're on a treasure hunt, can you maybe think of another way to express this?

**White Oak, L.L.C.
Mr. Mohamed Tobah, Managing Member
9737 Middleton Ridge Road
Vienna, Virginia. 22182**

August 24, 2020

Charles County Government
Planning and Growth Management
200 Baltimore Street
LaPlata, Maryland 20646

Attention: Ms. Deborah Carpenter, AICP-Director

Re: Reinstatement of Approved Plans for Falcon Ridge

Dear Ms. Carpenter:

I'm very sorry that you are unable to attend our first meeting with staff concerning the issues we have raised regarding the reinstatement of previously approved plans for Falcon Ridge subdivision; however, I'm looking forward to meeting with you and discussing these important topics. Based on our meeting, Jason Groth directed us to write you a special letter of request for the reinstatement; this is that request.

White Oak, LLC requests that Charles County government fully reinstate the approved Preliminary Plan which we had in place on May 22, 2018; the Preliminary plan was supported by a number of other plans, computations, reports, studies and related documents. This is a complicated subject and is appropriate for me to give you some of the historical background.

As you know, the Preliminary Plan was voided. The commissioners have now approved Bill number 2020 – 03 – ZTA 19 – 155 which provides for a reduction in the percent of the project complete from 25% to 10%; we hereby request that you reinstate the Preliminary Plan and all supporting plans, documents, reports and computations in accordance with the amendment.

The Falcon Ridge project consists of 184 lots; 33 of these lots are constructed, homes are complete and have been sold constituting a build out of 18%. In addition, we have constructed over 40% of the required infrastructure including an off-site sanitary sewer system, a water storage tank, a deep well and a second supporting well in addition to miles of roadway with water, sewer, storm drain, stormwater management and related features. Falcon Ridge is supported by a shared HOA with the adjoining Hunters Brooke subdivision which has many amenities including a pool. This project is key to supporting the residents of Falcon Ridge and Hunters Brooke in their obligation to maintain the pool, play fields and other amenities.

Since the Preliminary Plan for the Falcon Ridge subdivision was approved White Oak, LLC has worked tirelessly on the project dealing with the availability of school seats, delays by "concerned citizens", new ordinances and regulations, a request from MDE to eliminate a stream crossing and a roadway connection to Hunters Brooke and finally the WCD process. These factors have required the Preliminary Plan to be redesigned to meet these changing conditions; all the conditions required were by in place in March 2018. We are grateful to the support shown us by Charles County staff, the Planning Commission, the Commissioners and the Maryland State Highway Department.

We are happy to see that the county commissioners have acted in good faith to rescind the WCD as it pertains to Falcon Ridge and similarly affected projects. We hope that a new, revised school seat policy will make suitable numbers of school seats available in a timely manner. We are ready to proceed with our project.

In 2018 Falcon Ridge had achieved significant approvals related to the development of the subdivision which need to be reinstated as well; they were as follows:

XPN 98 – 0004: The Preliminary Plan (Rev 4) for Falcon Ridge was revised and approved with conditions which were met in March 2018. Throughout this time we worked with MDE, Charles County government, the Planning Commission and SHA to come up with a plan that was satisfactory to all concerned; this plan was approved in 2018. We request that this plan be reinstated and placed at the top of the school seat list; a position it occupied before it was voided.

Final forest Stand Plan: This plan was revised and submitted for final approval on 2/20/18 and was found acceptable by Amiee Daily. Please reinstate the Forest Stand Delineation Plan, report, and related documents.

Preliminary Forest Conservation Plan: This plan was approved with and as a part of the 4th revision to the Preliminary Plan. Due to the elimination of the connector road to Hunters Brooke as well as a need to reconfigure previously recorded forest conservation easements that were placed of record prior to the approved plan. We submitted this plan for a revision to reconfigure the forest conservation to meet all of the new conditions of the revised plan and to address the vacation and recordation of some of these FC areas required by the new plan. This was found acceptable in February 2018. Please reinstate the Forest Stand Delineation Plan, report and supporting documents.

APF and traffic: Consistent with revision 4 of the Preliminary Plan we revised the APF application and the context of our traffic report to address the elimination of the connector road to Hunters Brooke. This revised APF and traffic report was submitted to John Mudd and was found acceptable in February 2018. We ask that the APF/traffic approval be reinstated.

Flag lot Justification/ Cluster Justification/Habitat Protection Plan: These plans and documents were submitted to the county for review and approval in 2017 to support the conditionally approved Preliminary Plan and were approved. Also included was the Connectivity Report. We asked that these approvals be reinstated as previously approved.

Phase 1 Archaeology Report: As a part of the Preliminary Plan review process we were asked to provide a Phase 1 Archaeological Report. This report was prepared by Jim Gibb and submitted to Ester Boyle on 11/20/17. The plan was found acceptable subject to a requirement that we do some additional work related to several isolated areas of concern. This was done and submitted on 3/19/18. This submittal led to our commitment to place a suitable historical marker to document the location of a mill near to 225, the mill pond and the millrace and was approved by the Archeological Board. We ask that the report and its conditions be reinstated as approved.

Entrance Road Variance Request: On 11/22/17 we made a request to PGM director Steve Kia-Zigler for the approval of the variance to have a four-lane divided entrance road from Route 425 into the subdivision approved with a depressed median to allow the use of either side of the median for one-way traffic in each direction due to a mountable curb for safety requirements desired by SHA. This request was approved; please reinstate the approval.

In 2017 we began final design on the first phase of the subdivision in earnest; one of the requirements was that we develop a Concept Storm Water Management Plan for the entire 184 lot project before we could proceed with a stormwater management site plan and final engineering. We submitted the Concept Stormwater Management Plan to Mike Perrault in 2017 and received final approval in 2018. Please reinstate the approved Concept Stormwater Management Plan.

In addition, the project is supported by numerous studies, letters of report, computations and related documents that are pertinent to the approved drawings and documents referenced above. Please reinstate all applicable documents.

We request that Charles County government completely reinstate all of the prior approvals listed above as they were given in the manner shown on the plans and documents as designed. We request that we be allowed to proceed immediately with construction documents based of these plans, and approvals.

We hope that we may meet in the near future to facilitate this process and work out the details. We hope for your support and assistance in achieving this goal. If I can assist you in any way or if you requires additional information please contact me immediately.

Sincerely,



Mohamed Tobah, Managing Member
White Oak, LLC

April 20, 2017

Charles County Government
Department of Planning & Growth Management
P.O. Box 2150
La Plata, Maryland 20646

Attention: Steve Ball, Planning Director

RE: Falcon Ridge – XPN# 98-0004, Rev. #3
Preliminary Plan Extension Request

Dear Mr. Ball:

Please accept this letter as a request for an extension of Preliminary Plan for Falcon Ridge. As you know, we have been working with Charles County Government and SHA to resolve minor revisions to the Preliminary Plan in a manner consistent with the direction we received by the Planning Commission when the plan was approved on October 22, 2012. Since then it has been duly extended.

ATCS submitted the Falcon Ridge Plan, Revision #4, on June 2, 2016 for review and was subsequently advised in the fall of 2016 that although the review was complete comments were not being distributed to us due to the WCD conditions imposed on County staff to stop all review of projects, applications, etc. in that area of the County mapped WCD.

Since then, we have submitted a letter and report through our client's attorney, Nancy Slepicka, Esq., testifying to our compliance with the spirit and intent of the "grandfathering provisions" of the preliminary plan process which indicates that this project should in fact, be grandfathered.

Please accept this letter as our formal request for a 4 year preliminary plan extension without further review. Based on the exhaustive effort at compliance with staff and before the Planning Commission in 2012 no conformity review should be required.

If you require additional information or if I can assist you in any way please contact me at your earliest convenience.

Sincerely,
ATCS, PLC



James W. Whitehead, L.S., V.P.
Office Manager – Waldorf

Cc: Mohamed Tobah
Nancy Slepicka, Esq.

Preliminary Subdivision Plan Extension Request Application

Effective April 2014

Charles County Planning Commission
c/o: Department of Planning and Growth Management, Planning Division
Post Office Box 2150, La Plata, Maryland 20646

Office Use Only:

File Number: _____
Date Submitted: _____

A. Application is hereby made for consideration of the Preliminary Subdivision Plan Extension
herein described: (Per Section 25(i) of the Charles County Subdivision Regulations, effective December 13, 2013.)

Falcon Ridge
Name of Approved Preliminary Subdivision

Tm 21 P. 38, p/o P. 219
Tax Map and Parcel Number (s)

98-0004
XPN Number Assigned to Approved Preliminary Subdivision

2/1/99
*Original approval date of Preliminary Plan

**Please note that with the enactment of Bill 2013-16, all approved preliminary plans are now valid for a period of four (4) years from the original date of approval.*

Has this preliminary plan received prior extensions? If so, please list date(s) of prior extensions: _____

yes 9/27/13

6/6/17
*Current Preliminary Plan Expiration Date

6/6/2021
**Proposed Preliminary Plan Expiration Date

*** Please refer to the attached questionnaire for guidance. Applications for preliminary plan extensions for projects that are not "substantially complete" at the time of application will require Planning Commission review. Please plan to submit all requests for preliminary plan extensions at least three (3) months prior to the expiration date.*

B. Applicant/Property Owner/Contact Information

White Oak, LLC
c/o Mohamed Tobati
Property Owner's Name

9737 Middleton Ridge Rd, VA
Property Owner's Address City State Zip

ATCS, PLLC
ATTN: James W. Whitehead
Applicant's Name

7 Post Office Rd, Waldorf, MD 20602
Applicant's Address City State Zip

ATCS, PLLC
ATTN: James W. Whitehead
Engineering/Surveying/Consulting Firm

7 Post Office Rd #G Waldorf MD 20602
Address City State Zip

703-926-8881
Contact Telephone Number(s) - Daytime

[Signature] 4/20/17
Signature of Property Owner Date

301-870-4530
Contact Telephone Number(s) - Daytime

[Signature]
Signature of Applicant

James W. Whitehead
Contact Person

301-870-4530 301-843-1262
Contact Telephone Number Fax Number

C. Submittal Requirements

	<u>Provided</u>	<u>N/A</u>
1 Application	☒	
2 Two copies of an updated preliminary plan showing physical improvements that have commenced construction (water, sewer, roads, stormwater management, etc).	☒	
3 If <u>substantial improvements</u> have been completed, please include a letter of verification, along with an updated preliminary plan, both detailing the physical improvements that have been made to date. Include all information as required by the Subdivision Regulations. Please provide four (4) copies of all materials submitted.	☒	☐
4 If an <u>eight (8) year conformity review and Adequate Public Facilities analysis</u> is required, please submit all required documentation as required the Subdivision Regulations, along with four (4) additional copies of all materials submitted.	☐	☒
5 NOTE: Please indicate whether or not this preliminary plan was affected by County Commissioners Resolution 2013-35, dated May 14, 2013. This resolution granted a one year extension for preliminary plans expiring during the time period of July 1, 2013-June 20, 2014.	☐	☒
6 All applicable fees, depending upon type(s) of review(s) required.	☒	
7 NOTE: Applications for preliminary plan extensions for projects that are not "substantially complete" at the time of application will require Planning Commission review. Upon staff completing an initial review of the application, the applicant will be required to submit ten (10) additional copies of all application materials for inclusion in the Planning Commission agenda packet.		

on 4 p. 1

#_{ai} = 117.3

Total # Lots = 184 Falcon Ridge
Recorded = 33 (187%)
KPN #98-0004, Rev 7
orig. approval = 2/1/1999
latest = 10/22/12
Expire Date: 6/6/17
CA Hailon

***Guide for Evaluating Preliminary Plan Time Extension Requests**
Updated April 2014

1. YES ☐ NO ☒ Are at least 25% of the lots within the above named Preliminary Plan recorded? If YES, proceed to question #2. If NO, proceed to question #3.

2. YES ☐ NO ☒ Has the Preliminary Plan also completed substantial improvements as listed below? If YES, please attach additional documentation, as outlined in the application and Subdivision Regulations, which will provide verification per the standards listed below in a - c. If NO, proceed to question #3.

- a. Construction of roads or a portion of roads for the entire project (at least 25% of an entire phase) or
b. Construction and installation of stormwater management facilities for the entire project (at least 25%) or an entire phase; or
c. If on public water and sewer, construction of water and sewer facilities for the entire project (at least 25%) or an entire phase.

3. YES ☒ NO ☐ As of January 1, 2014, has the preliminary plan been approved for a period of at least eight (8) years? If NO, proceed to statement #4. If YES, then the preliminary plan is eligible for one additional four-year extension upon completion of an Adequate Public Facilities and Conformity Reviews, and subsequent approval by the Planning Commission. Approved preliminary plans are required to provide for Adequate Public Facilities to mitigate the impacts of development and to commence construction in accordance with the time set forth in the Charles County Subdivision Ordinance.

2/1999 → 1/2014 = 15 yrs

Any request for an extension beyond eight (8) years from the initial approval date shall include a revised and updated Adequate Public Facilities analysis and Schedule for Completion of required public facilities along with an assessment of compliance with conditions. A phasing plan may be considered as part of the extension request. See Subdivision Ordinance for specific requirements.

4. As of January 1, 2014 the preliminary plan has been approved for a period of less than eight (8) years. Therefore, the preliminary plan is eligible to request up to three additional four (4) year extensions provided that all extensions do not exceed twelve (12) years from the original approval date of the preliminary plan. All extension requests must be approved by the Planning Commission.

Note: If no substantial improvement has occurred after twelve (12) years, then the preliminary plan shall be voided.

*For full details regarding Preliminary Plan Time Extension requests, please refer to the following:

- Charles County Subdivision Regulations, Section 25(i)
- Bill 2013-16
- Green Notice 13-14



CASH RECEIPT

Charles County Government • Planning and Growth Management

P.O. Box 2150 • La Plata, MD 20646

Equal Opportunity County • www.CharlesCountyMD.gov

Project Name: Falcon Ridge

Date: 4/26/17

Item	Account Number	Amount
APF Preliminary APF Application Fee	01-07-19-0351-080 PAPF	
APF Study Review Fee – Residential	01-07-19-0351-022 SRFR	
APF Study Review Fee – Commercial	01-07-19-0351-023 SRFC	
APF Mitigation Proposal – Residential	01-07-19-0351-024 MPR	
APF Mitigation Proposal – Commercial	01-07-19-0351-025 MPC	
Appeals	01-07-19-0351-003 SPEX	
Copies	01-00-0351-033 COPY	
Critical Area Fee-In-Lieu	01-07-19-0351-044	
DRRA Review Fee	07-07-91-155-0351-054 DRRA	
DRRA Payment Account	02-07-19-0359-003 DRAD	
Forest Conservation Review	01-07-19-0351-015 FORR	
Forest Conservation Inspection Fee	01-07-19-0351-017 FORI	
Forest Conservation Fee-In-Lieu	35-07-19-13-0353-001 FCFL	
Forest Con Non-Compliance Penalties	35-07-19-13-0368-002	
Forest Conservation Violations	35-07-19-13-0368-003	
Preliminary Subdivision Revision	01-07-19-0351-007 PLAT	
School Allocation Extension of Time	01-07-19-0351-035	
School Allocation Deposit (\$1,000 per lot)	02-2400-0021 SADH	
SDAR – Site Design & Architectural Rev Fee	7-07-19-49-0351-52 SDAR	
SDAR Application Fee for Residential Site Design	01-07-19-0351-042	
SDAR Application Fee for Commercial Site Design	01-07-19-0351-039	
Sewer Allocation 30% (Final) Deposit	30-07-62-0365-001 SEDE	
Sewer Allocation 20% Deposit (Liability)	30-2360-3006 SELI	
TDR Certification Review	01-07-19-0351-014	
TDR Transfer to Receiving Parcel	01-07-19-0351-014	
Water Allocation 30% (Final) Deposit	30-07-63-0365-001 WADE	
Water Allocation 20% Deposit (Liability)	30-2360-3005 WALI	
Water and Sewer Plan Amendments	01-07-19-0351-002	
Water and Sewer Allocation Application Fee	30-07-06-0350-007 WSAF	
Zoning Verification	01-07-31-0330-008	
* Other: <u>XP 4 Ext PS</u>	<u>01-07-19-0351-076</u>	<u>\$ 300</u>

TOTAL FEE: \$ 300

Office Use Only

Name on Check: Kingdon Gabel III

Permit Specialist Initials: AS

WHITE – File

YELLOW – Customer

PINK – Treasury

Rev. 07/15



7 Post Office Road, #G
Waldorf, MD 20602

301-870-4530
atcsplc.com

□ 2553 Dulles View Drive, Suite 300 • Herndon, VA 20171 • (703) 430-7500 • FAX (703) 430-0889
□ 2 Hamill Road, Suite 320 • Baltimore, MD 21210 • (443) 961-3015 • FAX (443) 438-4418
■ 7 Post Office Road, Suite G • Waldorf, MD 20602 • (301)870-4530 • FAX (301)843-1262

LETTER OF TRANSMITTAL

DATE	04/25/17	JOB NO:	W041-2125
ATTENTION	Mr. Steve Ball, Planning Director		
RE:	Falcon Ridge Subdivision		
PGM#	XPN# 98-0004, Rev. #3		
Preliminary Plan			
Request for 4 yr Extension			

TO: **Charles County Government / Planning /PGM**

P.O. Box 2150, County Government Building
La Plata, MD 20646

TO WHOM IT MAY CONCERN:

WE ARE SENDING YOU

☐ Drawings

☐ Copy of letter/contract

☒ Attached

☐ Prints

☐ Change order

☐ Under separate cover via _____ the following items:

☐ Plans

☐ Grade Sheets

☐ Specifications

☐ _____

COPIES	DATE	NO.	DESCRIPTION
2	4/20/17	1	Extension Request Letter
2	4/25/17	2	Preliminary Plan Extension Request Application (3 pages)
2	4/25/17	3	Letter of Completed Improvements (2 pages)
2	10/22/12	4	Approved Preliminary Plan (5 sheets)
2	4/25/17	5	Exhibits and description showing recorded and 100% completed Phases I, II & III (3 pages)
1	4/7/17	6	Check # 3840 for \$300.00 from Kingdon Gould – extension fee

THESE ARE TRANSMITTED as checked below:

☒ For approval

☒ For your use

☒ As requested

☐ For review and comment

☐ FOR BIDS DUE _____

☐ Approved as submitted

☐ Approved as noted

☐ Returned for corrections

☐ _____

☐ Resubmit _____ copies for approval

☐ Submit _____ copies for distribution

☐ Return _____ corrected prints

☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS. _____

COPY TO **Mohamed Tobah/ Nancy Slepicka**

SIGNED: *James W. Whitehead* L.S., VP, Office Manager-Waldorf.

If enclosures are not as listed, please notify us at once.

K:\Projects\FALCON RIDGE\Transmittals - 2017\4-25-17 Transmittal Steve Ball_Extension Request ltr pkg.docx

**Charles County Government
Department of Planning and Growth Management
Permit Document Receipt**

Section I

Document Title: XPN 980004

Receipt#: 56897

Document Type: Preliminary Subdivision Plan (XPN)

Status: OPEN

Other Type: Extension with Fee

Division: Planning

Notes: Heather

Section II

Project Name:

Falcon Ridge

Project Engineer:

ATCs

Total Fees Received:

300.0

Section III

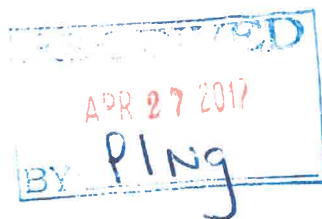
Addressee:

Entered by Agent :

mullenda

04/26/2017 14:44

Received by Agent:



White Oak, L.L.C.
Mr. Mohamed Tobah, Managing Member
9737 Middleton Ridge Road
Vienna, Virginia 22182

June 25, 2024

Charles County Planning & Growth Management
Office of the Director
200 Washington Street
LaPlata, MD 20646

Attention: Mr. Jason Groth, Director

Re: Letter of Justification, Falcon Ridge XPN 98-0004

Dear Mr. Groth:

First, allow me to thank you for all your assistance with the difficult issues surrounding Falcon Ridge Subdivision and Hunters Brooke.

As you know, when the WCD was first proposed we reached out immediately through our Engineer, ATCS, PLC, to confirm our grandfathered Status for both projects, i.e. Hunters Brooke and Falcon Ridge. We received an immediate reply from Amy Blessinger which read as follows:

Hi Jim,

I checked with Steve Ball, and he said that the overall area where the Hunters Brooke and Falcon Ridge developments are located is meant to be in the Watershed Conservation District; however the Hunters Brooke and Falcon Ridge developments should be grandfathered from the subsequent downzoning since they are partially built out.

Regards,
Amy

Amy M. Blessinger, AICP
Planner III
Charles County Government
Department of Planning & Growth Management

Unfortunately, in spite of the assurances stated above we were directed to "stop work" on both projects as the County had determined that no submittals would be received for projects potentially designed as possibly included in the WCD. It took years of work to effect the needed changes that resulted in Bill 2020-03-ZTA 19-155. By letter dated August 20, 2020 I requested that Director Carpenter reinstate Falcon Ridge Preliminary Plan. This led to several meetings that you participated in and resulted in the attached letter dated Dec. 21, 2020.

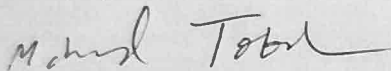
**White Oak, L.L.C.
Mr. Mohamed Tobah, Managing Member
9737 Middleton Ridge Road
Vienna, Virginia 22182**

I have retained CPJ & Associates to continue the project and I submit this letter of justification for the consideration we have received from the "Project Extension" until April 17, 2025. Since December 2020 I have worked tirelessly to bring together the financing, a builder and retained the consultant necessary to move the project forward.

We will submit the Preliminary Plan and all related approvals for Conformity Review as directed by Ms. Carpenter's "Zoning Determination Letter.

hope that we may continue to receive your assistance and support. If you need any additional information or if I can assist you in any way please call me at 703-303-2315 or email me at undev@aol.com.

Sincerely,



**Mohamed Tobah
Managing Member
White Oak, L.L.C.**

FALCON RIDGE PRELIMINARY PLAN
/ RECORD PLAT / FINAL ENGINEERING / PERMITPREPARED 08/25/2022
REVISED 6/27/2024

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors
1		Falcon Ridge	544 days	Mon 4/15/24	Thu 5/14/26	
3		ACTS File Conversion	45 days	Mon 7/15/24	Fri 9/13/24	
4		Convert ATCS CAD files	9 wks	Mon 7/15/24	Fri 9/13/24	
5		Update Forest Stand Plan and Forest Conservation Plan	75 days	Mon 6/3/24	Fri 9/13/24	
6		Revise plans/Package/ & Submit	4 wks	Mon 6/3/24	Fri 6/28/24	
7		County Review	4 wks	Mon 7/1/24	Fri 7/26/24	6
8		Update plan based on County review comments	3 wks	Mon 7/29/24	Fri 8/16/24	7
9		County Review & Approval	4 wks	Mon 8/19/24	Fri 9/13/24	8
10		Update Forest Conservation Easments and Vacation	40 days	Mon 9/16/24	Fri 11/8/24	
11		Prepare Forest Conservation Easments/Vacation (If Required)	4 wks	Mon 9/16/24	Fri 10/11/24	9
12		County Review & Approval	4 wks	Mon 10/14/24	Fri 11/8/24	11
13		Preliminary Plan Revisions, Conformity Review & Resubmittal	75 days	Mon 6/3/24	Fri 9/13/24	
14		Prepare Undated Preliminary Plan	4 wks	Mon 6/3/24	Fri 6/28/24	
15		County Review	4 wks	Mon 7/1/24	Fri 7/26/24	14
16		Update Plan based on County comments	3 wks	Mon 7/29/24	Fri 8/16/24	15
17		County Review & Approval	4 wks	Mon 8/19/24	Fri 9/13/24	16
18		SWM Step #2	140 days	Mon 9/16/24	Fri 3/28/25	
19		SWM Step 2 Plan Preparation	11 wks	Mon 9/16/24	Fri 11/29/24	4
20		SWM Step 2 Review	4 wks	Mon 12/2/24	Fri 12/27/24	19
21		SWM Revisions per County Comments	3 wks	Mon 12/30/24	Fri 1/17/25	20
22		SWM Step 2 Review	3 wks	Mon 1/20/25	Fri 2/7/25	21
23		SWM Revisions per County Comments	3 wks	Mon 2/10/25	Fri 2/28/25	22
24		SWM Step 2 Review & Approval	4 wks	Mon 3/3/25	Fri 3/28/25	23
25		Record Plat Approval	95 days	Mon 8/19/24	Fri 12/27/24	
26		Plat Preparation	8 wks	Mon 8/19/24	Fri 10/11/24	16

FALCON RIDGE PRELIMINARY PLAN
/ RECORD PLAT / FINAL ENGINEERING / PERMITPREPARED 08/25/2022
REVISED 6/27/2024

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors
27		Agency Review	6 wks	Mon 10/14/24	Fri 11/22/24	26
28		Planning Board Hearing / Approval	4 wks	Mon 11/25/24	Fri 12/20/24	27
29		Plat Recordation	1 wk	Mon 12/23/24	Fri 12/27/24	28
30		Final Engineering / Construction Documents / Permits	150 days	Mon 1/20/25	Fri 8/15/25	
31		SHA Entrance Plan/Traffic Control Plan	150 days	Mon 1/20/25	Fri 8/15/25	
32		Prepare SHA Entrance Plan	10 wks	Mon 1/20/25	Fri 3/28/25	21
33		Agency Review (SHA)	4 wks	Mon 3/31/25	Fri 4/25/25	32
34		Plan Revisions / Adjustments	4 wks	Mon 4/28/25	Fri 5/23/25	33
35		Agency Review (SHA)	4 wks	Mon 5/26/25	Fri 6/20/25	34
36		Plan Revisions / Adjustments	4 wks	Mon 6/23/25	Fri 7/18/25	35
37		Plan approval	4 wks	Mon 7/21/25	Fri 8/15/25	36
38		Phase 4 RGP / DSP / Traffic Control Plan (Includes Off Site Sewer)	155 days	Mon 3/3/25	Fri 10/3/25	
39		Prepare RGP/SWM Plan	11 wks	Mon 3/3/25	Fri 5/16/25	23
40		Agency Review	4 wks	Mon 5/19/25	Fri 6/13/25	39
41		Plan Revisions / Adjustments	4 wks	Mon 6/16/25	Fri 7/11/25	40
42		Agency Review	4 wks	Mon 7/14/25	Fri 8/8/25	41
43		Plan Revisions / Adjustments	4 wks	Mon 8/11/25	Fri 9/5/25	42
44		Plan approval	4 wks	Mon 9/8/25	Fri 10/3/25	43
45		Phase 5 RGP / DSP / Traffic Control Plan	155 days	Fri 6/6/25	Thu 1/8/26	
46		Prepare RGP/SWM Plan	11 wks	Fri 6/6/25	Thu 8/21/25	39FS+14 days
47		Agency Review	4 wks	Fri 8/22/25	Thu 9/18/25	46,42
48		Plan Revisions / Adjustments	4 wks	Fri 9/19/25	Thu 10/16/25	47
49		Agency Review	4 wks	Fri 10/17/25	Thu 11/13/25	48
50		Plan Revisions / Adjustments	4 wks	Fri 11/14/25	Thu 12/11/25	49
51		Plan approval	4 wks	Fri 12/12/25	Thu 1/8/26	50
52		Phase 6 RGP / DSP / Traffic Control Plan	179 days	Mon 9/8/25	Thu 5/14/26	

CHARLES P. JOHNSON & ASSOCIATES

FAICON RIDGE PRELIMINARY PLAN
/ RECORD PLAT / FINAL ENGINEERING / PERMIT

PREPARED 08/25/2022
REVISED 6/27/2024

Note: This schedule is preliminary and subject to change.

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors
53		Prepare RGP/SWM Plan	11 wks	Thu 9/11/25	Wed 11/26/25	46FS+14 days
54		Agency Review	4 wks	Thu 11/27/25	Wed 12/24/25	53,49
55		Plan Revisions / Adjustments	4 wks	Thu 12/25/25	Wed 1/21/26	54
56		Agency Review	4 wks	Thu 1/22/26	Wed 2/18/26	55
57		Plan Revisions / Adjustments	4 wks	Thu 2/19/26	Wed 3/18/26	56
58		Plan approval	4 wks	Thu 3/19/26	Wed 4/15/26	57
59		Permits	179 days	Mon 9/8/25	Thu 5/14/26	
60		Grading Permit Phase 4	46 days	Mon 9/8/25	Mon 11/10/25	
61		Permit Application	1 day	Mon 9/8/25	Mon 9/8/25	43
62		Agency Review	2 wks	Tue 9/9/25	Mon 9/22/25	61
63		Bond and Fees Approval	2 wks	Tue 9/23/25	Mon 10/6/25	62
64		Bonds review and approval	3 wks	Tue 10/7/25	Mon 10/27/25	63
65		Permit Issuance	2 wks	Tue 10/28/25	Mon 11/10/25	64
66		Grading Permit Phase 5	41 days	Fri 12/12/25	Fri 2/6/26	
67		Permit Application	1 day	Fri 12/12/25	Fri 12/12/25	50
68		Agency Review	2 wks	Mon 12/15/25	Fri 12/26/25	67
69		Bond and Fees Approval	2 wks	Mon 12/29/25	Fri 1/9/26	68
70		Bonds review and approval	2 wks	Mon 1/12/26	Fri 1/23/26	69
71		Permit Issuance	2 wks	Mon 1/26/26	Fri 2/6/26	70
72		Grading Permit Phase 6	41 days	Thu 3/19/26	Thu 5/14/26	
73		Permit Application	1 day	Thu 3/19/26	Thu 3/19/26	57
74		Agency Review	2 wks	Fri 3/20/26	Thu 4/2/26	73
75		Bond and Fees Approval	2 wks	Fri 4/3/26	Thu 4/16/26	74
76		Bonds review and approval	2 wks	Fri 4/17/26	Thu 4/30/26	75
77		Permit Issuance	2 wks	Fri 5/1/26	Thu 5/14/26	76

\\cpja.com\sa\Projects\2024-1096\DEPARTMENTS\ENGINEERING\Project Management\Schedules\Falcons Ridge Schedule_062724.mpp

Page 3

OWNER / APPLICANT:
WHITE OAK LLC
5950 Hamlet Place,
Chesapeake, MD 20765

PRELIMINARY PLAN OF SUBDIVISION
FALCON RIDGE
APPROVED BY COUNTY BOARD OF
S/19/13 CB

ATCS, P.L.C.
ARCHITECT, PLANNING, SURVEYING
7 POST OFFICE ROAD, SUITE G
WILMINGTON, DELAWARE 19802
PHONE (302) 932-8043 PHONE (302) 430-4530
FAX (302) 932-8043
TO COUNTY BOARD OF S/19/13 CB
ADJUSTMENTS TO LOT
TO ADDRESS POINTS CONNECTED PLUM COURT
02/21/10 R.P.
REVISION TO LOTS, SEWER LINE & PCS
02/21/10 R.P.
DATE BY

2 of 5E
SHEET
JUL
DRAWN
SCALE 1" = 60'
DESIGN
BY

APPROVAL BLOCK



Expiration Date: 08/01-18

SCALE 1"=60'



- NOTE:
1. SEE SHEET 5C FOR PHASE LINES AND FOREST CONSERVATION.
 2. SEE SHEET 5 FOR FIRE HYDRANT DETAIL AND SPACING.
 3. 6" CONCRETE UNDER TRAIL ALONG CHESTNUT OAK DRIVE SHALL BE CONCRETE SEE SHEET 5C FOR DETAIL OF CONCRETE PATHWAY. LOCATION AND LABELS SHOWN ON SHEET 5C.
 4. SEE SHEET 5A DETAIL R-2.28 FOR SIDEWALKS, LOCATION AND LABELS SHOWN ON SHEET 5C.
 5. SEE SHEET 5E FOR RECREATION PLAN INFORMATION AND OPEN SPACE.
 6. SEE STORM WATER CONCEPT PLAN FOR DRAINAGE DIVIDES AND ESD INFORMATION.
 7. SEE COVER SHEET FOR PHASE LINES.
 8. USE MOUNTED COMBINATION CURB & GUTTER WITHIN THE COUNTY R.O.W. SEE SHEET 5A DETAIL R2.22.
 9. THE RIGHT-OF-WAY AND ROAD WIDTH TRANSITIONS FOR CHESTNUT OAK CT. WILL BE PROVIDED WITH 20:1 TAPER DURING FINAL ENGINEERING.

FALCON RIDGE SOILS									
NO.	AREA	SOIL TYPE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE	PERCENTAGE
1	LOT 1	CLAY	100	100	100	100	100	100	100
2	LOT 2	CLAY	100	100	100	100	100	100	100
3	LOT 3	CLAY	100	100	100	100	100	100	100
4	LOT 4	CLAY	100	100	100	100	100	100	100
5	LOT 5	CLAY	100	100	100	100	100	100	100
6	LOT 6	CLAY	100	100	100	100	100	100	100
7	LOT 7	CLAY	100	100	100	100	100	100	100
8	LOT 8	CLAY	100	100	100	100	100	100	100
9	LOT 9	CLAY	100	100	100	100	100	100	100
10	LOT 10	CLAY	100	100	100	100	100	100	100
11	LOT 11	CLAY	100	100	100	100	100	100	100
12	LOT 12	CLAY	100	100	100	100	100	100	100
13	LOT 13	CLAY	100	100	100	100	100	100	100
14	LOT 14	CLAY	100	100	100	100	100	100	100
15	LOT 15	CLAY	100	100	100	100	100	100	100
16	LOT 16	CLAY	100	100	100	100	100	100	100
17	LOT 17	CLAY	100	100	100	100	100	100	100
18	LOT 18	CLAY	100	100	100	100	100	100	100
19	LOT 19	CLAY	100	100	100	100	100	100	100
20	LOT 20	CLAY	100	100	100	100	100	100	100
21	LOT 21	CLAY	100	100	100	100	100	100	100
22	LOT 22	CLAY	100	100	100	100	100	100	100
23	LOT 23	CLAY	100	100	100	100	100	100	100
24	LOT 24	CLAY	100	100	100	100	100	100	100
25	LOT 25	CLAY	100	100	100	100	100	100	100
26	LOT 26	CLAY	100	100	100	100	100	100	100
27	LOT 27	CLAY	100	100	100	100	100	100	100
28	LOT 28	CLAY	100	100	100	100	100	100	100
29	LOT 29	CLAY	100	100	100	100	100	100	100
30	LOT 30	CLAY	100	100	100	100	100	100	100
31	LOT 31	CLAY	100	100	100	100	100	100	100
32	LOT 32	CLAY	100	100	100	100	100	100	100
33	LOT 33	CLAY	100	100	100	100	100	100	100
34	LOT 34	CLAY	100	100	100	100	100	100	100
35	LOT 35	CLAY	100	100	100	100	100	100	100
36	LOT 36	CLAY	100	100	100	100	100	100	100
37	LOT 37	CLAY	100	100	100	100	100	100	100
38	LOT 38	CLAY	100	100	100	100	100	100	100
39	LOT 39	CLAY	100	100	100	100	100	100	100
40	LOT 40	CLAY	100	100	100	100	100	100	100
41	LOT 41	CLAY	100	100	100	100	100	100	100
42	LOT 42	CLAY	100	100	100	100	100	100	100
43	LOT 43	CLAY	100	100	100	100	100	100	100
44	LOT 44	CLAY	100	100	100	100	100	100	100
45	LOT 45	CLAY	100	100	100	100	100	100	100
46	LOT 46	CLAY	100	100	100	100	100	100	100
47	LOT 47	CLAY	100	100	100	100	100	100	100
48	LOT 48	CLAY	100	100	100	100	100	100	100
49	LOT 49	CLAY	100	100	100	100	100	100	100
50	LOT 50	CLAY	100	100	100	100	100	100	100
51	LOT 51	CLAY	100	100	100	100	100	100	100
52	LOT 52	CLAY	100	100	100	100	100	100	100
53	LOT 53	CLAY	100	100	100	100	100	100	100
54	LOT 54	CLAY	100	100	100	100	100	100	100
55	LOT 55	CLAY	100	100	100	100	100	100	100
56	LOT 56	CLAY	100	100	100	100	100	100	100
57	LOT 57	CLAY	100	100	100	100	100	100	100
58	LOT 58	CLAY	100	100	100	100	100	100	100
59	LOT 59	CLAY	100	100	100	100	100	100	100
60	LOT 60	CLAY	100	100	100	100	100	100	100
61	LOT 61	CLAY	100	100	100	100	100	100	100
62	LOT 62	CLAY	100	100	100	100	100	100	100
63	LOT 63	CLAY	100	100	100	100	100	100	100
64	LOT 64	CLAY	100	100	100	100	100	100	100
65	LOT 65	CLAY	100	100	100	100	100	100	100
66	LOT 66	CLAY	100	100	100	100	100	100	100
67	LOT 67	CLAY	100	100	100	100	100	100	100
68	LOT 68	CLAY	100	100	100	100	100	100	100
69	LOT 69	CLAY	100	100	100	100	100	100	100
70	LOT 70	CLAY	100	100	100	100	100	100	100
71	LOT 71	CLAY	100	100	100	100	100	100	100
72	LOT 72	CLAY	100	100	100	100	100	100	100
73	LOT 73	CLAY	100	100	100	100	100	100	100
74	LOT 74	CLAY	100	100	100	100	100	100	100
75	LOT 75	CLAY	100	100	100	100	100	100	100
76	LOT 76	CLAY	100	100	100	100	100	100	100
77	LOT 77	CLAY	100	100	100	100	100	100	100
78	LOT 78	CLAY	100	100	100	100	100	100	100
79	LOT 79	CLAY	100	100	100	100	100	100	100
80	LOT 80	CLAY	100	100	100	100	100	100	100
81	LOT 81	CLAY	100	100	100	100	100	100	100
82	LOT 82	CLAY	100	100	100	100	100	100	100
83	LOT 83	CLAY	100	100	100	100	100	100	100
84	LOT 84	CLAY	100	100	100	100	100	100	100
85	LOT 85	CLAY	100	100	100	100	100	100	100
86	LOT 86	CLAY	100	100	100	100	100	100	100
87	LOT 87	CLAY	100	100	100	100	100	100	100
88	LOT 88	CLAY	100	100	100	100	100	100	100
89	LOT 89	CLAY	100	100	100	100	100	100	100
90	LOT 90	CLAY	100	100	100	100	100	100	100
91	LOT 91	CLAY	100	100	100	100	100	100	100
92	LOT 92	CLAY	100	100	100	100	100	100	100
93	LOT 93	CLAY	100	100	100	100	100	100	100
94	LOT 94	CLAY	100	100	100	100	100	100	100
95	LOT 95	CLAY	100	100	100	100	100	100	100
96	LOT 96	CLAY	100	100	100	100	100	100	100
97	LOT 97	CLAY	100	100	100	100	100	100	100
98	LOT 98	CLAY	100	100	100	100	100	100	100
99	LOT 99	CLAY	100	100	100	100	100	100	100
100	LOT 100	CLAY	100	100	100	100	100	100	100

SEE SHEET 5D FOR FRONTAGE IMPROVEMENTS DETAILS AND SECTIONS

ATCS, P.L.C.
ENGINEERS, PLANNERS, SURVEYORS
7 POST OFFICE BOX, SUITE G
WALDORF, MARYLAND 20602
PHONE (301) 832-8043 PHONE (301) 870-4550
FAX (301) 845-1262

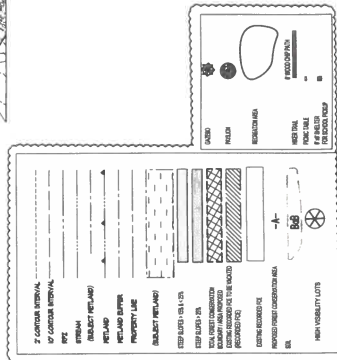
PRELIMINARY PLAN OF SUBDIVISION
FALCON RIDGE
TAX MAP 21, GRID 7, PARCEL 38
10TH ELECTION DISTRICT, CHARLES COUNTY, MARYLAND

OWNER / APPLICANT:
WHITE OAK LLC
3551 Hamlet Place
Cherry Chase, MD 20815
c/o MR. THOMAS ARCHER



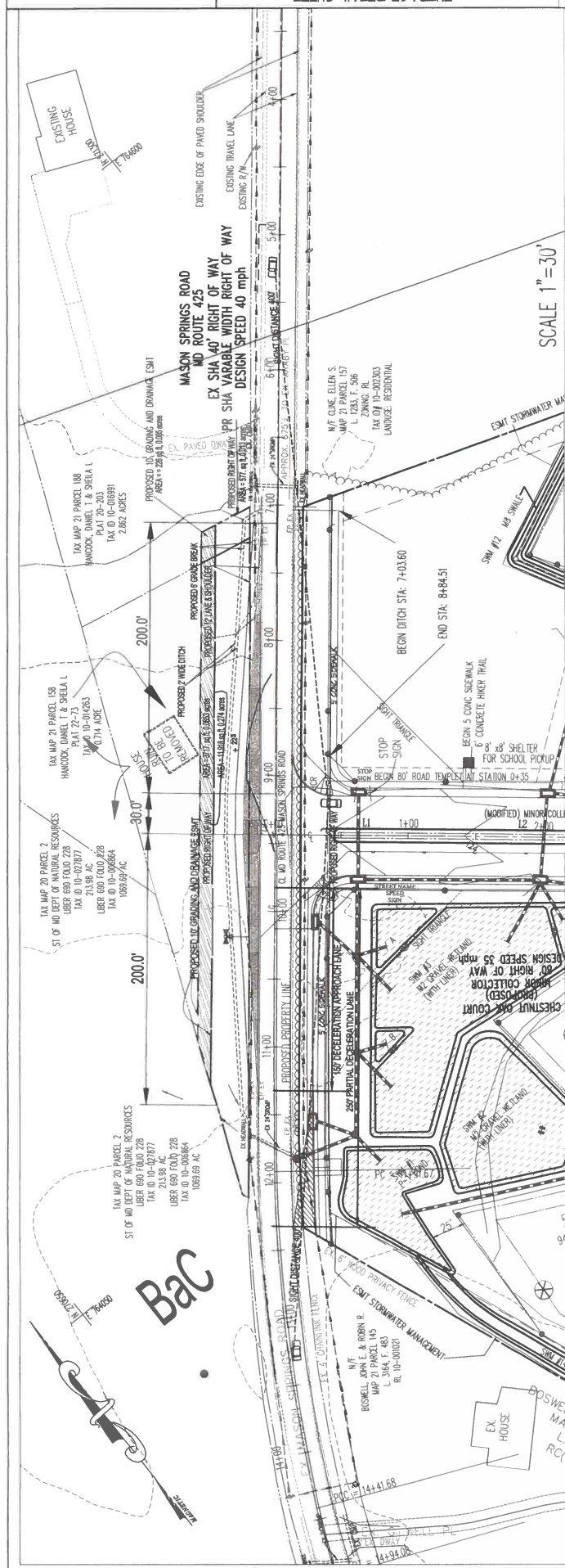


- NOTE:
1. SEE SHEET 5G FOR PHASE LINES AND FOREST CONSERVATION.
2. SEE SHEET 5 FOR THE FUTURE DETAIL AND SPACING.
3. 6" CONCRETE HIKER TRAIL ALONG CHESTNUT OAK DRIVE SHALL BE CONCRETE; SEE SHEET 5A, DETAIL R-2-27 CONCRETE PATHWAY. LOCATION AND LABELS SHOWN ON SHEET 5C.
4. SEE SHEET 5A, DETAIL R-2-28 FOR SIDEWALKS, LOCATION AND LABELS SHOWN ON SHEET 5C.
5. SEE SHEET 5E FOR RECREATION PLANT INFORMATION AND OPEN SPACE.
6. SEE STORM WATER CONCEPT PLAN FOR DRAINAGE DIVIDES AND ESD INFORMATION.
7. SEE COVER SHEET FOR PHASE LINES.
8. USE MODIFIED COMBINATION CWD & OTTER WITHIN THE COUNTY R.O.W.; SEE SHEET 5A, DETAIL R-2-22.
9. THE RIGHT-OF-WAY AND ROAD WITH TRANSFORMS FOR CHESTNUT OAK CT. WILL BE PROVIDED WITH 20:1 TYPED DRAINAGE FINAL ENGINEERING.



SCALE 1"=60'

APPROVAL BLOCK



State Highway Access Manual
STANDARD SITE ACCESS IMPROVEMENTS
Web Site
<http://www.ohs.maryland.gov/ohsinfo/ohsinfo.htm>

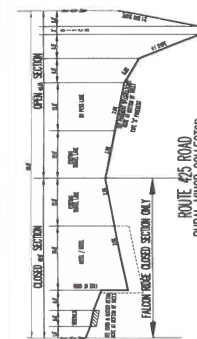
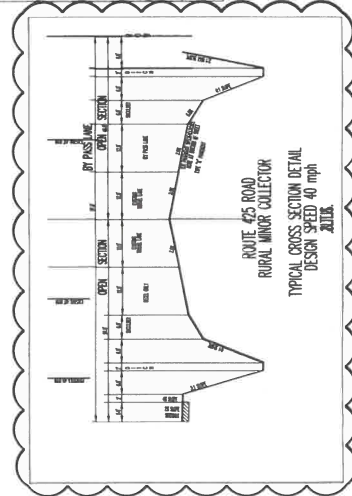
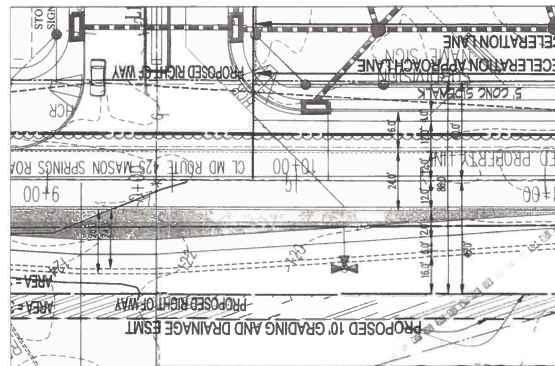
Paving Specifications

LEAPD Standard Paving Sections For Routine Site Access Improvements

HIGHWAY FUNCTIONAL CLASSIFICATION: COLLECTOR OR LOWER
AND

- A** 1 1/2" Hot Mix Asphalt Superdense 9.5mm, PG 64-22; Level 2
Base, PG 64-22; Level 2
B 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
C 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
D 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
E 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
F 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
G 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
H 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
I 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
J 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
K 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
L 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
M 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
N 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
O 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
P 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
Q 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
R 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
S 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
T 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
U 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
V 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
W 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
X 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
Y 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2
Z 1 1/2" Hot Mix Asphalt Supersun 9.5mm, PG 64-22; Level 2

Measure Daily HMA Paving Sections



OPEN SECTION
CLOSED SECTION
FALCON RIDGE
SCALE 1"=20'

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: November 4, 2024

SUBMITTED BY: Amy Brackett

ITEM TYPE: Administrative

AGENDA SECTION: NEW BUSINESS: No Public Comments

SUBJECT: Poll of the Planning Commission members for new business.

SUGGESTED ACTION:

ATTACHMENTS:

~~ATCS, P.L.C.~~

ATCS, P.L.C.
ENGINEERS, PLANNERS, SURVEYORS
7 POST OFFICE ROAD, SUITE G
WALDORF, MARYLAND 20602
PHONE (301) 932-8043 PHONE (301) 932-8044

530

REVISIO	REVERSE	TWO A	TO YEL	ADJUST	REMOVE	TO CON
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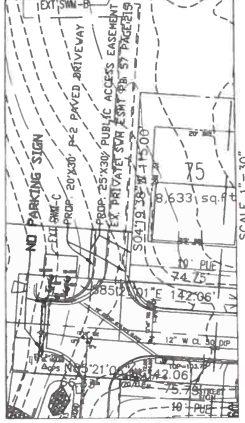
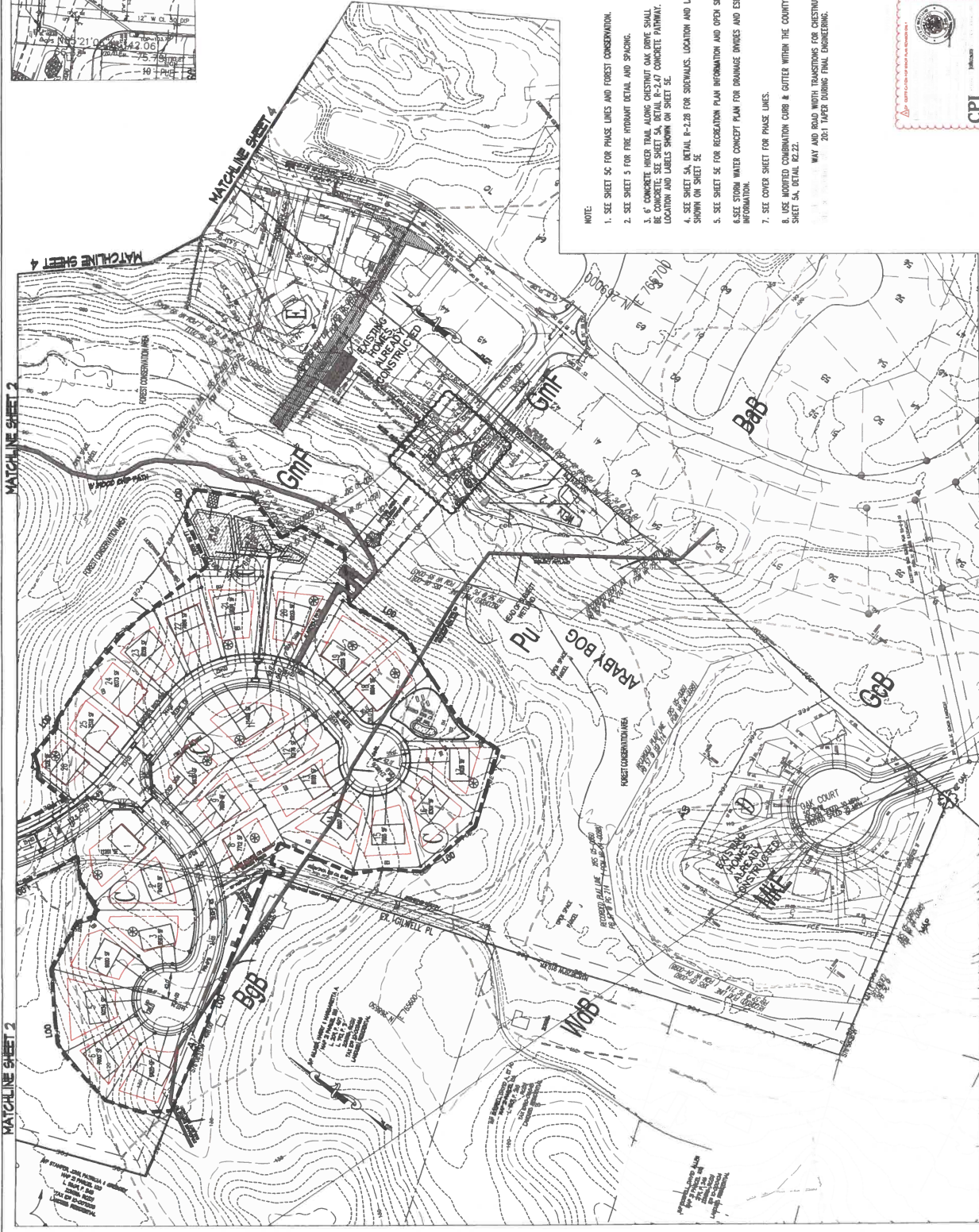
11

SEE SHEET 50 FOR FRONTAGE
IMPROVEMENTS DETAILS AND SECTIONS

NOTE:

2. SEE SHEET 52 FOR PHASE LINES AND FOREST CONSERVATION.
3. SEE SHEET 53 FOR FIRE HYDRANT DETAIL AND SPACING.
4. SEE SHEET 54 FOR FIVE FOOT DETAIL ALONG CHESTNUT OAK DRIVE SHALL BE CONCRETE UNDER PAVE ALONG CHESTNUT OAK DRIVE SHALL BE CONCRETE. SEE SHEET 54 DETAIL R-2-17 CONCRETE PATHWAY. LOCATION AND LABELS SHOWN ON SHEET 52.
5. SEE SHEET 54 DETAIL R-2-28 FOR SIDEWALKS LOCATION AND LABELS SHOWN ON SHEET 52.
6. SEE SHEET 55 FOR RECREATION PLAN INFORMATION AND OPEN SPACE INFORMATION.
7. SEE COVER SHEET FOR PHASE LINES.
8. SEE STORM WATER CONCEPT PLAN FOR DRAINAGE DIVIDES AND ESD INFORMATION.
9. SEE ADJUSTED COMBINATION CURB & GUTTER WITHIN THE COUNTY R.O.W. SEE SHEET 54 DETAIL R-2-22.
10. THE RIGHT-OF-WAY AND ROAD WIDTH TRANSITIONS FOR CHESTNUT OAK CT. WILL BE PROVIDED WITH 20" LAPED ADJACENT PAV. ENHANCEMENTS.

[illegible]

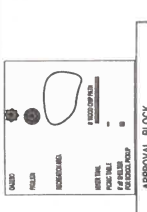


SCALE 1" = 30'
DETAIL VIEW OF FALCON RIDGE DRIVE
TURNAROUND AND ACCESS EASEMENT

- NOTE:
1. SEE SHEET 5C FOR PHASE LINES AND FOREST CONSERVATION.
 2. SEE SHEET 5 FOR FIRE HYDRANT DETAIL AND SPACING.
 3. 4" CONCRETE WEDG TRAIL ALONG CHESTNUT OAK DRIVE SHALL BE CONCRETE. SEE SHEET 5A, DETAIL R-2.12 CONCRETE DRIVEWAY LOCATION AND LABELS SHOWN ON SHEET 5C.
 4. SEE SHEET 5A, DETAIL R-2.28 FOR SIDEWALKS, LOCATION AND LABELS SHOWN ON SHEET 5C.
 5. SEE SHEET 5C FOR RECREATION PLAN INFORMATION AND OPEN SPACE.
 6. SEE CROWN WATER CONCEPT PLAN FOR DRAINAGE SWAGES AND ESD INFORMATION.
 7. SEE COVER SHEET FOR PHASE LINES.
 8. USE MODIFIED COMBINATION CURBS & GUTTER WITHIN THE COUNTY R.O.W. SEE SHEET 5A, DETAIL R2.22.
- WAY AND ROAD WITH TRANSFORMS FOR CHESTNUT OAK CT.
201 TYPED DURING FINAL ENGINEERING.

PLAN LEGEND - GENERAL

1	CONCRETE DRIVEWAY
2	CONCRETE DRIVEWAY
3	CONCRETE DRIVEWAY
4	CONCRETE DRIVEWAY
5	CONCRETE DRIVEWAY
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97	CONCRETE DRIVEWAY
98	CONCRETE DRIVEWAY
99	CONCRETE DRIVEWAY
100	CONCRETE DRIVEWAY



SCALE 1" = 60'

OWNER / APPLICANT:
WHITE OAK LLC
5555 Hamlet Place
Cherry Chase, MD 20815
c/o Mr. Thomas Archer

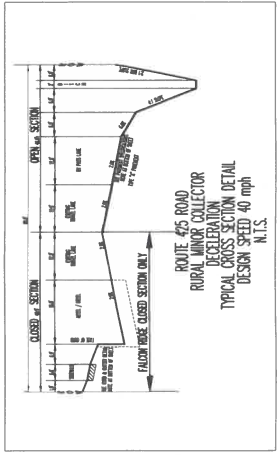
PRELIMINARY PLAN OF SUBDIVISION
FALCON RIDGE
TAX MAP 21, GRID 1 PARCEL 3B
10TH ELECTION DISTRICT, CHARLES COUNTY, MARYLAND

NO.	DATE	BY	REVISION
1	02/11/10	R.P.	REVISION TO HAVE ONE ACCESS POINT, ADDED TO FOLLOW WOOD COURT AND BOWEN DRIVE
2	02/12/10	R.P.	ADJUSTMENTS TO LOTS
3	03/18/13	CB	TO CORRECT LOTS AND ACCESS POINTS TO CORRECT LOTS
4	03/25/14	CB	REVISION TO ADDRESS 5A/4A/3A/2A/1A/0A

ATCS, P.L.C.
ENGINEERS, PLANNERS, SURVEYORS
POST OFFICE BOX 20902
WALDORF, MARYLAND 20602
PHONE (301) 832-1282
FAX (301) 832-1282

DATE	2/20/10
CHECKED	FILE NO.
DESIGN	3 OF 5
SCALE	1" = 60'





Normal Duty HMA Paving Sections

(1) 1 1/2" Hot Mix Asphalt Superpave 9.5mm, PG 64-22, Level 1

A 6" Hot Mix Asphalt Superpave 10.0mm for Base, PG 64-22, Level 2 (2 3/4" (10a))

g" Base Course Using Graded Aggregate

B 1 1/2" Hot Mix Asphalt Superpave 9.5mm, PG 64-22, Level 1

B 1 1/2" Hot Mix Asphalt Superpave 9.5mm, PG 64-22, Level 2

(1 1/2" and 2 3/4" (10a) Note: Use of this option is limited to emulsions proper and when well-drained, sandy soils are present)

C 1 1/2" Hot Mix Asphalt Superpave 9.5mm, PG 64-22, Level 1

1 1/2" Hot Mix Asphalt Superpave 10.0mm for Base, PG 64-22, Level 2 (2 3/4" (10a))

1 1/2" Capping Layer

Heavy Duty HMA Paving Sections

MASON SPRING ROAD
MD RTE 425
TO RTE 6

HANTHORNE ROAD
MD RTE 225
TO JARPA
TO DOWNTOWN

LEGEND

— SIDEWALKS
— BIKE-BIKE TRAILS

EXHIBIT NO. 2
REVISED PEDESTRIAN SYSTEM
HUNTERS BROOKE

10TH ELECTION DISTRICT
CHARLES COUNTY, MARYLAND
N.T.S. OCTOBER, 2012

ATCS, P.L.C.
ARCHITECTS • PLANNERS • SURVEYORS