**MEMORANDUM**

DATE: August 25, 2006

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Supervisor *CC*
Development Review Division *DMK*

FROM: Dolores M. Kinney, Senior Planner (301) 495-1321
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Existing Lot 3 & Part of Lot 10

PROJECT NAME: Longwood

CASE #: 120060870

REVIEW BASIS: Chapter 50, Sec. 50-29 (b)(2), Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: Located on the north side of Armat Drive, approximately 275 feet west of the intersection with Burdette Road

MASTER PLAN: Bethesda Chevy Chase Master Plan

APPLICANT: Tim Helmig

ENGINEER: CAS Engineering

FILING DATE: March 2, 2006

HEARING DATE: September 7, 2006

STAFF RECOMMENDATION: Approval, pursuant to Section 50-29 (b) (2), Montgomery County Subdivision Regulations subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two (2) residential lots.
- 2) The Applicant shall comply with the conditions of the preliminary forest conservation plan. Conditions include, but are not limited to:
 - a. The Final Forest Conservation Plan must be consistent with the limits of disturbance (LOD) as shown on the staff-amended Preliminary Forest Conservation Plan, signed and dated by staff on August 23, 2006 (Attachment B-1). This limit may be changed by MNCPPC Staff as part of the final forest conservation plan approval if a determination is made that implementation of additional tree protection measures, as recommended by an ISA certified arborist, would result in preservation of the trees.
 - b. The Final Forest Conservation Plan must be prepared, signed and stamped by an ISA certified arborist and include complete details on the proposed tree protection measures.
 - c. The Final Forest Conservation Plan must be approved prior to any demolition, clearing, and grading on the site.

The Applicant shall comply with these and other conditions of the Preliminary Forest Conservation Plan prior to plat recordation and Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.

- 3) Compliance with conditions of MCDPWT letter dated May 4, 2006, unless otherwise amended.
- 4) Compliance with the conditions of approval of the MCDPS stormwater management letter dated March 1, 2006.
- 5) Applicant shall not encroach onto park property and must prevent damage to parkland vegetation by protecting critical root zones of trees that are located on adjacent parkland.
- 6) Other necessary easements

SITE DESCRIPTION:

Lot 3 and Part of Lot 10, the "Subject Property", is part of the Longwood Subdivision, which was recorded in 1937 and 1952 respectively. The Subject Property is located on the north side of Armat Drive, approximately 275 feet west of the intersection with Burdette Road (Attachment A). The property contains 1.51 acres and is zoned R-200. A one-family detached residential dwelling unit currently exists on the Subject Property and will remain. The surrounding uses are primarily one-family detached residential dwellings. McCrillis Gardens is also located immediately northeast of the Subject Property.

The site lies within the Cabin Branch Creek Watershed, which is classified as Use I. There are no streams, wetlands, environmental buffers or floodplains on the property. The site does contain several large trees, some of which are specimens of their species.

PROJECT DESCRIPTION:

This is an application for a preliminary plan to create two (2) residential lots, for the construction of one (1) one-family detached dwelling unit and retention of an existing dwelling (Attachment B). Access to the site will be via private driveways directly from Armat Drive. The proposed lots will be served by public water and public sewer.

DISCUSSION OF ISSUES

Tree Save

The property is subject to Chapter 22A of the Montgomery County Code (Forest Conservation Law) and has an approved Natural Resource Inventory/Forest Stand Delineation (4-06119), dated February 3, 2006. The property contains 18 large or specimen trees and approximately 59 smaller trees. All new development is proposed to occur on Lot 38, which contains 12 large or specimen trees and approximately 29 smaller trees. The proposed development will result in the removal of all 12 large or specimen trees and approximately 22 smaller trees on Lot 38. Additionally, a 50-inch silver maple in good condition on the proposed Lot 39 will be significantly impacted and may require removal. This property has an afforestation requirement of 0.23 acres, which will be met through either offsite planting or fee-in-lieu.

Applicant's Position

The applicant believes that the limit of disturbance (LOD) they have proposed (Attachment B-1) is necessary to provide for a second driveway and proper grading and drainage for the site. According to the applicant, a second driveway, as depicted on the preliminary plan, with circular drive and dual entrances, will permit better access.

The applicant also contends that the proposed retaining wall along the eastern property line of Lot 38 is necessary to retain the adjoining property, preserve its existing improvements and minimize tree disturbance on Lot 39.

Staff's Position

As stated in Chapter 22A, Section 2(b), the purpose of the Montgomery County Forest Conservation Law includes saving and maintaining trees for the benefit of County residents. One of the objectives of the law is to minimize tree loss as a result of development (22A-2(b)(2)). While large and specimen trees are not subject to the retention provisions in subsection 22A-12(b)(1), Montgomery County Forest Conservation Regulations subsection 107.B (5) indicates that trees which will significantly enhance the site through preservation should be given consideration for retention where feasible. Trees that act as a buffer between dwellings and roads should also be given consideration for preservation (107.B.3).

Staff believes that it is feasible to preserve more trees than are currently shown on the Preliminary Forest Conservation Plan while still permitting development of a single-family house. Staff used the above guidance to analyze which trees are feasible for retention and has delineated an LOD necessary to protect these trees. The attached plan, (Attachment B-1) illustrates this LOD and the trees. The specific trees are noted by number on staff's conditionally approved preliminary forest conservation plan dated August 23, 2006. A specimen tree on the proposed Lot 39 next to the existing house, (Tree #151) requires a detailed analysis by an ISA certified arborist to determine if it can be retained. The critical root zone is already significantly impacted by existing development and the proposed development may damage it beyond saving. All trees along the border of M-NCPPC McCrillis Gardens that could be affected by this development should be protected.

Staff's recommended LOD ensures that no more than one-third of the critical root zones of the identified trees are negatively affected. Staff's proposed LOD follows the building restriction line where appropriate. If the applicant would like to change this LOD at a later date, it should be changed only after a revised Final Forest Conservation Plan, prepared, signed and stamped by an arborist, shows tree protection measures that will equivalently protect these trees.

Master Plan Compliance

The Bethesda Chevy Chase Master Plan does not specifically identify the Subject Property for discussion but does give general guidance and recommendations regarding zoning and land use. The plan recommends that this area maintain the existing zoning as adopted and maintain the low-to-medium density residential character. The master plan supports new and infill development that preserves and maintains the integrity of the existing neighborhoods. This preliminary plan includes two (2) one-family detached units, one of which currently exists. The proposed resubdivision complies with the recommendations adopted in the master plan in that it is a request for residential development.

Transportation

The Subject Property will generate less than 30 peak hour trips and does not require a Local Area Transportation Review (LATR).

Environment

There are no streams, wetlands, floodplains or environmental buffers on the property.

Conformance with 50-29B(2)

Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that the proposed lots comply with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

Neighborhood Delineation

In administering the Resubdivision section, the Planning Board must determine the appropriate "neighborhood" for evaluating the application. The applicant has proposed a neighborhood of 63 lots for analysis purposes (Attachment C). The neighborhood boundary extends north to Green Tree Road, east to Burdette Road, south to Armat Drive, and west to Brooke Drive. Staff is of the opinion that the applicant's neighborhood delineation is appropriate because it provides an adequate sample that exemplifies the lot and development pattern of the area. The applicant has provided a tabular summary of the area based on the resubdivision criteria. The summary is included in the staff report (Attachment D).

ANALYSIS

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, Staff applied the resubdivision criteria to the delineated neighborhood. Based on the analysis, Staff finds that the proposed resubdivision will be of the same character as the existing lots in the neighborhood. As set forth below, the attached tabular summary (Attachment D) and graphical documentation support this conclusion:

Frontage: In a neighborhood of 63 lots, lot frontages range from 15 feet to 438 feet. The proposed lots have frontage widths of 136 feet and 155 feet. **Therefore, Staff finds that the proposed lots will be consistent in character with other lots in the neighborhood.**

Area: In a neighborhood of 63 lots, lot areas range from 6,492 square feet to 59,790 square feet. The proposed lots have areas of 19,226 and 23,283 square feet. **Staff finds that the proposed resubdivision will be consistent in character with the existing lots in the neighborhood with respect to area.**

Lot Size: The lot sizes in the delineated neighborhood range from 17,680 square feet to 86,094 square feet. The proposed lots will have lot sizes of 30,536 square feet and 35,303 square feet. **Therefore, the lot size of the proposed lots will be of the same character as the existing lots in the neighborhood.**

Lot Width: The lot widths in the existing neighborhood range from 80 feet to 276 feet. The proposed lots have widths of 136 and 155 feet. **The proposed lot widths will have a high correlation to the other lots in the neighborhood.**

Shape: The existing lots in the neighborhood consist of 14 irregularly shaped lots, one (1) pipestem and the remaining are rectangular shaped lots. **The plan proposes two (2) rectangular lots, which will be consistent in character with the existing lots in the neighborhood.**

Alignment: There are 13 corner lots in the neighborhood and the remaining lots are perpendicular in alignment. **The plan proposes two (2) perpendicular lots, which will be in character with the other lots in the neighborhood.**

Residential Use: The existing lots and the proposed lots are residential in use.

Community Outreach

This plan submittal pre-dated new requirements for a pre-submission meeting with neighboring residents, however, written notice was given by the applicant and staff of the plan submittal and the public hearing.

A letter of concern was received from a citizen opposing the removal of trees from the Subject Property along Armat Drive. Based on the above discussion contained in the Tree Save section of this report, Staff is proposing to preserve a number of trees along Armat Drive by tightening the LOD.

CONCLUSION

Section 50-29 (b) (2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. The proposed resubdivision will create two lots that will have a high correlation with all of the lots in the existing neighborhood based on the resubdivision criteria. Staff finds that the proposed resubdivision is of the same character as existing lots in the neighborhood and that it complies with Section 50-29(b)(2) of the Subdivision Regulations.

Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, and that public facilities will be adequate to support and service the area of the proposed subdivision. The plan also

complies with Chapter 59, the Zoning Ordinance, as summarized in the attached data table (Attachment E). As such, Staff recommends approval of the preliminary plan.

Attachments

Attachment A	Vicinity Development Map
Attachment B	Proposed Development Plan
Attachment B-1	Graphic-Limit of Disturbance Comparison
Attachment C	Neighborhood Delineation Map
Attachment D	Tabular Summary
Attachment E	Data Table
Attachment F	Agency Correspondence
Attachment G	Applicant's Correspondence
Attachment H	Citizen's Correspondence

LONGWOOD (120060870)



Map compiled on March 17, 2006 at 2:54 PM | Site located on base sheet no - 211NW07

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

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

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Key Map



N



Research & Technology Center

0 400

1 inch = 400 feet
 1 : 4800

This is a detailed plat map of a portion of Bradley Hills. The map shows several large tracts, including 'LONGWOOD TRACT', 'BRADLEY MANOR', 'BRADLEY HILLS', and 'BURNING TREE VILLAGE'. A specific lot, labeled 'PT.10', is highlighted with a thick black border. The map also shows numerous other lots, some labeled with 'PT.' and others with numbers. Roads shown include 'BROOK DRIVE', 'LONGWOOD DRIVE', 'ARMAT DRIVE', 'GREENTREE ROAD', 'MICHAELS DRIVE', 'RENSHAW DRIVE', 'MARYWOOD ROAD', 'BURNING TREE ROAD', 'OAK FOREST LANE', 'BRADLEY BOULEVARD', 'BURNING TREE COURT', 'TREE DRIVE', and 'ROUTE 191'. The map is oriented with North at the top.

GENERAL NOTES

- [illegible]

SITE / ZONING DATA

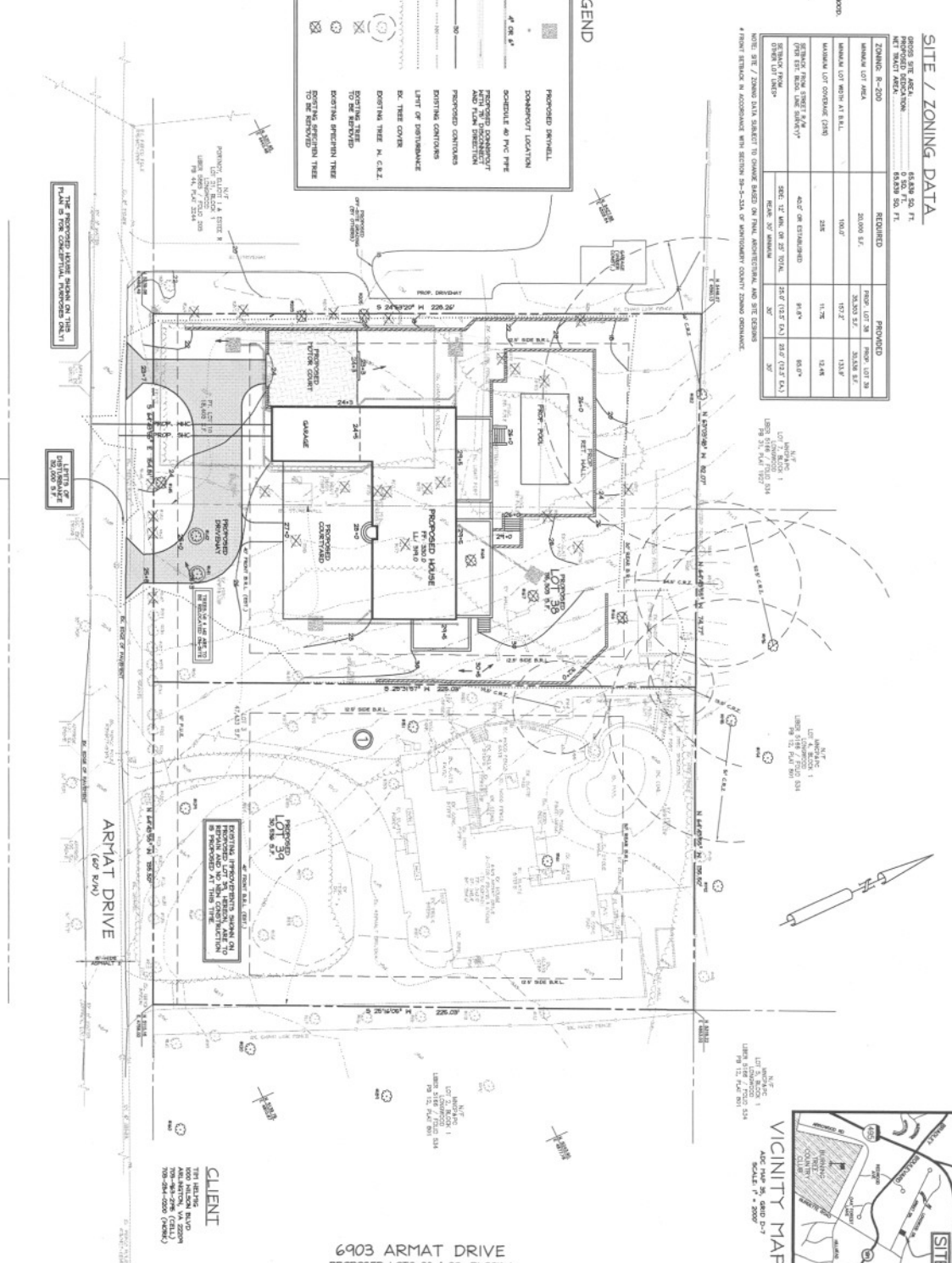
LOT	REQUIRED	PROVIDED
220000 - R-200		
MINIMUM LOT AREA	20,000 S.F.	PROVIDED LOT 39
MINIMUM LOT WIDTH AT R.L.L.	30.00 S.F.	30.00 S.F.
MINIMUM LOT DEPTH (FRONT)	100.0'	157.2'
MINIMUM LOT COVERAGE (FRONT)	25%	11.7%
MINIMUM LOT COVERAGE (REAR)		12.4%
MINIMUM LOT COVERAGE (SIDE)		
MINIMUM LOT STREET SETBACK (FRONT)	40.0' OR 15.0% (WHATEVER IS GREATER)	50.0'
MINIMUM LOT STREET SETBACK (REAR)		50.0'
MINIMUM LOT STREET SETBACK (SIDE)		15.0' (12.5% S.F.)
MINIMUM LOT STREET SETBACK (CROSS-ALLEY)		15.0' (12.5% S.F.)
MINIMUM LOT STREET SETBACK (CROSS-ALLEY)		30'

FRONT SETBACK IN ACCORDANCE WITH SECTION 9A-5-33A OF MONTGOMERY COUNTY ZONING ORDINANCE

TREE DATA

[illegible]

LEGEND



ENGINEER'S CERTIFICATE

I FURTHER CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MD.

08/08/06
DATE

CURT A. SCHREFFLER, PE
MD REC No. 0024



MISS UTILITY

FOR LOCATION OF UTILITIES, CALL UTILITY AT 1-800-251-7777, OR LOG ON TO WWW.PRIVILEGIATEDITIES.COM FOR A LIST OF ALL UTILITIES AND THEIR LOCATIONS. THE UTILITY COMPANIES ARE RESPONSIBLE FOR PROVIDING THE UTILITY FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 54A OF THE HONOLULU CITY CODE.

FILE No. 1-20060870
6903 ARMAT DRIVE
PROPOSED LOTS 38 & 39, BLOCK 1
LONGWOOD
PRELIMINARY PLAN

6903 ARMAT DRIVE
PROPOSED LOTS 38 & 39, BLOCK

PLAT BOOK 12, PLAT 8
LONGHORN

BETHESDA (7TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

PRELIMINARY PLAN

DATE	BY	REVISION	PROJECT	DATE
5-03-06	JAK	REVISED PER D.R.C. COMMENTS	05-112B	03/2006
8-06-06	JAK	REVISED LOD	ILLUSTRATION	ENGINEERING
			CDS	CDS
			SCALE	APPROVAL
			1" = 20'	CAS



ENGINEERING
CIVIL • SURVEYING • LAND PLANNING
A DIVISION OF CAS ENTERPRISES, INC.

108 West Ridgville Boulevard, Suite 101, Mount Airy, Maryland 21771
DC Metro (301) 607-8031 FAX (301) 607-8045

ZONING DATA

- [illegible]

 = PARTS OF LOTS & PARCELS NOT INCLUDED

1) ZONING: R-300
MIN. LOT AREA = 20,000 SQ
LOT WIDTH AT R/W = 25 FT
LOT WIDTH AT BALL = 100 FT
FRONT BALL = 40.0 FT (ON ESTABLISHED)
REAR BALL = 30 FT
SIDE BALL = 12 FT MIN. EACH SIDE,
25 FT MIN. TOTAL.

* BUILDING RESTRICTION LINES AS SHOWN ARE THOSE TYPICAL FOR R-200 ZONED PRIORITIES.



APPLICANT
TIF F. HELTING
1000 WILSON BLVD., SUITE
ARLINGTON, VIRGINIA 22209
703-546-3785 (CELL)

6903 ARMAT DRIVE
PROPOSED LOTS 38 & 39
BLOCK 1
LONGWOOD
HIGHLAND DR

PRINTED BY
FEB 20 2008
CAS ENGINEERING

VICINITY MAP
ADC MAP PAGE 36, GRID D7 @ CT
SCALE: 1" = 1000'

6903 ARMAT DRIVE

PROPOSED LOTS 38 & 39, BLOCK 1
LONGWOOD
BETHESDA (7TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
NEIGHBORHOOD MAP

DATE	BY	REVISION

PROJECT	DATE
05-112B	10/2005
DESCRIPTION	ENGINEERING
CDS	N/A
SCALE	APPROVAL



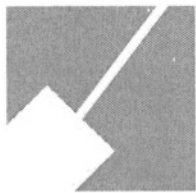
108 West Ridgeway Boulevard, Suite 101, Mount Airy, Maryland 21771
DC Metro (301) 607-8031 FAX (301) 607-8045

Longwood Subdivision (@Armat Drive)							
Lot	Block	Frontage	Alignment	Size	Shape	Width	Area
1	B	166	Corner	21,941	Irregular	140	6,492
33A	1	189	Corner	25,500	Irregular	143	10,389
5	2	207	Corner	28,213	Irregular	175	9,929
38	A	210	Corner	86,094	Irregular	180	59,790
1	-	271	Corner	43,570	Irregular	276	19,286
1	A	195	Corner	22,861	Rectangular	111	7,879
26	3	185	Corner	27,540	Rectangular	144	12,554
10	2	231	Corner	39,250	Rectangular	163	16,772
5	4	190	Corner	32,807	Rectangular	190	14,645
1	1	225	Corner	42,389	Rectangular	225	23,828
3	3	275	Corner	40,295	Rectangular	233	15,472
6	1	240	Corner	51,043	Rectangular	236	27,413
25	1	161	Corner	26,109	Irregular	80	11,667
3	B	131	Perpendicular	17,826	Irregular	96	8,074
2	B	162	Perpendicular	19,177	Irregular	119	8,006
26	1	120	Perpendicular	23,765	Irregular	121	11,842
27	1	127	Perpendicular	21,780	Irregular	128	10,103
5	3	109	Perpendicular	26,925	Irregular	135	12,273
19	-	438	Perpendicular	52,449	Irregular	139	29,183
34	1	191	Perpendicular	31,927	Irregular	150	14,306
21	-	35	Perpendicular	64,033	Irregular	210	45,056
20	-	15	Perpendicular	42,839	Pipestem	129	16,793
6	4	100	Perpendicular	20,051	Rectangular	100	9,785
8	2	100	Perpendicular	27,000	Rectangular	100	14,088
4	B	100	Perpendicular	17,680	Rectangular	105	8,721
5	1	110	Perpendicular	25,307	Rectangular	110	12,593
2	1	110	Perpendicular	26,400	Rectangular	110	14,971
35	1	120	Perpendicular	25,803	Rectangular	120	12,540
36	1	120	Perpendicular	25,803	Rectangular	120	14,384
21	1	120	Perpendicular	27,591	Rectangular	120	16,970
23	1	120	Perpendicular	30,600	Rectangular	120	16,368
24	1	120	Perpendicular	30,600	Rectangular	120	18,107
8	1	124	Perpendicular	32,775	Rectangular	122	18,851
16	-	125	Perpendicular	34,568	Rectangular	125	19,901
11	2	142	Perpendicular	21,605	Rectangular	129	12,905
19	A	130	Perpendicular	29,822	Rectangular	130	16,496
20	A	130	Perpendicular	29,824	Rectangular	130	16,373
21	A	130	Perpendicular	29,824	Rectangular	130	16,507
22	A	130	Perpendicular	29,824	Rectangular	130	16,803
29	1	130	Perpendicular	32,893	Rectangular	130	20,419
30	1	130	Perpendicular	33,050	Rectangular	130	20,389
31	1	130	Perpendicular	33,114	Rectangular	130	18,960
17	-	130	Perpendicular	35,932	Rectangular	130	21,225
18	-	138	Perpendicular	22,704	Rectangular	138	10,836
6	2	140	Perpendicular	23,100	Rectangular	140	9,773
32	1	140	Perpendicular	35,634	Rectangular	140	21,263
14	-	142	Perpendicular	39,296	Rectangular	142	24,591
15	-	142	Perpendicular	39,296	Rectangular	142	25,210
13	-	142	Perpendicular	39,296	Rectangular	142	25,545
12	-	142	Perpendicular	39,296	Rectangular	142	26,342
9	-	159	Perpendicular	43,479	Rectangular	158	26,309
4	-	158	Perpendicular	43,570	Rectangular	158	28,353
12	1	160	Perpendicular	38,011	Rectangular	160	23,111
14	1	160	Perpendicular	38,400	Rectangular	160	23,090
13	1	160	Perpendicular	38,400	Rectangular	160	23,334
20	1	160	Perpendicular	43,200	Rectangular	160	27,122
4	2	160	Perpendicular	43,200	Rectangular	160	27,122
9	1	160	Perpendicular	43,477	Rectangular	160	26,401
2	2	167	Perpendicular	45,176	Rectangular	167	25,482
9	2	100	Perpendicular	27,000	Rectangular	200	13,227
7	1	202	Perpendicular	50,304	Rectangular	201	31,429
4	1	211	Perpendicular	48,554	Rectangular	210	27,319
37	1	240	Perpendicular	69,583	Rectangular	240	47,746
Proposed Lots							
38		155	Perpenddicular	35,303	Rectangular	155	23,283
39		136	Perpendicular	30,536	Rectangular	136	19,226

Preliminary Plan Data Table and Checklist

Plan Name: Longwood (@ Armat)				
Plan Number: 120060870				
Zoning: R-200				
# of Lots: 2				
# of Outlots: 0				
Dev. Type: 2 one-family detached dwelling units				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq.ft.	30,536 sq.ft. is minimum proposed	<i>Dua</i>	July 9, 2006
Lot Width	100 ft.	Must meet minimum	<i>Dua</i>	July 9, 2006
Lot Frontage	25 ft.	Must meet minimum	<i>Dua</i>	July 9, 2006
Setbacks				
Front	40 ft. Min.	Must meet minimum	<i>Dua</i>	July 9, 2006
Side	12 ft. Min./ 25 ft. total	Must meet minimum	<i>Dua</i>	July 9, 2006
Rear	30 ft. Min.	Must meet minimum	<i>Dua</i>	July 9, 2006
Height	50 ft. Max.	May not exceed maximum	<i>Dua</i>	July 9, 2006
Max Resid'l d.u. per Zoning	3 dwelling units	2 dwelling units	<i>Dua</i>	July 9, 2006
Site Plan Req'd?	No	No	<i>Dua</i>	July 9, 2006
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes	Yes	<i>Dua</i>	July 9, 2006
Road dedication and frontage improvements	Dedication	No	DPWT memo	May 4, 2006
Environmental Guidelines	Yes	Yes	Environmental memo	August 9, 2006
Forest Conservation	Yes	Yes	Environmental memo	August 9, 2006
Master Plan Compliance	Yes	Yes	<i>Dua</i>	July 9, 2006
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes	Yes	DPS memo	March 1, 2006
Local Area Traffic Review	N/A	N/A		
Fire and Rescue	Yes	Yes	DFRS memo	March 27, 2006

AGENCY CORRESPONDENCE



**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Delores Kinney, Development Review

VIA: Stephen Federline, Supervisor, Environmental Planning

FROM: Amy Lindsey, Planner, Environmental Planning

DATE: August 23, 2006

SUBJECT: Preliminary Plan 1-06087 Longwood

The subject plan has been reviewed by Environmental Planning to determine if it meets the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law), MNCPPC Environmental Guidelines, Noise Guidelines, and other pertinent guidance documents or requirements. The following determination has been made:

RECOMMENDATION: Approval subject to the following conditions:

1. The proposed development shall comply with the conditions of the Preliminary Forest Conservation Plan. The applicant shall satisfy all conditions prior to plat recordation, and Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as appropriate.
 - a. The Final Forest Conservation Plan must be consistent with the limits of disturbance (LOD) as shown on the staff-amended Preliminary Forest Conservation Plan, signed and dated by staff on 8/23/2006.
 - b. The Final Forest Conservation Plan must be prepared, signed and stamped by an ISA certified arborist and include complete details on the proposed tree protection measures.
 - c. The Final Forest Conservation Plan must be approved prior to any demolition, clearing, and grading on the site.
 - d. The limit of disturbance shown on the attached Preliminary Forest Conservation Plan may only be changed on the Final Forest Conservation Plan with staff confirmation that trees identified for save can be equally protected through implementation of additional stress reduction measures as recommended by an ISA Certified Arborist.

BACKGROUND

The 1.51-acre property is located on Armat Drive in the Bethesda/Chevy Chase Master Plan area. The surrounding uses are primarily residential with MNCPPC's McCrillis Gardens

directly adjacent to the north and east of the subject property. The property is currently developed with a single-family residence. This Preliminary Plan proposes to resubdivide the current Lot 3 and pt. of Lot 10 and create new Lots 38 and 39. The existing house would be retained and one new residence developed.

Forest Conservation

This property is subject to Chapter 22A of the Montgomery County Code (Forest Conservation Law) and has an approved Natural Resource Inventory/Forest Stand Delineation (4-06119), dated 2/03/2006. There is no forest on this property; however, 18 large or specimen trees and approximately 59 smaller trees exist on the property. All new development is proposed to occur on Lot 38, which contains 12 large or specimen trees and approximately 29 smaller trees. The proposed development, as shown on the Preliminary Forest Conservation Plan, will result in the removal of all 12 large or specimen trees and approximately 22 smaller trees. Additionally, a 50" silver maple in good condition on proposed Lot 39 will be significantly impacted and may require removal. This property has an afforestation requirement of 0.23 acres, which will be met through either offsite planting or fee-in-lieu.

As clearly stated in Chapter 22A, Section 2(b), the purpose of the Montgomery County Forest Conservation Law includes saving and maintaining trees for the benefit of County residents. One of the objectives of the law is to minimize tree loss as a result of development (22A-2(b)(2)). While large and specimen trees are not subject to the retention provisions in subsection 22A-12(b)(1), Montgomery County Forest Conservation Regulations subsection 107.B(5) indicates that these trees which will significantly enhance the site through preservation should be given consideration for retention where feasible. Trees that act as a buffer between dwellings and roads should also be given consideration for preservation. (107.B.3)

Staff believes that it is feasible to preserve more trees than are what is currently shown on the Preliminary Forest Conservation Plan while still allowing for development of a single-family house. Staff used the above guidance to analyze which trees are feasible for retention on this site. These trees are shown on the attached plan, circled with a green line. The trees on Lot 38 are identified on the approved NRI/FSD as #134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 165, 166, 188, 182, 199, 201, and 202. The applicant has proposed to relocate trees 141 and 142. In addition, trees # 150 and 163 on Lot 39 should be retained and protected during development. Tree #151 requires a detailed analysis by an ISA certified arborist to determine if it is possible for this tree to be retained. The critical root zone is already significantly impacted by existing development and the proposed development may damage it beyond saving. All trees along the border of MNCPPC's McCrillis Gardens that could be affected by this development should be protected. This includes trees #182, 187, 188, 195, 196, and 197.

In order to preserve these trees, staff has proposed to set the Limits of Disturbance (LOD) as shown on the accompanying plan as a red line. This LOD is set so that no more than 1/3 of the critical root zones of the identified trees are negatively affected. Staff's proposed LOD

follows the building restriction line where appropriate. If the applicant would like to change this LOD at a later date, it should be changed only after a revised Final Forest Conservation Plan, prepared, signed, and stamped by an arborist, shows tree protection measures that will equivalently protect these trees.

Environmental Buffers

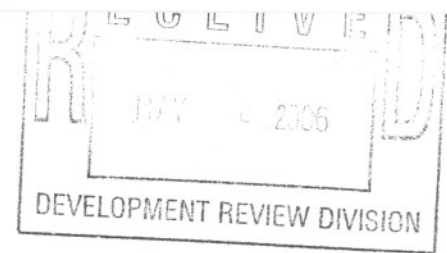
The site does not include any streams, wetlands, or floodplains and there are no environmental buffers on the property.

Specific Conditions of Preliminary Forest Conservation Plan # 1-05087 LONGWOOD

“The proposed development shall comply with the conditions of the Preliminary Forest Conservation Plan. The applicant shall satisfy all conditions prior to plat recordation, and Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as appropriate.”

Specific Conditions:

1. Approval of Final Forest Conservation Plan (FFCP) consistent with the approved Preliminary Forest Conservation Plan (PFCP) including onsite tree protection, prior to any clearing, grading or demolition on the site.
2. The limit of disturbance shown on the attached staff-amended Preliminary FCP may only be changed on the Final FCP with staff confirmation that trees identified for save can be equally protected through implementation of additional stress reduction measures as recommended by an ISA Certified Arborist.
3. Required site inspections by M-NCPPC monitoring staff (as specified in Section 110 of the Forest Conservation Regulations). Final sediment control plan must be consistent with final limit of disturbance as approved by MNCPPC staff.
4. If offsite forestation is selected to meet the 0.23 acre afforestation requirement, the additional conditions shall apply:
 - a. Forest Planting Plan, and Maintenance and Management Agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of planted areas.
 - b. Submittal of financial security to M-NCPPC prior to any demolition, clearing or grading.



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

May 4, 2006

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20060870
Longwood

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 03/01/06. This plan was reviewed by the Development Review Committee at its meeting on 3/27/06. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Show all existing driveways opposite the site on the preliminary plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
4. Record plat to reflect a reciprocal ingress, egress easement for the portion of the existing driveway for proposed lot 39 that crosses adjacent lot 2.
5. The owner will be required to furnish this office with a recorded covenant whereby said owner agrees to pay a prorata share for the future construction or reconstruction of Armat Drive, whether built as a Montgomery County project or by private developer under permit, prior to DPS approval of the record plat. The deed reference for this document is to be provided on the record plat.



Division of Operations

Ms. Catherine Conlon
Preliminary Plan No. 1-20060870
Date May 4, 2006
Page 2

6. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
7. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
Traffic Engineering and Operations Section
Division Of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20060870, Longwood.doc

Enclosures (2)

cc: Tim Helmig
Jeff Robertson, CAS Engineering
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book



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

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: LONGWOOD Preliminary Plan Number: 1-

Street Name: 6903 ARMAT DRIVE Master Plan Road Classification: TERTIARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (PROP. LOT 39 D/W#1) Street/Driveway #2 (PROP. LOT 39 D/W#2)

Sight Distance (feet) OK?
Right 715 ✓
Left 365 * ✓

Sight Distance (feet) OK?
Right 800 ✓
Left 280 * ✓

Comments: * CLEAR TO INTX

Comments: * CLEAR TO INTX

GUIDELINES

Classification or Posted Speed
(use higher value)

Tertiary - 25 mph
Secondary - 30
Business - 30
Primary - 35
Arterial - 40
(45)
Major - 50
(55)

Required
Sight Distance
in Each Direction*

150'
200'
200'
250'
325'
400'
475'
550'

*Source: AASHTO

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

ENGINEER/ SURVEYOR CERTIFICATE

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

C. A. Schreffler
Signature

19568

PLS/P.E. MD Reg. No.



Montgomery County Review:

☒ Approved

☐ Disapproved:

By: SF

Date: 5/4/06



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

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: LONGWOOD Preliminary Plan Number: 1-

Street Name: 6903 ARMAT DRIVE Master Plan Road Classification: TERTIARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (PROP. LOT 38 D/W) Street/Driveway #2 ()

Sight Distance (feet) OK?
Right 630
Left 450

Sight Distance (feet) OK?
Right
Left

Comments:

Comments:

GUIDELINES

Classification or Posted Speed
(use higher value)

Tertiary	-	25 mph
Secondary	-	30
Business	-	30
Primary	-	35
Arterial	-	40
		(45)
Major	-	50
		(55)

Required
Sight Distance
in Each Direction*

150'
200'
200'
250'
325'
400'
475'
550'

*Source: AASHTO

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

ENGINEER/ SURVEYOR CERTIFICATE

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

Curt A. Schreffler

Signature

19568

PLS/P.E. MD Reg. No.



Montgomery County Review:

☒ Approved

☐ Disapproved:

By: SF

Date: 5/4/06



DEPARTMENT OF PERMITTING SERVICES



Douglas M. Duncan
County Executive

March 1, 2006

Robert C. Hubbard
Director

Mr. Jeffrey Robertson
CAS Engineering
108 W. Ridgeville Boulevard, Suite 101
Mt. Airy, Maryland 21773

Re: Stormwater Management **CONCEPT** Request
for Longwood
SM File #: 222527
Tract Size/Zone: 1.51 / R-200
Total Concept Area: 1.51
Lots/Block: Proposed Lots 38 & 39 / One
Watershed: Cabin John Creek

Dear Mr. Robertson:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. On-site water quality control and recharge will be provided for the new impervious area on proposed Lot 38 via roof top and non-rooftop disconnect. Drywells will be utilized as necessary where rooftop disconnection compensation storage volume is required. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs. No land disturbance will occur on proposed Lot 39.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this



office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Ellen Rader at 240-777-6336.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard R. Brush", written over a circular stamp or seal.

Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN222527.Longwood.EBR

cc: C. Conlon
S. Federline
SM File # 222527

QN -meets requirements; Acres: 1.51
QL - on-site; Acres: 0.80
Recharge is provided



ENGINEERING

A Division of CAS Enterprises, Inc.

civil engineering • surveying • land planning

108 West Ridgeville Boulevard, Suite 101 • Mount Airy, Maryland 21771
phone 301/607-8031 • fax 301/607-8045 • www.casengineering.com

August 8, 2006

The M-NCP&PC
Environmental Planning Division
8787 Georgia Avenue, Lower Level
Silver Spring, MD 20910

Attn: Ms. Amy Lindsey

Re: **Proposed Lots 38 & 39, Block 1, Longwood**
EPD File No. 4-06119
File No. 1-20060870

Dear Amy:

Although we had previously addressed all of your June 21, 2006 comments, we are now addressing additional comments delivered to us via email on July 10, 2006. Your latest request to revise the LOD and save additional trees is problematic for several reasons.

First, your revised LOD will not allow for a second driveway apron. You may or may not be aware that Armat Drive is a very narrow road with approximately 15' of paving width and most homeowners have landscaped their yards right up to the street. As a result, it would be very difficult to back out of a driveway on such a narrow street. The circular drive and dual entrances allow for cars to enter the street facing forward.

Second, your LOD excludes a retaining wall along the eastern property line of Lot 38. This wall is absolutely necessary to retain the adjoining property and preserve its existing improvements. Removal of the wall would necessitate major amounts of grading onto Lot 39. Even with the wall as shown on the plan, tree disturbance to the specimen (and significant) trees is less than 1/3 of their respective root zones.

Your email also requires the following trees to be saved:

- Tree 140 – 12" Blue Spruce
- Tree 141 – 7" Japanese Maple (now proposed to be relocated)
- Tree 142 – 6" Dogwood (now proposed to be relocated)
- Tree 143 – 15" Blue Spruce
- Tree 144 – 9" Blue Spruce
- Tree 145 – 35" Tulip Poplar
- Tree 146 – 8" Blue Spruce
- Tree 199 – 11" Blue Spruce (now proposed to be saved)
- Tree 200 – 23" White Oak (now proposed to be saved)
- Tree 201 – 7" Dogwood
- Tree 202 – 20" Beech
- Tree 166 – 40" Poplar

In your June 21st comments you had indicated that Tree 166 was being removed due to "unnecessary grading" and if it is to be removed, mitigation will be required. We agreed, and now you have changed your mind to require that it be saved. You also mentioned in your June 21st comments that shared trees (199, 200, 201,

Page 2
August 8, 2006
MNCPPC-EPD
Ms. Amy Lindsey

202) should not be removed without the consent of the adjoining property owner. Now that the adjoining property owner has provided you with written consent to this plan, you've once again changed your mind and required that these trees be saved. You are now also requiring that trees (140, 143, 144, and 145) be saved. These trees are either located within the right-of-way or within the 10' P.U.E. As you know PEPCO requires that a 10. P.U.E. "free and clear" of all obstructions be provided. While we do not intend to remove ALL trees in the P.U.E., unless specifically requested by PEPCO, we do not feel this to be a reasonable request on your behalf. Please keep in mind that this project requires the removal of an existing 60' x 120' tennis court located less than 5' from the adjoining property (to the west) and to the public right-of-way. Following the removal of the tennis court, the front yard will need to be "filled" in order to promote positive drainage to the street. Saving those abovementioned trees would not allow for such grading. The additional trees to be saved (141 and 142) which lie within the proposed driveway are ornamental trees and therefore, should not be tagged as "priority trees to be saved". However, we will propose that both trees (141 and 142) be relocated on-site. We have, also revised our plan to reflect Tree 200 (offsite) to be saved. Although it is shown on an approved Sediment Control Plan (for the adjoining property) to be removed, we have discussed this with the homeowners and they intend to try to save the tree. Our grading has been adjusted accordingly.

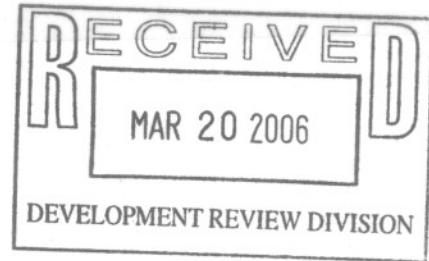
We request that you amend your approval to simply indicate that if Tree 166 is to be removed that mitigation will be required. It's worth noting that we have made great strides in the development of this plan. We have provided 30-feet of separation between McCrillis Gardens and the LOD. We have shifted the house as far forward as feasible and minimized the impact to specimen trees on the adjoining Lot 39. It is important to realize that this is a "Preliminary" Forest Conservation Plan and Final Architectural Plans have yet to be prepared. We fully intend to comply with the requirements for Final Forest Conservation Plan. In the meantime, we look forward to receiving your final approval of the Preliminary Forest Conservation Plan and subsequent forwarding of your staff report to Cathy Conlon.

Sincerely,



Jeffrey A. Robertson
Project Manager

cc: T. Helmig
S. Wallace (Linowes and Blocher)
C. Conlon



March 17, 2006

Amy Lindsay
M-NCPPC
Development Review Division
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RE: 6903 ARMAT DRIVE, SUBDIVISION REQUEST

Dear Ms. Lindsay,

I am in receipt of the plans to subdivide 6903 Armat Drive, one of the properties with the largest contiguous borders of McCrillis Gardens and across the street from my home (see *Exhibit A, B, and C*). As you know, we are gravely concerned about the recent deforestation and clear cutting along Armat Drive, and are dead set against it.

We moved to Armat Drive, in part, because of the trees in this established neighborhood. The plan to subdivide this property calls for the removal of far too many of the existing, established trees. The removal of any of the trees not absolutely essential to the subdivision of 6903 Armat Drive should not be permitted.

Parenthetically, we were recently shocked to find that the owners of the property directly to the left of 6903 Armat Drive demolished their house and clear cut the entire lot which has now irreparably damaged the beauty and tranquility of the neighborhood (see *Exhibit D, E, and F*). This, combined with the potential clear cutting of the adjoining lot, would result in the substantial deforestation of the street.

Please call me upon receipt of this letter to discuss this matter at 301.526.7745.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry and Marla Beck".

Barry and Marla Beck
6908 Armat Drive
Bethesda, MD 20817
301.526.7745

cc: Candy Bunnag
Catherine Conlon

6903 ARMAT DRIVE

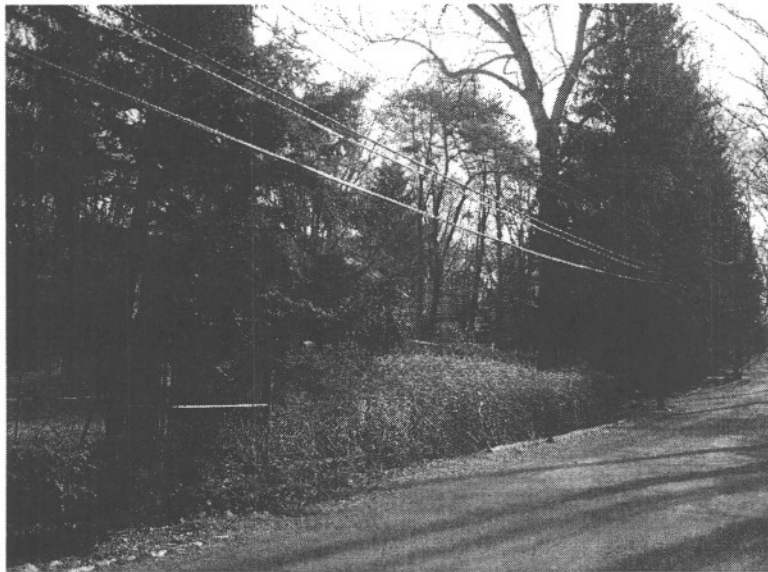
Exhibit A



Exhibit B



Exhibit C



HOUSE TO THE LEFT
OF
6903 ARMAT DRIVE

Exhibit D



Exhibit E



Exhibit F

