



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 13-52
Site Plan No. 820130030
Bethesda Mews
Date of Hearing: April 11, 2013

MAY 16 2013

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on April 11, 2013, *American College of Cardiology* ("Applicant"), filed an application for approval of a site plan for 34 lots including 12.5 percent MPDUs under the provisions of the R-60/MPDU option on 9.87 acres of R-60 zoned-land, located in the south west quadrant of the intersections of Old Georgetown Road and Alta Vista Road. The two parts of lots total 9.87 acres in size ("Subject Property"), in the Bethesda/Chevy Chase Master Plan ("Master Plan") area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820130030, Bethesda Mews ("Site Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated April 1, 2013, setting forth its analysis of and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on April 11, 2013, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the Hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820130030 for 34 dwelling units, including 5 MPDUs and three conservation parcels on 9.87 acres of land in the R-60 zone, the Subject Property, subject to the following conditions:¹

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

Approved as to
Legal Sufficiency


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1. Preliminary Plan Conformance

The proposed development must comply with the conditions of approval for Preliminary Plan No. 120070750 as listed in the Planning Board Resolution, as amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, open space covenants, transportation conditions, and DPS stormwater conditions.

2. Environmental

- a. A revised Final Forest Conservation Plan that addresses the conditions of approval must be obtained prior to any clearing, grading, demolition, or construction activity within the project area.
- b. Substitute the proposed 55 mitigation trees to provide only standard native trees, as applicable.
- c. Revise the footer-beam details/notes to eliminate or minimize the use of root pruning for footer locations. Item 12 in the arborist letter needs clarification that the arborist must determine the field adjusted locations of the footers using an air-spade.
- d. Provide details for the category II signs and posts.
- e. Reduce the size and increase the quantities of the proposed plantings within the Category II easement area. Final quantities and locations are subject to staff approval.
- f. Provide an invasive species management plan on the revised FFCP to be implemented within the Category I easement areas. Include recommended treatment methods and timing of applications.
- g. Add a plan note on the revised FFCP indicating that any areas of existing debris within the conservation easement areas shall be identified during the pre-construction meeting. The debris identified shall be properly disposed of as directed by the forest conservation inspector.

3. Noise

Prior to approval of the certified site plan, the Applicant must submit a revised noise analysis prepared by an engineer specializing in acoustics that addresses details and locations of noise mitigation techniques to appropriately attenuate noise levels for the affected dwelling units.

4. Transportation

- a. The Applicant must provide a 10-foot shared use bike path along Old Georgetown Road (MD 187) partially within the dedicated right-of-way and partially within the Public Improvement Easement.

- b. The Applicant must construct a five-foot wide sidewalk, with handicap accessible ramps, along Alta Vista Road site frontage between Old Georgetown Road and Locust Avenue. This sidewalk must be completed with the construction of residential units along Alta Vista Road.
- c. All private streets to be built to structural standards of tertiary roads.
- d. The cost of the design, construction and inspection of the sidewalk on Camberley Avenue to be provided to DPS at the time of permit.

5. Lighting

The Applicant must ensure that each of the following conditions is met and is reflected on the site plan:

- a. Lighting distribution must conform to IESNA standards for residential development.
- b. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- c. Illumination levels, excluding streetscape light fixtures, shall not exceed 0.5 footcandles (fc) at any property line abutting county roads or adjacent residential properties.
- d. The height of any on-site light poles shall not exceed 12 feet including the mounting base.

6. Recreation Facilities

- a. The Applicant must ensure that the proposed recreation facilities, including but not limited to seating areas, activity areas, interpretive and play areas are constructed in conformance with the approved M-NCPCC Recreation Guidelines.
- b. The Applicant must provide ADA accessible pathways for all of the recreation facilities.
- c. The final design of the recreation facilities including the accessible paths must be shown on the certified site plan. A confirmatory letter from DPS-SWM regarding approval of the final grading and recreation facility design must be provided to Staff by the Applicant prior to approval of the certified site plan.

7. Moderately Priced Dwelling Units (MPDUs)

- a. Each MPDU will have two assigned parking spaces, designated with signage and/or pavement markings.
- b. The proposed development must provide five MPDUs (12.5%) on-site in accordance with Chapter 25A of the Montgomery County Code.

- c. The Applicant must obtain an agreement pertaining to the construction and staging of MPDUs from the Department of Housing and Community Affairs (DHCA) prior to the issuance of any building permits.

8. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated July 19, 2011 unless amended and approved by the Montgomery County Department of Permitting Services.

9. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Street lamps and sidewalks for public and internal private streets must be installed within six months after street construction is completed. Tree planting may wait until the next growing season.
- b. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- c. The development program must provide phasing for installation of on-site landscaping and lighting, recreation facilities, sidewalks and paths, open spaces, and construction and installation of landscape and site details on land to be conveyed to the County.
- d. The development program must provide phasing of pre-construction meetings, conveyance, dedications, stormwater management, sediment and erosion control, afforestation, and other features.
- e. The landscaping, seating and paving materials in Camberley Mews must be installed prior to the use and occupancy permit for the final unit constructed that parallels the Mews (units 8-15).
- f. The landscaping, recreation facilities, and pathways in the stormwater management facility must be installed prior to final use and occupancy of Lot 34.

10. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and site plan resolution on the approval or cover sheet.
- b. Add a note to the site plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".

- c. Modify data table to reflect development standards enumerated in the staff report.
- d. Ensure consistency off all details and layout between site plan and landscape plan.
- e. Provide a public access easement (PAE) over Camberley Mews from Camberley Avenue to Old Georgetown Road.
- f. The fences on-lot will be 4' to 6' high wood construction; the off-site fence will be vinyl at the adjoining property owner's request.
- g. Provide a lead walk from Alta Vista Road to the MPDU duplex unit on Lot 6.

11. Old Georgetown Road Streetscape

- a. Provide streetscape along Old Georgetown Road, to include plantings within the area between the bikeway and the curb, and bus stop seating area, consistent with the Green Corridors Concepts (p 32) and Old Georgetown Road recommendations (p 58) of the *Bethesda-Chevy Chase Master Plan*, 1990. Provide a plan for M-NCPPC staff review and for review and approval by MCDOT and SHA as required.

BE IT FURTHER RESOLVED, that all site development elements as shown on Bethesda Mews drawings stamped by the M-NCPPC on January 11, 2013, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that, having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

The development is not subject to a development plan, diagrammatic plan, schematic development plan, or project plan.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Application complies with the development standards of the R-60 zone using the optional method for a project with MPDUs. Approximately fifteen percent of

the lots will contain dwelling unit types other than one-family detached units, in compliance with the 60% maximum established for such units in the Zoning Ordinance. The lot standards for the townhouse units and semi-detached units are consistent with the MPDU development in the R-60 Zone.

The units facing Old Georgetown Road are designed to appear as one-family detached units, and are adjacent to other detached units along Old Georgetown Road and Alta Vista Road. The semi-detached units are located on the northwestern boundary of the site and the 3 townhouse units are located on the southwestern boundary of the site. These units will be compatible with the market rate units in terms of overall size, materials and architecture.

Based on the following data table, which sets forth the development standards approved by the Planning Board and binding on the Applicant, and based on other evidence and testimony of record, the Application meets all of the applicable requirements of the R-60 Optional Method Zone.

Data Table

Development Standard	Permitted/Required	Approved
Gross Tract Area (acres)	n/a	9.87 acres
Dedication (Old Georgetown Road)	n/a	0.08 acres
Dedication (Camberley Avenue)	n/a	1.10 acres
Net Tract Area (acres)	n/a	8.69 acres
Maximum % of Townhouses/Semi-detached	60 ¹	14.7%
Density (units/acre of usable area) 9.79 ac. X 6.10	60 (6.10)	34 (3.45)
MPDUs	12.5% 5 Units	12.5% 5 Units
Max. Building Height (feet)	40 ²	40
Min. Building Setbacks (feet)		

Public Street	20	20
Front	20	20
Rear (for lots abutting property not developed under R-60/MPDU)	15	20
Rear	n/a	3 (verify all units)
Side (for lots abutting property not developed under R-60/MPDU)	15	15
Side	n/a	3
Min. Lot Size (square feet)		
Single Family Dwelling Units	4,000	5,500
Semi-Detached, MPDU	3,500	4,000
Townhouse, MPDU	1,500	3,000 ²
Green Area (square feet)		
Single Family Dwelling Units	2,000 sq.ft per unit	2,000 sq.ft per unit
Semi-Detached, MPDU	500 sq.ft. per MPDU	500 sq.ft. per MPDU
Total		314,503 sq.ft. including all green space areas
Parking Spaces (per unit)		
	2 per unit	2 parking spaces per unit 68 parking spaces on-site 13 on street parking spaces

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. Buildings and Structures

The buildings and structures are located in a safe and efficient manner and adequately address the need for conservation of open space and compatibility with adjacent uses. The building fronts provide a sense of traditional streetscape internally, along Camberley Avenue, Alta Vista Road, and Old Georgetown Road. They are well integrated with the public use spaces, the mews, sidewalks, conservation areas, and the stormwater management/learning play areas. The circulation system safely and efficiently provide for pedestrians, cyclists, and vehicles to travel through and within the site.

b. Open Spaces

There are two multi-purpose open space areas within the Project area. The Camberley Mews at the sites' entrance off Old Georgetown Road provides a passive recreation and walkway through a symmetrical formal garden. It will act as the focal point along Old Georgetown Road, and leads to Camberley Avenue. The second open space is the stormwater management learning and play area that will provide active recreation integrated with an environmental learning component. The space is designed as a natural environment that will nurture creative play through the interaction with plants, climbing nets, a seating area, and play equipment. A meandering path provides access to the various experiences with climbable rocks and art, a bridge, interpretive signs, and bird houses built into the structures.

c. Landscaping

The open spaces along the mews and stormwater management facility will provide distinctive character and place setting. The mews flanks residential lots 8-15 and will serve as a formal entrance off Old Georgetown Road as well as a respite seating area. The mews will have a brick herringbone walkway, a stone column entry, a circular patio, and evergreen hedges.

The combined stormwater management, play and education area will provide a place for integrating environmental learning components with climbing nets, seating, climbable rocks, artwork, and play equipment. A meandering path will provide access to the play area and around the interpreted stormwater management facility.

d. Recreation Facilities

The Applicant is exceeding the requirements in all recreational categories as shown in the chart below. The Applicant does not need to apply credits from offsite facilities. There are two recreation facility locations provided. The first is located near the stormwater management facility and includes an open play space, seating, play equipment, climbable rocks, art work, and a pedestrian circulation system. This area provides both passive and active recreation, and has been creatively integrated into the design of the stormwater management facility and complies with the facility and design guidelines of the Recreation Guidelines for activities, definition, area and setbacks. The second recreation area is the mews with walkways, gardens, benches, a circular flagstone patio, and two planted demonstrative bioretention swales lining each side of the Mews. The recreational areas are safe, creative, and unconventional.

DEMAND POINTS	Tots	Children	Teens	Adults	Seniors	TOTALS
	D1	D2	D3	D4	D5	
SFD II per 100 units	13.00	24.00	25.00	106.00	11.00	179.00
SFD II per 15 units	1.95	3.60	3.75	15.90	1.65	26.85
SFD III per 100 units	14.00	19.00	23.00	127.00	13.00	196.00
SFD III per 16 units	2.24	3.04	3.68	20.32	2.08	31.36
TH per 100 units	17.00	22.00	18.00	129.00	7.00	193.00
TH per 3 units	0.51	0.66	0.54	3.87	0.21	5.79
Project Demand per 34 Units	4.70	7.30	7.97	40.09	3.94	64.00
ON SITE						
Tot Lot	9.00	2.00	0.00	4.00	1.00	16.00
Picnic/Sitting (2)	2.00	2.00	3.00	10.00	4.00	21.00
Natural Areas	0.00	0.37	0.80	4.01	0.20	5.37
Bike System	0.24	0.73	1.20	6.01	0.39	8.57
Pedestrian System	0.47	1.46	1.59	18.04	1.77	23.34
On Site Total	11.71	6.56	6.59	42.06	7.36	74.27
OFF SITE						
Maplewood-Alta Vista Park						
Multi-Age Playground	9.00	11.00	3.00	7.00	1.00	31.00
Tennis	0.00	1.50	10.50	24.00	1.00	37.00
Soccer, Junior	2.00	15.00	15.00	30.00	2.00	64.00
Softball, Junior	2.00	15.00	15.00	30.00	2.00	64.00
Baseball, Junior	2.00	15.00	15.00	30.00	2.00	64.00
Open Play Area I	6.00	9.00	12.00	30.00	2.00	59.00
Off Site Total	21.00	66.50	70.50	151.00	10.00	319.00
SUPPLY/DEMAND RATIOS						
On Site Ratio	2.49	0.90	0.83	1.05	1.87	
Off Site Ratio	4.47	9.11	8.85	3.77	2.54	

e. Vehicular and Pedestrian Circulation

The Planning Board approved Camberley Avenue for a modified tertiary road with a 57' right-of-way on the north end tapering down to a 50' right-of-way on the south end where it will connect with the existing 60' right-of-way at Camberley Avenue. The Board approved a waiver for sidewalks on both sides of Camberley Avenue in support of one sidewalk on the eastern edge of the road, which is represented in the site plan application.

The internal road along Camberley Avenue was designed to meander through the site to both calm traffic speeds and provide a softened road sensibility. Camberley Avenue is a tertiary street with a reduced pavement width and on-street parking. A series of private driveways and off street parking facilities complete the vehicular circulation system.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed single family dwellings, townhouses, and duplex units are compatible with the adjacent residential uses in terms of layout, orientation, and scale. The development will provide a buffer to the neighborhood along the eastern border by a 1.97 acre Category I Forest Conservation Easement. To the west, along Old Georgetown Road, there will be a 52-foot front setback with a green corridor protected under a Category II Forest Conservation Easement. There will also be a 2' wall that provides a subtle separation between the pedestrians traversing the 10'foot wide sidewalk along Old Georgetown Road from the community.

The Site Plan proposes single family housing fronting Alta Vista Road compatible with the use and orientation of housing on the north side of Alta Vista Road. Vehicular access to these homes will be via the back of the units to avoid traffic conflicts along Alta Vista Road furthering neighborhood compatibility. The MPDUs along Old Georgetown Road will be designed to appear as single manor homes fronting the roadway.

Lastly, several homes along the southern boundary of the Property will be oriented so the rear yards back to nearby parking facilities. Landscaping and fencing will be used to assure compatibility and privacy.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

As conditioned, the proposed development meets all of the requirements of the Forest Conservation Law. By protecting the existing forests, saving numerous specimen trees, and protecting the individual trees along Old Georgetown Road the proposed development meets the Law. In addition, noise mitigation devices and process will be adopted to ensure the residences along Old Georgetown Road are protected from excessive noise levels.

MCDPS has approved the stormwater management concept, which consists of a combination of bioswales, drywells, raingardens, porous pavements, and a

bioretention area. In addition to satisfying the requirements of Chapter 19, the stormwater management system is effectively integrated into the larger site design.

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAY 6 2013 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, April 25, 2013, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board