



### Manfield Preliminary Plan No. 120160360

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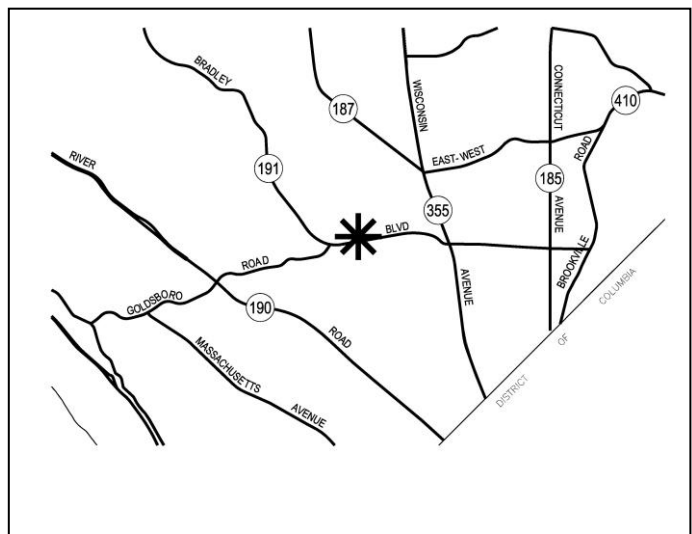
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Staff Report Date: July 10, 2017

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### Description

- Request to subdivide one recorded lot into two one-family residential lots
- 5115 Bradley Boulevard
- Size: 28,592 square feet (0.66 acre)
- Zone: R-60
- Master Plan: 1990 *Bethesda-Chevy Chase*
- Applicant: Melanie Manfield
- Date Accepted: August 10, 2016
- Review Authority: Chapter 50, effective February 13, 2017



### Summary

- Staff recommends **Approval** of Preliminary Plan No. 120160360 for two lots with conditions.
- Staff recommends **Approval** of the submitted Tree Save Plan.

## SECTION 1 – RECOMMENDATION

**Recommendation:** Staff recommends approval of Preliminary Plan No. 120160360, Manfield Property, for two one-family lots subject to the following conditions:

1. Approval is limited to two one-family residential lots.
2. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) – Water Resources Section in its stormwater management concept letter of December 23, 2016, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
3. Prior to any demolition, clearing or grading on the Subject Property, the Applicant must hold a preconstruction meeting with the project arborist, who must be both an ISA-Certified Arborist and a Maryland Licensed Tree Care Expert, and the M-NCPPC Forest Conservation Inspector. Any tree protection measures required by the Forest Conservation Inspector must be implemented prior to any demolition, clearing or grading on the Subject Property.
4. The Tree Save Plan as shown in *EPlans*, as of the date of this staff report, July 10, 2017, or as amended by the MNCPPC forest conservation inspector, must be fully implemented.
5. The planting of native canopy trees (one tree on each lot, as shown on the Tree Save Plan, measuring a minimum of 3” caliper at the time of planting) must be installed within the first growing season after the completion of the associated house.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated September 20, 2016, and does hereby incorporate them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan.
7. The record plat must show a common access easement from Bradley Boulevard (MD 191) over the shared driveway.
8. Prior to recordation of plat, the Applicant must satisfy the provisions for access and improvements as required by Maryland State Highway Administration (MSHA) including relocating the existing storm drain inlet outside the limits of the proposed driveway apron, unless this requirement is waived by MSHA.
9. The Applicant must dedicate 10-feet along the Subject Property’s frontage as mandated by the 1990 *Bethesda-Chevy Chase Master Plan* and as shown on the Preliminary Plan.
10. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board Resolution.

11. The certified Preliminary Plan must contain the following note:  
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permits. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.
12. Prior to approval of the Certified Preliminary Plan, the Applicant must include: the stormwater management concept approval letter, MCDOT recommendation letter, and Preliminary Plan resolution in the plan set or on the cover sheet(s).

## SECTION 2 – SITE LOCATION AND DESCRIPTION

### Site Location

The Subject Property (“Property” or “Site”) is located on the north side of Bradley Boulevard (MD 191), approximately 500 feet west of its intersection with Fairfax Road in Bethesda. The surrounding area is zoned R-60 and developed with one-family detached housing units.



Figure 1: Vicinity Map (Subject Site Outlined in Red)

### Site Description

The Property consists of approximately 28,592 square feet of R-60 zoned land. It is rectangularly shaped with approximately 132 feet of frontage on MD 191. From MD 191 access to the site is via an existing gravel driveway along the property's western lot line. Presently, the site is developed with a one-family detached house, a detached garage, and a front yard tennis court. The entire site is enclosed by a 6-foot high board-on-board fence. The site is flat and contains large trees, shrubs and ornamental plantings.

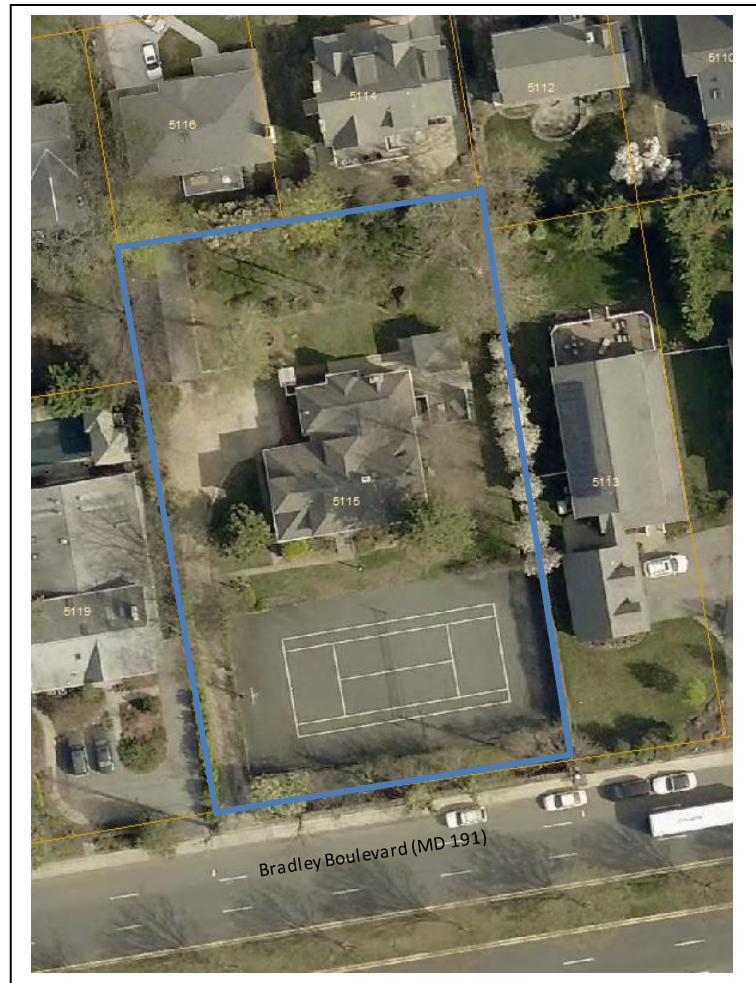


Figure 2: Aerial View looking north from MD 191 (Subject Property outlined in blue)

## **SECTION 3 – PROPOSAL**

### Proposal

The Property consists of one subdivided lot, Lot 7, Block 4, Section 2, Bradley Hills, Plat Book 17542, recorded on June 9, 1989. Under this Application, the Property will be subdivided into 2 one-family lots, each lot comprising approximately 13,634 square feet. The existing house, garage and tennis courts will be razed. Access to both lots will be from shared driveway via MD 191. The Applicant will record an ingress/egress easement over this driveway which will permit both lots access to MD 191. The Applicant will also dedicate approximately 1,325 square feet along the site's frontage to

accommodate the 1990 *Bethesda-Chevy Chase Master Plan* recommendations for a right-of-way width of 120 feet on MD 191.

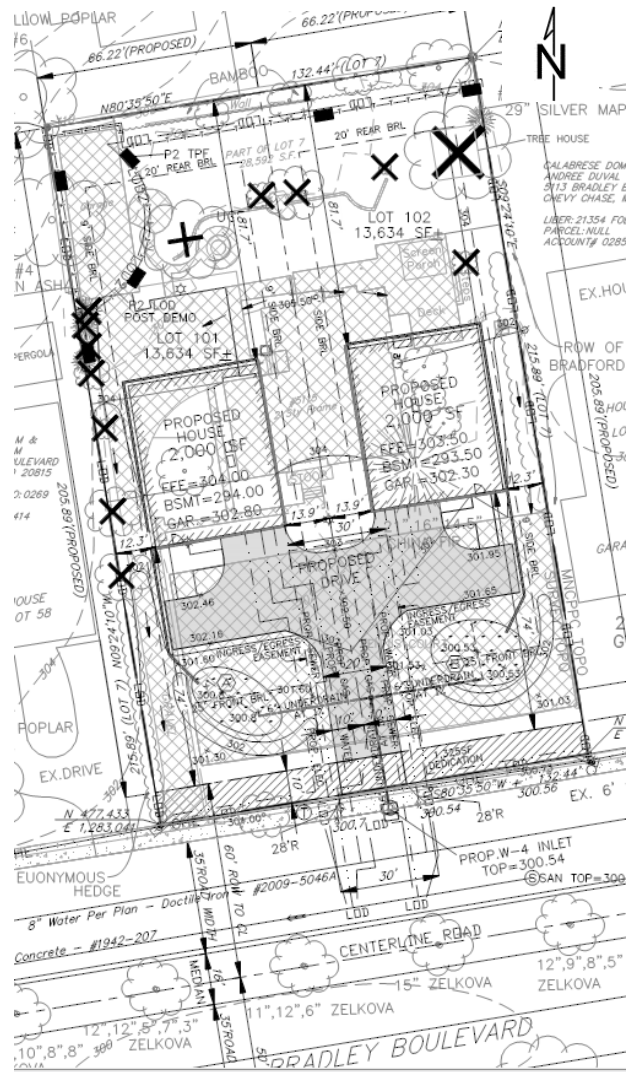


Figure 3: Proposed Preliminary Plan

#### SECTION 4 – ANALYSIS AND FINDINGS, 50.4.2.D

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

The layout of the proposed subdivision is appropriate given its location, the type of development contemplated and the requirements of Chapter 59.

- a. The proposed subdivision is an infill development and will be located on an existing residential block and will not change the overall block design. The proposed Preliminary Plan will consist of two rectangularly shaped one-family lots. Each lot will consist of approximately 13,634 square feet and have a lot width of 66 feet. The lots are located on MD 191, a public road and will access to this roadway via a shared driveway. Both proposed lots are aligned perpendicular to this road.

As proposed, both lots have been designed to accommodate any proposed buildings, infrastructure, onsite stormwater management, onsite parking and a shared access points that are necessary to serve the lots. No pedestrian paths are proposed for this subdivision. However, the existing sidewalk, along MD 191, will be replaced after 10 feet of right-of-way is dedicated along the site's frontage. Therefore, the block and lot design of this subdivision are appropriate in terms of size, width, shape, and orientation for the area. The proposed subdivision will be compatible with the existing development patterns and land use goals in this area.

- b. *Preliminary Plan provides for required public sites and adequate open areas.*

No required public sites or open areas are recommended in the Master Plan for this Property.

- c. *The Lots and Use comply with the basic requirements of Chapter 59.*

The two proposed lots were reviewed for compliance with the dimensional requirements for the R-60 zone as required by the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is shown in Table 1.

**Table 1  
Preliminary Plan Data Table for R- 60**

<b>Plan Data</b>	<b>Zoning Ordinance Standard</b>	<b>Proposed by Preliminary Plan Lot 101</b>	<b>Proposed by Preliminary Plan Lot 102</b>
Minimum Lot Area	6,000 sf	13,634 sf.	13,634 sf
Minimum Lot Frontage	25 ft.	66 ft.	66 ft.
Maximum Lot Coverage	35%	14.6%	14.6%
Minimum Building Setbacks			
Front	25 ft.	Must meet minimum	Must meet minimum.
Side	8 ft. min/ 18 ft. total	Must meet minimum	Must met minimum
Rear	20 ft.	Must meet minimum	Must meet minimum
Maximum Building Height	35 ft.	Must comply with Maximum Building Height.	Must comply with Maximum Building Height
MPDU's	No	No	No
Open Space Required	No	No	No
TDR's	No	No	No
Site Plan Required	No	No	No

2. *The Preliminary Plan substantially conforms to the Master Plan.*

The Property is located in the 1990 *Bethesda-Chevy Chase Master Plan* which does not specifically address the Subject Property. However, the Plan offered the following goals and objectives for land use and zoning:

- *Reconfirm the zoning for the extensive single-family detached residential area. (p.19)*
- *Maintain and enhance residential communities along major highways and arterials. (p.19)*

The proposed subdivision complies with the recommendations adopted in the Master Plan in that it maintains and enhances the residential community along an arterial (MD 191) with new one-family residential development consistent with surrounding existing residential development and the R-60 zoning designation. This proposed development replaces one very large lot with two smaller lots. With respect to dimensions and orientation, the two proposed lots will be similar in size to existing lots in the surrounding residential community. Thus, this subdivision will not alter the existing pattern of development or land use. The proposed subdivision substantially conforms to the Master Plan recommendations for zoning and residential development.

3. *Public Facilities will be adequate to support and service the area of the subdivision*

This Application was submitted prior to January 1, 2017, and is therefore reviewed under the *2012-2016 Subdivision Staging Policy for Adequate Public Facilities*.

a. Roads and Other Transportation Facilities

Transportation access is adequate to serve the proposed development by this Preliminary Plan.

i. *Existing Facilities*

The 1990 *Bethesda-Chevy Chase Master Plan* recommends that MD 191, designated Major Highway M-3, be maintained within a 120-foot wide right-of-way with six travel lanes. In its existing configuration, the roadway is comprised of six travel lanes with off-peak parking permitted on the outside travel lanes.

The 2005 *Countywide Bikeway Functional Master Plan* designates MD 191 as a Dual Bikeway DB-4 (both a shared-use path and signed shared roadway) along the property frontage. Staff notes that although the Montgomery County Department of Transportation (MCDOT) is designing a Dual Bikeway west of Glenbrook Road, the proposed subdivision is not required to upgrade the frontage sidewalk to a shared use path due to the site's limited frontage on MD 191. Additionally, a shared use path could not be extended beyond the site's frontage because the adjacent lots have not dedicated the 120-foot wide right-of-way recommended in the 1990 *Bethesda Chevy Chase Master Plan*.

Transit service within ¼ mile of the site, a walk time of approximately 5 minutes, is located at the intersections of MD 191 and Fairfax Road and MD 191 and Glenbrook Road. These bus stops are served by the Ride-On 36 Route (Bethesda - Potomac via Hillandale Road). Additionally, beyond the ¼ mile radius, the Bethesda Circulator stops on Arlington Road north of MD 191.

ii. *Proposed public transportation infrastructure*

As shown on the submitted Preliminary Plan, the Project will dedicate a 10-foot wide strip across the site's entire frontage for a total of 1,325 square feet. This dedication will provide the minimum width of 60 feet between the property line and the MD 191 right-of-way centerline. This dedication supports the Master Plan recommendation for a right-of-way width of 120-feet on MD 191 and is a recommended condition of approval.

The Project proposes eliminating the site's existing driveway from MD 191 in favor of a single right-in/ right-out shared driveway located in the middle of the site's frontage on MD 191, approximately 53 feet east of the existing driveway. The proposed access concept is preferable to the existing condition because it consolidates access to a single point between the two proposed lots.

Currently, the proposed driveway location is improved with a storm drain inlet that must be relocated outside of the proposed driveway apron to facilitate safe and adequate vehicular ingress/ egress. MSHA may permit the driveway to be constructed around the existing inlet or in the alternative require the Applicant to relocate the inlet along the site's frontage. Staff recommends a condition of approval to address the storm drain inlet.

b. Local Area Transportation Review and Transportation Policy Area Review

This Project is subject to the January 2013 *Local Area Transportation Review (LATR) Guidelines* and *Transportation Policy Area Review (TPAR)* because it was submitted prior to January 1, 2017.

The estimated traffic impact of one new one-family dwelling unit, exclusive of the existing one-family dwelling unit which will be replaced with another one-family dwelling unit on the site, is one (1) AM peak-hour trip and one (1) PM peak-hour vehicular trip. As a result of this *de minimis* impact, this Project satisfies LATR with the submitted traffic statement. Under the 2012-2016 *Montgomery County Subdivision Staging Policy (SSP)* the Preliminary Plan application is subject to the Transportation Policy Area Review (TPAR) mitigation payment. However, since the building permit will be filed after March 1, 2017, the Applicant will be required to pay the updated General District Transportation Impact Tax. Therefore, this Project satisfies the Adequate Public Facilities requirements for transportation without further traffic analysis. In consideration of the *de minimis* traffic impact and proposed site design, Staff concludes that the proposed development satisfies the *LATR* requirements and will provide safe, adequate, and efficient site access.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The Property will be served by public water and sewer systems. The Application has been reviewed by the Montgomery County Fire and Rescue Service who



has determined that the subject property has appropriate access for fire and rescue vehicles.

The Subject Property is in the Bethesda-Chevy School Cluster. The Application was filed prior to January 1, 2017 and is being reviewed under the 2012-2016, SSP. Under the FY 2017 Annual School Test, adequate school facilities exist within the Bethesda-Chevy Chase cluster. However, at the time of building permit issuance, the Applicant will be required to pay an impact tax for the project. Other public facilities and services, such as police stations, firehouses and health services are available to serve the proposed dwelling units. Electrical, gas, and telecommunications services are also available to serve the property.

4. *All Forest Conservation Law, Chapter 22A, requirements are satisfied*

a. Environmental Guidelines

The site is not associated with any forest areas or other environmentally sensitive resources such as highly erodible soils, steep slopes, streams, floodplains or related buffers. There are no known rare, threatened, or endangered species on or near the site. However, there are a few specimen trees which measure over 30" Diameter at Breast Height (DBH) located near the subject property (along with significant trees measuring 24" DBH and greater located both on and offsite). The site is located within the Willett Branch watershed, a Use I-P watershed<sup>1</sup>

b. Forest Conservation and Tree Save Plan

This Application is subject to Chapter 22A, the Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2) because the proposed activity occurs on a tract of land less than 1 acre, that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen tree or champion tree, and reforestation requirements would not exceed 10,000 square feet. The forest conservation exemption application #42016208E was confirmed by Staff on July 6, 2016. (Attachment A.)

The proposed development is subject to a Tree Save Plan which has been submitted for the Planning Board's approval. The limits of disturbance cover most of the site but some reductions and special measures have been proposed to avoid the potentially severe impacts to neighboring trees that would otherwise occur without the proposed special measures. Most notably, the Tree Save Plan calls for the careful demolition of the garage under the direction of an ISA-Certified Arborist who is also a Maryland Licensed Tree Care Expert. This work includes careful backfill of the foundation area with rich clean topsoil. After the initial demolition/backfill work is completed, the tree protection fence will be reset to cordon off the northwest corner of the site for the remainder of construction activity, to protect the larger offsite trees.

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<sup>1</sup> Use 1-P:

*WATER CONTACT RECREATION, PROTECTION OF AQUATIC LIFE, AND PUBLIC WATER SUPPLY*

*Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply; industrial water supply; and public water supply.*

The Tree Save Plan also includes the planting of two native canopy trees at the rear of each proposed lot that will measure a minimum of 3" caliper at the time of planting (minimum quantity of one tree planted per lot).

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

The Montgomery County Department of Permitting Services (MCDPS) Stormwater Management Section approved a stormwater management concept plan (#282102) on December 23, 2016. Based on the approval letter, this concept plan meets stormwater management requirements with two micro-bioretenion facilities on each lot. (Attachment B.)

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

Not applicable, no other provisions specific to the property and necessary for approval of this subdivision are required.

#### **SECTION 6 – CITIZEN CORRESPONDENCE**

The Applicant has met all proper signage, noticing, and pre-submission meeting requirements for the submitted Application. Two pre-submission meetings for the Preliminary Plan were held on June 14, and June 28, 2016 at the subject site (5115 Bradley Boulevard). To date, Staff has not received any correspondence on the subject Application.

#### **SECTION 7– CONCLUSION**

The proposed lots meet all of the requirements established in the Subdivision Regulations (Chapter 50) and the Zoning Ordinance (Chapter 59), and substantially conforms to the recommendations of the 1990 *Bethesda-Chevy Chase Master Plan*. Access to the lots is adequate and all public facilities and utilities have been deemed adequate to serve this Application. The Application was reviewed by other applicable County agencies, all of whom have recommended approval of the plans. Therefore, Staff recommends approval of the Application, with the conditions specified at the beginning of this staff report

#### **Attachments**

Attachment A: Forest Conservation Exemption Memo

Attachment B: Memos - Other Agencies Memos