



WMAL Bethesda, Site Plan No. 820170170

 Emily Tettelbaum, Planner Coordinator, Area 2 Division, Emily.Tettelbaum@montgomeryplanning.org, 301-495-4594

 Patrick Butler, Supervisor, Area 2 Division, Patrick.Butler@montgomeryplanning.org, 301-495-4561

 Carrie Sanders, Chief, Area 2 Division, Carrie.Sanders@montgomeryplanning.org, 301-495-4653

Description

Request for approval to construct 309 dwelling units (159 detached, 150 townhouse) including 40 MPDUs, private roads, related residential amenities, and the associated Final Forest Conservation Plan.

Location: Northeast quadrant of the intersection of Greentree Road and Interstate 495.

Master Plan: 1990 *North Bethesda/Garrett Park Master Plan*.

Zone: R-90.

Property Size: 74.83 acres.

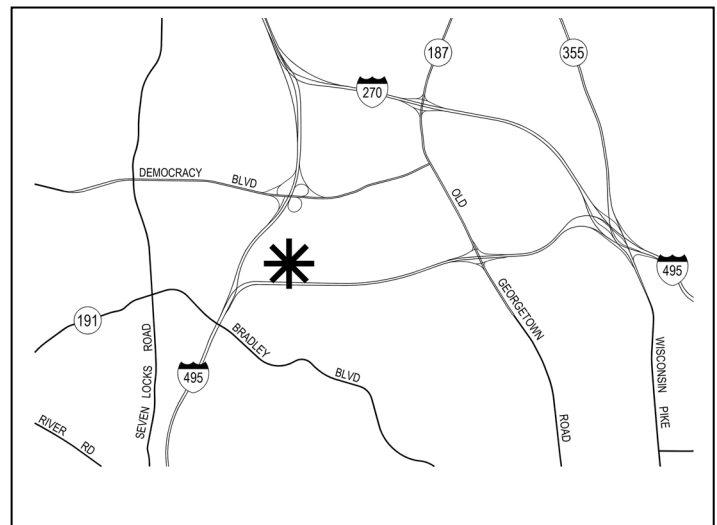
Applicant: Toll Brothers, Inc.

Application Accepted: October 25, 2017.

Review Basis: Chapter 59, Optional Method

Development (12.5% MPDUs + 1 MPDU).

Staff Report Date: 11-5-18



Summary

- Staff recommends approval of the Site Plan and Final Forest Conservation Plan, with conditions.
- The Applicant will dedicate a 4.3-acre parcel to Montgomery County Public Schools (MCPS) and contribute funds to MCDOT for an intersection improvement at Fernwood Road and Democracy Boulevard.
- The Planning Board granted a three-month extension of the regulatory review period from February 22, 2018 to May 24, 2018, and then an additional six-month extension until November 15, 2018 to address comments from Planning Staff.
- There are community concerns about many aspects of the proposed development including the noise analysis and the location of the proposed trail in the forest conservation easement areas.

TABLE OF CONTENTS

SECTION 1: RECOMMENDATION AND CONDITIONS	3
SECTION 2: SITE DESCRIPTION AND PROJECT BACKGROUND	8
SECTION 3: PROPOSAL	10
SECTION 4: COMMUNITY CORRESPONDENCE	18
SECTION 5: FINDINGS	21
SECTION 6: CONCLUSION	32

ATTACHMENTS

1. Site Plan
2. Graphics Showing Changes Since Preliminary Plan Approval/Initial Site Plan Submission
3. Applicant's Proposed Improvement to Fernwood Road and Democracy Boulevard and Associated Traffic Analysis
4. DOT Concept Plan for Fernwood Democracy Intersection
5. Correspondence Regarding Derbyshire Wall
6. Community Correspondence
7. Applicant's Justification for Common Open Spaces Less than 50 feet Wide
8. Final Forest Conservation Plan
9. Noise Analysis dated May 2, 2018
10. Preface Letter to Noise Analysis dated May 2, 2018 and SHA Assumptions
11. Applicable Master Plan Sections
12. Agency Letters

SECTION 1: RECOMMENDATION AND CONDITIONS

SITE PLAN RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan 820170170. The development must comply with the conditions of approval for Preliminary Plan No. 120160290 as listed in the MCPB Resolution No. 17-053 dated August 3, 2017. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of up to 309 dwelling units, with up to 159 detached houses and up to 150 townhouses.

2. Height

The development is limited to a maximum height of 40 feet.

3. Moderately Priced Dwelling Units (MPDUs)

The Planning Board accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated April 4, 2018 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

- a) The development must provide 12.5% percent MPDUs, plus one additional MPDU, on-site consistent with the requirements of Chapter 25A and the applicable Master Plan.
- b) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and the DHCA must be executed.

Open Space, Facilities and Amenities

4. Common Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of approximately 18.61 acres of Common Open Space (26.4% of the gross tract area minus the school dedication area). The exact amount of Common Open Space may change based on final engineering of Stormwater Management facilities.
- b) Before final inspection for the 206th residential unit, the community building and associated amenities must be completed.
- c) Before the final inspection for the final residential unit on any given block (as defined by Public and Private streets, but not Private Lanes and Alleys), all hardscaping, seating, recreation facilities and other open space amenities in the Common Open Space on that block must be installed. All landscaping on any given block must be installed within one growing season after the completion of the final residential unit on that block.

¹ For the purposes 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.

5. Common Open Space Covenant

The record plat must reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 (Covenant).

6. Recreation Facilities

The Applicant must provide the recreation facilities shown on the Certified Site Plan. The recreation facilities must be completed according to condition #4c.

7. Maintenance of Amenities

The Applicant is responsible for maintaining all amenities including, but not limited to, the community clubhouse, open space areas including all seating areas and recreational facilities, and art pieces.

Site Plan

8. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.
- b) The exterior architectural character, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, materials, and articulation of the market-rate units.

9. Lighting

- a) Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off fixtures.
- c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

Environment

10. Forest Conservation

- a) The Applicant must comply with Final Forest Conservation Plan (FFCP) No. 820170170, approved as part of this Site Plan, subject to the following conditions:
 - i. The limits of disturbance ("LOD") on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved FFCP.
 - ii. The Applicant must record a Category I Conservation Easement over all areas of forest retained and forest planted prior to any demolition, clearing, or grading on the Property. The Category I Conservation Easement must be approved by the M-

- NCPPC Office of the General Counsel and recorded by deed among the Land Records and referenced by liber and folio on the record plat.
- iii. The Applicant must submit financial surety for planting 0.74 acres of forest and obtain M-NCPPC approval of a two-year maintenance and management agreement prior to any demolition, clearing, or grading on site.
 - iv. The Applicant must plant all reforestation within one year of construction completion.
 - v. The Applicant must receive approval from the M-NCPPC Office of the General Counsel of a Certificate of Compliance to use an off-site forest mitigation bank for 8.38 acres of mitigation credit prior to the start of any clearing, grading, or demolition occurring on the Property.
 - vi. The Certificate of Compliance to use an off-site forest mitigation bank must be recorded in the Land Records prior to any clearing, grading, or demolition occurring on the Property.
 - vii. The Applicant must plant a total of 43 caliper inches of native canopy trees as mitigation for the removal of five (5) trees subject to the variance provision. The minimum planting stock size must be no less than three (3) caliper inches. The trees must be planted on the Property, as shown on the Final Forest Conservation Plan. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC forest conservation inspector. The trees must be planted within one year of construction completion.
 - viii. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree protection measures not specified on the approved Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.

11. Noise Attenuation

- a) If the plan changes in any manner that affects the validity of the noise analysis dated May 2, 2018 for acoustical certifications and noise attenuation features, the Applicant must conduct a new noise analysis to reflect the revised plans, and new noise attenuation features may be required.
- b) Before final inspection any for any dwelling unit, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in architectural acoustical treatments.
- c) The building shell for the following residential units affected by exterior noise levels projected above 65 dBA Ldn must attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn:
 - a. Lots 1 through 8 on the northern perimeter;
 - b. Lot 1 on the western perimeter; and
 - c. Lots 1 through 22, 109 through 116, 187 through 193, 167, 268, and 269 on the southern perimeter.
- d) Prior to final inspection for residential units listed under Condition 11.c.iii, the noise wall within the SHA right-of-way along I-495 must be completed.

12. Stormwater Management

- a) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated August 21, 2018 and incorporates them as conditions of approval. The

Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

- b) The following revisions must be made prior to Certified Site Plan, subject to approval by MCDPS Water Resources Section:
 - i. Add "SWM" to the roadside planter box labels already shown on Site Plan sheet 5, 6, and 13;
 - ii. Add "On-Lot SWM Planter Box (typ.)" labels to at least one lot on each Site Plan sheet 5-15;
 - iii. Add "SWM ESMT" labels to identify the proposed SWM easements over all three of the underground SWM detention vaults shown on Site Plan sheets 5 and 6;
 - iv. Relocate the mailbox outside of the proposed SWM easement shown on Site Plan sheet 5; and
 - v. Remove the landscape seat walls shown within the proposed SWM easements on Site Plan sheets 5 and 6.

Transportation & Circulation

13. Transportation

- a) Prior to issuance of a building permit for the first residential unit, the Applicant must make a payment to MCDOT of \$184,787.50 to satisfy condition No. 28 from Preliminary Plan No. 120160290.
- b) Prior to the issuance of a building permit for the 150th residential unit, the Applicant must construct the extension of Greentree Road.
- c) Prior to the issuance of a building permit for the 300th residential unit, the Applicant must construct the extension of Renita Lane.
- d) Prior to issuance of a building permit for the 150th residential unit, the Applicant must complete the off-site traffic calming and streetscaping improvements along Greyswood Road and Greentree Road as shown in the Certified Site Plan.

14. Pedestrian & Bicycle Circulation

The Applicant must provide five short-term bicycle parking spaces outside the Clubhouse as shown on the Certified Site Plan.

15. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated October 1, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.

16. Site Plan Surety and Maintenance Agreement

Prior to issuance of the first building permit, sediment control permit, or Use and Occupancy Certificate within each relevant phase of development, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must

include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, planting of grass on the future school site, on-site lighting, indoor and outdoor recreational facilities, community center, site furniture, public art, mailbox pad sites, trash enclosures, retaining walls, noise walls/fences, railings, private roads and sidewalks, alleys, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights within the relevant phase of the development. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

17. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

18. Certified Site Plan

Before 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 stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) Revise the Common Open Space Exhibit (Sheet 07-SITE-820170170-019) per the updated version in the Staff report.
- g) Change "Or Equal" to "Staff approved equal...." on all applicable sheets.
- h) The trail within the northern Forest Conservation Easement must be relocated between the southern edge of the northern forest, closer to the proposed homes and further away from existing homes. Final location of the trail will be subject to field location due to topographical and environmental constraints. The Applicant must work with Staff to locate the natural surface trail in the field, and the trail should be located in a way that protects the privacy of residents, while providing for use of the natural areas.
- i) Work with Staff to:
 - i. add public art, seating, and/or other amenities to the linear parks; and
 - ii. continue to refine plant list.

- j) Revise the Photometric Plans to show that the outdoor lighting is consistent with Section 59-6.4.4.D.

SECTION 2: SITE DESCRIPTION AND PROJECT BACKGROUND

SITE DESCRIPTION

The Subject Property (Property) outlined in red below and known as the WMAL Property, is approximately 74.83 acres in size, and located in the northeast quadrant of the intersection of Interstate I-495 and Greentree Road. It is primarily surrounded by single-family detached and attached homes to the east, north, and west, and borders I-495 to the south. Stratton Woods Local Park is located approximately ¼ mile to the northeast of the Property.



Figure 1: Vicinity Map

The Property is zoned R-90, is within the 1992 *North Bethesda/Garrett Park Master Plan*, and currently contains three radio towers that formerly supported the WMAL radio station. A single-family detached structure that housed radio and maintenance equipment has been demolished.



Figure 2: Site

The Property is located in the Cabin John Creek Watershed Class I-P. There are no known rare, threatened, or endangered species on site. The Property contains approximately 15.84 acres of forest, as well as a short segment of an intermittent stream and a small wetland with their associated buffers. The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD), plan number 420160220, was approved on November 9, 2015.

PROJECT BACKGROUND

On June 15, 2017, the Planning Board approved Preliminary Plan No. 120160290 to allow subdivision of the Property, under the MPDU optional method of development, into 309 lots comprising 159 detached houses and 150 townhouses. Under the MPDU optional method, a minimum of 12.5% of the lots, plus one additional lot, must be MPDUs. The approved subdivision also includes one 4.3-acre parcel to be dedicated to Montgomery County Public Schools (MCPS), and associated stormwater management, common open space, private road, and homeowner's association (HOA) parcels. The Plan provides two public road extensions to connect Greentree Road to Greyswood Road, and Renita Lane to Greentree Road. The Planning Board also approved a network of internal private streets to serve the development. The Preliminary Forest Conservation Plan approved in conjunction with the Preliminary Plan requires retention of two separate forest stands in Category I Forest Conservation Easements, totaling approximately 10.75 acres in size.

SECTION 3: PROPOSAL

The Applicant proposes to build a new residential community, named Amalyn, under the MPDU optional method of development. Consistent with the approved Preliminary Plan, the Project includes up to 309 dwelling units, comprising 159 detached houses and 150 townhouses. Forty of the proposed townhouses are MPDUs (12.5% plus one additional), as required for this method of development. Significant project components include: dedication to Montgomery County Public Schools (MCPS) of a 4.3-acre parcel of land, a 6,000 square foot community clubhouse, and preservation of approximately 10.75 acres of existing forest.



Figure 3: Illustrative Site Plan

Since the approval of the Preliminary Plan and the initial submission of the Site Plan, the Applicant has worked with Staff to make the following significant changes to the plan (see Attachment 2 for graphics):

- Integrated the MPDU Townhouse units with the Market Rate Townhouse Units throughout the Project. This included the replacement of thirteen townhouse lots on the west side of the property (north of the school site) with three single family detached homes, which back to the existing single family detached houses facing Greentree Road.
- Added planter boxes adjacent to all homes that will treat stormwater management on each lot, thereby reducing the need for stormwater facilities in the common open space areas.

- Added a 0.5-acre open space parcel north of the school parcel, consistent with the Planning Board's request during the hearing to approve the Preliminary Plan.
- Replaced the one-way private lane in Parcel T with a landscape mews.
- Increased and reconfigured the central Neighborhood Green area to provide improved outdoor space by adjusting the lot layout along the perimeter of the lawn. This adjustment better frames the outdoor amenity area and improves the sense of place. Recreational elements were also included to make the space more usable.

Site Design

The proposed neighborhood is designed around a curvilinear grid-like pattern of interconnected streets and green spaces. The primary north-south connections are Private Roads, with one side of each road designed as a linear greenway park. The linear greenways include sidewalks meandering through bioretention plantings and landscape beds, with many native plants incorporated into the plant palette (Figures 4 and 5).



Figures 4 and 5: Typical Greenway Landscape Plan and Illustrative Rendering of Private Street 5/Linear Park

Detached houses are proposed along the perimeter of the Property, where the Property abuts lots with existing detached houses. The units that front the greenways or mews are rear loaded with alleys, as are all townhomes. The private lanes and sidewalks are proposed to be constructed of upgraded materials consisting of either pavers or exposed aggregate. The larger detached homes generally have front garages, with those homes along the most eastern boundary designed with interior parking courts, thus concealing the parking from view along the street. While each unit has a garage, on-street parking is available along many of the public and private roads.



Figure 7: Illustrative Rendering of Typical ESD Facilities

The proposed Neighborhood Green is one of the most prominent open space areas. It is over an acre in size and improved with a large open lawn area framed with trees, a seating area with a pergola, a play area and public art (Figure 8). Another significant open space is a lawn area with interactive outdoor art play structures framed by MPDU townhouses (Figure 9).

The proposed community center is situated in a key location, anchoring the corner of Greyswood Road and Private Street 5, and anchors the primary north-south linear park/COS area of the community. The community center includes two pools, a splash park, a grilling area and indoor meeting and recreation space. The Site Plan shows the indoor and outdoor area of the community center as COS. However, Section 6.3.5 defines COS as “outdoor,” so Staff recommends removal of open space designation from the indoor portion of the community center.

Although the MCPS parcel is not included in the open space computation, MCPS has requested that the Applicant rough-grade the 4.3-acre area and plant it with grass after construction is complete and prior to MCPS accepting the dedication. The Applicant plans to use the northern portion of the MCPS parcel for construction staging and field offices during construction. Once the development is completed and the staging area and field offices are no longer needed, the entire 4.3 acres will be available as informal outdoor recreation space until MCPS construction commences.



Figure 8: Neighborhood Green

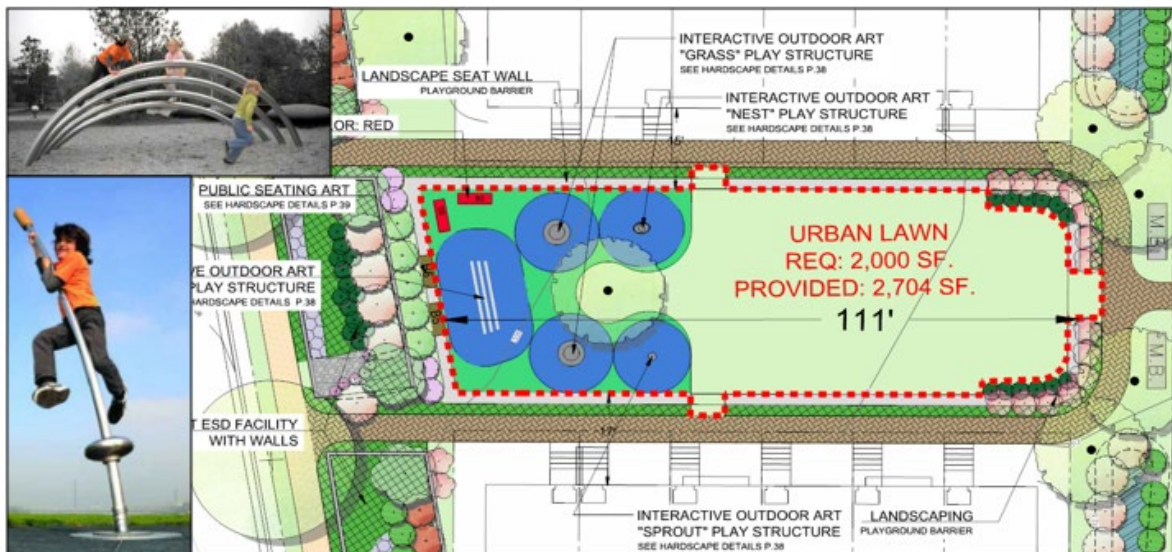


Figure 9: Lawn with Interactive Outdoor Art

Architecture

The proposed detached houses include a variety of sizes ranging from 35 to 70 feet wide. The architecture consists of a mix of styles that incorporate traditional and contemporary elements. Roofs will be a mix of flat or pitched, and materials include natural and manmade stone, brick, and precast accents.



Figure 10: Typical detached house architecture

Townhomes are designed in two general styles – an urban and a contemporary style. The urban style includes rich brick colors alongside paneled bays, while the contemporary incorporates stone and fiber cement siding. The townhouses will include the option to construct rooftop decks.



Figure 11: Typical townhouse architecture



Figure 12: Rendering of Community Clubhouse

Transportation

Per the 1992 *North Bethesda/Garrett Park Master Plan* (Master Plan) recommendation, Greentree Road will connect to Greyswood Road as a public 70-foot-wide Primary Residential Street. In addition, as approved by Planning Board and MCDOT, Renita Lane will extend through the southern portion of the Property to Greentree Road. These two public road connections will connect to the proposed internal network of private streets.

All streets (public and private) have sidewalks on both sides. At the Community's request, the concept of the existing walking/running trail that circles the property will be preserved. The proposed trail and sidewalk network will accommodate pedestrians, cyclists and dogs and includes the trails in the forest conservation areas. The internal network of pedestrian connections/sidewalks will be ADA-compliant with ramps and/or at-grade crossings and crosswalks on all public and private streets. Crosswalks will be provided at all street intersections.

Public Transit Service

The nearest bus route is the Ride On 47 along Fernwood Road, approximately ½ mile from the Property. Bus stops for this Ride-On route are located near the intersection of Greyswood Road and Fernwood Road.

Off-Site Improvements

Streetscape Improvements along Greentree Road and Greyswood Road

Pursuant to Condition No. 16 of Preliminary Plan No. 120160290, the Applicant has proposed streetscape improvements along Greentree Road and Greyswood Road (from Fernwood Road to the intersection of Greentree Road and I-495). The improvements include bump-outs at the Greyswood Road intersections with Harrogate Road and Inglemere Drive. The bump-outs have been designed so they do not interfere with the existing storm drain system. The streetscape plan also includes up to 49 street trees to be planted off-site along Greentree Road and Greyswood Road.

Sidewalks

The Site Plan includes two segments of off-site sidewalks. One segment is on Derbyshire Lane between the Property and Greyswood Road. Another segment of sidewalk connects a gap in the sidewalk network between the Property and the I-495 overpass along Greentree Road.

Fernwood Road and Democracy Boulevard Intersection Improvement

Condition No. 28 of Preliminary Plan No. 120160290 (Condition #28) required the applicant to improve the Fernwood Road and Democracy Boulevard intersection by converting the northbound Fernwood Road right turn lane to a shared left turn lane/right turn lane or providing an equivalent improvement. As required by Condition #28, the Applicant submitted a design concept for the proposed improvement and supporting traffic analysis (Attachment 3). MCDOT, M-NCPPC and the Applicant have agreed that the Applicant must pay for the cost of the proposed improvement in lieu of constructing it. MCDOT has accepted the Applicant's estimate of \$184,787.50 for the cost of the improvement and the Applicant must contribute this amount towards the MCDOT project prior to building permit. With this contribution, the Applicant has satisfied Condition #28 by funding an intersection improvement equivalent to the one specified in Condition #28.

The contribution will be used for a MCDOT designed improvement of the Fernwood Road/Democracy Boulevard intersection. The MCDOT Concept Plan for the intersection shows the removal of the median on Fernwood Road directly south of the intersection with Democracy Boulevard to make way for an additional left-hand turn lane from northbound Fernwood Road onto westbound Democracy Boulevard. The Concept Plan also includes pedestrian improvements to the intersection (Attachment 4).

Wall on Derbyshire Court

The Applicant is proposing to remove an existing retaining wall within the right-of-way on Derbyshire Court, subject to MCDPS approval. Maintenance of the existing wall has been the subject of concern since the Preliminary Plan (Attachment 5).

Noise Mitigation

To mitigate the transportation noise from I-495, a concrete sound barrier is proposed within the SHA right-of-way located to the south of the Property. The proposed barrier will fill a gap in the existing retaining walls along I-495. A detailed discussion of noise mitigation is provided in the findings section of this report.

SECTION 4: COMMUNITY CORRESPONDENCE

The Applicant has met all proper signage, noticing, and pre-submission meeting requirements for the submitted Application. Staff have received email correspondence (Attachment 6) and inquiries from neighbors and community representatives. Staff have also held two meetings with small groups of neighbors concerned about the Project. The neighbors expressed concerns about a number of aspects of the Project. The primary concerns along with Staff responses are summarized below.

Noise Study

Community Concern: There are concerns about the Applicant paying for and conducting their own noise analysis. The specific concern is that the revised noise study (originally dated March 19, 2018 and revised May 2, 2018) shows that noise fencing is no longer necessary adjacent to the lots along the northern part of the proposed development, closest to I-270. The community thinks the County should hire a specialist to review the study.

Staff Response: Staff analyzed the noise study and the assumptions made about traffic on I-270 and I-495 and accepts the results of the study. The change in the noise analysis is based on a change in the projected growth rates for the I-270 spur and I-495. The projected growth rate used in the revised noise analysis is based on data provided by Maryland Department of Transportation State Highway Administration (MDSHA), and is the same data being used in the I-495 & I-270 Managed Lanes Study.

Natural Surface Trail within the Forest Conservation Easement

Community Concern: Neighbors argue that the placement of the walking path line should be on the “inside canopy” border of the forest conservation easements to limit any disturbance/change to the natural habitat and to maintain the existing community’s privacy that they have enjoyed for over 40 years.

Staff Response: The Site Plan shows a natural surface trail through the existing forest in an approximate location. This forest will be protected by a Category I Conservation Easement and the trail will be field located to minimize impacts on the forest and in consideration with topography. There are three areas where the forest is less than 100 feet deep. Neighboring residents have expressed concerns about maintaining the privacy of their backyards. At the Community’s request, Staff has agreed to condition that the Applicant must work with Staff to field locate the trail in a way that considers forest preservation, topography and distance to existing residences. Special attention will be paid to ensure the privacy of residents, particularly in these three areas circled in red in Figure 13.

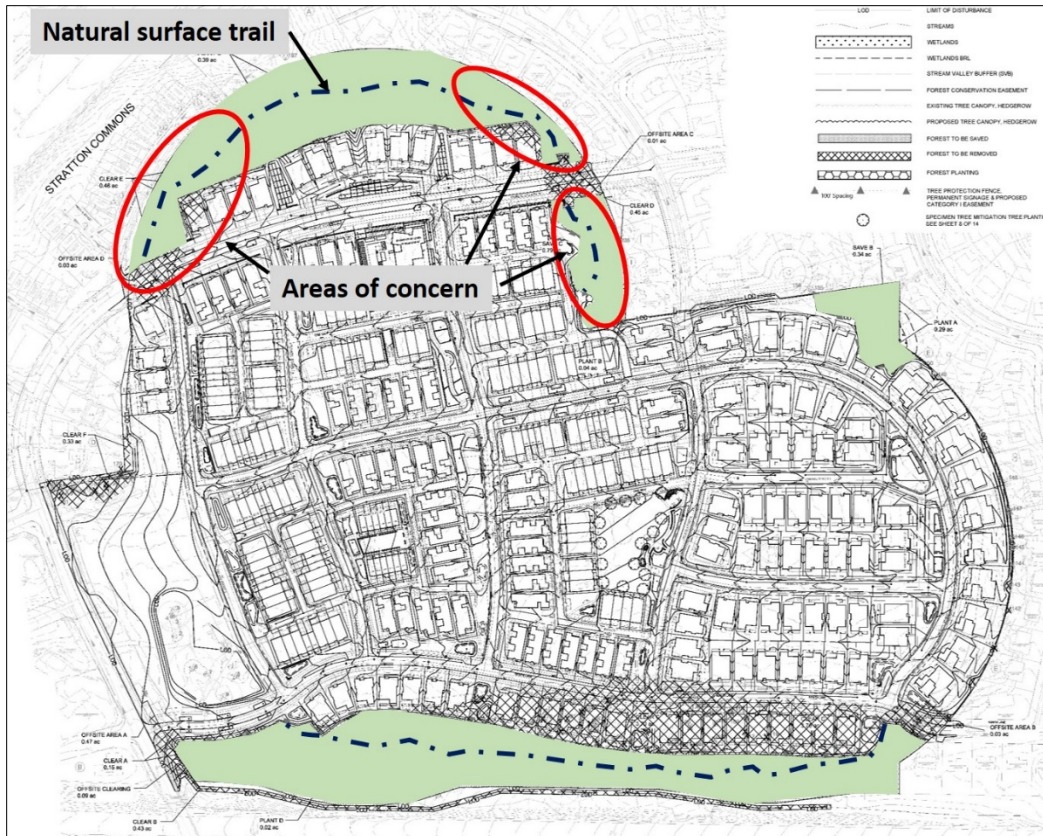


Figure 13: Approximate location of natural surface trail

The Interest of Existing Residents

Community Concern: Staff is not taking the interests of residents into account when reviewing this Project, and nothing has been done to help the surrounding community.

Staff Response: During the Preliminary and Site Plan reviews, Staff has advocated for a number of significant changes to the Project in direct response to community concerns including:

- **School Site Dedication**

The Applicant has agreed to dedicate a 4.3-acre portion of the site for an elementary school. This 4.3-acres will be conveyed to the MCPS and any density/units associated with this 4.3-acre site will not be transferred elsewhere in the project. This arrangement was a direct response to community concerns about school overcrowding.

- **Traffic Congestion**

As a result of the Community's input during the Preliminary Plan, Staff performed a far more detailed traffic analysis for this project than is typically warranted for a project of this size. Although the Applicant was not required to conduct an HCM based analysis, the Applicant and Staff conducted a full HCM analysis for the intersection of Fernwood Road and Democracy Boulevard (the primary focus of the Community's traffic concerns). Even though Staff did not agree with the Community's assertion that some of the background traffic numbers were based on faulty assumptions and questionable traffic counts, Staff continued to discuss the traffic issue with the Applicant. As a result of these discussions, even though the project passed the Local

Area Transportation Review test and was not required to improve any of the nearby intersections, the Applicant agreed to improve the intersection of Fernwood Road and Democracy Boulevard to significantly reduce the congestion at the intersection.

After the submittal of the Site Plan, Staff worked with the Applicant and MCDOT to address additional community concerns that had been communicated to MCDOT about pedestrian safety at the Fernwood Road/Democracy Boulevard intersection. In lieu of constructing the intersection improvements envisioned by Preliminary Plan # 120160260, the Applicant has agreed to make a contribution to MCDOT of \$184,787.50 prior to building permit to design and install improvements that address both traffic congestion and traffic safety.

- **Offsite Streetscape Plan on Greyswood/Greentree Road**

The Site Plan provides extensive off-site street tree planting on Greyswood and Greentree Roads, and traffic calming on Greyswood Road to connect the Project with Fernwood Road to the east. The scope of the off-site streetscape improvements is far more extensive than off-site improvements typically required of a residential subdivision.

- **Common Open Space (COS)**

Staff has worked extensively with the Applicant to increase the amount and quality of the proposed COS. Although the Stormwater Management facilities are not included in the calculation of COS, the Applicant has reduced the extent of stormwater facilities within the common open spaces by including planter boxes adjacent to all homes that will treat stormwater on each lot. Staff has also worked with the Applicant to provide attractive plantings, consisting primarily of native species, within the Stormwater Management Facilities.

- **Retaining wall on Derbyshire Court**

In response to a neighbor's concern about the maintenance of a low retaining wall located within the Derbyshire Court right-of-way, the Applicant has agreed to remove the retaining wall and replace it with one directly on the Property line.

- **Trail in the northern easement area**

Staff has received repeated requests to relocate the natural surface trail in the northern forest conservation easement area at the inner edge of the forest, so it will not disturb the existing homes that abut the Property. In response, Staff recommends conditioning Site Plan approval on the relocation of the trail between the southern edge of the northern forest, closer to the proposed homes and further away from existing homes, with final location subject to field location due to topographical and environmental constraints. The Applicant must work with Staff to locate the natural surface trail in the field, and the trail should be located in a way that protects the privacy of residents, while providing for use of the natural areas.

SECTION 5: FINDINGS

Section 7.3.4.E.2, *Necessary Findings*³, states that to approve a site plan, the Planning Board must find that the proposed development:

- a. *Satisfies any previous approval that applies to the site;*

As conditioned, the Subject Application satisfies Preliminary Plan No 120160290, approved by the Planning Board on June 15, 2017.

- b. *Satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This finding is not applicable as this Property is not subject to a development plan or schematic development plan.

- c. *Satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This finding is not applicable because the Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *Satisfies applicable use standards, development standards, and general requirements under this chapter;*

Use and Development Standards

Single Unit Living (in a detached house) is a permitted use in the R-90 Zone. Townhouse Living is allowed as limited use in a development including optional method MPDUs. As demonstrated in Table 1, the Project satisfies the development standards for the R-90 Zone MPDU optional method of development.

³ The findings in Section 7.3.4.E.2.j thru Section 7.3.4.E.4 are not applicable to this Application and are not included in this report.

Table 1: Development Standards for R-90 Zone MPDU Optional Method (Section 4.4.8.C)

	<u>Zoning Code</u>		<u>Site Plan</u>	
<u>GROSS TRACT AREA:</u>				
Gross Tract Area	5	AC. MIN.	74.83	AC.
Area of Dedications			3.57	AC. (public roads)
			4.30	AC. (school site)
Net Lot Area =			66.96	AC.
<u>MAXIMUM DENSITY:</u> * (4.39 units/acre)				
(74.83-4.30)* 4.39	309	units	309	units
<u>UNIT TYPE:</u>				
Detached Units			159	51.46%
Townhouse Units	50%	MAX.	150	48.54%
Total=	309		309	
<u>MPDUS:</u>				
12.5% + 1	40		40	
<u>OPENSACE:</u> *				
Common Open Space	15	% MIN.	±26.4	%
	10.58	AC.	±18.61	AC.
<u>SITE COVERAGE:</u>				
Detached	N/A		N/A	
Townhouse	40	% MAX.	11.3	%
<u>LOTS:</u>				
<u>Lot Area:</u>				
Detached	4,000	SF MIN.	4,000	SF MIN.
Townhouse	1,000	SF MIN.	1,000	SF MIN.
<u>Lot width at front building line:</u>				
Detached	Determined at Site Plan		45.0'	MIN.
Townhouse			16.0'	MIN.
<u>Lot width at front lot line:</u>				
Detached	25'	MIN.	25.0'	MIN.
Townhouse	14'	MIN.	14.0'	MIN.
<u>Frontage on street / open space:</u>				
Detached	Required		Provided	
Townhouse	Required		Provided	
<u>Lot Coverage:</u>				
Detached	50	% MAX.	50.0	%
Townhouse	N/A		N/A	
<u>Building Setbacks:</u>				
<u>Front setback from public street:</u>				
Detached	25'	MIN.	25'	MIN.
Townhouse	25'	MIN.	25'	MIN.
<u>Front setback from private street or open space</u>				
Detached	10'	MIN.	10'	MIN.
Townhouse	10'	MIN.	10'	MIN.
<u>Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone</u>				
Detached	25'	MIN.	25'	MIN. Public Street
Townhouse	25'	MIN.	25'	MIN. Public Street
<u>Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone</u>				
Detached	15'	MIN.	15'	MIN. Public Street
Townhouse	15'	MIN.	15'	MIN. Public Street

*The area of the school site is removed from the tract area for these calculations.

	<u>Zoning Code</u>	<u>Site Plan</u>
<u>Side or rear setback</u>		Side / Rear
Detached	Determined at Site Plan	4.0' / 4.0'
Townhouse		N/A / 4.0'
<u>Side setback, abutting property not included in application</u>		
Detached	Equal to required setback for a detached house in abutting zone	8'
Townhouse		N/A
<u>Rear setback, abutting property not included in application</u>		
Detached	Equal to required setback for a detached house in abutting zone	25'
Townhouse		N/A
<u>Rear setback, alley</u>		
Detached	4' MIN.	4' MIN.
Townhouse	4' MIN.	4' MIN.
<u>Height:</u>		
<u>Principal building:</u>		
Detached	40' MAX.	40' MAX.
Townhouse	40' MAX.	40' MAX.
<u>PARKING:</u>		
<u>Market Rate Units (269)</u>		
2.00 Req. space/unit	538	538
<u>MPDU Units (40)</u>		
1.0 Req. space/unit	40	40
<u>Total Spaces.</u>	578	578 (Garage)
<u>Additional Parking Provided</u>		177 On-Street
		360 On-D/W
<u>Total Parking Provided On-Site</u>		1,115 On-Site

General Development Requirements

Site Access

The proposed development includes three vehicular access points from Greentree Road, Greyswood Road, and Renita Lane. Greyswood Road will be connected to Greentree Road through the Property, while Renita Lane will be extended through the Property to intersect with Greentree Road.

Pedestrian access to the Property is available via proposed five-foot wide sidewalks on both sides of Greentree Road and Renita Lane. A sidewalk is also proposed north of the proposed MCPS site, providing another pedestrian access to Greentree Road. The Applicant plans to install an off-site sidewalk along Derbyshire Lane (between Greyswood Road and the Property) to provide an additional pedestrian connection to the existing neighborhood.

Parking

As demonstrated in Table 1, the Project provides a total of 1,115 vehicle parking spaces, far exceeding the 578 spaces required by the Zoning Code. Bicycle parking is not required for detached or townhouses, but the Site Plan includes 5 short-term bicycle parking spaces at the Community Center.

Open Space and Recreation

The Project includes over 18 acres designated as Common Open Space (COS), well above the 10.58 acres required. The COS contains improvements allowed per Section.6.3.3 including areas for

pedestrian circulation, landscaping, seating, shade, artwork, and recreational amenities. Per a condition of approval, the Applicant will continue to work with Staff to add features to the linear parks prior to Certified Site Plan. The Applicant indicates that all stormwater management facilities and the future MCPS parcel were removed from the COS computation, consistent with the Planning Board's direction during Preliminary Plan review.

As required by Section 6.3.5, all of the COS is either connected via one of the north/south linear parks or separated from another COS area by a residential street. All COS areas exceed the minimum 2,000 square foot requirement.

The Applicant requests that the Planning Board grant an exemption to allow the linear parks, which are less than the required 50 feet in width, to count as COS. The Planning Board can grant an exemption for features such as linear parks providing that they meet the intent of Division 6.3 to, "provide adequate light, air, circulation, and recreation and encourage preservation and enhancement of natural resources, including improvement of water and air quality." Given the significance of the greenways in aesthetically weaving together the community, providing an abundance of native landscaping, encouraging walkability, including interactive artistic play features and providing linear connections to larger COS areas, Staff supports the Applicant's request of an exception to the 50' width requirement in order to count these linear park areas toward the open space requirement (Attachment 7).

The tabulations included in the tables below demonstrate compliance with Recreation Facility Guidelines. Tables 2 and 3 demonstrate that the Application provides all the required recreation points onsite.

Table 2: Recreation Demand Points

Code	Housing Type	Quantity	Tots	Children	Teens	Young Adults	Adults	Seniors
TH	Townhouses and Single-Family attached	150	21	33	24	79.50	109.50	16.50
SFD	Single-Family Detached	159	23.85	55.65	55.65	42.93	116.07	22.26
Mid-Rise	Multiple-Family, 4 stories or less	0	0	0	0	0	0	0
Hi-Rise	Multiple-Family, 5 stories or more	0	0	0	0	0	0	0
Total Demand Points =		309	44.85	88.65	79.65	122.43	225.57	38.76

Table 3: Onsite Recreation Supply Points

Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
Pedestrian Connection - Trail System	1	10.00%	4.93	19.50	13.14	20.20	37.22	4.26
Indoor Community Space	1	0%	4.49	13.30	23.90	36.73	67.67	15.50
Open Grass Area Lawn - Urban (2,000 sf)	2	0%	4	6	10	14	16	6
Playground (Age 2-5) [Tot Lot]	1	0%	9	2	2	3	3	3
Playground (Age 5-12) [Play Area]	1	0%	0	9	3	2	4	2
Multi-Purpose Lobby Area	1	0%	0	0	2	3	3	2
Neighborhood Green	1	0%	5	7	6	8	8	6
Wading Pool	1	0%	8.97	4.43	0	0	11.28	1.94
Lounge Pool	1	0%	0	0	19.91	48.97	67.67	5.81
Public Art Seating - Active Multi-use	1	0%	5	5	5	5	5	5
Interactive Outdoor Music and Art	5	0%	25	25	15	10	20	20
Grilling Area	1	0%	0	0	2	6	6	5
Bicycle Support Station	1	0%	0	0	3	3	3	3
Total Onsite Supply Points=			66.39	91.23	104.95	159.90	251.84	79.51

General Landscaping and Outdoor Lighting

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project provides street trees and planting beds throughout the proposed community and appropriate outdoor lighting to illuminate streets and sidewalks.

e. *Satisfies the applicable requirements of:*

i. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

The Montgomery County Department of Permitting Services (MCDPS) Stormwater Management Section issued a letter dated August 21, 2018 to approve the Site Development Stormwater Management Plan. The plan proposes the use of micro-bioretenment and bio swales to meet required stormwater management goals.

ii. *Chapter 22A, Forest Conservation*

Environmental Guidelines

Staff approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) No. 420160220 on November 9, 2015. The approximately 74.83-acre property is predominantly an open field with 15.84 acres of forest around the perimeter. At the northeast corner of the property, there is a small pocket of wetlands at the head of an intermittent stream, with 0.43 acres of stream valley buffer.

While the proposed development does show disturbance within the stream valley buffer, no forest within the stream valley buffer will be removed and the unforested portions of buffer will be planted with forest. The proposed project complies with the Environmental Guidelines by permanently protecting the entire stream valley buffer in Category I Conservation Easement.

Forest Conservation

The site is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) and the Applicant has submitted a Final Forest Conservation Plan (FFCP - Attachment 8) in conjunction with the Site Plan. A Preliminary Forest Conservation Plan (PFCP) was approved with Preliminary Plan No. 120160290, and the FFCP is consistent with the approved PFCP. The Applicant is proposing to clear 5.61 acres of forest and retain 10.75 acres of forest. The proposed development has a 9.12-acre planting requirement, which the Applicant proposes to meet by planting 0.74 acres of forest and purchasing 8.38 acres of credit in an off-site bank. All areas of stream valley buffer will be planted in forest and protected by a Category I Conservation Easement.

Noise

The Property is located directly to the north of I-495, Capital Beltway, and between 950' and 250' east of the western spur of I-270. While there are noise barriers along most of I-495, the stretch adjacent to the Property does not have a barrier due to the existing land use. The Montgomery County "Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development" is used to review traffic noise impact on residential developments. In

this area of the County, the Guidelines recommend a maximum value of 65 dBA Ldn for exterior recreation areas and 45 dBA Ldn for indoor residential spaces.

The Applicant submitted a noise study dated April 25, 2017 in conjunction with the Preliminary Plan, analyzing existing noise impacts from current traffic and future traffic volumes. This noise study used a conservative 2% increase in traffic compounded annually until 2035. Using those assumptions, noise mitigation would be required for traffic noise from both I-495 and I-270.

The Applicant submitted a revised noise study (originally dated March 19, 2018 and updated May 2, 2018) with the Site Plan. The revised noise analysis uses the same measurements to model existing traffic noise but revised the assumptions (Attachment 9) for future traffic volumes based on new projections from Maryland Department of Transportation State Highway Administration (MDSHA). The revised noise study uses a 1% increase in traffic compounded annually until 2035, consistent with the change in projected traffic based on information published by the MDSHA for Montgomery County (Attachment 10).

MDSHA is planning improvements for I-270 and the east I-270 and west I-270 spurs to reduce traffic congestion. The data provided by MDSHA shows the Annual Average Daily Traffic (AADT) volumes for I-270 at the current year (2017) and the projected year (2035). For 2017 the AADT along I-270 varies between 87,400-253,400, whereas the projection for 2035 is 98,000-272,000. Based upon the projected AADT provided by the MDSHA, the growth rate used by the MDSHA over the 18-year period is 0.3-0.5%. The revised noise study is based on this data and uses the more conservative 1% increase in traffic compounded annually until 2035. The reduction in the traffic growth assumption (from 2% to 1%) results in less traffic noise in the future that will impact the proposed development. As a result, the mitigation to reduce noise levels within the outdoor activity areas to below the Montgomery County noise level guidelines has changed. The initial noise study showed that noise mitigation would be required to reduce impacts on the proposed development from both I-495 or I-270, but the revised study shows that mitigation will only be required to reduce impacts from I-495.

Figure 14 shows the projected unmitigated noise levels at the ground level with the proposed development, based on the revised noise study. While the lots adjacent to I-495 still show noise impacts requiring mitigation, the lots on the north side (adjacent to I-270) no longer show noise impacts requiring mitigation.



Figure 14: Unmitigated projected ground level noise

In order to mitigate outdoor noise levels to the 65 dBA level, the Applicant is proposing to construct a varying height (18-26 feet) noise barrier in the I-495 right-of-way. The proposed wall will join the existing noise wall along I-495 to the east (Figure 15). After mitigation, all lots and open spaces on the southern edge of the development will meet the 65 dBA recommendation.

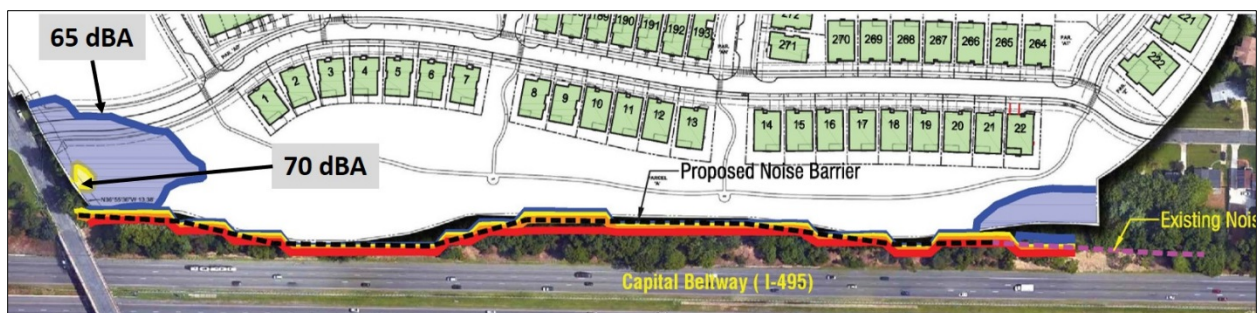


Figure 15: Mitigated projected ground level noise

The proposed development will be impacted by projected upper level (25 foot) noise from both I-270 and I-495 (Figure 16). Proposed units impacted by this noise will require architectural methods to reduce the interior noise levels to 45 dBA Ldn level for indoor residential spaces. The addition of a noise barrier at the southern boundary of the site will provide mitigation of transportation noise at the ground and upper level, reducing the number of residences

impacted by noise levels greater than 65 dBA Ldn to 53 at the upper level. A building shell analysis was provided for these 53 units, using the Sound Transmission Class (STC) ratings for proposed building element materials. When exposed to a projected transportation noise level up to 68 dBA Ldn, Toll Brothers' standard building construction will be capable of maintaining indoor noise levels below 45 dBA Ldn for the home models to be offered at WMAL. Modifications to exterior walls and proposed windows and doors will not be required for any of the 53 impacted residences to comply with the Montgomery County's indoor noise limit.



Figure 16: Future Upper Level Noise with Barrier

- f. Provides safe, well integrated parking, circulation patterns, building massing and, where required, open space and amenities;

Parking and Circulation Patterns

The Project is designed in a grid-like pattern with two public roads providing an east-west connection between the proposed development and the surrounding neighborhood street network. Adequate parking will be provided on all individual lots through garages and driveways and on-street parking will be provided to accommodate both residents and visitors.

Building Massing

The project includes detached houses, townhouses, and a clubhouse building. Detached houses are provided on the perimeter of the Property, where existing detached houses will directly abut proposed house. Townhouse communities are already integrated into the neighborhood to the north and west of the Property, so the building types are consistent with those in the surrounding community. The clubhouse is designed to be a focal point of the proposed community, and its location allows for safe vehicular and pedestrian access for future residents.

Open Space and Amenities

As previously discussed, the Applicant is exceeding the amount of open space required and providing quality open spaces including open lawn areas, recreational amenities, native landscaping, and public art. Open spaces and recreational amenities are strategically placed throughout the community to provide easy access to open space and amenities for all residents.

- g. *Substantially conforms with the recommendation of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

The Approved and Adopted 1992 *North Bethesda/Garrett Park Master Plan* (Master Plan) identifies the Property as a Key Vacant or Redevelopable Parcel – No. 20 (page 73). Applicable sections are included in Attachment 11. The Master Plan notes that the Property, “*is occupied by four transmission towers, and the owners have indicated that they plan to continue the present use of the property for the foreseeable future. The possibility of joint use of the property, including a community recreation center and ballfields, was investigated. However, the owners indicated that the existence of a multiplicity of underground cables and equipment, at a shallow depth, rendered construction, or even ballfields, impracticable. This property, the largest in North Bethesda, is surrounded on three sides by single-family housing in the R-90 Zone. Should the use of the property for transmission towers ever be discontinued, this Plan recommends that the site be used for single-family residential development in the R-90 Zone. The Plan also recommends that Greentree Road be connected to Greyswood Road as part of any residential development*” (page 84).

The Master Plan confirmed the existing R-90 Zone for the Property and recommended the connection of Greyswood and Greentree Roads and that the site be used for single-family development in the R-90 Zone. As proposed, this development will achieve several of the Master Plan’s general land use and environment objectives, including the following:

- Encourage a land use pattern that provides opportunities for housing and employment.
- Preserve and increase the variety of housing stock, including affordable housing.
- Preserve and expand green areas and greenways, including institutional open space, for environmental protection, wildlife sanctuary, recreation and visual relief.
- Preserve existing woodland and encourage reforestation throughout the Planning Area (pages 33-34).

The proposal includes new residential development consistent with the Master Plan recommendations. The residential component will provide additional housing opportunities and increase the variety of housing stock including 12.5 percent (plus one additional) MDPU. Over 20 acres of the site will be preserved as COS areas, of which a significant amount will be preserved and protected by Category I Conservation Easements. The majority of the Category I Easement areas are located along the northern and southern ends of the Property, linked by a series of linear park COS

connections. As proposed, these Category I Easement and COS areas help preserve existing woodland, and aide environmental protection, recreation, and visual relief.

Street Network

The Site Plan shows the 70-foot right-of-way dedication and improvements for Greentree Road (P-2) and Greyswood Road (P-3) classified in the Master Plan as primary residential streets with a minimum right-of-way of 70 feet with two travel lanes (page 164). The Applicant is required to dedicate and construct the full right-of-way for this connection as shown on the Preliminary Plan. Renita Lane is not classified in the Master Plan, but the Applicant is required to improve Renita Lane as a modified secondary residential street, with variable pavement widths, including two travel lanes (one in each direction) and parallel parking on the north side. While Renita Lane is not specifically identified by the Master Plan, its extension to Greentree Road will provide the logical extension of the public street network, while providing more efficient pedestrian and vehicular connections. Per the previously approved Preliminary Plan, MCDOT and Planning Staff recommend a modified, reduced-width right-of-way in order to minimize impacts to the existing forest on the southern end of the Property.

Urban Design

The Master Plan does not provide specific urban design guidance for the Property. However, two of the seven urban design objectives in the Master Plan are applicable to the proposed development:

- Add local streets to create a more interconnected local street network and reduce the size of blocks in high intensity areas.
- Greatly improve the pedestrian friendliness of new and existing streets, particularly within walking distance of transit nodes, and increase the number of pedestrian and bicycle routes to transit (page 109).

The Applicant proposes the logical extension of public streets, and an internal network of private streets, which form a grid pattern and create a more interconnected local street network. The Applicant is providing off site traffic calming and street trees along Greentree and Greyswood Roads, which are both public roads, to improve the pedestrian friendliness of the existing streets and to help blend the existing and new developments together.

Pedestrian Network

The Master Plan made no specific pedestrian recommendations for the Property. However, the proposed pedestrian network of sidewalks and paths will link different sides of the development to the existing sidewalks on Greentree/Greyswood Road. The community currently uses the Property as a park and recreation area. There is a worn path on the outer ring of the Property created by walkers and joggers, and the Applicant proposes to preserve the functionality of the path by providing a similarly located loop of path and sidewalks through the development and COS areas.

Bikeway Network

The Master Plan identifies Greentree/Greyswood Road as a Class III signed, shared roadway/bikeway (page 168). As a Class III shared roadway/bikeway, cyclists are expected to share the road with motor vehicles. The 2005 *Countywide Functional Bikeways Master Plan* also recommends a shared roadway, PB-5, along Greyswood Road. The draft *Bikeway Master Plan* recommends an off-street trail connection between Greentree Road and Derbyshire Lane. Once the Project is complete, cyclists will have the option to share the new road connection between

Greentree and Greyswood Roads with vehicles, or to use the natural surface trail in the northern forest conservation easement area.

Environment

The Master Plan's main environmental objective is to "protect and enhance the environmental resources of North Bethesda-Garrett Park" (page 247). The Plan also makes general recommendations for tree preservation and noise including the following:

- Protect woodlands, green space, steep slopes and wetlands through land use recommendations and development regulations.
- Retain mature trees as buffers in new residential development to create visual separation from major roads.
- Retain the maximum number of specimen trees on site where they occur.
- Provide additional trees along existing streets, in median strips, and in parking lots whenever feasible.
- Require every new road recommended by this Plan have a streetscape plan with an emphasis on tree planting.

The proposed development will implement the applicable environmental recommendations of the Master Plan. Approximately 10.75 acres of the Property will be retained as forest. Per the approved Preliminary Plan, the Applicant has attempted to minimize impacts to specimen trees and forest and will plant mitigation trees for the specimen trees that will be removed. The Site Plan provides a streetscape plan, with off-site street trees and traffic calming along Greentree and Greyswood Roads per the Master Plan recommendation.

Noise

The Master Plan states that noise from the Capital Beltway (I-495) and I-270 is intrusive because of large traffic volumes on both roadways. The Plan recommends a noise attenuation wall when the I-270 spurs are widened at locations where existing residences will be subjected to high noise levels (pages 247-248). In addition, the Plan states that "any undeveloped or redevelopable land adjacent to major highways should use noise-compatible land use and site design and other mitigation measures recommended in the Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development" (page 252).

The Applicant has submitted an updated noise study with this Application and proposes to construct a noise wall along I-495, within the SHA right-of-way. The updated noise study indicates that noise abatement is no longer required for this Property along I-270. The Applicant indicates that noise studies have been shared with SHA as required by Preliminary Plan condition No. 4. Further details of the noise analysis and required mitigation are discussed above in the Forest Conservation section of this report. However, the noise mitigation proposed satisfies the Master Plan noise recommendations.

The proposed development provides significant vehicular, pedestrian, school, and recreation improvements, all consistent with the goals and objectives of the Master Plan. Therefore, based on the analysis above and the conditions in this report, Staff finds the proposed development to be in substantial conformance with the 1992 Approved and Adopted *North Bethesda/Garrett Park Master Plan*.

- h. Will be served by adequate public facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required, the Planning Board must find that the proposed development will be served by adequate services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

The resolution for Preliminary Plan No 120160290, adopted by the Planning Board on June 15, 2018, found that there were adequate facilities to serve the proposed development with an Adequate Public Facilities (APF) validity period of 85 months from the date of mailing of the Planning Board resolution on August 3, 2017. Thus, the Planning Board's finding of APF Validity Period remains valid until September 3, 2024.

- i. On a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood;*

The proposed development is consistent with the residential character of the existing residential neighborhood located west, north, and east of the Property. The surrounding area consists of detached homes to the east and west of the Property, with townhomes adjacent to the northwest corner of the Property. The scale and density of the proposed development is appropriate in relation to the surrounding area. Along the two public streets, the Site Plan provides primarily detached houses, consistent with the neighborhood to the east. The proposed lots adjacent to the existing lots along Corkran Lane were designed to be comparable in size. Detached houses are proposed where the existing lots with detached houses directly abut the Property. The majority of the proposed townhomes are located within the interior of the development. The club house is located at least 400 feet from any existing house.

SECTION 6: CONCLUSION

Based on the review by Staff and the other relevant agencies, and the analysis contained in this report, Staff finds that the proposed Site Plan meets all the required findings and complies with the applicable Zoning Ordinance standards. Staff recommends approval of this Site Plan No. 820170170, subject to the conditions and findings contained herein.