



## Randolph Farms Site Plan No. 820170020

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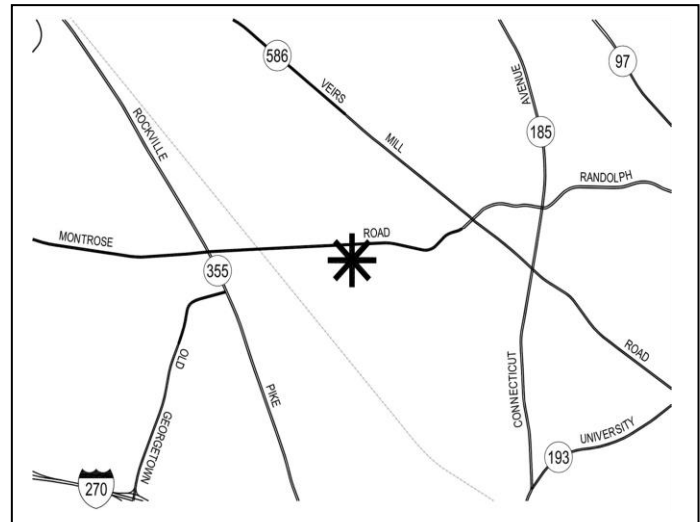
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Staff Report Date: 7/7/17

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### Description

- Request for the approval of a site plan to allow construction of 104 single-family attached townhomes, including 12.5% MPDUs, private roads and alleys, and a centrally located community recreation area;
- Current use: Montrose Baptist Church, the Montrose School and Child Development Center;
- Located at the southeast corner of the intersection of Randolph Road and Putnam Road, within the *North Bethesda/Garrett Park Master Plan* area;
- Approximately 8.44 acres in the RT-15 Zone;
- Applicant: Winchester Homes;
- Application acceptance date: December 12, 2016.



### Summary

- Staff recommends approval with conditions.
- The Site Plan approval includes approval of the Final Forest Conservation Plan and associated tree variance.
- The Application was filed on December 12, 2016.
- The application is being reviewed under the Zoning Ordinance that was in effect until October 29, 2014 because under section 50.7.7.1.B the local map amendment was submitted on April 29, 2014 which is before the effective date of the new Zoning Ordinance.
- The Planning Board approved Preliminary Plan 120160320 for this project per MCPB Resolution No. 17-017, dated April 6, 2017.
- Staff has not received any comments on the Site Plan application from the community.

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### **ATTACHMENTS**

1. Preliminary Plan No. 120160320, MCPB No. 17-017, dated April 6, 2017
2. Site Plan Rendering
3. High Visibility End Units Diagram and Schematic Elevations
4. County Arborist Approval letter, dated June 15, 2017
5. FFCP Variance Request
6. MCDPS Stormwater Management Plan Approval letter, dated April 20, 2017
7. MCDPS Fire Code Enforcement Section letter, dated May 15, 2017
8. MCDHCA letter, dated June 2, 2017
9. MCDPS Right-of-Way letter, dated May 30, 2017.

## SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan 820170020, Randolph Farms, including the Final Forest Conservation Plan and associated tree variance, for 104 single-family attached townhomes, including 12.5% Moderately Priced Dwelling Units (MPDUs), various private roads and alleys, and a centrally located community recreation area. 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. Local Map Amendment Conformance

The Applicant must comply with the approved Local Map Amendment G-964, adopted on February 2, 2016, by County Council Resolution No. 18-392.

2. Preliminary Plan Conformance

The Applicant must comply with the conditions of approval for Preliminary Plan No. 120160320 as listed in the Planning Board Resolution No. MCPB 17-017, dated April 6, 2017, unless amended by the Planning Board, and as modified by this Resolution.

3. Final Forest Conservation and Tree Save

- a. The Applicant must comply with the conditions of the Final Forest Conservation Plan (FFCP):
  - i. Prior to any demolition, clearing, or grading on the Property, the Applicant must record in the Land Records of Montgomery County, a Certificate of Compliance Agreement approved by the M-NCPPC Office of General Counsel for use of a forest mitigation bank to satisfy the applicable forest conservation planting requirement.
  - ii. The Sediment and Erosion Control Plan and Storm Water Management Plan must be consistent with the limits of disturbance and the associated tree/forest preservation measures of the FFCP.
  - iii. The Applicant must comply with all tree protection and tree save measures shown on the approved FFCP. Additional tree save measures not specified on the FFCP may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.

4. Noise Attenuation

- a) Prior to the issuance of the Certified Site Plan, the Applicant must conduct a Phase I noise impact analysis to determine potential noise impacts from roadway noise along Randolph Road. If exterior noise levels exceed the maximum allowable for the urban ring (65 dbA) at building faces or, subject to limited exceptions and Staff approval, within the central community recreational area, noise attenuation measures will be required.
- b) Prior to the issuance of the building permit for the first townhouse, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that the building shell for all the impacted units has been designed to attenuate

the projected exterior noise levels above 65 dbA to an interior level not to exceed 45 Dba Ldn. The Applicant must construct the units in accordance with these design specifications, and any changes that may affect acoustical performance must be approved by the acoustical engineer in advance of installation.

- c) Prior to the issuance of the building permit for the first townhouse, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that the central recreational area has been designed to attenuate the noise levels as shown on the Certified Site Plan.
- d) After construction is complete and prior to Final Inspection for any of the impacted units, the Applicant must submit to Staff, certification that the impacted units have been constructed in accordance with noise attenuation requirements.

5. Green Area, Facilities, and Amenities

- a) The Applicant must provide a minimum of 2.99 acres of green area (35.4% of the net gross tract area), of which a minimum of 0.65 acres should be configured in a centrally located recreational space as shown on the Site Plan.
- b) On-site amenities including, but not limited to, pedestrian pathways, alleys, and hardscape recreation amenities, and public use space amenities adjacent to each row of townhouse units must be installed prior to Final Inspection for the respective row of units.
- c) The Applicant must install the landscaping associated with each row of townhouse units no later than the next growing season after completion of each row of townhouses and site work.

6. Moderately Priced Dwelling Units (MPDUs)

- a) The Planning Board accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (MCDHCA) in its letter dated June 2, 2017, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply fully with each of the recommendations as set forth in the letter, which MCDHCA may amend if the amendments do not conflict with other conditions of the Site Plan approval.
- b) The development must provide 12.5% MPDUs on-site in accordance with the requirements of Chapter 25A.
- c) Prior to issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

7. Recreation Facilities

- a) The Applicant must provide at a minimum the following recreational facilities on-site as shown on the Site Plan:
  - 1 Open Play Area;
  - A Bike System (see conditions under Pedestrian and Bicycle Circulation for more details);
  - A Pedestrian System (see conditions under Pedestrian and Bicycle Circulation for more details);



- 1 Play Lot with 2 multi-age play structures, one each for 2-5-year-olds, and 5- to 12-year-olds;
- 7 Picnic/Sitting Areas with 14 benches; and
- A minimum of six painted pavement games such as four square, hopscotch etc. on the fire access lane as shown on the Site Plan.

8. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, pedestrian pathways, landscaping, hardscaping, recreation facilities, and green areas.

9. Transportation

- a. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way (MCDPS-ROW) in its letter dated May 30, 2017, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply fully 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 the Site Plan approval.
- b. The Applicant must provide Private Roads A & B, including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by this Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:
  - i. If there are no structures above or below the Private Road, the record plat must show the Private Road in a separate parcel. If there are structures above or below the Private Road, the record plat must clearly delineate the Private Road and include a metes and bounds description of the boundaries of the Private Road.
  - ii. The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
  - iii. Prior to issuance of building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Roads have been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.

- c. The Applicant must construct all road(s) within the rights-of-way shown on the approved Site Plan subject to the following conditions:
  - I. The connection of Putnam Road and Macon Road must be designed and constructed per the typical Montgomery County Road Code Standard MC-2002.01 as modified by the section shown on the Site Plan. All necessary details for this required connection must be reviewed and approved by MCDPS-ROW at the time of ROW permit. MCDPS-ROW may modify any details of this connection if the modifications do not conflict with any other conditions of approval.
  - II. Private Road A (46-foot-wide right-of-way) must be designed and constructed per the typical Montgomery County Road Code Standard MC-2001.02 as modified by the section shown on the Site Plan;
  - III. Private Road B (41-foot-wide right-of-way) must be designed and constructed per the typical Montgomery County Road Code Standard MC-2001.01 as modified by the section shown on the Site Plan;
  - IV. Private Alleys C, D, E, & F must be designed and constructed per the typical Montgomery County Road Code Standard MC-200.01 as modified by the section shown on the Site Plan.
- d. Prior to the Final Inspection for the last townhouse unit, the Applicant must have all public and private roads, alleys, sidewalks, ramps and cross walks complete and open to the public.

#### 10. Pedestrian & Bicycle Circulation

The Applicant must construct all sidewalks, and bike lane improvements within the rights-of-way shown on the approved Site Plan, subject to the following conditions:

- a) Construct the 8-foot wide separated bike lane with green buffers and a 6-foot wide sidewalk along the frontage of Randolph Road, and transition to a shared-use-path east of the Subject Property frontage to Hunters Lane along Randolph Road as shown on the Site Plan;
- b) Upgrade the substandard sidewalks to be 5-foot wide along the two adjacent roadways of Putnam Road and Macon Road as shown on the Site Plan.
- c) Provide 2 inverted-U bike racks as shown on the Site Plan.

#### 11. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services Fire Department Access and Water Supply (MCDPS FDA&WS) comments, in its letter dated May 15, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations set forth in the letter, which MCDPS FDA&WS may amend if the amendments do not conflict with other conditions of Site Plan approval.

#### 12. Building Height

The maximum height for the townhouse units is 35 feet.

#### 13. Site Design

- a) The exterior architectural character, proportion, materials, and articulation of all buildings must be substantially similar to the schematic elevations shown on the latest Site Plan drawings.
- b) The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.
- c) Side elevations of "High Visibility End Units," as identified in the Site Plan submission must be substantially similar to the schematic elevations shown on the latest Site Plan drawings.

#### 14. Lighting

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

#### 15. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit or sediment control permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board. The Agreement must include a performance bond(s) or other forms of surety as required by Section 59-D-3.5(d), or 59.7.3.4.K.4, of the Montgomery County Zoning Ordinance, with the following provision:

- a. A cost estimate of the materials and facilities, which, upon M-NCPPC Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to entrance signage features, plant material, on-site lighting, recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, the private roads, private alleys, private sidewalks and paths, private fire hydrant system, and associated improvements.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and release of the surety.
- d. The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of each row of townhouse units.

16. Development Program

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

The development program must include the following items:

- a. Clearing and grading must correspond to the construction phasing to minimize soil erosion.
- b. The development program must provide phasing of stormwater management, sediment and erosion control, and other features.

17. Certified Site Plan

Prior to the 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, Preliminary Plan resolution and Site Plan resolution on the approval or cover sheet(s).
- b. Include table showing conformance with the M-NCPPC Recreation Guidelines on the approval or cover sheet(s).
- c. The sidewalk ramp along Private Alley C must be outside the access easement of Lot 13.
- d. Demonstrate on the Site Plan drawings that no more than three continuous townhouses are located along the same front building line and that the variation in building line is a minimum of two feet.
- e. Delete the proposed handicap ramp for crossing Putnam Road at the intersection of Putnam Road and Macon Road.
- f. Revise note 24 under "General Notes" on sheet 1 to read: "Street trees and street lights will be reviewed and approved by MCDPS-ROW section at the time of ROW permit".
- g. Ensure consistency of all details and layout in the drawings listed below:
  - Site Plan drawings
  - Landscape & Lighting drawings
  - Architectural drawings
  - FFCP drawings

## SECTION 2: CONTEXT AND SITE DESCRIPTION

### Vicinity

The Property (outlined in red in Figures 1 and 2) is approximately 8.44 acres and is located at 5020, 5010 and 5100 Randolph Road just east of White Flint. It comprises Lots 4, 5 and 32 in Block 2 of the Randolph Farms Subdivision. It is bordered by Randolph Road to the north, Putnam Road to the west, Macon Road to the south and detached single-family houses to the south and east.

To the north, east and south of the Property, the single-family communities are zoned R-60 and R-90. To the west is the CR 1.5 zoned Loehmann's Plaza commercial shopping center, and to the southwest is a multi-family area zoned R-20 and R-30.

The White Flint Metro Station is approximately 1.1 miles to the west of the Property, while the Twinbrook Metro Station is approximately 1.6 miles to the northwest of the Property. The Property is served by bus along Randolph Road and Parklawn Drive to both Metro stations.



Figure 1: Vicinity Map

### Existing Conditions

The Property currently contains Montrose Baptist Church, the Montrose Christian School and the Montrose Christian Child Development Center in several buildings on site totaling 88,940 square feet and a large parking lot with approximately 160 parking spaces. The school and the childcare center have been operating for over fifty years, with current student enrollment averaging 250, but at one time served over 500 pupils.



There are no streams, wetlands, floodplains, or environmental buffers on the Property. However, there is a stream valley buffer near the terminus of Macon Road and Putnam Road, which is associated with an offsite stream. The Property gently slopes down approximately 34 feet from a high point near the existing main entrance off Randolph Road towards the south-western corner of the Property. The Property is served by public water and sewer.



**Figure 2: Site Map**

### **SECTION 3: PROJECT DESCRIPTION**

#### **Previous Approvals**

On February 2, 2016, the Montgomery County Council rezoned the Property from the R-60/R-90 Zones to the RT-15 Zone by Local Map Amendment G-964 (County Council Resolution 18-392). During the Local Map Amendment for the Property, after negotiations with the Randolph Civic Association (RCA), the Applicant voluntarily limited development to a maximum of 109 townhouse units by private covenant, filed in the County land records.

On April 6, 2017, the Planning Board approved Preliminary Plan No. 120160320, (Resolution MCPB No. 17-017) for 106 townhouse lots, with a minimum of 12.5% MPDUs, and the associated private roads, private alleys, and HOA parcel(s) with the final number of townhouse lots and MPDUs to be determined at Site Plan. The Planning Board expressed concern regarding the size of the green area in relation to the number of units proposed, and had specific concerns regarding the size of the central community recreational area.

## Proposal

The Applicant proposes to construct 104 single-family attached townhomes, including 12.5% MPDUs, (Figure 3: Proposed Site Plan). In addition to the residential units, the proposed development will include:

- A centrally located community recreation area of 0.65 acres;
- Vehicular and pedestrian connection of Putnam Road with Macon Road;
- Private Roads A and B, that will provide direct access from Randolph Road and Putnam Road, respectively, to the site and the internal alleys;
- New pedestrian sidewalks within the Property and along Randolph Road, Putnam Road and Macon Road street frontages;
- Several small landscaped/open space areas throughout the Property;
- A total of 274 parking spaces (includes garage spaces for both one- and two-car garage units, two visitor parking lots and additional parking on some of the driveways);
- Two inverted-U bike racks within the recreation area; and
- Vehicular access to an adjacent property owner (Lot 13).



Figure 3: Proposed Site Plan



The typical front elevation (Figure 4) shows that all townhomes will be rear-loaded (vehicular access from alleys) with pedestrian access and building fronts facing public roads, private roads that have attained the status of public roads, or open space/green areas. The centrally located recreation area will anchor the site, providing a gathering space for the residents.



**Figure 4: Typical front elevation of a row of townhomes**

### **Community Outreach**

The Applicant has complied with all submittal and noticing requirements. The Applicant held several public meetings with the local community in connection with the rezoning of the site from R-60/R-90 zones to the RT-15 zone. The Applicant sent individual notices to 122 neighboring residents, and on November 22, 2016, held the required pre-submission meeting at the Veirs Mill Local Park activities building, which was attended by 13 citizens. Staff has not received any comments from the community regarding this Site Plan application.

## **SECTION 4: SITE PLAN ANALYSIS AND FINDINGS**

### **Master Plan Conformance**

The Subject Property is located within the 1992 *North Bethesda/Garrett Park Master Plan* area. One of the goals of the Master Plan is to *'Preserve and increase the variety of housing stock, including affordable housing'* (p 33).

The project will provide new dwelling types to create a variety of housing in the community, of which 12.5% of the units will be MPDUs.

The Master Plan also seeks to *'Direct future development to land nearest to Metro stops and new transit stations, and to areas best served by transportation infrastructure'* (p 33).

The Property is approximately one mile from the White Flint Metro Station, and 1.5 miles from the Twinbrook Metro Station. Bus services along Randolph Road and Parklawn Drive provide transit connections to both Metro stations.

The Site Plan is therefore in substantial conformance with the applicable recommendations of the Master Plan.



## **Transportation**

### Transportation Adequate Public Facilities Test

The Planning Board approved the adequate public facilities test for this project under Preliminary Plan No. 120160320 on March 16, 2017. The proposed development was not required to satisfy the Local Area Transportation Review Test (LATR) test, because the proposed land use generates fewer trips than the trips generated by existing uses on the Property.

The Transportation Policy Area Review (TPAR) payment of 25% of the MCDPS development impact tax will not be required to satisfy the Policy Area Review test, because the project will generate fewer than three new peak-hour trips.

## **Environment**

### Environmental Guidelines

Staff approved a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) (No. 420160570) for the Subject Property on October 20, 2015. The Subject Property contains no streams or their buffers, wetlands or their buffers, steep slopes, 100-year floodplains, or known habitats of rare, threatened, and endangered species. There is a stream buffer adjacent to the southwest corner of the Property that overlaps the intersection of Macon and Putnam Roads. A barricade and some trees (less than specimen size) currently separate the end of these two roads. The Applicant is being required to complete this connection, and the disturbance required for reconnecting the intersection is minimal. On a case-by-case basis, the *Environmental Guidelines* permit construction of infrastructure such as roadways, when deemed necessary. Staff supports this connection, and finds this plan to be in conformance with the *Environmental Guidelines*.

### Forest Conservation Plan

The Application is subject to the Montgomery County Forest Conservation Law, and a Preliminary Forest Conservation Plan (PFCP) was approved in conjunction with the Preliminary Plan approval on March 16, 2017. There is no forest on the Property. The land use, zoning and net tract area result in an afforestation requirement of 1.29 acres of forest planting. The PFCP included the removal of an existing on-site Forest Conservation Easement of 0.078 acres because this existing easement area did not meet the criteria in the Forest Conservation Law to qualify as forest, and presented a problem for enforcement due to its fragmentary and isolated location. Because the Applicant is fulfilling their forest conservation mitigation requirements off-site, the easement area must be replaced at a ratio of 2:1; therefore, the Applicant will purchase additional forest banking credits equal to planting 0.156 acres of forest. The total forest conservation mitigation requirement is for 1.446 acres of forest planted (1.29 acres of forest planting plus 0.156 acres for replacement of the forest conservation easement), or double that amount of forest preserved, in an approved off-site forest bank.

### Forest Conservation Variance

Section 22A-12(b) (3) of County code identifies certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain

written information in support of the required findings in accordance with Section 22A-21 of the County code. The code requires no impact to trees that: measure 30 inches or greater, dbh; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion tree; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

#### Variance Request

The PFCP included approval of a variance request to impact the Critical Root Zone (CRZ) of 20 trees that are considered high priority for retention under Section 22A-12(b) of the County code. Thirteen of these trees will be removed; the other seven will be saved.

The applicant is required to extend a shared use path east to Hunters Lane as a condition of Site Plan approval. Disturbance associated with construction of this path will impact the CRZ of a 40-inch red oak tree in the front yard of a neighboring property, which is considered high priority for retention under Section 22A-12(b) of the County code. The tree will be impacted but saved. Therefore, in addition to the variance approved at the preliminary plan approval for the 20 trees mentioned above, the Final Forest Conservation Plan includes a new variance request to impact the CRZ of this tree. The applicant has submitted an amended variance request to include this tree. A copy of the variance request letter, specifying the amount of CRZ disturbance is attached (Attachment 5).

#### Justification:

Staff believes that denial of the requested variance would constitute a hardship to the applicant, because the applicant cannot complete the project without fulfilling the associated condition of Site Plan approval. The sidewalk connection to the street corner is necessary to provide safe passage for pedestrians along Randolph Road and to extend the bike connection along the frontage of the property to the closest intersection. This finding must be met when determining whether to consider a variance for the project. Based on this finding, staff finds that a variance can be considered.

For a variance to be granted, Section 22A-21 of the County code sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate. Staff has made the following determinations that granting the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

The CRZ impacts to this tree result from construction of an element required as a condition of site plan approval and would likely be a requirement of any applicant redeveloping the Property. Staff has determined that the impacts to the tree subject to the variance requirement cannot be avoided. Therefore, staff finds that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the applicant, but on engineering and site constraints and a condition of Site Plan approval.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is not a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The affected tree will be saved, and will continue to function intercepting, storing and filtering rainfall. The project will not violate State water quality standards or cause a measurable degradation in water quality.

#### County Arborist's Recommendation on the Variance

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department referred a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. On June 15, 2017, the County Arborist issued her recommendations on the variance request and recommended the variance be approved with mitigation (Attachment 4).

#### Variance Recommendation

Staff recommends that the Planning Board approve the requested variance.

#### **Noise Mitigation**

The site fronts Randolph Road, which is an arterial road carrying average daily traffic of more than 20,000 vehicles per day. According to Montgomery County's *Noise Guidelines*, residential developments within 600 feet of arterials may require noise attenuation to keep interior noise levels below the recommended level of 45 dbA, and exterior public use spaces below 65 dbA.

Prior to the issuance of the Certified Site Plan, the Applicant must conduct a Phase I noise impact analysis to determine potential noise impacts from roadway noise along Randolph Road. If exterior noise levels exceed the maximum allowable for the urban ring (65 dbA) at building faces or within the central community recreational area, noise attenuation measures will be required.

Prior to the issuance of the Certified Site Plan, the Applicant must provide certification that the building shell for all the impacted units has been designed to attenuate the projected exterior noise levels above 65 dbA to an interior level not to exceed 45 Dba Ldn and that the central recreational area has been

designed to attenuate the noise levels not to exceed 65 Dba Ldn, if applicable. The Applicant must construct the units in accordance with these design specifications, and any changes that may affect acoustical performance must be approved by the acoustical engineer in advance of installation.

## Site Plan Findings

Section 59-D-3.4. (C) of the Zoning Ordinance states that the Planning Board, in reaching its decision, must require 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;*

On February 2, 2016, the Montgomery County Council rezoned the Property from the R-60/R-90 Zones to the RT-15 Zone by Local Map Amendment G-964 (Council Resolution 18-392). The application was filed under the standard method of development, which does not require the submission of a development plan. There were no binding elements as a part of the Council's approval of the LMA G-964.

2. *the site plan meets all the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56;*

### Zoning Code Regulation Compliance

The proposed Site Plan, with Staff's recommended conditions of approval, meets all the requirements of the RT-15 Zone under Section 59-C-1.73 as shown by the development data analysis Table 2.

**Table 2: Applicable Development Standards, RT-15 Zone**

Development Standards	Required	Provided
Minimum Tract Area (Section 59-C-1.731.a)	40,000 sq. ft.	8.44 Acres
Green Area (% of tract) (Section 59-C-1.734.b)	30% min.	35.4% (2.99 Acres)
Maximum Density (Section 59-C-1.731.b)	15 D.U./Ac.  (109 D.U. per private covenant)	12.32 D.U./Ac.  (104 D.U.)

Development Standards	Required	Provided
Minimum building setback from any dwelling unit in a detached house or land classified in a Residential Detached zone. (Section 59-C-1.732.a)	30'	30'
Minimum building setback from any public street (Section 59-C-1.732.b)	20'	20'
Minimum building setback from an abutting lot: Side (end unit) (Section 59-C-1.732.c-1)	8'	8'
Minimum building setback from an abutting lot: Rear (Section 59-C-1.732.c-2)	20'	20'
Maximum Building Height for a Principal Building (Section 59-C-1.732.a)	35'	35'
Maximum Building Height for an Accessory Building (Section 59-C-1.732.b)	25'	25'
Moderately Priced Dwelling Units (MPDUs) (Section 59-C-1.74)	Min. 12.5% of total units	12.5% of total units (13 D.U.)
On-site parking spaces (Section 59-C-1.75)	208 (2 Sp./D.U.)	274 (2.63 Sp./D.U.)

#### Townhouse Row Design

Section 59-C-1.722 (a) states that *“Eight townhouses is the maximum number permitted in any one attached row”*.

Section 59-C-1.722 (b) states that *“Three continuous, attached townhouses is the maximum number permitted with the same front building line. The variations in building line must be at least 2 feet.”*

As shown on the Site Plan, no more than eight townhouses are in any attached row. Prior to the Certified Site Plan approval, the Applicant must demonstrate on the Site Plan drawings that no more than three, continuous townhouses are located along the same front building line and that the variation in front building line is a minimum of 2 feet.

#### Urban Renewal Plan Building and Structures

The Subject Property is not within an Urban Renewal Area.

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

#### Building and Structures

The proposed townhouses front onto three public streets--Randolph Road, Putnam Road and Macon Road-- with a minimum required setback of 20 feet along each road frontage, creating a safe and inviting public realm. The townhouses are set back minimum 20-feet from adjoining lots' rear yards; and minimum eight feet from adjoining lots' side yards. Within the site, the townhouses are designed to face onto green areas/open spaces, private roads which will attain the status of public roads, or public streets. All garages have access to alleys.

Staff finds the locations of the buildings and structures meet all the building setback requirements of the Zoning Ordinance and are adequate, safe and efficient.

#### Open Spaces

Section 59-C-1.734.b of the Zoning Ordinance requires that a minimum of 30% of the tract must be devoted to green area. The Site Plan exceeds this requirement by providing 35.4% (2.99 acres) of the Subject Property as green area as shown below in Figure 5. The green areas are designed in an adequate, safe, and efficient layout for easy access. The centrally located community recreational area is further described in the recreational facilities section.



**Figure 5: Green Area**

#### Landscaping and Lighting Plans

Landscaping and lighting, as well as other site amenities, will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The proposed Site Plan will enhance the streetscape along Randolph Road, Putnam Road and Macon Road with sidewalks, street lights and street trees. Private Road A and B will have similar streetscaping elements as well. The

central gathering space will have a lawn area for outdoor play with generous tree planting and sitting areas. The front yards of all townhomes will be landscaped with shrubs and small plantings.

The proposed lighting for the development will meet the industry IESNA illumination standards for visibility during evening hours. The on-site lighting will limit the necessary light levels to streets and sidewalks and will prevent light spillover to adjacent areas.

#### Recreational Facilities

A centrally located community recreation area will anchor the site (Figure 6), providing a gathering space for the residents. Opportunities for passive recreation use can occur on the various small landscaped/green areas throughout the Property. These landscaped areas will contain the following recreational facilities:

- Pedestrian paths;
- 1 Open Play Area;
- Two inverted-U bike racks;
- 1 Play Lot with 2 multi-age play structures, one each for 2-5-year-olds, and 5- to 12-year-olds;
- 7 Picnic/Sitting Areas with 14 benches; and
- A minimum of 6 painted pavement games such as four square and hopscotch on the fire access lane as shown on the Site Plan;

The total sum of these facilities is consistent with the Planning Board's Recreation Guidelines for a townhouse development and the anticipated demand by population category. Staff finds these to be adequate, safe and efficient.



**Figure 6: Central Community Recreational Area**

#### Pedestrian and Vehicular Circulation

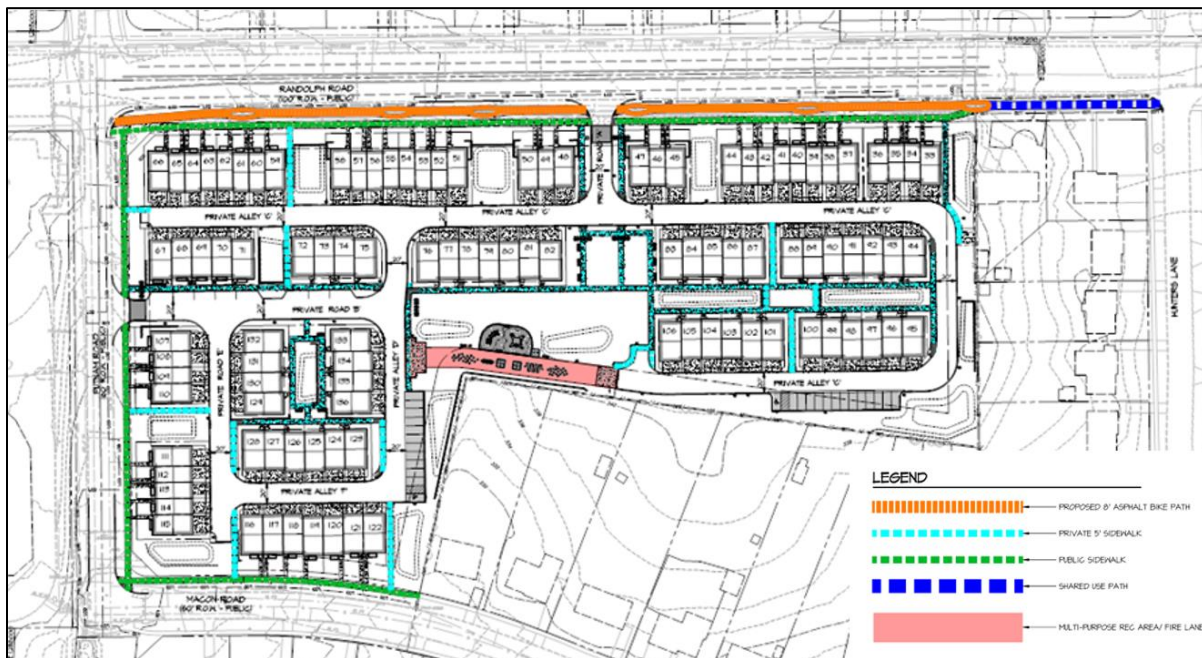
The existing vehicular access to the Property includes two curb cuts from Randolph Road and one from Putnam Road. The proposed development will replace the two existing curb cuts on Randolph Road with one curb cut, and replace the existing curb cut on Putnam Road with a new private street connection into the proposed development. The proposed plan completes the connection between Putnam Road and Macon Road. Adequate internal circulation is provided with the following roads:

- A north-south private road into the site from Randolph Road;
- An east-west private road into the site from Putnam Road;
- A series of internal private alleys and sidewalks; and
- A separated bike lane and a shared-use path along Randolph Road.

The Site Plan provides 274 vehicle parking spaces, which exceed the minimum required 208 spaces for the zone. In addition, two inverted-U bike racks will be provided at the central recreation area. Figure 7 illustrates the circulation plan for the entire site. The internal roads will provide access to all buildings, parking lots and garages and the network of sidewalks will allow



pedestrians to access all buildings, green spaces and the surrounding public roads. Staff finds the pedestrian and vehicular circulation to be adequate, safe and efficient.



**Figure 7: Circulation Plan**

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

The proposed townhouses are compatible with the neighboring residential uses in the area, which lie to the north, east and south of the proposed development. They are also compatible with the existing Loehmann's Plaza commercial shopping center, which lies to the west of the Subject Property, in terms of the building height.

5. *the site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.*

The Site Plan meets the requirements of the Montgomery County Forest Conservation Law, the County's Environmental Guidelines regarding Water Quality and Stormwater management requirements for ESD as discussed in detail on the environment section, pages 13-15 of this report.

## **CONCLUSION**

This Site Plan meets all applicable requirements of the applicable Zoning Ordinance; meets all the applicable requirements of Chapter 22A, forest conservation law; is consistent with the goals and recommendation of the *North Bethesda/Garrett Park Master Plan* and the previously approved Preliminary Plan No. 120160320; and has been reviewed by other applicable County agencies, all of whom support the application. Therefore, Staff recommends approval of this Site Plan 820170020 with the conditions set out at the beginning of this report.

## **ATTACHMENTS:**

1. Preliminary Plan No. 120160320, MCPB No. 17-017, dated April 6, 2017
2. Site Plan Rendering
3. High Visibility End Units Diagram and Schematic Elevations
4. County Arborist Approval letter, dated June 15, 2017
5. FFCP Variance Request
6. MCDPS Stormwater Management Plan Approval letter, dated April 20, 2017
7. MCDPS Fire Code Enforcement Section letter, dated May 15, 2017
8. MCDHCA letter, dated June 2, 2017
9. MCDPS Right-of-Way letter, dated May 30, 2017.



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

MCPB No. 17-017  
Preliminary Plan No. 120160320  
Randolph Farms  
Date of Hearing: March 16, 2017

APR 6 2017

**RESOLUTION**

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on June 15, 2016, RRC/S Montrose, LLC ("Applicant") filed an application for approval of a preliminary plan of subdivision that would create 106 townhouse lots, including 12.5% MPDUs, on approximately 8.44 acres of land in the RT-15 Zone, located at the southeast quadrant of the intersection of Randolph Road and Putnam Road ("Subject Property"), in the North Bethesda Garrett Park ("Master Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120160320, Randolph Farms ("Preliminary 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 March 6, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 16, 2017, the Planning Board held a public hearing on the Application at which it 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 Preliminary Plan No. 120160320 to create 106 townhouse lots including 12.5% MPDU on the Subject Property, subject to the following conditions:<sup>1</sup>

<sup>1</sup> 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:

8787 Georgia Avenue, N.C. 20910 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

1. The Applicant must comply with the conditions of County Council Resolution No. 18-392 approving Local Map Amendment Application No. G-964.
2. This Preliminary Plan is limited to 106 townhouse lots, with a minimum of 12.5% MPDUs, and the associated private roads, private alleys, and HOA parcel(s). Final number of townhouse lots and MPDUs will be determined at site plan.
3. The Applicant must provide an access easement for the adjoining Lot 13.
4. The Applicant must dedicate and show on the record plat(s) the following dedications:
  - a. Fifty feet from centerline along the Subject Property frontage for Randolph Road.
  - b. Sixty feet from the opposite right-of-way line along the Subject Property frontage for Putnam Road.
5. The Applicant must construct all road, sidewalk, and bike lane improvements within the rights-of-way shown on the approved Preliminary Plan to the full width mandated by the master plan and/or the design standards imposed by all applicable road codes, subject to the following conditions:
  - a. Reestablish the connection of Putnam Road and Macon Road;
  - b. Private Road A (46-foot wide right-of-way) must be designed and constructed according to the Montgomery County Road Code Standard MC-2001.02 per the modified typical section specified by the subsequent Site Plan;
  - c. Private Road B (41-foot right-of-way) must be designed and constructed according to the Montgomery County Road Code Standard MC-2001.01 per the modified typical section specified by the subsequent Site Plan;
  - d. All Private Alleys must be designed and constructed according to the Montgomery County Road Code Standard MC-200.01 per the modified typical section specified by the subsequent Site Plan;
  - e. Construct the 8-foot wide separated bike lane with green buffers and a 6-foot wide sidewalk along the frontage of Randolph Road, and transition to a shared-use-path east of the Property frontage to Hunters Lane along Randolph Road;
  - f. The final location and width of the extension of the shared-use-path from the eastern property boundary to the intersection of Hunters Lane will be determined at site plan; and
  - g. Upgrade the substandard sidewalks to be 5 feet wide along the two adjacent roadways of Putnam Road and Macon Road.

6. The Applicant must provide Private Roads A and B, and Private Alleys C, D, E, and F, including any sidewalks, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:
  - a. The record plat must show all Private Roads and Private Alleys in separate parcels.
  - b. The record plat must reflect a restrictive Covenant covering the Private Roads and Private Alleys. The Covenant must be in a form approved by the M-NCPPC Office of General Counsel and must be recorded in the Montgomery County Land Records with the Liber and Folio referenced on the record plat. At a minimum, the Covenant must include the following provisions:
    - i. The Applicant is fully responsible for the design, construction, operation, maintenance and repair of all Private Roads and Private Alleys, including other necessary improvements as shown within the delineated area of the Private Roads and Private Alleys in accordance with the criteria set forth in the Preliminary Plan and any subsequent Site Plan;
    - ii. Utilities located within any Private Road area must be in a utility easement approved by the applicable utility provider, or be provided as private connections;
    - iii. The Applicant is responsible for the design, construction, operation, maintenance and repair of any private fire hydrants and the water system that supplies any private fire hydrants serving the development subject to this Preliminary Plan (Private Hydrant System). The Applicant must cause the Private Hydrant System to be maintained in good operating condition at all times and must have the Private Hydrant System inspected and tested as required by the Montgomery County Fire Marshal, overseen by a professional engineer, who must provide certified reports evidencing that the water and private hydrant system is properly designed and constructed and in good operating condition. These certified reports must be provided annually to Montgomery County Department of Permitting Services (MCDPS). A description of repairs or maintenance that were performed to keep the Private Hydrant System in good operating condition must be noted on the certified report.
    - iv. The Private Roads must remain open for pedestrians and both motorized and non-motorized vehicles at all times as part of the project common area, except for temporary closures as permitted by MCDPS; and

- v. The Applicant must properly maintain all of the improvements within the Private Roads areas in good condition and repair in accordance with applicable laws and regulations at all times. At a minimum, the Applicant must remove snow and ice, and provide routine and extraordinary repairs, maintenance and replacement to keep the Private Roads open and in good repair for safe use.
  - c. Prior to recordation of the plat, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Roads have been designed in accordance with sound engineering principles for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access, and parking ("Certified Design").
  - d. All Private Roads must meet all necessary requirements for emergency access, egress, and apparatus as determined by the Montgomery County Fire Marshal.
- 7. The Applicant must comply with the requirements of the Preliminary Forest Conservation Plan, except as modified by the approval of a subsequent Final Forest Conservation Plan, subject to the following conditions:
  - a. The Applicant must obtain approval of a Final Forest Conservation Plan (FFCP) from the Planning Department prior to issuance of a Sediment Control Permit and any demolition.
  - b. The Final Forest Conservation Plan (FFCP) must include an amended Variance request for any new impacts to specimen trees that result from extending a shared use path east along Randolph Road to Hunters Lane.
  - c. Prior to any demolition, clearing, or grading on the Property, the Applicant must record in the Land Records of Montgomery County a Certificate of Compliance Agreement approved by the M-NCPPC Office of General Counsel for use of a forest mitigation bank to satisfy the applicable forest conservation planting requirement.
  - d. The Sediment and Erosion Control Plan and Storm Water Management Plan must be consistent with the limits of disturbance and the associated tree/forest preservation measures of the FFCP.
  - e. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Additional tree save measures not specified on the FFCP may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.
  - f. Prior to record plat, the Applicant must record a deed of release for the existing 0.078-acre conservation easement area to be removed in accordance with this Preliminary Plan. The deed of release must be in a



form approved by the Commission's Office of the General Counsel and must be executed by the appropriate Commission representative.

8. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letters dated November 29, 2016 and January 10, 2017, 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 letters, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
9. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
10. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) – Water Resources Section – in its stormwater management concept letter October 18, 2016, and hereby incorporates them as conditions of this Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letters, which may be amended by MCDPS provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
11. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Fire Code Enforcement Section in its letter dated November 7, 2016 and March 1, 2017 Amendment Approval, 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.
12. The record plat must reflect all areas under Homeowners Association ownership.
13. The record plat must reflect a common use and access easement over all trails, sidewalks and paths not included in a public right-of-way or private street parcel.
14. No clearing, grading, or demolition of existing structures on the site, or recording of plats, is permitted prior to Certified Site Plan approval.
15. Final approval of the number and location of buildings, dwellings units, on-site parking, site circulation, and sidewalks will be determined by the Site Plan approval.
16. 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 Site Plan review. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for the lots. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

17. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.
18. All necessary easements must be shown on the record plat.

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 Preliminary Plan substantially conforms to the Master Plan.*

The Subject Property is located within the 1992 North Bethesda/Garrett Park Master Plan area. One of the goals of the Master Plan is to "preserve and increase the variety of housing stock, including affordable housing."

The Preliminary Plan will provide a mix of dwelling types to create variety of housing in the community, of which 12.5% of the units will be provided as MPDUs.

The Master Plan also seeks to "direct future development to land nearest to Metro stops and new transit stations, and to areas best served by transportation infrastructure."

The Subject Property is approximately one mile from the White Flint Metro Station, and 1.5 miles from the Twinbrook Metro Station. Bus service along Randolph Road and Parklawn Drive provides transit connections to both Metro stations.

The Preliminary Plan is therefore in substantial conformance with the applicable recommendations of the Master Plan.



2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

#### Master Plan Roadways and Bikeways

In accordance with the Master Plan, the 2005 Countywide Bikeways Functional Master Plan, and 2013 Countywide Transit Corridors Functional Master Plan, the current master-planned roadway, bikeway, and transitway designations in the vicinity of the Subject Property are listed below:

1. Randolph Road is designated as a four-lane arterial, A-69 with a recommended 100-foot right-of-way and a Class II bikeway. The Countywide Bikeways Functional Master Plan recommends bike lanes, BL-15. The Countywide Transit Corridors Functional Master Plan recommends Bus Rapid Transit (BRT) on the Corridor 7, "Randolph Road" with BRT vehicles operating along Randolph Road within its Master-Planned 100-foot wide right-of-way. The nearest BRT station is proposed at the intersection of Parklawn Drive and Randolph Road. The existing right-of-way ranges from 90 to 100 feet wide, and the Applicant will be required to make the required dedication along the property frontages.

Putnam Road and Macon Road are both dead-end streets that are local secondary residential streets not listed in the Master Plan. Macon Road has an existing 60-foot wide right-of-way that serves as vehicular access for 23 single-family detached homes. Putnam Road has an existing 52- to 71-foot wide right-of-way that serves as vehicular access to the Subject Property and the adjacent shopping center.

The Planning Board agreed with Staff to require the Applicant to reconnect Putnam Road with Macon Road. This is consistent with the Board's general policy to provide for vehicular and pedestrian connections whenever possible to enhance the County's transportation system. Application of this policy is particularly appropriate in this case, given that the Master Plan acknowledges that "[c]urrent roadway network conditions in North Bethesda are generally congested." According to the Master Plan, "[t]hese conditions are due to a generally restricted roadway system, moderate levels of transit and ridesharing use, and high levels of commercial and residential development in both the Planning Area and other portions of the region."

The connection of Putnam Road with Macon Road will help alleviate this condition by providing alternate routes for vehicles and pedestrians and more efficient circulation throughout the neighborhood. Furthermore, the connection will provide direct access for residents south of Randolph Road to Loehmann's Plaza shopping center.

### Available Transit Service

Transit service is available along Randolph Road via the following bus routes:

1. Ride-On route 10 operates with 30-minute headways between the Hillandale (at New Hampshire Avenue and Powder Mill Drive) and the Twinbrook Metrorail Station on weekdays and weekends.
2. Metrobus route C4 operates with 15-minute headways between the Twinbrook Metrorail Station and the Greenbelt Metrorail Station on weekdays and weekends.
3. Metrobus route C8 operates with 30-minute headways between the College Park-University of Maryland Metro Station and the White Flint Metrorail Station on weekdays and Saturdays.

The nearest bus stops are located along Randolph Road west of the intersection with Putnam Road: the eastbound stop on the south side of the road is approximately 70 feet to the west; and the westbound stop on the north side of the road is approximately 225 feet to the west.

Metrobus route J5 operates along nearby Parklawn Drive approximately 1,015 feet to the west of the Subject Property. The White Flint Metro station is located approximately 1.1 miles southwest of the Subject Property.

### Pedestrian and Bicycle Facilities

Randolph Road has an existing 4-foot wide sidewalk with a 12-foot wide green panel along the Subject Property frontage. Putnam Road has an existing 4-foot wide sidewalk on the east side only with an 11-foot wide green panel, and parking on the east side. Macon Road has existing 4-foot wide sidewalks, 10- to 12-foot wide green panels, and parking on both sides. The existing 4-foot wide sidewalks along the three adjacent roadways are considered substandard in the new Road Code and must be reconstructed.

The three adjacent intersections with Randolph Road at Putnam Road, Loehmann's Plaza driveway, and Macon Road, are not signalized. There are no pedestrian crosswalks, but there are handicap ramps at the intersections of Randolph Road and Macon Road. The missing pedestrian crosswalks and handicap ramps must be provided as conditioned.

The Applicant will be required to provide separated bike lanes along Randolph Road in coordination with the Planning Department and MCDOT staff. In addition, two inverted-U (or alternatives as approved by the Planning Department staff) bike rack spaces are required at the community recreation area.

Local Area Transportation Review

The 106 townhouse lots will generate 51 trips during the weekday AM peak hour and 86 trips during the PM peak hour. Typically, a traffic study is required if a development generates 30 or more new peak-hour trips. However, the Preliminary Plan will generate fewer trips than the trips generated by existing uses on the Subject Property. Therefore, a traffic study is not required, and the LATR test is satisfied.

Transportation Policy Area Review

A Transportation Policy Area Review (TPAR) payment of 25% of the Department of Permitting Services (DPS) development impact tax payment will not be required to satisfy the Policy Area Review test, because the project will generate less than three new peak-hour trips.

Schools

Since this Preliminary Plan was submitted prior to January 1, 2017, the 2012-2016 Subdivision Staging Policy and FY2017 Annual School Test apply. The Subject Property is located in the Wheaton High School Cluster, which would have required a school facility payment at the middle school level for all residential units. However, in accordance with Montgomery County Council Bill 37-16, the County will not be collecting any required school facility payments for building permit applications filed after March 1, 2017, but will instead collect an updated development impact tax on all applicable residential units.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the Application. The Application meets the Montgomery County Fire and Rescue Service requirements for fire and rescue vehicle access. Public facilities and services, such as police stations, firehouses and health services are currently operating within the standards set by the Subdivision Staging Policy currently in effect. Electrical and telecommunications services are also available to serve the Subject Property.

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

The Preliminary Plan has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The lots' size, width, shape and orientation are appropriate for the location of the subdivision considering the objectives and recommendations in the Master Plan and for the type of development and use contemplated. As conditioned and with the Subdivision Regulations waiver described in finding 7 below, the lots meet all requirements established in the

Subdivision Regulations and the Zoning Ordinance and substantially conform to the recommendations of the Master Plan.

At the hearing, however, the Planning Board noted some concern about the size and amount of the green area/open space shown on the Preliminary Plan, based on the size and quantity of the lots shown, and emphasized that approval of a maximum of 106 lots as part of this Preliminary Plan is subject to further review at site plan. In particular, the Applicant may have to eliminate lots to provide more green area/open space as part of the Site Plan.

As stated above, the project will provide housing with a mix of housing types in the neighborhood. 12.5% of the units will be provided as MPDUs. The Subject Property has excellent bus connections along Randolph Road and Parklawn Drive to both White Flint and Twinbrook Metro stations. There will be adequate public facilities to serve the lots, and the Application has been reviewed by other applicable County agencies, all of which have recommended approval of the Preliminary Plan.

Therefore, the approved lots are appropriate for the location of the subdivision, taking into account the recommendations set out in the North Bethesda/Garrett Park Master Plan, and the use for the Subject Property.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

#### Environmental Guidelines

Staff approved a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) (No. 420160570) for the Subject Property on October 20, 2015. The Subject Property contains no streams or their buffers, wetlands or their buffers, steep slopes, 100-year floodplains, or known habitats of rare, threatened, and endangered species. There is a stream buffer adjacent to the southwest corner of the Subject Property that overlaps the intersection of Macon and Putnam Roads. A barricade and some trees (less than specimen size) currently separate these two roads where they meet. The Applicant is required to complete this connection, and the disturbance required for reconnecting the intersection is minimal. On a case-by-case basis, the Environmental Guidelines permit construction of infrastructure such as roadways, when deemed necessary. Staff supports this connection, and finds this plan to be in conformance with the Environmental Guidelines.

#### Preliminary Forest Conservation Plan

The Application is subject to the Montgomery County Forest Conservation Law, and the Applicant has submitted a Preliminary Forest Conservation Plan in conjunction with the Preliminary Plan. There is no forest on the Subject Property. The land use, zoning and net tract area result in an afforestation requirement of 1.29 acres of forest planting. The Preliminary Forest Conservation Plan includes the removal of

an existing on-site Forest Conservation Easement of 0.078 acres. This existing easement area does not meet the criteria in the Forest Conservation Law to qualify as forest, and presents a problem for enforcement due to its fragmentary and isolated location. Because the Applicant is fulfilling their forest conservation mitigation requirements off-site, the easement area must be replaced at a ratio of 2:1; therefore, the Applicant will purchase additional forest banking credits equal to planting 0.156 acres of forest. The total forest conservation mitigation requirement is for 1.446 acres of forest planted (1.29 acres of forest planting plus 0.156 acres for replacement of the forest conservation easement), or double that amount of forest preserved, in an approved off-site forest bank.

#### Forest Conservation Variance

Section 22A-12(b)(3) of County code identifies certain individual trees as high priority for retention and protection ("Protected Tree"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a variance under Section 22A-12 (b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

The Applicant submitted a variance request on December 2, 2016, because the plan would create an impact to 20 trees that are considered high priority for retention under Section 22A-12(b) of the County code. Thirteen of these trees will be removed; the other seven will be saved. In this case, the Protected Trees proposed to be removed or disturbed are distributed throughout the developable portion of the Subject Property. Denying the Variance would preclude construction of the townhouse community as anticipated and desired based on the zoning. This would constitute an unwarranted hardship on the Applicant.

Section 22A-21 of the County code sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted.

The Board makes the following findings necessary to grant the variance:

1. *Granting the variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

Impacts to specimen trees occur throughout the developable portion of the Subject Property. The impacts to the trees subject to the variance requirement cannot be avoided because of the size and configuration of the Subject Property and the layout of the project. Therefore, the granting of this variance is not a special privilege that would be denied to other applicants.

2. *The need for the variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*



The requested variance is not based on conditions or circumstances which are the result of actions by the applicant, but on environmental, engineering and site constraints.

3. *The need for the variance is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is not a result of land or building use on a neighboring property.

4. *Granting the variance will not violate State water quality standards or cause measurable degradation in water quality.*

Seven of the trees are being saved and will continue to provide water quality functions as before. The trees being removed will be mitigated by the planting of 112.5 caliper- inches of replacement trees. This is equivalent to 38 replacement trees of at least 3" caliper each. These trees will, in time, replace the lost water quality functions of the trees being removed. Therefore, the Application will not violate State water quality standards or cause a measurable degradation in water quality. The replacement trees must be shown on the Final Forest Conservation Plan.

The Preliminary Plan condition of approval requiring extension of a shared use path east along Randolph Road to Hunters Lane will likely impact a specimen tree not covered by the current variance approval. The shared use path extension will be reviewed at Site Plan. This will determine the limits of disturbance and amount of additional Critical Root Zone impact to specimen trees.

Therefore, as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law and the Planning Board's Environmental Guidelines.

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

The MCDPS Stormwater Management Section issued a letter accepting the stormwater management concept for the Subject Property on October 24, 2016. The stormwater management concept proposes to meet required stormwater management goals via the use of micro-bioretenion facilities, micro-bioretenion planter boxes, permeable pavement, and drywells.

6. *The approved lots will abut on a street or road which has been dedicated to public use or which has acquired the status of a public road.*

Section 50-29(a)(2) of the Subdivision Regulations requires “that individually recorded lots shall abut on a street or road which has been dedicated to public use or which has acquired the status of a public road.” As reflected in other similar cases approved by the Planning Board, this finding must be based upon the road being fully accessible to the public; accessible to fire and rescue vehicles, as needed; and designed to the minimum public road standards, except for right-of-way and pavement widths.

All townhomes front on Private Road A, Private Road B, or a green area/open space. Private Roads A and B will meet the corresponding Montgomery County Road Code Standards MC-2001.02 and MC-2001.01 as modified, respectively. All townhouse lots that front on a green area/open space will be served by private alleys that will be constructed to the corresponding Montgomery County Road Code Standard for Residential Alleys MC-200.01 as modified. All private roads and alleys will be fully accessible to the public, provide the minimum pavement width and turning radii for emergency vehicle access, and will meet the minimum corresponding public road code standards.

Therefore, the Board finds that the internal private road network has attained the status of public roads.

7. *A 50-38 Waiver of the minimum intersection spacing requirement is necessary.*

The Subject Property is located along Randolph Road, an arterial street which requires a minimum spacing of 600 feet between intersections per Section 50-26(c)(2). The Applicant has requested a waiver of this minimum intersection spacing requirement. The Planning Board has the authority to grant such a waiver pursuant to Section 50-38(a)(1) of the Subdivision Regulations, provided that certain findings can be made. The section states:

“The Board may grant a waiver from the requirements of this Chapter upon a determination that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements from being achieved, and that the waiver is: 1) the minimum necessary to provide relief from the requirements; 2) not inconsistent with the purposes and objectives of the General Plan; and 3) not adverse to the public interest.”

To provide adequate vehicular and pedestrian circulation access to the Subject Property, a right-in/right-out only access to/from Randolph Road is needed, and provided. A practical difficulty exists in that the Applicant cannot provide the minimum required spacing of 600-foot between the new and existing curb cuts on Randolph Road since the existing intersections of Putnam Road and Hunters Lane along the Property's Randolph Road frontage are only 1,000 feet apart.

Therefore, the Planning Board finds that granting a waiver of the requirements of Section 50-26(c)(2) is the minimum waiver necessary to provide relief from the intersection spacing requirements of Chapter 50. The waiver is not inconsistent with the purposes and objectives of the General Plan, and is not adverse to the public interest because the waiver is needed in order to develop the Subject Property in accordance with a Local Map Amendment G-964 to change the zone of the Subject Property from R-60/R-90 to RT-15. The County Council found this Local Map Amendment to be consistent with the purposes and objectives of the General Plan and to be in the public interest.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 60 months from its initiation date (as defined in Montgomery County Code Section 50-35(h)) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension must be filed; 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 APR 6 2017 (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 Fani-González, seconded by Commissioner Cichy, with Vice Chair Wells-Harley and Commissioners Fani-González and Cichy voting in favor, and Chair Anderson and Commissioner Dreyfuss absent at its regular meeting held on Thursday, March 30, 2017, in Silver Spring, Maryland.

  
Marye Wells-Harley, Vice Chair  
Montgomery County Planning Board





# Randolph Farms

Rockville, Maryland





# Attachment 03



LEGEND  
 HIGH VISIBILITY END UNIT

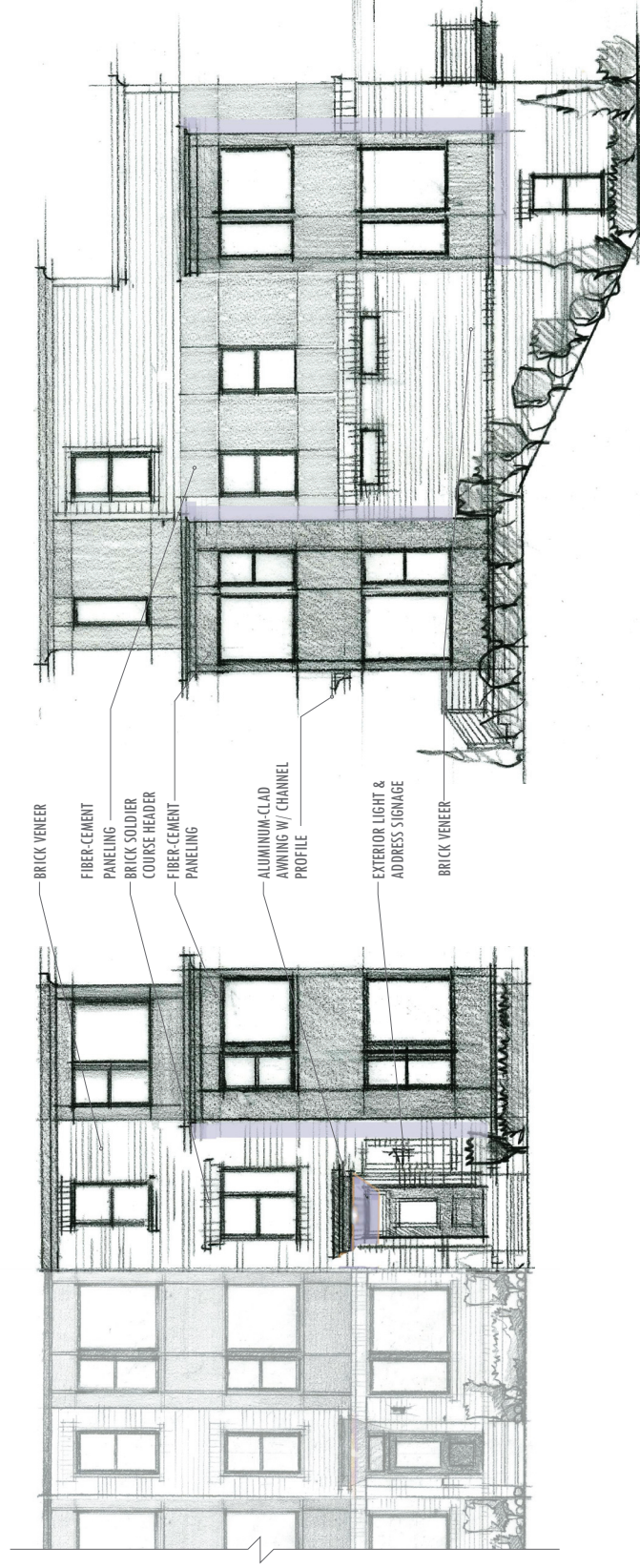


## Randolph Farms

Rockville, Maryland







**B. SIDE ELEVATION**  
(high vis.)



### A. FRONT ELEVATION

<b>DEVELOPER'S CERTIFICATE</b>	
The undersigned agrees to execute all the features of the Site Plan Approval and to comply with all the conditions of the Zoning Ordinance, Development Program, and Certified Site Plan.	
Developer's Name:	WINCHESTER HOMES Company  Michael Conley Contact Person
Address:	6805 Decouville Drive, Suite 400 Baton Rouge, Louisiana 70817
Phone:	301-809-4711
Signature:	Michael Conley, Vice President



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett  
County Executive

Lisa Feldt  
Director

June 15, 2017

Casey Anderson, Chair  
Montgomery County Planning Board  
Maryland National Capital Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

RE: Randolph Farms – Revision to Site Plan, ePlan 820170020, NRI/FSD application accepted on 9/25/2015

Dear Mr. Anderson:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department (“Planning Department”) has completed all review required under applicable law, I am providing the following recommendation pertaining to this request for a variance.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance can be granted under this criterion.
2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the variance can be granted under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

Casey Anderson  
June 15, 2017  
Page 2

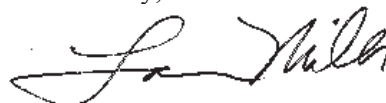
3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance can be granted under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon meeting 'conditions of approval' pertaining to variance trees recommended by Planning staff, as well as the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,



Laura Miller  
County Arborist

cc: Steve Findley, Planner Coordinator

**GLW GUTSCHICK, LITTLE, & WEBER, P.A.**  
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS

April 18, 2017

Forest Conservation Program Manager  
Maryland National Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Randolph Farms - Variance Request

On behalf of our client, Winchester Homes, we are requesting a variance of Section 22A-12.(b)(3)(c) of the Montgomery County Code.

*(3) The following trees, shrubs, plants, and specific areas are priority for retention and protection and must be left in an undisturbed condition unless the Planning Board or Planning Director, as appropriate, finds that the applicant qualifies for a variance under Section 22A-21:*

- (C) Any tree with a diameter, measured at 4.5 feet above the ground, of:*
- (i) 30 inches or more; or*
  - (ii) 75% or more of the diameter, measured at 4.5 feet above ground, of the current State champion tree of that species.*

Section 5-1611 of the Maryland State Code grants the authority to Montgomery County (local authority) for approval of the variances, and Section 22A-21 Variance, of the Montgomery County Code establishes the criteria to grant a variance.

The subject property, Randolph Farms, Lots 4, 5 & 32, Block '2', is an 8.44 Ac site located in the southeast quadrant of the intersection of Randolph Road and Putnam Road in Rockville, Maryland, a community in the south east portion of Montgomery County. The site currently houses the Montrose Baptist Church, Montrose Christina School, and the Montrose Christian Child Development Center, and is currently, not forested. Existing single family houses abut the property along the East, large single family lots abut the property to the south, and smaller single family homes as well to the north on the opposite side of Randolph Road. To the West of the property, across Putnam Road, is an existing shopping center.

The applicant is requesting a variance to affect the following trees that measures 30" or greater in diameter at breast height (dbh):

Request to remove the following trees:

Tree #1 – 36" dbh Willow Oak – Good Condition

Tree #2 – 31" dbh Willow Oak – Good Condition



Request to remove the following trees (continued):

Tree #3 – 30” dbh Willow Oak – Good Condition  
 Tree #4 – 30” dbh Willow Oak – Good Condition  
 Tree #5 – 31” dbh Willow Oak – Fair Condition  
 Tree #6 – 33” dbh Willow Oak – Fair Condition  
 Tree #9 – 31” dbh Willow Oak – Fair Condition  
 Tree #22 – 42” dbh Red Oak – Good Condition  
 Tree #30 – 50” dbh Tulip Poplar – Good/Fair Condition  
 Tree #38 – 32” dbh Red Oak – Good Condition  
 Tree #41 – 31” dbh Red Oak – Good Condition  
 Tree #43 – 36” dbh Red Oak – Good Condition  
 Tree #46 – 37” dbh Pin Oak – Good Condition

Request to impact the critical root zones of the following trees:

Tree #10 – 48” dbh Pin Oak – Good Condition  
 Tree #15 – 30” dbh Tulip Poplar – Good Condition  
 Tree #16 – 48” dbh Tulip Poplar – Good Condition  
 Tree #28 – 34” dbh Tulip Poplar – Good Condition  
 Tree #34 – 32” dbh Tulip Poplar – Good Condition  
 Tree #35 – 36” dbh Tulip Poplar – Good Condition  
 Tree #36 – 30” dbh Tulip Poplar – Good Condition  
 Tree #48 – 40” dbh Red Oak – Good Condition

<u>TREE #</u>	<u>TREE TYPE</u>	<u>% DISTURBED</u>	<u>REASON</u>
10	Pin Oak	1.1%	Construction of storm water management facility.
15	Tulip Poplar	7.4%	Construction of storm water management facility.
16	Tulip Poplar	22.0%	Grading & construction of storm water management facility.
28	Tulip Poplar	10.7%	Grading & construction of storm water management facility.
34	Tulip Poplar	30.6%	Grading, construction of storm water management facility, & sidewalk construction.
35	Tulip Poplar	28.1%	Grading, construction of storm water management facility, & sidewalk construction.
36	Tulip Poplar	23.4%	Grading & construction of storm water management facility.
48	Red Oak	25.4%	Grading & construction of offsite shared use path/ sidewalk extension.

Section 22A-21 (b) lists the criteria for the granting of the variance requested herein. The following narrative explains how the requested variance is justified under the set of circumstances described above.

*1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship:*

The site is currently covered mostly by buildings, parking and lawn area, and is not categorized as a forested area; however there are multiple specimen street trees located in the northwest quadrant of the site as well as multiple specimen trees scattered along the southeastern property line. Because of the building type change from large institutional buildings to smaller but high density single family residential building types, and the introduction of storm water management to the site, significant site grading will be required. Because numerous large trees are located in the developable area of the site, the critical root zones will have a significant impact on the develop-ability of the site and implementation of the RT-15 zoning. The subject property is surrounded by single family detached homes that are zoned R-60 to the south and east. To the West is an existing shopping Center that is zoned CR-1.5. The only access to this site is located on Putnam Road and Randolph Road. The property is zoned RT-15 which allows single-family attached townhomes at a maximum density of 15 du/ac. The major impacts to specimen trees will be caused by construction of the residential townhomes, private roads, storm water management facilities and utility installation to serve the proposed townhomes. If the applicant were denied the variance to impact specimen trees and therefore denied the ability to develop this site, it would be an unwarranted hardship on the developer not to allow the site to transform from a school and church, into a development that will be implementing goals of the North Bethesda Garrett Park Master Plan by transitioning and buffering Randolph Road more successfully into the surrounding community, while increasing the diversity of housing types in the community.

**Removal of Trees #1-6, 9, 22, 30, 38, 41, 43 & 46:**

The removal of specimen street trees #1 through 6 could not be avoided because of the replacement of the existing sidewalk along Putnam Road, construction on existing utilities in Putnam Road, and grading changes caused by the removal of the existing Christian school building. The Montgomery County street design standards necessitate the removal to allow construction of street utilities, grading and required storm water management features. The removal of specimen tree 22, 30, 38, 41, 43 & 46 could not be avoided because they are located in the middle of a transition area that will require significant grading changes to allow for the construction of high density single family townhouses and storm water management facilities. The removal of specimen tree #9 could not be avoided because one side of the outer CRZ will be cleared and graded for the construction of a storm water management facility, sidewalks and the town home on Lot 33. In further effort to evaluate if offsite tree #9 could be saved, a site visit was conducted on November 22, 2016 by a certified arborist. A letter has been attached with this variance request from the certified arborist, detailing their observations and recommendations for tree #9.

**Impacting Critical Root Zones (CRZ) of Tree #10, 15-16, 28, 34 – 36 & 48 :**

Tree #10 will have minimal grading impacts to one side of the outer CRZ area to grade and construct the storm water management facility and to install storm drains. Tree #15, 16 & 28 will have minimal grading impacts to one side of the outer CRZ area to grade and construct the storm water management facility and to install storm drains. Tree #34, 35 & 36 will have minimal impacts to the outer CRZ area to grade and construct sidewalks, storm water management facilities and to install storm drains. Tree #48 will have minimal grading impacts to the outer CRZ to grade and construct the offsite shared use path that extends to Hunters Lane. Prior to construction, root pruning, temporary tree protection fencing and signage, and other protective measures deemed necessary by the arborist will be employed to minimize the effects of construction.

*2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas:*

Not granting the variance would cause undue hardship on the applicant because the buildable area on the property would be significantly reduced, and therefore will deny the applicant ability to full use the property. The applicant has followed the requirements of the zoning regulations. The proposed use is in conformance with the North Bethesda Garrett Park Master Plan and is compatible with the surrounding properties. The inability to impact or remove the subject trees would dramatically reduce the ability to develop the property, and is an unwarranted hardship to the applicant. By enforcement of this chapter, it will deprive the landowner the rights to build on the property. Granting of the variance will ultimately allow the property to be developed.

*3. Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance:*

The variance will not violate state water quality standards or cause measurable degradation in water quality. The existing site conditions provide very minimal storm water manage of existing site run-off. The proposed development will provide full Environmental Site Design (ESD) storm water management for the site. All proposed land development activities will require sediment control and or storm water management plan approvals by Montgomery County. The approval, of SWM Concept #281994, will confirm that the goals and objective of the current state and county water quality standards have been met for the proposed development, on site.

*4. Provide any other information appropriate to support the request:*

The variance request is not based on conditions or circumstances which result from the actions of the applicant. The applicant did not create or plant the existing street trees or other existing specimen trees. As mentioned above, granting of this variance will ultimately allow this property to be developed. The removal of the significant and specimen trees is practically unavoidable and will be remediated on site or in an offsite forest bank. Special attention will be given to any construction work that may impact the critical root zones of specimen trees that can be saved. In particular:

The Applicant believes that the information set forth above is adequate to justify the requested variance to impact the critical root zone of four specimen trees on the subject property. Furthermore, the Applicant's request for a variance complies with the "minimum criteria" of Section 22A-21 (d) for the following reasons:

1. This Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available to any other applicant.
2. The variance request is not based on conditions or circumstances which result from the actions of the applicant. The applicant did not create the existing site conditions, including the random location of the specimen trees.
3. The variance is not based on a condition relating to the land or building use, either permitted or nonconforming on a neighboring property.

4. Loss of the requested trees will not violate State water quality standards or cause measurable degradation in water quality.

If you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

Kevin Foster, ASLA, AICP

Enclosures



## DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Diane R. Schwartz Jones  
Director

April 20, 2017

**RECEIVED**

APR 24 2017

Mr. David Cha, PE  
Gutschick, Little & Weber, P.A.  
3909 National Dr., Suite 250  
Burtonsville, MD 20866

Gutschick, Little & Weber, P.A.

Re: **SITE DEVELOPMENT STORMWATER  
MANAGEMENT Plan** for  
Randolph Farms  
Preliminary Plan #: 1- 020160320  
Site Plan #: 820170020  
SM File #: 281994  
Tract Size/Zone: 6.71 ac./RT-15  
Total Concept Area: 6.71 ac.  
Lots/Block: Lots 32, 4 and 5 Block 2  
To be Subdivided  
Parcel(s): N/A  
Watershed: Lower Rock Creek

Dear Mr. Cha:

Based on a review by the Department of Permitting Services Review Staff, the Site Development Stormwater Management Plan for the above referenced site is **acceptable**. The plan proposes to meet required stormwater management goals via micro-bioretenention facilities, micro-bioretenention planter boxes and permeable paving.

The following items will need to be addressed during the detailed sediment control/stormwater management (SC/SWM) plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed SC/SWM plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media manufactured best management practices must consist of MDE approved material.
4. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.

Mr. David Cha  
April 20, 2017  
Page 2 of 3

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

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

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mary Fertig at 240-777-6203 or at [mary.fertig@montgomerycountymd.gov](mailto:mary.fertig@montgomerycountymd.gov).

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

cc: SM File #281994  
Cathy Conlon

ESD Acres:	6.71
STRUCTURAL Acres:	0.0
WAIVED Acres:	0.0





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**Department of Permitting Services**  
**Fire Department Access and Water Supply Comments**

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**DATE:** 15-May-17  
**TO:** Kevin Foster  
Gutschick Little & Weber, PA  
**FROM:** Marie LaBaw  
**RE:** Randolph Farms - Stanford Properties (see 11/7/2016 prelim plan approval)  
820170020

---

**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted **15-May-17**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



## DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett  
County Executive

Clarence J. Snuggs  
Director

June 2, 2017

Ms. Rhoda Hersson-Ringskog  
Area 2 Division  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Randolph Farms  
Site Plan No. 820170020

Dear Ms. Ringskog:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval, with the following comments:

1. In the MPDU Agreement to Build for this development, DHCA may require that certificates of use and occupancy on some market units be held back until certificates of use and occupancy have been issued for all MPDUs, if necessary to ensure proper phasing of the MPDU and market rate units.
2. The MPDUs must have at least 3 bedrooms and 1.5 baths, and every bedroom must be no more than one level away from a full bath.

Sincerely,

Lisa S. Schwartz  
Senior Planning Specialist

cc: Kevin Foster, Gutschick, Little & Weber, P.A.

S:\Files\FY2014\Housing\MPDU\Lisa Schwartz\Randolph Farms DHCA Letter\_6-2-2017.docx

## Division of Housing

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • [www.montgomerycountymd.gov/dhca](http://www.montgomerycountymd.gov/dhca)

## DPS-ROW CONDITIONS OF APPROVAL

**Attachment 09**

**May 30, 2017**

### **820170020 Randolph Farms**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan files:

**“07-SITE-820170020-003.pdf V4”** uploaded on/ dated **“5/26/2017”** and  
**“07-SITE-820170020-001.pdf V3”** uploaded on/ dated **“5/22/2017”** and

The followings need to be addressed prior to the certification of site plan:

1. Delete the proposed handicap ramp for crossing Putnam Road at the intersection of Putnam Road and Macon Road, OR, provide a receiving ADA compliant ramp across the street to connect with the existing sidewalk.
2. Revise note 24 under “General Notes” on sheet 1 to read: “Street trees and street lights will be reviewed and approved by DPS-ROW section at the time of ROW permit”.