™ Montgomery Planning

LOCAL MAP AMENDMENT H-145 FINAL/PRELIMINARY FOREST CONSERVATION PLAN H-145 NOVA RANDOLPH, LLC



LMA H-145 PFFCP H-145 Completed: 4-8-2022

MCPB Item No. 8 4-21-2022 Montgomery County Planning Board 2425 Reedie Drive Wheaton, MD 20902

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LOCATION/ADDRESS

2131 E. Randolph Rd., Silver Spring, MD 20904

MASTER PLAN

1997 Fairland Master Plan

ZONE

R-200

PROPERTY SIZE

10.8 acres

APPLICANT

Nova-Randolph, LLC

ACCEPTANCE DATE

December 30, 2021

REVIEW BASIS

Chapter 59



- Staff recommends transmittal to the County Hearing Examiner, the Planning Board approval of Local Map Amendment H-145 to rezone 10.8 acres from the R-200 zone to the CRTF CRTF-1.0, C-0.25, R-1.0, H-80 zone, with binding elements and conditions.
- An associated Preliminary Forest Conservation Plan and Tree Variance is recommended for approval and discussed in this report.
- Presently, the property is vacant and undeveloped land.
- Applicant proposes to develop the property with approximately 56 townhomes, 58 two-over-two multi-family units, 120 residential affordable senior units, and an approximately 32,000 square foot neighborhood-scaled grocery store.
- Correspondence was received for this Application regarding concerns over traffic congestion, traffic safety, density, crime, compatibility, and impacts to the surrounding neighborhood.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

SUMMARY

Nova-Randolph, LLC (Applicant), requests approval of a Local Map Amendment (LMA) application to rezone 10.8 acres of land located at 1211 E. Randolph Road (the Property) from the R-200 zone to the CRTF-1.0, C-0.25, R-1.0, H-80 (Commercial Residential Town Floating Zone or CRTF). This would allow the Applicant to develop the existing vacant land into approximately 56 townhomes, 58 multi-family two-over-two units, 120 residential affordable senior units, and an approximately 32,000- square foot neighborhood-scaled grocery store.

The LMA with a Floating Zone Plan application was filed under Section 7.2.1 of the Montgomery County Zoning Ordinance. The proposed development requires District Council approval of the LMA and Floating Zone Plan. If LMA H-145 is approved by the District Council, the proposed development could be established after subsequent Preliminary Plan and Site Plan approvals by the Planning Board.

The proposed Floating Zone Plan meets the requirements of the proposed CRTF-1.0, C-0.25, R-1.0, H-80 zone in terms of the intent and purpose of floating zones and compatibility with the surrounding neighborhood. The proposal is also consistent with the 1997 Fairland Master Plan recommendations of moderate density, character, and environmental protection.

Staff recommends approval of LMA H-145, with Floating Zone Plan, as submitted with the proposed binding elements set forth in this staff report. Final approval by the District Council will establish the requested floating zone on the Property. The final site layout, design, and other plan details will be established during the subsequent Preliminary Plan and Site Plan reviews.

BINDING ELEMENTS

Pursuant to Sec. 7.2.1.A.3 of the Montgomery County Zoning Ordinance, the Applicant proposes the following binding elements in connection with Local Map Amendment No. H-145:

- 1. Permitted uses on the Property include up to 56 townhomes, 58 two-over-two multi-family units, 120 residential affordable senior units, a minimum of 12.5 percent Moderately Priced Dwelling Units (MPDU), and a 32,000 square retail grocery store.
- 2. Limitation on Uses or Use Groups, Prohibited.
 - The following uses or use groups, otherwise permitted by-right or as limited or conditional uses in the CRT zone, are prohibited:
 - a. All uses under Industrial Use Category (except Dry Cleaning, up to 3,000 sq. ft.)

- b. All uses under Animal Service Use Group
- c. All uses under Vehicle Service Use Group
- d. Nursery (retail)
- e. Ambulance, Rescue Squad (Private)
- f. Hospital
- g. Funeral Home, Undertaker
- h. Medical, Dental Laboratory
- i. Research and Development
- j. Structured Parking
- k. Conference Center
- l. All Recreation and Entertainment Establishment Indoor
- m. Combination Retail
- n. All Retail/Service Establishment over 50,001 sq. ft.
- o. Vape Shop
- p. Drive-Thru
- q. Light Vehicle Sales and Rental (Indoor and Outdoor)
- 3. The Property must be subdivided to formally delineate the boundary of the area subject to the rezoning at the time of Preliminary Plan.
- 4. A Phase I Noise Analysis must be submitted with the Preliminary Plan to identify noise levels that might impact interior spaces subject to the Planning Department's Noise Guidelines. The analysis must be performed by a qualified acoustical engineer. If a combined Preliminary/Site Plan is submitted, the Site Plan must include recommendations from a qualified acoustical engineer to mitigate excessive noise levels per the Noise Guidelines.
- 5. At the time of Preliminary Plan and Site Plan(s), the Applicant must provide the following:
 - a. Meet all master planned frontage improvements.
 - b. Upgrade the existing side path along East Randolph Road to an 11-foot wide sidepath along the frontage of the Subject Property.
 - c. Construct a new 11-foot-wide sidepath along Old Columbia Pike.
 - d. As part of any future regulatory application, provide off-site bicycle, pedestrian, ADA, speed mitigation measures, and transit improvements per the LATR Guidelines and Growth and Infrastructure Policy.
 - e. Create a safe and attractive pedestrian walkway system that connects open spaces within the development, and to the extent practical, connects the development to the surrounding community.
 - f. To the extent feasible, provide and/or facilitate vehicular access to the adjacent property on the southeastern property line as show on the Floating Zone Plan.

The Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan H-145, approved as part of this Application:

- 1. Prior to the start of any demolition, clearing, grading or construction for the development Application, whichever comes first, the Applicant must submit a Deed of Release of Conservation Easement for the existing Category I Conservation Easement recorded among the County Land Records in Book 13178, Page 412 and identified on Plat 22668 in a form approved by the M-NCPPC Office of General Counsel. The Deed of Release must be recorded in the Montgomery County Land Records. The entirety of the existing easement remains in full force and effect until the Deed of Release has been approved and recorded in the Montgomery County Land Records.
- 2. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of 3 caliper inches totaling 13.5 caliper inches. Planting locations to be shown on the Final Forest Conservation Plan ("FFCP").
- 3. Applicant must submit a Final Forest Conservation Plan ("FFCP") for review and approval prior to obtaining a Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for this Subject Property.
- 4. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.

SECTION 2: SITE DESCRIPTION

VICINITY

The Property is located at 2131 East Randolph Road along the Columbia Pike (US Route 29) corridor of eastern Montgomery County in the Rolling Acres community of Fairland, as it is identified in the 1997 Fairland Master Plan (the Mater Plan) and shown on the vicinity map (Figure 1).

Within the larger overall context, the Property is located along the west side of Columbia Pike at the intersection of East Randolph Road. Columbia Pike is a six-lane, north-south highway that runs the length of the Fairland Master Plan area. East Randolph Road/Cherry Hill Road is a four-lane east-west roadway that abuts the northern Property line. The FLASH Bus Rapid Transit/Tech Road station is located approximately one-half mile to the south on Tech Road.

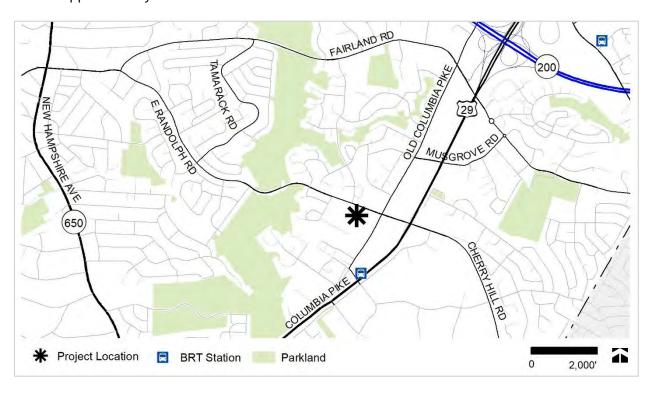


Figure 1: Vicinity map.

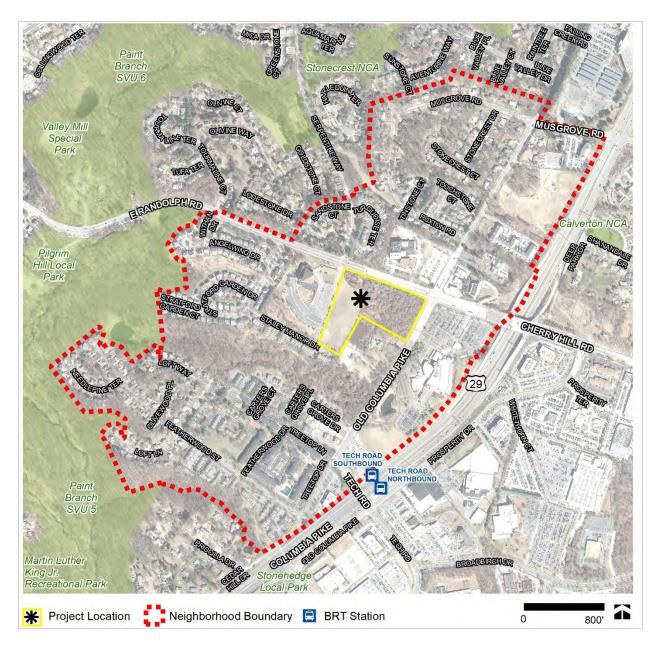


Figure 2: Subject property with surrounding neighborhood boundary.

SURROUNDING AREA

The surrounding neighborhood is defined as shown in Figure 2 and it identifies the properties that contribute to the community character and may experience the most direct impacts of the proposed rezoning. The surrounding neighborhood is primarily defined as a mix of housing types including single-family detached and attached units, townhomes, multifamily units as well as commercial, religious and institutional uses as described in Table 1 below.

Table 1: Surrounding land uses within the defined surrounding neighborhood.

North	Townhomes, single-family detached, gas station, convenience store, restaurant,				
	public utility, senior apartments, places of worship, private school, medical offices.				
East	Place of worship, single-family detached.				
South	Townhomes, garden apartments, single-family detached, apartments, medical				
	offices, park-and-ride lot, FLASH-Tech Road Station.				
West	Seventh-Day Adventist headquarters which includes offices, conference center,				
	television studio, warehouse; Route 29 corridor.				

Although the Property is not listed as a historic site, the Conley House (Master Plan Site No. 34/010) is located adjacent and south of the Property. The historic environmental setting includes both the Conley House and the subject Property.



Figure 3: Subject property and immediate surrounding area.

PROPERTY DESCRIPTION

The Property is located at 2131 East Randolph Road (Property) in the Fairland community of greater Silver Spring. It is located at the southwest quadrant of the intersection of East Randolph Road and

Old Columbia Pike. The Property has approximately 875 feet of frontage on the south side of East Randolph Road and approximately 475 feet of frontage on the west side of Old Columbia Pike.

Currently unimproved, the 10.8-acre Property contains 3.27 acres of forest cover, comprised mostly of invasive tree species. As discussed further in this report, there are no wetlands or stream buffers on the Property, and it is not located within a special protection area. The site topography is relatively flat with elevations between 386 feet at East Randolph Road with a downward slope toward the southeast to an elevation of about 360 feet.



Figure 4: View of the Property at the southwestern corner of E. Randolph Road and Old Columbia Pike.



Figure 5: Southern view of the Property (left) at E. Randolph Road and Serpentine Drive (center).



Figure 6: Eastern view of adjacent Ride On bus stop on E. Randolph Road at Old Columbia Pike.



Figure 7: Northern view of adjacent Metro Bus stop on Old Columbia Pike, with approximate vehicular entrance to grocery store (existing driveway apron).

ZONING

The zoning history of the Property is as follows:

- The 1981 Eastern Montgomery County Plan recommended rezoning the Property from the R-200 zone to the R-90/TDR-7 (medium density residential). This was accomplished through Sectional Map Amendment No. G-337.
- The 1997 Fairland Master Plan recommended the Property be rezoned from the R-90/TDR-7 zone to the R-200 zone to generally facilitate single-family detached homes in undeveloped areas. The subsequent Sectional Map Amendment No. G-747 rezoned the Property to its current R-200 Zone.

Presently, the Property is located in the R-200 zone. Single-family detached dwelling units are a permitted use. Two-unit dwellings, townhouses, and age-restricted senior housing units are permitted as a limited or conditional use, depending on the circumstances. Retail uses, such as a grocery store, are not permitted in the R-200 zone. Therefore, the Applicant seeks to rezone to the CRTF zone to permit townhomes, multifamily units and a grocery store as a cohesive and integrated project. The current zoning map for the Property is shown in Figure 9.

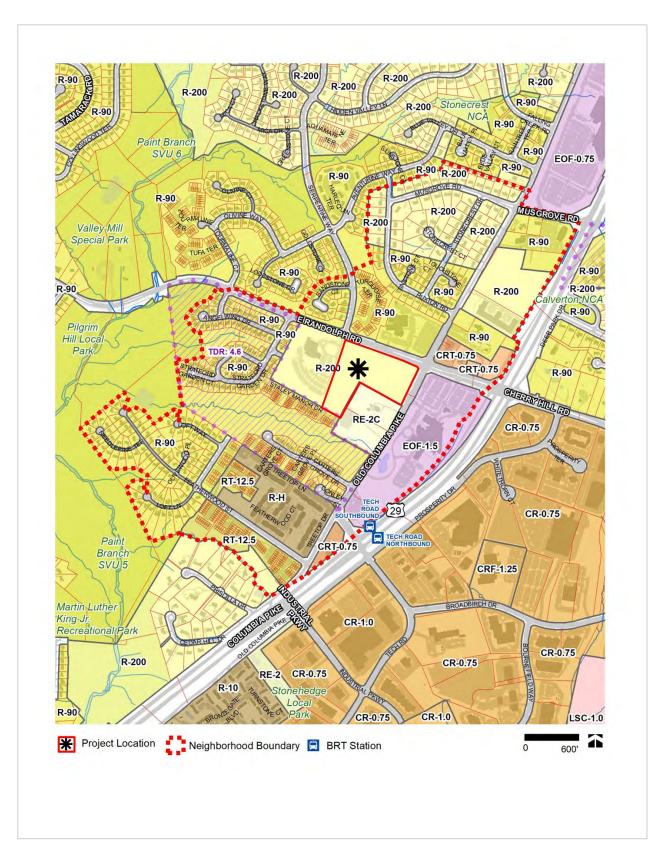


Figure 8: Zoning map with subject property.

PREVIOUS APPROVALS

The Property is the remainder of a larger parcel that was subdivided pursuant to Preliminary Plan No. 120010230 and Plat No. 22668, which created a 10.34-acre lot located at 2001 East Randolph Road and is currently the Southern Asian Seventh-Day Adventist Church. As part of Preliminary Plan No. 120010230, the planning board granted a waiver from recording, by plat, the remaining portion of the original parcel (which is the Property). Therefore, any proposed new development on the Property would require a Preliminary Plan. There are no other known regulatory approvals for the Property.



Figure 9: Northern view of Property from southern property line looking toward E. Randolph Road.

SECTION 3: PROJECT DESCRIPTION

PROPOSAL

The Applicant proposes to rezone 10.8 acres of vacant land from R-200 (Residential) to CRTF-1.0, C-0.25, R-1.0, H-80 (Commercial Residential Town), as show on the Floating Zone Plan in Figure 10. The Applicant intends to seek subsequent approvals (Preliminary Plan and Site Plan) to allow the development of the Property with townhomes (including a minimum of 12.5 percent MPDUs), two-over-two attached residential units, affordable senior apartments, and an approximately 32,000 square foot neighborhood-scaled grocery store. Vehicular access is proposed from East Randolph Road and Old Columbia Pike.

The western portion of the Property will be developed with townhomes. Two-over-two multifamily units are proposed on the northwestern portion of the Property, while senior apartments and the grocery store are proposed along East Randolph Road and at the corner of East Randolph Road and Old Columbia Pike. A driveway and pedestrian connection are proposed on the southern portion of the subject Property and the adjoining property where a proposed church is planned.

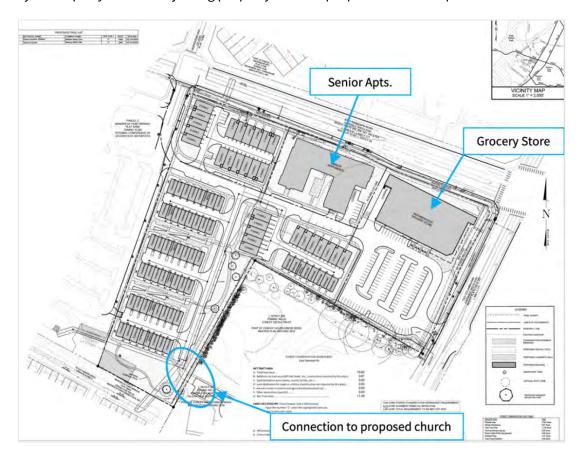


Figure 10: Proposed floating zone map and site development.



Figure 11: Rendered site development and landscaping.

URBAN DESIGN

All housing in the general vicinity of the Property is organized around cul-de-sacs or dead-end streets. Generally, there is a lack of connectivity between neighborhoods and between uses outside of neighborhoods. The Project, as proposed with interconnected vehicular and pedestrian access, will provide better connectivity to existing and future development, additional housing types, and mix of uses at an important node within the Fairland area.

The Project will be accessed at two separate points from the public right-of-way: East Randolph Road at Serpentine Drive and Old Columbia Pike. The intersection of East Randolph Road and Serpentine Drive also provides access to the Southern Asian Seventh Day Adventist Church. The Serpentine Drive entrance will be upgraded to public street standards and have the appropriate lane widths, a tree planting strip, sidewalk, and shade trees (Figure 11). A second entrance is located off Old Columbia Pike and will primarily serve as ingress and egress to the grocery store.

An east-west street, running parallel to East Randolph Road, will be introduced to connect through the site to Old Columbia Pike. A north-south street will run parallel to the church driveway and connect to the new east-west street.

Currently, staff is reviewing a Preliminary Plan application which would allow the construction of a 12,500-square foot (270 seat) new church at 12450 Old Columbia Pike, and staff has worked diligently with both applicants to ensure each project is integrated with one another to the extent practicable. The Property is located directly north of the proposed church and the historic Conley House. The Project's proposed north-south street would continue through and create a second connection to Old Columbia Pike through the proposed church site (Figure 10). Both new internal streets will have planting strips, street trees, and sidewalks.

As discussed earlier, the Project proposes a mix of uses and housing protypes: townhouses, two-overtwo units, affordable senior apartments, and a neighborhood-scaled grocery store. The conceptual architecture shown in Figure 13 and Figure 14 illustrate the type of future development envisioned by the Applicant. Details of the site design and architecture will be refined as part of the future Site Plan review.

All buildings will be sited so that their primary facades face either a street or open space. Most of the two-over-two units, the senior apartment building, and the grocery will be placed in the block along East Randolph Road. The grocery store will be located at the corner of East Randolph Road and Old Columbia Pike, creating a visual anchor for the intersection (Figure 12). Parking for the grocery store will be concealed behind the building and accessed from Old Columbia Pike. The proposed townhouses will be located along the southwest edge of the Site closer to the existing church parking lot and existing townhouses on Staley Manor Drive.

Generally, the Project will provide greater neighborhood connectivity than other residential and commercial development in the surrounding area. The proposed streetscapes are framed by buildings and have treelined sidewalks and paths that link to open spaces. This creates a more pedestrianfriendly streetscape than what currently exists. The proposed open spaces provide areas for passive and active gathering for the residents and patrons of the overall community.



Figure 12: Rendered view of proposed grocery store with senior housing at the southwest corner of East Randolph Road and Old Columbia Pike.



Figure 13: Rendered internal view near Serpentine Way toward the grocery store and Old Columbia Pike.



Figure 14: Rendered view of the proposed townhomes along the western property line from the southern property line, looking toward the northeast.



Figure 15: Birds eye rendering of the proposed Project at the intersection of East Randolph Road and Serpentine *Drive, with the church parking lot in the foreground, looking toward the southeast.*

OPEN SPACE

The Applicant can accommodate the required 10 percent open space. Figure 16 shows the placement of open spaces (shaded in green) across the Property. Open spaces are distributed along the perimeter and throughout the Property. The Applicant also proposes a playground, centrally located near the residential units. However, the exact location of the playground and amount area devoted to open space will satisfy minimum standards and be further refined by subsequent review phases during the Preliminary Plan and Site Plan applications.



Figure 16: Open space plan.

Table 2: Open space calculations.

TRANSPORTATION

As discussed above, the Property is bounded by East Randolph Road to the north, Old Columbia Pike to the east, and Staley Manor Drive (private road) to the west. The Applicant has submitted a Transportation Study as part of this Application.

According to the *Master Plan of Highways and Transitways*, East Randolph Road is classified as a major highway with planned bus rapid transit (BRT) and an 80-foot right-of-way (ROW). Old Columbia Pike is classified as an arterial road with an 80-foot right-of-way. Existing right-of-way currently exceeds these recommendations along the frontage of the Subject Property.

As shown on the proposed Floating Zone Plan, adequate vehicle parking is provided. Bicycle parking requirements for the commercial uses will be met as part of subsequent development review applications.

Master Plan Transportation Facilities

The 2018 Bicycle Master Plan recommends a sidepath along the south side of East Randolph Road and along the west side of Old Columbia Pike. An 8-foot path currently exists along East Randolph Road; however, this should be upgraded to the current 11-foot standard as part of any development application. A new sidepath must also be constructed along Old Columbia Pike as part of any development application.

Local Area Transportation Review (LATR)

A transportation study was submitted with this Application under the 2020 Growth and Infrastructure Policy (GIP) and in line with the 2022 LATR methodology. The study analyzed a slightly more intense use than the current proposal, the TIS for 110-unit Senior Adult Housing, 130 units of townhome and multifamily residential dwellings and 32,000 square feet of retail use. This would result in 259 AM peak period person trips and 586 PM peak period person trips as calculated using the 2022 LATR Guidelines, detailed in Table 3 below. The current Application foresees a slight increase in age restricted senior housing with a commensurate slight reduction in non-age restriction housing, which would result in a lower trip production than under the study, e.g., the impact would be less. A slight revision up to the studied trip cap amount is feasible with any future development application.

PM Peak Hour AM Peak Hour Use **Development** In Out Total Out Total Supermarket (ITE-850, S. Ft.) 32,000 sq. ft. 54 38 92 153 154 307 Senior Adult Housing (ITE-252, 7 110 units 15 22 16 12 28 Townhomes and Multifamily 130 units 15 48 63 48 28 76 (ITE 220, units)

Table 3: Site person trip generation.

Net New Vehicle Trips	-	76	101	177	217	194	411
Net New Person Trips	-	110	149	259	313	273	586

Trip generation rates are based on the 11th Edition ITE Trip Generation Report; townhouses are analyzed using the multifamily housing low-rise standards. Person trips are adjusted according to 2022 LATR methodology.



Figure 17: Proposed site circulation plan.

The Applicant's study, prepared in November of 2021, analyzed 11 intersections under the critical lane volume (CLV) standard methodology (Table 2). No intersections exceed the policy area CLV congestion threshold under any scenario; the proposed Application will not result in excessive congestion and all intersections will operate comfortably within congestion standards.

There were three severe crashes and one fatal crash in the study area. Additionally, four speed studies were conducted in the study area: two on East Randolph Road and two on Old Columbia Pike. All studies found 85th percentile speeds exceeding 20 percent above the posted speed, the criteria for mitigation. Mitigation measures to reduce speed through these corridors will be reviewed and

approved as part of any subsequent development application to include possible alterations of road geometry.

Table 4: Critical Lane Volume (CLV) intersection analysis.

Intersection		AM Peak H	lour		PM Peak Hour			
	CLV Standard	Existing	Back- ground	Total	Existing	Back- ground	Total	
1. E. Randolph Rd & Tourmaline Ct	1350	457	483	493	527	586	609	
2. E. Randolph Rd & Stratford Garden Dr	1350	494	520	530	544	597	623	
3. E. Randolph Rd & Serpentine Way/Site Access	1350	526	553	567	609	688	700	
4. E. Randolph Rd & Old Columbia Pk	1350	644	666	675	706	784	801	
E. Randolph Rd & US 29 Ramps (SPUI)	1350	811	836	845	799	831	842	
6 Old Columbia Pk & Musgrove Rd	1350	655	674	682	390	434	453	
7. Old Columbia Pk & Site Access	1350	220	243	350	180	236	444	
8. Old Columbia Pk & Tech Rd/Treetop Lane	1350	403	413	424	387	494	539	
9. US 29 & Tech Road	1350	1026	1067	1076	1182	1243	1243	
10. Serpentine Way & Fairland Road	1350	724	728	732	615	631	649	
11. Serpentine Way & Hidden Valley Lane	1350	79	85	89	75	90	102	

Due to the age of local infrastructure, numerous bicycle, pedestrian, and ADA (Americans with Disabilities Act) facility deficiencies are found in the study area. The majority of existing pedestrian infrastructure is found to be deficient in the study area as defined by the Pedestrian Level of Comfort methodology (red and orange in Figure 13). Similar results are found for bicycle infrastructure according to the Level of Traffic Stress methodology (Figure 14).

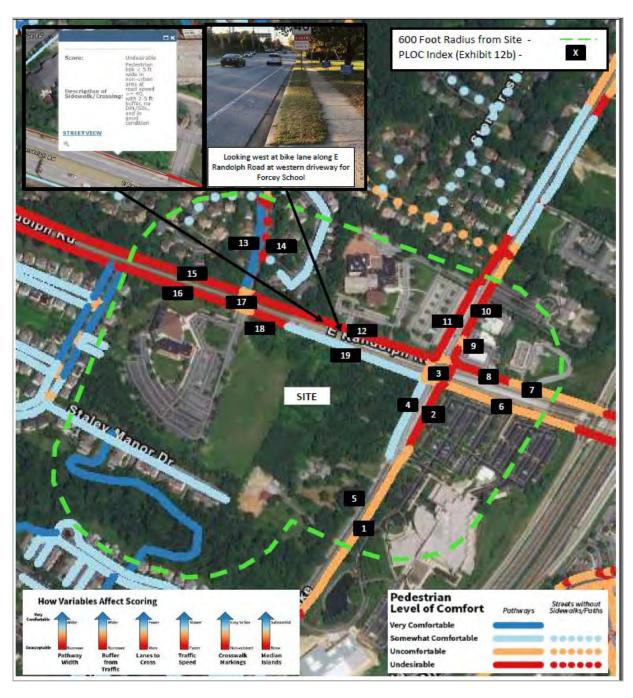


Figure 18: Pedestrian level of comfort.



Figure 19: Level of traffic stress.

All deficient areas along the Property frontage must be improved as part of any development application. Additionally, any development application must provide off-site mitigation as approved by the 2022 Local Area Transportation Review (LATR) Guidelines including but not limited to improvements for: off-site bicycle facilities, sidewalks and other pedestrian facilities, ADA improvements, speed reduction and control measures, as well as transit improvements. These improvements will be reviewed and approved as part of an adequate public facilities review with the subsequent development applications.

The Subject Property is currently served by local Ride On 10 bus route (2 stops immediately along the frontage) and the WMATA Z7 and Z8 buses (one stop on the frontage). The Subject Property is served by the Orange and Blue lines of the US 29 Ride On FLASH BRT at the Tech Road stop, approximately one-half mile to the southeast of the site.

As discussed in this Section, all deficient areas along the frontage of the Property must be improved as part of the subsequent Preliminary Plan and Site Plan for the Project. Additionally, any development application must provide off-site mitigation up to the cost cap as approved by the 2022 Local Area Transportation Review (LATR) Guidelines. These improvements and any mitigation will be reviewed and approved as part of any subsequent development application.

ENVIRONMENT

The Property is currently undeveloped and maintained as open lawn and forest. The Property is located within the Paint Branch watershed which is classified as a Use Class III by the State of Maryland. The Subject Property contains 3.27 acres of mostly invasive forest with no trees having a diameter at breast height ("DBH") of 30 inches or more. The Property contains no streams, wetlands or other sensitive environmental features. There are no documented streams and stream valley buffers on or immediately adjacent to the Subject Property, and no wetlands or rare or endangered species. No historic resources or cemeteries are known to exist on the Property. This Project is subject to a preliminary forest conservation plan, which has been submitted with this LMA application.

PUBLIC FACILTIES

WATER AND SEWER

Briggs Chaney MS

James Hubert Blake HS

926

1,743

952

2,025

As identified by the County Department of Environmental Protection, the Property is located in the W-1 water service and the S-1 sewer service categories. Properties designated as Category 1 are eligible to receive public water and/or sewer service.

SCHOOLS

The proposed project is served by Fairland Elementary School, Briggs Chaney Middle School and Blake (NEC) High School. The fiscal year 2022 Annual School Test student enrollment and capacity projections for these schools are noted in Table 5 below:

	Pr		Adequ	іасу Се	ilings			
School	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit	Adequacy Status	Tier 1	Tier 2	Tier 3
Fairland FS	648	612	94.4%	+36	No UPP	121	166	263

Table 5: Applicable fiscal year 2022 school adequacy test results.

102.7%

116.2%

-25

-282

No UPP

Tier 1 UPP

101

161

67

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school's adequacy status and ceilings, as determined in the Annual School Test. Under the fiscal year 2022 Annual School Test, Fairland Elementary School and Briggs Chaney Middle School do not require any UPP. However, development approved within the James Hubert Blake High School service area would be subject to a Tier 1 UPP as identified Table 5. If an application is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

263

300

329

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the proposed development, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of 114 units that are not age-restricted, the proposed project is estimated to generate the following number of students based on the subject Property's location within a Turnover Impact Area:

Type of Unit	Net	ES	ES	MS	MS	HS	HS
	Number	Generation	Students	Generation	Students	Generation	Students
	of Units	Rates	Generated	Rates	Generated	Rates	Generated
SF Detached	0	0.185	0.000	0.108	0.000	0.154	0.000
SF Attached	56	0.225	12.600	0.123	6.888	0.159	8.904
MF Low-rise	58	0.107	6.206	0.058	3.364	0.070	4.060
MF High-rise	0	0.051	0.000	0.024	0.000	0.030	0.000
TOTALS	114	-	18	-	10	-	12

Table 6: Estimated student enrollment impacts.

As shown in Table 6, on average this project is estimated to generate 18 elementary school students, 10 middle school students and 12 high school students. These estimates do not exceed the adequacy ceilings identified for each school in Table 5; therefore, no additional UPPs are required (beyond the Tier 1 high school UPP identified above) and neither are partial payments across multiple UPP tiers.

Conclusion

Based on the school capacity analysis performed, using the fiscal year 2022 Annual School Test, if this project were to proceed with a development application within fiscal year 2022, the Project would be subject to a Tier 1 Utilization Premium Payment at the high school level.

OTHER PUBLIC FACILITIES

Fire and Rescue

Montgomery County Fire and Rescue Service operates the Burtonsville Volunteer Fire Department which serves the Property. The Burtonsville Volunteer Fire Department fire station is located at 13900 Old Columbia Pike Road, Silver Spring (Burtonsville), which is approximately two miles north of the Property. Adequacy will be determined during subsequent review phases during the Preliminary Plan and Site Plan applications, when site specific densities are determined.

Police

The Property is served by the Third Police District of the Montgomery County Police Department. The Third Police District station is located at 1002 Milestone Drive, Silver Spring, which is approximately three miles south of the Property. Adequacy will be determined during subsequent review phases during the Preliminary Plan and Site Plan applications, when site specific densities are determined.

MASTER PLAN

The Property is subject to the objectives and recommendations outlined in the General Plan, the 1997 Fairland Master Plan (Master Plan), and functional master plans, including the Master Plan of Highways and Transitways, and the Bicycle Master Plan.

GENERAL PLAN

The proposed rezoning is consistent with the intent of the County's 1964 General Plan in that it supports development in a major corridor with existing transit, water, and sewer service. The 1969 update to the County's General Plan notes the need for adequate housing opportunities for individuals of all wage levels. The 1993 Refinement to the General Plan discusses the need to create housing plans that improve transit ridership, reduce travel demand, and make efficient use of capital investments in public services and facilities. This sentiment is reaffirmed in the 2011 Amendment to the Housing Element of the General Plan. Because the proposed rezoning will support various housing types, affordable housing and services near transit service, the Application is consistent with longstanding policy grounded in the General Plan and its subsequent updates.

FAIRLAND MASTER PLAN (1997)

The Property is located in the Rolling Acres community and is identified as Area 7a in the Master Plan. The Fairland Master Plan area contains approximately 8,200 acres, or about 13 square miles. The Master Plan area is bordered on the east by Prince George's County, on the west/southwest by the Paint Branch stream, on the south by Cherry Hill Road, and on the north by the Patuxent River. The Patuxent River also serves as the boundary between Montgomery and Howard Counties.

Based on the Master Plan's recommendations, a subsequent sectional map amendment rezoned the Property from R-90/TDR to R-200 to provide compatibility with single-family detached units to the west and north of the site. At the time of the adoption of the Master Plan, Area 7a (of which the Property lies) was vacant and undeveloped land. In 2006, a 23,500 square foot church was developed on the western half of Area 7a.

The Master Plan recommends allowing other "suitable or compatible uses" for Area 7a (Fairland Master Plan, p. 50). Additionally, the Master Plan also suggests allowing conditional uses for a private school, day-care facility, or senior housing.

Recreation facilities and linkages are important components of the Master Plan. It recommends the extension of existing trails and connections to the Paint Branch Stream Valley Park between new and existing communities. Specifically, for Rolling Acres, the Master Plan recommends connections to Paint Branch Stream Valley Park to Area 7A as shown on page 51, Figure 22 of the Master Plan.

The Master Plan envisions that new residential development will provide options and a variety of housing typologies, which are compatible with surrounding neighborhoods. Further, the vision emphasizes "plenty of green space, jobs, shopping, and, most importantly, a variety of housing options to serve a variety of needs and households" (Fairland Master Plan, p. 15).

The primary goal of the Master Plan is to reinforce the existing development patterns with appropriate adjustments while balancing land uses with available facilities and infrastructure. This includes various strategies to guide development:

- Emphasize suburban densities in suburban communities as defined by the General Plan Refinement which envisions a continuation of residential and supporting commercial uses as the most important uses in the suburban communities.
- Allow moderate density land uses which are transit serviceable along major arteries.
- Increase housing opportunities at appropriate neighborhood centers.

"Fairland of the Future"

The Master Plan's vision states:

"Fairland of the future is a livable suburban community – a series of neighborhoods with sidewalks and street trees, access to the natural environment and recreational facilities with employment and commercial areas emphasizing horizontal rather than vertical structures. There is plenty of green space, jobs, shopping and, most importantly, a variety of housing options to serve a variety of needs and households – the young couples just starting out, single adults, families who need room, older couples who want less space, and senior citizens want to be able to participate in community life (p. 15)."

The proposed rezoning and development would provide a variety of housing types to serve a variety of needs and households (townhomes, two-over-two multifamily, affordable senior apartments) located within one-half mile of a Level 1 Transit facility (FLASH BRT at Tech Road). The proposed grocery store anchored at the corner of East Randolph Road and Old Columbia Pike-alongside other existing mixed uses-would contribute to a more livable suburban community for residents by creating additional grocery shopping choices, accessible to more people. While all the proposed housing is located less than a five-minute walk to the proposed corner grocery store, it is particularly notable that approximately 120 affordable senior citizen apartments will be conveniently located next to the grocery store. This would enable mobility-challenged neighbors, and others, the opportunity to walk to a grocery store rather than rely on others for transportation for grocery shopping.

The proposed Project is comprehensively planned as a cohesive, mixed-use community providing interconnected sidewalks, street trees with both public and common open space. To further livability and convenience, the Applicant has proposed a private drive connection to the adjacent property on the southeast, where a new church is planned. This connection further integrates the community, facilitates access to Old Columbia Pike, the Tech Road FLASH station, and other community amenities and services.

Finally, this area of Fairland is part of the Fairland and Briggs Chaney Master Plan update. The planning team recently completed an extensive, data-driven public engagement component. During the summer months of 2021, a canvassing team knocked on more than 2,700 doors and interviewed more than 540 persons about a variety of topics related to the community's future. The planning department also held four listening sessions, attended multiple community events, and launched an online questionnaire. Overwhelmingly, a key theme voiced by residents and community stakeholders suggested the need for more retail options in Fairland, and specifically more grocery stores.

For these reasons, staff finds that the Project would be in substantial conformance with the overall vision of the Master Plan.

Land Use Recommendations

Area 7a

The Property is identified as Area 7a in the Master Plan (Fairland Master Plan, p. 50-51). At the time of adoption Area 7a was undeveloped and included the now vacant Property with the yet to be developed existing church to the east. Specific recommendations for Area 7a include:

Rezone from R-90/TDR to R-200 to provide compatibility with single family detached development to the west and north and the larger lots recommended around the historic setting of the Conley House and to achieve a higher percentage of detached homes within the Rolling Acres community. Layout must provide adequate setbacks along Randolph Road for noise mitigation. A new street for access into the property should be located opposite Serpentine Way.

Consider other suitable uses, including special exception uses such as a private school, day-care facility, or elderly housing.

Specific recommendations suggest that development of Area 7a should ensure compatibility between Area 7a and the single family detached development to the west and north. As noted above, Preliminary Plan 120010230 subdivided Area 7a and approved a 23,500 square foot church and parking on the eastern portion of Area 7a. The existing church now provides adequate buffer between the single family detached development to the west and the Property.

As shown on the proposed Floating Zone Plan, the Project provides adequate setback along East Randolph Road for noise mitigation, and as conditioned would comply with the Planning Department's Noise Guidelines. As part of the Preliminary Plan for the existing church, an easement for access was provided opposite of Serpentine Way. This easement will serve as access to the Property from East Randolph Road. As discussed in the transportation section of this staff report, access is adequate and will be further refined during the Preliminary Plan and Site Plan review.

Specifically, though, Area 7a recommendations provides a provision that allows future decision makers to consider "other suitable uses" for Area 7a, which includes the Property. The Master Plan, adopted in 1997, recognized that "the original circumstances at the time of the plan adoption will change over time, and that the specifics of a master plan may become less relevant as time goes on" (p. vii). To be sure, more than 25 years has passed since the adoption of the Master Plan. Much has changed since 1997, including the real estate market itself, the housing supply shortage has only worsened, and the desire to live in amenity rich neighborhoods within walking distance to retail is arguably a strong preference for many Montgomery County residents.

Despite the passage of more than 25 years since the Master Plan was approved, the Property remains vacant and has not been developed as recommended. All property in the vicinity, which was recommended for residential development, has been developed. However, this Property persistently remains vacant and underutilized, despite the extreme shortage in new housing. Notwithstanding other Master Plan policies that support and encourage more senior housing (p. 30), the Property remains vacant of senior housing. As the Master Plan acknowledged was a possible outcome, circumstances relevant to the development of the Property have changed significantly over time and specifics contained in the plan are less relevant than they were in 1997.

Staff concludes that other suitable uses are appropriate to consider for Area 7a and that rezoning the Property to the CRTF zone, with binding elements, is consistent with this recommendation.

Increase housing options

One of the Master Plan's central goals is to "implement the General Plan Refinement goals, objectives, and strategies for maintaining a wide choice of housing types and neighborhoods at appropriate densities and locations" (Fairland Master Plan, p. 28). To date, this goal has generally been achieved across the planning area as most land has been developed as recommended-except for the subject Property.

It's notable that over the past 30 years, home building in Montgomery County and the D.C region has barely kept in step with job and population growth. According to the Metropolitan Washington Council of Government, the region needs to add 320,000 housing units between 2020 and 2030, and

that at least 75% of this new housing should be affordable to low- and medium income households.¹ Quite simply, Montgomery County needs to build more housing.

Indeed, if the correct zoning were applied at this site, the Property should have been developed as surrounding residential property has been developed, given the continued and urgent need for more housing across Montgomery County. However, the Property has not been developed as recommended under the R-200 zone.

The CRTF zone would allow for a more flexible regulatory approach while respecting the residential character and densities of the surrounding neighborhood. The CRTF zone would provide more meaningful, detailed, and flexible guidance of development in the time of a severe regional housing supply shortage. The zone can allow for more flexibility in design that respects the overall residential character of the community and the mixed-use nature of the immediate vicinity at Randolph Road and Old Columbia Pike.

Given the Property has not developed as recommended for more than 25 years while other surrounding property has developed, staff concludes that the specific recommendations of "other suitable uses" for Area 7a, with the appropriate zone to implement such uses, is necessary to achieve the Master Plan goal to increase housing options and that the CRTF zone consistent with this recommendation.

Maximize the percentage of single-family detached units in the developable areas

The CRTF zone permits a mix of residential uses at varying densities and heights. The zone promotes economically, environmentally, and socially sustainable development patterns where people can live, work, recreate, and access services and amenities. While the CRTF zone encourages a mix of uses, it does not preclude or inhibit the development of single-family detached units. The CRTF zone would allow for a greater variety of housing typologies, including single-family detached units.

For this and all the reasons discussed in this section, staff concludes that the Master Plan recommendation to consider "other suitable uses" for Area 7a, with the appropriate zone to implement such uses, is applicable for this Property and consistent is with this recommendation.

Encourage appropriate locations for housing for the elderly

With respect to site design and uses, the CRTF zone provides the Applicant with greater flexibility for locating much needed affordable senior housing incorporated into a mixed-use residential community with amenities. Such zoning flexibility allows for a better community integration, greater amenities, with connections with existing transit service, all of which are attractive to tenants,

¹ The Washington, DC region needs more housing, and satellite data can tell us where to build. June 4, 2020. https://www.brookings.edu/blog/the-avenue/2020/06/03/the-washington-dc-region-needs-more-housing-andsatellite-data-can-tell-us-where-to-build/

employees, and builders of senior housing. The R-200 zone allows the development of similar senior housing with conditional use approval but would not allow for the integration of mixed-use amenities, such as a neighborhood-scaled grocery store or other higher quality amenities associated with the proposal, including the integration of on-site public and private open spaces.

Thus, the CRTF zone would more easily encourage needed senior housing than the R-200 zone, while ensuring compatibility with the surrounding neighborhood. The CRTF zone is consistent with this Master Plan recommendation.

Provide residential development with sufficient off-street parking that does not conflict with sidewalks. Where on-street parking is desirable, streets should be wide enough to accommodate two passing automobiles.

As shown on the proposed floating zone plan, the Project provides sufficient parking as required in the CRTF zone. Off-street parking for all uses is provided so that it does not conflict or encroach into sidewalks. The interconnected sidewalk system will have adequate tree planting strips with shade trees, which further defines the sidewalk area. Off-street parking is provided so that two automobiles may pass. Therefore, the Application is consistent with this recommendation.

Provide, where feasible, vehicle and pedestrian connections that permit movement between communities and local facilities

The proposed Floating Zone Plan shows an interconnected public realm with sidewalks, walking paths, and streets. The Property has access from East Randolph Road and Old Columbia Pike. Internal streets and sidewalks connect the neighborhood grocery to the residential units. The Project is also adequately connected to the adjoining public realm in the neighborhood. Additionally, the Project provides for a future connection with a pending development to the south of the site. This would potentially connect the Property with the proposed church located south of the Conley House. This would facilitate movement between the Project and Old Columbia Pike with a more direct connection to transit services, including the FLASH BRT station at Tech Road. Therefore, staff concludes the Application is consistent with this recommendation.

SECTION 4: FINDINGS AND ANALYSIS

INTENT STATEMENT (SEC. 5.1.2)

The Residential Floating, Commercial/Residential Floating, Employment Floating, and Industrial Floating zones are intended to provide an alternative to development under the restrictions of the Euclidean zones mapped by Sectional Map Amendment (the Agricultural, Rural Residential, Residential, Commercial/Residential, Employment, Industrial, and Overlay zones). To obtain a Floating zone, an applicant must obtain approval of a Local Map Amendment under Section 7.2.1. The intent of the Floating zones is to:

1. Implement comprehensive planning objectives.

As described above in Section 2 (Master Plan), the Project advances comprehensive recommendations outlined in the general plan, Master Plan, and functional plans. Overall, the Master Plan aims to develop the area primarily with low to moderate density residential uses, and senior housing, while maintaining a mix of housing types with a suburban character. It also advances an overall goal to develop attractive, functional, safe and accessible neighborhoods. The CRTF zone provides a flexible approach to development and is better suited to the existing market conditions than the R-200 zone. The Project's uses are supported by existing infrastructure and public facilities, as described above in Section 2 above.

The Project will ensure adequate infrastructure is provided through the Preliminary Plan process, an adequate public facilities review, and any subsequent applicable reviews and permits.

The CRTF zone allows for more flexibility to integrate development into the existing transportation network, land use patterns and natural features because the R-200 zone has greater specifications and is more restrictive in its development controls. The CRTF zone provides greater flexibility while furthering the comprehensive goals of the General Plan, Master Plan and applicable functional plans.

2. Encourage the appropriate use of land.

The Project with the proposed CRTF zone encourages and advances the appropriate use of land by responding to changing market conditions and planning trends that have occurred since the Master Plan was adopted in 1997, more than 25 years ago.

Since 1997, the County's population has grown from about 800,000 residents to more than 1,060,000 residents in 2020 - a 20 percent increase. Over the past 30 years, home building in the region has barely kept in step with job and population growth. According to the Metropolitan Washington Council of Government, the region needs to add 320,000 housing units between 2020 and 2030, and

that at least 75% of this new housing should be affordable to low- and medium income households.² Quite simply, Montgomery County and the Washington, D.C metro area needs to build more housing.

The Project would allow various uses, building types, and densities appropriate for the parcel size and compatible with the surrounding neighborhood. Proposed are three residential building types: townhomes, two-over-two attached single family, and affordable senior apartments, along with one retail commercial building. With a new base zone of CRTF, the Project would serve a diverse population with respect to housing typology preferences and lifestyles, as well as meeting market demands for having convenient amenities, retail options, and transit access located in within walking distance of home.

The Project meets the open space requirement of the CRTF zone. Additionally, the Project would be subject to additional regulatory reviews, including a Preliminary Plan which would ensure development satisfies basic sustainability requirements, including open space standards and environmental protection and mitigation.

3. Ensure protection of established neighborhoods.

The Project protects established neighborhoods with the binding elements of approval and through its site plan design. The proposed residential and commercial uses would be allowed in the new CRTF zone. The binding elements will limit the allowable uses of the Property under the CRTF zone, thus ensuring compatibility of use with adjoining properties and the surrounding community. To further compatibility, the commercial component of the Project (grocery store) is located at the northeastern corner of the Property and faces other commercial and non-residential uses. The grocery store would be separated by

The residential units on the western portion front the parking lot of the adjacent 23,500 sq. ft. church to the west. A conservation easement and additional open space with a proposed natural surface walking path sufficiently buffer the proposed townhomes from the existing townhomes to the south. To the east, a landscaped walkway and open space buffers provides adequate setback and buffering to the historic property to the east. The proposed grocery store is located at the corner of Randolph Road and Old Columbia Pike. It is sufficiently buffered by distance and by additional landscaping to the southern adjacent property.

The CRTF zone provides a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods. The binding elements will ensure a compatible relationship between the Project and existing neighborhoods. As such, the CRTF

² The Washington, DC region needs more housing, and satellite data can tell us where to build. June 4, 2020. https://www.brookings.edu/blog/the-avenue/2020/06/03/the-washington-dc-region-needs-more-housing-andsatellite-data-can-tell-us-where-to-build/

zone at this location would have less than a significant impact on the established neighborhoods in the area.

APPLICABILITY (SEC. 5.1.3)

 A Floating zone must not be approved for property that is in an Agricultural or Rural Residential zone.

The Property is not located in an agricultural or rural residential zone. It is located in the R-200 zone. This finding is satisfied.

2. If a Floating zone is recommended in a master plan, there are no prerequisites for an application. For properties with a master plan recommendation for a Floating zone for which an application can no longer be made as of October 30, 2014, the following table identifies the equivalent Floating zones for which an applicant may apply: (table is not applicable).

The Master Plan does not recommend a floating zone. As such, this requirement is not applicable to the Project.

- 3. If a Floating zone is not recommended in a master plan, the following apply:
 - a) The maximum allowed density is based on the base zone and on the size of the tract as stated in Division 5.2 through Division 5.5. Any density bonus requested under Chapter 25A may be added to the density allowed under Division 5.2 through Division 5.5 and included in the units per acre or FAR of the zone requested.

Pursuant to the table in Sec. 5.3.5.A.2 the maximum total density in units per acre for the R-200 base zone for a track of land greater than three acres is 1.25. The maximum residential or commercial density allowed is 1.0 FAR. The Project proposes a maximum total density of 1.0. The proposed maximum residential density is 1.0 and proposed maximum commercial density is 0.25. Therefore, this requirement is satisfied.

- **Residential Base Zone**
 - (1) When requesting a Residential Detached Floating (RDF) zone for a property with a Residential base zone:
 - a. If neither commercial uses nor any increase in density above that allowed by the base zone is requested, there are no prerequisites for an application.

b. If a commercial use or an increase in density above that allowed by the base zone is requested, the application must satisfy a minimum of 2 prerequisites for each of the categories under Section 5.1.3.D.

The Project does not request a Residential Detached Floating (RDF) zone. The project requests a Commercial Residential Town Floating (CRTF) zone. Therefore, this requirement is not applicable.

- (2) When requesting a Townhouse Floating (TF) zone, Apartment Floating (AF) zone, or Commercial Residential Neighborhood Floating (CRNF) zone for a property with a Residential base zone:
 - a. The property must front on a nonresidential street or must confront or abut a property that is in a Residential Townhouse, Residential Multi-Unit, Commercial/Residential, Employment, or Industrial zone; and
 - b. The application must satisfy a minimum of 2 prerequisites for each of the categories under Section 5.1.3.D.

The Project does not request a Townhouse Floating (TF) zone. The project requests a Commercial Residential Town Floating (CRTF) zone. Therefore, this requirement is not applicable.

- (3) When requesting a Commercial Residential Floating (CRF) zone, Commercial Residential Town Floating (CRTF) zone, or any Employment Floating zone (NRF, GRF, EOFF, LSCF) for a property with a Residential base zone:
 - a. The property must front on a nonresidential street or must confront or abut a property that is in a Commercial/Residential, Employment, or Industrial zone; and

The Property fronts Randolph Road and Old Columbia Pike, both of which are classified as nonresidential streets. As such, this requirement is satisfied.

> b. The application must satisfy a minimum of 2 prerequisites for each of the categories under Section 5.1.3.D.

As indicated in Table 3 below, eight prerequisites are met, which exceeds the minimum of two prerequisites. Therefore, this requirement is satisfied.

Table 7: Prerequisites required by Sec. 5.1.3.D.

Category	Prerequisite Choices	Analysis	Met
Transit and	At least 75% of the site is within ¼ mile of	The site is located within ½ mile of the	Yes
Infrastructure	a Level 3, ½ mile of a Level 2, or ¾ mile of	FLASH BRT Tech Road station (Level 1).	
	a Level 1 transit station/stop.		

Category	Prerequisite Choices	Analysis	Met
	The site has frontage on and vehicular,	The site fronts East Randolph Road	Yes
	bicycle, and pedestrian access to at least	(major highway) and Old Columbia Pike	
	2 roads, at least one of which is	(arterial road) both of which are	
	nonresidential.	nonresidential roads. The site has direct	
		vehicular and pedestrian access. A bike	
		lane is present along the East Randolph	
		Road frontage.	
	The project is age-restricted or senior	The Applicant proposes approximately	Yes
	housing, or if proposing development	120 age-restricted senior apartments. As	
	that may generate students, the site must	discussed above in this report, the area	
	not be in an area that is under	schools are not under moratorium and	
	moratorium due to school capacity or	will not result in a school utilization rate	
	result in a school utilization rate greater	greater than 120 percent.	
	than 120% because of the proposed		
	development. For any site within 2 school		
	clusters, only the portions of the site that		
	satisfy this requirement can proceed.		
Vicinity and	The site is in a transitional location	The Property is located in a transitional	Yes
Facilities	between property in an existing	location between the CRT and EOF non-	
	Residential Multi-Unit, Residential	residential zones and the R-200 zone.	
	Townhouse, or non-Residential zone and		
	property in a Residential Multi-Unit,		
	Residential Townhouse, or Residential		
	Detached zone.		
	The site is adjacent to a bicyclist route	Presently, a bike shared use path is	Yes
	that provides access to commercial	adjacent to the site along East Randolph	
	services within 3 miles.	Road. The nearest commercial services	
		are located approximately 240 feet to the	
		northeast.	
	The site is adjacent to a pedestrian route	The Project has existing pedestrian and	Yes
	that provides access to existing public	bicycle connectivity (west on East	
	park and recreation facilities that satisfy a	Randolph Road) to Valley Mill Special	
	minimum of existing public park and	Park and Pilgrim Hills Local Park. The	
	recreation facilities that satisfy a	entrances to those two parks are both	
	minimum of 30% of the recreation	about 0.5 miles from the project site. The	
	demand under the Planning Board's	Applicant's Recreational Guidelines	
	Recreation Guidelines, as amended,	Demand, Supply and Adequacy Report	
	within ¾ mile.	results are shown as adequate.	

Category	Prerequisite Choices	Analysis	Met
Environment	The limits of disturbance for the	As discussed above and indicated on the	Yes
and	development will not overlap any stream,	proposed Floating Zone Plan the limits of	
Resources	floodplain, wetland, or environmental	disturbance does not overlap with any	
	buffer or any slopes greater than 25% or	stream, floodplain, wetland, or	
	slopes greater than 15% where erodible	environmental buffer or any slopes	
	soils are present.	greater than 25% or slopes greater on the	
		Property.	
	The site does not contain any rare,	As discussed above and indicated on the	Yes
	threatened, or endangered species or	proposed Floating Zone Plan and the	
	critical habitats listed by the Maryland	Applicants approved Natural Resource	
	Department of Natural Resources.	Inventory the Property does not contain	
		any rare, threatened, or endangered	
		species or critical habitats listed by the	
		Maryland Department of Natural	
		Resources.	
Total Prerequ	isites Met	1	8

- (4) When requesting any Industrial Floating zone (ILF or IMF) for a property with a Residential base zone:
 - a. The property must abut a property in an Industrial zone; and
 - b. The application must satisfy a minimum of 2 prerequisites for each of the categories under Section 5.1.3.D.

The Project does not request an Industrial Floating (ILF or IMF) zone. Therefore, this requirement is not applicable.

> Non-Residential Base Zone. When requesting a Floating zone for a property with a ii. non-Residential base zone there are no prerequisites for an application.

The Property is currently zoned R-200, which is not a non-residential base zone. Therefore, this requirement is not applicable.

DEVELOPMENT STANDARDS (SEC. 5.3.5)

1. Density:

a. If a Floating zone is recommended in a master plan, density must not exceed that recommendation.

A floating zone is not recommended in the Master Plan. This standard is not applicable.

b. If a Floating zone is not recommended in a master plan, the following density limits apply:

As shown in Table 8, the Project satisfies the maximum density allowed in floor area ratio based on the size of tract in acres. As such, this standard is satisfied.

Table 8: Density allowed per Sec. 5.3.5.A.

Pre-Existing	Maximum Density Allowed in FAR Based on Size of Tract in Acres					
Euclidean -	Up to 0.5 acres		0.51 acres - 3.00 acres		Greater than 3 acres	
Zone	Total Density	C or R Density	Total Density	C or R Density	Total Density	C or R Density
R-200	0.75 FAR	0.5 FAR	1.0 FAR	0.75 FAR	1.25 FAR	1.0 FAR
CRTF (Proposed)	Not Applicable	Not Applicable	Not Applicable	Not Applicable	1.0	C = 0.25 R = 1.00

c. An applicant may limit density below the maximum allowed by Section 5.3.5.A to support the necessary findings of approval under Section 7.2.1.

The Applicant does not need to additionally restrict density to support the necessary findings of approval under 7.2.1. Therefore, this standard is not applicable.

2. Setback and Height

a. If a Floating zone is recommended in a master plan, height must not exceed that recommendation.

A floating zone is not recommended in the Master Plan. This standard is not applicable.

b. Setbacks from the site boundary and maximum height are established by the floating zone plan. All other setbacks are established by the site plan approval process under Section 7.3.4.

As shown on Table 9, the site boundary and maximum heights are satisfied pursuant to the CRTF zone. All other setbacks are established by the site plan approval process. Therefore, this standard is satisfied.

> c. Height must satisfy the compatibility standards for the applicable building type under Section 4.1.8.B.

As a condition of approval, the maximum overall height is limited to 80 feet. Further, with respect to the applicable building types, the Project's height restrictions will be established by the site plan approval process. Therefore, this standard is satisfied.

3. Lot Size.

Minimum lot sizes are established by the site plan approval process under Section 7.3.4.

The site design, including minimum lot size, will be reviewed and finalized by the Montgomery County Planning Board at the subsequent Preliminary Plan and Site Plan applications. As proposed, the Project would meet the minimum development standards for the CRTF-1.0, C-0.25, R-1.0, H-80 zone. Minimum lot sizes are established by the site plan approval process under Sec. 7.3.4. Therefore, this standard is satisfied.

4. General Requirements

a. Parking, recreation facilities, screening, and landscaping must be provided under Article 59-6 as required for the Euclidean zone that establishes uses under Section 5.3.3.

The site design, including minimum parking, recreation facilities, screening, and landscaping, will be reviewed and finalized by the Montgomery County Planning Board at the subsequent Preliminary Plan and Site Plan applications. As proposed, the Project would meet the minimum development standards for the CRTF-1.0, C-0.25, R-1.0, H-80 zone. However, as shown on Table 9, parking requirements are satisfied for the Project described, pursuant to the CRTF zone. Therefore, this standard is satisfied.

b. Open Space

- i. If public benefits are not required under Section 5.3.5.E, open space must be provided under Section 4.5.3.C.1 (for standard method) as required for the Euclidean zone that establishes uses under Section 5.3.3.
- ii. If public benefits are required under Section 5.3.5.E, open space must be provided under Section 4.5.4.B.1 (for optional method) as required for the Euclidean zone that establishes uses under Section 5.3.3.

Pursuant to 5.3.5.E, public benefits are not required because the Project is considered standard method of development, as it does not exceed an overall 1.0 FAR in the proposed CRTF zone. The site design, including minimum open space, will be reviewed and finalized by the Montgomery County Planning Board at the subsequent Preliminary Plan and Site Plan applications. As proposed, the Project would meet the minimum development standards for the CRTF-1.0, C-0.25, R-1.0, H-80 zone. Therefore, this standard is satisfied.

c. The floating zone plan may provide for additional parking, open space, recreation facilities, screening, or landscaping or further restrict lighting to allow the District Council to make the necessary findings of approval under Section 7.2.1.

To implement Area 7a Master Plan recommendations to mitigate the noise of Randolph Road, a Phase I Noise Analysis will be performed as provided in the Binding Elements. This will ensure that adequate noise migration is undertaken to reduce impacts to occupants of the structures. No other additional requirements are necessary. Therefore, this finding is satisfied.

5. Public Benefits

- a. Public Benefits Required
 - i. Development above the greater of 1.0 FAR or 10,000 square feet of gross floor area in the CRTF zone requires public benefits.
 - ii. Development above the greater of 0.5 FAR or 10,000 square feet of gross floor area in the CRF zone requires public benefits.
 - iii. When public benefits are required by development in the Commercial/Residential Floating zones, a sketch plan must be submitted under Section 7.3.3.

Pursuant to 5.3.5.E, public benefits are not required because the Project is considered standard method development, as it does not exceed an overall 1.0 FAR in the proposed zone. Therefore, this standard is not applicable.

Public Benefit Points and Categories Required. Public benefits under Division 4.7 must be provided according to zone and tract size or maximum total mapped FAR, whichever requires more public benefit points [as noted in Sec. 5.3.5.E.2.a.].

Pursuant to 5.3.5.E, public benefits are not required because the Project does not exceed an overall 1.0 FAR in the proposed zone. Therefore, this standard is not applicable.

NECESSARY FINDINGS (7.2.1.E)

For a Floating zone application, the District Council must find that the floating zone plan will:

 Substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans.

As discussed in the Master Plan subsection of Section 3 above, the Project substantially conforms to applicable Master Plan recommendations. This finding is satisfied.

2. Further the public interest.

As discussed in Section 3 above, the Project would allow both residential and commercial uses, various building types, and a density appropriate for the parcel size and compatible with the surrounding neighborhood. With a new base zone of CRTF, the Project would provide approximately 234 additional residential units in the community, as well as a grocery store within walking distance of many more existing housing units. As discussed in this report, the County is experiencing a regional housing supply shortage and this Project would provide approximately 234 additional housing units. For these reasons, this finding is satisfied.

3. Satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter.

As described throughout this report, the Project will satisfy the intent, purpose and specific standards of the CRTF floating zone. For all the reasons discussed in this report, this finding is satisfied.

4. Be compatible with existing and approved adjacent development.

As discussed in this report, the proposed uses are appropriate given the Property's location at the corner of Randolph Road and Old Columbia Pike, which are major arterial roadways. From a land use perspective and in terms of operation and orientation, the Property is more suitable for a CRTF zone than the R-200 zone because all existing uses at the intersection are non-residential and commercial uses and sufficient binding elements of approval exist to ensure compatibility. The CRTF zone will be compatible with adjacent properties as such properties are developed with a mix of uses and building types noted in Table 1.

5. Generate traffic that does not exceed the critical lane volume or volume/ capacity ratio standard as applicable under the Planning Board's LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrates an ability to mitigate such adverse impacts.

A Transportation Study was submitted with the Application that analyzed the Floating Zone Plan's access concept and proposed residential density in accordance with the 2020-2024 Growth and Infrastructure Policy. In terms of access and circulation, proposed vehicular access for the Project is provided via private internal streets and private alleyways. The connection of a private drive with the adjacent property at 12450 Old Columbia Pike will improve connectivity and access points into the abutting developments. Staff supports the site access concept pending further review and approval by MDSHA.

The required off-street parking will be provided per dwelling unit and for the retail grocery store. The Project aligns with the general site access requirements such as reducing conflicts between vehicular and non-motorized travel, allowing vehicles to safely enter and exit parking areas, and the provision

of off-street loading. As noted under the LATR summary, the Applicant's Project will not have detrimental impacts to capacity and delay. The Project is also required to provide traffic mitigation improvements which will be further evaluated and finalized at the time of Preliminary Plan. Furthermore, under the Preliminary Plan review process, the Applicant will be required to submit a new traffic study that conforms with the standards in place by the 2020-2024 Growth and Infrastructure Policy, which will provide definitive guidance with regards to potential improvements tied to safety, accessibility, and congestion mitigation as they relate to the programming and design of the Project.

Furthermore, as discussed in Section 3 above, all deficient areas along the frontage of the Property must be improved as part of the subsequent Preliminary Plan and Site plan for the Project. Additionally, any development application must provide limited off-site mitigation up to the cost cap as approved by the 2022 Local Area Transportation Review (LATR) guidelines. These improvements and mitigation measures will be reviewed and approved as part of any subsequent development application. Therefore, this finding is satisfied.

6. When applying a non-Residential Floating zone to a property previously under a Residential Detached zone, not adversely affect the character of the surrounding neighborhood.

As discussed in this report, the CRTF zone and proposed Project would not adversely affect the character of the surrounding neighborhood. The surrounding area is characterized as a suburban community with a mix of housing types (single family detached, townhomes, garden apartments, apartments) and non-residential uses (gas station, restaurant, office, school, churches). The uses allowed in the CRTF zone (as restricted with a binding agreement) will continue to be compatible with the character of the surrounding neighborhood because surrounding uses are consistent with the proposed CRTF zone and proposed Project. In fact, the Property confronts the CRT zone at the corner of East Randolph Road and Old Columbia Pike and this rezoning would be an extension of that zone, with additional restrictions (binding elements) on certain land uses to further neighborhood compatibility. For these reasons, this finding is satisfied.

DEVELOPMENT STANDARDS FOR THE CRTF ZONE

The design of the development will be finalized and reviewed by the Planning Board at the time of subsequent Preliminary Plan and Site Plan. The Project will meet the development standards for the CRTF-1.0, C-0.25, R-1.0, H-80 (Commercial Townhome Residential Floating) zone as illustrated in the table below. The height and principal building setbacks from the Property boundaries are established and shown on the Floating Zone Plan, whereas the internal setbacks and minimum lot sizes will be established at the time of the Site Plan review.

Table 9: Zoning development standards.

Zoning Development Standard	Permitted/Required	Proposed
Property fronts a non-residential street or	Required	Yes
confronts/abuts a commercial/residential,		
employment, or industrial zone		
5.1.3.C.2.c.ii		
Prerequisites required	Yes	Satisfied. See Table 7.
5.1.3.C		
Maximum Total Density	1.25	0.93
5.3.5.A.2		Final determined at Site Plan
Maximum Commercial Density	1.0	0.07
5.3.5.A.2		Final determined at Site Plan
Maximum Residential Density	1.0	0.78
5.3.5.B.2		Final determined at Site Plan
Maximum Height	Set by floating zone plan	80 feet
Principal Building Setbacks (Minimum)	Set at Site Plan	Final determined at Site Plan
5.3.5.B.2		
Front, Sides and Rear Setbacks		
Minimum Open Space (Tract >10,000 SF)	10%	10%
5.3.5.D.2.b / 4.5.3.C.1		Final determined at Site Plan
Minimum Public Benefit Points	0	0
5.3.5.E.1		
Minimum Vehicle Parking Requirements		Final determined at Site Plan
6.2.4.B		
Townhouse	1.0 per unit (114 spaces)	192 spaces
Senior Apartments	0.5 per unit (50 spaces)	55 spaces
Retail grocery	3.5 per 1,000 SF (112 spaces)	114 spaces
Bicycle	Set at Site Plan	Determined at Site Plan

FOREST CONSERVATION REGULATIONS (CHAPTER 22A)

As discussed below, all Forest Conservation Law, Chapter 22A requirements are satisfied.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan is a request for a tree variance for impacts and removal of subject trees. The Preliminary Forest Conservation Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the staff report and described below.

Natural Resource Inventory/Forest Stand Delineation

The Natural Resource Inventory/Forest Stand Delineation ("NRI/FSD") 420211710 for this Property was approved on July 30, 2021. The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property. The NRI/FSD identifies the 10.82-acre Subject Property located within Paint Branch watershed which is classified as Use Class III by the State of Maryland. The Subject Property contains 3.27 acres of forest and no trees with a diameter at breast height ("DBH") of 30 inches or more. The Property contains no streams, wetlands, or other sensitive environmental features. There are no documented streams and stream valley buffers on or immediately adjacent to the Subject Property, and no wetlands or known rare or endangered species. No historic resources or cemeteries are known to exist on the Property.

Forest Conservation Plan

The Applicant has submitted a Preliminary Forest Conservation Plan ("PFCP") with the current development plan application for Local Map Amendment H-145. The Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A ("FCL") and complies with the Montgomery County Planning Department's approved Environmental Guidelines.

This Applicant is requesting to be reclassified to the CRTF Zone, which is assigned a Land Use Category of High Density Residential (HDR) as defined in Section 22A-3 of the FCL and in the Land Use Table of the Trees Technical Manual. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the Net Tract Area.

The tract area for forest conservation purposes includes the 10.89-acre Subject Property plus 0.67 acres of offsite disturbance associated with this Application, for a total net tract area of 11.49 acres. There is a total of 3.27 acres of existing forest on the Subject Property. The Application proposes to remove all 3.27 acres of forest. The proposed forest clearing generates a reforestation requirement of 4.84 acres. The Applicant proposes to meet the planting requirement offsite.

Additionally, the Property has a previously recorded Category I conservation easement in the southwest corner of the Site and a portion of an offsite easement on platted Parcel C. The amount of easement to be removed is 0.11 acres onsite and 0.05 acres offsite for a total of 0.16 acres. The above on-site FCE was included in the existing forest calculations so is being mitigated per the worksheet plus being mitigated at 1:1. The off-site 0.05-acre easement to be removed is being mitigated at 2:1, bringing the total offsite requirement to 5.05 acres for the project.

Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these trees, including removal of the subject tree or disturbance within the 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. 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 Forest Conservation Law. The law 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 trees; 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.

<u>Variance Request</u> - The Applicant submitted a variance request in a letter dated February 25, 2022 (Attachment B). The Applicant proposes to impact nineteen (19) trees and remove six (6) trees that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Tables 9 and 10).

Table 10: Impacted and protected trees.

	VARIANCE TREE IMPACT TABLE					
TREE ID#	SPECIES	% IMPACTED	SIZE (DIAMETER)	CONDITION	MITIGATION	
1	MULBERRY	1	12	POOR - DW, MAIN LEADER REMOVED	STRESS REDUCTION MEASURES	
2	AM. ELM	10	18	GOOD	STRESS REDUCTION MEASURES	
12	BLACK LOCUST	15	20	POOR - DW, VINES, CAVITY	STRESS REDUCTION MEASURES	
14	BRADFORD PEAR	9	12	GOOD	STRESS REDUCTION MEASURES	
15	BLACK GUM	12	3	GOOD	STRESS REDUCTION MEASURES	
28	RED MAPLE	19	48	FAIR - DW, CAVITIES	STRESS REDUCTION MEASURES	
29	RED MAPLE	4	30	GOOD	STRESS REDUCTION MEASURES	
34	BRADFORD PEAR	7	2	GOOD	STRESS REDUCTION MEASURES	
36	RED MAPLE	0.08	28	GOOD	STRESS REDUCTION MEASURES	
41	BRADFORD PEAR	14	3	GOOD	STRESS REDUCTION MEASURES	
59	BRADFORD PEAR	14	4	GOOD	STRESS REDUCTION MEASURES	
60	BRADFORD PEAR	10	3	GOOD	STRESS REDUCTION MEASURES	
74	BRADFORD PEAR	16	4	GOOD	STRESS REDUCTION MEASURES	
76	BRADFORD PEAR	3	3	GOOD	STRESS REDUCTION MEASURES	
79	BRADFORD PEAR	33	5	GOOD	STRESS REDUCTION MEASURES	
80	BRADFORD PEAR	20	3	GOOD	STRESS REDUCTION MEASURES	
81	BRADFORD PEAR	33	5	GOOD	STRESS REDUCTION MEASURES	
83	BRADFORD PEAR	10	4	GOOD	STRESS REDUCTION MEASURES	
85	CHINESE CHESTNUT	4	32-20	GOOD	STRESS REDUCTION MEASURES	

Table 11: Protected trees proposed for removal.

VARIANCE TREE REMOVAL TABLE				
Tree ID#	DBH	Species	Condition	Mitigation
25	18	Black Locust	Good	18
33	8	Pear	Good	8
39	7	Pear	Good	7
40	3	Pear	Good	3
64	11	Pear	Good	11
73	7	Pear	Good	7

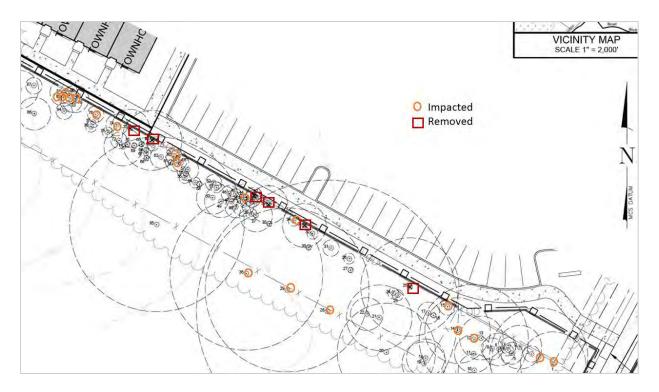


Figure 20: Tree Variance Request Exhibit

<u>Unwarranted Hardship Basis</u>

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property.

In this case, the unwarranted hardship is caused by the necessary layout of the proposed development on the Property. Along the right side of the Conley House, the adjacent historic property to the southeast, it is necessary to disturb close to the property line where the critical root zones of several trees are impacted. The parking needed for the grocery store backs to these trees and includes a sidewalk behind the parking extending the limits of disturbance close to the property line where thirteen of the subject trees' roots are impacted (60, 59, 85, 41, 36, 34, 29, 28, 15, 14, 12, 2, and 1) as well as four tree removals (25, 33, 39, and 40). The parking shown is necessary for the needs of the grocery store and the sidewalk is needed to provide proper pedestrian circulation across the site, particularly from the bus stop on Old Columbia Pike. The remaining eight trees impacted are due to grading and the retaining wall behind the townhouse units. These include impacts to trees 81, 80, 79, 83, 76, and 74 as well as two removals for trees 73 and 64. The topography of the site has a requires an area of fill and a retaining wall parallel to the property line with the historic property. Construction of the wall results in impacts the root zones but is necessary to achieve the necessary grading for the construction of the townhouses.

Therefore, there is a sufficient unwarranted hardship to justify a variance request because the Applicant would otherwise be denied the ability to redevelop the property in a manner which is a reasonable and significant use of the Property.

Section 22A-21 of the County Forest Conservation Law 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.

<u>Variance Findings</u>

The following findings must be made by the Planning Board when granting a requested variance:

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

Granting the variance will not confer a special privilege on the Applicant as the removal and disturbance to the specified trees are due to the development of the Property, location of the trees and necessary site design requirements. Granting a variance to allow disturbance within the developable portion of the site is not unique to this Applicant. 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. The requested variance is based upon the existing site conditions, development standards of the zone, and necessary design requirements of this Application.

3. Is not based on a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.

The requested variance is a result of the existing conditions and the proposed site design and layout of the Subject Property, and not as 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 variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees being removed are not located within a stream buffer, wetland or Special Protection Area. The Application proposes mitigation for the removal of these six trees by planting larger caliper trees on-site. These trees will replace water quality functions that may be lost by the removed trees. Therefore, the Application will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provision

There are six Protected Trees proposed for removal in this variance request, resulting in a total of 54 inches of DBH being removed.

The Applicant proposes mitigation at a rate that approximates the form and function of the trees removed. These trees will be replaced at a ratio of approximately 1-inch caliper for every four inches removed using trees that are a minimum of three caliper inches in size. This results in a total mitigation of 13.5 inches with the installation of 5 3-inch caliper overstory trees native to the Piedmont Region of Maryland on the Property outside of any rights-of-way and outside of any utility easements. Although these trees may not be as large as the trees lost, they will be planted on the Subject Property and provide some immediate benefit, ultimately replacing the canopy lost by the removal of these trees. There is some disturbance within the CRZ of 16 trees; however, they will receive adequate tree protection measures, their roots will regenerate, and the functions they currently provide will continue. Therefore, no mitigation is recommended for trees that are impacted but retained. It has been M-NCPPC policy not to require mitigation for Protected Trees removed within forest stands since the removal of the forest is accounted for through the Forest Conservation Worksheet.

SECTION 5: COMMUNITY OUTREACH

The Applicant has provided a list of community outreach efforts with nearby stakeholders to inform the community of its proposed Project, answer questions, and address comments.

- The Applicant met and worked extensively with the current landowner of the subject property, which is also its immediate adjoining neighbor to the west, the Potomac Conference Corporation of Seventh-day Adventists (Conference). The Conference owns the adjoining church, which is known as the Southern Asian Seventh-day Adventist Church (Church). The Applicant has met regularly with leadership from both the Conference and the Church to discuss the Project proposal and its integration with the nearby neighborhood. At a duly called business meeting of the Church, more than 90 percent of members present voted to support the sale of the Property. Church leadership and the Conference jointly agreed to support the sale and development of the property.
- The Applicant also met with planning staff on numerous occasions to receive feedback and guidance the design of the Project.
- The Applicant has indicated they have met numerous times with representatives of the property located at 12450 Old Columbia Pike (vacant), including a meeting organized by Planning Staff. The property currently has a Preliminary Plan (Iglesia Vida Nueva, 120210020) under review for the construction of an approximate 12,500 square foot church. The Applicant has indicated they have worked extensively with this landowner, through its civil engineering representative, to design its project in a manner that may provide pedestrian and/or vehicular connections between the Project and the adjoining Iglesia Vida Nueva project, once the church and the Project are developed.
- The Applicant has met with the president of the Willows Run Homeowners Association, which is located lies directly south of the subject property, as well as the detached homes that are located to the west of the Southern Asian Seventh-day Adventist Church.
- The Applicant has also sent letters to the landowner of record for the historic Conley Home that is located immediately south of the subject property along Old Columbia Pike. The Applicant has been unsuccessful in contacting this landowner.

To date, staff has received 75 pieces of correspondence in response the Project (Attachment C). Of the total received, 56 are opposed and nine (9) have supportive or neutral comments with respect to approving the Project. Included are two joint letters of support from the Potomac Conference Corporation of Seventh-day Adventists and the Southern Asian Seventh-day Adventist Church. The letter dated March 8, 2022, submits general support of the Application and the letter dated March 31, 2020, is submitted to clarify issues raised by opponents.

Below is a summary of the comments and staff's responses:

Comment	Staff Response
Will change the character of the	The Application is for a zone change from the R-200 zone to the CRTF
neighborhood, possibly leading to	zone. As discussed in this staff report, the Property is a vacant parcel
	bordered by mix of existing uses and development in all directions. As

Comment	Staff Response
more people, traffic, safety issues, crime, noise.	conditioned with the binding elements and any subsequent preliminary subdivision plan, the Application would be compatible with adjacent land uses which include a mix of residential uses at varying densities and typologies, with non-residential/commercial uses.
	Traffic impacts were analyzed under the application's transportation study and all study intersections met area congestion standards. These intersections will be re-analyzed as part of the required and subsequent Preliminary Plan and Site Plan reviews pursuant to the proposal.
	Any new land use must comply with Chapter 31B of the County Code (Noise Control), which controls allowable noise levels for construction, uses, and operations. No use would be allowed to exceed allowable noise levels.
	With respect to security and crime, it is widely accepted that the more activity and people there are in a specific area the safer the area becomes. More "eyes on the street" provide informal surveillance of the area, which contributes to actual and perceived safety. As such, additional homeowners, families, children, and residents shopping in the area would contribute to more "eyes on the street" and reduce the likelihood of criminal activity. However, any reports of alleged criminal activity should be directed to the Montgomery County Police Department.
Easement access/entrance to property will significantly impact traffic volume and safety.	A legal ingress/egress and utility easement exists at E. Randolph Rd. and Serpentine Dr. The Applicant is entitled to use the easement entrance for access to the Property. Traffic impacts were analyzed under the application's Transportation Study and all study intersections met area congestion standards. These intersections will be re-analyzed as required and subsequent Preliminary Plan and Site Plan reviews pursuant to the proposal. The study did note several area-wide Vision Zero, bike, pedestrian, and ADA deficiencies which will also be re-analyzed and mitigated as part of any subsequent development application.
90% of the church members feel that the proposed development adjacent to the Southern Asian Seventh-Day Adventist Church will bring in bad actors into the peaceful minority campus. Some of the concerns are	The Southern Asian Seventh-day Adventist Church, along with the Potomac Conference Corporation of the Seventh-day Adventists, submitted a letter indicating their full support for both the rezoning and the proposed development. Also, the Church and Conference reported that over 90% of the Church's members present and voting at an open business meeting supported the Application. The Church indicated it had no records of issues with vandalism, theft, or

Comment	Staff Response
drugs, prostitutions, vandalism, theft, and crimes	prostitution being reported to the police. Any reports of alleged criminal activity should be reported to the Montgomery County Police Department.
A proposed development of this kind will pave the way for targeting minority communities since hate crimes towards Asian minorities are on the rise nationwide.	Any reports of alleged criminal activity should be directed to the Montgomery County Police Department.
Impacts to traffic and traffic safety in the neighborhood, including Forcey Christian School.	Traffic impacts were analyzed under the application's transportation study and all study intersections met area congestion standards. These intersections will be re-analyzed as required and subsequent Preliminary Plan and Site Plan reviews pursuant to the proposal. The study did note several area-wide Vision Zero, bike, pedestrian, and ADA deficiencies which will also be re-analyzed and mitigated as part of any subsequent development application.
There is no need for zone change, since the original R-200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments. The development will increase	Within the defined neighborhood, there are no known undeveloped or vacant properties in the real estate market of this size. As discussed in this staff report, the property has remained vacant for more than 25 years and has not developed as planned. This suggests that the market does not support single-family homes at this location. All development applications have stormwater management
stormwater runoff and flooding.	requirements which are reviewed and approved by Montgomery County Department Permitting Services. A stormwater management concept plans is required and will have to meet all regulations under Chapter 19 of the County Code. Chapter 19 is designed to ensure all development is done in a matter that will ensure stormwater runoff and flooding are avoided.
Development of this land is permanent and irreversible.	The Property is private property that is legally developable. There are no wetlands or stream buffers on the property, and it is not located within a special protection area. The "permanence" of development of this land and its impact with would be virtually the same regardless of the zone change.
Concerns with school capacity impacts.	A school test for the proposed development was performed. As discussed in this report, the Project would be subject to Tier 1 Utilization Premium Payment at the high school level. Capacity limits are not exceeded for the elementary and middle schools.
The development would negatively impact neighborhood property values.	There is no evidence presented that a development similar to the Project would negatively impact neighborhood property values. With the exception of the senior apartments, the remainder of the development is owner-occupied townhomes and 2-over-2 units. There are similar townhomes and multi-family housing units located within the surrounding neighborhood, which would generally not be

Comment	Staff Response
	inconsistent with the proposed Project and negatively impact
	property values. Presently, there is non-commercial use within the
	neighborhood and confronting the Property. Siting the grocery store
	where it confronts non-residential properties would be more
	consistent with existing uses than introducing residential uses at this
	specific location.
Negative impacts to green space and	The property is subject to Chapter 22A of the County Code (Forest
natural habitats.	Conservation Law) and will have to meet all regulations. The
	Property is a developable piece a land. The forest at the corner of E.
	Randolph Rd. and Old Columbia Pike is not protected forest, which is
	of young successional age and does not contain specimen or variance
	trees.
Concerns over noise pollution.	The Property is subject to Chapter 31B of the County Code (Noise
	Control), which controls allowable noise levels for construction, uses,
	and operations. No use would be allowed to exceed allowable noise
	levels.
Vandalism Issues, illegal logging,	Reports of vandalism and theft should be reported to Montgomery
vehicle ransacking in the parking	County Police. Reports of illegal logging should be reported to the
lots.	County Department of Permitting Services.
The current zoning should remain as	The Zoning Ordinance allows any individual property owner to apply
is, and not modified to	for a Local Map Amendment (rezoning) if certain application
accommodate special interest	requirements are met. The application requirements have been met.
groups.	
Grocery store is not needed as there	As discussed in this report, many residents in Fairland indicate the
are already enough existing and	desire for more retail stores and specifically additional grocery store
proposed grocery stores nearby that	options.
serve the community.	
Health concerns about rodent	Pursuant to Chapter 39 (Rat Control), all property in the County is
infestation that often accompany	subject to compliance with rules and regulations controlling rat
grocery stores.	infestations. It is the responsibility of all property owners (residential
	and non-residential) to prevent conditions that would cause a rat
	infestation. As such, the operator of a grocery store would be
	required to provide proper and adequate solid waste management in
	compliance with Chapter 39 and other relevant ordinances and
	regulations.

SECTION 6: CONCLUSION

Staff finds: the Project substantially conforms to the general plan, Master Plan, and applicable functional plans; furthers the public interest by providing the mix of land uses that will help provide much needed market-rate and affordable housing by allowing for future flexibility to encourage the site's development, providing additional pedestrian connectivity and public open space, and by providing an integrated street connection; satisfies the intent and standards of the proposed CRTF zone; and establishes compatibility with the existing adjacent development through unit orientation, spacing, height, site setback, and buffers.

Therefore, staff recommends approval of the Local Map Amendment H-145 with the recommended binding elements and the Preliminary/Final Forest Conservation Plan and Tree Variance H- 145.

ATTACHMENTS

Attachment A: Statement of Justification, Floating Zone Plan, Open Space Plan, Circulation Plan, Renderings.

Attachment B: Preliminary Forest Conservation Plan and Tree Variance.

Attachment C: Community correspondence.

APPENDIX A

BEFORE THE DISTRICT COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

IN THE MATTER OF THE APPLICATION OF *

NOVA RANDOLPH, LLC *

FOR REZONING TO THE

* Zoning Application No. H-_____

CRTF-1.0, C-0.25, R-1.0, H-80 *

CLASSIFICATION *

STATEMENT OF JUSTIFICATION

A. Project Overview

The Petitioner, Nova-Randolph, LLC, is requesting a rezoning of 10.8195 acres (471,298 square feet) of land from the R-200 zone to the Commercial Residential Town Floating Zone at an overall density of 1.0 FAR, a commercial density of 0.25 FAR, a residential density of 1.0 FAR, and a maximum height of 80 feet (CRTF-1.0, C-0.25, R-1.0, H-80) to allow the development of a significantly unutilized greenfield property, currently surrounded by existing and planned development, into a horizontally mixed use project that will provide a variety of intergenerational housing choices, including nearly 50 percent moderately priced dwelling units (MPDUs) and a neighborhood-scaled grocery store that will be within walking distance to the extensive transit infrastructure, employment choices, and entertainment options of the US 29 Tech Road Corridor. The proposed development will implement forward thinking planning principles, furthers the intent and goals of the 2050 Thrive General Plan, is compatible with the aging 1997 Fairland Master Plan, and satisfies the prerequisites, intent statement, and necessary findings for a rezoning to the CRTF zoning classification. Significant elements of the proposal

will allow the Planning Board and County Council to support the project as one that implements trendsetting urban planning principles and furthers the public interests of the County.

B. Subject Property

The 10.8195 acre subject property was originally part of a larger 21.16 acre tract of land that is currently owned by the Potomac Conference Corporation of Seventh Day Adventists. A local congregation of Seventh Day Adventists constructed a church facility on the approximate 10.34 acre remainder of the larger tract around 2001 (Preliminary Plan No. 120010230), which is located immediately west of the subject property. At the time, it was anticipated that the subject property would be utilized as sports fields for church-related activities, but the programing of the sports fields never materialized and the property has remained vacant and unused to the current day. The global headquarters for Seventh Day Adventist's worldwide operations is located immediately east of the subject property, located directly across Old Columbia Pike. A historic farmhouse known as the Conley House lies immediately south, which is well-buffered with a heavy tree canopy and existing board-on-board fencing. A townhouse community is located further south.

The 10.82-acre subject property is largely a greenfield with some forest cover, comprised mostly of invasive species, located along the property's East Randolph Road frontage and closest to the intersection of East Randolph and Old Columbia Pike. There are no wetlands or stream buffers on the property, and the property is not located within a Special Protection Area.

The property is currently zoned R-200, consistent with its previously anticipated use as church facilities.

C. Proposal

The Petitioner is proposing to create a horizontally mixed use community comprised of approximately 56 attached single-family residential townhomes, approximately 58 two-over-two attached residential units, and approximately 120 residential affordable units within a senior-oriented multifamily apartment building. The project will also provide an approximate 32,000 square foot neighborhood grocery store, providing a much needed additional grocery store in the eastern part of the County and providing commercial grocery service within walking distance to the residences of the proposed project and nearby surrounding neighborhoods. The housing options proposed in the project are multi-generational and will provide a variety of housing choice, including missing middle building typologies. Nearly 50 percent of the overall residential units proposed in the project are proposed to be Moderately Priced Dwelling Units (MPDUs), significantly more than the typical 12.5 percent requirement.

The applicant has worked closely with Planning Staff on the preliminary design of this important mixed use project for Eastern Montgomery County. The project has oriented the neighborhood-scale grocery store at the corner of East Randolph Road and Old Columbia Pike, providing an activating use for this prominent intersection that is a important focal point for the community and the first step in the creation of a more walkable community in the future.

Locating the grocery at this intersection also allows for better vehicular circulation and the avoidance of vehicles conflicting with the more residential areas within the proposed community.

The senior apartments and the more dense two-over-two residential units have been proposed along East Randolph Road, providing further activation and creating a clear building

presence along East Randolph Road. These uses are compatible with the commercial and institutional uses on the opposite side of East Randolph Road and are located the furthest distance from any nearby existing single family detached homes. These buildings located along East Randolph are designed to front the right-of-way and provide activation of the proposed bikeway and shared use path at this location, consistent with the goals and objectives of the County's 2018 Bicycle Master Plan. The loading areas proposed for the grocery store and multifamily building have been clustered together, minimizing any unsightly loading activites and providing an opportunity for better screening of such activities.

The less dense single-family residential townhomes are proposed internally to the site.

Working in close consultation with Planning Staff, the internal residential townhomes have been oriented along an internal spine street that could connect and integrate with any adjoining properties that may one day redevelop. All townhomes in the project have been designed in a way that have front doors that could front on this internal spine street or could otherwise be integrated into or be compatible with any future adjoining redevelopment, giving the opportunity for the creation of a larger integrated community over time.

Open spaces are provided throughout the project, resulting in a green space network that connects the exterior street edges of the project and brings this activation into the internal street network. Hardscaped open spaces are provided along the East Randolph Road and Old Columbia Pike frontages, providing spaces for pedestrians to congregate together, while more green open areas are provided internally for residents and guests of the proposed community to recreate and relax. Mews-style opens areas provide front yard space for residents of the townhomes. An existing forest conservation area of the property is proposed to be expanded, providing an area of natural forest cover for residents and pedestrians to enjoy. The open space

network is completely connected via both hardscaped and soft trail sidewalk pathways. Internal sidewalks provide a connection to the existing Flash Bus Rapid Transit (BRT) station and Route 29 Tech Road Commercial Corridor that is located just a short walk to the south of the subject property.

D. Required Findings Under Section 5.1.2. of the Zoning Ordinance (the Floating Zone Intent Statement)

- 1. The intent statement for a floating zone states that:
 - a. The application must be shown to implement comprehensive planning objectives by:
 - 1. Furthering the goals of the general plan, applicable master plan, and functional master plan
 - 2. Ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure in the general plan, applicable master plan, functional master plan staging, and applicable public facilities requirements
 - 3. Allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property

The proposed project is consistent with the general goals and recommendations of the 1997 Fairland Master Plan, which is the relevant Master Plan for this area of the County. However, due to the aging guidance of the 1997 Fairland Plan, the Planning Department is currently underway with revisions to the Plan's guidance and objectives. The project is consistent with many current planning principles outlined in Planning Staff's scope of work for the Fairland Plan revision, as well as the major goals and recommendations being outlined in the Planning Board Draft of the Thrive 2050 General Plan currently under discussion before the County Council. Further, the project furthers the objectives of other County functional master plans, such as the 2018 Bicycle Master Plan and Environmental Guidelines.

The proposed uses are in balance with the existing infrastructure of the area. The subject property is currently served by public water and sewer and fire and rescue facilities. Nearby intersections are capable of handling the increase in density and vehicular, pedestrian, and cycling trips generated by the project, and the property's school cluster is currently within capacity. The property is served by existing bus lines and the nearby Tech Road BRT Station.

By allowing the proposed floating zone at this location, the proposed project can integrate into and enhance the existing community and

circulation network by providing much needed grocery service in an area currently underserviced, a significant amount of affordable dwelling units, and a diversity of housing stock that will be multigenerational. The creation of a neighborhood at this location can help support the existing commercial and employment uses in the nearby Tech Road Commercial Corridor, along with supporting the significant County investment it the nearby Flash BRT public transportation system.

- b. The application must encourage the appropriate use of land by:
 - 1. Providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments
 - 2. Allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population
 - 3. Ensuring that development satisfies basic sustainability requirements including locational criteria, connections to circulation networks, density and use limitations, open space standards, and environmental protection and mitigation

The proposed project encourages the appropriate use of land by creating a sense of place that can significantly improve upon the underutilized condition of the subject property today. The proposed floating zone will allow the Petitioner the flexability to implement current planning policies and objectives with mixed use development of the property, while still implementing the overall recommendations of master planning guidance. The proposed floating zone will facilitate the development of this vacant underutilized site. The project will provide new housing types and uses for the area that will complement the existing housing stock of the surrounding neighborhood.

The proposed layout is an example of compact and efficient use of available land resources. The site is located in an area already serviced by existing infrastructure. The proposed layout and location of structures will encourage pedestrian, bicycle, and public transit use. The project is a great example of smart growth and sustainable development.

This application is a perfect example of using a flexible floating zone to respond to changing economic and demographic trends between sectional map amendments. The Fairland Master Plan has not been updated since 1997, nearly 25 years ago. Since the 1990s, substantial change has occurred in this area of the County, including tremendous retail growth, the construction of a new world class hospital and medical center, and the creation of a bus rapid transit (BRT) system. And finally, millennial and empty-nester housing preferences have

shifted towards smaller, more urban dwellings and communities that include a variety of townhomes and attached and multifamily dwellings. The proposed project provides the appropriate use of land by responding to changing demographic trends to serve a diverse and evolving County population.

- c. The application must ensure the protection of established neighborhoods by:
 - 1. Establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses
 - 2. Providing development standards and general compatibility standards to protect the character of adjacent neighborhoods
 - 3. Allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use

As previously described, the project will be well integrated into the established adjacent neighborhoods. The project is compatible with the adjacent neighborhood of townhomes to the south. The western edge of the development has been designed with homes fronting along that edge, complimenting the institutional church use to the west, and providing a neighborhood-oriented streetscape that could be extended and enhanced if the church property were to redevelop in the future.

The more intensive proposed uses – a commercial grocery store, a senior apartment building, and a section of two-over-two residential units, are congregated along East Randolph Road, opposite from other commercial and institutional uses to the north of the property along East Randolph Road. The historic Conley Home that is located east of the subject property will maintain a heavily-landscaped and fenced buffer. The proposed CRTF zone also allows flexibility in the layout of the proposed project to prevent negative impacts to adjacent properties and to the project itself.

E. Satisfaction of Section 5.1.3.D. of the Zoning Ordinance (the Floating Zone Prerequisites)

- 1. Certain prerequisites must be met before the CRTF zone can be approved for this location:
 - a. The property must front on a nonresidential street or must confront or abut a property that is in a Residential Townhouse, Residential Multi-Unit, Commercial/Residential, Employment, or Industrial zone.

The subject property fronts on East Randolph Road and Old Columbia Pike, both of which are classified as nonresidential streets.

b. The application must satisfy a minimum of 2 prerequisites for each of the categories under Section 5.1.3.D., below:

Category	Prerequisite Choices	Met
	At least 75% of the site is within ¼ mile of a Level 3, ½ mile of a Level	$\sqrt{}$
	2, or ³ / ₄ mile of a Level 1 transit station/stop.	,
	The site has frontage on and vehicular, bicycle, and pedestrian access to	
	at least 2 roads, at least one of which is nonresidential.	
	The site is served by existing water and sewer infrastructure that will not	
	require either an upgrade to the service line or installation of a pump	
Transit &	station due to the proposed development.	
Infrastructure	All signalized intersections within ½ mile of the site boundary are	
	operating below the applicable congestion standard.	,
	The project is age-restricted or senior housing, or if proposing	$\sqrt{}$
	development that may generate students, the site must not be in an area	
	that is under moratorium due to school capacity or result in a school	
	utilization rate greater than 120% because of the proposed development.	
	For any site within 2 school clusters, only the portions of the site that	
	satisfy this requirement can proceed.	
	The site is in a transitional location between property in an existing	$\sqrt{}$
	Residential Multi-Unit, Residential Townhouse, or non-Residential zone	
	and property in a Residential Multi-Unit, Residential Townhouse, or	
	Residential Detached zone.	
	The site is adjacent to a bicyclist route that provides access to	$\sqrt{}$
	commercial services within 3 miles.	
	The site is adjacent to a route that provides access to an existing or	
Vicinity &	master-planned school within ½ mile.	
Facilities	The site is adjacent to a pedestrian route that provides access to existing	$\sqrt{}$
	public park and recreation facilities that satisfy a minimum of existing	
	public park and recreation facilities that satisfy a minimum of 30% of	
	the recreation demand under the Planning Board's Recreation	
	Guidelines, as amended, within 3/4 mile.	
	The site is adjacent to a pedestrian route that provides access to an	
	existing grocery store or County-permitted farmer's market within 1/4	
	mile.	,
	The limits of disturbance for the development will not overlap any	
	stream, floodplain, wetland, or environmental buffer or any slopes	
	greater than 25% or slopes greater than 15% where erodible soils are	
	present.	
	The site does not contain any forest or, if forest is present, the limits of	
	disturbance for the development will not reduce the forest cover to less	
Environment	than an area of 10,000 square feet and width of 35 feet at any point.	1
& Resources	The site does not contain any rare, threatened, or endangered species or	
	critical habitats listed by the Maryland Department of Natural	
	Resources.	
	The site is on land containing contaminated soils and is developed in	
	conjunction with an environmental Voluntary Cleanup Program under	
	the Maryland Department of Environmental Protection.	
	The site is currently developed with more than 75% impermeable	

surfaces, including paving and roofed-structures, and does not currently provide stormwater management meeting the standards applicable on the date of filing.

F. Floating Zone Conformance with Section 5.3.5. of the Zoning Ordinance (the CRTF Zone Development Standards)

1. The proposed floating zone plan conforms to the CRTF Zone development standards, as outlined in the follow data table (and also depicted on the Floating Zone Plan):

FLOATING ZONE DEVELOPMENT STANDARDS

CURRENT ZONING: R-200

REQUESTED ZONING: CRTF-1.0, C-0.25, R-1.0, H-80

TRACT AREA: 471,298 SF (10.82 AC)

PROPOSED USES: TOWNHOUSE LIVING (114 DU - 12.5% MPDU)

SENIOR APARTMENTS (100 DU - 100% MPDU) NEIGHBORHOOD GROCERY (32,000 SF)

ZONING STANDARD PROPERTY FRONTS ON A NON-RESIDENTIAL STREET OR CONFRONTS/ABUTS A COMMERCIAL/RESIDENTIAL, EMPLOYMENT,OR INDUSTRIAL ZONE 59-5.1.3.C.2.c.i	PERMITTED/REQUIRED YES	PROVIDED PER PLAN YES
PREREQUISITES REQUIRED 59-5.1.3.C.2.c.ii	2 PER CATEGORY	SEE TABLE
MAXIMUM TOTAL DENSITY (FAR) 59-5.3.5.A.2	1.25	0.93
MAXIMUM COMMERCIAL DENSITY (FAR) 59-5.3.5.A.2	1.00	0.07
MAXIMUM RESIDENTIAL DENSITY (FAR) 59-5.3.5.A.2	1.00	0.78
MAXIMUM HEIGHT 59-5.3.5.B.2	SET BY FLOATING ZONE PLAN	80 FT
MINIMUM SETBACK - RANDOLPH ROAD 59-5.3.5.B.2	SET BY FLOATING ZONE PLAN	10 FT
MINIMUM SETBACK - OLD COLUMBIA PIKE 59-5.3.5.B.2	SET BY FLOATING ZONE PLAN	20 FT
MINIMUM SETBACK - REAR SITE BOUNDARY 59-5.3.5.B.2	SET BY FLOATING ZONE PLAN	25 FT
MINIMUM SETBACK - SIDE SITE BOUNDARY 59-5.3.5.B.2	SET BY FLOATING ZONE PLAN	15 FT
MINIMUM OPEN SPACE (TRACT >10,000 SF) 1 59-5.3.5.D.2.b / 59.4.5.3.C.1	10%	10%
MINIMUM PUBLIC BENEFIT POINTS 59-5.3.5.E.1	0 POINTS ²	0 POINTS
MINIMUM VEHICLE PARKING REQUIREMENTS ³ 59-6.2.4.B (REDUCED PARKING AREA)		
TOWNHOUSES	114 SPACES (1.0 PER UNIT)	192 SPACES
SENIOR APARTMENTS	50 SPACES (0.5 PER UNIT)	55 SPACES
NEIGHBORHOOD GROCERY	112 SPACES (3.5 PER 1,000 SF)	114 SPACES

FOOTNOTES:

- OPEN SPACE FOR TOWNHOUSE DEVELOPMENT WILL BE COMMON OPEN SPACE AND REMAINDER OF OPEN SPACE WILL BE PUBLIC OPEN
- SPACE.

 2. THE TOTAL FAR IS LESS THAN 1.0, THEREFORE PER 59-5.3.5.E.1.a, PUBLIC BENEFIT POINTS ARE NOT REQUIRED.

 3. FINAL NUMBER AND TYPES OF PARKING SPACES PROVIDED, INCLUDING BICYCLE PARKING, WILL BE DETERMINED AT SITE PLAN.

G. Required Findings Under Section 7.2.1.E. of the Zoning Ordinance (the Floating Zone Plan Necessary Findings)

- 1. The District Council must find that the floating zone plan will:
 - a. Substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans.

As previously explained, the proposal conforms to the general intent and objectives of the relevant County master plans and policies.

b. Further the public interest.

The project furthers the public interest in many regards. The development of the site will further the public interest by transforming this vacant, underutilized property into a pedestrian friendly, sustainable development that complements the surrounding neighborhood and implements the County's land use objectives. The proposed mixed use project will contribute to the diversity of housing options in this area and provide additional neighborhood serving commercial development in close proximity to the existing and proposed residential uses.

c. Satisfy the intent, purposes, and standards of the proposed zone and requirements of Chapter 59.

The proposed project satisfies the intent, purposes and standards of the CRTF Floating Zone as articulated under previous sections of this report.

d. Be compatible with existing and approved adjacent development.

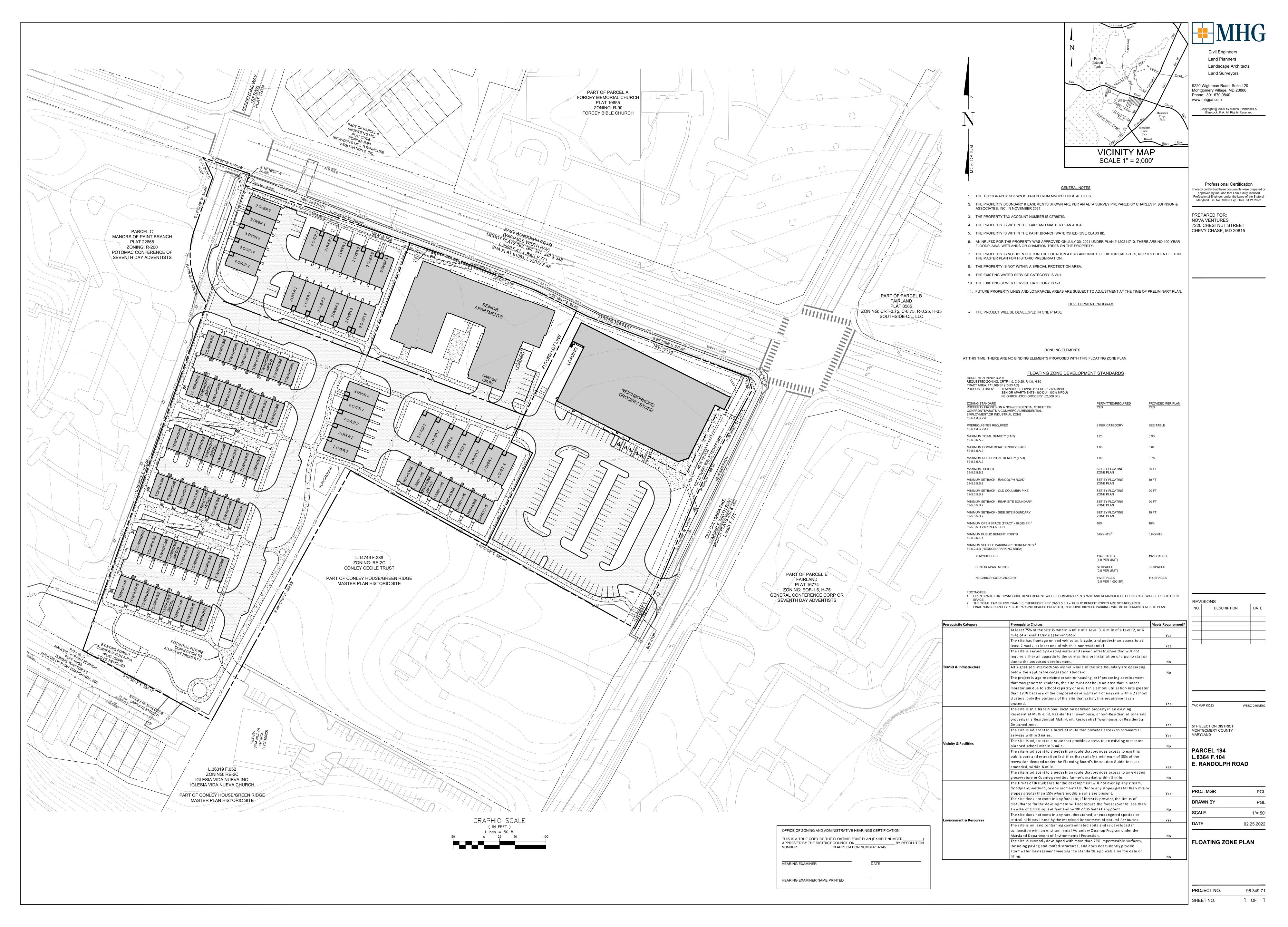
The proposed project is compatible with its surrounding conditions. The project will contribute to the diversity of housing in the Fairland area by providing residential single-family attached housing and senior-oriented multifamily housing in an area where the majority of surrounding residential development are single-family detached homes. The homes in the proposed project will help support the existing retail in the nearby Tech Road Commercial Corridor. The neighborhood serving grocery store being developed in connection with the project will provide nearby residential communities some commercial service within walking distance.

- e. Generate traffic that does not exceed the critical lane volume or volume/capacity ratio standard as applicable under the Planning Board's LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrate an ability to mitigate such adverse impacts.
 - The traffic study prepared by Lenhart demonstrates that the project can mitigate any potential adverse impacts on any surrounding intersections.
- f. When applying a nonresidential floating zone to a property previously under a residential detached zone, not adversely affect the character of the surrounding neighborhood.
 - The proposed project will not adversely affect the character of the surrounding neighborhoods. A small amount of neighborhood serving retail is proposed

along the intersection of two major roadways. The remainder of the site will be developed with residential single-family homes or appropriately scaled attached units. The project will complement the surrounding community by contributing to the diversity of housing stock, providing a significant amount of intergenerational affordable dwellings to the community, and will complement the existing and proposed commercial services in the Tech Road Commercial Corridor.

H. Conclusion

The proposed development conforms to the intent, purpose, location, land use, and development standards provisions of the zoning ordinance for the CRTF zone. The application of the proposed floating zone will facilitate the development of an underutilized vacant site with a horizontally mixed use community that can advance the County's smart growth and urban planning policies.



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Civil Engineers Land Planners Landscape Architects

Land Surveyors

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Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland. Lic. No. 16905 Exp. Date. 04.21.2022

PREPARED FOR: NOVA VENTURES 7220 CHESTNUT STREET CHEVY CHASE, MD 20815

DESCRIPTION

E. RANDOLPH ROAD

02.25.2022

OPEN SPACE EXHIBIT

98.349.71 1 OF 1



Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland. Lic. No. 16905 Exp. Date. 04.21.2022

7220 CHESTNUT STREET

DESCRIPTION

E. RANDOLPH ROAD

11.11.2021

CIRCULATION PLAN

98.349.71 1 OF 1 SHEET NO.

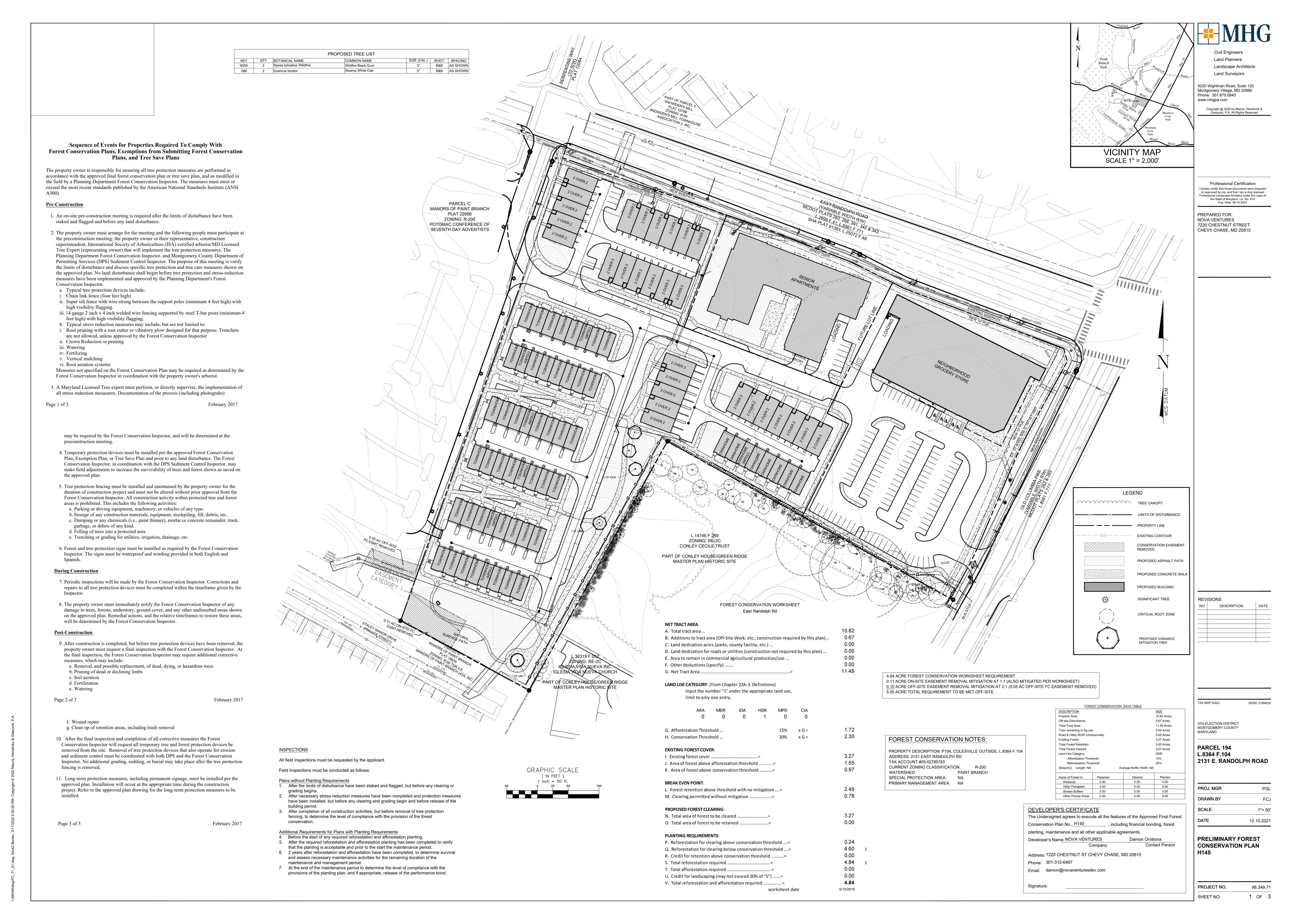


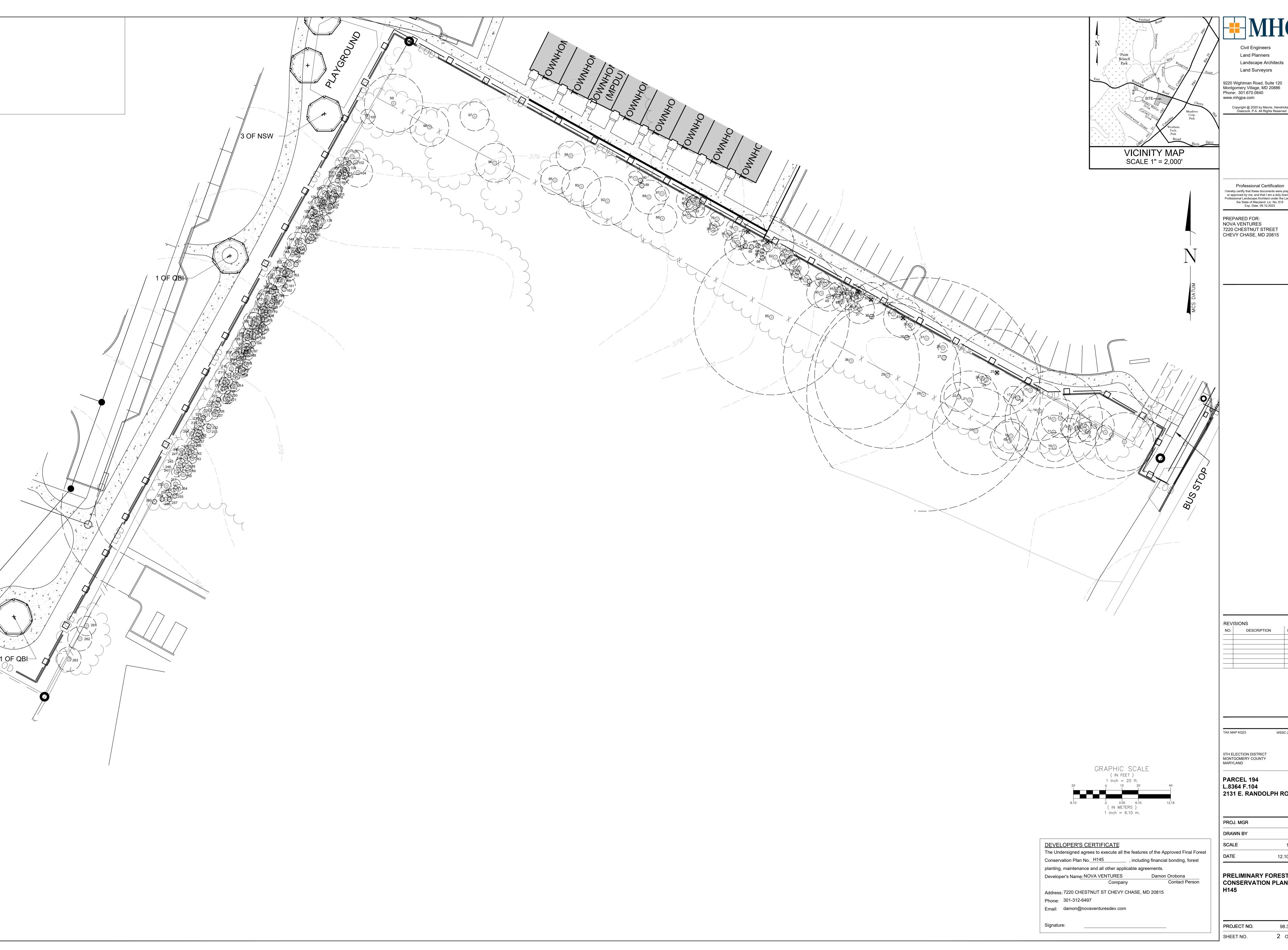






APPENDIX B





Land Planners Landscape Architects

Land Surveyors

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Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Landscape Architect under the Laws of the State of Maryland. Lic. No. 615

Exp. Date. 09.10.2023

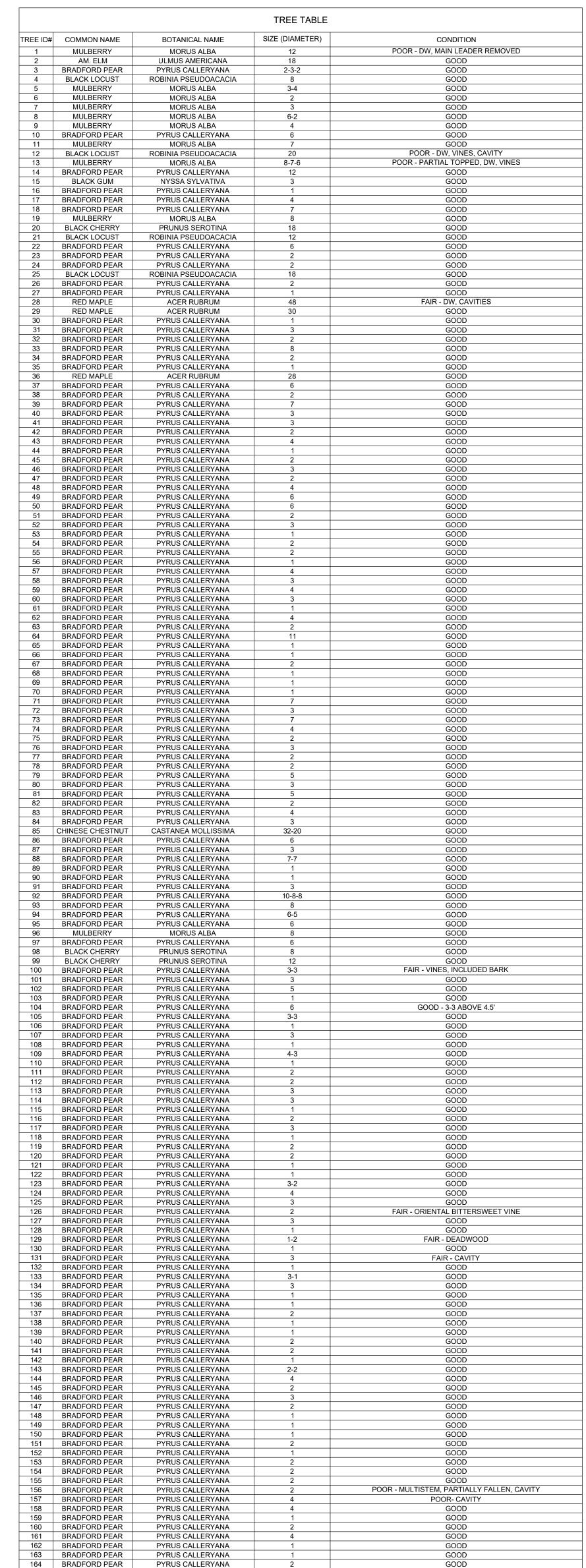
PREPARED FOR: NOVA VENTURES 7220 CHESTNUT STREET

2131 E. RANDOLPH ROAD

12.10.2021

PRELIMINARY FOREST CONSERVATION PLAN

98.349.71 2 OF 3



PYRUS CALLERYANA

BRADFORD PEAR

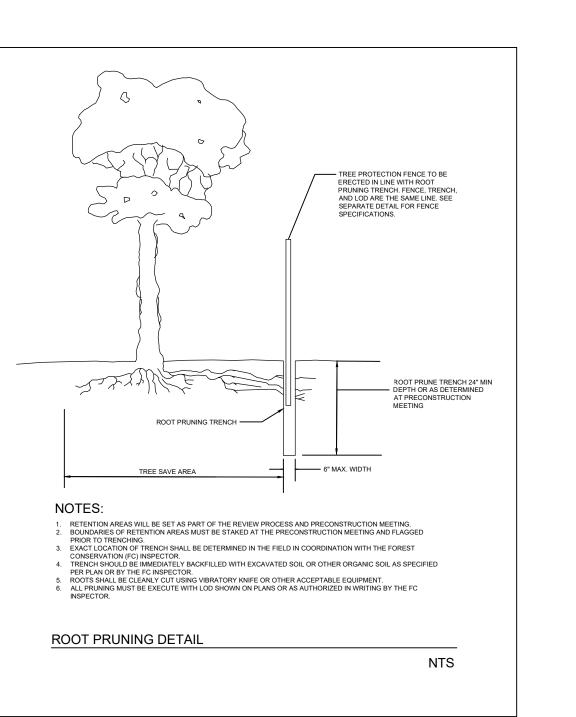
		TREE TABLE			
TREE ID#	COMMON NAME	BOTANICAL NAME	SIZE (DIAMETER)	CONI	
166 167	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 4	GC GC	
168	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA	1	GC	
169 170	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	1-2	GC GC	
171	BRADFORD PEAR	PYRUS CALLERYANA	4	GC	
172 173	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	4 4	GC GC	
174	BRADFORD PEAR	PYRUS CALLERYANA	2	GC	
175 176	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GC GC	
177 178	BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2	GC GC	
178	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 1	GC	
180 181	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2-2	GC GC	
182	BRADFORD PEAR	PYRUS CALLERYANA	4	GC	
183 184	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GC GC	
185 186	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GC GC	
187	BRADFORD PEAR	PYRUS CALLERYANA	2	GC	
188 189	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GC GC	
190	BRADFORD PEAR	PYRUS CALLERYANA	2	GC	
191 192	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
193	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA	3	GO	
194 195	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	1 2	GO GO	
196 197	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
198	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
199 200	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
201	BRADFORD PEAR	PYRUS CALLERYANA	1	GO	
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204 205	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
206	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
207 208	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
209 210	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 3-3	GO GO	
210	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2	GO GO	
212 213	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
214	BRADFORD PEAR	PYRUS CALLERYANA	2-2	GO	
215 216	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
217 218	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
219	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
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222	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
223 224	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2	GO GO	
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227	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
228 229	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	3	GO GO	
230	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
231 232	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 1	GO GO	
233 234	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	3 2-2	GO GO	
235	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
236 237	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
238 239	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
240	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
241 242	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
243	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
244 245	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
246 247	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
248	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
249 250	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
251	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2 2	GO GO	
252	BRADFORD PEAR	PYRUS CALLERYANA	2	GO	
252 253	BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	2-2	GO GO	
	BRADFORD PEAR		1	GO GO	
253 254 255 256	BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	1 1	(¬()	
253 254 255 256 257 258	BRADFORD PEAR BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA	1 2	GO	
253 254 255 256 257	BRADFORD PEAR BRADFORD PEAR	PYRUS CALLERYANA			
253 254 255 256 257 258 259 260 261	BRADFORD PEAR BRADFORD PEAR BRADFORD PEAR BRADFORD PEAR AM. HOLLY BRADFORD PEAR	PYRUS CALLERYANA PYRUS CALLERYANA PYRUS CALLERYANA ILEX OPACA PYRUS CALLERYANA	2 1 1 4	G0 G0 G0 G0	
253 254 255 256 257 258 259 260	BRADFORD PEAR BRADFORD PEAR BRADFORD PEAR BRADFORD PEAR AM. HOLLY	PYRUS CALLERYANA PYRUS CALLERYANA PYRUS CALLERYANA ILEX OPACA	2 1 1	G0 G0 G0	

WELDED WIRE FENCE -14 GA. WELDED WIRE 2"X4" OPENING

		VARIANCE TREE R	EMOVAL TABLE	
Tree ID#	DBH	Species	Condition	Mitigation
25	18	Black Locust	Good	18
33	8	Pear	Good	8
39	7	Pear	Good	7
40	3	Pear	Good	3
64	11	Pear	Good	11
73	7	Pear	Good	7

54" removed/4 = 13.5" to be met via 5 trees at 3"dbh

	VARIANCE TREE IMPACT TABLE					
TREE ID#	SPECIES	% IMPACTED	SIZE (DIAMETER)	CONDITION	MITIGATION	
1	MULBERRY	1	12	POOR - DW, MAIN LEADER REMOVED	STRESS REDUCTION MEASURES	
2	AM. ELM	10	18	GOOD	STRESS REDUCTION MEASURES	
12	BLACK LOCUST	15	20	POOR - DW, VINES, CAVITY	STRESS REDUCTION MEASURES	
14	BRADFORD PEAR	9	12	GOOD	STRESS REDUCTION MEASURES	
15	BLACK GUM	12	3	GOOD	STRESS REDUCTION MEASURES	
28	RED MAPLE	19	48	FAIR - DW, CAVITIES	STRESS REDUCTION MEASURES	
29	RED MAPLE	4	30	GOOD	STRESS REDUCTION MEASURES	
34	BRADFORD PEAR	7	2	GOOD	STRESS REDUCTION MEASURES	
36	RED MAPLE	0.08	28	GOOD	STRESS REDUCTION MEASURES	
41	BRADFORD PEAR	14	3	GOOD	STRESS REDUCTION MEASURES	
59	BRADFORD PEAR	14	4	GOOD	STRESS REDUCTION MEASURES	
60	BRADFORD PEAR	10	3	GOOD	STRESS REDUCTION MEASURES	
74	BRADFORD PEAR	16	4	GOOD	STRESS REDUCTION MEASURES	
76	BRADFORD PEAR	3	3	GOOD	STRESS REDUCTION MEASURES	
79	BRADFORD PEAR	33	5	GOOD	STRESS REDUCTION MEASURES	
80	BRADFORD PEAR	20	3	GOOD	STRESS REDUCTION MEASURES	
81	BRADFORD PEAR	33	5	GOOD	STRESS REDUCTION MEASURES	
83	BRADFORD PEAR	10	4	GOOD	STRESS REDUCTION MEASURES	
85	CHINESE CHESTNUT	4	32-20	GOOD	STRESS REDUCTION MEASURES	



Temp. Signage MIN 10" SPECIMEN/ **SIGNIFICANT** TREE DO NOT REMOVE MACHINERY DUMPING OR STORAGE OF ANY MATERIALS IS PROHIBITED VIOLATORS ARE SUBJECT TO FINES AS IMPOSED BY THE MARYLAND FOREST CONSERVATION ACT OF

1. Attachment of signs to trees is prohibited. 2. Signs should be properly maintained. 3. Avoid injury to roots when placing posts for the signs. 4. Signs should be posted to be visible to all construction personnel from all directions.

NOTE: Tree Protection Fence shall be installed on top of the Limits of Disturbance. For purposes of legibility only, the Tree Protection Fence is graphically represented adjacent to the LOD.

4. ROOT DAIMAGE SHOULD BE AVOIDED.
5. PROTECTIVE SIGNAGE IS REQUIRED.
6. FENCING SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

TREE PROTECTION FENCE DETAIL

SECURE FENCING TO METAL POSTS

NTS

DEVELOPER'S CERTIFICATE
The Undersigned agrees to execute all the features of the Approved Final Forest

Conservation Plan No. H145 , including financial bonding, forest planting, maintenance and all other applicable agreements. Developer's Name: NOVA VENTURES Damon Orobona Contact Person

Address: 7220 CHESTNUT ST CHEVY CHASE, MD 20815

Phone: 301-312-6497 Email: damon@novaventuresdev.com

Signature:

Civil Engineers Land Planners

Landscape Architects

Land Surveyors

9220 Wightman Road, Suite 120 Montgomery Village, MD 20886 Phone: 301.670.0840 www.mhgpa.com

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Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Landscape Architect under the Laws of the State of Maryland. Lic. No. 615

Exp. Date. 09.10.2023

PREPARED FOR: NOVA VENTURES 7220 CHESTNUT STREET CHEVY CHASE, MD 20815

> **REVISIONS** DESCRIPTION

WSSC 216NE02

5TH ELECTION DISTRICT

MONTGOMERY COUNTY

TAX MAP KQ23

MARYLAND

PARCEL 194 L.8364 F.104 2131 E. RANDOLPH ROAD

PROJ. MGR DRAWN BY 1"= 50' 12.10.2021

PRELIMINARY FOREST CONSERVATION PLAN H145

PROJECT NO. 98.349.71 SHEET NO. 3 OF 3

Macris, Hendricks & Glascock, P.A.

Engineers • Planners • Surveyors • Landscape Architects

9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279





February 25, 2022

Maryland National Capital Park & Planning Commission 2425 Reedie Drive Wheaton, MD 20902

Re: 2131 Randolph Rd FFCP MHG Project No. 98.349.71

To Whom It May Concern:

On behalf of the applicant of the above referenced Forest Conservation Plan, we hereby request a variance from Section 22A-12.b(3)(C) of the Montgomery County Code, Chapter 22A for the removal of six specimen trees and impact of nineteen specimen trees, as required by the Maryland Natural Resources Article, Title 5, Subtitle 16, Forest Conservation, Section 5-1611, and in accordance with Chapter 22A-21(b) of the Montgomery County Code. The proposed removal of six trees and impacts to nineteen trees over thirty inches satisfies the variance application requirements of section 22A-21(b).

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

The total property area subject to the associated forest conservation plan includes 10.82 acres with a total of 3.27 acres of forest. The property does not have any significant sized trees on-site. The forest is early successional with many invasive species. The adjacent properties are listed as historic and therefore any tree impacted 1" and greater requires a variance. The subject property is being developed with residential, senior living, and a grocery store. Along the rear of the historic Conley House, the development is able to maintain enough distance from the property line to avoid impacts in this area. However, to the right side of the Conley House it is necessary to disturb close to the property line where the critical root zones of several trees are impacted. The parking needed for the grocery store backs to these trees and includes a sidewalk behind the parking extending the limits of disturbance close to the property line where thirteen of the subject trees roots are impacted (60, 59, 85, 41, 36, 34, 29, 28, 15, 14, 12, 2, and 1) as well as four tree removals (25, 33, 39, and 40). The parking shown is necessary for the needs of the grocery store and the sidewalk is needed to provide proper pedestrian circulation across the site, particularly from the bus stop on Old Columbia Pike. The remaining eight trees impacted are due to grading and the retaining wall behind the townhouse units. These include impacts to trees 81, 80, 79, 83, 76, and 74 as well as two removals for trees 73 and 64. The topography of the site has a requires an area of fill and a retaining wall parallel to the property line with the historic property. Construction of the wall results in impacts the root zones but is necessary to achieve the necessary grading for the construction of the townhouses.

For all impacted trees, necessary stress reduction measures will be provided by an arborist to promote their survivability. For all removals mitigation trees will be planted. For all of the above reasons, not allowing the proposed removals and impacts would be a hardship that is not warranted.

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

The landowner's rights to develop their property as is done by others in similar areas would be deprived by not allowing the removal and impacts to the subject trees. The affected specimen trees are located off-site but their critical root zones extend into the developable area on-site. As detailed above, both the removals and the root zone impacts are unavoidable in order to construct the residential development and provide necessary parking for the grocery store and access to the community. The inability to remove and impact the subject trees would limit the development of the property. This creates a significant disadvantage for the applicant and deprives the applicant of the rights enjoyed by the neighboring and/or similar properties not subject to this approval process.

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;

A Stormwater Management Concept will be submitted for the proposed improvements. Approval of this plan will confirm that the goals and objectives of the current state water quality standards are being met.

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

Mitigation will be provided for all specimen trees to be removed and stress reduction measures provided for all the impacted trees. A copy of the Forest Conservation Plan and a variance tree spreadsheet has been provided as part of this variance request. Please let us know if any other information is necessary to support this request.

Please contact me via email, at <u>fjohnson@mhgpa.com</u>, or by phone, at (301) 670-0840 should you have any additional comments or concerns.

Thank you,

Frank Johnson

Frank Johnson

VARIANCE TREE REMOVAL TABLE						
Tree ID#	DBH	Species	Condition	Mitigation		
25	18	Black Locust	Good	18		
33	8	Pear	Good	8		
39	7	Pear	Good	7		
40	3	Pear	Good	3		
64	11	Pear	Good	11		
73	7	Pear	Good	7		

54" removed/4 = 13.5" to be met via 5 trees at 3"dbh

VARIANCE TREE IMPACT TABLE							
TREE ID#	SPECIES	% IMPACTED	SIZE (DIAMETER)	CONDITION	MITIGATION		
1	MULBERRY	1	12	POOR - DW, MAIN LEADER REMOVED	STRESS REDUCTION MEASURES		
2	AM. ELM	10	18	GOOD	STRESS REDUCTION MEASURES		
12	BLACK LOCUST	15	20	POOR - DW, VINES, CAVITY	STRESS REDUCTION MEASURES		
14	BRADFORD PEAR	9	12	GOOD	STRESS REDUCTION MEASURES		
15	BLACK GUM	12	3	GOOD	STRESS REDUCTION MEASURES		
28	RED MAPLE	19	48	FAIR - DW, CAVITIES	STRESS REDUCTION MEASURES		
29	RED MAPLE	4	30	GOOD	STRESS REDUCTION MEASURES		
34	BRADFORD PEAR	7	2	GOOD	STRESS REDUCTION MEASURES		
36	RED MAPLE	0.08	28	GOOD	STRESS REDUCTION MEASURES		
41	BRADFORD PEAR	14	3	GOOD	STRESS REDUCTION MEASURES		
59	BRADFORD PEAR	14	4	GOOD	STRESS REDUCTION MEASURES		
60	BRADFORD PEAR	10	3	GOOD	STRESS REDUCTION MEASURES		
74	BRADFORD PEAR	16	4	GOOD	STRESS REDUCTION MEASURES		
76	BRADFORD PEAR	3	3	GOOD	STRESS REDUCTION MEASURES		
79	BRADFORD PEAR	33	5	GOOD	STRESS REDUCTION MEASURES		
80	BRADFORD PEAR	20	3	GOOD	STRESS REDUCTION MEASURES		
81	BRADFORD PEAR	33	5	GOOD	STRESS REDUCTION MEASURES		
83	BRADFORD PEAR	10	4	GOOD	STRESS REDUCTION MEASURES		
85	CHINESE CHESTNUT	4	32-20	GOOD	STRESS REDUCTION MEASURES		

APPENDIX C

COMMUNITY CORRESPONDENCE

CORRESPONDENCE IN SUPPORT/NEUTRAL POSITION



Office of the President

March 31, 2022

Mr. Casey Anderson, Chair Montgomery County Planning Board 2425 Reedie Drive – 14th Floor Wheaton, Maryland 20902

Re:

Local Map Amendment Application H-145

2131 East Randolph Road

Dear Chair Anderson & Members of the Planning Board:

This letter is written in response to several identical letters of opposition filed by a very small minority of members of the Southern Asian Seventh Day Adventist Church to the Local Map Amendment application #H-145 filed by Nova-Randolph, LLC (Nova) for the rezoning of 10.83 acres, located at 2131 East Randolph Road. We, the Officers of the Potomac Conference Corporation of Seventh Day Adventist, and the Southern Asian Seventh Day Adventist Church, respect the right of this small minority of members to express their personal opinions. However, we feel obligated to provide a factual response to the Planning Board relative to several inaccurate statements that have been made:

- 1. As indicated in our previous March 8th letter to the Planning Board, Seventh Day Adventist's decision to sell the excess undeveloped land at 2131 East Randolph was very carefully considered over an extended period of time and ultimately approved by over 90 percent of the Church members present and voting at an open business meeting on August 24, 2019 to which all members were invited. The Southern Asian Church has approximately 954 members, so some disagreement of any decision is to be expected, but the overwhelming majority affirmed this decision.
- 2. The Potomac Conference of Seventh Day Adventist has been working closely with NovaVentures, the contract purchaser of the property since November 2019 to review and approve various aspects of their mixed-use development plan that is reflected in the application in front of you. NovaVentures, in turn, has been working closely with County Planning Staff over the past year to revise and refine the plan in a manner that we fully support, and believe will be an attractive and compatible neighbor to the Church.
- 3. We vehemently disagree with any characterization that the proposed development plan will encourage criminal activity, is out of character with the neighborhood, or will be detrimental to our Church community. In fact, we have worked closely and cooperatively with NovaVentures on their plans to achieve exactly the opposite of the feared elements listed in the letters. The plans will create an attractive new intergenerational neighborhood to the east of the Church that is compatible with the residential homes and townhomes that border to the west and south. The modestly sized apartment building will serve a growing senior population within the



community that, as an institution, we believe deserves our respect and reverence. Lastly, the neighborhood-sized grocery store at the corner of East Randolph Road and Old Columbia Pike is well buffered from the Church and will also bring a valuable service and asset to the community.

4. A review of our church records does not reveal any issues with vandalism, theft, or prostitution being reported to the police. There has been an occasional incident of drug usage taking place in the large, empty church parking lot over the past 20 years; however, we would expect that any such further incidences would be greatly reduced or eliminated with the addition of this neighborhood and families that will watch over their community. We have never experienced any incidents of hate crimes being directed against the members of our church family while here on our campus.

We support this rezoning and feel that the proposed development will be a positive addition to the community and provide much needed housing, dedicated senior residences, and a neighborhood market that will serve the entire surrounding community.

Again, we felt it necessary to correct the inaccurate statements that have been put forward. Thank you for your consideration of our letter.

Sincerely,

Potomac Conference Corporation of SDA

Southern Asian SDA Church

Charles Tapp, President

ose Vazquez, VP Administration

Karen Senecal, VP Finance

Franklin David, Retired Senior Pastor

enior Pastor





Office of the President

March 8, 2022

Mr. Casey Anderson Chair Montgomery County Planning Board 2425 Reedie Drive - 14th Floor Wheaton, Maryland 20902

Re: Local Map Amendment Application H-145 2131 East Randolph Road

Dear Chair Anderson & Members of the Planning Board:

This letter is written in support of the Local Map Amendment application #H-145 filed by Nova-Randolph, LLC (Nova) for the rezoning of 10.83 acres, located at 2131 East Randolph Road, which is owned by Potomac Conference Corporation of Seventh-day Adventists (Conference). In 2019, The Conference Executive Committee voted to sell the undeveloped 10.83 acres.

As a part of the process of preparing for the sale of the land, the Conference met with our Southern Asian Seventh-day Adventist Church (Church), which is also owned by the Conference, and in a duly called Business Meeting of all members of the congregation held on August 24, 2019, in excess of 90% of the members present voted to support the Conference in the sale of the undeveloped portion of the property. A sales agreement between the Conference and the Church was jointly signed and both the Church leadership and the Conference administrators agreed to support the sale and development of the property.

After a lengthy search, the Conference and Church selected NovaVentures as its development partner for the property in February 2020. The Conference and the Church have been working closely with NovaVentures and MNCPPC Planning Staff for the past 2+ years to design an attractive mixed use, transit -oriented, pedestrian-friendly, intergenerational development project that could provide a complete community that integrates seamlessly into the overall Fairland area.

The Conference and Church wish to inform the Planning Board we are supportive of this rezoning application. The following individuals are authorized representatives on behalf of the Conference: Charles Tapp, President; Jose Vazquez, VP of Administration; Karen Senecal, VP of Finance, Daryl Hevener, Associate Treasurer; and James Greene, Assistant to Administration. Those authorized to speak on behalf of the Church are the following individuals: John Daniel, Senior Pastor; Franklin David, Retired Senior Pastor; and John Varghese, Chair of Land Sale Committee.



We wish to thank you for your consideration of this rezoning application and feel that the proposed development project will enhance the community and benefit Montgomery County in their future planning for the citizens of the County.

Franklin David, Retired Senior Pastor

Sincerely,

Charles Tapp, President

John Dahiel, Senior Pastor

cc: Phillip Estes, AICP

inistration Karen Senecal, VP Finance

John Varghese, Chair Land Co



DAMASCUS UNITED METHODIST CHURCH

9700 New Church Street, Damascus, MD 20872 301-253-0022 · office@damascusumc.org · www.damascusumc.org

Rev. Dr. Kathryn T. Woodrow, Senior Pastor Rev. Sherwyn A. Benjamin, Associate Pastor

Via email to: Phillip.Estes@montgomeryplanning.org April 11, 2022

Mr. Casey Anderson, Chair Montgomery County Planning Board 2425 Reedie Drive – 14th Floor Wheaton, Maryland 20902

Re: Local Map Amendment Application H-145

2131 East Randolph Road

Dear Chair Anderson & Members of the Planning Board:

This letter is regarding our experience with NovaVentures as it relates to the Victory Haven affordable housing community for seniors in Damascus, MD completed in 2020. We understand NovaVentures is planning a similar senior housing component to their proposed mixed-use project on East Randolph Road in Silver Spring.

Damascus United Methodist Church worked closely with NovaVentures and Victory Housing during the process. This included initial preliminary meetings regarding the proposed development and comments from the Church on the plans, hosting early community meetings, discussion of how the new community would impact the Church since it is adjacent to the property, negotiating easements and shared use of a parking area and path, and, in general, how the parties could work together to be successful neighbors.

This is to confirm that we feel it was a positive relationship and that NovaVentures demonstrated an ability to listen and work with the Church to provide a successful result. We are pleased with Victory Haven, it has been an excellent neighbor to the Church and is providing much needed senior housing to the Damascus area. We encourage the Planning Board to approve NovaVentures new proposal and are confident it will be of similar value in serving the Silver Spring community.

Thank you. Sincerely,

Lisa Marshall Property Manager

Les S. Marhall

Damascus United Methodist Church

CC: Rev. Dr. Kathryn Woodrow, Senior Pastor & Rick Celli, President, DUMC Trustees

 From:
 Lynn B

 To:
 Estes, Phillip

Subject: proposal for East Randolph Road and Old Columbia Pike

Date: Sunday, April 10, 2022 8:14:31 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Estes,

I am aware that a development proposal is in the works for the property at the corner of East Randolph Road and Old Columbia Pike. Many homeowners in the Snowden Mills HOA have signed a petition against this development; I have not and will not. I believe we need to find more opportunities for housing and affordable development. I would like to find a link to more details about this proposal however as I may have specific comments about the proposal. Like many, I like maintaining trees and do not want more traffic- however, I also want affordable housing options. I hope this proposed development will incorporate the latest in green building techniques to reduce its environmental impact and will retain as many large trees on the property as possible. Are these details in the proposal? Could you direct me to where I can find more information?

Thank you.

Lynn Bufka 12902 Ruxton Rd, Silver Spring, MD 20904 **Subject:** New development plan East Randolph and Old Columbia Pike **Date:** Tuesday, March 22, 2022 at 11:45:31 AM Eastern Daylight Time

From: Laurie Falkenstein
To: Estes, Phillip
CC: Laurie Falkenstein

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello -

We received the link below relating to a potential development at East Randolph Rd and Old Columbia Pike.

https://eplans.montgomeryplanning.org/UFS/33128/101952/H145%20PFCP%20Notice%20Sign%20Location%20Plan.pdf/H145%20PFCP%20Notice%20Sign%20Location%20Plan.pdf

I am concerned about this plan for the following reasons:

- 1. The housing density appears extremely crowded
- 2. The green space within the development appears severely lacking
- 3. While it may be planned that their will be less reliance on cars for the housing in this development, where is the parking plans for residents who may have cars?
- 4. Where is visitor parking planned? If there is senior apartments planned where is the parking for visitors or service providers (aids, etc.) who will likely need to visit the residents.

Additionally - while not opposed to a grocery store in this space - there are two grocery stores in the Target plaza (as well as Target) 1.5 miles away. Is this the best use of space for the neighborhood?

Should we be improving bus lines to allow easy access to the grocery stores already in the area, rather than building another grocery store?

Thanks Laurie Falkenstein Subject: New Development & shopping on Randolph Road

Date: Monday, April 4, 2022 at 6:36:53 PM Eastern Daylight Time

From: R FALVELLO **To:** Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Estes

I am a home owner in Snowdens Mill development and want to express my concerns about this planned development across from Forcey Church. I am not opposed to the basic plan but have serious reservations and thoughts concerning:

- 1. Grocery Store- this is a chance for our area to get a really good store, not another Giant- Aldi, think Wegmans!! Anything less is wasting our local area a chances of a viable focal point for local shoppers. Montgomery county government has continued to reject this great store from coming in. Giant has too much power and is only a middle grade store at best. Look what their mgt is still doing to Burtonsville Shopping Center as for caring for the local citizens.
- 2. Number of residential units should be cut in half or at least a 3rd, with more open/treed spaces.
- 3. Additionally think unit garages instead of large parking lot areas, thus also freeing up more open green spaces for residents.
- 4. All units should be built with solar panels on every roof with units facing N-South exposures for better use of natural sun with climate change in mind.

Just a few items that quickly come to mind. Let's not screw it up.

Rocco Falvello

Sent from my iPhone

From: Paul Goldman
To: Estes, Phillip

Subject: Statement in support of the Conley Square Project: 2131 East Randolph Road (H145)

Date: Tuesday, March 29, 2022 12:34:30 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Chair Anderson and Members of the Planning Board,

Action Committee for Transit (ACT) is an advocacy group dedicated to better communities through improved public transit in Montgomery County.

ACT looks forward to the evolution of Fairland-Briggs Chaney and other portions of the east county into vibrant employment and residential centers that have a mix of homes, offices, schools parks, shops, and restaurants within walking distance to each other and are served by a robust transit infrastructure, including Flash BRT (preferably with dedicated lanes all the way to downtown Silver Spring), Metrobus, Ride-On, and separated bike lanes. These features each enhance the benefit of the others, producing a whole that is greater than the sum of its parts. We appreciate the role of the Planning Department in fostering this evolution.

This letter is in reference to Conley Square – a project under Planning Board review that is located on a ten acre site at the southwest quadrant of the intersection of East Randolph Road and Old Columbia Pike. The project would redevelop the site to construct about 110 townhomes and 100 apartments for low-income seniors, as well as a grocery store.

ACT supports approval of the project. We note that Planning Board outreach for the Fairland-Briggs Chaney Master Plan shows that people want affordable housing and grocery options and that the adjacent Seventh Day Adventist complex has observed that it is difficult to recruit Millennials to work at that location because of a lack of housing and transportation options.

The Conley Square project is consistent with Planning Board goals to encourage dense housing and employment near Metro stations and high frequency bus routes. ACT looks forward to future projects in the area that are closer to BRT stations and feature higher density but believes the Conley Square project represents a good start.

ACT supports approval of the Conley Square project and the rezoning that would be required to accommodate that project. We believe the project would benefit the neighborhood and the county by providing additional low and moderately priced housing and access to neighborhood retail.

Sincerely,

Paul Goldman President, Action Committee for Transit From: MNavas
To: Estes, Phillip

Subject: Proposed Project on E. Randolph Road and Seperntine

Date: Sunday, April 3, 2022 12:43:06 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

NOT OPPOSED AT ALL! I am glad it's coming!

Sent from Mail for Windows

Subject: Development at Old Columbia Pike and Randolph Road **Date:** Friday, April 1, 2022 at 11:05:29 AM Eastern Daylight Time

From: Carl Schwartz **To:** Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Estes

I would like to express concern about the proposed development on the Conley property at the intersection of Old Columbia Pike and Randolph Road. There are obvious traffic and congestion implications as well as noise levels in Snowden's Mill far about the 55db level initially set for the community. With the opening of Washington Adventist Hospital on Peach Orchard Road we have sirens going at all hours, plus other sirens - accident and law enforcement related blasting all night and clearly audible in our community.

Some years ago, when I was on the Homeowners Board an agreement was reached between area communities, the county and the developers of the area to the west on Randolph Road to reduce the density from piggy back type condos or apartments to single family homes. What I see on the plan are 2 on 2 high density homes or a sort that may prove somewhat detrimental to the surrounding residential areas. Perhaps the density of development can be moderated in this project to the benefit of all concerned.

When I see "community grocery store" and limited parking, I'm not clear what this might represent. On one hand it could be something convenient such as an Aldi store or it could be an attractive nuisance. One thing that I'm certain about is that the developers have no interest in the local community or regard for it, it's just a real estate project.

There are endless accidents in the vicinity, and traffic on Old Columbia Pike north of Randolph is hazardous. Turning left or right out of Ruxton Road where we live we are often confronted by cars traveling far above the speed limit approaching from the north, rarely do they slow. There is the complication of school traffic at Forcey Christian School, mostly when it exits the parking lot.

Carl Schwartz 12802 Ruxton Road Silver Spring, MD 20904

301-221-4815 cell

CORRESPONDENCE IN OPPOSITION

Subject: Objection to Zoning change on East Randolph Road - Zoning request No. H-145

Date: Friday, March 11, 2022 at 11:11:56 AM Eastern Standard Time

From: Jey Daniel

To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning Philip,

Lam writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First as church members and property owners at and around the parcel of Fast Randolph Rd it came as quite a surprise to our families extended families friends and neighbors to recently hear that the land that was part of or adjacent to Southern Asian Seventh-Day Adventist Church was a proposed site for commercialization by building 114 Townhouse, 100 Senior Apartments and 32000 SQ FT of grocery store.

The primary reasons or concerns for objections are as follows:

- 1. Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. The entrance of this proposed new development uses the existing Southern Asian Seventh-Day Adventist Church entrance; this will significantly affect the volume of traffic, safety and security of the church members, and their children.
- 3. 90% of the church members feel that the proposed development adjacent to the Southern Asian Seventh-Day Adventist Church will bring in bad actors into the peaceful minority campus. Some of the concerns are drugs, prostitutions, vandalism, theft, and crimes.
- 4. Such a proposed development as this would be out of character on this peaceful and serene neighborhood. This land is surrounded by churches for Asian minorities, Elementary School, Seventh-Day Adventists Church World Head Office, and some untroubled single-family homes
- 5. On a regular worship day, about 800-1000 members and visitors gather, mostly of ethnic East Indian origin. The church congregation enjoyed safety & security due to the private entrance and serene surroundings. A proposed development of this kind will pave the way for targeting minority communities since hate crimes towards Asian minorities are on the rise nationwide.

- 6. The traffic issue is not only for the Church adjacent to the land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "Forcey Christian School", where they operate Elementary school.
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is correct, and there are other lands available for similar developments.
- 9. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 10. Development of this land is permanent and irreversible.
- 11. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 12. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 13. This new development will cause destruction of green space and mature trees as well as driving natural inhabitants out of the area onto E. Randolph Rd and Route 29 intersection.
- 14. Noise Pollution this would destroy the very nature of this peaceful area.
- 15. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots.
- 16. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application# H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and

From: Andrew
To: Estes, Phillip

Subject: STOP RE-ZONING & STOP COMMERCIALIZATION

Date: Tuesday, March 29, 2022 8:40:43 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Where: 11 ACRES OF LAND AT THE CORNER OF EAST RANDOLPH ROAD, AND OLD COLUMBIA PIKE

Phillip.Estes@montgomeryplanning.org

Phone: 301-495-2176 Phillip Estes, AICP Planner III Montgomery County Planning Department 2425 Reedie Drive, Floor 13, Wheaton, MD 20902

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as public citizens, residents, stakeholders, and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

The primary reasons for objections are as follows:

- 1. Willchangethecharacteroftheneighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. Ifapproved, this application paves the way for 210+Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. Theentranceofthisproposednewdevelopmentusestheexisting Church entrance easement; this will significantly affect the volume of

traffic, safety, security and conflicts of interest for both the new development and the adjacent property.

 ${\it 4. }\ The proposed development which is surrounded by Churches, schools,$

and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.

- 5. Suchaproposeddevelopmentasthis, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day Adventists World Church Head Office, and some untroubled single-family homes.
- 6. Thetrafficissueisnotonlyforthisland,butthiswillsignificantlyimpact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. Thisnewdevelopmentwillimpactthesafetyandsecurityof"Forcey Christian Elementary School."
- 8. Thereisnoneedforzonechange, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. Developmentofthislandispermanentandirreversible. 10. Schools in the area are already reported at overcapacity, and the council should not approve multifamily dwellings that create or

exacerbate a situation that will cause school concurrency to fail

for this proposal and/or other approved plans

11. Property values are likely to go down in the area if multi-family

apartments or condominiums are built. Multifamily dwellings are

inconsistent with the neighborhoods developed in the area. 12. This new development will cause destruction of green space and

mature trees as well as natural inhabitants being driven out of

the area onto E. Randolph Rd and Route 29 intersection. 13. Noise Pollution – this would destroy the very nature of this

peaceful area.

14. Vandalism Issues – Illegal logging, vehicle ransacking in the parking lots etc.

15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this

phillip. Estes @ montgomery planning. org

Dear Montgomery County Office of Zoning,

We are writing to express our concern and opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). Our concerns focus on the effects the proposed changes would have on neighboring communities, such as our own community, Manors of Paint Branch (Willows Run).

This re-zoning effort is being proposed where an already established community of single family homes and town homes, consisting of Manors of Paint Branch (Willows Run) homeowners and across East Randolph Rd, Snowden's Mill and the recently developed homes on Old Columbia Pike. Adding 114 townhomes 100 senior apartments and a large grocery store will increase density in our community far heyond its current capacity.

First, the proposed development poses many unacceptable traffic risks to the surrounding communities. While the developer's traffic consultant conducted tests to determine existing traffic counts on October 27, 2021, traffic volumes and flows on East Randolph Road, Old Columbia Pike. Foch Road, and nearby roads were not representative of pre-COVID -19 pandemic levels since many commuters still telework. Development would greatly generate more cars per hour during morning and afternoon rush hours, and contribute higher traffic volumes to roads connecting to Route 29. Vehicular speeding on East Randolph Road and Old Columbia Pike could also pose dangers for increased pedestrian, bike, and traffic numbers resulting from the proposed development.

Second, the need to develop a 32,000 square foot grocery store in a residential area is questionable when many others are already located nearby. Large stores like Giant Food (2 stores), Aldi, Global Food, Target, and White Oak Market, Inc. Smaller specialty grocery stores nearby include Spicy Mart, Manna Food Center Market, Adarash Market, Favor International Food Store, and 7-Eleven. The proposed development of this area would also impact the open green space that currently serves as a habitat and corridor to Paint Branch Creek for various animal, bird, and insect species.

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We, the residents of Manors of Paint Branch (Willow Run) subdivision (on East Randolph Road) request your consideration of our concerns about the proposed zoning changes and development plan.

We, the undersigned, strongly oppose the proposed rezoning and development plan.

Signature Date Address SILVER SPRING, ND 2090 4

phillip. Estes@montgomeryplanning.org

Dear Montgomery County Office of Zoning,

We are writing to express our concern and opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). Our concerns focus on the effects the proposed changes would have on neighboring communities, such as our own community, Manors of Paint Branch (Willows Run).

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Signature

Date

Address

-15

Print Name

phillip . Estes @ montgomery planning . org

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We, the undersigned, strongly oppose the proposed rezoning and development plan.

4.5.22 1703 Staley Hann Dr.
Address Spiris, Med 20904

phillip. Estes @ montgomery planning org

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enoch Jenjesso

phillip. Estes@ montgomeryplanning. org

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Signature Date Date

1618 ANGELWICE De 55 Address

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Print Name

04/04/2022 12603 Stratherd Garden Dr Address Silve Spring, MD 20904

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Print Name

4/4/2022 12603 Stratford Gdn. Dr. Address

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Millaer Cours 4/4/22
Signafure
Wichael and Cathy Caruso

phillip. Estes @ montgomery planning. org

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We, the residents of Manors of Paint Branch (Willow Run) subdivision (on East Randolph Road) request your consideration of our concerns about the proposed zoning changes and development plan.

We, the undersigned, **strongly oppose** the proposed rezoning and development plan.

Sincerely

Signature

Print Name

H6/22 6 Stratford Garden CT. SS. mg 20904 Address

Subject: Zoning change & development of property at Randolph Rd & Old Columbia Pk

Date: Monday, April 4, 2022 at 5:00:38 PM Eastern Daylight Time

From: Polly Grant
To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am opposed to the rezoning of and the proposed development of the property at Randolph Rd and Old Columbia Pike.

This property is zoned to be used for a church and it should be used only for that purpose. A church will complement the other properties in the surrounding area. Two hundred plus residential units and a grocery store will increase traffic beyond what this busy intersection and adjoining roads can handle. There are already numerous accidents in this area, one of which recently resulted in a death.

New housing units were recently built near the intersection of Old Columbia Pike and Tech Rd. Also, new houses are currently under construction on Randolph Rd. just west of this intersection. We do not need more houses and congestion in this area.

Therefore, I vote NO to rezoning this property and the proposed development plans.

Sincerely, Diane B. Barber 240-670-5272 Subject: No to rezoning east Randolph & Old Columbia Pike

Date: Thursday, March 31, 2022 at 2:21:35 PM Eastern Daylight Time

From: Karan Baron
To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Tom Baron President, stonecrest North Silver Spring, md 20904 Sent from my iPad Subject: ReZoning and Recommercialization of East Randolph rd

Date: Wednesday, March 23, 2022 at 2:59:06 PM Eastern Daylight Time

From: binoj philip **To:** Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Afternoon Mr. Estes,

Please stop this effort as communities with good reputation will be affected. Currently, the area is inhabited by reputed churches and organizations.

Thanks,

Binoj

From: vinodh bosco
To: Estes, Phillip

Subject: Objection to Zoning change on East Randolph Road - Zoning request No. H-145

Date: Wednesday, March 23, 2022 11:28:58 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning Phillip,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as a public citizen, resident, stakeholder, and property owner at and around the parcel of East Randolph Rd, it came as a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

My primary reasons for objections are as follows:

- 1. This will change the character of the neighborhood, leading to crowding of more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent properties.
- 4. The proposed development which is

- surrounded by Churches, schools, and nonprofit organizations will bring in undesirable people into the peaceful surrounding. Some of the major concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Forcey Church, Seventh-Day Adventists World Church Head Office, St. Mark's Episcopal Church and many untroubled single-family homes.
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of the innocent children in "Forcey Christian Elementary School."
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. The potential damage caused by this proposed development is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans.
- 11. Property values are most likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction

of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.

- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Warm Regards,

Vinodh Magimaidas

From: Cinthya Grace Daniel
To: Estes, Phillip

Subject: Rezoning Application H-145 - Objection to rezoning on East Randolph Rd.

Date: Sunday, March 27, 2022 11:50:42 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello Mr. Estes,

I am opposed to the application because, among other reasons,

<!--[if !supportLists]-->1. The requested development would be incompatible with the neighborhoods in the immediate vicinity, and adversely impact the surrounding area.

<!--[if !supportLists]-->2. <!--[endif]-->The entrance of this new development is shared by the existing southern Asian church entrance. There could be potential of many issues arising from this shared driveway, such as increase in traffic during church services, and possibilities of conflicts and hate crimes against the minority group.

I object to this new development and please reject the rezoning application.

Best Regards,

Cinthya G Daniel

discussions with my neighbors, friends and church members, I know my opinions are shared by many, who will be sending in opposition letters to you shortly

Thank you for your continued service and support of our communities.

Best regards, Jeyakumar Daniel Jebaraj **732-581-9325** area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

- Andrew

From: Kevin Daniel
To: Estes, Phillip

Subject: Objection to Rezoning Application # H-145 : East Randolph Road

Date: Tuesday, March 29, 2022 8:53:24 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning Philip,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as public citizens, residents, stakeholders, and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

The primary reasons for objections are as follows:

- 1. Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent property.
- 4. The proposed development which is surrounded by Churches, schools, and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day Adventists World Church Head Office, and some untroubled single-family homes
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "Forcey

Christian Elementary School."

- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. Development of this land is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 11. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.
- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Best Regards,

Kevin Daniel

From: <u>Moses Duggirala</u>
To: <u>Estes, Phillip</u>

Subject: Objection to Zoning change - Zoning request No - H-145

Date: Monday, March 21, 2022 8:13:30 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning Philip,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as public citizens, residents, stakeholders, and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

The primary reasons for objections are as follows:

- Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent property.
- 4. The proposed development which is surrounded by Churches, schools, and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day Adventists World Church Head Office, and some untroubled singlefamily homes.
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new

- development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "Forcey Christian Elementary School."
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. Development of this land is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 11. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.
- **13.** Noise Pollution this would destroy the very nature of this peaceful area.
- **14.** Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

<u>Sincerely Yours</u>

--

DUGGIRALA Moses 14917 Falconwood Dr Burtonsville MD 20866. Ph- 202-386-0878. From: <u>Moses Duggirala</u>
To: <u>Estes, Phillip</u>

Subject: Objection to Zoning change on East Randolph Road - Zoning request No. H-145

Date: Friday, March 11, 2022 7:24:02 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning Philip,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as church members and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, extended families, friends and neighbors to recently hear that the land that was part of or adjacent to Southern Asian Seventh-Day Adventist Church was a proposed site for commercialization by building 114 Townhouse, 100 Senior Apartments and 32000 SQ FT of grocery store.

The primary reasons or concerns for objections are as follows:

- 1. Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. The entrance of this proposed new development uses the existing Southern Asian Seventh-Day Adventist Church entrance; this will significantly affect the volume of traffic, safety and security of the church members, and their children.
- 3. 90% of the church members feel that the proposed development adjacent to the Southern Asian Seventh-Day Adventist Church will bring in bad actors into the peaceful minority campus. Some of the concerns are drugs, prostitutions, vandalism, theft, and crimes.
- 4. Such a proposed development as this would be out of character on this peaceful and serene neighborhood. This land is surrounded by churches for Asian minorities, Elementary School, Seventh-Day Adventists Church World Head Office, and some untroubled single-family homes
- 5. On a regular worship day, about 800-1000 members and visitors gather, mostly of ethnic East Indian origin. The church congregation enjoyed safety & security due to the private entrance and serene surroundings. A proposed development of this kind will pave the way for targeting minority communities since hate crimes towards Asian minorities are on the rise nationwide.
- 6. The traffic issue is not only for the Church adjacent to the land, but this will significantly impact the traffic in the neighborhood due to the new

- development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "Forcey Christian School", where they operate Elementary school.
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is correct, and there are other lands available for similar developments.
- 9. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 10. Development of this land is permanent and irreversible.
- 11. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 12. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 13. This new development will cause destruction of green space and mature trees as well as driving natural inhabitants out of the area onto E. Randolph Rd and Route 29 intersection.
- 14. Noise Pollution this would destroy the very nature of this peaceful area.
- 15. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots.
- 16. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application# H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends and church members, I know my opinions are shared by many, who will be sending in opposition letters to you shortly

Thank you for your continued service and support of our communities.

Best regards,

--

DUGGIRALA Moses

Tel: 202-386-0878 14917 FalconWood Dr Burtonsville Md 20866 **Subject:** SAVE OUR NEIGHBORHOOD AS MARYLAND RESIDENTS

Date: Wednesday, March 30, 2022 at 8:34:22 PM Eastern Daylight Time

From: Emy

To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as public citizens, residents, stakeholders, and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

The primary reasons for objections are as follows:

- 1. Willchangethecharacteroftheneighborhood, possibly leading to more people, traffic SAVE OUR NEIGHBORHOOD AS MARYLAND RESIDENTS, safety issues, crime, noise, and reduction in property values.
- 2. If approved, thisapplication paves the way for 210+Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. Theentranceofthisproposednewdevelopmentuses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent property.
- 4. TheproposeddevelopmentwhichissurroundedbyChurches,schools, and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Suchaproposeddevelopmentasthis, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day Adventists World Church Head Office, and some untroubled single-family homes.
- 6. Thetrafficissueisnotonlyforthisland,butthiswillsignificantlyimpact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. Thisnewdevelopmentwillimpactthesafetyandsecurityof"Forcey Christian Elementary School."
- 8. Thereisnoneedforzonechange, sincetheoriginal R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. Development of this land is permanent irreversible
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 11. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.
- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Sent from my iPhone

From: <u>Maggie Erzen</u>
To: <u>Estes, Phillip</u>

Cc: <u>Snowdens Mill Homeowners Association</u>

Subject: Proposed zoning changes/development - corner East Randolph Road & Old Columbia Pike

Date: Tuesday, March 22, 2022 4:33:04 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Estes,

We have some questions about the above-referenced planned development, as follows:

- 1. When and where are hearings scheduled for these proposed changes?
- 2. What does the designation MDPU mean, and is it for all the townhomes in the proposed development or just for the ones marked on the plat?
- 3. What does the designation 2 over 2 mean?
- 4. What is proposed to go in as a 10,000 square foot neighborhood grocery store?
- 5. Who is the developer, and where can we see other neighborhoods/communities he has developed?
- 6. What is the Parcel C, Manors of Paint Branch, Plat 22668, zoning R-200, Potomac Conference of Seventh Day Adventists?

We would appreciate your timely response to our inquiries. Thank you.

John & Maggie Erzen 12801 Stonecrest Drive, Silver Spring Subject: Zoning change & development of property at Randolph Rd & Old Columbia Pk

Date: Monday, April 4, 2022 at 5:00:38 PM Eastern Daylight Time

From: Polly Grant
To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am opposed to the rezoning of and the proposed development of the property at Randolph Rd and Old Columbia Pike.

This property is zoned to be used for a church and it should be used only for that purpose. A church will complement the other properties in the surrounding area. Two hundred plus residential units and a grocery store will increase traffic beyond what this busy intersection and adjoining roads can handle. There are already numerous accidents in this area, one of which recently resulted in a death.

New housing units were recently built near the intersection of Old Columbia Pike and Tech Rd. Also, new houses are currently under construction on Randolph Rd. just west of this intersection. We do not need more houses and congestion in this area.

Therefore, I vote NO to rezoning this property and the proposed development plans.

Sincerely, Diane B. Barber 240-670-5272



where: Corner Land of East Randolph Rd and Old Columbia Pike, Next to Southern Asian Church

Proposed

214 Townhouses / Apartments and a Large Grocery Store

Save Our Neighborhood together as Maryland Residents!!

Voice your

opposition to



Phillip.Estes@montgomeryplanning.org or call: 301-495-2179

APPEAL Deadline by March 30, 2022

Public Hearing on April 7, 2022

Zoning Application # H-145 - link to register for Public Hearing - https://montgomeryplanningboard.org/agendas/

phillip. Esties & mortgomery planning. org

Dear Montgomery County Office of Zoning,

We are writing to express our concern and opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). Our concerns focus on the effects the proposed changes would have on neighboring communities, such as our own community, Manors of Paint Branch (Willows Run).

This re-zoning effort is being proposed where an already established community of single family homes and town homes, consisting of Manors of Paint Branch (Willows Run) homeowners and across East Randolph Rd, Snowden's Mill and the recently developed homes on Old Columbia Pike. Adding 114 townhomes 100 senior apartments and a large grocery store will increase density in our community far beyond its current capacity.

First, the proposed development poses many unacceptable traffic risks to the surrounding communities. While the developer's traffic consultant conducted tests to determine existing traffic counts on October 27, 2021, traffic volumes and flows on East Randolph Road, Old Columbia Pike, Tech Road, and nearby roads were not representative of pre-COVID -19 pandemic levels since many commuters still telework. Development would greatly generate more cars per hour during morning and afternoon rush hours, and contribute higher traffic volumes to roads connecting to Route 29. Vehicular speeding on East Randolph Road and Old Columbia Pike could also pose dangers for increased pedestrian, bike, and traffic numbers resulting from the proposed development.

Second, the need to develop a 32,000 square foot grocery store in a residential area is questionable when many others are already located nearby. Large stores like Giant Food (2 stores), Aldi, Global Food, Target, and White Oak Market, Inc. Smaller specialty grocery stores nearby include Spicy Mart, Manna Food Center Market, Adarash Market, Favor International Food Store, and 7-Eleven. The proposed development of this area would also impact the open green space that currently serves as a habitat and corridor to Paint Branch Creek for various animal, bird, and insect

Third, neighboring housing and property values would be impacted due to the development of more "affordable housing" and "senior apartments." Senior apartments near the proposed development site already include Arbor Crest Senior Apartments, Avonlea Ridge, and Sylva Villas, to name a few. Also, the "affordable" townhouses proposed would still exceed the purchasing means of those truly needing affordable housing and cause instability in local housing markets due to speculative buyers.

We, the residents of Manors of Paint Branch (Willow Run) subdivision (on East Randolph Road) request your consideration of our concerns about the proposed zoning changes and development plan.

We, the undersigned, strongly oppose the proposed rezoning and development plan.

12526 Strutford Garden

Address Dr. S.S. MD.

From: Michael Hansen
To: Estes, Phillip
Cc: Michael Hansen

Subject: Opposition to re-zoning and development plan at 2131 E Randolph Rd

Date: Wednesday, April 6, 2022 8:50:47 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Montgomery County Office of Zoning,

I am writing to express my concern and **opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD**, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). My concerns focus on the effects the proposed changes would have on neighboring communities, such as my own community, Manors of Paint Branch (Willows Run).

This re-zoning effort is being proposed where an already established community of single family homes and town homes, consisting of Manors of Paint Branch (Willows Run) homeowners and across East Randolph Rd, Snowden's Mill and the recently developed homes on Old Columbia Pike. Adding 114 townhomes 100 senior apartments and a large grocery store will increase density in our community far beyond its current capacity.

First, the proposed development poses many unacceptable traffic risks to the surrounding communities. While the developer's traffic consultant conducted tests to determine existing traffic counts on October 27, 2021, traffic volumes and flows on East Randolph Road, Old Columbia Pike, Tech Road, and nearby roads were not representative of pre-COVID-19 pandemic levels since many commuters still telework. Development would greatly generate more cars per hour during morning and afternoon rush hours, and contribute higher traffic volumes to roads connecting to Route 29.

Vehicular speeding on East Randolph Road and Old Columbia Pike could also pose dangers for increased pedestrian, bike, and traffic numbers resulting from the proposed development.

Second, the **need to develop a 32,000 square foot grocery store in a residential area is questionable when many others are already located nearby**. Large stores like Giant Food (2 stores), Aldi, Global Food, Target, and White Oak Market, Inc. Smaller specialty grocery stores nearby include Spicy Mart, Manna Food Center Market, Adarash Market, Favor International Food Store, and 7-Eleven.

The proposed development of this area would also impact the open green space that currently serves as a habitat and corridor to Paint Branch Creek for various animal, bird, and insect species.

Third, neighboring housing and property values would be impacted due to the development of more "affordable housing" and "senior apartments." Senior apartments near the proposed development site already include Arbor Crest Senior Apartments, Avonlea Ridge, and Sylva Villas, to name a few. Also, the "affordable" townhouses proposed would still exceed the purchasing means of those truly needing affordable housing and cause instability in local housing markets due to speculative buyers. As a resident of Manors of Paint Branch (Willow Run) subdivision, I request your consideration of our concerns about the proposed zoning changes and development plan.

I strongly oppose the proposed rezoning and development plan. Sincerely,

Michael Hansen 12603 Stratford Garden Dr Silver Spring, MD 20904 Phone: 617-721-9442

We are writing to express our concern and opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). Our concerns focus on the effects the proposed changes would have on neighboring communities, such as our own community, Manors of Paint Branch (Willows Run).

This re-zoning effort is being proposed where an already established community of single family homes and town homes, consisting of Manors of Paint Branch (Willows Run) homeowners and across East Randolph Rd, Snowden's Mill and the recently developed homes on Old Columbia Pike. Adding 114 townhomes 100 senior apartments and a large grocery store will increase density in our community far beyond its current capacity.

First, the proposed development poses many unacceptable traffic risks to the surrounding communities. While the developer's traffic consultant conducted tests to determine existing traffic counts on October 27, 2021, traffic volumes and flows on East Randolph Road, Old Columbia Pike, Tech Road, and nearby roads were not representative of pre-COVID -19 pandemic levels since many commuters still telework. Development would greatly generate more cars per hour during morning and afternoon rush hours, and contribute higher traffic volumes to roads connecting to Route 29. Vehicular speeding on East Randolph Road and Old Columbia Pike could also pose dangers for increased pedestrian, bike, and traffic numbers resulting from the proposed development.

Second, the need to develop a 32,000 square foot grocery store in a residential area is questionable when many others are already located nearby. Large stores like Giant Food (2 stores), Aldi, Global Food, Target, and White Oak Market, Inc. Smaller specialty grocery stores nearby include Spicy Mart, Manna Food Center Market, Adarash Market, Favor International Food Store, and 7-Eleven. The proposed development of this area would also impact the open green space that currently serves as a habitat and corridor to Paint Branch Creek for various animal, bird, and insect species.

Third, neighboring housing and property values would be impacted due to the development of more "affordable housing" and "senior apartments." Senior apartments near the proposed development site already include Arbor Crest Senior Apartments, Avonlea Ridge, and Sylva Villas, to name a few. Also, the "affordable" townhouses proposed would still exceed the purchasing means of those truly needing affordable housing and cause instability in local housing markets due to speculative buyers.

We, the residents of Manors of Paint Branch (Willow Run) subdivision (on East Randolph Road) request your consideration of our concerns about the proposed zoning changes and development plan.

We, the undersigned, strongly oppose the proposed rezoning and development plan.

Sincerely,

12529 Stratford Garden Dr.

6/2022 Silver Spring MD, 20904 Address

 From:
 Jesudas Sam

 To:
 Estes, Phillip

 Subject:
 Zoning Concerns

Date: Sunday, March 20, 2022 4:38:21 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

To whom ever so concerned

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as public citizens, residents, stakeholders, and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

The primary reasons for objections are as follows:

- 1. Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent property.
- 4. The proposed development which is surrounded by Churches, schools, and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day Adventists World Church Head Office, and some untroubled singlefamily homes.
- 6. The traffic issue is not only for this land, but this will significantly

impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.

- 7. This new development will impact the safety and security of "Forcey Christian Elementary School."
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. Development of this land is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 11. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.
- **13.** Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Your Name Sam J
 From:
 JPWA JPWA

 To:
 Estes, Phillip

Subject: Letter of Concern: Proposed Development Project H145

Date: Tuesday, March 29, 2022 10:44:47 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Mr. Estes,

As a concerned family living in the Willows Run subdivision in Silver Spring, MD, we are writing this letter to express our concerns and opposition to the development of project H145 on 2131 East Randolph Road, Silver Spring, MD. Our neighborhood is located next to the Southern Asian Seventh-day Adventist Church on East Randolph Road. The property was sold to the developer of this project in November 2021, when most people stayed home or worked from home due to the 2020-2021 COVID-19 pandemic.

A few years ago, an application was submitted by the Church for the proposed development of this property for the construction of a school, but later rejected by Montgomery County. Now, it is being proposed for a mass construction site with 114 townhouses, 100 senior apartments, and a large grocery store (32,000 sq. ft) on 10.82 acres. Is this a fair decision? Please consider the following issues and impacts that this proposed development would have on citizens living nearby.

1. Traffic/Parking

- -East Randolph Road is a major thoroughfare to Columbia Pike (Route 29), with greatest traffic congestion occurring between 7:30 am-10 am and 2:30 pm-7:30 pm (Monday-Friday).
- -During pre-pandemic years, traffic was often backed up or at a standstill during these hours.
- *How can East Randolph Road, Old Columbia Pike, Tech Road, and nearby intersecting roads to Route 29 accommodate for the increased number of vehicles (and parking needs) resulting from the proposed development?

2. Grocery store

-There are currently several large grocery stores near the proposed development site, including Giant Food (2), Aldi, Target, Spicy Mart, Fairland Market, Global Food, Manna Food Center Market, and White Oak Market Inc. Smaller specialty food stores such as Adarash Market, 7-Eleven, and Favor International Food Store are also nearby. *Why is another grocery store needed in this area, especially one constructed in a residential area?

3. Forest Conservation Easement/Ecological-Green Infrastructure Support

-The proposed development sets aside 0.3 acres as a forest conservation easement. However, the proposed area is close to Paint Branch Creek and currently serves as a natural support system for animals. Animals observed using the proposed area include fireflies, dragonflies, cicadas, chipmunks, squirrels, red foxes, groundhogs, rabbits, deer, and many bird species (woodpeckers, blue jays, cardinals, nuthatches, chickadees, goldfinches, juncos, mockingbirds, robins, titmice, pine grosbeaks, Coopers hawks, owls, etc.).

*The proposed development would reduce the green-space and fragment the landscape needed for the diversity of insects, birds, and animals that the site houses, and which wildlife use as a corridor to Paint Branch Creek and surrounding forest habitats.

*Many invasive plant species are in the current proposed development area, but it's also a concern that the proposed forest conservation easement will include the planting of invasive trees. This has occurred in other forest conservation easement parts of the Church's property.

Thank you, The Wei Household From: Kennedy John
To: Estes, Phillip

Subject: Objection to Zoning change on East Randolph Road - Zoning request No. H-145

Date: Friday, March 11, 2022 1:31:29 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning Philip,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as church members and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, extended families, friends and neighbors to recently hear that the land that was part of or adjacent to Southern Asian Seventh-Day Adventist Church was a proposed site for commercialization by building **114 Townhouse**, **100 Senior Apartments and 32000 SQ FT of grocery store**.

The primary reasons or concerns for objections are as follows:

- 1. Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. The entrance of this proposed new development uses the existing Southern Asian Seventh-Day Adventist Church entrance; this will significantly affect the volume of traffic, safety and security of the church members, and their children.
- 3. 90% of the church members feel that the proposed development adjacent to the Southern Asian Seventh-Day Adventist Church will bring in bad actors into the peaceful minority campus. Some of the concerns are drugs, prostitutions, vandalism, theft, and crimes.
- 4. Such a proposed development as this would be out of character on this peaceful and serene neighborhood. This land is surrounded by churches for Asian minorities, Elementary School, Seventh-Day Adventists Church World Head Office, and some untroubled single-family homes
- 5. On a regular worship day, about 800-1000 members and visitors gather, mostly of ethnic East Indian origin. The church congregation enjoyed safety & security due to the private entrance and serene surroundings. A proposed development of this kind will pave the way for targeting minority communities since hate crimes towards Asian minorities are on the rise nationwide.
- 6. The traffic issue is not only for the Church adjacent to the land, but this will significantly impact the traffic in the neighborhood due to the new

- development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "Forcey Christian School", where they operate Elementary school.
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is correct, and there are other lands available for similar developments.
- 9. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 10. Development of this land is permanent and irreversible.
- 11. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 12. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 13. This new development will cause destruction of green space and mature trees as well as driving natural inhabitants out of the area onto E. Randolph Rd and Route 29 intersection.
- 14. Noise Pollution this would destroy the very nature of this peaceful area.
- 15. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots.
- 16. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application# H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings

and discussions with my neighbors, friends and church members, I know my opinions are shared by many, who will be sending in opposition letters to you shortly

Thank you for your continued service and support of our communities.

Thank you Kennedy John Phone 443-934-6858 From: Venishiya Kennedy
To: Estes, Phillip

Subject: Revised-Rezoning of Land East Randolph Rd Silver Spring.pdf

Date: Tuesday, March 22, 2022 9:26:33 PM

Attachments: Revised-Rezoning of Land East Randolph Rd Silver Spring.pdf

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

From: Miller Lawson
To: Estes, Phillip

Subject: Shopping center at old Columbia pike & e Randolph rd

Date: Friday, April 1, 2022 10:29:32 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I oppose the development of a housing and shopping center. Our properties in the Snowden mill community will be devalued, more traffic, more crime. I think a community center would be more appropriate if you just have to build something there or contact the owners and have them clean up the property and leave it vacant for the community to use for recreation. Don't build. The county could purchase the property for recreation.

From: <u>Larry Levasseur</u>
To: <u>Estes, Phillip</u>

Subject: rezoning of property near old columbia pike and randolph road

Date: Monday, April 4, 2022 11:42:28 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I believe rezoning the area across from Forcey Church area is a colossal mistake.

I am sure there are tax benefits that will make it attractive to the county, however from a safety and

congestion consideration, I feel this is a grave mistake.

The traffic in that area is already heavy and dangerous, I can only imagine that adding a couple of hundred properties and a store is just going to increase the issues 100 fold.

It would be nice to hear how these potential issuses will be mitagated prior to th actual meeting.

Larry Levasseur

From: priyanka madireddi
To: Estes, Phillip

Subject: Objection to Zoning change on East Randolph Road - Zoning request No. H-145

Date: Sunday, March 27, 2022 1:36:37 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Phillip,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as a public citizen, resident, and stakeholder, at and around the parcel of East Randolph Rd, it came as a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

My primary reasons for objections are as follows:

- 1. This will change the character of the neighborhood, leading to crowding of more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent properties.
- 4. The proposed development which is

- surrounded by Churches, schools, and nonprofit organizations will bring in undesirable people into the peaceful surrounding. Some of the major concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Forcey Church, Seventh-Day Adventists World Church Head Office, St. Mark's Episcopal Church and many untroubled single-family homes.
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of the innocent children in "Forcey Christian Elementary School."
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. The potential damage caused by this proposed development is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans.
- 11. Property values are most likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction

of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.

- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Warm Regards,

Priyanka Madireddi

From: Andrew Magimaidas

To: Estes, Phillip

Subject: Objection to Zoning change on East Randolph Road - Zoning request No. H-145

Date: Sunday, March 27, 2022 1:33:32 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Phillip,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as a public citizen, resident, and stakeholder, at and around the parcel of East Randolph Rd, it came as a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

My primary reasons for objections are as follows:

- 1. This will change the character of the neighborhood, leading to crowding of more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent properties.
- 4. The proposed development which is

- surrounded by Churches, schools, and nonprofit organizations will bring in undesirable people into the peaceful surrounding. Some of the major concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Forcey Church, Seventh-Day Adventists World Church Head Office, St. Mark's Episcopal Church and many untroubled single-family homes.
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of the innocent children in "Forcey Christian Elementary School."
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. The potential damage caused by this proposed development is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans.
- 11. Property values are most likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction

of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.

- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Warm Regards,

Andrew Magimaidas

From: Ajit Bose John
To: Estes, Phillip

Date: Sunday, March 20, 2022 3:53:45 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as public citizens, residents, stakeholders, and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

The primary reasons for objections are as follows:

- 1. Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent property.
- 4. The proposed development which is surrounded by Churches, schools, and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day Adventists World Church Head Office, and some untroubled singlefamily homes.
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "Forcey Christian Elementary School."

- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. Development of this land is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 11. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.
- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Email: srkindia@gmail.com

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434-6118, and destroy this communication. Thank You.

Subject: Rezoning Application #H-145

Date: Thursday, April 7, 2022 at 7:06:47 AM Eastern Daylight Time

From: Rhoda Michael
To: Estes, Phillip

cc: rhodahmichael2002@yahoo.com

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Estes:

The purpose of this email is to inform you my opposition to the rezoning plan at the corner of East Randolph and Old Columbia Pike, next to Souther Asian Church. This new 214 townhouses, apartments, not to mention a grocery store in front of my house will significantly impact the neighborhood in may ways such as traffic and school. Again, with this email I am expressing my opposition to your plan.

Thank you for giving us a chance to voice our concerns.

Rhoda H. Michael

Sent from my iPhone

 From:
 Micheal Miheret

 To:
 Estes, Phillip

 Subject:
 STOP RE-ZONING.pdf

Date: Tuesday, March 29, 2022 1:12:19 PM

Attachments: STOP RE-ZONING.pdf

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I Micheal Miheret the owner of 1827 Staley Manor Dr, Silver Spring, MD 20904. I strongly opposing Rezoning at the corner of EAST RANDOLPROAD and OLD COLUMBIA, with primary 15 reasons attached on this email.

Micheal Miheret 301-830-1445

From: Nischel Pedapudi
To: Estes, Phillip

Date: Monday, March 21, 2022 2:16:07 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD. First, as public citizens, residents, stakeholders, and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

The primary reasons for objections are as follows:

- 1. Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2.If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of
- traffic, safety, security and conflicts of interest for both the new development and the adjacent property.4. The proposed development which is surrounded by Churches, schools, and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5.Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day AdventistsWorld Church Head Office, and some untroubled single-family homes.
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "ForceyChristian Elementary School."
- 8. There is no need for zone change, since the original R200 zoning(building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. Development of this land is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 11. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29

intersection.

- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative. By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

--

Nischel Pedapudi

Subject: No more buildings around our community please!!

Date: Friday, April 1, 2022 at 11:02:27 AM Eastern Daylight Time

From: nolascocruz@verizon.net

To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello! I am in complete opposition on having a new development in our community. We have live in this community for 20 years and it have been a 75 % safe community to live in . Building stores and housing will turn this little quiet area into a complete mess. We already have White Oak and Briggs Channey communities where there is a lot of violence already. The construction of retail stores brings people from outside our community! Please don't take the beauty of our Snowden's Mill away.

Sincerely, Ana Nolasco

Sent from the all new AOL app for iOS

Subject: No development

Date: Friday, April 1, 2022 at 1:07:45 PM Eastern Daylight Time

From: Cynthia Pandit **To:** Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

There should be no development of housing and retail off of Randolph rd.

Stop this project.

Cynthia Pandit

Subject: Rezoning Application # H-145 objections - east randolph rd **Date:** Thursday, March 31, 2022 at 2:48:17 PM Eastern Daylight Time

From: Elizabeth Panickar
To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am writing this letter to express my opposition to allowing zoning change (zoning request No. H-145)

The reasons are as follows:

- 1. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent property.
- 2. The proposed development which is surrounded by Churches, schools, and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.
- 3. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day Adventists World Church Head Office, and some untroubled single-family homes.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning. Thank you for your continued service and support of our communities.

Best Regards,

Elizabeth

Subject: Objection to Zoning Near SASDAC church

Date: Friday, March 11, 2022 at 11:38:52 AM Eastern Standard Time

From: Mani Panickar
To: Estes, Phillip

Attachments: SASDAC Church Land Rezonning Objection_Final.docx

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello Philip,

Greetings!

Attached, please find my letter objecting the development.

Sincerely Mani Panickar

Member of SASDAC Church

 From:
 AVINASH RAO

 To:
 Estes, Phillip

Subject: Opositiin: Corner Land of E. Randolph Rd & Columbia Pike

Date: Saturday, April 2, 2022 2:34:45 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good afternoon Mr. Phillip,

My name is Avinash Rao and I would like to show my support in opossing the development of the corner land of E. Randolph Rd & Columbia Pike. Please let me know if you need any additional information or anything else from my end.

Thank you Avinash Rao Subject: NEW HOUSING DEVELOPMENT AND SHOPPING ACROSS FROM E. RANDOLPH AND FORCEY CHURCH

Date: Friday, April 1, 2022 at 12:41:56 PM Eastern Daylight Time

From: Bernard Reynolds
To: Estes, Phillip

CC: Snowdens Mill Homeowners Association

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I understand that the development plans propose 220 townhouses and grocery store. I object to this proposal as follows:

- 1. I object to the further loss of green space. Other development in that area has simply taken all trees and open space and converted to buildings and concrete pads. If housing is to be built it must include preserving or planting trees, or creating green embankment to abate visual and noise pollution.
- 2. I object to increasing housing density with 220 townhouses. This means at least 440 more cars to park, and drive on Randolph Road, Serpentine, 29 and Old Columbia Pike. The increase traffic on Serpentine, which connects Randolph Road and Fairland, is potentially dangerous. At present, people drive too fast on Serpentine this is likely to increase. Serpentine is used by walkers, and children catching school buses.

I know you have heard this complaint about traffic before, but honestly do a vehicle count on 29 and all the roads that connect or cross it near this proposed development. I can not believe the increase in traffic is acceptable. I know this development will not include any new road or safety features- or any other improvements reduce noise or pollution.

- 3. I object to the grocery store and any commercial property at that location. There are 4 grocery stores within a 2 mile radius. Two stores are a mile or less from proposed development. In addition, any commercial property invites additional traffic from a larger surrounding area (including PG and Montgomery Cty) to seek out the retail outlet. Finally, there is a large shopping center just ½ mile from the property, and last I looked there was unused space at the Center.
- 4. My final objection is as homeowner and for my major financial asset my home. I applaud anything that will increase the quality of life and by extension the value of my home. Loss of green space, increases in traffic, noise and pollution, and adding 220 new townhouses to an area with many established homes do nothing to increase the value of my property.

Sent from Mail for Windows

phillip. Esties & mortgomery planning. org

Dear Montgomery County Office of Zoning,

We are writing to express our concern and opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). Our concerns focus on the effects the proposed changes would have on neighboring communities, such as our own community, Manors of Paint Branch (Willows Run).

This re-zoning effort is being proposed where an already established community of single family homes and town homes, consisting of Manors of Paint Branch (Willows Run) homeowners and across East Randolph Rd, Snowden's Mill and the recently developed homes on Old Columbia Pike. Adding 114 townhomes 100 senior apartments and a large grocery store will increase density in our community far beyond its current capacity.

First, the proposed development poses many unacceptable traffic risks to the surrounding communities. While the developer's traffic consultant conducted tests to determine existing traffic counts on October 27, 2021, traffic volumes and flows on East Randolph Road, Old Columbia Pike, Tech Road, and nearby roads were not representative of pre-COVID -19 pandemic levels since many commuters still telework. Development would greatly generate more cars per hour during morning and afternoon rush hours, and contribute higher traffic volumes to roads connecting to Route 29. Vehicular speeding on East Randolph Road and Old Columbia Pike could also pose dangers for increased pedestrian, bike, and traffic numbers resulting from the proposed development.

Second, the need to develop a 32,000 square foot grocery store in a residential area is questionable when many others are already located nearby. Large stores like Giant Food (2 stores), Aldi, Global Food, Target, and White Oak Market, Inc. Smaller specialty grocery stores nearby include Spicy Mart, Manna Food Center Market, Adarash Market, Favor International Food Store, and 7-Eleven. The proposed development of this area would also impact the open green space that currently serves as a habitat and corridor to Paint Branch Creek for various animal, bird, and insect

Third, neighboring housing and property values would be impacted due to the development of more "affordable housing" and "senior apartments." Senior apartments near the proposed development site already include Arbor Crest Senior Apartments, Avonlea Ridge, and Sylva Villas, to name a few. Also, the "affordable" townhouses proposed would still exceed the purchasing means of those truly needing affordable housing and cause instability in local housing markets due to speculative buyers.

We, the residents of Manors of Paint Branch (Willow Run) subdivision (on East Randolph Road) request your consideration of our concerns about the proposed zoning changes and development plan.

We, the undersigned, strongly oppose the proposed rezoning and development plan.

12526 Strutford Garden

Address Dr. S.S. MD.

From: <u>James Selvadurai</u>
To: <u>Estes, Phillip</u>

Subject: Fw: Rezoning Application #H-145 Objections - East Randolph Rd

Date: Tuesday, March 29, 2022 11:57:16 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as public citizens, residents, stakeholders, and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

The primary reasons for objections are as follows:

- Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent property.

- 4. The proposed development which is surrounded by Churches, schools, and non-profit organizations will bring in undesirable people into the peaceful surrounding. Some of the concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Seventh-Day Adventists World Church Head Office, and some untroubled single-family homes.
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "Forcey Christian Elementary School."
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. Development of this land is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 11. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction of green space and mature trees as well as natural

- inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.
- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Best Regards, James Selvadurai From: Helina Somervell
To: Estes, Phillip

Subject: Stop rezoning and commercialization

Date: Monday, March 14, 2022 11:25:18 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Phillip Estes, AICP Planner III Montgomery County Planning Department 2425 Reedie Drive, Floor 13, Wheaton, MD 20902

Dear Mr. Estes,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD. First, as church members and property owners at and around the parcel of East Randolph Rd, it came as quite a surprise to our families, extended families, friends and neighbors to recently hear that the land that was part of or adjacent to Southern Asian Seventh-Day Adventist Church was a proposed site for commercialization by building 114 Townhouse, 100 Senior Apartments and 32000 SQ FT of grocery store. The primary reasons or concerns for objections are as follows:

- 1. Will change the character of the neighborhood, possibly leading to more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. The entrance of this proposed new development uses the existing Southern Asian Seventh-Day Adventist Church entrance; this will significantly affect the volume of traffic, safety and security of the church members, and their children. 3. 90% of the church members feel that the proposed development adjacent to the Southern Asian Seventh-Day Adventist Church will bring in bad actors into the peaceful minority campus. Some of the concerns are drugs, prostitutions, vandalism, theft, and crimes.
- 4. Such a proposed development as this would be out of character on this peaceful and serene neighborhood. This land is surrounded by churches for Asian minorities, Elementary School, Seventh-Day Adventists Church World Head Office, and some untroubled single-family homes
- 5. On a regular worship day, about 800-1000 members and visitors gather, mostly of ethnic East Indian origin. The church congregation enjoyed safety & security due to the private entrance and serene surroundings. A proposed development of this kind will pave the way for targeting minority communities since hate crimes towards Asian minorities are on the rise nationwide.
- 6. The traffic issue is not only for the Church adjacent to the land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of "Forcey Christian School", where they operate Elementary school.
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is correct, and there are other lands available for similar developments.
- 9. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on

Randolph Rd.

- 10.Development of this land is permanent and irreversible.
- 11. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans
- 12. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 13. This new development will cause destruction of green space and mature trees as well as driving natural inhabitants out of the area onto E. Randolph Rd and Route 29 intersection.

 14. Noise Pollution this would destroy the very nature of this peaceful area. 15. Vandalism

Issues – Illegal logging, vehicle ransacking in the parking lots. 16. This neighborhood is surrounded by churches and religious organizations, commercializing this land will significantly affect the tranquility of this surrounding.

17.The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative. By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning. I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends and church members, I know my opinions are shared by many, who will be sending in opposition letters to you shortly. Thank you for your continued service and support of our communities.

__

Warm Regards, Helina From: VERONICA STACK
To: Estes, Phillip

Subject: Development Of Townhomes/Apartments Old Columbia Pike

Date: Tuesday, March 22, 2022 9:51:13 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

To whom it may concern,

I am, very concerned about the possibility of the new development across the road from my residence. It is very disturbing to see, the amount of houses and apartments that are planned for this area.

I feel that a development of townhouses/apartments, could potentially affect the value of my home in "Snowdens Mill". I am, worried that a large Volume of apartments, would affect our community.

The amount of traffic congestion, that the development would cause is frightening. The intersection of Old Columbia Pike and East Randolph, Is already an incredibly busy road, adding more traffic to this corner is unconscionable.

Please, rethink this development!!

Veronica Stack

Sent from my iPad

From: Eby Suresh
To: Estes, Phillip

Date: Monday, March 21, 2022 2:31:28 PM

Attachments: Revised-Rezoning of Land East Randolph Rd Silver Spring.pdf

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Sent from my iPhone

From: <u>Kingston Thiyagarasan</u>

To: <u>Estes, Phillip</u>

Subject: Re: STOP RE-ZONING & STOP COMMERCIALIZATION

Date: Monday, March 21, 2022 3:23:36 PM

Attachments: Untitled document.pdf

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Phillip,

Sending the email now with attachment. Thank you.

Kingston Thiyagarasan

On Mon, Mar 21, 2022, 3:22 PM Kingston Thiyagarasan < kingstonmt@gmail.com > wrote: Dear Phillip,

Please read the attached letter in regards to re-zoning at the intersection of E Randolph Rd and Old Columbia Pk. Thank you.

Kingston Thiyagarasan

From: Ethan Vinodh

To: Estes, Phillip; Estes, Phillip

Subject: Objection to Zoning Change on East Randolph Road - Zoning Request No. H-145

Date: Wednesday, March 23, 2022 12:07:03 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Morning Phillip,

I am writing this letter to express my strong opposition to allowing zoning change (zoning request No. H-145) from R200 to CRTF, 1.0.C-025, R-1.0, H-80 on East Randolph Rd, Silver Spring MD.

First, as a public citizen, resident, stakeholder, and property owner at and around the parcel of East Randolph Rd, it came as a surprise to our families, friends and neighbors to recently hear that the land that is adjacent to the Southern Asian Seventh-Day Adventist Church is a proposed site for commercialization, by building 114 Townhouses, 100 Senior Apartments and a large grocery store with an area of 32,000 square feet.

My primary reasons for objections are as follows:

- 1. This will change the character of the neighborhood, leading to crowding of more people, traffic, safety issues, crime, noise, and reduction in property values.
- 2. If approved, this application paves the way for 210+ Townhomes and Senior Apartments. The asphalt, concrete, and roofs will cover the naturally absorbent soils and contribute to runoff which will potentially harm and add to the already significant flood risk that exists on Randolph Rd.
- 3. The entrance of this proposed new development uses the existing Church entrance easement; this will significantly affect the volume of traffic, safety, security and conflicts of interest for both the new development and the adjacent properties.
- 4. The proposed development which is

- surrounded by Churches, schools, and nonprofit organizations will bring in undesirable people into the peaceful surrounding. Some of the major concerns are drugs, prostitution, vandalism, theft, and crimes.
- 5. Such a proposed development as this, would be out of character on this peaceful and serene neighborhood. This land is surrounded by church for Asian minorities, Forcey Elementary School, Forcey Church, Seventh-Day Adventists World Church Head Office, St. Mark's Episcopal Church and many untroubled single-family homes.
- 6. The traffic issue is not only for this land, but this will significantly impact the traffic in the neighborhood due to the new development in progress on Old Columbia Pike next to Guru Nanak foundation of America.
- 7. This new development will impact the safety and security of the innocent children in "Forcey Christian Elementary School."
- 8. There is no need for zone change, since the original R200 zoning (building approximately 17+ single family homes) is optimal, and there are other lands available for similar developments.
- 9. The potential damage caused by this proposed development is permanent and irreversible.
- 10. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that create or exacerbate a situation that will cause school concurrency to fail for this proposal and/or other approved plans.
- 11. Property values are most likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.
- 12. This new development will cause destruction

of green space and mature trees as well as natural inhabitants being driven out of the area onto E. Randolph Rd and Route 29 intersection.

- 13. Noise Pollution this would destroy the very nature of this peaceful area.
- 14. Vandalism Issues Illegal logging, vehicle ransacking in the parking lots etc.
- 15. The current zoning should remain as is, and not modified to accommodate special interest groups. Rezoning would forever alter the characteristics of this area to the negative.

By sending this email as a petition, I am saying "NO" to rezoning of any kind on East Randolph Rd. Zoning Application # H-145 proposes a zone change from building 17 single family homes to 200+ townhomes and the rest of the land to be used for building grocery stores. We strongly believe this is an inappropriate use of this land, all of which should permanently remain as R200 zoning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, friends, stakeholders and clients, I know my opinions are shared by many, who will be sending in opposition as public citizens, residents, stakeholders and property owners.

Thank you for your continued service and support of our communities.

Warm Regards,

Ethan Vinodh

Dear Montgomery County Office of Zoning,

We are writing to express our concern and opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). Our concerns focus on the effects the proposed changes would have on neighboring communities, such as our own community, Manors of Paint Branch (Willows Run).

This re-zoning effort is being proposed where an already established community of single family homes and town homes, consisting of Manors of Paint Branch (Willows Run) homeowners and across East Randolph Rd, Snowden's Mill and the recently developed homes on Old Columbia Pike. Adding 114 townhomes 100 senior apartments and a large grocery store will increase density in our community far beyond its current capacity.

First, the proposed development poses many unacceptable traffic risks to the surrounding communities. While the developer's traffic consultant conducted tests to determine existing traffic counts on October 27, 2021, traffic volumes and flows on East Randolph Road, Old Columbia Pike, Tech Road, and nearby roads were not representative of pre-COVID -19 pandemic levels since many commuters still telework. Development would greatly generate more cars per hour during morning and afternoon rush hours, and contribute higher traffic volumes to roads connecting to Route 29. Vehicular speeding on East Randolph Road and Old Columbia Pike could also pose dangers for increased pedestrian, bike, and traffic numbers resulting from the proposed development.

Second, the need to develop a 32,000 square foot grocery store in a residential area is questionable when many others are already located nearby. Large stores like Giant Food (2 stores), Aldi, Global Food, Target, and White Oak Market, Inc. Smaller specialty grocery stores nearby include Spicy Mart, Manna Food Center Market, Adarash Market, Favor International Food Store. and 7-Eleven. The proposed development of this area would also impact the open green space that currently serves as a habitat and corridor to Paint Branch Creek for various animal, bird, and insect species.

Third, neighboring housing and property values would be impacted due to the development of more "affordable housing" and "senior apartments." Senior apartments near the proposed development site already include Arbor Crest Senior Apartments, Avonlea Ridge, and Sylva Villas, to name a few. Also, the "affordable" townhouses proposed would still exceed the purchasing means of those truly needing affordable housing and cause instability in local housing markets due to speculative buyers.

We, the residents of Manors of Paint Branch (Willow Run) subdivision (on East Randolph Road) request your consideration of our concerns about the proposed zoning changes and development plan.

We, the undersigned, strongly oppose the proposed rezoning and development plan.

Sincerely,

4/3/22 12601 Stratford Garden Dr Address

Dear Montgomery County Office of Zoning,

We are writing to express our concern and opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). Our concerns focus on the effects the proposed changes would have on neighboring communities, such as our own community, Manors of Paint Branch (Willows Run).

This re-zoning effort is being proposed where an already established community of single family homes and town homes, consisting of Manors of Paint Branch (Willows Run) homeowners and across East Randolph Rd, Snowden's Mill and the recently developed homes on Old Columbia Pike. Adding 114 townhomes 100 senior apartments and a large grocery store will increase density in our community far beyond its current capacity.

First, the proposed development poses many unacceptable traffic risks to the surrounding communities. While the developer's traffic consultant conducted tests to determine existing traffic counts on October 27, 2021, traffic volumes and flows on East Randolph Road, Old Columbia Pike, Tech Road, and nearby roads were not representative of pre-COVID -19 pandemic levels since many commuters still telework. Development would greatly generate more cars per hour during morning and afternoon rush hours, and contribute higher traffic volumes to roads connecting to Route 29. Vehicular speeding on East Randolph Road and Old Columbia Pike could also pose dangers for increased pedestrian, bike, and traffic numbers resulting from the proposed development.

Second, the need to develop a 32,000 square foot grocery store in a residential area is questionable when many others are already located nearby. Large stores like Giant Food (2 stores), Aldi, Global Food, Target, and White Oak Market, Inc. Smaller specialty grocery stores nearby include Spicy Mart, Manna Food Center Market, Adarash Market, Favor International Food Store, and 7-Eleven. The proposed development of this area would also impact the open green space that currently serves as a habitat and corridor to Paint Branch Creek for various animal, bird, and insect species.

Third, neighboring housing and property values would be impacted due to the development of more "affordable housing" and "senior apartments." Senior apartments near the proposed development site already include Arbor Crest Senior Apartments, Avonlea Ridge, and Sylva Villas, to name a few. Also, the "affordable" townhouses proposed would still exceed the purchasing means of those truly needing affordable housing and cause instability in local housing markets due to speculative buyers.

We, the residents of Manors of Paint Branch (Willow Run) subdivision (on East Randolph Road) request your consideration of our concerns about the proposed zoning changes and development plan.

We, the undersigned, strongly oppose the proposed rezoning and development plan.

Sincerely,

Wei Date 1260/ Strafford Garden Drive,
Address Silver Spring, MD 20904

phillip. Estose montgomeny planning. org Dear Montgomery County Office of Zoning,

We are writing to express our concern and opposition to the proposed rezoning and development plan requested by Nova-Randolph, LLC for 10.8195 acres of land on 2131 East Randolph Road, Silver Spring, MD, from the R-200 zone to the commercial CRTF-1.0, C-0.25, R-1.0, H-80 classification (Zoning Application H-145 04). Our concerns focus on the effects the proposed changes would have on neighboring communities, such as our own community, Manors of Paint Branch (Willows Run).

This re-zoning effort is being proposed where an already established community of single family homes and town homes, consisting of Manors of Paint Branch (Willows Run) homeowners and across East Randolph Rd, Snowden's Mill and the recently developed homes on Old Columbia Pike. Adding 114 townhomes 100 senior apartments and a large grocery store will increase density in our community far beyond its current capacity.

First, the proposed development poses many unacceptable traffic risks to the surrounding communities. While the developer's traffic consultant conducted tests to determine existing traffic counts on October 27, 2021, traffic volumes and flows on East Randolph Road, Old Columbia Pike, Tech Road, and nearby roads were not representative of pre-COVID -19 pandemic levels since many commuters still telework. Development would greatly generate more cars per hour during morning and afternoon rush hours, and contribute higher traffic volumes to roads connecting to Route 29. Vehicular speeding on East Randolph Road and Old Columbia Pike could also pose dangers for increased pedestrian, bike, and traffic numbers resulting from the proposed development.

Second, the need to develop a 32,000 square foot grocery store in a residential area is questionable when many others are already located nearby. Large stores like Giant Food (2 stores), Aldi, Global Food, Target, and White Oak Market, Inc. Smaller specialty grocery stores nearby include Spicy Mart, Manna Food Center Market, Adarash Market, Favor International Food Store, and 7-Eleven. The proposed development of this area would also impact the open green space that currently serves as a habitat and corridor to Paint Branch Creek for various animal, bird, and insect species.

Third, neighboring housing and property values would be impacted due to the development of more "affordable housing" and "senior apartments." Senior apartments near the proposed development site already include Arbor Crest Senior Apartments, Avonlea Ridge, and Sylva Villas, to name a few. Also, the "affordable" townhouses proposed would still exceed the purchasing means of those truly needing affordable housing and cause instability in local housing markets due to speculative buyers.

We, the residents of Manors of Paint Branch (Willow Run) subdivision (on East Randolph Road) request your consideration of our concerns about the proposed zoning changes and development plan.

We, the undersigned, strongly oppose the proposed rezoning and development plan.

Wen-pei C. Wei

Print Name

Wen-pei C. Wei

Print Name

12601 Stratford Garden Dr. Silver Spring
Address

12601 Stratford Garden Dr. Silver Spring
Address

12009 4

Subject: New development near Randolph and Ild Columbia Pike **Date:** Friday, April 1, 2022 at 10:46:20 AM Eastern Daylight Time

From: Alan Weiner
To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am against any plan for increasing growth which does not include viable plans to handle the increased traffic and infrastructure needs.

Thanks Alan Weiner 12808 Ruxton Road Silver Spring, MD 20904 Subject: Housing Development/shopping on E. Randolph and Old Columbia Pike

Date: Friday, April 1, 2022 at 5:28:32 PM Eastern Daylight Time

From: Nancy Whitcomb
To: Estes, Phillip

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello Mr. Estes,

My husband and I are very much opposed to this new development plan, mainly because additional traffic will add to the already precarious road issues on East Randolph Rd. After many years of living in the Snowden's Mill community, the county finally installed a traffic light at Serpentine and Randolph. I have witnessed "near misses" at this intersection, even after light installation. We don't need more traffic, more congestion, more trash, more population density, but above all, we don't need more safety issues!

Please do not change the zoning! But, if you even consider that, you might FIRST FIX all the crevices, pot holes and unsightliness of most of Serpentine Rd. (One stretch was redone several years ago when the pipes beneath the street were replaced). Also, MANY of the roads in Snowden's Mill need resurfacing. Roads in Hidden Valley were resurfaced about 10 years ago, but the work stopped at Serpentine. Why was that??? Now, we are being asked to ok plans which will add more traffic (cutting through on Serpentine to get to Fairland Rd.) and MUCH MORE street decay!

During the 35 years we have lived in this community we have seen many changes...some good, and some bad. We really do not need more density, which adds to more traffic, which is guaranteed to bring more problems. Please say NO to this kind of development!

Sincerely, Edwin and Nancy Whitcomb 13110 Chalkstone Way Silver Spring 20904

Sent from my iPad

From: Paul Y
To: Estes, Phillip

Subject: RE-ZONING & COMMERCIALIZATION

Date: Friday, March 18, 2022 5:48:06 PM

Attachments: SASDAC Church Land Rezonning Objection Final.pdf

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Mr. Pillip Estes

I humbly request you to kindly preview the attachment and do the necessary. Thank you & have a blessed weekend.

Paul