

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

August 6, 2025

MCPB No. 25-100

Administrative Subdivision No. 620250100

Alta Vista Gardens – Lot 9, Block A

Date of Hearing: July 31, 2025

RESOLUTION

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

WHEREAS, on March 19, 2025, ASP 5900 Ipswich Road, LLC (“Applicant”) filed an application for approval of an administrative subdivision plan of property that would create three (3) lots for the construction of three (3) new single-family detached dwellings units on 0.43 acres of land in the R-60 zone, located 5900 Ipswich Road, west of Broad Street (“Subject Property”), in the 1992 *North Bethesda Garrett Park Master Plan* (“Master Plan”) area; and

WHEREAS, Applicant’s administrative subdivision plan application was designated Administrative Subdivision Plan No. 620250100, Alta Vista Gardens - Lot 9, Block A (“Administrative Subdivision Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 21, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on July 31, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application, subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Administrative Subdivision Plan No. 620250100 to create three (3) lots for the construction of three (3) new single-family detached dwellings units on the Subject Property, subject to the following conditions:¹

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

General Approval

1. This Administrative Subdivision Plan is limited to three (3) lots for three (3) new single-family detached residences.

Adequate Public Facilities and Outside Agencies

2. The Adequate Public Facilities (“APF”) review for the Administrative Subdivision Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

Plan Validity Period

3. The Administrative Subdivision Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Administrative Subdivision Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

Outside Agencies

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated June 27, 2025, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section in its stormwater management concept letter dated June 9, 2025, and incorporates them as conditions of the Administrative Subdivision Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Administrative Subdivision Plan approval.
7. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated May 30, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Administrative Subdivision Plan approval.

Other Approvals

8. Before approval of a record plat or any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of this Administrative Subdivision Plan.

Schools

9. Before issuance of each building permit for a residential dwelling unit, the Applicant must obtain an assessment from the Montgomery County Department of Permitting Services for Utilization Premium Payments (UPPs) consistent with County Code and the Growth and Infrastructure Policy, as follows:
 - a. Tier 1 elementary school UPP required.
 - b. Tier 1 middle school UPP required.

Environment

10. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
11. The Applicant must comply with all tree protection and tree save measures shown on the approved Tree Save Plan. Tree save measures not specified on the Tree Save Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
12. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Tree Save Plan.

Transportation

Existing Frontage Improvements

13. The Applicant must provide the following dedications and show them on the record plat for the following existing roads:
 - a. All land necessary to accommodate fifty-one (51) feet of right-of-way for Ipswich Road and sixty-one (61) feet of right-of-way for Broad Street along the Subject Property frontage of Lot 1 and 2 for a total of 436 square feet.
14. The Applicant must provide a five-foot (5 ft.) sidewalk and six-foot (6 ft.) buffer along both Ipswich Road and Broad Street.

Record Plats

15. There shall be no clearing or grading of the site prior to recordation of the plat.

Easements

16. The record plat must show necessary easements.

Notes and Labels

17. The record plat must reflect all areas under common ownership.

Certified Administrative Subdivision Plan

18. The Certified Administrative Subdivision Plan must contain the following notes:

- a. *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Administrative Subdivision Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*
 - b. *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Administrative Subdivision Plan is required to be on-site at all times.*
19. Before submittal of the Certified Administrative Subdivision Plan, the Applicant must make the following changes:
- a. Show resolutions and approval letters on the certified set
 - b. Include the approved Fire and Rescue Access plan in the certified set

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

1. *The Administrative Subdivision Plan meets the requirements of Chapter 50, Section 6.1.C for up to 3 lots for detached houses in any residential or rural residential zone under these procedures if:*

A. The lots are approved for the standard method of development;

The lots were submitted and are approved for standard method development in the R-60 zone.

B. Written approval for any proposed well and septic area is received from the Department of Permitting Services, Well and Septic Section before approval of the plat;

The lots will not be served by well or septic areas, as the Property is served by public water and sewer service and is designated in the W-1 and S-1 categories.

C. Any required road dedications and associated public utility easements are shown on the plat and the Applicant provides any required improvements;

As conditioned and described further below, required road dedications and associated public utility easements will be shown on the plat, and the Applicant must provide any required improvements.

D. The requirements for adequate public facilities under Section 4.3.J are satisfied before approval of the plat; and

As described further below, adequate public facilities exist to support and service the Property in accordance with Section 50.4.3.J of the Subdivision Regulations and will be satisfied before record plats.

E. Forest conservation, stormwater management, and environmental protection requirements are satisfied before approval of the plat.

A Forest Conservation Exemption was confirmed on February 26, 2025. A Tree Save Plan was submitted with the Administrative Subdivision Plan, and the stormwater management and environmental protection requirements will be satisfied before approval of the plat, as further discussed below.

2. The Administrative Subdivision Plan meets the technical review requirements of Chapter 50, Section 4.3.

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

a. The block design is appropriate for the development or use contemplated

The Subject Property does not propose any new residential blocks. The proposed subdivision is within an existing residential neighborhood with an established street grid and block design.

b. The lot design is appropriate for the development or use contemplated

The three lots are consistent with the current character of the neighborhood. These proposed lots are similar in size to the adjacent lots due to the subdivision of the larger existing lot. The proposed subdivision will maintain the single-family detached character of the surrounding neighborhood.

c. The Administrative Subdivision Plan provides for required public sites and adequate open areas

i. Master Planned Sites

The Subject Property has not been identified in the Master Plan for a required public site. Adequate open area in the rear of the proposed lots is based on the requirements of front, rear, and side yard setbacks.

ii. Local Recreation

Local recreation improvements are not required for this Application.

iii. Transportation and Utilities

The Proposal meets transportation and utility requirements, as is described within agency approval letters. The Project will provide a ten-foot-wide public utility easement (PUE), a five-foot-wide sidewalk, and six-foot-wide buffer along the frontage.

d. The Lot(s) and Use comply with the basic requirements of Chapter 59

The Proposal will create three new buildable lots for single-family detached residential use while utilizing the existing street frontage for ingress and egress. The Subdivision Plan meets the dimensional requirements for the R-60 zone as specified in the Zoning Ordinance and as shown in Table 1 below, in relation to maximum density, building height, and minimum setbacks.

Table 1 – Development Standards for the R-60 Zone

Development Standard	Permitted/ Required	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3
Site Area – 18,856 sq. ft.				
Dedication – 436 sq. ft.				
Tract Area – 18,420 sq. ft.				
Density (units/acre)	1/ 0.14 acres	3 units/ 0.43 acres		
Minimum Lot Area	6,000 sq. ft.	6,304 sq. ft.	6,020 sq. ft.	6,095 sq. ft.
Width at Front lot line	60 feet	≥60 feet	≥60 feet	≥60 feet
Width at Front Building line	25 feet	≥25 feet	≥25 feet	≥25 feet
Maximum Lot Coverage	35%	≤35%	≤35%	≤35%
Principal Building setbacks (Min.)				
<i>Front</i>	25 feet	≥25 feet	≥25 feet	≥25 feet
<i>Side Street (front on side street)</i>	25 feet	≥25 feet	n/a	n/a
<i>Side Street</i>	8 feet	≥8 feet	≥8 feet	≥8 feet
<i>Sum of Side</i>	18 feet	≥18 feet	≥18 feet	≥18 feet
<i>Rear</i>	20 feet	≥20 feet	≥20 feet	≥20 feet
Principal Building height	35 feet	≤35 feet	≤35 feet	≤35 feet

B. The Administrative Subdivision Plan substantially conforms to the Master Plan.

a. Land Use

On Page 33, of the 1992 *North Bethesda/Garrett Park Master Plan* (Master Plan), it states the primary objective of the Plan is to “Protect and reinforce the integrity of existing residential neighborhoods.” The proposed subdivision maintains the R-60 zone of the neighborhood and is therefore in compliance with this high-level Master Plan objective.

b. Environment

On Page 3, the Master Plan includes applicable environmental goals to “[a]dopt stormwater management and erosion control policies to minimize flooding, reduce erosion, and improve water quality.” The Project will provide new

stormwater management facilities with the development of new lots in compliance with Section 50-4.3 of the Subdivision Regulations.

c. *Transportation*

On Page 33 of the 1992 *North Bethesda/Garrett Park Master Plan*, it states: “Provide a comprehensive, safe, and more pleasant bicycle and pedestrian network as part of the transportation system”. The Project will provide a new five-foot-wide sidewalk with a six-foot-wide buffer to improve pedestrian safety along the Property’s frontage and to connect to existing infrastructure for both Ipswich Road and Broad Street.

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

a. *Roads and other Transportation Facilities*

i. *Existing Facilities*

Ipswich Road and Broad Street are classified as Neighborhood Residential Streets. Both are two-lane roads that provide frontage for the Site. There are existing sidewalks along both sides of Ipswich Road and Broad Street.

ii. *Proposed Public Transportation Infrastructure*

The Subject Property will dedicate approximately 436 square feet of public right-of-way along Ipswich Road and Broad Street. A five-foot-wide sidewalk with a six-foot-wide buffer and ten-foot-wide Public Utility Easement (PUE) will be provided along both rights-of-way for the Subject Property.

iii. *Proposed Private Transportation Infrastructure*

This Application does not propose any private transportation infrastructure, and none are required.

b. *Local Area Transportation Review (LATR)*

For developments of five or fewer single-family dwellings without additional land uses, trip generation estimates are not required. In such cases, the assumption is that the development will generate fewer than 30 net new weekday peak-hour motor vehicle trips². As a result, the Application is not subject to the Local Area Transportation Review (LATR).

² The Subject Application was accepted prior to March 19, 2025, and, therefore, is subject to the 2024-2028 Growth and Infrastructure Policy, which exempts projects from a Transportation Impact Study if they are estimated to generate fewer than 30 net new weekday peak-hour motor vehicle trips.

Schools

School Impact Area Classification

The Property is located within the North Bethesda Policy Area, which is categorized as a Turnover Impact Area by the 2024-2028 Growth and Infrastructure Policy.

Annual School Test Results

The Application was reviewed pursuant to the results of the FY2026 Annual School Test, approved by the Planning Board on June 26, 2025, and effective July 1, 2025.

The Property is served by Ashburton Elementary School, North Bethesda Middle School, and Walter Johnson High School. The enrollment and capacity projections of these schools reflected in the FY2026 Annual School Test, which evaluates for the 2029-2030 school year, and the resultant Utilization Premium Payment (UPP) tier placements are shown in 2.

Table 2. FY2026 Annual School Test Projections & UPP Tier Placements

	Program Capacity	Enrollment	Utilization Rate	Seat Surplus or Deficit	UPP Tier Placement
Ashburton ES	822	915	111.3%	-93	Tier 1 UPP
North Bethesda MS	1,203	1,323	110.0%	-120	Tier 1 UPP
Walter Johnson HS ³	2,251	2,133	94.8%	+118	No UPP

Based on the FY2026 Annual School Test results above, the Property is subject to a Tier 1 UPP at the elementary school and middle school level by default, which is reflected in the conditions of approval.

c. Other Public Facilities and Services

The Property is served by public water and sewer and is classified in the W-1 and S-1 categories, which will be adequate to serve the proposed subdivision. Dry utilities including electricity, gas, and telephone are also available to the Property. Other utilities, public facilities, and services, such as electric, telecommunications, police stations, firehouses, and health services are currently operating within the standards set by the Growth and Infrastructure Policy currently in effect.

³ Projected enrollment is modified to estimate the impact of the Charles W. Woodward High School Reopening (CIP P651908) and the Northwood HS Addition/Facility Upgrades (CIP P651907), reflecting the scope of the boundary study approved by the Board of Education on March 28, 2023.

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

The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A, with confirmed Forest Conservation Exemption No. 42025513E, and is in compliance with the Montgomery County Planning Department's Environmental Guidelines.

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

The Application received approval of a Stormwater Management (SWM) Concept Plan from the MCDPS, June 9, 2025, per Chapter 19 of the County Code. The SWM Concept Plan demonstrates that stormwater will be managed through Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) for each proposed lot. There are no additional environmental protection requirements to be met.

F. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

This provision is not applicable to this Application, as the Applicant has no actual or constructive notice of a burial site on the Property.

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

No other provisions apply to the Subdivision.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

August 6, 2025

(which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution approved and adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 4-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick, and Linden, voting in favor of the motion, Commissioner Bartley necessarily absent, at its regular meeting held on Thursday, July 31, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board