

ATTACHMENT 4.B.

December 19, 2014

Mr. Steve Findley
Senior Planner
M-NCPPC, Area 2 Planning Division
8787 Georgia Ave
Silver Spring, MD 20901

RE: Variance Request
Rockville Evangelical Mission
110 Central Avenue, Gaithersburg, Maryland
(Preliminary Plan No. 120130210)

A. Background Information:

The applicant for a variance pursuant to the provisions of Section 22A-21 of the Montgomery County code is Endesco, Inc, owner's representative (applicant). The property owner is Rockville Evangelical Mission, Inc. 9009 Shady Grove Court, Gaithersburg, MD 20877 (owner). The five (5) acre property located at 110 Central Avenue, Gaithersburg, Maryland (property) is zoned R-200 and has an existing (2) two story structure on it. The proposed plan is to build a multi-purpose religious facility and associated required parking lot. The variance is necessary to allow removal of trees on the property that are 30" diameter at breast height (DBH) and are located within or near the proposed limits of disturbance.

B. Proposed Development:

The applicant's site development plan includes an 21,000 square foot building, 151 parking spaces, and (5) five bio retention facilities. One of the two driveways follows the alignment of the existing driveway. The impact on five (5) specimen trees is unavoidable given the limited area of developable site. Five (5) other trees with a 30" DBH (diameter at breast height) or greater will be preserved on site, as well as, 20 trees 24" DBH or greater. The developable area of the site is constrained by two stream valley buffers. Both buffers will be protected by existing and proposed forest planting.

C. Specific Specimen Trees (30" DBH) to Be Removed:

Tree No. 3: Norway Maple / Acer Platanoides - 32" DBH, fair condition with limb loss and terminal dieback. Invasive species located within the limits of disturbance at the driveway. Root zone impact is 100%.

Tree No. 4: Black Locust / Robinia Pseudoacacia - 34" DBH, fair condition with limb loss, terminal dieback and open crown. Tree located within the proposed parking lot and area of existing house demolition. Root zone impact is 100%.

Tree No. 6: Black Walnut / Juglans Nigra - 30" DBH, good condition with an open crown and unbalanced canopy. Tree located within the proposed parking lot and area of demolition. Root zone impact is 100%.

Tree No. 7: Black Locust / Robinia Pseudoacacia - 33" DBH, poor condition with a heavily damaged central leader. Tree located within the limits of disturbance and the secondary driveway access from Cyrus Street. Root zone impact is 100%.

Tree No. 12 Red Maple / Acer rubrum - 36" DBH, good condition with 48% root zone impact due to the location of the water and sewer utility connection to Cyrus Street.

D. Specimen Trees (30" DH) with Critical Root Zone Impact to be retained:

Tree No. 10: Red Maple / Acer rubrum - 34" DBH, good condition with 32% root zone impact.

Tree No. 11 Red Maple / Acer rubrum - 31" DBH, good condition with 29% root zone impact.

Tree No. 29 Red Maple / Acer rubrum - 38" DBH, good condition with 32% root zone impact.

E. Justification Statement:

1. The special conditions peculiar to this property include the limited site access points and environmental constraints at both the northwestern and southwestern areas of the site. The environmental constraints reduce the developable area to approximately three (3) acres or 60% of the total site area. Two (2) of the trees to be removed are located very close to existing structures that are to be demolished and leaving the existing trees may produce a hazard for future users of the property. The specimen trees to be removed are within the development envelope. One specimen tree (ST12) while

outside of the limits of disturbance is significantly impacted by the proposed water and sewer connections from the street.

2. The applicant's goal is to provide a facility adequate for the purpose intended and the required area of parking designed as efficiently as possible with good circulation patterns. Attempting to save the four (4) trees within the limits of disturbance would require only one site access off Cyrus Street which would unnecessarily concentrate traffic on that cul-de-sac roadway.
3. There are currently no storm water management facilities on the property. The development proposal includes a storm water management concept plan which will maintain or improve water quality measurers on the property.
4. Given the fair to poor conditions and un-extraordinary species of the trees to be removed and the criteria listed, the applicant claims justification for the removal of the fiver (5) trees on the subject property.
5. The three (3) specimen trees to be retained that have root zone impact will be protected from construction with tree protection fencing, signs and root pruning. Root zone impacts are less than 33.3% in each case. Mitigation planting includes a total of 43 trees (3" caliper inches) proposed within the stream valley buffer.
6. The applicant is not requesting any special privileges or benefits by the granting of this variance that would not be available to another applicant. The existing conditions of the site including the forest, stream valley, floodplain, and site access have guided the development of the plan. The variance request is not related to the condition of any adjacent property and the tree loss will not violate State of Maryland water quality standards or cause measurable degradation of water quality.
7. If the applicant is not granted this variance, the owner would be prevented from providing adequate/required access to the

development nor would be able to provide adequate water and sewer services.

Submitted by:

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