MCPB Item # 12 Date: 04/5/07

MEMORANDUM:

DATE:

March 23, 2007

TO:

Montgomery County Board of Appeals

VIA:

Rose Krasnow, Chief, Development Review Division

Ralph Wilson, Acting Zoning Supervisor, Development Review4

Division

FROM:

Elsabett Tesfaye, Development Review Division (301) 495-1301

SUBJECT:

1. Final Forest Conservation Plan for CBA-1206G

2. Special Exception Modification CBA-1206G:

> Congressional Country Club-Request for modification to the approved Golf and Country Club special exception.

Acreage:

358 acres

Zone:

RE-2 and R-200

Address:

8500 River Road, Bethesda Congressional Country Club Applicant:

MASTER PLAN:

2002 Potomac Subregion Master Plan

FILING DATE:

August 1,2006

PLANNING BOARD HEARING April 5, 2007

PUBLIC HEARING:

April 10, 2007

Staff Recommendation:

- Final Forest Conservation Plan for CBA-1206G: Approval with conditions. 1.
- Special Exception Modification CBA-1206G: **Approval** with conditions. 2.

Rationale

The proposed modification conforms to all applicable requirements for special exception as specified in the Montgomery County Zoning Ordinance. Moreover, the proposed modifications are consistent with the recommendations of the 2002 Potomac Subregion Master Plan. The proposed modification will not substantially change the nature,

character, scope or intensity of the activities and services currently provided by the Club. There are no traffic, circulation, noise or environmental issues associated with the application provided that the recommended conditions are satisfied. The proposed modifications do not conflict with the Forest Conservation plan, which is the companion application to the subject special exception modification.

The proposed modifications will result in upgraded and efficient facilities and improved services for the membership of the club. In the most recent site plan revision in January of 2005, the Board of Appeals determined that the Country Club conforms to all the applicable requirements of the Zoning Ordinance. The current proposal does not alter any of the Board's previous findings or determinations of compatibility with surrounding properties and the general neighborhood.

Staff recommends approval of the Final Forest Conservation Plan for CBA-1206G and the proposed special exception modification requested by Congressional Country Club to allow replacement and expansion of various facilities subject to the following conditions:

- 1. The Final Forest Conservation Plan and associated easements must be submitted to and formally approved by M-NCPPC staff for recordation prior to release of the sediment and erosion control permit for the clubhouse addition.
- 2. Applicant must submit to staff a clear graphic representation of forest differences, easements reconciled to actual site conditions, and a full accounting of required reforestation.
- 3. The maximum number of employees must be limited to be 490.
- 4. The intern residence must be used only to house students involved in the turf management program, unless petitioner successfully returns to the Board of Appeals for permission to allow others.
- 5. There must not be more than four residents living in the new intern residence at any one time.

A. Location and Field Inspection

The property is located on the west side of River Road between Fenway Drive and Bradley Boulevard. It consists of approximately 358 acres of land and is composed of parcels 410, 600 and 909. The site has frontage on River Road, Bradley Boulevard and Persimmon Tree Road. The main access to the site is on River Road approximately 1,500 feet south of its intersection with Bradley Boulevard. A secondary access for maintenance/emergency use is located on

Bradley Boulevard. There is a sidewalk along the north side of River Road and the east side of Bradley Boulevard with a lead-in sidewalk from River Road. The site is defined by a rolling terrain, numerous mature trees, extensive landscaping, and two eighteen-hole golf courses. The property is zoned RE-2 between River Road and Persimmon Tree Road and RE-2 and R-200 on the south side of Persimmon Tree Road.

A site inspection by staff reveals that the property is properly posted.

B. Elements of Proposal

I. Proposed Modifications

The applicant, Congressional Country Club, requests a modification to the existing special exception (Case No. CBA-1206) for a private golf course in the RE-2 and R-200 zones, located at 8500 River Road within the Potomac Subregion. The Club proposes to Replace or expand the following facilities on the property:

Facilities Proposed for Replacement	Facilities Proposed for Expansion	
 Outdoor Swimming Pool Complex Pavilion (pool snack Bar) Children's Summer Swim Locker Room 	 Bar Area Ladies' Clubhouse Locker Room Indoor Pool Swim Locker Room Fitness Center Teen Center Indoor Tennis Facility Ladies Card Room 	

The applicant's amended statement of operation submitted January 17, 2007 provides the following information regarding the proposed modifications:

...the Club proposes to replace or expand its facilities in a way that will better serve its current membership. The proposed improvements include the following:

New Outdoor Swimming Pool Complex: The existing pool complex will be demolished, and a new pool complex is proposed, including an eight-lane, twenty five meter competition pool; a diving well; an adult pool for lap swimming and general lounging, with a large wading area, pool-side restrooms, and shade cabana; an area for swimming lessons and wading pools for younger children; a new teen shade pavilion; and two new family changing/rest rooms. In addition, there will be a pool office, first

aid room, and lifeguard lounge. A relocated and larger grass terrace convenient to the adult pool is proposed directly south of the clubhouse, and will offer family cook-outs on summer weekends.

- New Pool-Side Snack Bar: A new snack bar is proposed, with both indoor and outdoor tables. Unlike the current snack bar, where children have to cross the adult pool area to reach the snack bar, the new snack bar will be located adjacent to the children's pool area. The new snack bar will be approximately the same size as the existing one, and will be designed to serve adults as well as children.
- 3) New Clubhouse Children's Swim Locker Room: A new children's locker room is proposed that will also have a separate area for adults. The new facility will be slightly larger than the existing one, and will have a convenient and controlled entrance from the lower parking lot.
- 4) <u>Expansion of Main Clubhouse</u>: A two-story expansion to the south side of the existing clubhouse is proposed in order to provide the following facilities:
 - a) New, larger bar area: The existing restaurant and small bar area will remain, but will be supplemented by a much larger, main bar on the upper floor of the expanded Clubhouse. This proposed new pub-like facility will offer both inside and outside pub-fare dining, and have panoramic views of both golf courses. This will relieve overcrowding at the current bar, which will become primarily a serving area for customers who are briefly waiting for a table in the restaurant.
 - b) Expansion of the existing ladies' locker room: In addition to the new bar, the upper floor of the expanded Clubhouse will also be used to house an expanded ladies' locker room. More lockers will be added in the expanded portion of the Clubhouse in order to eliminate the waiting list problem. A new ladies' card room will also be added to the expanded Clubhouse adjacent to the ladies locker room. There are currently no dedicated ladies' card rooms in the Club, and there is great demand for them.
 - c) New Fitness Center: The Fitness Center will be moved from the lower level of the existing Clubhouse to the 2nd floor of the expanded Clubhouse, level 001. This relocated and enlarged 7,800 square foot Center, positioned adjacent to the new bar, will be convenient to existing locker rooms with direct exterior access.
 - **d) New Teen Center:** Part of the expanded Clubhouse at the exterior pool level, level 002 will be converted to a teen center. It

will provide activities (television, video games, ping pong, etc.) for the older children of members.

- More Accessible "Casual" Member Entry: To provide easier member access to the Club from the largest parking lot located twenty to forty feet below basement level, a covered structure with both stairs and an elevator from this parking area is proposed. Members will be able to use either the elevator or stairs to reach a covered walkway leading to the existing grill entrance.
- 6) New Tennis "In-Fill" Viewing and Storage Area: It is proposed that a two-story "in-fill" structure be constructed between the two existing indoor tennis facilities that will offer an upper area "function room" to be used for viewing tennis matches and for tennis parties, as well as a lower level area for general Club storage.

The applicant indicated that the proposed improvements will not result in an increase in the Club's membership. The membership will remain at the current levels of 1,100 "resident active members" and 150 "social guests". The improvements, however, result in an increase in the number of employees by twenty (full-time, part-time and seasonal). Currently the club has a staff of 291 full-time and 179 part time and seasonal employees. With the proposed increase the total number of employees will increase from 470 to 490.

The applicant has provided the following information regarding the proposed hours of operation:

Today the Club operates almost 24 hours per day. Members arrive early (as early as 5:30 A.M.) to use the exercise room or to breakfast at the Club, and staff arrive even earlier. Meetings, social functions and receptions extend into the late hours of the evening, particularly on the weekend (Friday/Saturday) evenings, and postevent clean-up keeps staff on-site into the early morning. The Club is most busy during the mid-day and evenings, particularly in the summer when families spend entire days at the Club taking advantage of its numerous activities. But the Club's primary hours of operation are generally between 8:00 A.M. and 8:00 P.M.

II Amendment Of Petition Requesting Reinstatement Of Previously Approved Facilities

On January 20, 2005, the Board of Appeals approved a modification to Special Exception No. CBA-1206-F (Opinion attached) to allow construction of: (a) male and female toilets at the golf driving range shed; and (b) a residence to house students (total of 4) involved in a cooperative program that the Club operates with colleges that grant degrees in golf

course maintenance and management. The Club was unable to start construction within two-years from January 20, 2005. The Club now is requesting the reinstatement of the approvals for the two improvements. No new modification is proposed to the improvements approved in 2005.

C. Neighborhood Description

The neighborhood in which the subject site is located is generally defined by Bradley Boulevard (MD 191) to the north, River Road (MD190) to the east, Seven Locks Road and the Capitol Beltway (I-495) to the south, Rock Run Park and Holly Leaf Lane to the west and Persimmon Tree Road to the northwest. Staff used a freeway, a major highway (MD 190) an arterial road (Bradley), a primary residential road (Seven Locks) and a local park to define the neighborhood boundaries.

The neighborhood is predominantly residential with few institutional uses. The property is zoned RE-2 between River Road and Persimmon Tree Road, and RE-2 and R-200 on the south side of Persimmon Tree Road and is within the area of the approved and adopted Potomac Subregion Master Plan of 2002. The properties north and east of the site are zoned RE-2 and are developed with low -density single-family residential homes and private educational institutions (The Norwood School and the Connelly School for the Holy Child). The properties west of the site across Persimmon Tree Road are zoned RE-2C and RE-2C/TDR and developed with low-density residential uses. To the south are located low-density residential homes in the RE-2 and R-200 zones

D. Land Use and Zoning History:

Congressional Country Club has been at the same location since the 1920's. Various special exceptions and modifications were granted to the Club since 1962 including S-349 to add acreage to the site; S-292, S-530 and S-1206 (A to F) for expansions, additions and replacements to various facilities. The site was placed in the R-A and R-R zones with the 1956 comprehensive rezoning. The 1980 Sectional Map Amendment placed the site in the RE-2 and R-200 Zones. The 2002 Potomac Subregion Master Plan and Sectional Map Amendment retained the property in the RE-2 and R-200 zones.

E. Analysis

1. Master Plan

The Community Based Planning Staff, in its review of the application, found the proposed special exception modification to be consistent with the Potomac Subregion Master Plan, in harmony with the general character of the neighborhood, and compatible with the adjacent single-family residential development.

2. Transportation

The proposal meets the transportation related requirements of Local Area Transportation Review Test (LATR). The Transportation Planning Staff reviewed the site plan and the traffic analysis submitted by the applicant and offers the following comments:

Local Area Transportation Review

Three intersections were identified as critical intersections to be affected by the existing golf course and were examined in the traffic study to determine whether the application met the applicable congestion standard. The congestion standard in the Potomac Policy Area is 1,475 Critical Lane Volumes (CLV). The CLV impacts of the proposed modification to the site on critical intersections in the vicinity of the site were analyzed and are summarized in Table 1.

Table 1

Intersection Capacity Analysis with CLV During the Weekday Peak Hour				
Intersection	Existing Traffic Volumes		Background and Total Future Traffic Volumes	
	AM	PM	AM	PM
River Road (MD 190)/Bradley Boulevard (MD 191)	1,223	1,254	1,226	1,257
River Road (MD 190)/ Norwood School Driveway/CCC Driveway	1,220	1,021	1,228	1,025
River Road (MD 190)/Seven Locks Road	1,356	1,111	1,356	1,111

As shown in the above table, all intersections analyzed are currently operating at acceptable CLVs (below 1,475) and this acceptable level will continue for the background (the existing traffic plus traffic from approved and unbuilt developments) and total future development condition during the weekday AM and PM peak hours. Since there is no approved and unbuilt development affecting the study area, the background traffic and total future traffic volumes remain the same. Based on the trip generation information provided by the applicant, the site currently generates 131 and 223 vehicle trips during the AM and PM peak hours, respectively. If the site were operating with additional 20

employees, the site would generate up to 8 additional weekday peak hour trips.

Site Access and Vehicular/Pedestrian Circulation

Main access to the site exists on River Road and a secondary access for maintenance/emergency only exists on Bradley Boulevard. Neither of the existing site access driveways is to be changed. There is a sidewalk along the north side of River Road and the east side of Bradley Boulevard with a lead-in sidewalk from River Road. Staff reviewed the site plan and finds existing access to the site and the internal traffic/pedestrian circulation system shown on the site plan are safe and adequate.

Master Plan Roadways and Bikeways

The 2001 Potomac Subregion Master Plan recommends River Road (MD 190) as a two-lane major highway within a 150-foot right-of-way and Bradley Boulevard (MD 191) as a two-lane arterial roadway within an 80-foot right-of-way.

The Countywide Bikeways Functional Master Plan recommends dual bikeways (a shared use path and signed shared roadway) on both River Road and Bradley Boulevard in the vicinity of the site.

Transportation Planning staff concludes that the granting of the requested Special Exception to modify the existing facilities and to specify the total number of employee as 490 would not have an adverse effect on the nearby road system.

Transportation staff recommends the following condition as part of the APF test related to approval of the subject special exception application.

The number of employees is limited to a maximum of 490.

3. Environment

In response to earlier comments from Environmental Planning regarding the final forest conservation plan, the applicant has amended the Plan. Environmental Planning staff reviewed the amended plan and offered the following comments and recommendations:

Discussion

The Forest Conservation Plan (FCP) submitted with this special exception amends a final FCP, approved on August 8, 2000, by removing a 0.48-acre tree stand to construct a clubhouse addition. The plan, currently in the process of an administrative amendment,

also attempts to reconcile unrecorded easements, shown on the previously approved plan, with accurate site conditions. All forest conservation requirements resulting from the changes can be met on site.

Forest Conservation

The Final FCP approved in 2000 was revised, but not approved, in 2004 when some of the golf course holes and paths were proposed for renovation. At this time, staff discovered that required Forest Conservation easements were never recorded. Discrepancies between the proposed easements and location of existing forest were also discovered. Since then staff has been working with the applicant to craft a FCP that can be approved with easements accurate to existing forest conditions. Staff and applicant did reach agreement on the size and location of the new easements, but this special exception was submitted before the plan was formally approved.

Both an approved Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) and an amended Final FCP were submitted with this application. The amended final FCP includes changes to the 2000 final FCP agreed upon prior to this submission. In addition to these changes, the FCP submitted with this application shows removal of an additional 0.48 acres of tree save area necessary to accommodate expansion of the clubhouse. The FCP also shows a 0.42-acre area where forest was cleared to site a stormwater management facility after the 2000 FCP was approved. A third 0.21 acre area of forest is shown as cleared due to the proposed construction of a path. All of the tree save area will be replaced on a one for one basis on site: all forest must be replaced at a two for one ratio.

The FCP submitted with this application must now be adjusted to illustrate the initial extent of forest, where reforestation occurred after the 2000 FCP was approved, the easement associated with the 2000 FCP and the newly sized easements.

Environmental Guidelines

This property is not located within a Special Protection Area or Primary Management Area. Stream buffers and wetlands are identified and protected except where the site was developed before the <u>Environmental Guidelines</u> were adopted.

Stormwater Management

The Department of Permitting Services is reviewing a Stormwater Management Concept Plan and expects to approve it. New

underground facilities will be located in a previously cleared area at the south end of the clubhouse parking lot.

Noise

This use is not expected to generate a noise disturbance to surrounding uses.

Dust

There should be no objectionable fumes, noise or odors resulting from the proposed use. Dust is not expected to be problematic.

The Environmental Planning staff recommends approval of the proposed Forest Conservation Plan with the following conditions:

- 1. The plan and associated easements must be submitted to and formally approved by M-NCPPC staff for recordation prior to release of the sediment and erosion control permit for the clubhouse addition.
- 2. Applicant must submit to staff a clear graphic representation of forest differences, easements reconciled to actual site conditions, and a full accounting of required reforestation.

4. General Development Standards

1. <u>Development Standards-59-G-1.23 (a)</u>: Special exceptions are subject to the development standards of the applicable zone where the special exception is located, except when the standard is specified in Section G-1.23 or in Section G-2.

The following table summarizes the relevant development standards for the RE-2 and R-200 Zones that are applicable to the proposed special exception request.

Development Standard	Required (current)		Proposed/Existing
	RE-2	R-200	
Minimum Lot Area	87,120	20, 000	358 AC
Minimum Lot width:			

 at street line 	25 ft	25	
■ 59-G-2.24 (b)(4)	200	200	2,200
Minimum Building Setback: a. From street b. From Adjoining lot Side:	50	40	1,000
One side	17ft	12	370 ft
 Sum of both sides 	35	25	>370
Rear	35	30	>35
Maximum Building Height	50	50	44.5
Maximum Building Coverage			
• 59-C-1.328	25%	25%	1.1%
• 59-G-2.24 (b)(1)	3%	3%	1.1%

2. Parking Requirements—59-G-1.23 (b): Special exceptions are subject to all relevant requirements of Article 59-E.

The zoning ordinance contains no parking standards for golf courses and country clubs, either in the specific requirements for the special exception use in 59-G-2.24 or in the parking requirements of Article 59-E.

The application proposes a total of 674 spaces. The applicant has provided the following break down of the parking spaces for the various uses in country club:

Main Clubhouse Parking:

Lower parking lot	324 spaces
Parking lot adj. to loading dock (incl. HC)	30 spaces
Triangle parking lot near range house	53 spaces
Parking lot at tournament office	63 spaces
Parking lot at tennis courts	33 spaces
Parking along roads	32 spaces
10-minute parking at front door	3 spaces

Grounds Department Parking:

TOTAL GROUNDS PARKING	136 spaces
Temporary grass lots	88 spaces
Employees' parking lot	48 spaces

Sufficient parking accommodation is provided to satisfy the club's parking needs. Moreover, the parking facility meets all applicable setback, screening, access, circulation and minimum landscaping requirements.

3. Forest Conservation-59-G-23 (d): If a special exception is subject to Chapter 22A, the Board must consider the preliminary forest conservation plan required by that Chapter when approving the special exception application and must not approve a special exception that conflicts with the preliminary forest conservation plan.

A Final Forest Conservation Plan was approved in 2000. The plan was revised in 2004 when the driving range and practice areas were renovated. Forest Conservation easements required to protect forest were never recorded. The applicant is currently working with Environmental Planning staff to do so (see attached Environmental Planning Memorandum).

4. Signs—59-G-23 (f): The display of a sign must comply with Article 59-F.

The applicant indicated that no new sign is proposed and that any temporary construction signs will comply with all applicable requirements of Article 59-F. All signs placed on the property shall meet the requirements of Section 59-F-4.2 (a) in terms of number, location and area and Section 59-F-4.1 (e) regarding illumination.

5. Building compatibility in residential zones —59-G-23 (g): Any structure that is constructed, reconstructed or altered under a special exception in a residential zone must be well related to the surrounding area in its sitting, landscaping, scale, bulk, height, materials, and textures, and must have a residential appearance where appropriate. Large building elevations must

be divided into distinct planes by wall offsets or architectural articulation to achieve compatible scale and massing.

The existing structure was first constructed in the 1920's. As has been the case with subsequent modifications, the proposed modification complements the existing structure in terms of design (Spanish Revival Architecture) and building materials.

- 6. Lighting in residential zones —59-G-23(h): All outdoor lighting must be located, shielded, landscaped, or otherwise buffered so that no direct light intrudes into an adjacent residential property. The following lighting standards must be met unless the Board requires different standards for a recreational facility or to improve public safety:
 - (1 Luminaires must incorporate a glare and spill light control device to minimize glare and light trespass.
 - (2) Lighting levels along the side and rear lot lines must not exceed 0.1 foot candles.

A photometric study was submitted with the application to show that the proposed modification meets this requirement. With regard to the residential structure that was approved in CBA-1206 F in January of 2005, no change is proposed to the project approved at that time. There was no concern regarding lighting in CBA-1206 F.

- **E** Community Concerns: The applicant indicated that the proposed modifications were reviewed and discussed at a meeting that was attended by 10 residents of the area. The applicant's team also met with the Executive Board of West Montgomery Civic Association and had discussed the proposed landscape plan. No comments were received from the citizens association or individual home owners in the area concerning the proposed modifications to the Country Club.
- F. Inherent and Non-Inherent Adverse Effects

Standard for Evaluation: Section 59-G-1.2.1 of the Zoning Ordinance specifies that a special exception must not be granted without the findings required by this Article. In making these findings, the Board of Appeals, Hearing Examiner, or District Council, as the case may be, must consider the inherent and non-inherent adverse effects of the use on nearby properties and the general neighborhood at the proposed location, irrespective of adverse effects the use might have if established elsewhere in the zone. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are

not a sufficient basis for denial of a special exception. Non-inherent adverse effects are physical and operational characteristics not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with inherent adverse effects, are a sufficient basis to deny a special exception.

As established in previous special exception cases, seven criteria are used to identify the physical and operational characteristics of a use. Those criteria are size, scale, scope, lighting, noise, traffic, and the environment.

The primary characteristics necessarily associated with a *golf course and country club* include the club house, residential dwellings and accessory buildings related to operation of the golf course and country club, golf course indoor and outdoor recreational facilities, parking lots, members, employees and social events. The proposed modifications are structural in nature and are not likely to result in adverse operational characteristics such as noise or traffic to the site. There are no inherent or non-inherent adverse impacts associated with this application sufficient to warrant a denial of the subject special exception.

- G. Specific Special Exception Requirements: Section 59-G-2.24 states that a golf course or country club must adhere to the following standards and requirements.
 - (a) The provision of food, refreshments, and entertainment for club or organization members and their guests may be allowed in connection with such use, provided the availability of such services is not reasonably expected to draw an excessive amount of traffic through local residential streets.

The proposed modifications would bring about a needed upgrading and modernization of the 80-year-old clubhouse and its facilities, added services for existing members, and added aesthetic enhancements. The Club is not expected to draw an excessive amount of traffic through local residential streets as the result of the proposed modifications.

- (b) All standards of the applicable zones must apply except:
 - (1) Maximum building coverage 3%
 - (2) Minimum setback for a main building 50 feet
 - (3) The Board may waive the provisions of Sec. 59-C-1.326(a) regarding the location of accessory buildings.
 - (4) The site must have a minimum of 200 feet of frontage on a road of arterial or higher classification in a residential zone.

The proposal complies with this requirement. The applicant's statement of operation indicates that the maximum building coverage will be 1.1 percent with a building setback of 1,000 feet.

With respect to the provisions of 59-C.1326(a), the applicant stated the following:

We have been advised by the Department of Permitting Services that, for country clubs and golf courses, the Department does not make a distinction between "main" and "accessory" structures. Nevertheless, the following facts support a granting of a waiver under Section 59-G-2.24(b)(3) for the proposed tennis "in-fill" building, if necessary:

- Existing accessory structures that are located outside of the rear yard of the Clubhouse property include two existing tennis enclosures and an existing tennis shop/club. These features have been in place for many years and represent a fixed feature of the Club's "landscape" and will not be modified in any meaningful way by the present petition.
- 2. The proposed tennis "in-fill" building will serve as an enclosed viewing area located between the two existing tennis enclosures. It will be set back more than 100 feet from River Road and will not be visible from the west or from the residences located to the east since it will not exceed the height of the existing tennis enclosures.

Staff agrees with the applicant's conclusion in this case.

The property has 2,200 feet of frontage on both River Road (major highway) and Bradley Boulevard (arterial).

(c) All outdoor lighting must be located, shielded, landscaped or otherwise buffered so that no direct light intrudes into any residential area.

Photometric studies submitted with the application indicate that the proposal meets this requirement. The light fixtures are substantially distanced from the nearest residential dwellings and obscured from the adjoining streets by the natural topography, vegetation and landscaping

(d) All major outdoor activity areas, such as tennis courts, swimming pools, and golf course playing surfaces must be set back at least 100 feet from property lines adjoining a one-family residential use. The Board may reduce this setback where it finds that landscaping,

screening, fencing or other measures can mitigate the adverse effects on the adjoining residential use.

The proposed new outdoor pool complex replaces the existing outdoor pool complex which is located approximately 370 feet from the nearest residential properties. A combination of distance, natural features and site design ensure that there is no potential adverse impact to adjoining residential use from the out-door swimming pool.

(e) Any golf course established by special exception before May 6, 2002 is a conforming use and may be modified in accordance with the special exception standards in effect at the time the modification is filed.

The subject country club conforms to all current special exception standards.

H. Section 59-G-1.21. General conditions

- (a) A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:
 - (1) Is a permissible special exception in the Zone.

The subject property is located in the RE-2 and R-200 Zones, which permit the proposed special exception.

(2) Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a special exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a special exception to be granted.

The proposal is in compliance with the specific special exception requirements of **Section 59-G-2.24**

(3) Will be consistent with the general plan for the physical development of the District, including any master plan adopted by the Commission. Any decision to grant or deny a special exception must be consistent with any recommendation in a master plan regarding the appropriateness of a special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant

the special exception must include specific findings as to master plan consistency.

There are no master plan issues associated with this application.

(4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.

With the recommended conditions, the proposed use will be in harmony with the general character of the neighborhood. The site and landscape plans provide for extensive landscaping, innovative site design, adequate setbacks, substantial green space and sufficient building setbacks.

Due to the nature of the use, the expansive land area which is defined with natural terrain and abundant vegetation, it is unlikely that the proposed modifications would generate a level of traffic or noise that would raise concern for congestion on the streets or the residential neighborhood.

(5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

The proposed use will not be detrimental to the development or economic values of the surrounding properties or neighborhood.

(6) Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

It is not anticipated that the use would cause objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site.

(7) Will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the

recommendations of a master or sector plan do not alter the nature of an area.

The Club has operated on the subject property for over 80 years with no apparent impact to the residential neighborhood within which it is located. As indicated by the applicant, the proposed improvements are wholly internal to the site and substantially screened from the surrounding residential uses.

(8) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if

With the recommended conditions, the proposed use will not adversely affect the health, safety, security, morals or welfare of residents, visitors or workers in the area.

- (9) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities.
 - (i) If the special exception use requires approval of a preliminary plan of subdivision the adequacy of public facilities must be determined by the Planning Board at the time of subdivision review. In that case, subdivision approval must be included as a condition of the special exception. If the special exception does not require approval of a preliminary plan of subdivision, the adequacy of public facilities must be determined by the Board of Appeals when the special exception is considered. The adequacy of public facilities review must include the Local Area Transportation Review and the Policy Area Transportation Review, as required in the applicable Annual Growth Policy.

The Subdivision Section indicated that the applicant submitted minor record plats to M-NCPPC Development Review Division and these are currently under review. Prior to the release of any new building permit, for any new building or increases in the square footage of existing buildings, applicant will be required to record a plat in the land record pursuant to Chapter 50 of the Subdivision regulations.

(ii) With regard to findings relating to public roads, the Board, the Hearing Examiner, or the District Council, as the case may be, must further determine that the

proposal will not reduce the safety of vehicular or pedestrian traffic.

The applicant indicated that the property is currently served by adequate sewer and water services that are also adequate to serve the proposed improvements.

Transportation Planning staff review of the proposal reveals that the granting of the requested Special Exception to modify the existing facilities and to specify the total number of employee as 490 would not have an adverse effect on the nearby road system.

(b) Nothing in this Article relieves an applicant from complying with all requirements to obtain a building permit or any other approval required by law. The Board's finding of any facts regarding public facilities does not bind any other agency or department, which approves or licenses the project.

The applicants will so note.

(c) The applicant for a special exception has the burden of proof to show that the proposed use satisfies all applicable general and specific standards under this Article. This burden includes the burden of going forward with the evidence, and the burden of persuasion on all questions of fact.

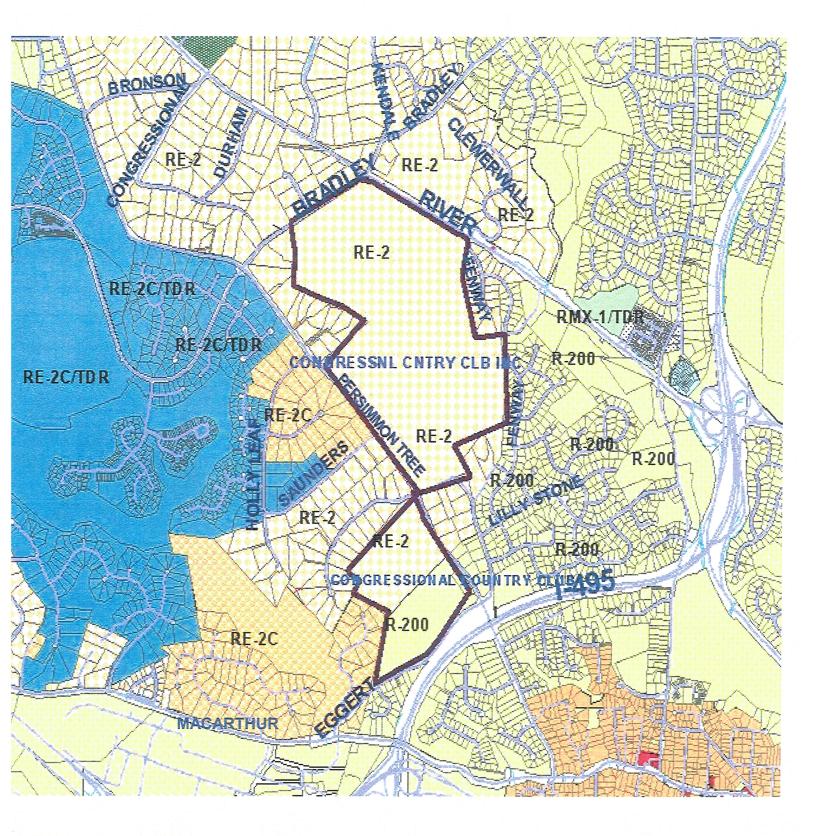
The applicant has met the burden of proof under Sections 59-G-2.24: Golf Course and Country Club (specific requirements) and 59-G-21(a): Genera Conditions.

Conclusion

Based on the foregoing analysis, staff recommends Approval of Special Exception CBA-1206 G and the request for approval of the Final Forest Conservation Plan for CBA-1206 G, subject to the conditions found at the beginning of the technical staff report

ATTACHMENTS

CBA-1206 G CONGRESSIONAL COUNTRY CLUB

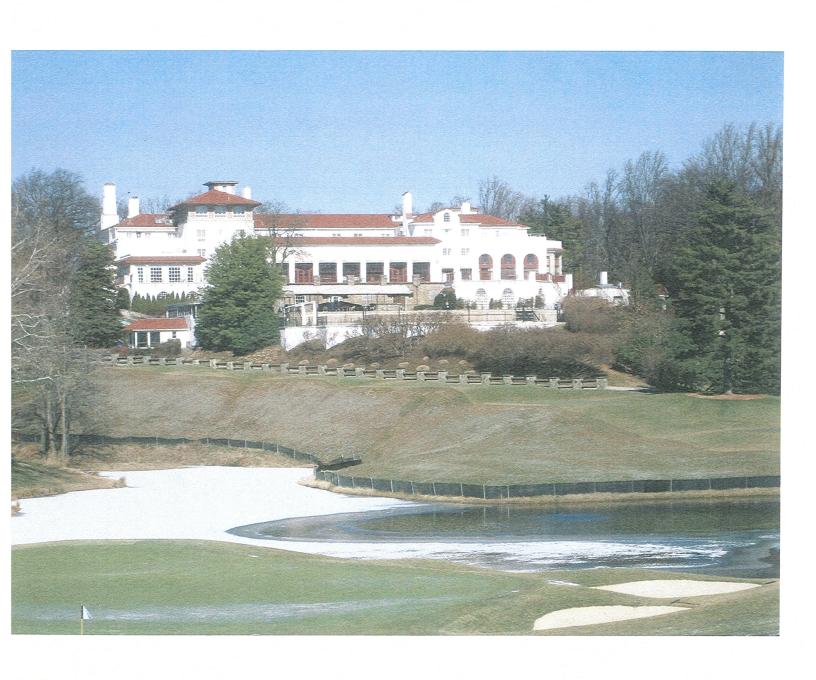




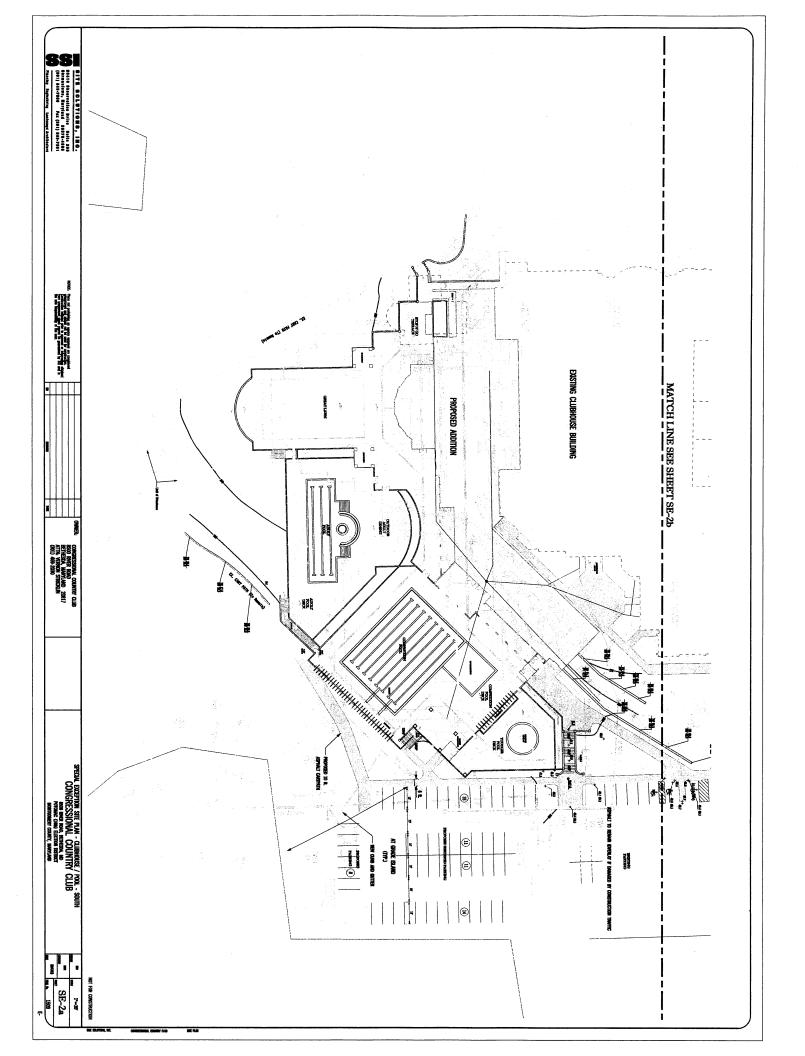
CLUB HOUSE: EAST SIDE

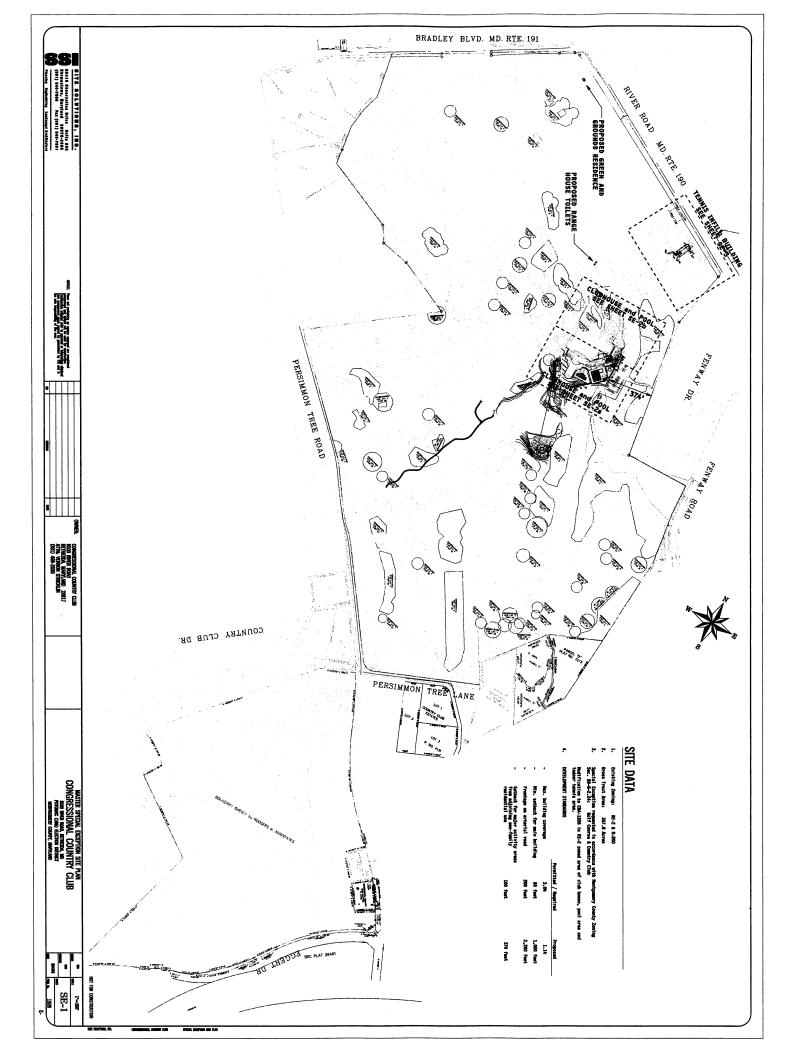


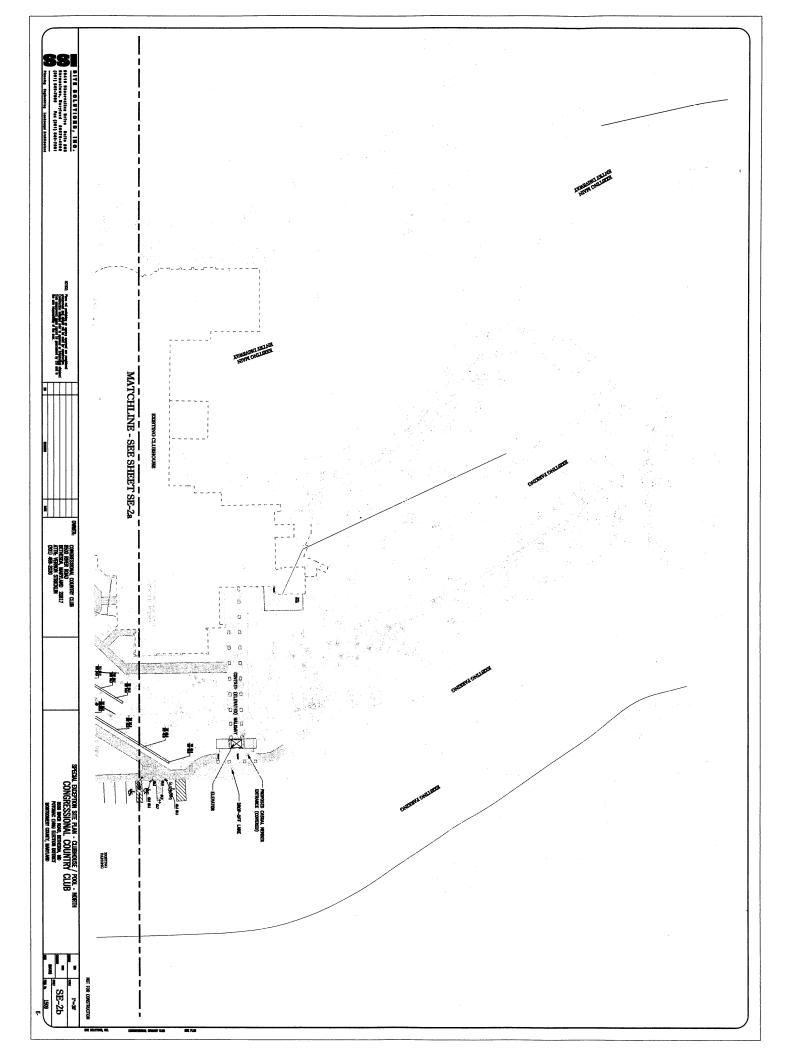
CLUB HOUSE — WEST SIDE

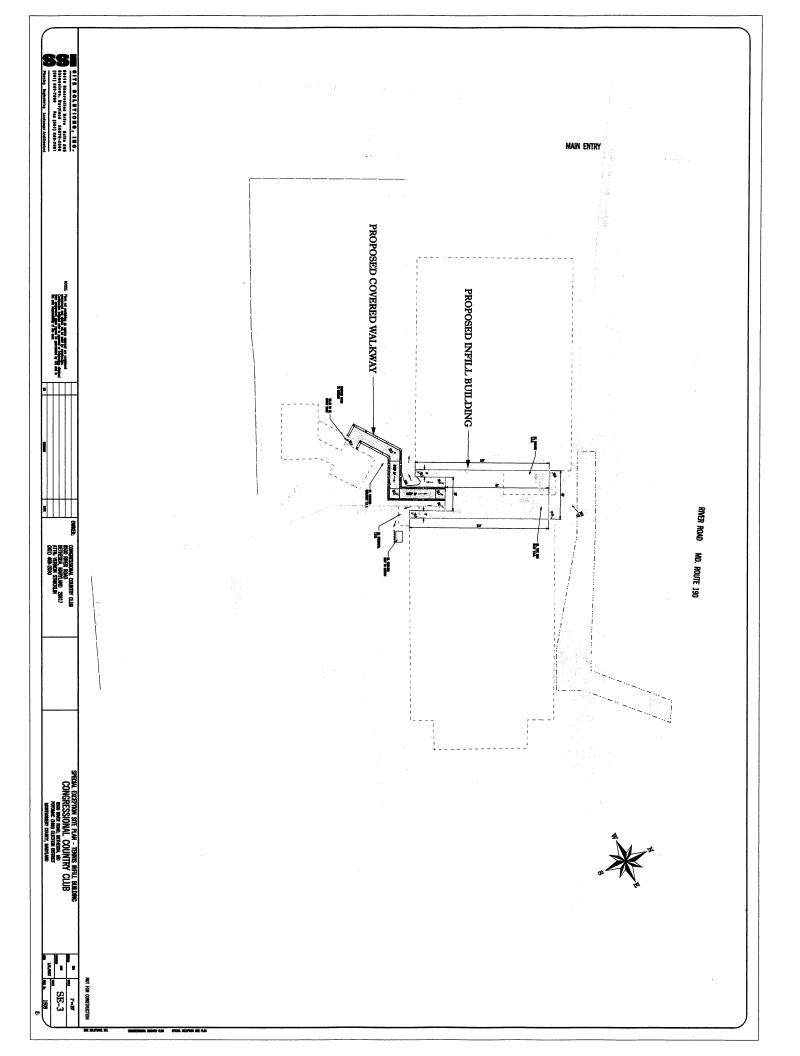


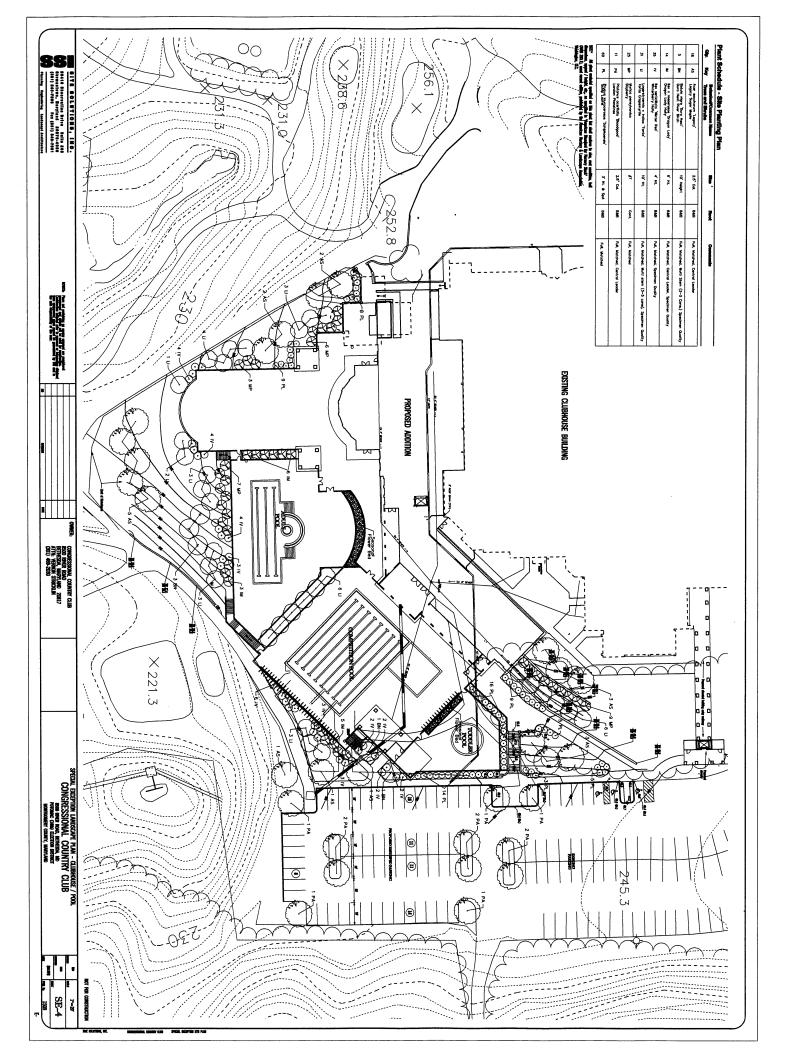
CLUB HOUSE — SOUTH SIDE

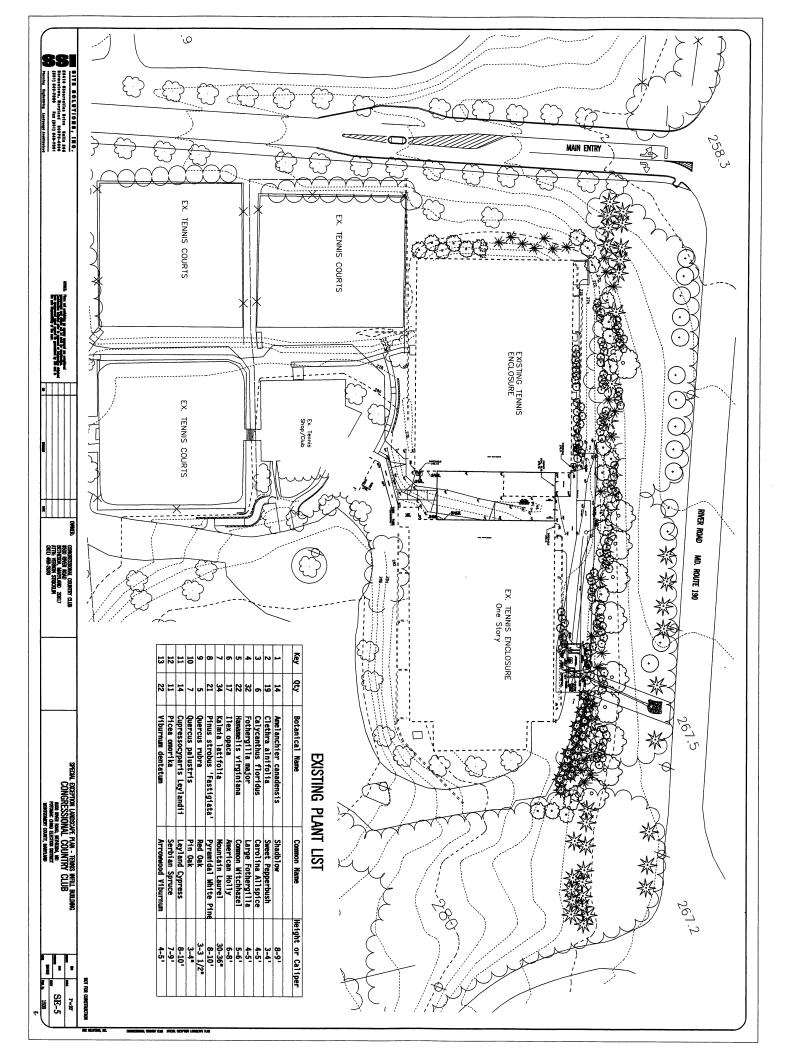


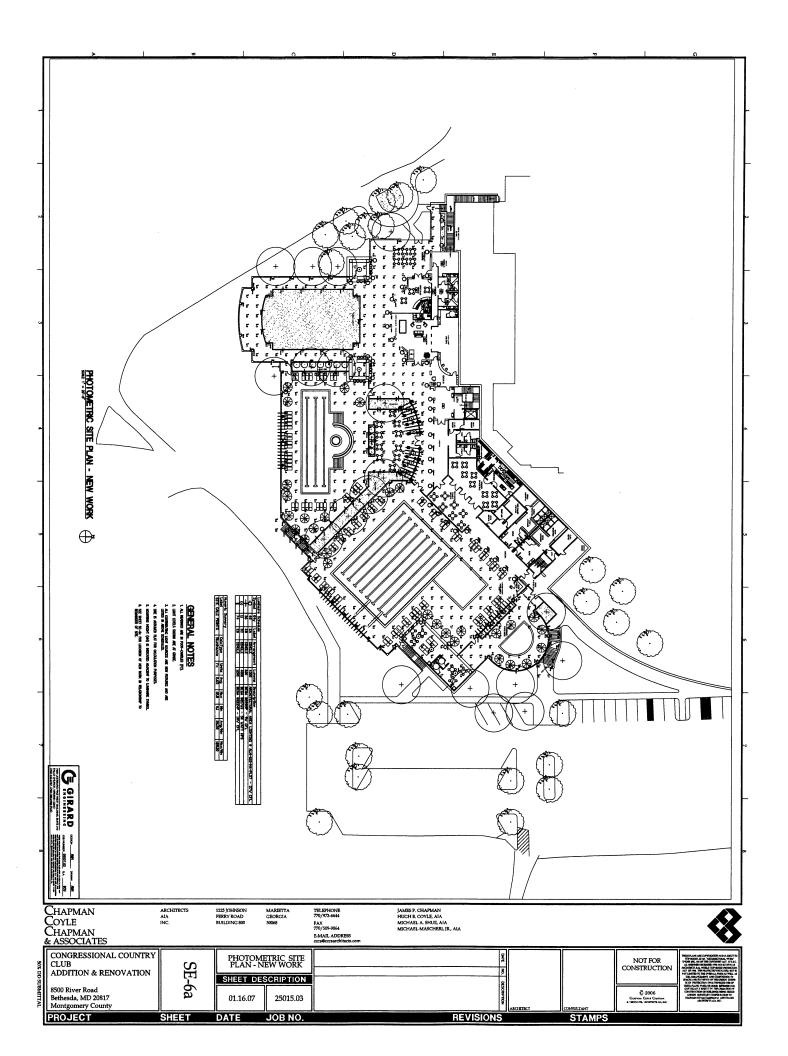


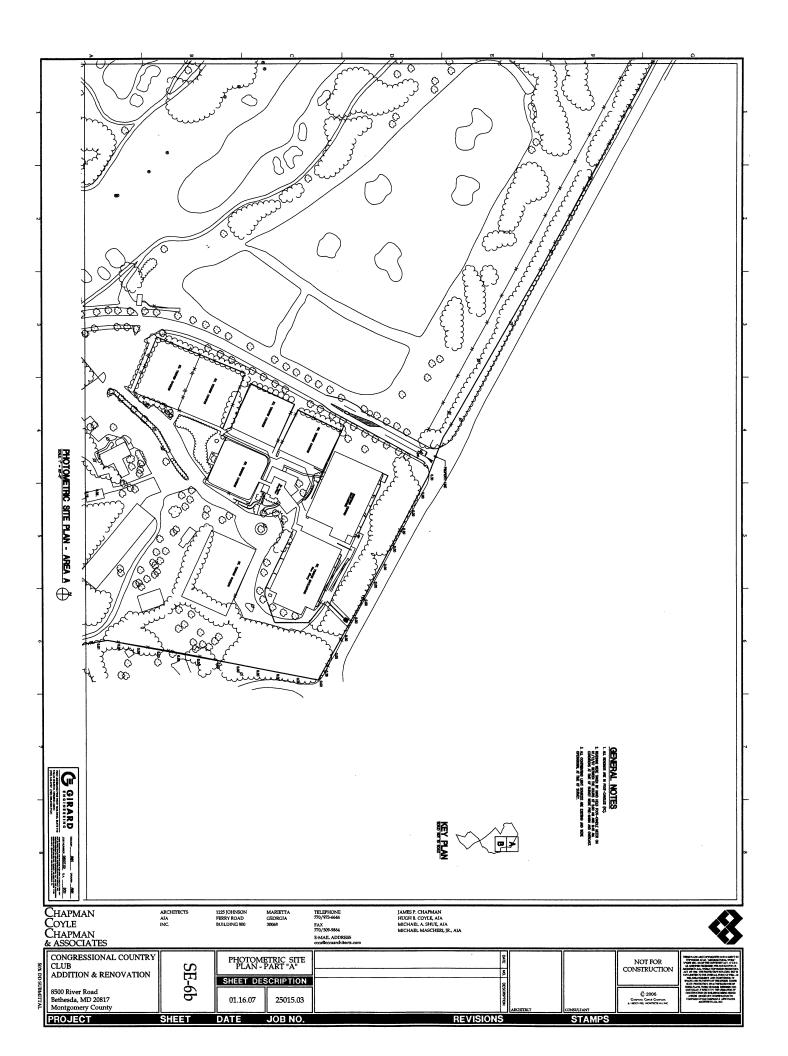


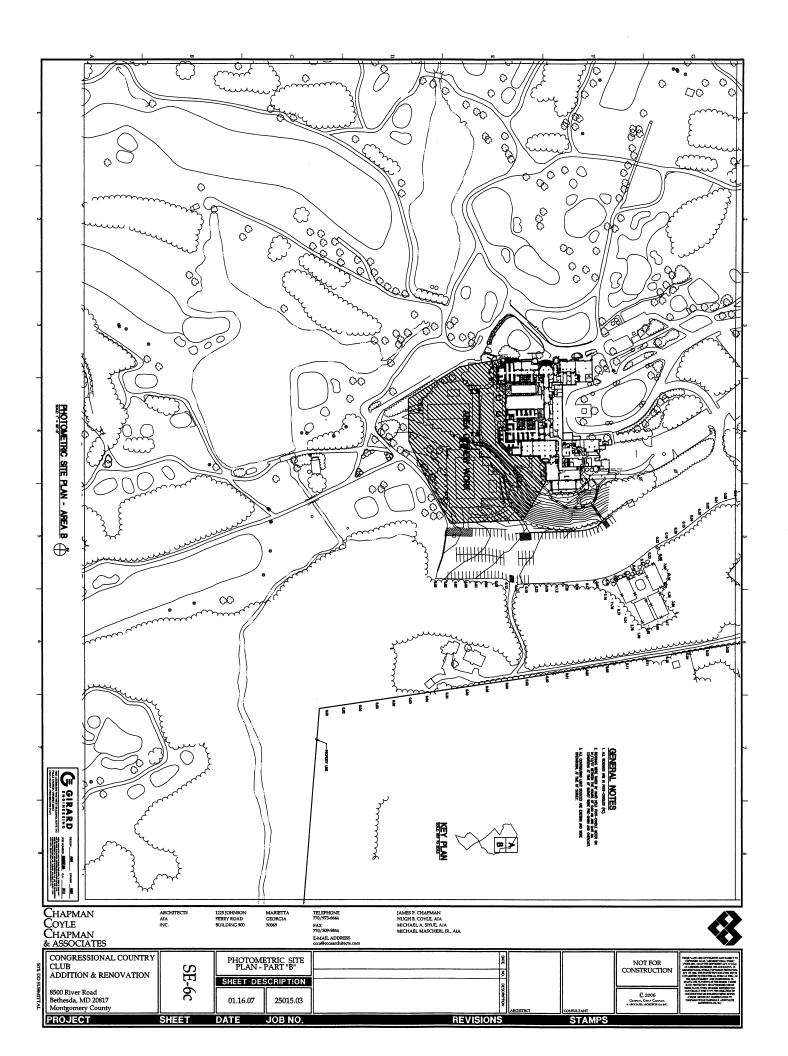


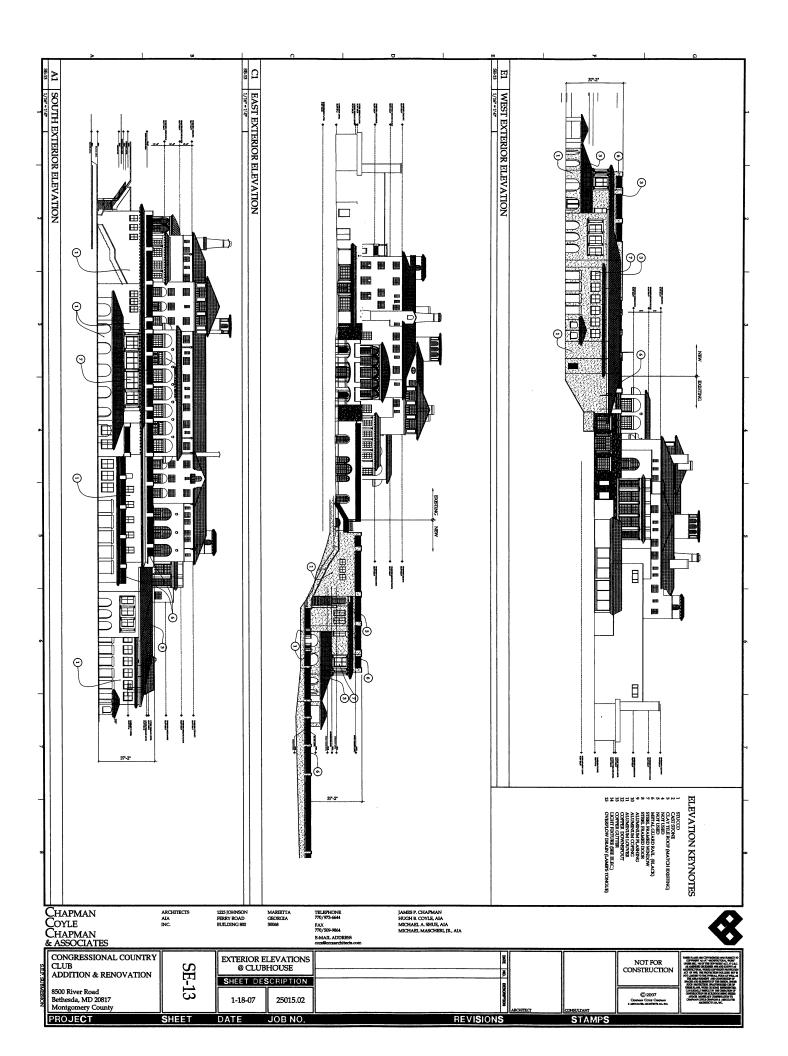


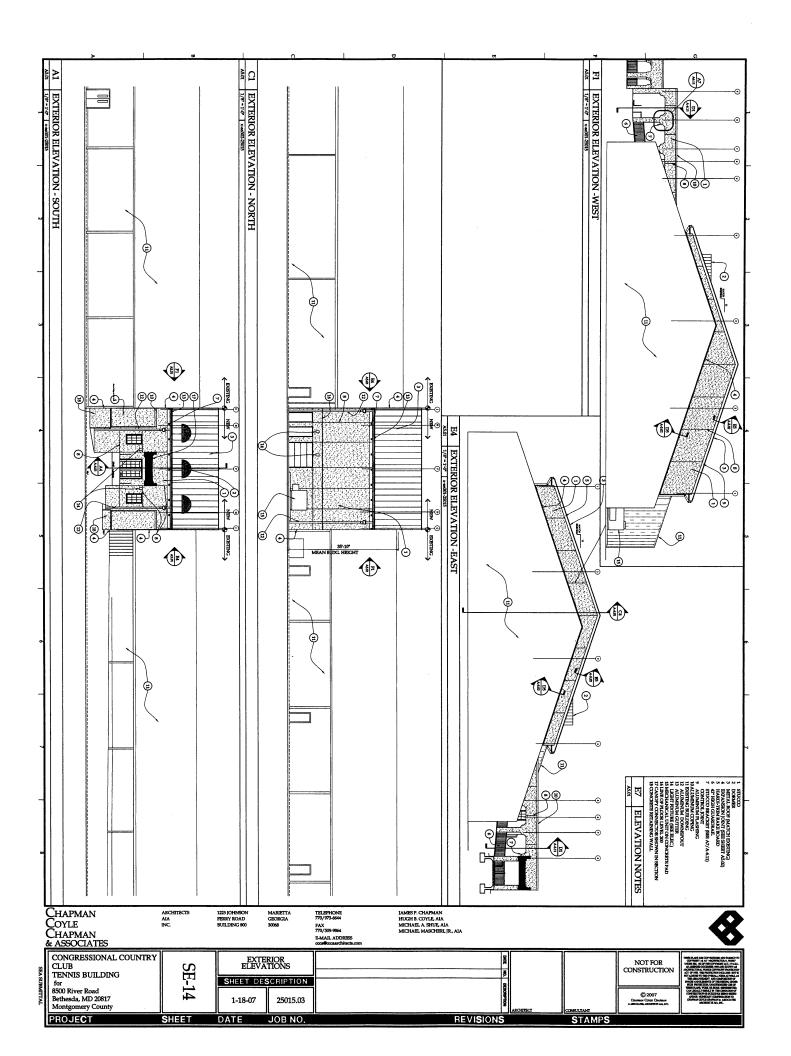


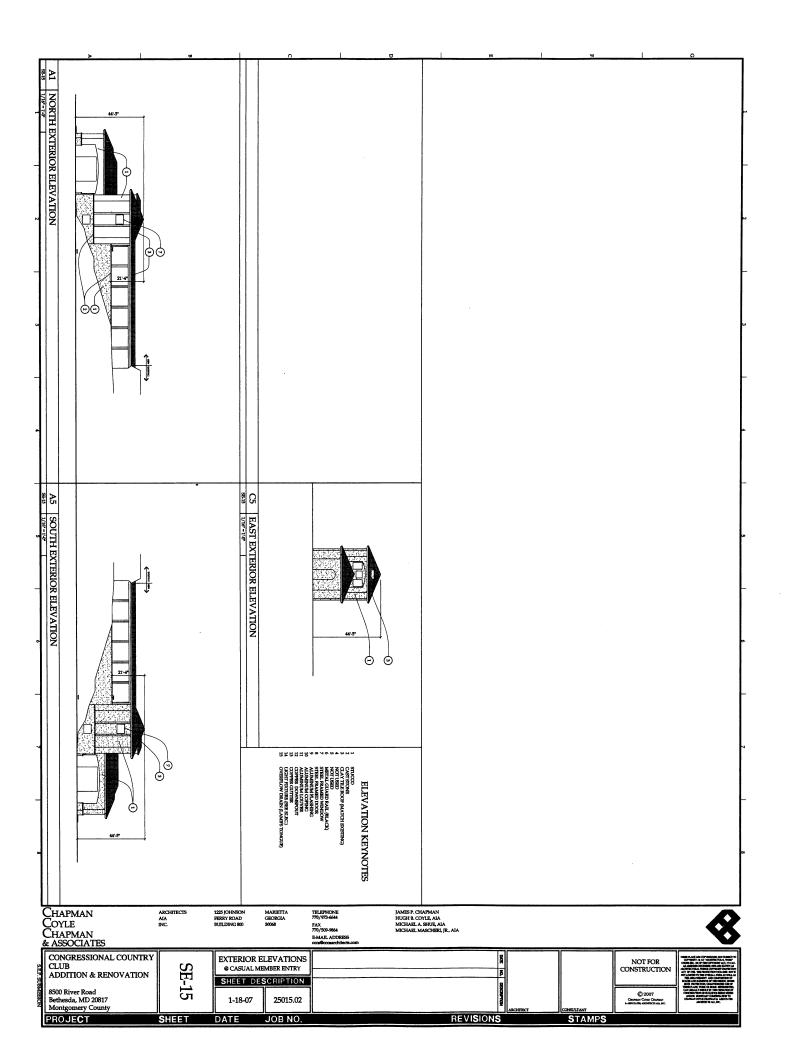














MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760 301-495-4500, www.mncppc.org



MEMORANDUM

DATE:

March 16, 2007

TO:

Elsabett Tesfaye, Development Review Division

VIA:

Mary Dolan, Countywide Planning Division, Environmental Planning

FROM:

Marion Clark, Countywide Planning Division, Environmental Planning ₩

SUBJECT:

Forest Conservation Plan Amendment to CBA - 1206 - E2 and

Special Exception request No. CBA - 1206 - E2

Congressional Country Club

Recommendation: Preliminary Approval of the amended Final Forest Conservation Plan with conditions

The following conditions apply to the approval of this Forest Conservation Plan amendment:

- The plan and associated easements must be submitted to and formally approved by M-NCPPC staff for recordation prior to release of the sediment and erosion control permit for the clubhouse addition.
- Applicant must submit to staff a clear graphic representation of forest differences, easements reconciled to actual site conditions, and a full accounting of required reforestation.

Discussion

The Forest Conservation Plan (FCP) submitted with this special exception amends a final FCP, approved on August 8, 2000, by reducing a 0.48-acre tree stand to construct a clubhouse addition. The plan, currently in the process of an administrative amendment, also attempts to reconcile unrecorded easements, shown on the previously approved plan, with accurate site conditions. All forest conservation requirements resulting from the changes can be met on site.

Forest Conservation

The Final FCP approved in 2000 was revised, but not approved, in 2004 when some of the golf course holes and paths were proposed for renovation. At this time, staff discovered that required Forest Conservation easements were never recorded. Discrepancies between the proposed easements and location of existing forest were also discovered. Since then staff has been working with the applicant to craft a FCP that can be approved with easements accurate to existing forest conditions. Staff and applicant did reach agreement on the size and location of the new easements, but this special exception was submitted before the plan

was formally approved.

Both an approved Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) and an amended Final FCP were submitted with this application. The amended final FCP includes changes to the 2000 final FCP agreed upon prior to this submission. In addition to these changes, the FCP submitted with this application shows removal of an additional 0.48 acres of tree save area necessary to accommodate expansion of the clubhouse. The FCP also shows a 0.42-acre area where forest was cleared to site a stormwater management facility after the 2000 FCP was approved. A third 0.21 acre area of forest is shown as cleared due to the proposed construction of a path. All of the tree save area will be replaced on a one for one basis on site: all forest must be replaced at a two for one ratio.

The FCP submitted with this application must now be adjusted to illustrate the initial extent of forest, where reforestation occurred after the 2000 FCP was approved, the easement associated with the 2000 FCP and the newly sized easements.

Environmental Guidelines

This property is not located within a Special Protection Area or Primary Management Area. Stream buffers and wetlands are identified and protected except where the site was developed before the Environmental Guidelines were adopted.

Stormwater Management

The Department of Permitting Services is reviewing a Stormwater Management Concept Plan and expects to approve it. New underground facilities will be located in a previously cleared area at the south end of the clubhouse parking lot.

Noise

This use is not expected to generate a noise disturbance to surrounding uses.

Dust

There should be no objectionable fumes, noise or odors resulting from the proposed use. Dust is not expected to be problematic.

February 6, 2007

MEMORANDUM

TO:

Elsabett Tesfaye

Development Review Division

VIA:

Daniel K. Hardy, Supervisor Transportation Planning

FROM:

Ki H. Kim, Planner/Coordinator Ki H. Transportation Planning

SUBJECT:

Congressional Country Club in Potomac

Special Exception Case No. CBA-1206-G

This memorandum represents Transportation Planning staff's Adequate Public Facilities (APF) review and recommendations on the subject special exception application. The subject special exception application is for the proposed modification to the existing facilities and for the projected increase of number of employees of the existing private golf course and country club on a site located in the Potomac area.

RECOMMENDATION

Based on our review of the site plan and the traffic analysis submitted by the applicant, staff recommends the following condition as part of the APF test related to approval of the subject special exception application.

1. The number of employees is limited to a maximum of 490.

DISCUSSION

The existing site has a previously approved special exception to permit a private golf course and country club and the applicant desires to modify the special exception in order to provide improvements to the existing facilities and specify the projected employee levels. The total number of employees currently serving the club activities is 470 and the applicant projects this number to be increased by 20 for a total of 490. The applicant submitted a traffic study to support the proposed modifications to the existing facilities and the projected number of total employees.

Local Area Transportation Review

Three intersections were identified as critical intersections to be affected by the existing golf course and were examined in the traffic study to determine whether they met the applicable congestion standard. The congestion standard in the Potomac Policy Area is 1,475 Critical Lane Volumes (CLV). The CLV impacts of the proposed modification to the site on critical intersections in the vicinity of the site were analyzed and are summarized in Table 1.

Table 1

Intersection Capacity Analysis with CLV During the Weekday Peak Hour					
Intersection	Existing Traffic Volumes		Background and Total Future Traffic Volumes		
	AM	PM	AM	PM	
River Road (MD 190)/Bradley Boulevard (MD 191)	1,223	1,254	1,226	1,257	
River Road (MD 190)/ Norwood School Driveway/CCC Driveway	1,220	1,021	1,228	1,025	
River Road (MD 190)/Seven Locks Road	1,356	1,111	1,356	1,111	

As shown in the above table, all intersections analyzed are currently operating at acceptable CLVs (below 1,475) and this acceptable level will continue for the background (the existing traffic plus traffic from approved and unbuilt developments) and total future development condition during the weekday AM and PM peak hours. Since there is no approved and unbuilt development affecting the study area, the background traffic and total future traffic volumes remain same. Based on the trip generation information provided by the applicant, the site currently generates 131 and 223 vehicle trips during the AM and PM peak hours, respectively. If the site were operating with additional 20 employees, the site would generate up to 8 additional weekday peak hour trips.

Site Access and Vehicular/Pedestrian Circulation

Main access to the site exists on River Road (MD 190) and a secondary access for maintenance/emergency only exists on Bradley Boulevard. The either of existing site access driveways is not to be changed. There is a sidewalk along the north side of River Road and the east side of Bradley Boulevard with a lead-in sidewalk from River Road. Staff reviewed the site plan and

finds existing access to the site and the internal traffic/pedestrian circulation system shown on the site plan are safe and adequate.

Master Plan Roadways and Bikeways

The 2001 Potomac Subregion Master Plan recommends River Road (MD 190) as a two-lane major highway within a 150-foot right-of-way and Bradley Boulevard (MD 191) as a two-lane arterial roadway within an 80-foot right-of-way.

The Countywide Bikeways Functional Master Plan recommends dual bikeways (a shared use path and signed shared roadway) on both River Road and Bradley Boulevard in the vicinity of the site.

CONCLUSION

Transportation Planning staff concludes that the granting of the requested Special Exception to modify the existing facilities and to specify the total number of employee as 490 would not have an adverse effect on the nearby road system.

MEMORANDUM

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760 301-495-4500, www.mncppc.org

DATE:

September 6, 2006

TO:

John Carter, Community Based Planning Division

Melissa Banach, Strategic Planning Division

Tom Vanderpoel, Community Based Planning Division

Mary Dolan, Environmental Planning Division **Daniel Hardy, Transportation Planning Division**

Jon Market Market College Coll Tanya Schmieler, Park Planning and Development Division

Gwen Wright, Historic Preservation Unit Taslima Alam, Development Review Division Judy Daniel, Community Based Planning Team 2

FROM:

Carlton Gilbert

Development Review Division

PLEASE REPLY TO: Elsabett Tesfaye

SUBJECT: Board of Appeals Petition No. CBA-1206-G

Special Exception Request: Modification of existing special exception in order to make improvements

to its facilities. (Golf Course and Country Club)

Zone: RE-2 and R-200

Location: 8500 River Road, Bethesda

Please assign a person on your staff to review the case cited above. Written comments and recommendations are requested by Monday, October 16, 2006 for the staff report on this case. Staff may sign case files out of the Development Review Division, briefly, for review.

In addition to any other observations, it would be helpful to have your input on the following:

Community Based Planning: 1) consistency with master plan, 2) whether the special exception will adversely affect the surrounding area, 3) any information or recommendation concerning relevant master planning studies or other government action now under way.

Environmental Planning: 1) environmental impact due to topographic or other factors which may cause problems, 2) conformance with tree preservation legislation of Chapter 22-A of the County Code.

Transportation Planning: traffic impact and adequacy of road network affected by request.

Park Planning & Development: impact on existing or proposed park areas.

Development Review: applicable subdivision requirements.

February 5, 2007

MEMORANDUM

FROM: Callum Murray. Po

Callum Murray, Potomac Team Leader

Community-Based Planning Division

TO: Elsabett Tesfaye, Zoning Analyst

Development Review Division

SUBJECT: Special Exception Modification No. CBA-1206-G, Congressional Country

Club, 8500 River Road, Potomac Subregion Master Plan

The following is Community-Based Planning's memorandum with comments on the above referenced special exception modification and accompanying site plans.

The applicant, Congressional Country Club, requests a modification to the existing special exception (Case No. CBA-1206) for a private golf course in the RE-2 and R-200 Zones, located at 8500 River Road within the Potomac Subregion. The modification will permit: replacement of swimming pools, a pavilion, and a children's summer swim locker room; expansion of a bar, ladies' clubhouse locker room, indoor swim locker room, fitness center and indoor tennis facility.

The property consists of approximately 358 acres and is composed of parcels 410, 600 and 909. It is located on the southwest side of River Road between Fenway Drive and Bradley Boulevard. The site has frontage on River Road, Bradley Boulevard and Persimmon Tree Road, classed as major highway and two arterials respectively. The property is zoned RE-2 between River Road and Persimmon Tree Road, and RE-2 and R-200 on the south side of Persimmon Tree Road and is within the area of the approved and adopted Potomac Subregion Master Plan of 2002. The Master Plan confirmed the existing zoning pattern but did not specifically address the golf course property.

The properties north and east of the site are zoned RE-2 and are developed with low-density residential uses or private educational institutional uses. The Norwood School confronts the Country Club on the northeast side of River Road and the Connelly School for the Holy Child faces the Club on the northwest side of Bradley Boulevard. The Country Club is surrounded by low-density residential subdivisions in the RE-2, RE-2C, RE-2C/TDR and R-200 Zones.

Congressional Country Club has maintained a golf course and country club at this location for approximately 80 years. A special exception was granted to the Club in

1962 and has been periodically modified, with the Board of Appeals granting the last modification on November 6, 2003. (Case No. CBA-1206-F). The Club has previously dedicated the master planned right-of-way on River Road, Bradley Boulevard and Persimmon Tree Road.

Community-Based Planning staff finds the special exception modification to be consistent with the Potomac Subregion Master Plan, in harmony with the general character of the neighborhood, and compatible with the adjacent single-family residential development. Accordingly, Community-Based Planning staff recommends APPROVAL.

CM: D\Murray\CBA-1206-G comments

MEMORANDUM

Date:

October 20, 2006

To:

Elsabett Tesfaye

Community Based Planning Division

From:

Taslima Alam

Development Review Division

Subject:

Board of Appeals Petition No. CBA-1206-G

The current structures are sitting on an unrecorded parcel of land. Minor record plats have been submitted to M-NCPPC Development Review Division and is currently under review. Prior to the release of any building permit, for any new buildings or increase in the building square footage, applicant will be required record a plat in the land record pursuant to Chapter 50 of the subdivision Regulations.