

July 17, 2014

Area 2 Planner
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

**Re: Forest Conservation Tree Variance Request
Gables White Flint
Rockville, Maryland
NRI/FSD #420131890
VIKA # VM 1614B**

Dear Sir or Madam:

On behalf of our client, LG Georgetown, LLC, we are submitting this Tree Variance Request to comply with the Natural Resources, Title 5, Section 5-1607 of the Maryland Code and Chapter 22A of the County Code, requiring the Applicant to file for a variance to remove or impact trees that either have a diameter-at-breast-height (DBH) of 30" or greater, or trees that are 75% of the diameter of the state champion tree for that species if a project did not receive Preliminary Forest Conservation Plan Approval prior to October 1, 2009. This report has been prepared by Joshua C. Sloan, RLA, ASLA.

This mixed-use redevelopment project is zoned CR-3.0, C-1.5, R-2.5, H-70, & CR-4.0, C-2.5, R-3.5, H-250 and NRI/FSD #420131890 was approved in June 2013. Sketch Plan #320130010 for the project was also approved July 2, 2013. This Tree Variance Request is accompanying the submission of the Final Forest Conservation Plan submitted concurrently with Preliminary Plan #120150010 and Site Plan #820150010. A total of two (2) specimen trees with 30" DBH or greater will be impacted by the redevelopment of the subject property with one of the two trees (tree 2) identified for removal.

Table 1 lists the specimen trees as they are identified on the Forest Conservation Plan and provides the respective proposed impacts.

Table 1

Tree #	Species	Diameter (inches)	Field Condition	Disposition	CRZ Area (sf)	CRZ Impacts (sf)	CRZ Impacts (%)
V2	<i>Liriodendron tulipifera</i>	35"	Good-Fair	Remove	8,659	8,659	100
V7	<i>Quercus palustris</i>	33"	Good	Preserve	7,698	597	8

The Assessment below was performed by VIKA Maryland, LLC at the time of the field work for the NRI as a visual, at-grade-level inspection with no invasive, below grade, or aerial inspections performed at the time. Decay or weakness may be hidden out of sight for large trees.

Tree # 2

35" Tulip poplar (*Liriodendron tulipifera*): Tree 2 is a lawn tree located along the eastern property line +/-60 feet from the southwest corner of the subject property.

- **Field Condition:** Good – Fair with ivy growing up the trunk; pruning for utility lines; uneven crown; rodents living in trunk cavity
- **Proposed CRZ Impact:** removal at 100% per the project's design.
- **Disposition:** Tree 2 is specified to be removed.

Tree # 7

33" Pin Oak (*Quercus palustris*): Tree 7 is located off-site on the adjacent Wall Park property to the south of the subject property in a planted screen/buffer area.

- **Field Condition:** Good
- **Proposed CRZ Impact:** Minimal at 8% as the tree is located +/-35 from the subject property.
- **Disposition:** Tree 7 is specified to be preserved.

Justification Narrative for Tree Disturbance

The Gables White Flint mixed-use residential project is a continuation of the development occurring as a result of the Western Workaround road network, and is located just south of the Pike and Rose development. It will consist of up to 490,000 square feet of residential space, and approximately 31,000 square feet of non-residential space, as allowed by zoning. As shown on the approved Sketch Plan for the property, the development addresses the challenges of the site, which include significant slopes, through a sensitive design that respects the topography and provides ample public use space and public benefits. These include pedestrian activated retail areas, and a pedestrian oriented private roadway that may be closed off for public events at any time.

To grant the requested variance, the Planning Board must find that the request:

- 1. Describes the special conditions peculiar to the property which would cause the unwarranted hardship;**
- 2. Describes how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;**
- 3. Verifies 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; and**
- 4. Provides any other information appropriate to support the request**

We submit the following rationale in support of the request for a Forest Conservation Tree Variance.

1. The requested tree variance is necessary for implementation of this mixed-use redevelopment project which has an approved NRI and Sketch Plan and is proceeding through the development approval process with the concurrent submission of Preliminary and Site Plans. Tree 2 will be removed for the proposed residential buildings, structured parking, and stormwater management facilities. Tree 7 will have minimal impact from the development and will be preserved. The conditions related to this



request are neither unique nor special to this project and instead are unavoidable consequences of the development process under the zoning applied through the Master Plan.

2. The requested variance is based on plans being developed under the zoning approved through the County planning process not conditions or circumstances resulting from actions by the applicant. The 5.15-acre subject property has no existing forest. The majority of trees within the existing property are lawn trees planted as part of the landscape plan for the existing development.

The two variance trees are impacted by the proposed residential redevelopment for which the Preliminary and Site Plans have been submitted for approval. There are no conditions relating to land or building use, either permitted or nonconforming, on a neighboring property that have played a role in the need for this variance.

3. The concept storm water management plan incorporates environmental site design (ESD) to the maximum extent practicable (MEP), according to the latest revision to Chapter 5 of the MDE Stormwater Management Design Manual. Water quality treatment will be provided by approximately 15 micro-biofilter planters located around the perimeter of the building and in the courtyards. Additionally, green roof will be provided on the parking structure and part of the proposed building. These will treat the first 1.2 inches of runoff. The remaining runoff will be treated by a structural vault containing stormfilter cartridges.

4 We believe that the information provided in the three outlined points above is adequate in support of granting the Tree Variance request.

Thank you for your consideration of this Tree Variance request. We believe that the supporting information provided with this letter justifies the variance to remove one (1) specimen trees and impact the critical root zone of one (1) more. If you have any questions or need more information, please do not hesitate to contact us so that we may discuss this matter further.

Sincerely,
VIKA Maryland, LLC.

Joshua C. Sloan, RLA, ASLA
Director of Planning and Landscape Architecture

