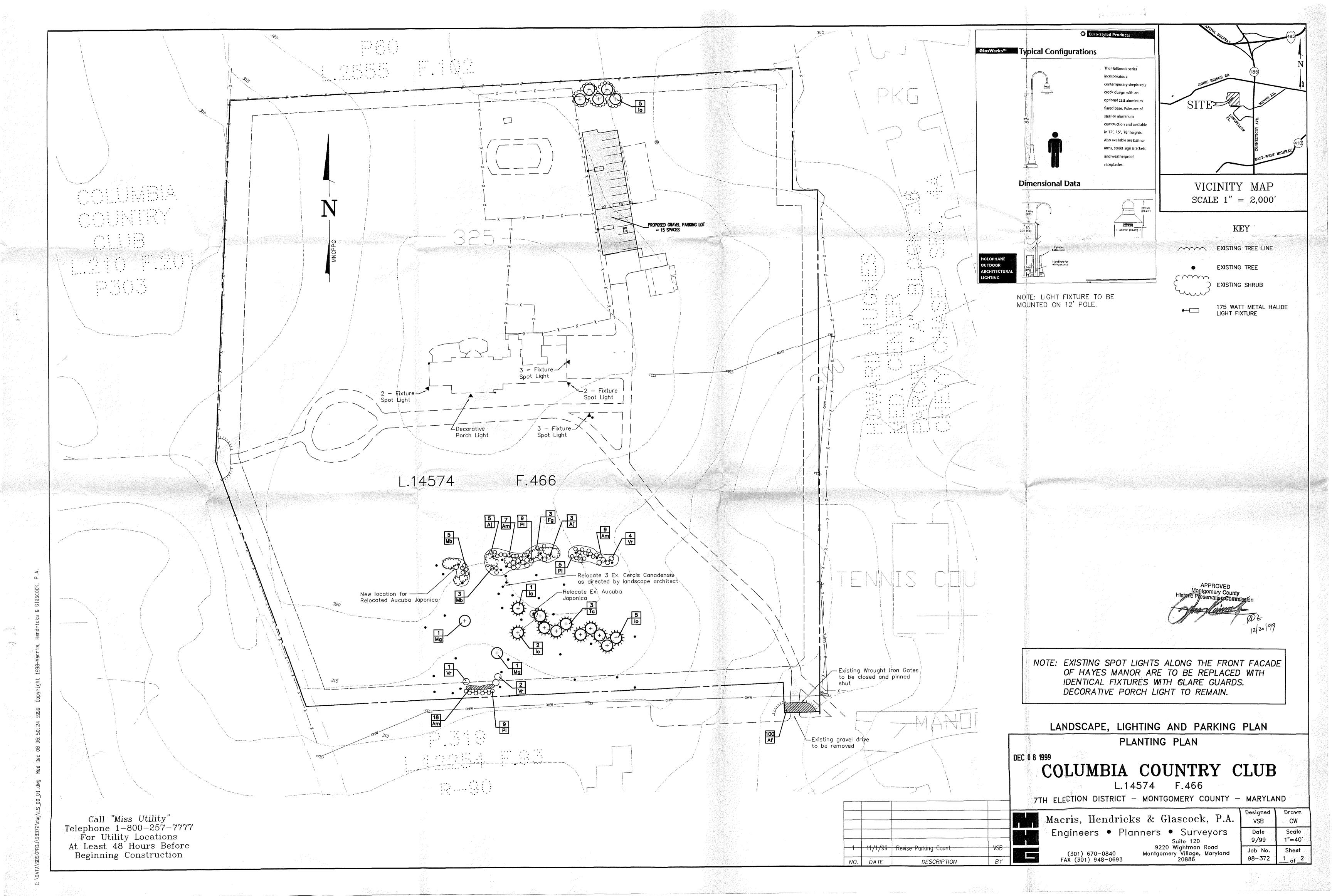
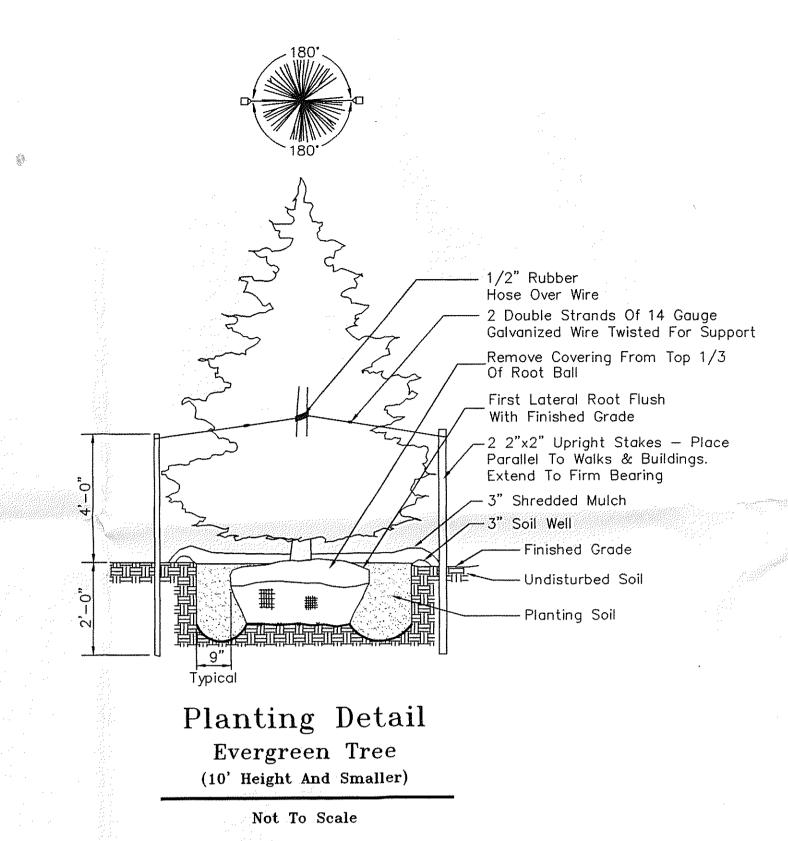
\_ 35/10-99A 4101 Manor Rd. Ch.Ch. MP #35/10 Hayes Manor & I called The
Dents +
John Klein OK & 730



Planting Detail Deciduous Tree  $1 \frac{1}{2} - 2 \frac{1}{2}$  Cal.

Not To Scale



LANDSCAPE PLANT LIST

								<u> </u>
KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	HGT.	SPD.	MISC.	
lo	13	llex opaca	American Holly		5-6'		B&B	10' O.C.
Тс	3	Tsuga canadensis	Canadian Hemlock		5-6'		B&B	10' O.C.
Mg	2	Magnolia grandiflora	Southern Magnolia		8–10'		B&B	
Αj	8	Aucuba japonica	Japanese Aucuba		2-3'		В&В	4' O.C.
Am	34	Azalea 'mei	Mie Azalea		15–18"		Cont.	30" O.C.
 PI	23	Prunus laurocerasus 'Schipkaensis'	Schip Laurel		24-30"		B&B	4' O.C.
Vr	7	Viburnum rhytidophyllum	Leather Leaf Viburnum		3-4'		B&B	4' O.C.
Mb	8	Mahonia bealei	Leatherleaf Mahonia		24-30"		B&B	3' O.C.
Fg	3	Fothergilla gardenii	Dwarf Fothergilla		18-24"		Cont.	30" O.C.

Prune Out Dead Or Broken Branches After Planting -Set Root Ball 1"-2" Above Finished Grade --- 3" shredded Mulch - Finished Grade 16" Min. For Shrubs —Undisturbed Soil Under 2' Height 18" Min. For Shrubs 2-4' In Height B & B Stock: 20" Min. For Shrubs Remove Covering From Over 4" In Height Top 1/3 Of Root Ball Container Stock: Soak Plants Well Use Knife Or Blade To Cut 4 - 5 After Planting 1" Deep Cuts Through Bottom 1/3 Using Shovel Or Rototiller, of Root Ball. Butterfly Root Ball To Loosen Or Mix Soil For The Bring The Root System Closer To The Entire Planting Bed To A Planting Detail Depth Of 12 Inches. Shrubs

Not To Scale

PLANTING NOTES

Description:

Planting shall consist of furnishing and installing plant material as shown on the plans. Care and replacement necessary to complete the work as specified shall be provided.

The Landscape Plan is to be used for planting purposes only.

A. Plant Material

- The installer shall make arrangements to insure a supply of the required material. This shall be done six (6) months prior to planting time to guarantee the supply.
- 2. All plant material shall conform to the current issues of the American Standard for nursery stock published by the American Association of Nurserymen, except were otherwise
- Plant materials must be selected from nurseries that have been inspected by appropriate state and federal agencies.
- 4. All plant material shall be obtained from mid Atlantic area sources, and approved by the owner or duly appointed representative prior to planting. When specified plants are not available, substitutions may be made as directed by Owner.
- Plant installation shall comply with the standards in the latest edition of "Landscape Specifications Guidelines" as published by the Landscape Contractors Association.
- 6. Plant material shall be provided with plant identifi— cation tags listing the latin and common names. The tags shall not be removed until after final certification by the landscape architect.

B. Planting

- Planting will be installed no later than (1) year after completion of the construction project.
- Root Stock of the plant material shall be kept moist during transportation from the source to the job site and until planted. Plant materials left unplanted shall be protected from direct sun and weather and kept moist.
- 3. Plants shall be installed only between the months of January and May or between September and December when ground is not frozen. Plants shall be guaranteed for a one—year period from the time of installation. Any replacements must be installed as above.
- 4. All areas are to be seeded or sodded as shown on drawing. Install seed and sod per the Landscape Contractors Association's lateset edition of "Landscape Specifications Guidelines". A soil test shall be performed and the soil amended per recommendations of test results.
- 5. The installer shall adequately water all plants promptly following installation to insure plant growth.
- Watering of the plant material shall take place at the end of each fifth day through September 1, if the soil is
- 7. Contractor shall be responsible for making himself familiar with all the existing on—site conditions prior to submission of bid. The contractor is responsible for the location of all underground utilities, pipes, and structures. Contractor shall take sole responsibility for any cost incurred due to damage of said utilities. Call Miss Utility, 48 hours prior to digging (1—800—257—
- 8. All plants shall be placed so as not to obstruct
- 9. All newly planted trees shall be pruned as necessary to remove dead branches or to create uniform shape. Do not
- 10. Where field conditions exist which would adversely affect plant performance, or interfere with proper planting procedures, the contractor shall notify the Owner prior to installation of plant material.
- 11. All trees are to be located a minimum distance of 5' from all utility boxes, 5' from a storm drain inlet or manhole, 10' from a fire hydrant, 15' from any public street light, and 5' from any driveway aprons.
- 12. All mulch to be shredded hardwood bark to a depth of three inches in landscape areas.
- 13. Contractor to confirm quantity of plant materials by plan count. Notify landscape architect of any discrepancy
- prior to planting. C. Clean Up:
  - 1. Final Clean up shall be the responsibility of the installer and consist of removing all trash and materials incidental to the project and properly disposing of them off site. In addition the construction procedure shall not damage any areas of existing plants which are to
  - There shall be no open burning on-site.
  - 3. The contractor shall replace or repair at no cost to the owner, all site areas or surrounding items damaged by work of his contracts.
  - 4. During landscape work, store materials and equipment where directed. Keep pavement clean and work areas in an orderly condition.



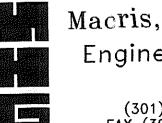
DEC 0 8 1999

PLANTING PLAN

COLUMBIA COUNTRY CLUB

7TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

L.14574 F.466



Macris, Hendricks & Glascock, P.A. Engineers • Planners • Surveyors

9220 Wightman Road Gaithersburg, Maryland 20879

9/99 Job No. 98-372

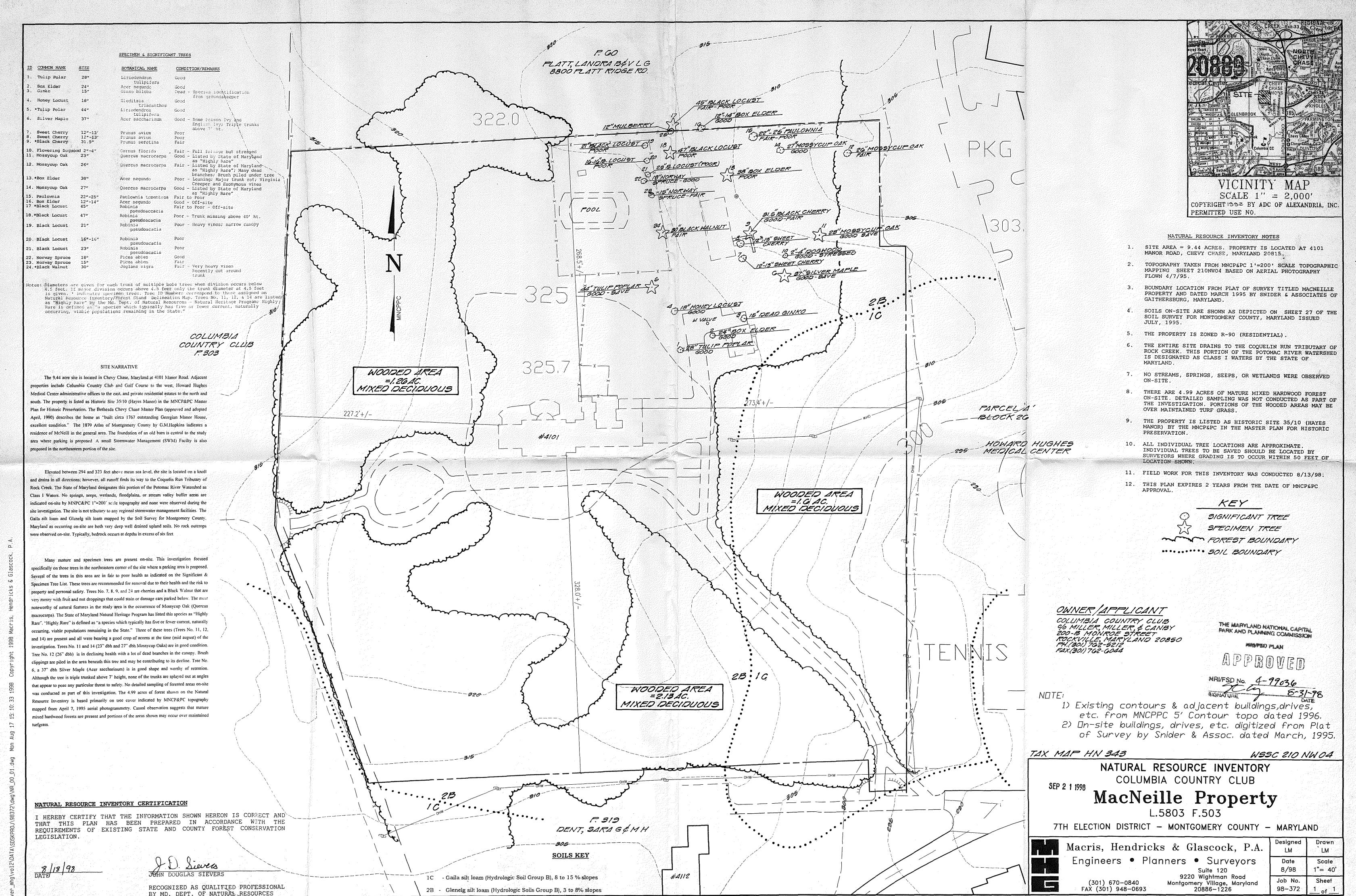
Designed

VSB

1"=40'

(301) 670-0840

FAX (301) 948-0693





### MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

### THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760

Date: Dec 20, 1999

	Silver Spring, Maryland 20910-3760  Date: Vec 20, 1999	
<u>MEMORAN</u>		
TO:	Robert Hubbard, Director Department of Permitting Services  # 35 /10 - 99 /4	
FROM: PD2	Gwen Wright, Coordinator Historic Preservation	
SUBJECT:	Historic Area Work Permit	
_	mery County Historic Preservation Commission has reviewed the attached or an Historic Area Work Permit. This application was:	
Ap	oprovedDenied	
Ap	pproved with Conditions:	
(1)	Maintain existing gravel dowevery Through historic gates.	
(2)	Maintain existing gravel driveway Through historic gates.  Install Wheel Stors at Parking lot & adjust to bank bern	
	aff will review and stamp the construction drawings prior to the applicant's applying g permit with DPS; and	
	DING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON CE TO THE APPROVED HISTORIC AREA WORK PERMIT (HAWP).	
Applicant:	Columbia Foundation of Jody Kline, Miller Miller + Canby 200 B Hon	irie St
Address:	Columbia Foundation of Jody Kline Miller Miller + Canby 200 B Mon Rodcisile  Ke: Hayes Manon 200 F	MD.
and subject to	to the general condition that, after issuance of the Montgomery County Department ag Services (DPS) permit, the applicant arrange for a field inspection by calling the Services Office at (301)217-6240 prior to commencement of work and not more than	

C:\preserve\hawpdps.ltr

two weeks following completion of work.



### HISTORIC PRESERVATION COMMISSION 301/563-3400

## APPLICATION FOR HISTORIC AREA WORK PERMIT

	Contact Person: Jody Kline
	Daytime Phone No.: 301.762.5212
Tax Account No.: 07-502-00425422	
Name of Property Owner: Hayes Manor/Columbia Fo	oundati @aytime Phone No.: 301,951,5000
Address: C/O 7900 Connecticut Avenue City	Chevy Chase MD 20815-5938 Staet Zip Code
Contractor: Undetermined	Phone No.: N/A
Contractor Registration No.: N/A	
Agent for Owner: Jody S. Kline, Miller, Mil Canby; 200B Monroe Street Rockville, MD 20850	Daytime Phone No.: 301.762.5212
LOCATION OF BUILDING/PREMISE	
House Number: 4101	Street: Manor Road
Town/City: Chevy Chase NearestCr	oss Street: Longfellow Place
Lot: Block: Subdivision:	
Liber: 14574 Folio: 466 Parcel: 21	2, Tax Map HN 43
PART ONE: TYPE OF PERMIT ACTION AND USE	
1A. CHECK ALL APPLICABLE:	CHECK ALL APPLICABLE:
☑ Construct ☐ Extend ☐ Alter/Renovate [	☐ A/C ☐ Slab ☐ Room Addition ☐ Porch ☐ Deck ☐ Shed
☐ Move ☐ Install ☐ Wreck/Raze 〔	☐ Solar ☐ Fireplace ☐ Woodburning Stove ☐ Single Family
☐ Revision ☐ Repair ☐ Revocable [	☐ Fence/Wall (complete Section 4)
•	his time lot; install landscaping
10. If this is a revision of a previously approved active permit, see Permit	
PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEN	
2A. Type of sewage disposal: 01 $\square$ WSSC 02 $\square$ S	
2B. Type of water supply: N/A 01 $\square$ WSSC 02 $\square$ V	Vell 03 🗍 Other:
PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL	
3A. Height feet inches	
3B. Indicate whether the fence or retaining wall is to be constructed on a	one of the following locations:
☐ On party line/property line ☐ Entirely on land of own	er
I hereby certify that I have the authority to make the foregoing application approved by all agencies listed and levely plereby acknowledge and accept the	n, that the application is correct, and that the construction will comply with plans is to be a condition for the issuance of this permit.
HAYES MANOR / COLUMBIA FOUNDATION	
By: Jan XI	23 NOVEMBER 1999
Jody S. Kline	Date
Approved: \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	Chairperson, Historic Preservation Commission
Disapproved: Signature:	Date: 1215 99
Application/Permit No.:	Date Filed: Date Issued:

#### 1. WRITTEN DESCRIPTION OF PROJECT

a,	Description of existing structure(s) and environmental setting, including their historical features and significance:
	"Hayes Manor" is an 18th century brick dwelling with several
	additions located on a lot containing 9.4 acres of land. (Master
	Plan Site #35/10). More detailed information regarding the property,
	and the Applicant's original proposal are set forth in the attached
	Staff Report for Preliminary Consultation for the Commission's
	meeting of May 27, 1998.
b.	General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:
	See Applicant's Statement.
	^

#### 2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

#### 3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

### 4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

#### 5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

#### 6. TREE SURVEY

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

#### 7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301/279-1355).

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.



### MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760

ite: Dec. 20,1999

### **MEMORANDUM**

TO:

Historic Area Work Permit Applicants

FROM:

Gwen Wright, Coordinator
Historic Preservation Section

SUBJECT:

Historic Area Work Permit Application - Approval of Application/Release of

Other Required Permits

Enclosed is a copy of your Historic Area Work Permit application, approved by the Historic Preservation Commission at its recent meeting, and a transmittal memorandum stating conditions (if any) of approval.

You may now apply for a county building permit from the Department of Permitting Services (DPS) at 250 Hungerford Drive, second floor, in Rockville. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DPS before work can begin.

IF You need a permit ...

When you file for your building permit at DPS, you must take with you the enclosed forms, as well as the Historic Area Work Permit that will be mailed to you directly from DPS. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DPS at 301-217-6370.

If your project changes in any way from the approved plans, either before you apply for your building permit or even after the work has begun, please contact the Historic Preservation Commission staff at 301-563-3400.

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DPS/Field Services at 301-217-6240 of your anticipated work schedule.

Thank you very much for your patience and good luck with your project!

### HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:

4101 Manor Road

Meeting Date: 12/15/99

Applicant:

Columbia Foundation

Report Date:

12/8/99

Resource:

Hayes Manor, Master Plan Site #35/10

Public Notice: 12/1/99

Review.

HAWP

Tax Credit:

No

Case Number:

35/10-99A

Staff:

Robin Ziek

**PROPOSAL**: New parking lot, landscaping, lighting

**RECOMMEND**: Approve with Conditions

The applicant came to the HPC for a Preliminary Consultation on 5/27/98. At that time, the HPC basically endorsed the concept of the new parking lot but asked that the overall size be reduced, if possible. The applicant has modified their proposal, and is now applying for a HAWP.

### PROJECT DESCRIPTION

RESOURCE: Master Plan Site #35/10, Hayes Manor

STYLE:

Georgian Manor House, with Bungalow Tenant House

DATE:

1750-1775

Hayes Manor sits in an environmental setting of 9.4 acres, and includes the 18th century brick dwelling with several additions, and an early 20th century bungalow which is a contributing resource. The property was included in the 700 acres purchased in the mid-18th century by the Rev. Alexander Williamson. The 18th Georgian Manor House was built c1762. The Hayes Manor property includes several interesting features including two sets of brick entry gateposts, an 18th century bowling green, reputed burial areas for the Dunlop family and Alexander Williamson, remains of a cross-gable bank barn, the 20th century Bungalow, a terraced garden and other extensive garden elements, both formal and informal, and an expansive lawn.

The property adjoins two larger properties: the Columbia Country Club and the Howard Hughes Medical Center, which effectively provide the feeling of a more expansive environmental setting that more closely approximates the original setting for the house.

The applicant, the Columbia Foundation, is the new owner of Hayes Manor. The Foundation was expressly created to preserve Hayes Manor and use it as a vehicle to promote the educational and cultural goals of the Foundation. They propose to maintain the existing character of the property, and use it for social functions such as weddings, parties, and lectures. Parking is a necessary element in the proposal for any use of the property other than a private residence.

### **PROPOSAL**

The applicant has obtained a special exception for the proposed use under the existing zoning. Changes at the property are at a minimum in this application.

- 1) A new parking lot is proposed at the rear NE quadrant of the property, adjacent to the foundation ruins of a cross-gable bank barn. The parking area has been reduced from 55 spaces to 15 spaces. The surface material will be gravel. Every effort will be made to minimize the impact on the existing trees in this vicinity. The parking will face a low informal fence which is currently at the edge of the bank barn, overlooking ground level which is approximately 10' below.
- 2) In response to concerns which the adjacent neighbor expressed to the Planning Board, the applicant proposes to install plantings in several groupings along the east side of the property in the east lawn.
- The applicant also proposes to add two new light poles in the parking lot (see Circle 13). The existing security lights on the house will be upgraded with a glare shield, to reduce the effect on the neighbors. The existing light fixture at the front door will remain.
- 4) The applicant plans to close the wrought iron gates at the site entrance on Manor Road, and would like to remove the existing gravel drive through the gates.

### **STAFF DISCUSSION**

The proposed new parking lot is suitably sited on the property. Due to the lower elevation and distance from the house and all of the fine landscaping, this area is recognized as a service area outside of the limits of the attending public. Staff commends the applicant for finding a solution that reduces the on-site parking to the proposed 15 spaces. The proposed use of gravel for a surface material is also compatible with the site in terms of texture and run-off. Staff is concerned that there is a safety issue with the parking of the cars adjacent to the remains of the bank barn. This could be minimally addressed with wheel stops in front of each parking space.

The proposed lighting in the parking area exemplifies the applicant's approach which attempts to minimize the intrusiveness of new elements at the property. Staff feels that the proposed Hallbrook light fixture, set at the low height of 12' above grade will provide needed lighting as a background element.

Staff notes that, due to the subdivision of the property at some time in the past, one doesn't enter Hayes Manor through the historic gates, but on a new lane to one side of the gates. While it seems appropriate to close the gates to avoid any confusion about the entrance, staff feels that the proposed removal of the gravel driveway will call into question the actual gate entrance itself.

### STAFF RECOMMENDATION

Staff recommends, with the following conditions, the Commission find this proposal consistent with the purposes of Chapter 24A-8(b)2:

The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site, or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter;

and with Secretary of the Interior's Standards for Rehabilitation #2:

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

### **CONDITIONS:**

- 1. The gravel driveway leading through the historic brick gates will not be removed.
- 2. The applicant will install wheel stops in front of the fence adjacent to the bank barn.

and subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the DPS Field Services Office at (240) 777-6240 prior to commencement of work and not more than two weeks following completion of work.

# APPLICATION FOR HISTORIC AREA WORK PERM

	Contact Person:	Jody Kline	
	Daytime Phone N	o.: <u>301.762.5</u>	212
ax Account No.: 07-502-00425422			
lame of Property Owner: Hayes Manor/Columbia Fo	oundationaytime Phone No	o.: 301 <b>.</b> 951 <b>.</b> 50	000
Address: C/o 7900 Connecticut Avenue ( Street Number City			20815-5938 Zip Code
	Phone No		•
Contractor Registration No.: N/A		<u>117 A</u>	
Jody S. Kline, Miller, Mil Gentfor Owner: Canby; 200B Monroe Street Rockville, MD 20850	ler & Daytime Phone N	- o.: <u>301.762.5</u>	212
OCATION OF BUILDING/PREMISE	•		
louse Number: 4101	Street:Manor_R	oad	
own/City: Chevy Chase Nearest Co	oss Street: Longfel	low Place	and a second
.ot: Block: Subdivision:	-		·
iber: 14574 Folio: 466 Parcel: 21	2, Tax Map HN 4	3	
PART ONE: TYPE OF PERMIT ACTION AND USE			
IA. CHECK ALL APPLICABLE:	CHECK ALL APPLICABLE:		
· · ·		om Addition	ch ☐ Deck ☐ Shed
	☐ Solar ☐ Fireplace ☐ Wo	_	
·	Fence/Wall (complete Section		onstruct parkinot; install
B. Construction cost estimate: \$ Undetermined at t	his time	la	indscaping
C. If this is a revision of a previously approved active permit, see Permit	# <u>N/A</u>		·
PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEN	ID/ADDITIONS	<del></del>	,
		٠.	
P.A. Type of sewage disposal: 01 $\square$ WSSC 02 $\square$			
ZB. Type of water supply: 01 □ WSSC 02 □	Well 03 🗆 Other:		· · · · · · · · · · · · · · · · · · ·
PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL	<del></del>	<del></del>	
3A. Height feet inches			
	and after faller in a landisma.		•
3B. Indicate whether the fence or retaining wall is to be constructed on	-		
☐ On party line/property line ☐ Entirely on land of own	ier □· On public righ	nt of way/easement	
I hereby certify that I have the authority to make the foregoing application approved by all agencies listed and lereby acknowledge and accept the			on will comply with plans
HAYES MANOR COLUMBIA FOUNDATION		0 = 1 = 1 = 1	1000
Signature of owner or authorized agent		- KR NOVEW	Date 1999
/ Jody S. Kline	1,104		
Approved	For Chairperson, Historic Prese	onyation Commission	(4
Approved:	i vi vilalipersull, mistoric Prese	avaduu commission	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \

For Chairperson, Historic Preservation Commission

THE FOLLOWING ITEMS MUST BE COMPLETED AND THE REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION

### (日本のでは、) A かいかい としている できる人が思いて、この機能であっていましています。

Plan S	ons:locat ite #35/1	ed on a	<u>lot co</u> e deta	ntainir iled ir	ig 9.4 iformat	ion re	of langardin	d. (Ma	ster propert
	e Applica								
	Report fo								
meetin	g of May	27, 1998	3						
				,					

### 2. SITE PLAN

84 811

WRITTEN DESCRIPTION OF PROJECT

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

#### 3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context.

  All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

### 4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

#### 5. PHOTOGRAPHS

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

### ADJOINING AND CONFRONTING PROPERTY OWNERS Hayes Manor/Columbia Foundation

NAME	<u>ADDRESS</u>	LOT/BLOCK
Columbia Country Club	7900 Connecticut Avenue Chevy Chase, MD 20815-5938	N-303
Howard Hughes Medical ins	4000 Jones Bridge Road Chevy Chase, MD 20815-6720	Block 26, Parcel A, Chevy Chase, Section 4A; P-60
Edward M. & S. M. Prince	8519 Longfellow Place Chevy Chase, MD 20815-6838	Block 24, Lot 4, Chevy Chase, Section 4A
John J. & K. C. Barry	4004 Manor Road Chevy Chase, MD 20815-6806	Block 24, Lot 5, Chevy Chase, Section 4A
Sara G. & M. H. Dent	4112 Manor Road Chevy Chase, MD 20815-6804	P-319

LAW OFFICES

### MILLER, MILLER & CANBY

CHARTERED

200-B MONROE STREET ROCKVILLE, MARYLAND 20850

(301) 762-5212 FAX (301) 762-6044

November 23, 1999

Ms. Robin Ziek Historic Preservation Planning Division Maryland National Capital Park and Planning Commission 8787 Georgia Avenue Silver Spring, MD 20910-3760 JAMES R. MILLER, JR.\* ROBERT L. BURCHETT\* PATRICK C. MCKEEVER JAMES L. THOMPSON LEWIS R. SCHUMANN JODY S. KLINE ELLEN S. WALKER JOSEPH P. SUNTUM MAURY S. EPNER EVAN J. KRAME SUSAN W. CARTER SUZANNE L. ROTBERT ROBERT E. GOUGH MICHAEL G. CAMPBELL JON W. LUTHER \*OF COUNSEL

RE:

Historic Area Work Permit for Master Plan Site 35/10 (Hayes Manor),

Application of Hayes Manor/Columbia Foundation

### Dear Robin:

Enclosed are the following materials to initiate a Historic Area Work Permit review by the Historic Preservation Commission for the Hayes Manor property.

- 1. Application for Historic Area Work Permit
- 2. Site Photographs (15)
- 3. Landscape, Lighting and Parking Plan/Planting Plan
- 4. Natural Resources Inventory
- 5. HPC Staff Report dated May 20, 1998 on Site No. 35/10
- 6. Technical Staff Report on Special Exception No. S-2337
- 7. Supplemental Technical Staff Report
- 8. Board of Appeals' Opinion in S-2337
- 9. List of Adjoining and Confronting Property Owners (and mailing labels)

Please contact me if there is any additional information which you require in order to process this application.

Sincerely yours,

MILLER, MILLER & CANBY

JODY KLINE

Jody S. Kline

JSK:atr

Ms. Robin Ziek
Historic Preservation Planning Division
Maryland National Capital Park
and Planning Commission
November 23, 1999
Page 2

CC: Vince Burke, Esq.
Glenn Mitchell, Esq.
Bob Moltz
David Almy
Jim Troppman
Vic Bryant

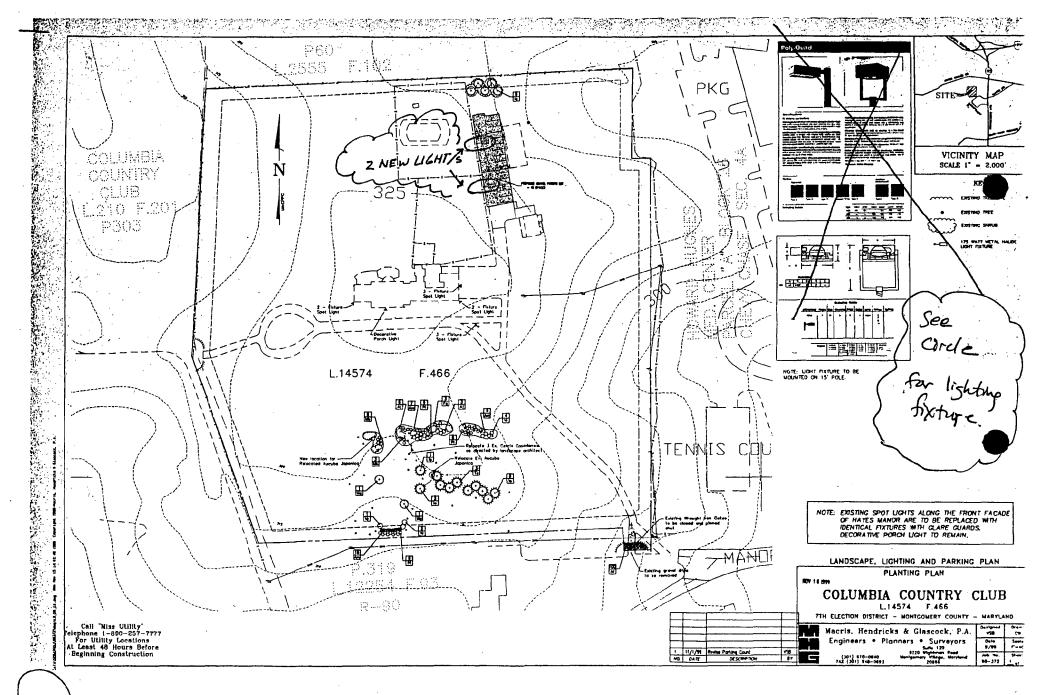
### "b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:"

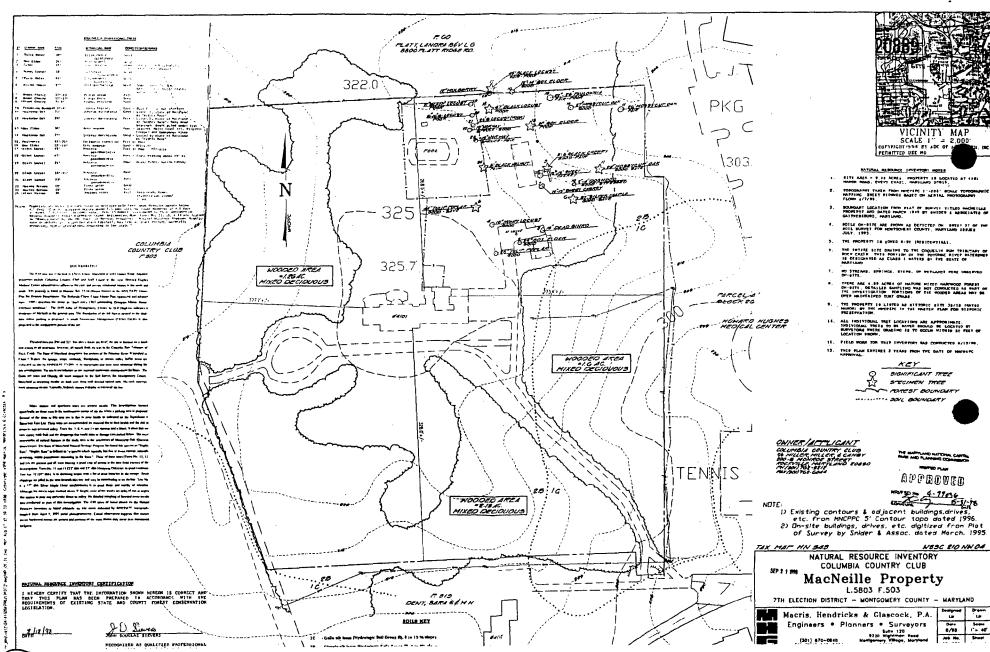
The amended proposal of Hayes Manor/Columbia Foundation submitted for review and approval by the Historic Preservation Commission is to construct a 15-space gravel parking facility (reduced from 55 spaces) in an area at the end of an existing driveway leading to the garage for Hayes Manor itself and to the existing occupied bungalow. The parking area is shown on the attached "Landscape, Lighting and Parking Plan/Planting Plan" located adjacent to the foundation for the former barn. This is the same area where informal parking was provided in conjunction with the National Symphony Orchestra's Decorator's Show House in the Fall, 1997. This area was selected, and gravel was chosen as the surface material, in order to minimize the amount of land disturbance, particularly around the root zones of trees that surround the pool and that provide separation and screening between the parking area and the formal gardens in the rear yard of Hayes Manor.

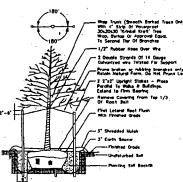
Hayes Manor/Columbia Foundation also proposes to relocate some existing landscaping and to install additional landscaping in the front yard of Hayes Manor in order to address a condition of the Board of Appeals that landscaping should "... ensure adequate screening on the Dents' property [adjacent property owner to the south] from activities and lighting occurring on the Hayes Manor Property." The location of the landscaping, and the species chosen, was selected to satisfy the direction of the Board of Appeals without foreshortening the front lawn of Hayes Manor.

An earlier version of this proposal, proposing more parking (55 spaces), received courtesy review by the HPC in May, 1998. In response to questions contained in the Staff Report and Recommendations, the following information is supplied.

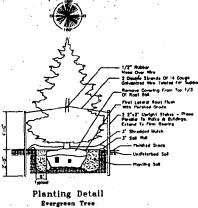
- 1. Attached to the application is a copy of an approved Natural Resource Inventory showing the location of trees pm the subject property. The NRI demonstrates that no mature, healthy trees will need to be removed to accommodate the proposed parking lot.
- 2. In order to minimize land disturbance, the length of the parking area was made as short as possible. The parking area commences at the end of existing paving in front of and adjacent to the bungalow (which is occupied by an employee). Of course, the 15 spaces will only be occupied when functions are being conducted at Hayes Manor.
- 3. Reduction of the size of the parking facility has minimized the amount of land disturbance necessary to accommodate the parking facility. The parking area no longer "surrounds" the barn foundation but spaces abut the foundation leaving it as a separate distinct site feature.





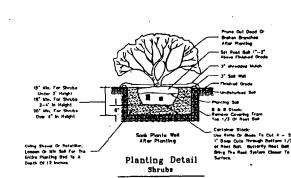


1 1/8 - 2 1/8" Cal. Not to Scale



· 设度的 \$46 设在标准设置 (基本部分的)等于代。

Evergreen Tree (10' Meight And Smaller)



PLANTING PLAN

### COLUMBIA COUNTRY CLUB

L.14574 F.466

7TH ELECTION DISTRICT - MONTGOWERY COUNTY - MARYLAND Macris, Hendricks & Glascock, P.A.

Engineers • Planners • Surveyors (381) 879-0840 FAX (301) THE-0893

| Designed | Dress | VSB | C0 | | Designed | Post | Suffe 120 A220 Wightman Read Californium, Maryland 20878

180	To Second Tier Of Bronches
1/ ~	1/2" Rubber Hose Over Wre
3/2//	2 Double Strands Of 14 Gauge Galvanized wire Twisted For Support
	—Prune broken or rubbing brenches onl Retain Helural Form, De Hat Pruns Le
	r—2 2"x2" Upright Stakes - Place Parallel To Walke & Buildings. Extend to Firm Bearing
PEKK	Remove Covering From Top 1/3 Of Roat Ball
	First Lateral Reat Flush Mith Finished Greds
	3" Shredded Mulch
	— 3° Earth Soucer
	Finished Grade
	Undefurbed Sol
	Planting Sof Book/M
TYPICAL	
Planting Detail	
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LANDSCAPE PLANT UST HCT, SPO. MISC. KET OTY. BOTANCAL HAME COMMON HAVE 848 10 D.C. ie 13 fer opoco American Hofty 5-6" 848 10° 0.C. TC 3 fauge conocensis Conodian Hemlack 5-8" We 2 Magnatic grandifiera A) 8 Awarbe (sponles Am 54 Atales (mel 648 Southern Magnate 8-10 848 4' O.C. Japanese Autoba 2-5 Cont. 30" 8.C. Wie Arden 15-16 848 4 0.0. Pl 23 Prunue Idurecerdaus 'Schibitamair' Schib Lourel 24-30 848 4' O.C. 'ir 7 Viburnum rhylldophyllum Leather Loof Vibuniu J~4' 848 J D.C. 45 6 Mahanle bediel Legiherical Mahania 21-30 rg 3 Fethergila gordenii Dwarf filhwome 18-74" Cont. 30" D.C.

# Hallbrook

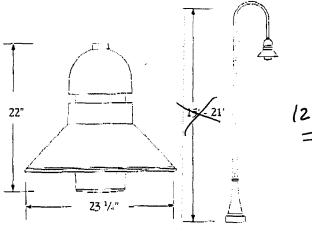
**Cutoff Street Lighting System** 



Single-18 ft. overall beight

Twin-18 ft. overall height

- Flared reflector provides cut-off optics while borosilicate glass refractor maintains uniformity of illumination with long pole spacings
- Available with symmetrical or asymmetrical distribution
- Matching flared base is available with steel or aluminum poles
- Luminaire accepts up to 175 wait high pressure soctium, metal halide or mercury vapor lamps



12 Height



**Entrance Driveway** 



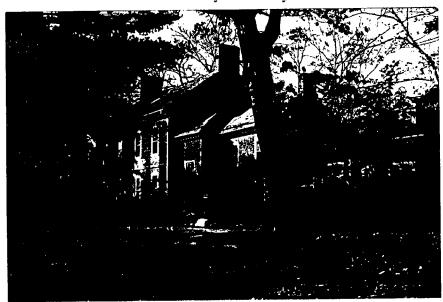
**Entrance Driveway** 



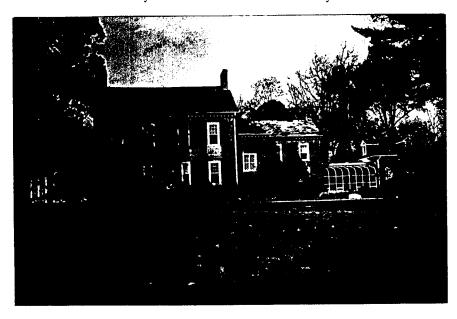
Former Entrance Gate



**Entrance Driveway Toward Hayes Manor** 



Hayes Manor From Entrance Driveway

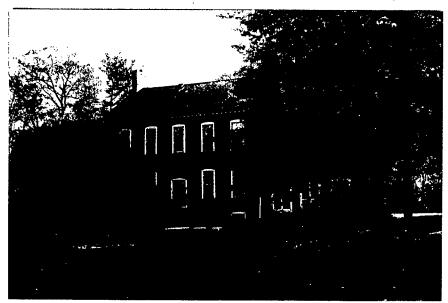


Hayes Manor (Front View)





Front Lawn



Hayes Manor (Rear View)

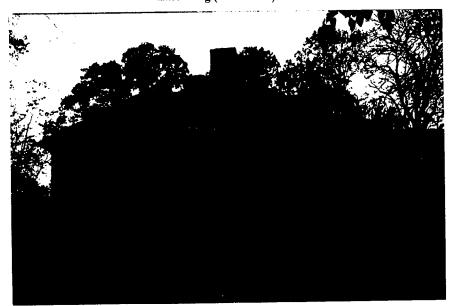


View Toward Gardens from Rear of House

(16)



East Wing (Rear View)



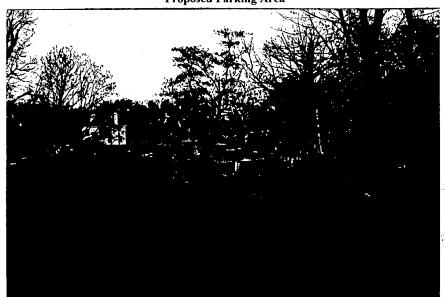
East Wing (Side View)



West Wing (Side View)



**Proposed Parking Area** 



Foundation of Barn (From Above)



Foundation of Barn (From Below)



Front of Tenant House



Rear of Tenant House

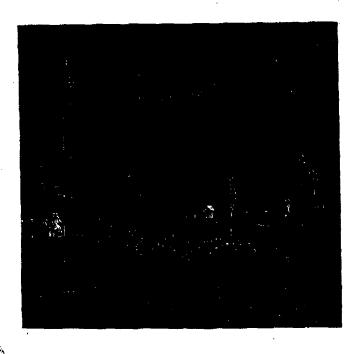


Medical Institute (View Toward East)

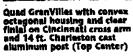
MACRIS, HENDRICKS AND GLASCOCK, P.A. 9220 WIGHTMAN ROAD, SUITE 120 MONTGOMERY VILLAGE, MD 20886-1279 PHONE (301)670-0840 - FAX (301)948-0693

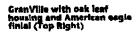
FACSIMILE TRANSMITTAL SHEET
TO: Robin Ziel FROM: Viy Bryant
COMPANY: MNCPPC - HISTORIC PAS. DATE: 12. 6.99
FAX NUMBER: NO. OF PAGES INCLUDING COVER: 301-563-3412
PHONE NUMBER: SENDER'S REFERENCE NUMBER: 98 - 372
RE: Hayes Manor. YOUR REFERENCE NUMBER:
□URGENT □FOR REVIEW □PLEASE COMMENT □PLEASE REPLY □FYI
NOTES/COMMENTS:
Please que me a call and let me know
when you was stated that fix the

### **GranVille** Series







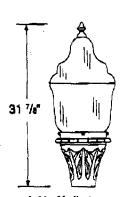


GranVille with oak leaf housing and gold ribs and banding with hinged top and s in. finial (Bottem Right)

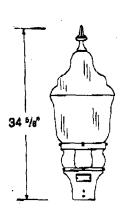
GranVille with convex octagonal housing on 10 ft. Wadsworth cast aluminum post (Top Left)



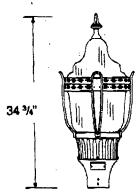




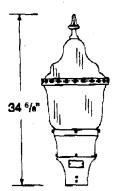
Oaklesf ballast housing with clear finial



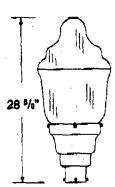
Convex octagonal housing with 5 in. metal finial on Post Capitol



Fluted housing with ribs, banding and hinged top on Post Capitol



Arcadian housing with 5 in. matel finial and banding on Fost Capitol



Simple housing for plain pole

HOLOPHANE

OUTDOOR

ARCHITECTURAL

LIGHTING

P.02

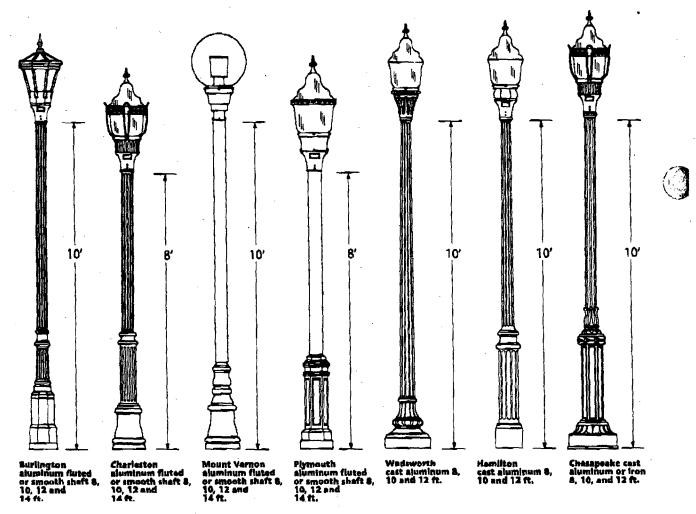
Dec 6 1999 II:02

Fax:301-948-0695

.

### **Historically Styled Posts**

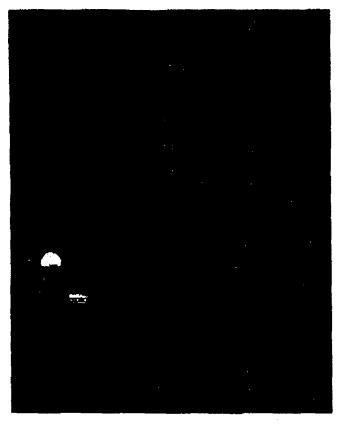
Decorative posts replicate the styles of a variety of historic periods and are designed to accept Unique Solutions luminaires to provide an integrated lighting system. Available in cast iron, cast aluminum, concrete, fiberglass reinforced polyester and combination cast iron base and steel shaft. Post heights range from five to thirty feet with anchor bases on all styles and with direct embedment bases on selected models.



HOLOPHANE
OUTDOOR
ARCHITECTURAL
LIGHTING

### Arlington & Jefferson Series

Reminiscent of the eight-sided streetlighting lanterns of the 1920's, the Arlington and Jefferson employ a precision optical system for effi-



Arlington on 32 ft. Barrington cast alumi-num post (Above)

Ariington with spike finial (Right)

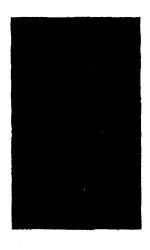
Jefferson with spike finial and octagonal style casting with spurs (far Right)

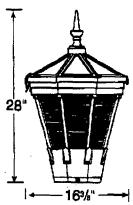


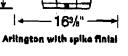
HOLOPHANE OUTDOOR ARCHITECTURAL LIGHTING

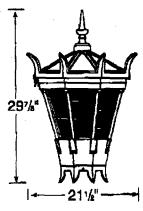
ciency, long post spacings, lighting uniformity and low brightness. Refractors are available in heat resistant borosilicate glass, acrylic or polycarbonate plastic. With or without spurs and a choice of finials, these lanterns are designed to match a variety of historically styled posts. Luminaires are available for high

pressure sodium, metal halide, mercury vapor and incandescent lamps in sizes from 35 to 250 watts.









Jefferson with spike finial

Base Adjustment

Incandescent Lamp

Mercury Vapor Lamp

Tempered Glass Lens

(available for uplighting)

PAR-38.

Elbow Adjustment

1/2" NPT

16"

Composite

(CH) ·

Box w/Hub Lid

360° Rotating Shield

201 Bullet Uplight (U)

Includes Lens

LAMP TYPES: Mercury Vapor, Metal Halide, High Pressure Sodium, Incandescent, and Quartz. **HOUSING/SHIELD:** Constructed of corrosion-resistant, marine grade, die-ci

aluminum.

FINISH: Available finishes include bronz black or green polyester powder coating LENS: Heat-resistant, convex, temperer clear glass lens is standard on uplight fixtures. A blue lens is optional. Lens is sealed into shield which is removable to relamping. Standard downlights have no

SOCKET: Porcelain medium base scre shell 4KV pulse-rated.

WIRING: Pre-wired with 6" long, #18

(SF-2) leads, w/ground.

BALLAST: High-power factor, minus 20 degrees Fahrenheit. Available in above grade box, or recessed composite hous with a potted, anti-siphon wiring chambe AlMING: Fixture adjusts easily on three axes. Shield provides excellent light control and rotates 360 degrees. MOUNTING: 1/2" NPT mounting arm is standard. The 201 mounts easily to a recessed ballast housing with hub lid, or



tree mount box.

Patent Number 286682

### SPECIFICATION INFORMATION t appropriate choice from each column

201 Builet Downlight (D)

NPT Mounting An

Tree Mount Box (T)

Above Grade

Ballast Box (AG)

117				A priles	Encleshre	Finish )	Options	Accessories
201	70 100 150 175 250	MV-Myccury Vapor (100 or 175 Watt R-40 Clear of 100 Watt PAR-38)  MY-Metal Halide (70, 100 or 175 Watt R-40) Available in spot or flood HPS-High Pressure Sodium (70 Watt R-38)	120	O-Not Applicable	AG-Above Grade CH-Composite Box w/Hub Lid (Use with uplight only.) CF-Composite Box w/Flat Lid (Specify how fixture is to be mounted.) WPS-Wall Pack Single WPD-Wall Pack Double	BRZ-Bronze BLK-Black GRN-Green (CF & CH available in Black or Bronze only.)	D-Downlight Only (w/o.Lens) L-Blue Convex Tempered Glass M-Ad-Medium Base Lampholder (PAR 38) U-uplight Shield with Fully Sealed Lens	S-Spike Junction Box (Iron) w/8'Cardset (For use with Incandescent Lamp Type only.) T-Tree Mount Junction Box (Aluminum) V- Spike Junction Box (Iron) 1-4x7 Junction Box (Aluminum w/Hub Lid 2-4x7 Junction
		INC-incandescent (150 Watt PAR-38) OZ-Quartz (0250 PAR-38)	120	O-Not Applicable	O-Not Applicable			Box (Aluminum w/2 Hub Lid

**EXAMPLE OF AN ORDER** 

\* samp not included with fixture. See lamp specification chart or consult factory.

An ad-medium socket must be ordered with the Mercury Vapor 100 watt PAR-38 fixture.

† Local Interpretations of the National Electric Code vary. Consult your local inspector prior to specifying voltage other than 120.



LAW OFFICES

### MILLER, MILLER & CANBY

CHARTERED

200-B MONROE STREET ROCKVILLE, MARYLAND 20850

(301) 762-5212 FAX (301) 762-6044

December 6, 1999

JAMES R. MILLER, JR.\*

ROBERT L. BURCHETT\*

PATRICK C. MCKEEVER JAMES L. THOMPSON

MICHAEL G. CAMPBELL JON W. LUTHER

LEWIS R. SCHUMANN

JODY S. KLINE ELLEN S. WALKER JOSEPH P. SUNTUM

MAURY S. EPNER EVAN J. KRAME SUSAN W. CARTER SUZANNE L. ROTBERT ROBERT E. GOUGH

\*OF COUNSEL

Ms. Robin Ziek Historic Preservation Planning Division Maryland National Capital Park and Planning Commission 8787 Georgia Avenue Silver Spring, MD 20910-3760

Application of Hayes Manor/Columbia Foundation

Dear Robin:

RE:

As I mentioned in my recent telephone message, I enclose a copy of a memorandum from Steve Cary via Denis Canavan submitting to me a "reviewed and approved" landscape, lighting and parking plan for the Hayes Manor property.

I believe that the same plan was made part of the submission to your office.

Please call me if you have any questions about this matter.

Sincerely yours,

-MI<del>LLER</del>, MILLER & CANBY



Jody S. Kline

JSK:atr Enclosure

I:\DATA\CLIENT\C\COLUMBIA\11593\Ziekltr3.doc December 6, 1999 10:46 AM Ms. Robin Ziek Historic Preservation Planning Division Maryland National Capital Park and Planning Commission December 6, 1999 Page 2

CC: Vince Burke, Esq.
Glenn Mitchell, Esq.
Bob Moltz
David Almy
Jim Troppman
Vic Bryant

### **MEMORANDUM**

DATE:

**December 2, 1999** 

TO:

**Montgomery County Board of Appeals** 

**Department of Permitting Services** 

Jody S. Kline, Esq., Miller, Miller & Canby;

200-B Monroe Street, Rockville, MD 20850

FROM:

Denis Canavan, Zoning Coordinator

**Development Review Division** 

**SUBJECT:** 

**Revised Approved Plans for Special Exceptions** 

The enclosed plan(s) has been reviewed and approved by the technical staff as per the condition(s) of the Board of Appeals in Special Exception Case No. S-2337.

DC:vm

Enclosure. 1) Landscape Plans

2) Lighting Plans

**MCPB** 9/10/98 Item #

#### **MEMORANDUM**

DATE:

September 4, 1998

TO:

Montgomery County Planning Board

VIA:

Melissa Cuñha Banach, Chief, Community-Based Planning Division

FROM:

Bill Landfair for the Department of Park and Planning (301/495-4555)

**REVIEW TYPE:** 

Special Exception

APPLYING FOR:

Private Club

APPLICANT:

Hayes Manor/Columbia Foundation

CASE NUMBER: S-2337

**REVIEW BASIS:** Chapter 59, Zoning Ordinance

ZONE:

-R-90

LOCATION:

4101 Manor Road, Chevy Chase

MASTER PLAN: Bethesda - Chevy Chase

FILING DATE:

atricate of

April 17, 1998

**PLANNING BOARD:** 

September 10, 1998

PUBLIC HEARING:

September 16, 1998

#### STAFF RECOMMENDATION: APPROVAL with the following conditions:

- 1. The applicant is bound by all submitted statements and plans.
- 2. Approval of a historic area work permit by the Historic Preservation
- Approval of a landscape, lighting, signage, and parking plan by M-NCPPC technical staff.
  - 4. Approval of a tree protection plan by technical staff. This plan should include an analysis for the protection of the critical root zone for trees in the vicinity of the proposed parking lot.

#### PROPOSAL DESCRIPTION

The applicant, Hayes Manor/Columbia Foundation, has requested a special exception to permit a private club at 4101 Manor Road, Chevy Chase, in the R-90 Zone. The applicant is a 501 (c)(3) charitable organization formed with the intent of preserving and allowing community reuse of the Hayes Manor. As a private club, the applicant will conduct charitable, educational, scientific, literary and cultural activities. In addition, the facilities will also be made available for social functions such as weddings, receptions and private parties. The only physical change to the property will be the construction of a parking lot to provide a total of 55 on-site parking spaces.

Site Description - The subject property is located at the end of Manor Road approximately 750 feet west of the intersection with Connecticut Avenue. The property is described as Parcel 212 (Liber 5803, Folio 503) and is not recorded by plat of subdivision. It comprises 9.44 acres. Located in the center of the property is Hayes Manor which is a designated resource in the Master Plan for Historic Preservation, #35/10. In addition to the manor house which was built c1762, there is an early 20th century bungalow, the remains of a cross-gable bank barn and extensive gardens. Access is from Manor Road with a secondary point of access for small service vehicles from Columbia Country Club adjoining to the west.

Neighborhood Description - The surrounding neighborhood includes land uses which are generally distinct and separate. They include single-family residential development in the R-90 Zone, multi-family residential development in the R-10, R-20 and R-30 Zones, convenience commercial and general commercial development in the C-1 and C-2 Zones, and a number of large land users and institutional uses. Connecticut Avenue, classified as a major highway, runs north-south through the neighborhood and Jones Bridge Road, classified as an arterial (west of Connecticut Avenue) runs east-west. Adjoining the subject property to the north is a 4.70 acre parcel improved by a single-family residence, adjoining to the east is the Howard Hughes Institute which is an institutional use operating by special exception, adjoining to the south is a small parcel improved by a single-family residence, and adjoining to the west is Columbia Country Club.

Elements of Proposal - As a private club, the applicant will conduct charitable, educational, scientific, literary and cultural activities. It will have a board of trustees made up of eight members of Columbia Country Club. While it will operate independently from the country club, it is an affiliated organization. Use of Hayes Manor will occur in two phases. The first phase is the subject of this special exception and involves the existing manor house with the only physical change being the construction of a parking lot to accommodate guests-attending functions in the house or on the grounds. In total, 55 parking spaces will be available. The second phase may be proposed later after the applicant has developed a master plan for the property and may include passive recreational amenities and/or other physical improvements "consistent with the historic character of the property."

or onetion

The applicant expects to receive inquiries to use the manor house from the surrounding community. Examples of requests may include meetings of historical societies, book club meetings, lectures, small seminars and luncheons or dinners for affinity groups. The property will also be available for social functions such as weddings, receptions and private parties. The applicant has arranged with Columbia Country Club to handle all maintenance of the grounds and buildings as well as all event scheduling. Smaller social and cultural events may be handled by the club while larger events will be catered by local firms. The applicant anticipates that initially, most activity will occur on Friday and Saturday evenings. Eventually, there will be more weekday functions. The size of the house will limit it's use to a finite number of people (to be determined by the Fire Marshals' office). However, when weather permits, the lawn area will allow for groups as large as 300 people although most functions are expected to be smaller in size. Larger events will rely upon off-site parking and shuttle buses to transfer guests.

#### **ANALYSIS**

Master Plan - The proposed special exception is consistent with the recommendations of the 1990 Bethesda - Chevy Chase Master Plan. The Master Plan supports the existing R-90 Zone for the subject property and private clubs are allowed by special exception in that zone. The Master Plan endorses guidelines for the location of special exceptions in residential areas while recognizing that special exception uses may be compatible if they meet the standards and requirements, as well as the general conditions set forth in the Zoning Ordinance.

The Master Plan guidelines seek to avoid an excessive concentration of special exception uses along major highway corridors, avoid over-concentration of commercial service and office uses in residential communities, protect highway corridors and residential communities from incompatible design, and promote those uses that contribute to the housing and health objectives of the Master Plan. Staff finds the special exception to be consistent with those guidelines. The applicant is a charitable organization formed for the purpose of preserving a significant historic resource and reusing it for the benefit of the community.

The Master Plan discusses the subject property on pages 40 and 44 under the land use and zoning recommendations for the Chevy Chase Lake area (see attachments). While recognizing that the property could be developed with up to 33 single-family homes under the cluster method of development, the Plan also recognizes the historic significance of Hayes Manor and recommends enhancing and preserving the historic house and it's environmental setting.

Historic Preservation - Hayes Manor is a designated resource in the Master Plan for Historic Preservation, #35/10. The manor house sits in an environmental setting of 9.44 acres, and includes the 18th century brick dwelling with several additions, and an early 20th century bungalow which is a contributing resource. The house was built c1762, and

includes several interesting features including two sets of brick entry gateposts, an 18th century bowling green, remains of a cross-gable bank barn, the 20th c. bungalow, and a terraced garden.

The Historic Preservation Commission (HPC) discussed the proposed use in a preliminary consultation on May 27, 1998. The HPC was very supportive of the applicant's proposal for a private club finding it to be an interesting and appropriate idea for the preservation of the house and it's environmental setting. The HPC also found the location of the proposed parking lot around the remains of the bank barn to be acceptable while recognizing that the final design of the parking lot is subject to change. The location of the parking lot is well-away from the manor house and at a lower elevation. As a result, it will not have a detrimental effect on the vistas to or from the manor house. In addition, it will be effectively screened from the terraced garden at the rear of the house by the existing pool enclosure and a hedge row. Concerns which will need to be addressed at the time of a historic area work permit include the evaluation of the barn remains in terms of site significance and archaeological significance, the preservation of as many mature trees in the area as possible, and the impact on the residential setting for the bungalow.

Traffic - The proposed special exception will have a minimal effect on the area transportation system. As indicated in the traffic impact statement submitted by the applicant, the use will generate approximately seven trips in the morning and nine trips in the evening peak hour which is well below the threshold of 50 trips that would trigger a detailed traffic study to satisfy the Local Area Transportation Review.

It is important to note, however, that some outdoor events may attract as many as 300 people. These events would occur on Friday evenings and Saturdays during months of good weather. Because of the limitations of on-site parking (55 parking spaces) and to mitigate the traffic impact on Manor Road, guests will be asked to park in the existing parking lots at Columbia Country Club and then transferred to Hayes Manor by shuttle buses. All buses and other vehicles will enter the property from Manor Road, circle around the driveway to pick up or discharge passengers before exiting again. Staff understands that there will be no queuing of vehicles at the entrance to the property or on the street. For those events where the anticipated guest list is more than 75 persons, a traffic monitor will be posted at the Manor Road entrance.

With respect to Local Area Transportation Review, the nearest intersection (Manor Road and Connecticut Avenue) is operating at a critical lane volume of 1,401 in the morning and 849 in the evening peak hour based on the latest available data (1991). The established adequacy standard in the Annual Growth Policy for the Bethesda - Chevy Chase policy area is 1,650 critical lane volume. The policy area has a remaining capacity of 1,059 jobs and 5,970 housing units as of May 31, 1998.

County forest conservation requirements of Chapter 22A. The exemption is granted in this case because the use will occur within an existing structure and will not result in the clearing of existing forest or trees. Two large trees in weak condition will be removed to create the proposed parking lot and additional large trees within and around the parking lot area will need to be protected to save the excellent shade cover on the site. As a condition of approval, a tree protection plan must be submitted to the M-NCPPC technical staff for review and approval to ensure adequate protection of the critical root zone for the healthy mature trees in the vicinity of the parking lot. The tree protection plan must show that limits of disturbance for the parking lot do not impact on the critical root zone and must include appropriate tree protection measures.

The subject property is located in the Coquelin Run tributary of the Rock Creek watershed. This subwatershed has fair water quality and habitat conditions and is considered a Watershed Restoration Area by the *Countywide Stream Protection Strategy* (CSPS). The applicant has submitted a stormwater management concept plan to the Department of Permitting Services that provides both quantity and quality control for runoff from the parking lot. Pre-treatment to remove parking lot pollutants will also be provided.

**Subdivision** - The subject property is described as Parcel 212, Tax Map HN 343 (Liber 5803, Folio 503). While the property is not in conformance with the requirements of chapter 50 of the county code, Subdivision Regulations, no further subdivision approval will be necessary to accommodate the special exception.

Community Concerns - The Chevy Chase Hills Neighborhood Association has met with the applicant and is in support of the special exception. The association had some initial concerns about the potential traffic impact on Manor Road, however, these concerns have been addressed in the applicant's traffic impact statement. Discussions with an adjacent property owner have also contributed to the development of the applicant's traffic management program. As part of its community outreach the applicant has made a number of commitments to the association including a calendar of events provided on a monthly basis (with estimates of expected attendees) and the use of facilities by neighborhood residents.

Compliance with General and Specific Special Exception Provisions - Staff has reviewed the petition for compliance with applicable special exception provisions. As noted in the attached, all general and specific requirements for the use will be satisfied.

Conclusions - Upon review of the application and visiting the subject property, staff finds that with the recommended conditions-the special exception satisfies all general and specific requirements for the use found in Sections 59-G-1.21 and 59-G-2.24 of the Zoning Ordinance. Therefore, staff recommends approval of the request with the conditions found at the beginning of this report.

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#### Sec. 59-G-1.2. Conditions for granting.

#### 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 use is permissible in the zone.

(2) Complies with the standards and requirements set forth for the use in division 59-G-2.

The use meets the specific requirements of this division.

(3) Will be consistent with the general plan for the physical development of the district, including any master plan or portion thereof adopted by the Commission.

The use is consistent with the master plan.

(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.

The use is in harmony with the general character of the neighborhood when considering these factors.

(5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.

The use will not be detrimental to the neighborhood due to any of these factors.

(6) Will not, when evaluated in conjunction with existing and approved special exceptions in the neighboring one-family residential area, increase the number, intensity or scope of special exception uses sufficiently to affect the area adversely or alter its predominantly residential nature. Special exception uses in accord with the recommendations of a master or sector plan are deemed not to alter the nature of an area.

The use will not adversely affect or alter the predominantly residential nature of the area.

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(7) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area;

The use will not have any of these adverse effects.

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(8) 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. If the special exception use requires approval of a preliminary plan of subdivision in accordance with chapter 50 of this Code, title "Subdivision of Land,"

the adequacy of public facilities will be determined by the Planning Board at the time of subdivision approval. In that case, the Board of Appeals must include such Planning Board approval as a condition of the grant of the special exception.

The use will be served by adequate public facilities including water, sanitary sewer, public roads, and storm drainage. Subdivision approval will not be required.

#### Sec. 59-G-2.24. Golf courses and country clubs.

The Board may authorize a golf course, country club, <u>private club</u> or service organization including community buildings, upon a finding that the proposed use will not adversely affect surrounding residential and agricultural uses because of noise, traffic, number of people or type of physical activity; provided, that the following standards and requirements can be met:

(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.

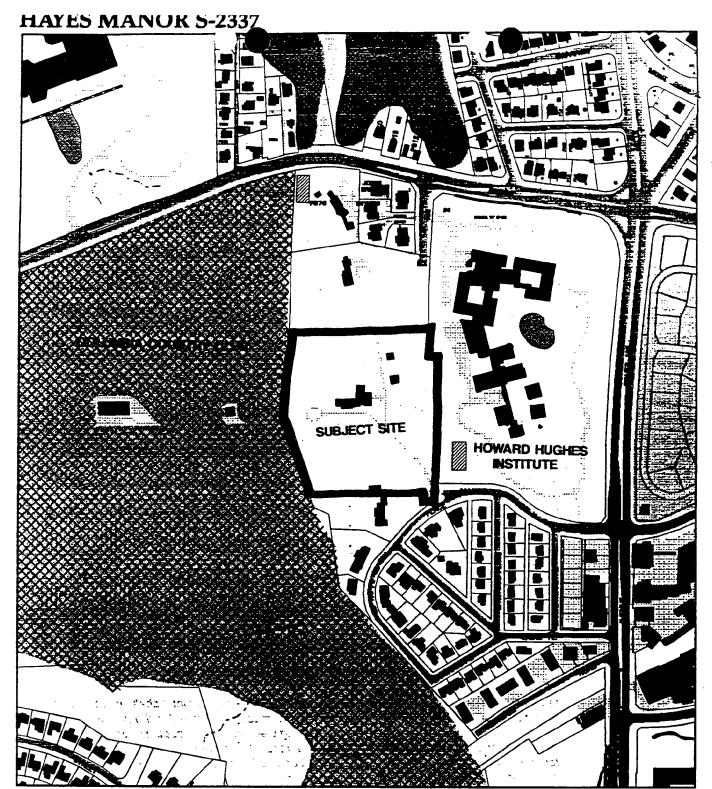
The provision of food, refreshments and entertainment for club members and their guests as well as for other visitors attending events on the subject property is not expected to draw an excessive amount of traffic through local residential streets. The capacity of on-site parking will be limited to a maximum of 55 vehicles. On those occasions where there may be larger crowds, the guests will be instructed to park at Columbia Country Club, where shuttle buses will take them to and from Hayes Manor. Given the limitations on parking and the use of shuttle buses for larger events, the special exception will not have an adverse traffic impact on local streets.

(b) All buildings shall conform to the height, coverage and setback regulations of the zone in which they are located; and all facilities shall be so located as to conform to other special exception standards.

All existing buildings conform to the development standards for the R-90 Zone and no new structures are proposed. As shown on the submitted site plan, a parking facility is proposed to be approximately seven feet from the northern (rear) property line. This facility must be redesigned to comply with the required setback which is 25 feet (the rear yard setback in the R-90 Zone). A parking plan must be submitted to the M-NCPPC technical staff for review and approval.

All outdoor lighting shall be located, shielded, landscaped or otherwise buffered so that no direct light shall constitute an intrusion into any residential area.

While the existing outdoor lighting is typical of what may be found on any large private residence, it must be located, shielded, or otherwise buffered so that it shall not constitute an intrusion into any residential area. A lighting plan must be submitted to the technical staff for review and approval. Outdoor events, including weddings and receptions, are proposed to be held on the north side of the house. As a result, temporary outdoor lighting required for those events should be adequately shielded and buffered from nearby residences by the manor house and surrounding landscaped grounds.



Map complied on August 27, 1988 at 2:17 PM

#### NOTICE

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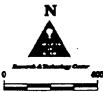
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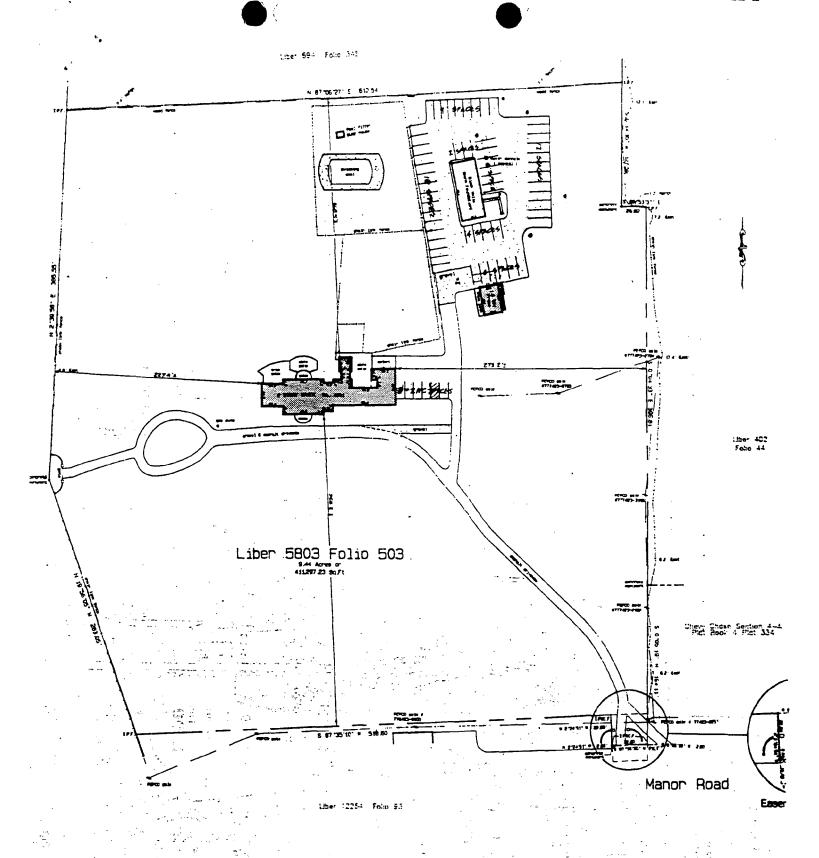
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Master Plan for the Bethesda-Chevy Chase Planning Area Montgomery County, Maryland

# CHEVY CHASE LAKE RECOMMENDATIONS

Figure 7

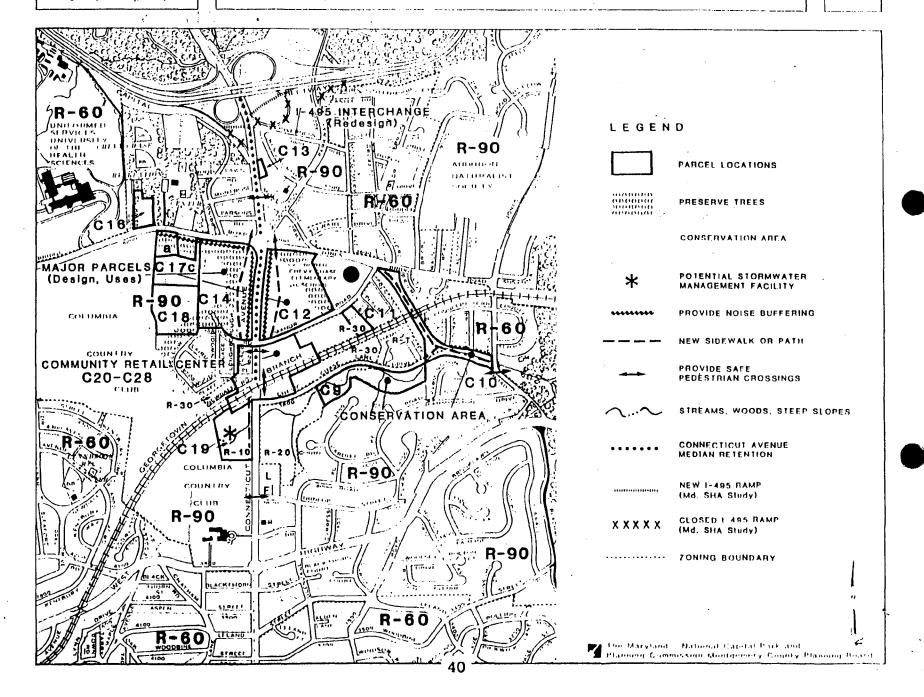
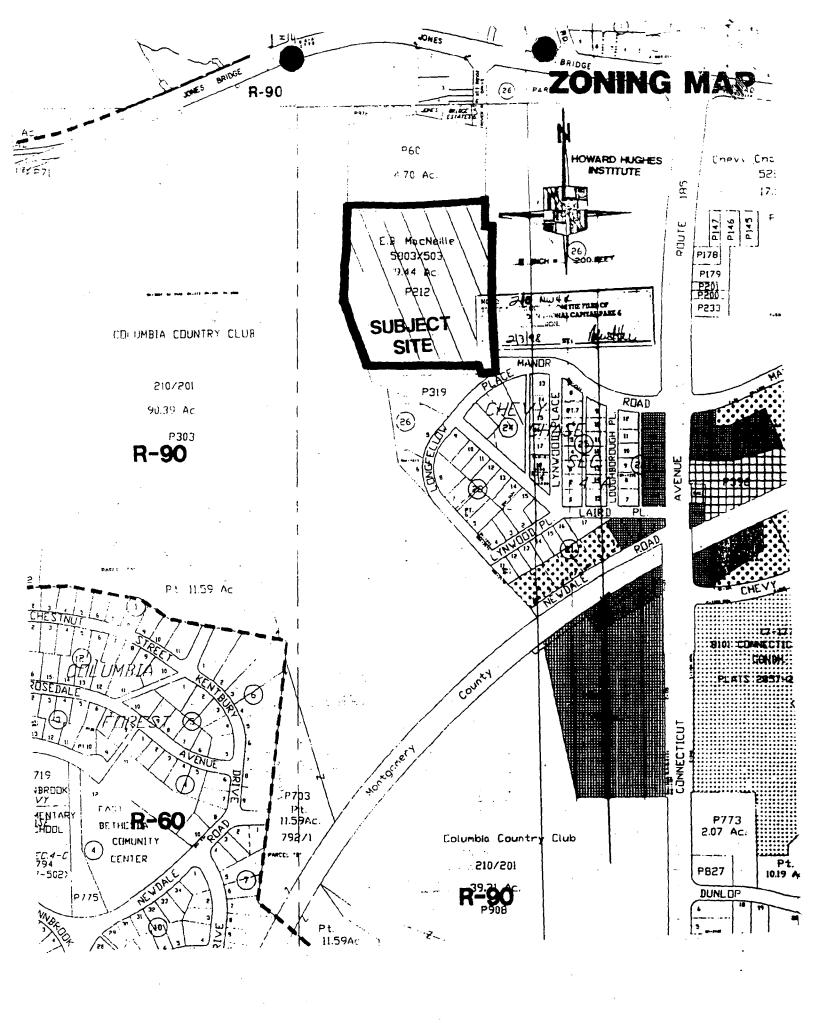


Table 3 (Cont'd.)

#### CHEVY CHASE LAKE LAND USE AND ZONING RECOMMENDATIONS

	entification wner)	Estimated Area (Acres and/ or Sq. Ft.)	Existing Zone	Recommended Use : <b>Zone</b>	Conditions, Constraints, Comments	Rationale
C 16	Jones Bridge Rd, near Hawkins La (north)	2.5 acre	Single- R-90 family (7 du potential)	Single-R-90 family Cluste (9 du potential)	- Support cluster of single-family detached units on all or part of site, if would help preserve the single-family detached character of the llawkins La area - Development should attempt to maintain the character of the Hawkins La private roadway - Note the potential historic district designation of the area	<ul> <li>Consistent with nearby residential area on north side of Jones Bridge Road</li> <li>Seek to protect the character of the liawkins Lane community and roadway</li> </ul>
C 17	Jones Bridge Rd, near Hawkins La (south) P976, P978, P60	C17a-2.2 acres C17c-4.8 acres Total =7.0 acres	2 houses R-90 on large lots (20 du potential)	Town- R-90 houses Cluste (25 du potential)	- Suitable for cluster, if combined parcels are five acres or more - Cluster could allow retention of houses and immediate environs - Address traffic noise in site design	Meet housing goals     Enhance and preserve character of site
C 18	Longfellow Pl P212	9.4 acres	1 historic R-90 mansion house (MacNeille) (33 du potential)	Houses R-90 (33 du potential, if cluster)	<ul> <li>Hayes Manor is a designated resource in the Master Plan for Historic Preservation, #35/10</li> <li>Cluster may be approved for parcels larger than five acres</li> </ul>	<ul> <li>Enhance and preserve the historic house and the environmental setting</li> <li>Single-family area to the south</li> </ul>
C 19	Connecticut Ave at Georgetown Branch (SW)	7.9 acres	Vacant R-10 floodplain, wooded, slopes (Chevy Chase Land Co.) (343 du's planned)	High-Rise R-10 Apartment (343 du's under con- struction)	<ul> <li>MPDUs waived; payment made to housing fund</li> <li>Guidelines for site development, including Special Exception use</li> <li>Build sidewalk to Newdale Rd and crosswalk to library</li> <li>Possible regional SWM location</li> <li>Maintain the floodplain and stream buffer as a conservation area</li> </ul>	Construction proceeding under R-10 zoning     Project will help meet housing goals     Protect floodplain from development



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760

> MCPB 11/5/98 Item #2

#### **MEMORANDUM**

DATE:

October 30, 1998

TO:

Montgomery County Planning Board

VIA:

Melissa Cuñha Banach, Chief, Community - Based Planning Division

FROM:

Bill Landfair for the Department of Park and Planning (301/495-4555)

REVIEW TYPE:

Special Exception - Supplemental Report

APPLYING FOR:

Private Club

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**APPLICANT:** 

Haves Manor/Columbia Foundation

CASE NUMBER:

S-2337

**REVIEW BASIS:** 

Chapter 59, Zoning Ordinance

ZONE:

R-90

LOCATION: 4101 Manor Road, Chevy Chase

**MASTER PLAN:** 

Bethesda - Chevy Chase Master Plan

#### STAFF RECOMMENDATION: APPROVAL with the following conditions:

1. The applicant is bound by all submitted statements and plans.

- Approval of a historic area work permit by the Historic Preservation Commission. The second of th
- 3. Approval of a landscape, lighting; signage, and parking plan by M-NCPPC technical staff.

#### BACKGROUND

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This is a supplemental report to the original staff report for Special Exception No. S-2337, dated September 4, 1998, which is attached as an exhibit. Staff continues to recommend approval of the special exception with the conditions noted above.

The Planning Board reviewed the special exception at their regularly scheduled meeting on September 10, 1998. Following testimony by staff, the applicant, and adjacent property owners, the Board deferred action on the case and no formal vote was taken. Subsequently, the Board of Appeals public hearing was rescheduled to a later date. This action was taken to allow the applicant and their neighbors, Mr. and Mrs. Magruder Dent, to complete negotiations regarding activities associated with the use of Hayes Manor. It also allowed the Planning Board to reconsider the application since the Board felt that the original application was not complete enough to proceed to the Board of Appeals.

The Dents believe that a negotiated agreement is necessary to ensure that there will not be any adverse impacts on their property as a result of the operations of the private club. At the Planning Board meeting they cited four things which may prevent these impacts. The first is adequate buffering, which may include purchasing a certain amount of the land between their property and Hayes Manor so that they may landscape it to protect their view shed and mitigate visual intrusion. Second, they seek a traffic manager for larger events (75 or more attendees) and notification of when these events will take place. Third, they request the posting of a sign at the entrance to Hayes Manor advising vehicles not to turn right upon exiting the property. Fourth, they seek to limit outdoor events to the rear of the property, particularly those events requiring tents. As of the date of this report, there is still no negotiated agreement between the applicant and the Dents.

The applicant has submitted a revised statement of operations and site plan to address the concerns raised by the Dents and the Planning Board. The Dents have responded in a letter, dated October 27, 1998, which is attached as an exhibit, outlining their continuing concerns and raising some new issues. These include the status of an adjacent property which may provide direct access to Jones Bridge Road, the adequacy of the parking lot which is now proposed, lack of explicit information regarding the types of events which may be held, and the 501(c)(3) charitable organization status of the applicant.

The applicant's revised statement of operations includes the following language regarding the size and location of events, access to the property, notification, and buffering:

The size of the Hayes Manor building necessarily limits interior use of the building to a finite number to be determined by the County Fire Marshal. However, when weather permits, use of the lawns will allow for larger groups for such events as a wedding reception although most functions are expected to be smaller in size. Indeed, the predominant number of functions are expected to be small enough to be accommodated by parking on-site in designated areas at the rear of the Hayes Manor house. The Petitioner proposes that for any event for which more than 50 guests are expected to attend, those guests will be delivered by shuttle van(s) from a central point in the parking lot at Columbia Country Club. The Petitioner has previously committed to the local homeowner's association and to an adjacent property owner (the Dents), and confirms as part of its written proposal to the Board of Appeals, the following conditions:

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- A. For all events for which more than 50 guests are expected to attend, the Petitioner will provide a traffic manager/traffic guard at the driveway/Manor Road intersection.
- B. The Petitioner will post a sign visible to cars exiting the Hayes Manor property that cars should not block the Dent's driveway and should only turn left on Manor Road.
- C. The Petitioner shall provide the local homeowners' association and the Dents with a monthly calendar of events for Hayes Manor.

To ensure compatibility with adjacent properties and consistency with the character of the Hayes Manor property, the Petitioner binds itself so that no event with more than 200 guests will be scheduled to occur on the property. Moreover, social events will not be allowed to occur in the front yard of the Hayes Manor property after 7:00 PM. The existing driveway in the front yard may be used for drop-off of guests but may not be used for parking at events.

Finally, Petitioner agrees to install appropriate landscaping, or to install other screening measures along the common property line with the Dent property, the details of such plantings/measures to be reviewed by the Dents and to be confirmed in a landscape plan that will be approved by the Technical Staff at M-NCPPC which will be required by a condition of special exception approval that will be offered by the Petitioner.

The applicant's revised site plan reflects a proposed parking lot that has been greatly reduced in size from 55 parking spaces to 15 spaces. The location will be the same, however, adjacent to the remains of a bank barn in the rear half of the property. While no detailed plans for the parking have been submitted, staff understands that the spaces will be perpendicular to a 20 foot wide drive aisle and will be paved in gravel. The site plan also shows in schematic form the location of the proposed buffer along the common property line with the Dent property. As measured from the plan, the buffer will have a width of approximately 15 feet and a length of 440 feet. In a separate planting list (attached as an exhibit) the applicant suggests plant material which may be used. These plants have been selected based on their screening ability, native species, seasonal interest, and woodland habitat. In general, trees will be placed close to the property line and shrubs will be placed higher up the slope of the subject property to increase their screening ability. The plant mix will favor evergreens to allow for year round screening.

#### **ANALYSIS**

**Master Plan and Historic Preservation -** The Master Plan supports the existing R-90 Zone for the subject property and private clubs are allowed by special exception in that zone. The applicant is a charitable organization formed for the purpose of preserving a

significant historic resource and reusing it for the benefit of the community. The Historic Preservation Commission (HPC) has discussed the application in a preliminary consultation and is very supportive of the application. The HPC believes that any concerns which it may have regarding the parking lot can be addressed at time of review of a historic area work permit. At that time, the HPC will also review any landscaping plan in connection with the proposed buffer.

Traffic and Parking - With the applicant binding itself such that no event will have more than 200 guests, implementation of a shuttle van system for events with more than 50 guests, a traffic manager/traffic guard for events with more than 50 guests, and signage directing vehicles to turn left on Manor Road from the subject property, staff finds that the special exception will have a minimal effect on the area road system. Staff was initially concerned about the reduced size of the proposed parking lot. However, given the dimensions shown on the site plan, staff is of the opinion that 17 spaces can be accommodated, not the 15 noted on the plan. In addition, at least five or six spaces can be accommodated on existing pavement adjacent to the manor house in addition to an area for delivery vehicles. Therefore, as many as 23 parking spaces are available for events with 50 or fewer guests as shown on the attached exhibit.

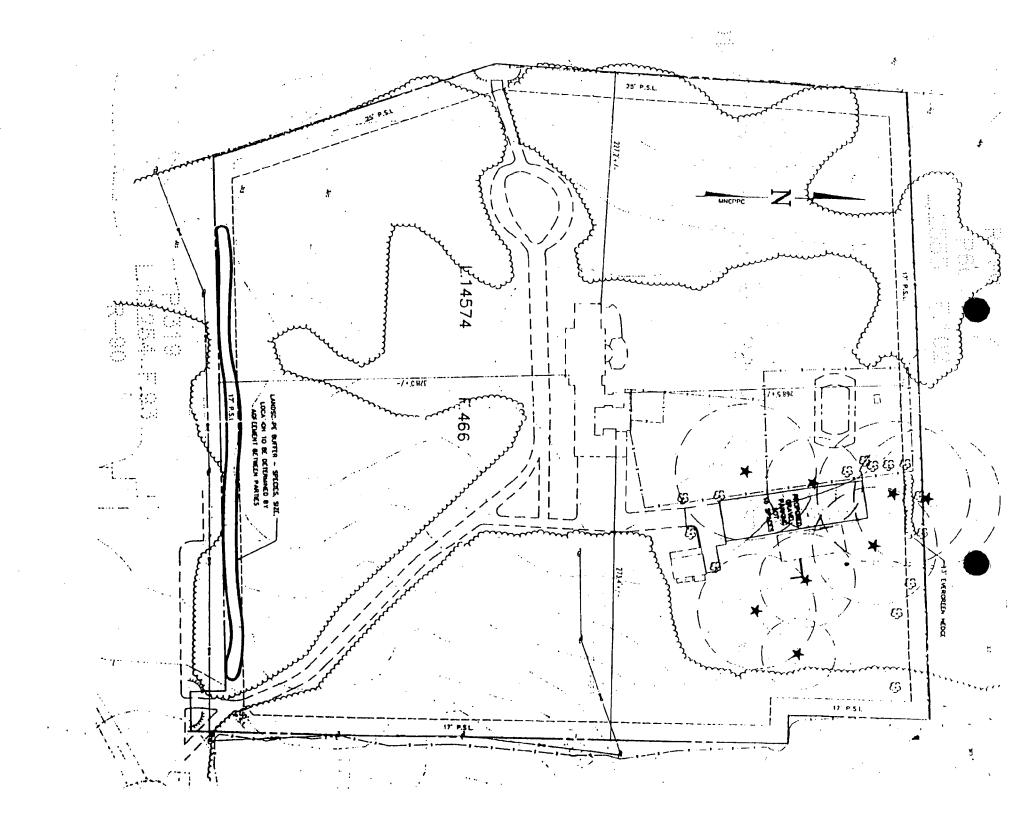
Environment - This application now qualifies for an exemption from the Forest Conservation Law because the special exception use will occur within an existing structure and the proposed parking area is not expected to damage any trees (see attached waiver No. 4-99036E). The smaller parking lot will not require the removal of any trees. Impact on the critical root zones of two significant trees will be minimized by the use of an aeration mat under the gravel parking surface. No grading will be required for the parking area and the limits of disturbance should not extend beyond the parking lot boundary. Thus, Condition No. 4 recommended in the original staff report is no longer necessary.

Any required expansion of the proposed parking area will require review of the exempt status of this application. It is likely that any additional pavement areas, and the associated stormwater management facilities, will have enough negative impact on the healthy trees on the site to trigger the application of the Forest Conservation Act. A Forest Conservation Plan with appropriate easement areas and tree protection measures would then be required and approved prior to final approval of the special exception.

The special exception is exempt from stormwater management requirements since the proposed area of new parking is less than 5,000 square feet. The applicant must apply to the Department of Permitting Services for the exemption and may be required to pay a stormwater management contribution. Since the proposed parking area is just under 5,000 square feet, any required expansion of the parking area will trigger stormwater management measures.

The proposed landscape buffer along the common property line with the Dent property should consist of native vegetation planted over a wider area than indicated on the site plan. As suggested by the applicant, the buffer should include native species planted in a staggered pattern to maximize screening, avoid damage to the existing mature trees and shrubs on the site, and integrate the new plant material with the existing woods and landscaping. The limits of the buffer may extend as far as 50 to 100 feet away from the property line to take advantage of the topography to maximize screening.

**Conclusions** - Staff continues to find, based on a review of the revised statement of operations and site plan, that the special exception will be consistent with the general and specific requirements for the use found in the Zoning Ordinance. Therefore, staff recommends approval of the request with the conditions found at the beginning of this report.



#### LANDSCAPE PLANT LIST

TYP	B/D	BOTANICAL NAME	COMMON NAME	CAL.	HGT.	SPD.	ROOT.	SPACING
Т	E; to	Ilex opaca	American Holly		5-6'		B&B	12'
T	ECA	Juniperus virginiana	Eastern Red Cedar		5-6'		B&B	8'
T	E 33:	Tsuga canadensis	Canadian Hemlock		7-81		B&B	15'
S	E	Kalmia latifolia	Mountain Laurel		3-4'		B&B	5'
s	D N	Viburnum prunifolium	Blackhaw Viburnum		3-4'		B&B	4'
8	D	Viburnum dentatum	Arrowwood Viburnum		3-41		B&B	4'
S	B	Myrica pensylvanica	Northern Bayberry		2-3'		B&B	5'
S	D	Aronia arbutifolia	Red Chokeberry		24 - 30"		#3 Cont.	7'
s	D	Cornus sericea	Red-twig Dogwood		2-3'		#3 cont.	4'
S	D '	Hamamelis virginiana	Witchhazel		3-4'		B&B	91
T	D ;	Cercis canadensis	Eastern Redbud		6-7'		B&B	12'
T	D ;	Halesia tetraptera	Carolina Silverbell		6-71		B&B	12'
T	D	Cornus florida	Flowering Dogwood		8- 10'		B&B	12'

TYP:

T = TREE

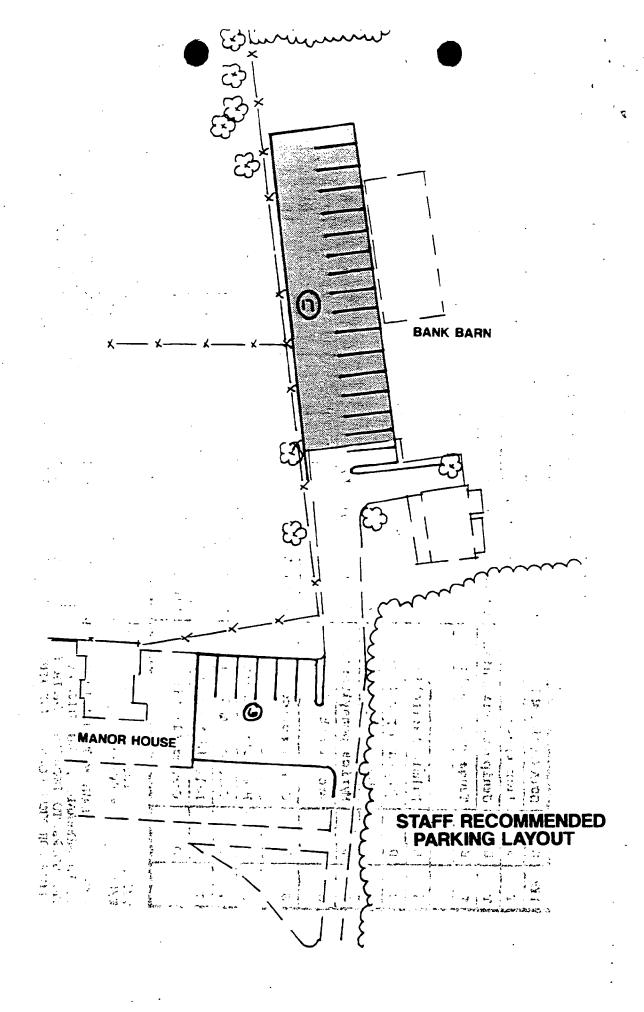
S = SHRUB

E/D:

E = EVERGREEN

D - DECIDUOUS

NOTE: PLANT MATERIAL WILL BE PLACED RANDOMLY ALONG THE PROPERTY LINE IN GROUPS OF 1, 3, 5, 7, AN 9. IN GENERAL, TREES WILL BE PLACED CLOSE TO THE PROPERTY LINE AND SHRUBS WILL BE PLACED HIGHER UTHE SLOPE TO INCREASE THEIR SCREENING ABLILITY. THE PLANT MIX WILL PAVOR THE EVERGREEN MATERIAL TALLOW FOR YEAR ROUND SCREENING. SPACING WILL BE ON-CENTER AND AS NOTED ABOVE.



FOREST CONSERVATION PLAN RECOMMENDATIONS

TO: Bill Landfair, Community-Based Planning Division
SUBJECT: Project # S-233 7 Project Name Hages Manor Date Recd 10/28/18 NRI/FSD # 4-99036 E
The above-referenced plan has been reviewed by the Environmental Planning Division to determine the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law). A determination has been made that the plan qualifies for the following exemption or waiver:
EXEMPTION:
<ul> <li>Single lot - Applies to an activity conducted on an existing single lot of any size that is: 1) not subject to special exception; 2) does not disturbmore than 40,000 square feet of forest; 3) does not violate a previously approved tree save plan; and 4) for which a declaration of intent has been filed with the Montgomery County Planning Director. Note: Per section 22A-3(u) of the Forest Conservation Law a lot which is subject to future subdivision does not quality for the single lot exemption.</li> <li>Grandfathering Provision - Lot(s) covered by a preliminary plan of subdivision or site plan for which the plan was:         <ul> <li>Approved before July 1, 1984 and has less than 40,000 sq. ft. of forest cover.</li> <li>Approved or extended between July 1, 1984 and July 1, 1991.</li> </ul> </li> <li>Note: Plans approved before July 1, 1991 that are revised after that date and will result in cutting of more than 5,000 additional square feet of forest are not exempt.</li> <li>Real Estate Transfer - Transfer to provide a security, leasehold, or other legal or equitable interest in a portion of a lot or parcel. Transfer does not involve a change in land use or new development or redevelopment, with associated land disturbing activities; and both the grantor and grantee must file a declaration of intent.</li> <li>Agricultural - Exempt from platting and requirements to obtain a sediment control permit and meets the definition of agricultural activity specified in section 22A-3(b).</li> <li>Tree Nursery</li> </ul>
<ul> <li>Planned Unit Development - Activity or development within a planned unit development for which:         <ul> <li>Development or Project Plan was approved before January 1, 1992 and site plans were approved before July 1, 1992, but the PD was 75% or more complete on January 1, 1992 (measured by the total acreage subject to the PD that has received site plan approval).</li> </ul> </li> <li>Note: A development plan or project plan amendment approved after January 1, 1992, is not exempt if it results in the cutting of more than 5,000 additional square feet of forest.</li> </ul>
Small Property Exemption - Activity occurring on a tract less than or equal to 1.5 acres in size where there is no existing forest and afforestation requirements would be less than 10,000 square feet; or, activity occurring on a tract less than or equal to 1 acre in size where activity will not result in the clearing of more than 30,000 square feet of existing forest and reforestation requirements would be less than 10,000 square feet.  Note: Tree preservation and/or replanting of individual trees may be required. Forest within any priority area on-site must be preserved.
<ul> <li>Special Exceptions only:</li> <li>Special Exception applications for existing structures are exempt from the forest conservation law if the proposed use will not result in clearing of existing forest or trees.</li> <li>Modifications to an existing special exception use which was approved prior to July 1, 1991, will be exempt from the requirements of the Forest Conservation Law provided that the revision will not result in the cumulative clearing of more than 5000 additional square feet of forest.</li> </ul>
Other/Comments Further expansion of the parking area may result in the nevocation of this exemption.
- Tre protection measures, including an aeration mat of at-grade construction, must be used for the proposed parking area.
Signature:

ATTORNEYS AT LAW

BOSTON

CHICAGO

LOS ANGELES

MINNEAPOLIS

ORANGE COUNTY

SAINT PAUL

SAN FRANCISCO

WASHINGTON, D. C.

SUITE 1200 1801 K STREET, N.W. WASHINGTON, D. C. 20006-1301 TELEPHONE (202) 775-0725 FACSIMILE (202) 223-8604 TELEX 4931197 RKMC



RICHARD B. NETTLER (202) 775-0725

BARBARA WACHTER NEEDLE (202) 736-2614

THE SAME SAME AND A SECOND

October 26, 1998

Mr. William Hussman Chairperson Montgomery County Planning Board 8787 Georgia Avenue Silver Spring, Maryland 20782

Re:

Special Exception Case No. S-2337

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Our File No. 091731-0000

#### Dear Chairperson Hussman:

We are writing to request that the Planning Board postpone once again consideration of the above-captioned application for a special exception by the Hayes Manor Foundation / Columbia Country Club. We feel that the Foundation / Club has not complied with your directive at the most recent Planning Board hearing on this case, September 10, 1998, to provide a fully detailed application, describing with some finality their proposed operations within a timeframe which would permit my clients, Magruder and Sara Dent, to determine whether they will be adversely impacted by the proposed special exception.

Today, we received at 3:16 PM a fax from Mr. Jody Kline, attorney for the applicant, with somewhat more detail (10 additional sentences) on an operating agreement. However, we had already been informed last week (as had Mr. Kline) by Mr. Landfair of your staff that he hoped to have his staff report written by today. As of this writing, at 5:40 PM, we just received plans from the applicant. We have a number of concerns:

1) We don't see this kind of last-minute brinkmanship as being consistent with an honest and straight forward approach to trying to work out an arrangement which will be beneficial to both parties.

- One of our clients' major concerns has been about creating a buffer from the visual and noise intrusion of having a public rental hall being established immediately adjacent to their house. Our requests to meet to work out a suitable buffer have been ignored by the applicant. There is no way we can adequately digest these plans, share them with our clients (we had previously informed Mr. Kline that Mr. Dent had a business trip out of the country from 10/24 10/29), work out whether there should be a fence and, if so, what type, what type of plants and / or trees should there be, where should they be planted, etc. Of course, even assuming we could work out a buffer which would be acceptable to both parties, it would be impossible to know with any certainty what would be approved by the Historic Preservation Commission, which must approve any landscaping changes.
- Access to the property is a great concern to my clients. They had requested that the Country Club work out an arrangement which would have all traffic approach Hayes Manor from the rear, through the Country Club, a suggestion which was eventually rejected by the Club. However, Mr. Vincent Burke, who we understand is Chairperson of the Club, indicated to my associate last week that the Country Club is in litigation over the sale of the Platt property, and is attempting to work out a settlement with the Howard Hughes Institute to gain direct access to Jones Bridge Road. Mr. Burke stated that, once the details of that arrangement could be worked out, it might be possible to agree to sell the buffer to my clients, which is what they originally requested. This, in itself, seems to be an important reason to postpone consideration of the application, since it is not possible until that issue is settled to determine whether the entrance to Hayes Manor could be shifted to a far less disruptive location, and whether our clients could be assured the peaceful enjoyment of their property by having ownership over the buffer.
- 4. The parking lot has been reduced from 55 cars to 15, but organizations will be permitted to have events up to 50 attendees without having to use a shuttle from the Country Club. The proposed statement of operations, while indicating that guests will not be permitted to park on the front driveway, is silent on where they will park. Also, since traffic managers will not be required unless an event expects more than 50 guests, who is going to keep the cars from parking in the driveway, or on Manor Road, where they would block the Dent's driveway?
- The application is extremely vague about the type of events which would be sought and/or permitted on the property. There is no detail about the fees to be charged. It is also vague about the so-called "second phase" of operations, the "passive recreation" which may be considered for the site, etc.

Mr. William Hussman
October 26, 1998
Page 3

We have requested information from the Internal Revenue Service regarding the 501(c)(3) application of the Foundation, the "charitable purposes" listed and whether it has been approved by the IRS. We have received a communication from the IRS indicating that they have no record of such an entity. We would therefore request that the Planning Board insist on seeing evidence that the applicant is indeed a bona fide "private club", since it appears far more like a public rental facility, and in no way seems to meet the definition of private club contained within the Montgomery Country Zoning Regulations.

This should by no means be considered an exhaustive or complete list of our concerns, but, in the interest of getting some response to staff so that at least some of our issues could be included in the staff report, we are forwarding this at this time. We are confident, given the frustrations expressed by the Board at the last hearing about the lack of specificity in the application, that you will concur with us about the need to postpone consideration until these issues can be worked out.

We appreciate your consideration.

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Richard B. Nettler

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## BOARD OF APPEALS for MONTGOMERY COUNTY

Stella B. Werner Council Office Building 100 Maryland Avenue Rockville, Maryland 20850 (301) 217-6600

Case No. S-2337

## PETITION OF HAYES MANOR/COLUMBIA FOUNDATION (Hearing held November 18, 1998)

OPINION OF THE BOARD (Effective Date of Opinion: April 9, 1999)

Case No. S-2337 is the application filed for a special exception pursuant to Section 59-G-2.42 (private clubs) of the Zoning Ordinance to permit a private club (under the standards of Section 59-G-2.4) at 4101 Manor Road, Chevy Chase. The subject property is Parcel 212, Tax Map HN43, in the R-90 Zone.

Decision of the Board: Special Exception <u>GRANTED</u> subject to the conditions enumerated herein:

Jody S. Kline, Esquire, represented the petitioner, Hayes Manor/Columbia Foundation. He called several witnesses in support of the project, including David Almy, architect; Robert L. Morris, transportation planner and traffic engineer; Robert Moltz of the Hayes Manor/Columbia Foundation; Vincent Burke, President-elect of Columbia Country Club; and John Sekerak, Land Planner.

Richard Nettler, Esq. represented neighboring property owner Magruder Dent. Mr. Dent and transportation and land planner Ellen McCarthy appeared in opposition to the Petition.

Bill Landfair of Maryland-National Capital Park and Planning Commission also testified neither in support of nor in opposition to the application.

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## BACKGROUND TO THE TENTON OF THE TENTON OF THE TOTAL PROPERTY OF THE PROPERTY O

The subject property is located in the R-90 zone on approximately 9.44 acres of land located at the end of Manor Road approximately 750 feet west of the intersection with Connecticut Avenue. Hayes Manor, which is a designated resource in the Master Plan for Historic Preservation (#3510), is located in the center of the property. In addition to the manor house, built c1762, there is an early 20<sup>th</sup> century bungalow, the remains of a cross-gable bank barn, and extensive gardens. Access to the property is from Manor Road with a secondary point of access for small service vehicles from Columbia Country Club adjoining to the west.

There is, for example, single-family residential development in the R-90 Zone, multi-family residential development in the R-10, R-20 and R-30 Zones, convenience commercial and general commercial development in the C-1 and C-2 Zones, and a number of large land users and institutional uses. Connecticut Avenue, classified as a major highway, runs north-south through the neighborhood; and Jones Bridge Road, classified as an arterial (west of Connecticut Avenue) runs east-west. A 4.70 acre parcel improved by a single-family residence adjoins the subject property to the north, while the Howard Hughes Institute, an institutional use operating by special exception, adjoins to the east. Adjoining to the south is a small parcel improved by a single-family residence, and adjoining to the west is Columbia Country Club.

The proposal is for a private club where the Petitioner will conduct charitable, educational, scientific, literary and cultural activities. Although it will operate independently from the Columbia Country Club, it is an affiliated organization and will have a board of trustees made up of eight members of Columbia Country Club. Testimony and written materials indicated that use of Hayes Manor will occur in two phases. The first phase is the subject of this special exception and involves the existing manor house with the only physical change being the construction of a parking lot to accommodate guests attending functions in the house or on the grounds. A total of 55 parking spaces was initially proposed. The special exception site plan was amended to reduce the number of parking spaces proposed to 15 new spaces and 23 total. A second phase may be proposed later after the applicant has developed a master plan for the property, and may include passive recreational amenities and/or other physical improvements "consistent with the historic character of the property."

The applicant expects to receive inquiries to use the manor house from the surrounding community. Examples of such requests may include meetings of historical societies, book club meetings, lectures, small seminars and luncheons or dinners for affinity groups. The property will also be available for social functions such as weddings, receptions and private parties. The applicant has arranged with Columbia Country Club to handle all maintenance of the grounds and buildings as well as all event scheduling. Smaller social and cultural events may be handled by the Club, while larger events will be catered by local firms. The applicant anticipates that initially most activity will occur on Friday and Saturday evenings, but that there will eventually be more weekday functions. The size of the house will limit its use to a finite number of people (to be determined by the Fire Marshals' office). When weather permits, however, the lawn area will allow for larger groups although most functions are expected to be smaller in size. It was initially anticipated that larger events could accommodate up to 300 people and would rely upon off-site parking and shuttle buses to transfer guests. The applicant amended the petition to reduce the number of guests to a maximum of 200.

The Chevy Chase Hills Neighborhood Association has indicated its support of this special exception. Petitioner has made a number of commitments to the association including a calendar of events provided on a monthly basis, with estimates of expected attendees, and the use of facilities by neighborhood residents.

The Historic Preservation Commission of Montgomery County discussed the proposed use in a preliminary consultation on May 27, 1998 and was supportive of the Petitioner's proposal. It expressed several concerns, however, which will need to be addressed at the time of a historic work permit. These include the evaluation of the barn remains in terms of site significance and archaeological significance, the preservation of as many mature trees in the area as possible, and the impact on the residential setting for the bungalow.

The Technical Staff of the Planning Board initially recommended approval with conditions (Exhibit No.19a) on September 4, 1998 and the public hearing was scheduled for September 16, 1998. On September 10, 1998, however, the Planning Board deferred action on the case (Exhibit No. 19b), and the Board of Appeals subsequently rescheduled the public hearing to a later date. This action was taken to allow the applicant and their neighbors, Mr. and Mrs. Magruder Dent, to complete negotiations regarding the use of Hayes Manor and to allow the Planning Board to reconsider the application since it felt that the original application was incomplete.

In response to concerns expressed by the Dents, the Petitioner submitted a revised statement of operations indicating that the predominant number of functions are expected to be small enough to be accommodated by parking on-site in designated areas at the rear of the Hayes Manor house and proposing that for any event for which more than 50 guests are expected, the guests will be delivered by shuttle van(s) from a central point in the parking lot at Columbia County Club. The Petitioner also committed to providing a traffic manager at the driveway intersection with Manor Road for all events for which more than 50 guests are expected; to post a sign visible to cars exiting the Hayes Manor property that cars should not block the Dent's driveway and should only turn left on Manor Road; and to provide the local homeowners' association and the Dents with a monthly calendar of events for Hayes Manor.

The Petitioner also agreed to bind itself to the condition that no event with more than 200 guests will be scheduled to occur on the property; that social events will not be allowed to occur in the front yard of the property after 7:00 PM; and that the existing driveway in the front yard may be used for drop-off of guests but may not be used for parking. Finally, Petitioner agreed to install appropriate landscaping or other screening measures along the common property line with the Dent property. The applicant also submitted a revised site plan reducing the size of the proposed parking lot from 55 parking spaces to 15 spaces.

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#### PETITIONER'S CASE

At the hearing, Petitioner called several witnesses in support of the private club. David Almey, qualified as an expert in the field of architecture, described the existing house and grounds and testified that the only physical change proposed to the interior or exterior of the house would be the addition of a handicapped accessible ramp to a current entrance near the kitchen. He stated that any changes would have to be reviewed by the Historic Preservation Commission of Montgomery County. He described the natural screening between Hayes Manor and the neighboring Dent property, and testified that nothing about the proposed use would cause any objectionable condition - noise, light, glare - that would have an effect on

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surrounding properties. He stated that the proposed use from a design perspective is in harmony with the character of the surrounding area. Mr. Robert L. Morris, qualified as an expert in transportation planning and traffic engineering, testified that the proposed use would generate a minimal number of trips that would have no measurable impact on traffic operating conditions, and that there would be safe ingress and egress from the property. He described proposed parking for the site and the traffic plan for larger events. He concluded that the proposed use would have no adverse traffic impact, and that from a traffic engineering viewpoint it would be an appropriate use of the subject property.

Robert Moltz, President of the Hayes Manor/Columbia Foundation described the origins of the Hayes Manor/Columbia Foundation, and the way in which the Manor house and grounds would be used. He discussed the types of events planned for the site and how parking would be handled, and testified that the proposed club will not adversely affect the surrounding residential neighborhood. Vincent Burke, President-elect of the Columbia Country Club, discussed the management and operation of the private club, including its proposed hours of operation and number of employees and the role of the traffic manager. He described the proposal for operations made to the Dents, and testified that the use can be conducted in a way that will be in harmony with the surrounding neighborhood. Finally, John Sekerak, qualified as an expert in landscape architecture land planning, discussed the topography and proposed landscaping of the site and the way in which a landscape buffer can be provided for the Dent property [Exhibit No. 30]. He testified that the proposed use, with the landscaping described, would be in harmony with the surrounding properties and would have no adverse effect on health, safety or welfare of either people visiting the facility or living in the surrounding area.

Bill Landfair, zoning analyst with the Community Based Planning Division of the Maryland-National Capital Park and Planning Commission, testified that the proposed use meets the definition of a private club and that there is not an over-concentration of non-residential uses around the subject property.

#### OPPOSITION CASE

Richard Nettler, Esquire, called two witnesses in opposition to the proposed private club. Ellen McCarthy, qualified as an expert in land use and transportation planning, expressed the concerns that the proposed use does not meet the definition of a private club and that the current information about the proposed use is insufficient to make a determination that the proposed use will not adversely affect nearby residential uses. Ms. McCarthy described the Dent's concerns about light, noise, and traffic from the proposed use and their fear that costs might put pressure on the club to use the facility for for-profit events.

Neighboring property owner Mr. Magruder Dent testified to his concerns about traffic, light, noise, and use of his private driveway. Mr. Dent testified that because the access to his property off of Manor Road, and the access to the manor house off of Manor Road are close together, visitors to the manor house have used his driveway and prevented his own use of his driveway. To avoid this situation, he has installed a rumble strip, a curb, shrubbery, rocks to

prevent vehicles from driving on his yard and a sign which says "Private Drive". Mr. Dent testified that during a month-long event at the manor house called the Decorators' Showhouse individual cars and vans used to transport visitors to the event blocked his driveway and prevented his own use of the driveway for a month [Transcript, November 18, 1998, p.192]. He expressed concern that when this problem arose, there was no accountable party from whom he could seek redress. Mr. Dent also expressed concerns about the safety of two-way traffic on the manor house driveway. Mr. Dent testified that a wedding reception held at the manor house lasted until midnight or one o'clock, and that the staff cleaning up after the event conducted break-down activities on the side of the house closest to his home. These activities lasted until two a.m., and involved noise and bright lights which disturbed him and his family.

Following the hearing, the Board closed the record but left it open for the limited purpose of Mr. Kline submitting a design of how to control access to the Dent's private driveway. During the time that the record was open, the Dents' counsel submitted information regarding the corporate status of the Petitioner, its authorization to do business in Maryland and arguments regarding the tax status of Petitioner and the use of Hayes Manor as a primary or accessory use. Hayes Manor/Columbia Foundation submitted responses and information intended to show that it was lawfully organized and authorized to do business. The applicant also submitted correspondence from William Lehrfeld, Esquire addressing organizational and tax issues raised by the Dents. The Board reviewed the organizational and tax issues with the Office of the County Attorney prior to voting on the petition.

## FINDINGS OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

On October 30, 1998 the Technical Staff of the Planning Board recommended approval, with conditions based on a review of the Petitioner's revised statement of operations and site plan. The Planning Board subsequently reviewed the revised statement and site plan on November 5, 1998 and on November 12, 1998 recommended approval with conditions. (Exhibit Nos. 19a and 19b).

#### FINDINGS OF THE BOARD

In a public worksession on January 20, 1999, the Board reviewed a request from Richard Nettler, Esq. to cross-examine William Lehrfeld, who had submitted a letter on tax issues. The Board found Mr. Lehrfeld's letter was argument, not testimony, and was therefore not subject to cross-examination. The Board also considered a question put before it by Mr. Nettler as to whether the Petitioner is a valid corporation licensed to do business. Evidence presented by the Petitioner indicated that Hayes Manor/Columbia Foundation was now validly created and authorized to do business. The Board also considered the opposition's question as to whether the Petitioner met the definition of a private club, and concluded that it did.

Based on the testimony and exhibits of record, the Board finds that the petition satisfies the general requirements for special exceptions contained in Section 59-G-1,21 of the Ordinance. The use is permissible in the zone and complies with the specific requirements of Section 59-G-2.24, as discussed below. The Board finds that the use is consistent with the master plan and is in harmony with the general character of the neighborhood considering population density, intensity, character of activity, and traffic and parking activities. No new structures are proposed. To be in harmony with the neighboring single family neighborhood, the applicant has agreed to conditions to limit the amount of on-site parking, and to provide for off-site parking at the Columbia Country Club. In addition, for events with more than 50 attendees, the applicant will employ a traffic manager at the entrance to the manor house off of Manor Road. Further, the applicant will limit the number of guests to 200, will have no tents in the front yard (the side closest to the adjoining neighbor), and will conclude all activities in connection with events by midnight. The Board finds that with the conditions agreed upon, the use will not adversely affect or alter the predominantly residential nature of the area. The use will not adversely affect the health, safety, security morals or general welfare of residents, workers or visitors to the area, and is served by adequate public facilities.

With respect to the specific requirements of Section 59-G-2.24 of the Zoning Ordinance, pertaining to Golf courses and country clubs, the Board finds that the provision of food, refreshments and entertainment for club members and their guests and other visitors attending events on the subject property will not draw an excessive amount of traffic through local residential streets. On-site parking is limited to 23 spaces. For events with more than 50 attendees, the applicant will provide parking at Columbia Country Club, and van service from the country club to Hayes Manor. The Board finds that these measures will prevent adverse traffic impacts on local streets.

All existing buildings on the property conform to the development standards for the R-90 Zone and no new structures are proposed. The proposed gravel parking area for an additional 15 spaces will conform with the required rear setback in the R-90 zone [Exhibit 12c]. Lighting will conform to a landscape, lighting, signage and parking plan approved by M-NCPPC. The applicant has agreed to a condition that there will be no exterior lighting in front of the Manor House (except for security lighting) after midnight. Plantings contemplated in Condition of approval number 3 below, should also screen the neighboring property from exterior lighting at the Manor House.

Accordingly, the Board grants the requested special exception, subject to the following conditions:

- 1. The Petitioner is bound by all of its testimony and exhibits of record, the testimony of its witnesses and the representations of its attorneys to the extent that such evidence and representations are identified in this Opinion and except as altered by compliance with the following conditions.
  - 2. Approval of a historic area work permit by the Historic Preservation Commission.

3. Approval of a landscape, lighting, signage and parking plan by M-NCPPC. Staff should review the plantings and planting pattern along the common property line with the adjacent Dent property to ensure adequate screening of the Dent's property from activities and lighting occurring on the Hayes Manor property. The plan shall also contain a feature to prevent automobiles from using the old driveway between the entrance walls subject to approval by the Historic Preservation Commission. Such plan shall ensure that there is no exterior lighting in use in front of the Manor House (except for necessary security lighting) after midnight.

- 4. Functions at Hayes Manor shall be limited to members of the Foundation and their guests except for events for bona fide charitable, educational, scientific, literary or cultural groups that permit attendance by member of the Foundation.
- 5. All events, including disassembly of equipment, shall have been completed and off the premises no later than midnight.
  - 6. All events will be by invitation only with an RSVP guest list in advance.
  - 7. Petitioner shall operate as follows:
    - a. No tents in the front yard.
    - b. No events larger than 200 quests.
    - c. All events with more than 50 attendees expected must include a traffic manager at the driveway intersection with Manor Road.
    - d. All events shall have at least two staff members on the premises.
    - e. All loading and unloading of equipment must occur at the rear of the property.
- 8. For events with more than 50 guests expected, Petitioner must have a parking management plan. If events at Hayes Manor will require parking on the grounds of Columbia Country Club, Columbia must modify its special exception accordingly. Columbia Country Club will complete the modification process prior to utilization of its parking by Hayes Manor.
- 9. Petitioner shall provide in advance to the Dents and to the Chevy Chase Hills Neighborhood Association a monthly calendar of events scheduled to occur at Hayes Manor including an estimate of attendance.
- 10. Petitioner shall not advertise the availability of Hayes Manor to the general public.

The Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland, that the opinion stated above be adopted as the Resolution required by law as its decision on the above entitled petition.

On a motion by Donna L. Barron, seconded by Louise L. Mayer, with Angelo M. Caputo, Wendell M. Holloway, and Susan W. Turnbull, Chair, in agreement, the Board adopted the foregoing resolution.

I do hereby certify that the foregoing Opinion was officially entered in the Opinion book of the County Board of Appeals this 9th day of April 1999.

Katherine Freeman

Acting Executive Secretary to the Board

Any request for rehearing or reconsideration must be filed within 15 days after the date the Opinion is mailed and entered in the Opinion Book. Please see the Board's Rules of Procedure for information about the process for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County in accordance with the Maryland Rules of Procedure.

Note: See Section 59-A-4.53 of the Zoning Ordinance for information regarding the twenty-four-month period within which the right granted by the Board for a special exception must be exercised.

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#### MACRIS, HENDRICKS & GLOCK, P.A. 9220 Wightman Road tte 120 MONTGOMERY VILLAGE, MD 20886-1279



(301) 670-0840 FAX (301) 948-0693	ATTENTION Robin ZIEK
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Silver Spring	
Historic Preservation	
HISTORIC TRESERVATION	
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**Entrance Driveway** 



**Entrance Driveway** 



Former Entrance Gate



Entrance Driveway Toward Hayes Manor



Hayes Manor From Entrance Driveway



Hayes Manor (Front View)



Front Lawn



Hayes Manor (Rear View)



View Toward Gardens from Rear of House



East Wing (Rear View)



East Wing (Side View)



West Wing (Side View)



**Proposed Parking Area** 



Foundation of Barn (From Above)



Foundation of Barn (From Below)



Front of Tenant House



Rear of Tenant House



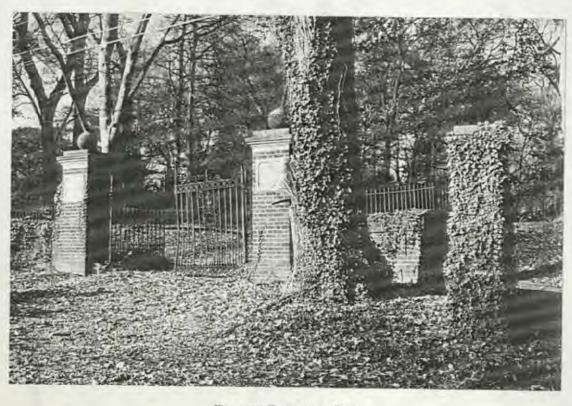
Medical Institute (View Toward East)



**Entrance Driveway** 



**Entrance Driveway** 



Former Entrance Gate



Entrance Driveway Toward Hayes Manor



Hayes Manor From Entrance Driveway



Hayes Manor (Front View)



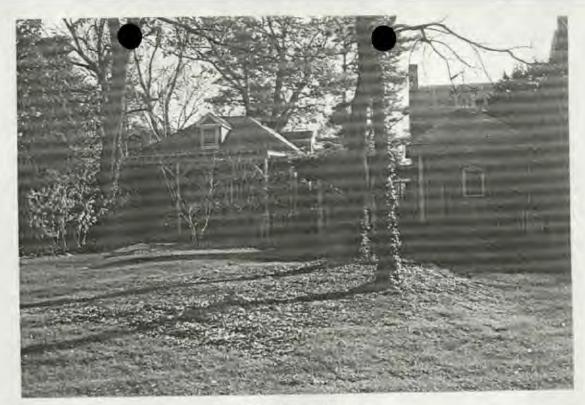
Front Lawn



Hayes Manor (Rear View)



View Toward Gardens from Rear of House



East Wing (Rear View)



East Wing (Side View)



West Wing (Side View)



Proposed Parking Area



Foundation of Barn (From Above)



Foundation of Barn (From Below)



Front of Tenant House



Rear of Tenant House



Medical Institute (View Toward East)

#### HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:

4101 Manor Road

Meeting Date: 5/27/98

Resource:

Hayes Manor

Review: PRELIMINARY CONSULTATION

Case Number:

N/A

Tax Credit: No

Public Notice:

5/13/98

Report Date: 5/20/98

Applicant:

Columbia Foundation

Robin D. Ziek

PROPOSAL: Install new parking area

RECOMMENDATIONS: Support the concept, but redesign the large parking lot

#### PROJECT DESCRIPTION

RESOURCE: Master Plan Site #35/10, Hayes Manor

STYLE:

Georgian Manor House, with Bungalow Tenant House

DATE:

1750-1775

Hayes Manor sits in an environmental setting of 9.4 acres, and includes the 18th century brick dwelling with several additions, and an early 20th century bungalow which is a contributing resource. The property was included in the 700 acres purchased in the mid-18th century by the Rev. Alexander Williamson. The house was built c1762, and includes several interesting features including two sets of brick entry gateposts, an 18th century bowling green, reputed burial areas for the Dunlop family and Alexander Williamson, remains of a cross-gable bank barn, the 20th c. Bungalow, a terraced garden and the 18th c. Georgian Manor House itself sitting amidst gardens . . . and expansive lawn.

The property adjoins two larger properties: the Columbia Country Club and the Howard Hughes Medical Center, which together effectively provide an expansive environmental setting that more closely approximates the original setting for this historic property.

The applicant, the Columbia Foundation, is the new owner of Hayes Manor. The Foundation was expressing created "to preserve Hayes Manor and use it as a vehicle to promote the educational and cultural goals of the Foundation for the benefit of the members of the Columbia Country Club, as well as residents and groups from the greater Chevy Chase, Bethesda and Kensington communities." (See Circle 11 ). They propose to maintain the existing character of the property, and will use it for social functions such as weddings, parties, and lectures. Parking has been discussed in the past as a necessary element to assure the continued use of the property for anything other than a private residence.

#### **PROPOSAL**

The applicant has submitted a petition for special exception under the existing zoning. The material which has been submitted to the zoning office at M-NCPPC has also been submitted for HPC review. (See Circle 4-23.) Staff at M-NCPPC would like to provide the Planning Board with some input from the HPC and therefore, the applicant comes to the HPC at this time for a Preliminary Consultation. The project is being presented as a concept only, and there are still many details to be decided.

The applicant proposes to develop a parking area for 55 spaces in the NE quadrant of the property, around the remains of the cross-gable bank barn. This barn was demolished by the previous owner in violation of Chapter 24A in 1993 and the lower level and foundations of the bank barn are all that remain. This site reflects the different access levels which were used for the bank barn, and there is a change in grade in this area of approximately 12'. At the present time, the applicant has enclosed the barn foundations with temporary fencing to prevent falls and accidents at the exposed foundations.

The submitted plan notes the location of several mature trees which would be impacted by the proposed new parking lot without identifying the species or the caliper of the trees. Parking is proposed adjacent to the Bungalow and to the barn foundations. Extra parking, including handicapped parking spaces, are located adjacent to the garage at the Manor House itself.

#### STAFF DISCUSSION

The location for the proposed additional parking is suitable in the environmental setting. Asphalt paving for parking adjacent to the Manor House is in place.

The proposed larger parking lot is well-away from the Manor House and at a lower elevation. This is important because the removal of the existing grassy lawn, with the grading and introduction of a new surface material (gravel) will have a strong impact on this immediate part of the environmental setting. However, due to the lower elevation and distance from all of the fine landscaping, the parking area will not have a deleterious effect on the vistas to or from the Mansion House. In addition, it will be effectively screened from the terraced garden at the rear of the Mansion House by the existing pool enclosure and hedge row. Concerns about the specific proposal include the following:

- Removal of mature trees What are the species and caliper of the trees to be removed, if any? What could be done to revise the parking plan to save any or all of the trees?
- Impact on the residential setting for the Bungalow How could the parking plan be revised to provide a certain distance between the parking and the tenant house? What screening could be provided as a buffer to maintain the residential character of this contributing resource?

- Grading concerns with the existing topography What grading is necessary to provide safe and efficient parking? How will that effect environmental concerns with drainage, erosion, etc? What is the effect on the remains of the bank barn? What is the effect on the existing hedge row?
- 4) Choice of new surface material What material is proposed? If gravel, how will it be retained in the parking area?
- 5) Details of treatment for the remains of the bank barn Is there a proposal for more permanent fencing? How will the remains of the bank barn be incorporated into the proposed parking area?
- 6) Could the parking lot be redesigned to include some of the adjacent property of the Columbia Country Club?

### STAFF RECOMMENDATION

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Staff recommends that the parking locations be viewed positively by the HPC, but that the large parking lot be redesigned to address some of the concerns expressed above, especially the impact on the existing mature trees and the residential setting of the bungalow. There is a very strong vista that currently exists alongside the hedgerow adjacent to the pool enclosure, looking down to the expansive open space of the Columbia Country Club. This is outside of the environmental setting of the historic site, but consistent with the character and feel of the historic site. Consideration should be given to a redesign of the parking lot to take advantage of this vista, and to promote the bucolic atmosphere of the site even at the parking lot.

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Form 1 (Revised 9/97)
BOARD OF APPEALS

FOR MONTGOMERY COUNTY

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	Filed	
	Hearing	
Time		

## PETITION FOR SPECIAL EXCEPTION UNDER ZONING ORDINANCE (Please note instructions on reverse side)

Petition is hereby made for a spec Maryland-Washington Regional District in Code 1994, as amended) as follows:	ial exception under the Zoning Ordinance for the Montgomery County, Maryland (Chap. 59, Mont. Co.
Parcel 212; Tax Ma Property to be used: Lot Block	
oroperty to be used. not block	3ubdivision
own Chevy Chase Street and No. 4	101 Manor Road Zone Classification R-90
Jse proposed Private Club	Sewer Basin Rock Creek
Coning Ordinance subsection providing for accordance with sections 59-G-1 thro	or proposed use: Sec. 59-G-2. 24 ough 59-G-2)
)wner of property: Name: Haves Manor F	Columbia Foundation Road, Chevy Chase, MD 20815-6803
Petitioner's present legal interest in a	
ormer Board of Zoning Appeals, by this nowledge? No If so, give Case I urther comments, if any See Petitions	
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	nts and information contained in or filed with
v: A CANON CAMEN C	HAYES MANOR COLUMN A FORMATION  By: Signature of Petitioner/ Jody S. Kline
haler, Miller & Camby	co Miller, Miller & Canby
ddress of Attorney	Address of Petitioner
00-B Monroe Street	200-B Monroe Street
ockville, Maryland 20850 Zip Code	Rockville, Maryland 20850 Zip Code
arp code	are cour
01/762-5212	301/762-5212

Phone Number

## BEFORE THE COUNTY BOARD OF APPEALS FOR MONTGOMERY COUNTY, MARYLAND

In the matter of the Petition of	:		
HAYES MANOR/COLUMBIA FOUNDATION	:	Case No.:	
for a Special Exception for a Private Club			

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- 7. Zoning Vicinity Map
- 8. Master Plan Map

## ADJOINING AND CONFRONTING PROPERTY OWNERS Hayes Manor/Columbia Foundation

<u>NAME</u>	<u>ADDRESS</u>	LOT/BLOCK
Columbia Country Club	7900 Connecticut Avenue Chevy Chase, MD 20815-5938	P-303
Howard Hughes Medical Ins	4000 Jones Bridge Road Chevy Chase, MD 20815-6720	Block 26, Parcel A, Chevy Chase, Section 4A
Edward M. & S. M. Prince	8519 Longfellow Place Chevy Chase, MD 20815-6838	Block 24, Lot 4, Chevy Chase, Section 4A
John J. & K. C. Barry	4004 Manor Road Chevy Chase, MD 20815-6806	Block 24, Lot 5, Chevy Chase, Section 4A
Sara G. & M. H. Dent	4112 Manor Road Chevy Chase, MD 20815-6804	P-319
Landra B. & L.G.V. Platt	8800 Platt Ridge Road Chevy Chase, MD 20815-6800	P-60

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## MILLER, MILLER & CANBY

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(301) 762-5212 FAX (301) 762-6044

May 12, 1998

JAMES R. MILLER, JR. \*
ROBERT L. BURCHETT\*
PATRICK C. MCKEEVER
JAMES L. THOMPSON
LEWIS R. SCHUMANN
JODY S. KLINE
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SUSAN W. CARTER
SUZANNE L. ROTBERT
SCOTT N. ALPERIN
MICHAEL G. CAMPBELL
\*OF COUNSEL.\*

Robin Ziek
Historic Preservation Planning Division
Maryland National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RE:

Special Exception No. S-2337,

Petition of Hayes Manor/Columbia Foundation

Dear Robin:

As mentioned in my most recent telephone message, I enclose an entire copy of the written materials submitted to the County Board of Appeals on behalf of Hayes Manor/Columbia Foundation.

Previously, I delivered to Bill Landfair a copy of the "site plan" which was also part of the submission to the Board of Appeals. If you have not received a copy of that plan from Bill, let me know.

This letter confirms that representatives of Hayes Manor/Columbia Foundation will be prepared to make a presentation to the Historic Preservation Commission on the evening of Wednesday, May 27th at 7:30 p.m. regarding the special exception proposal. In the interim, if you need any additional information, please let me know.

Sincerely yours,

MILLER, MILLER & CANBY

Joby

Jody S. Kline

JSK:atr

CC: Bill Landfair

Columbia Country Club

## BEFORE THE BOARD OF APPEALS FOR MONTGOMERY COUNTY, MARYLAND

In the Matter of the Petition	:		
of Hayes Manor/Columbia Foundation	:	Case No.	
Special Exception for a Private Club	:		

## PETITIONER'S SUMMARY OF PROOF

At the hearing on the above-captioned Petition for a Special Exception, Petitioner will testify to the following:

- 1. That the special exception for a private club is a permissible use in the R-90 zone.
- 2. That the proposed use will comply with the standards and requirements set forth in Section 59-G-2.24 of the Zoning Ordinance.
- 3. That the proposed use will be consistent with the general plan for the physical development of the district, including the Bethesda-Chevy Chase Master Plan.
- 4. That the proposed use 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 a number of similar uses.
- 5. That the proposed use will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, furnes, odors, dust, glare or physical activity.
- 6. That the proposed use 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

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or alter its predominantly residential nature.

- 7. That the proposed use will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area.
- 8. That the proposed use 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 improvements.

Petitioner proposes to call the following witnesses who will testify as follows:

1. Donald West, Hayes Manor/Columbia Foundation.

Mr. West will discuss the goals and purposes of the Foundation and the private club, which it proposes to operate. Mr. West will describe how the Manor house and grounds will be used and how the property is well suited for this use. He will testify that the proposed club will not adversely affect the surrounding residential neighborhood.

2. Dr. Carl MacCartee, Columbia Country Club.

Dr. MacCartee will testify about the relationship between Hayes Manor/
Columbia Foundation and the Columbia Country Club. Dr. MacCartee will explain how the
Foundation is the means by which members of Columbia Country Club can provide a public benefit by encouraging activities at Hayes Manor.

3. James T. Troppman, General Manager, Columbia Country Club.

Mr. Troppman will discuss the management and operation of the private club, including its proposed hours of operation, and number of employees, scheduling practices, frequency of usage, etc.

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## 4. David Almy, Architect and Site Designer.

Mr. Almy will describe how both parking and services will be located on the site in such a manner as to maintain the historic character and beauty of the property. He will address the criteria listed in the Montgomery County Zoning Ordinance for approval of a special exception, and will testify that the proposed use will have no adverse effect on the surrounding residential neighborhood.

Petitioner anticipates that it will need approximately one and one-half hours for its presentation to the Board.

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## BEFORE THE COUNTY BOARD OF APPEALS FOR MONTGOMERY COUNTY, MARYLAND

IN THE MATTER OF THE PETITION \*

OF HAYES MANOR/COLUMBIA

FOUNDATION FOR A SPECIAL

EXCEPTION FOR A PRIVATE CLUB '

### PETITIONER'S STATEMENT OF OPERATIONS

Petitioner, Hayes Manor/Columbia Foundation, is seeking a special exception for a private club to be located on the former "McNeille Property" also known as "Hayes Manor".

Hayes Manor/Columbia Foundation is a 501(c)(3) charitable organization formed for the specific purpose of preservation and community reuse of Hayes Manor. The Board of Trustees of the Foundation is made up of eight members of Columbia Country Club ("Columbia"), an adjacent property owner. Although the Foundation operates independently from the Club, its ideals, interests and purposes are compatible with those the Club and is, indeed, an affiliated organization.

Hayes Manor/Columbia Foundation was formed for charitable, educational, scientific, literary and cultural purposes and has as its principal asset the historically significant "Hayes Manor" property. Hayes Manor/Columbia Foundation was created not only to preserve the important "Hayes Manor" but also to utilize it as a vehicle to accomplish the educational and cultural goals of the Foundation for the benefit of the members of Columbia Country Club, as well as residents and groups from the greater Chevy Chase, Bethesda and Kensington communities.

The manor house which will serve as the private club was built more than two hundred years ago (1766-67) by the Reverend Alexander Williamson, who was rector to the Maryland

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parishes of Frederick and Rock Creek. Originally set on a seven hundred acre tract of land, the house is an original Georgian structure which includes numerous refined details such as exterior walls embellished with unusual masonry designs and interior paneled walls probably crafted by one of the best known 18<sup>th</sup>-century English carver-builders. It is believed that Williamson named the house "Hayes Manor" after a house by the same name in England that was the home of a leader of the English Parliament whom he admired. Following Williamson's death, Hayes Manor was owned successively by five generations of an aristocratic Scottish family and then by a granddaughter of Marjorie Merriweather Post. Although some additions have been made to the home through the years, its architectural integrity has been maintained. The house is surrounded by lovely formal gardens which contain a lily-pond and centuries-old English oak trees, as well as many flowering plants.

Use of the Hayes Manor property will occur in two phases. The first phase, which is covered by this special exception petition, involves use of the existing mansion house with the only physical change to the property being the creation of a designated parking area to accommodate guests attending functions in the Manor House or on its grounds. A second phase may be proposed at a later time after the Foundation has developed a master plan for the Hayes Manor property which may include such passive amenities as a putting green or a croquet court as well as the possibility of other physical improvements that will be consistent with the purposes of the Foundation and the historic character of the property.

Activities at Hayes Manor will be generated by two sources. From the surrounding community, the Foundation expects to receive inquiries to use the Manor House in a variety of ways that will further the goals of the Foundation. Examples of such functions might include meetings of historical societies, book club meetings, lectures, small seminars and luncheons or

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dinners for affinity groups. For instance, during the Fall of 1997, "Hayes Manor" was used for the 25th Anniversary "Decorators' Show House" with the proceeds of the open house going to support the National Symphony Orchestra.

Another use of the Hayes Manor property will be for social functions such as weddings, wedding receptions and similar daytime and evening private parties. In addition to the recently renovated rooms in the historic mansion, the grounds of the house provide a lovely setting for outdoor functions, either under tents or in the open air.

The Hayes Manor/Columbia Foundation has entered into a lease with Columbia Country Club so that the latter will handle all maintenance of the grounds and buildings and all event scheduling. Smaller social and cultural events may be handled by Columbia Country Club which will provide all necessary support staff including set-up, food preparation and beverage service. Larger events will be catered by local firms who will provide all necessary food and beverages.

Describing a level of activity for the Hayes Manor is somewhat difficult since there is no model for the proposed use. In the early stages, it is anticipated that the primary use of the house will occur on Friday and Saturday evenings in conjunction with weddings and private parties. As familiarity with Hayes Manor grows and its reputation and availability become known, the Foundation expects more weekday evening functions (e.g., retirement parties and the like) and an increasing number of midday functions of a cultural or social nature such as afternoon teas, book readings, etc.

The size of the Hayes Manor building necessarily limits interior use of the building to a finite number to be determined by the County Fire Marshal. However, when weather permits, use of the lawn area will allow for groups as large as 300 persons for such events as a wedding

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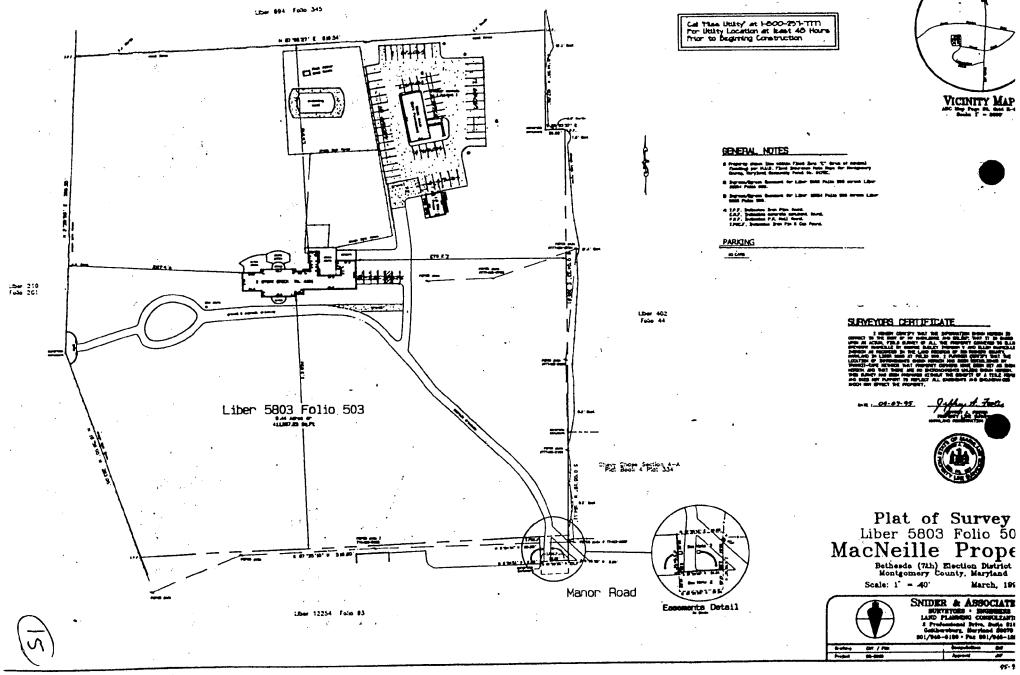
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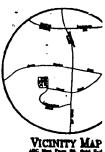
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reception although most functions are expected to be smaller in size. Larger events will rely on off-site parking to accommodate guests.

In summary, the approval of this property as a private club will provide a wonderful opportunity to make use of both the house and grounds of this historic estate for a wide variety of cultural activities and social functions. Hayes Manor/Columbia Foundation envisions the use of Hayes Manor as a continuation of its illustrious past in both a social and historical sense, and in a manner which contributes to the charitable, cultural, educational and social pursuits of the surrounding community.

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GRADE SEPARATED INTERSECTION

## Approved and Adopted

Master Plan for the

# Bethesda-Chevy Chase Planning Area

Montgomery County, Maryland

## Highway Plan

ling Parcel Locations)

