

Montgomery Planning
SENECA PLACE
SITE PLAN AMENDMENT NO. 81982008A



Description

Amendment to allow for the construction of a maintenance building to serve the existing residential development.

No. 81982008A

Completed: 3-9-2023

MCPB

Item No. 8
3-23-2023

2425 Reddie Drive
Floor 14
Wheaton, MD 20902

Montgomeryplanning.org

Seneca Place, Site Plan No. 81982008A

RS
SP
PB

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Summary

- Staff recommends **approval with conditions**
- In 1982, the Planning Board approved site plan 819820080 for the construction 468 multi-family dwelling units.
- The Amendment Application proposes a 30 by 60-foot maintenance building as an accessory use to support the needs of the existing residential community.
- Reviewed under the standards of the Zoning Ordinance in effect before October 30, 2014 which was RMX-1, pursuant to Section 7.7.1.B.3.
- Staff has received no community correspondence on this Application.

LOCATION

West of the intersection of Wisteria Drive and Great Seneca Highway (MD 119)

MASTER PLAN/ZONE

2019 MARC Rail Communities Sector Plan

CR-1.0, C-0.25, R-0.75, H-90 (reviewed under the RMX-1 standards)

PROPERTY SIZE

40.05 acres (amendment area 0.24 acres)

APPLICANT

UDR

ACCEPTANCE DATE

12/28/2022

REVIEW BASIS

Chapters 59, 22A and 19

Subject to the procedures and standards of the 2004 Zoning Ordinance

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

SITE PLAN NO. 81982008A:

Staff recommends approval of Site Plan Amendment No. 81982008A under the standard method of development. In 1982, the Planning Board approved a site plan for the construction of 468 multi-family dwelling units. Site Plan Amendment 81982008A is limited to the construction of a 30 by 60-foot maintenance building to serve the existing residential development on a 0.24-acre portion (the “Subject Property”) of the larger 40.05-acre Overall Property.

All site development elements shown on the latest electronic version of the Site Plan as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹

The following conditions apply to this Site Plan Amendment area only. All previous conditions for the multi-family residential project and other accessory buildings remain in full force and effect:

New Conditions applied as part of this Application:

Density, Height & Housing

8. Density

The Site Plan Amendment is limited to a maximum of 1,980 square feet of Accessory Miscellaneous Use in a maintenance building to serve the existing residential use per Section 59.3.4.7.B of the current Zoning Code, on 0.24 acres.

9. Height

The maintenance building is limited to a maximum height of 21 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

County Agency Approvals

10. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated February 23, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS, Fire Department Access and Water Supply Section may amend if the amendment does not conflict with other conditions of Site Plan approval.

11. The Planning Board has reviewed and accepts the recommendations of the MCDPS – Water Resources Section in its stormwater management concept letter dated December 23, 2022 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water

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

Resources Section if the amendment does not conflict with any other conditions of the Site Plan approval.

12. The Planning Board has reviewed and accepts the recommendations of the MCDPS - Right-of-Way Section (DPS-ROW) in its memo dated January 9, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

Green Space, Facilities and Amenities

13. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities within the Subject Property including, but not limited to, landscaping, retaining walls, walkways and other hardscapes.

Site Plan

14. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.

15. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before Certified Site Plan approval.

16. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the stormwater management concept approval letter, approved Fire Department Access Plan, DPS Right-of-Way approval letter, development program, Planning Board Opinion dated June 1, 1982 for Site Plan No. 819820080 on the approval or cover sheet(s).
- b. Add the following notes:
 - i. "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
 - ii. "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services and/or the Maryland State Highway Administration."
 - iii. "The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the MCDPS responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur prior to any site development work commencement and prior

to any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”

- c. Ensure consistency of all details and layout between Site, Lighting, and Landscape plans.
- d. Add “Existing” to Data Table within the FAR portion to indicate the Leasing Office and Clubhouse are existing and not part of this Application.
- e. Include a line item in the Data Table for Green Space, and fill in both existing and proposed amounts.

SECTION 2: SITE LOCATION AND DESCRIPTION

SITE LOCATION AND VICINITY

The Overall Property, consisting of 40.05 acres, is west of the intersection of Wisteria Drive and Great Seneca Highway (MD 119) in Germantown”, and is identified as Parcel “P” on Plat No. 13958. The Overall Property is located within the 2019 *MARC Rail Communities Sector Plan* (“Sector Plan”).

The Application covers only 0.24 acres of the 40.05-acre tract of the Gunners Lake Village development. For clarity purposes in this Staff Report, the term “Subject Property” or “Property” shall refer to the 0.24 acres included in this Application.



Figure 1- Vicinity

The Overall Property is located in the CR-1.0, C-0.25, R-0.75, H-90 zone and is currently improved with a multi-family residential complex consisting of 468 dwelling units. The Subject Property is surrounded on all sides by the existing multi-family development.

The Subject Property contains no forest, specimen trees, wetlands, or streams.



Figure 2 – Aerial View

SECTION 3: COMMUNITY CORRESPONDENCE

This Application was submitted and noticed in accordance with all Planning Board adopted procedures. The Applicant sent out notification letters to all surrounding property owners and civic associations. A public meeting was not required by this Site Plan Amendment.

As of the date of this report, Staff has received no community correspondence in writing.

SECTION 4: APPLICATIONS AND PROPOSAL

PREVIOUS APPROVALS

1974 Development Plan

The Planning Board opinion for Site Plan No. 819820080 alludes to a development plan approved by the County Council in 1974 when the Overall Property was zoned PD-9. No plan number or documents have been found in the M-NCPPC archives related to any development on this Overall Property.

Preliminary Plan 119811700

According to M-NCPPC records, this application was withdrawn. However, no other preliminary plan application has been located which was used to create the existing record plat.

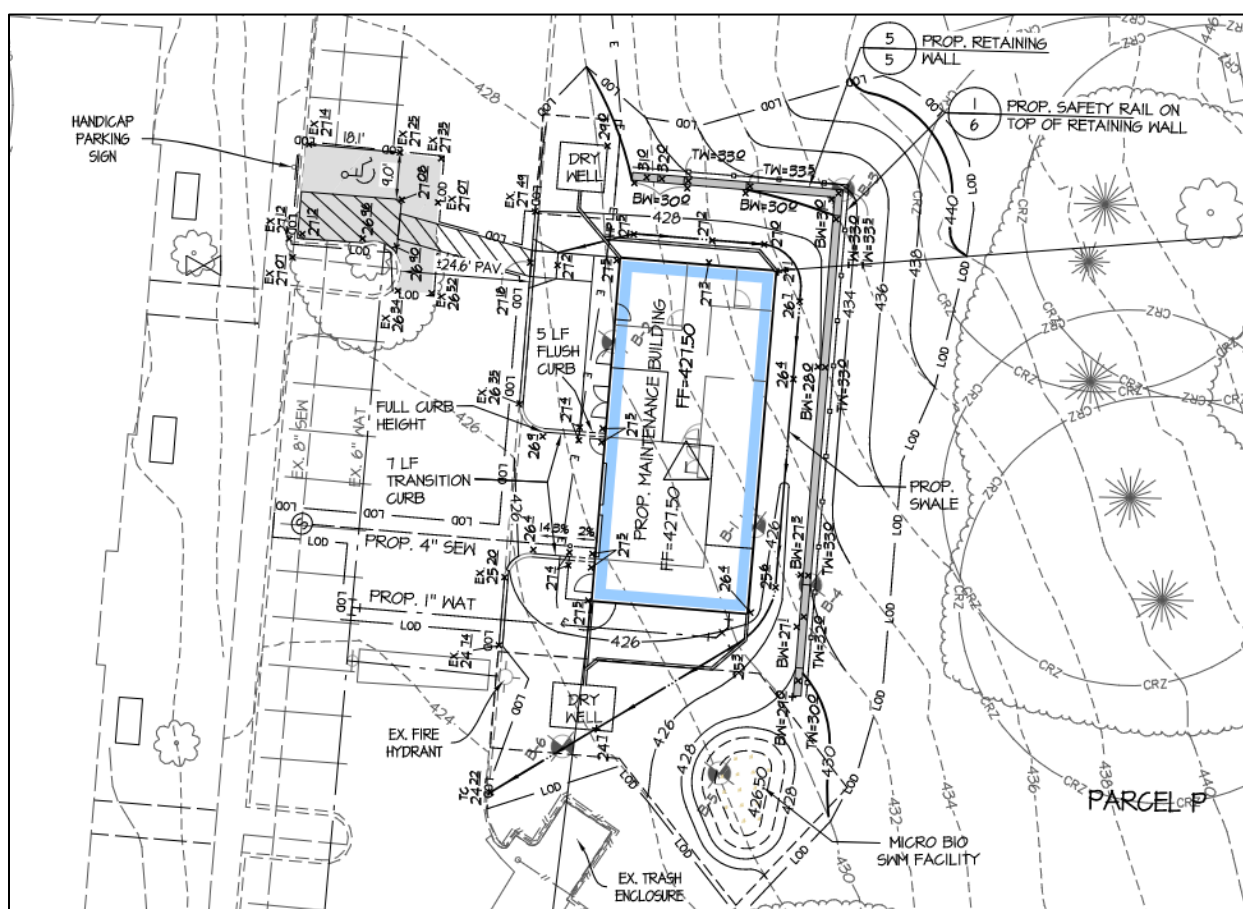
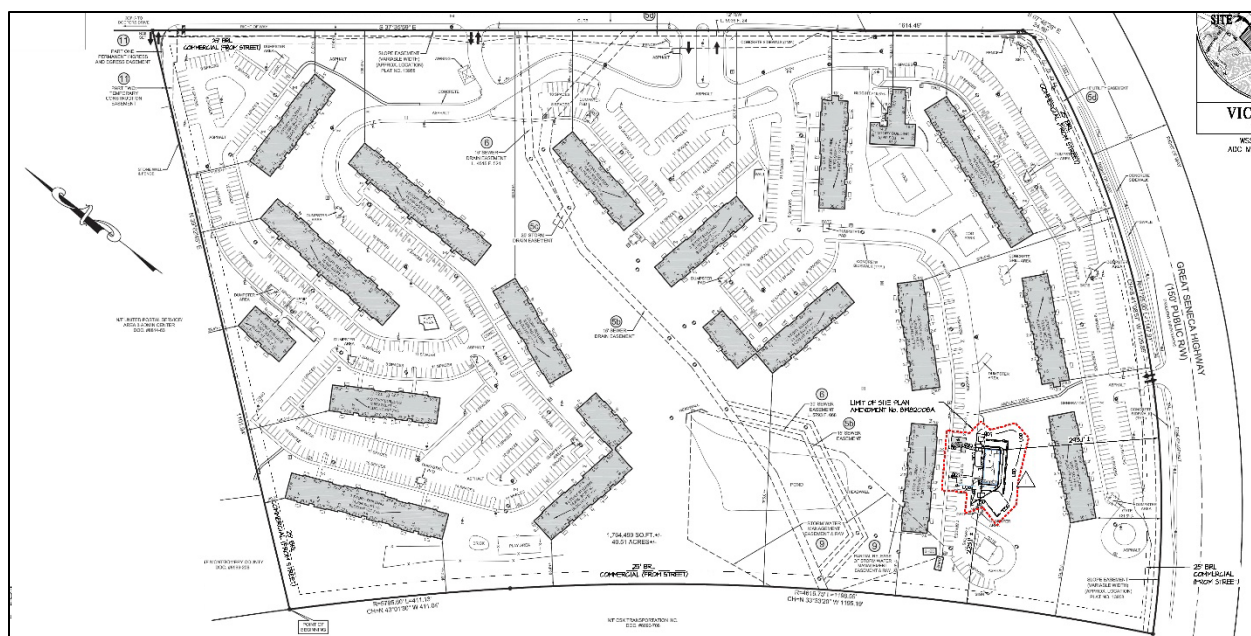
Site Plan 819820080

On May 24, 1982, the Planning Board approved Site Plan No. 819820080 (Attachment D) to allow for the construction of a multi-family residential project with 468 units.

CURRENT APPLICATION

Site Plan 81982008A

The Applicant proposes to construct a 1,980 square foot maintenance building (30-foot by 60-foot) with space to administer maintenance operations as well as storage/shop space to run the maintenance operation including landscaping and a van accessible handicapped parking space.



SECTION 5: ANALYSIS AND FINDINGS, 59-D-3.4

Pursuant to the legacy provisions of Section 59.7.6.1.B.3 of the Zoning Ordinance, this Site Plan Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014.

1. THE SITE PLAN CONFORMS TO ALL NON-ILLUSTRATIVE ELEMENTS OF A DEVELOPMENT PLAN OR DIAGRAMMATIC PLAN, AND ALL BINDING ELEMENTS OF A SCHEMATIC DEVELOPMENT PLAN, CERTIFIED BY THE HEARING EXAMINER UNDER SECTION 59-D-1.64, OR IS CONSISTENT WITH AN APPROVED PROJECT PLAN FOR THE OPTIONAL METHOD OF DEVELOPMENT, IF REQUIRED, UNLESS THE PLANNING BOARD EXPRESSLY MODIFIES ANY ELEMENT OF THE PROJECT PLAN.

The Planning Board opinion dated June 1, 1982 alludes to the approval of a development plan by the County Council in 1974. However, a search of all M-NCPPC records, including archives, by Staff and the Applicant did not yield any documents or a plan number. Given the minimal scope of this Application and the purpose of development plans to set parameters such as maximum density and building massing, it is unlikely that the addition of an 1,980 square foot accessory structure would conflict or have any impacts on the development plan and the County Council opinion, if it exists. As a result, this Application conforms to the development plan simply due to minimal scope of the Application versus broad propose of development plans.

2. THE SITE PLAN MEETS ALL OF THE REQUIREMENTS OF THE ZONE IN WHICH IT IS LOCATED AND WHERE APPLICABLE CONFORMS TO AN URBAN RENEWAL PLAN APPROVED UNDER CHAPTER 56;

Since Site Plan No. 819820080 was approved by the Planning Board on May 24, 1982, under the 2004 Zoning Ordinance, this Application qualifies for the legacy provisions contained within Section 59.7.6.1.B.3 of the Zoning Ordinance currently in effect, which state:

B. Application Approved or Filed for Approval before October 30, 2014

2. Amendment of an Approved Plan or Modification of an Application Pending before October 30, 2014
 - a. Until October 30, 2039, an applicant may apply to amend any previously approved plan or modify an application pending before October 30, 2014 (listed in Section 7.7.1.B.1 or Section 7.7.1.B.2) under the development standards and procedures of the property's zoning on October 29, 2014, if the amendment:
 - i. does not increase the approved density or building height, unless allowed under Section 7.7.1.C; and
 - ii. either:
 - (a) retains at least the approved setback from property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use; or
 - (b) satisfies the setback required by its zoning on the date the amendment or the permit is submitted; and
 - iii. does not increase the tract area.

- b. An applicant may apply to amend the parking requirements of a previously approved application (listed in Section 7.7.1.B.1 or 7.7.1.B.2) in a manner that satisfies the parking requirements of Section 6.2.3 and Section 6.2.4.
- c. Without regard to the limitations of this section, a special exception approved under the code in effect on or before October 29, 2014 may be expanded under the applicable standards and procedures of the code in effect on October 29, 2014.

These legacy provisions in the Zoning Ordinance allow this Application to be reviewed under the development standards in effect on October 29, 2014 because the original Site Plan 819851040 was approved in May of 1982 and is still valid. Because the Application is for an accessory use which directly serves the primary use, it is not considered an increase in density. However, Section 59.7.7.1.A states:

A. Existing Structure, Site Design, or Use on October 30, 2014

1. Structure and Site Design

A legal structure or site design existing on October 30, 2014 that does not meet the zoning standards on or after October 30, 2014 is conforming and may be continued, renovated, repaired, or reconstructed if the floor area, height, and footprint of the structure are not increased, except as provided for in Section 7.7.1.C for structures in Commercial/Residential, Employment, or Industrial zones, or Section 7.7.1.D.5 for structures in Residential Detached zones.

2. Use

- a. Except for a Registered Living Unit, any use that was conforming or not nonconforming on October 29, 2014 and that would otherwise be made nonconforming by the application of zoning on October 30, 2014 is conforming, but may not expand.
- b. Any allowed use, up to the density limits established by the current zoning, may be located in a building or structure deemed conforming under Section 7.7.1.A.1.

This section of the Zoning Ordinance allows the site design to be reviewed under the Zoning Ordinance in place before October 29, 2014. However, new uses must meet the current standards in the use table under Section 59.3.1.6 in terms of permitted, non-permitted, limited or conditional use for a particular zone.

a. Use Standards

CR Zone – Accessory Miscellaneous Uses

Under Section 59.3.1.6 of the Zoning Ordinance in effect after October 30, 2014, Accessory Miscellaneous Uses is a permitted use in the CR zone. Section 59.3.7.4.B regulates Accessory Miscellaneous Uses in the CR zone. There are no specific use standards for a permitted Accessory Miscellaneous Use.

b. Development Standards

As permitted, the Applicant has requested that the Application be reviewed under the development standards of the 2004 Zoning Ordinance in effect before October 29, 2014 under

the RMX-1 zone. The Application satisfies the applicable development standards as shown in the following data table:

Table 1 – Development Data Table

Development Data	
Zoning	RMX-1 Zone (reviewed under the 2004 Zoning Ordinance in effect prior to 10/29/2014)
Site Area	0.24 acres (total property 40.05 acres)

Use	Permitted (as allowed by Zoning Ordinance in effect on October 20, 2014)	Proposed with Site Plan Amendment 81982008A
Accessory Miscellaneous Use	N/A	1,980 sq. ft.
Max. Building Height	35 feet (Accessory Structure)	21 feet
Lot Area (min)		
Accessory Miscellaneous Use	N/A	N/A
Green Area	10%	66.4%
Accessory Building Setback (min.)		
From one-family residential	100 feet	184 feet
From Residential zoning other than two-family	50 feet	935 feet
From any street	25 feet	92 feet
From abutting Commercial or Industrial Zoning	25 feet	1,257 feet

Parking Requirements (min)			
	Metric Rate	Required	Provided
2 Bedroom Dwelling Unit (410 units)	1.5 spaces/DU	615 spaces	615 spaces
3+ Bedroom Dwelling Unit (58 units)	2.00 Spaces/DU	116 spaces	116 spaces
Leasing Office	0 spaces	0 Spaces	5 spaces
Maintenance Bldg.	0 spaces	0 spaces	3 spaces
Other Visitor Spaces	N/A	N/A	70 spaces
Total Required			731 spaces
Total Provided			809 spaces

3. THE LOCATIONS OF BUILDING AND STRUCTURE, OPEN SPACES, LANDSCAPING, RECREATION FACILITIES, AND PEDESTRIAN AND VEHICULAR CIRCULATION SYSTEMS ARE ADEQUATE, SAFE, AND EFFICIENT;

LOCATION OF BUILDINGS AND STRUCTURES

As conditioned, the location of buildings and structures is adequate, safe, and efficient. The new maintenance building is located in an efficient location for ease of access and safety for the operation and maintenance of the surrounding multi-family residential development.

LOCATION OF OPEN SPACES AND LANDSCAPING

Green Area

Green Area as required by the Zoning Ordinance will remain in compliance with this Application. The green area requirement was 10%. The green area proposed by this Application will be 66.4%.

Landscaping and Lighting

The location and quantity of the proposed landscaping is adequate, safe, and efficient on the Subject Property. The Site Plan is proposing landscaping to beautify the area in front of the maintenance building to allow it to blend in better amongst the other residential structures. The additional trees to the side and rear of the maintenance building will provide some additional screening for the residential structure on top of the hill above the maintenance building.

No additional lighting is proposed as part of this Application. All existing site lighting will remain.

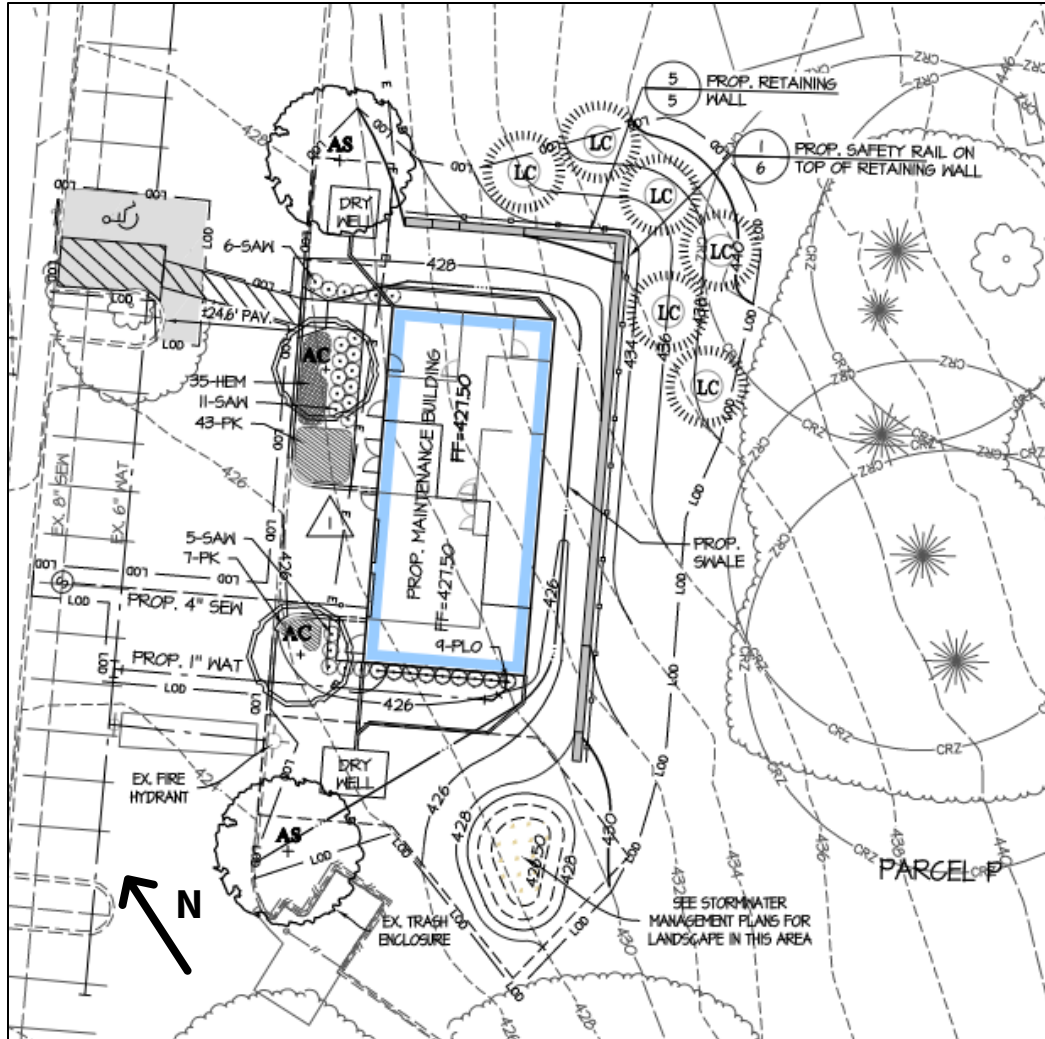


Figure 5 – Landscape Plan

RECREATION FACILITIES

The requirements of the Recreation Guidelines do not apply since no residential units are proposed.

PEDESTRIAN, BIKE AND VEHICULAR CIRCULATION

Vehicle Circulation

All access drives for the development within the Subject Property are private. The construction of this maintenance building will have no effect on vehicular circulation. Vehicular circulation remains safe for the proposed use and the existing residential use as confirmed by the approved Fire Access plan and letter dated February 23, 2023 (Attachment E).

Bike and Pedestrian Circulation

The residential community is served by a network of internal sidewalks within the residential development.

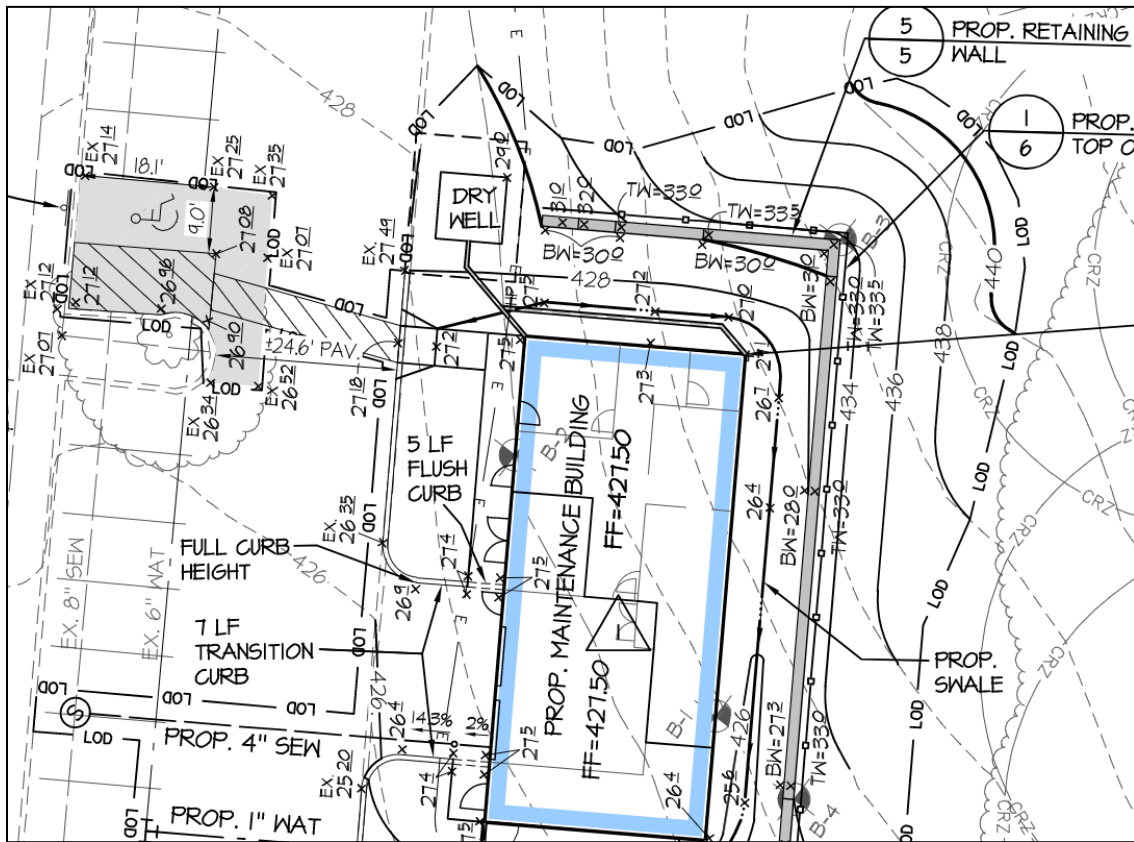


Figure 6: Improvements to Pedestrian Circulation

The Application improves pedestrian circulation by providing sidewalk connections from the existing sidewalk network to the new building access points. (Figure 6). The existing parking lot will remain unchanged except for converting two parking spaces into one van accessible parking space to serve the maintenance building. The existing parking lot and minimal modifications will continue to be safe, adequate, and efficient.

Adequate Public Facilities

Transportation will remain adequate for the proposed accessory use. No modified finding for Adequate Public Facilities is necessary for this Application because it does not generate any additional person trips during the peak hour and is a private building which only serves existing residents. The Application has been reviewed by the Montgomery County Department of Permitting Services, Fire Department Access, and Water Supply office. The Application has received an approved Fire Access Plan based in the letter dated February 23, 2023 (Attachment E). The Fire Access Plan provides adequate accessibility for fire protection using the existing drive aisle with modified curb radii.

4. EACH STRUCTURE AND USE IS COMPATIBLE WITH OTHER USES AND OTHER SITE PLANS, AND WITH EXISTING AND PROPOSED ADJACENT DEVELOPMENT; AND

The proposed uses and structures for the Subject Property are compatible with other uses, site plans, existing, and proposed development on adjacent properties. The proposed maintenance

building is compatible with other uses by using a residential style building form and massing (Figure 7). Furthermore, the driveway which serves the two garage doors in the front of the building is as narrow as the garage doors themselves (Figure 7) similar to how a residential driveway would be designed. Finally, the proposed landscaping enhances the residential style and feel of this maintenance building within residential development.

Compatibility with other existing site plans and adjacent development is achieved with the physical separation between this maintenance building and other residential buildings both within the Overall Property boundaries and other development.

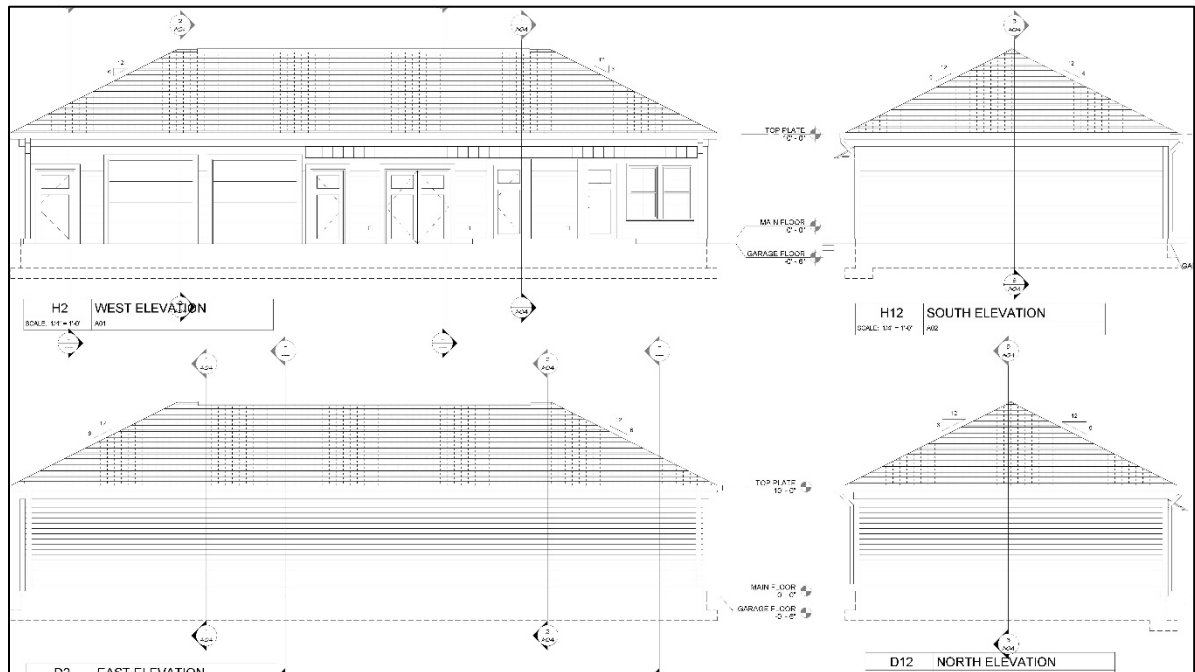


Figure 7 – Proposed Architectural Elevations for Maintenance Building

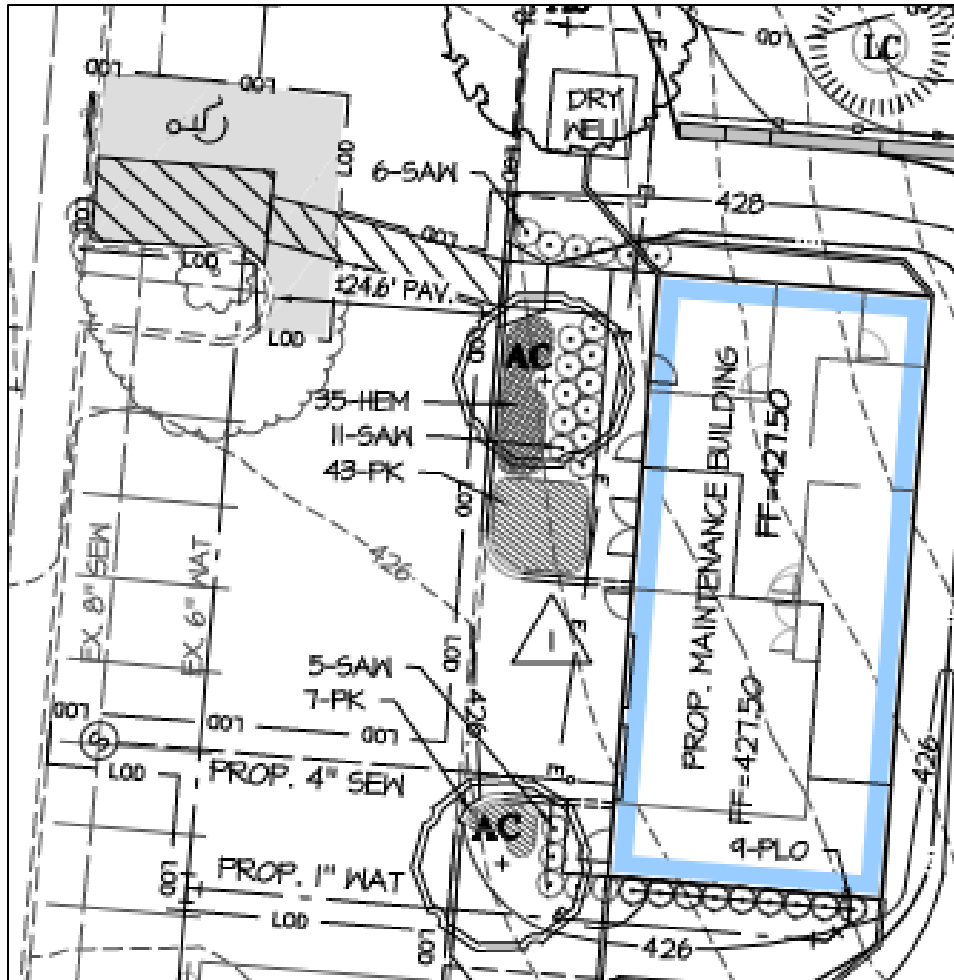


Figure 8 – Front of maintenance building layout

- 5. THE SITE PLAN MEETS ALL APPLICABLE REQUIREMENTS OF CHAPTER 22A REGARDING FOREST CONSERVATION, CHAPTER 19 REGARDING WATER RESOURCE PROTECTION, AND ANY OTHER APPLICABLE LAWS.**

Environmental Guidelines

The Subject Property is located in the Great Seneca Creek watershed. The existing development predates current Environmental Guidelines for the protection of this watershed.

Forest Conservation

The existing development predates the Forest Conservation Law so there is no existing Forest Conservation Plan for this Property.

On November 21, 2022, Forest Conservation Exemption No. 42023065E was confirmed (Attachment C). The Application qualifies for an exemption from the requirement to submit a Forest Conservation Plan in Article II of the Montgomery County Code, Chapter 22A (Forest Conservation

Law) under Section 22A-5(a), as it is for an activity conducted on an existing single lot of any size that is required to construct a dwelling house or accessory structure (Such as a pool, tennis court, or shed) intended for the use of the owners. Additionally, the proposed construction activity adheres to the following criteria for the exemption: (1) does not require a special exception; (2) the modification does not result in the cutting, clearing, or grading of more than a total of 20,000 square feet of forest, forest in a stream buffer, any forest on located in a special protection area which must submit a water quality plan, any specimen or champion tree, or any trees or forest that are subject to a previously approved forest conservation plan or tree save plan; and (3) is subject to a declaration of intent filed with the Planning Director station that the lot will not be the subject of additional regulated activities under this Chapter within 5 years of the cutting, clearing, or grading of forest.

WATER RESOURCE PROTECTION, CHAPTER 19

The Application received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on December 23, 2022 (Attachment F). The Application will meet stormwater management goals through the use dry wells and landscape infiltration.

SECTION 6: CONCLUSION

The Site Plan complies with the general requirements and findings of the Zoning Ordinance for the RMX-1 zone in the 2004 Zoning Ordinance. The Application compiles with the development plan approved by the County Council in 1974. The locations of building and structure, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient. The structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development. Finally, the approved Forest Conservation Exemption meets all applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and complies with the Montgomery County Planning Department's Environmental Guidelines. Therefore, Staff recommends approval of Site Plan No. 81982008A with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A – Statement of Justification

Attachment B – Site Plan

Attachment C – Approved Forest Conservation Exemption No. 420230065E

Attachment D – MCPB Opinion dated June 1, 1982, for Site Plan No. 819820080

Attachment E – DPS Fire Dept. Access and Water Supply Approval Letter and Plan, February 23, 2023

Attachment F – MCDPS Stormwater Concept Approval Letter, December 23, 2023

Attachment G – DPS Right-of-Way Approval Letter, January 9, 2023



January 30, 2023

Maryland National Capital Planning Commission
2425 Reddie Drive, 14th Floor
Wheaton, Maryland 20902

Re: Seneca Place - Statement of Justification
Site Plan No. 81982008A

On behalf of our client UDR (Applicant) we are requesting an amendment to the Seneca Place Site Plan No 819820080 as approved by the Montgomery County Planning Board on June 1, 1982. Seneca Place (The Subject Property) is located in the Germantown area of Montgomery County and consists of 40.51 Ac.; identified as Parcel P, per Plat No. 13958 as recorded among the Land Records of Montgomery County, Maryland.

The Subject Property, is located West of the intersection of Wisteria Dive and Great Seneca highway (MD Rt 119) and sits along the CSX railway. The Subject property is within the MARC Rail Communities Plan, the Great Seneca Creek Watershed and is not located within a special protection area. The only Environmentally sensitive features located onsite includes a stormwater management pond associated with a stream and wetland area. The Subject Property is currently zoned CR-1.0, C-0.25, R-0.75, H-90 (Commercial Residential) and was previously zoned RMX-1 (Residential Mixed-use) under the 2004 Zoning Code.

Under the Section 59-7.7.1.B.1 and Section 59-7.7.1.B.3 of the current (2014) Montgomery County Zoning Ordinance .

Section 59-7.7.1. Exemptions

B. Application Approved or Filed for Approval before October 30, 2014

1. Application in Progress before October 30, 2014

Any development plan, schematic development plan, diagrammatic plan, concept plan, project plan, sketch plan, preliminary plan, record plat, site plan, special exception, variance, or building permit filed or approved before October 30, 2014 must be reviewed under the standards and procedures of the property's zoning on October 29, 2014, unless an applicant elects to be reviewed under the property's current zoning. Any complete Local Map Amendment application submitted to the Hearing Examiner by May 1, 2014 must be reviewed under the standards and procedures of the property's zoning on October 29, 2014. If the District Council approves such an application after October 30, 2014 for a zone that is not retained in Chapter 59, then the zoning will automatically convert to the equivalent zone as translated under DMA G-956 when the Local Map Amendment is approved. The approval of any of these applications or amendments to these applications under Section [7.7.1.B.1](#) will allow the applicant to proceed through any other required

application or step in the process within the time allowed by law or plan approval, under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014. The gross tract area of an application allowed under Section 7.7.1.B.1 may not be increased.

3. Amendment of an Approved Plan or Modification of an Application Pending before October 30, 2014

a. Until October 30, 2039, an applicant may apply to amend any previously approved plan or modify an application pending before October 30, 2014 (listed in Section 7.7.1.B.1 or Section 7.7.1.B.2) under the development standards and procedures of the property's zoning on October 29, 2014, if the amendment:

- i. does not increase the approved density or building height, unless allowed under Section 7.7.1.C; and
- ii. either:
 - (a) retains at least the approved setback from property in a Residential Detached zone that is vacant or improved with a Single-Unit Living use; or
 - (b) satisfies the setback required by its zoning on the date the amendment or the permit is submitted; and
- iii. does not increase the tract area.

An applicant may apply at any time to amend any site plan approved prior to October 30, 2014. Approval of a Site Plan Amendment for a Site Plan approved before October 30, 2014 must be reviewed under the standards and procedures of the property's zoning on October 29, 2014, unless an applicant elects to be reviewed under the property's current zoning. For this Site Plan amendment application, the applicant elects to keep the review and approval under the Zoning Ordinance in effect on October 29, 2014. (RMX-!)

Site Plan Amendment No. 81982008A proposes the following changes:

1. Construction of a 30' x 66' (1,980 square feet) maintenance staff service building (accessory use) within an existing open space area. The proposed building will be used by property maintenance staff for vehicle, equipment and supplies storage, office space and appliance/equipment repair areas.
2. Construction/site development including site grading & retaining wall installation, landscaping, storm drain & utilities installation, stormwater management installation, curb installation and sidewalk & parking lot paving.

The proposed Site Plan Amendment complies with all previously approved use standards, development standards and general requirements of the Zoning Ordinance for development in the RMX-1 Zone. The plan conforms to all of the previously approved site plan conditions and does not alter any of the previous findings of the Planning Board for approval. The location of proposed building structures, pedestrian and vehicular circulation systems are adequate, safe and efficient, and the proposed Site Plan Amendment is compatible with character of the surrounding neighborhood. The Amendment will satisfy the requirement of Chapter 19, Erosion, Sediment Control, and Stormwater Management.

November 21, 2022

As demonstrated herein and for the reasons listed above, we respectfully request that the Planning Board approve the Site Plan Amendment as proposed. We appreciate your consideration of this matter.

If additional information is needed, please do not hesitate to contact me.

Sincerely,

Kevin Foster

Kevin A. Foster, RLA, AICP
Principal

Attachment B

GREAT SENECA HIGHWAY

150' PUBLIC RIGHT OF WAY

25' BRL
COMMERCIAL (FROM STREET)

EX. PUE

PARCEL P

PROFESSIONAL/ENGINEER'S CERTIFICATION
THE UNDERSIGNED LICENSED PROFESSIONAL ENGINEER CERTIFIES THAT THE SITE PLANS HEREIN CONFORM TO THE STANDARDS OF THE ZONE, AND THE PLANNING BOARD SITE PLAN OPINION. IN ADDITION, THE SITE PLANS ARE CONSISTENT WITH THE DATA TABLE PROVIDED ON THE COVER SHEET. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 24914. EXPIRATION DATE: January 20, 2024.

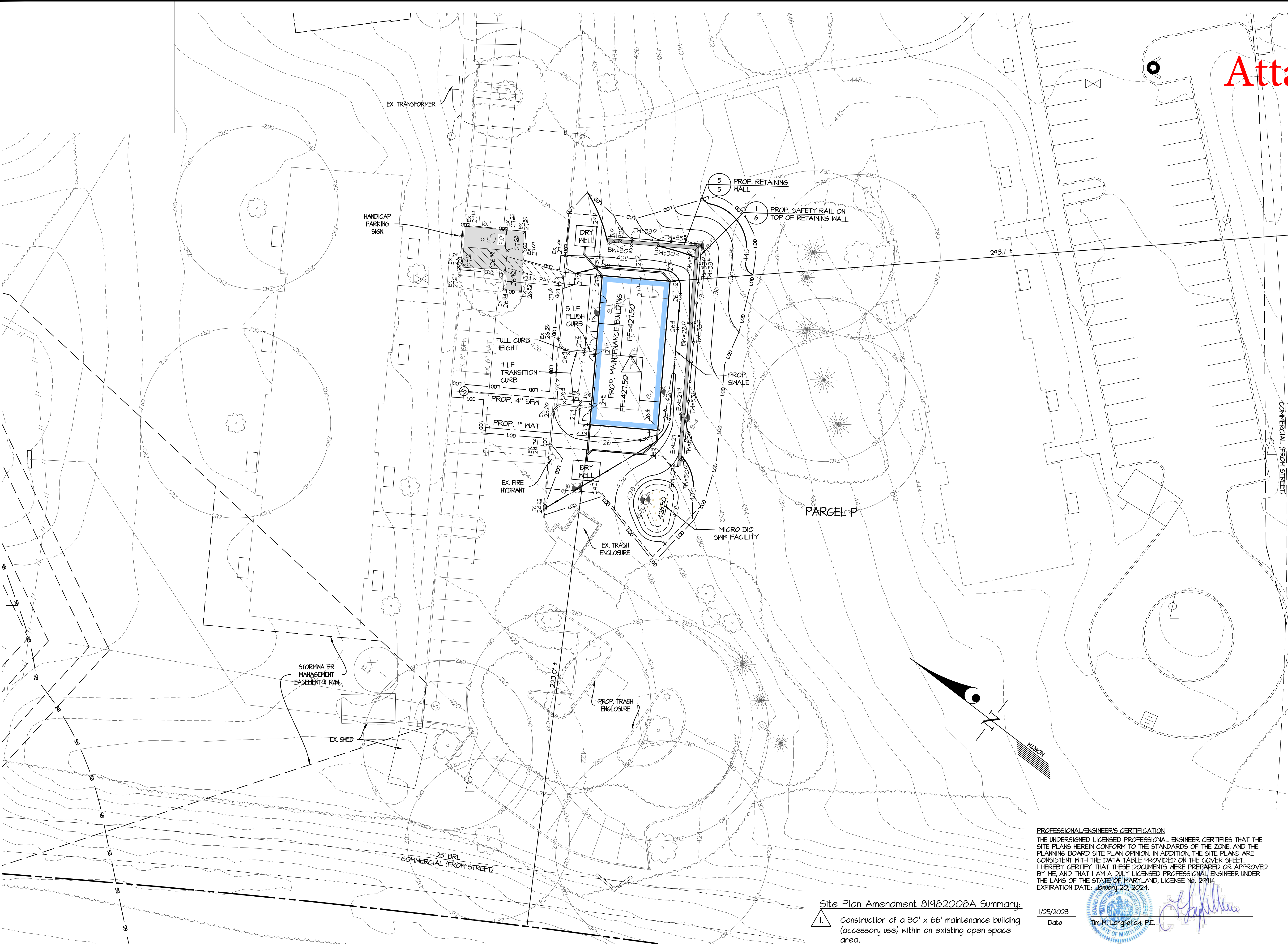
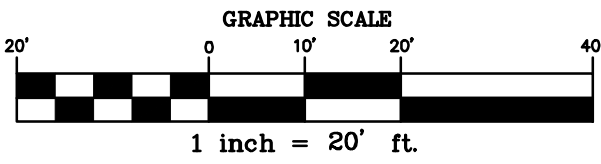


[Signature]
Tim M. Longfellow, P.E.

DEVELOPER'S CERTIFICATE	
The undersigned agrees to execute all the features of the Site Plan Approval No. 81982008A, including Approval Conditions, Development Program, and Certified Site Plan.	
Developer's Name:	UDR Company
Address:	5579 Harrington Falls Lane Alexandria, Virginia 22312
Phone:	(703) 750-0017
Signature:	<i>[Signature]</i> J. Brett Ponchione

Site Plan Amendment 81982008A Summary:
1. Construction of a 30' x 66' maintenance building (accessory use) within an existing open space area.

1/25/2023
Date





PLANNING | ENGINEERING | SURVEYING

3909 NATIONAL DRIVE | SUITE 250 | BURTONSVILLE, MD 20866 | GLWPA.COM
PHONE: 301-421-4024 | BAL: 410-880-1820 | DC&VA: 301-989-2524 | FAX: 301-421-4186

DESIGNED BY:	KAB				
DRAWN BY:	KAB				
CHECKED BY:	TML				
DATE		REVISION		BY	APP'R

PREPARED FOR:
UDR
5579 HARRINGTON FALLS LANE
SUITE No. 1054
ALEXANDRIA, VA 22312
ATTN: J. BRETT PONCHIONE
P: 703-750-0017

SCALE
1" = 20'
DATE
JAN. 2023

ZONING
CR-1.0 (C-0.25,
R-0.75, H-90)
TAX MAP - GRID
EU-341
WSSC: 226N1W3

SITE PLAN
SENECA PLACE
PARCEL P GUNNERS LAKE VILLAGE
Plat No. 13958
LIBER: 63334 FOLIO: 64
GAITHERBURG ELECTION DISTRICT No. 09
MONTGOMERY COUNTY, MARYLAND

G. L. W. FILE No.
22006
SHEET
4 OF 6

November 21, 2022

Attachment B

Keith Bennett
Gutschick, Little & Weber, PA
3909 National Dr., Suite 250
Burtonsville, MD 20866

Re: Forest Conservation Plan Exemption - Confirmed
#42023065E – Seneca Place

To all concerned,

Based on the review by staff of the Montgomery County Planning Department, the Forest Conservation Exemption Plan #42023065E **is confirmed**. Under Sec. 22A-5(a) the requirements of Article II do not apply to: (a) an activity conducted on an existing single lot of any size that is required to construct a dwelling house or accessory structure (such as a pool, tennis court, or shed) intended for the use of the owner, if the activity:

- (1) Does not require a special exception;
- (2) Does not result in the cutting, clearing, or grading of:
 - (A) More than a total of 20,000 square feet of forest;
 - (B) Any forest in a stream buffer,
 - (C) Any forest on property located in a special protection area which must submit a water quality plan,
 - (D) Any specimen or champion tree, or
 - (E) Any trees or forest that are subject to a previously approved forest conservation plan or tree save plan; and
- (3) Is subject to a declaration of intent filed with the Planning Director stating that the lot will not be the subject of additional regulated activities under this Chapter within 5 years of the cutting, clearing, or grading of forest.

Any unauthorized changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions.

A pre-construction meeting is required, per the Sequence of Events, after the limits of disturbance have been staked prior to clearing and grading. Please contact Inspector Michael Sharp at 301-495-4603 or at Michael.sharp@montgomeryplanning.org to schedule the meeting.

Sincerely,

Michael J. Sharp

Michael J. Sharp
Forest Conservation Inspector, M-NCPPC-IRC

Agenda Date: May 27, 1982



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Attachment D

May 24, 1982

MEMORANDUM

TO: Montgomery County Planning Board
FROM: Staff, Urban Design Division
SUBJECT: Site Plan Review #8-82008
Gunnars Lake Village, Section 1,
R-H/PD-9 Zones, Proposed A-74 and M-90,
Germantown

The site plan was submitted by Stanley Martin Communities, Inc., on January 25, 1982. A development plan for the PD portion of the Village was approved by Council in 1974. A preliminary plan for the Stanley Martin Communities portion of the Village was approved by the Board on April 9, 1981. This plan amended the development plan and the project phasing.

On February 22, 1982, the applicant waived the time limit for Board review pending revisions to the site plan and the submission of a facilities phasing plan as requested by staff. On March 31, 1982, the applicant submitted a phasing plan (see attached letter from Mr. Strasbaugh) and on April 23, 1982, the revised site plan was submitted.

No statements either in support or in opposition to the proposal have been received for the record.

Staff Recommendation

Approval subject to the following:

1. Recreation Facilities

- a. A localized recreation facility to serve the south section of the development shall be added to the site plan.
- b. Recreation equipment shall be specified and located on the plans.
- c. The pool facility including parking shall be constructed

in conjunction with section 1 and shall be sized in accordance with County regulations.

2. Walkways

- a. Sidewalks shall be provided on both sides of A-74.
- b. A sidewalk shall be provided on the west side of M-90.
- c. A walkway shall be provided to connect the pool facility with the south entrance and sidewalk on M-90.
- d. The sidewalk system shall connect the pool facility at building 15.
- e. Construction details of the walks shall be provided.

3. Lighting shall be specified in the plans and shall be provided in conjunction with occupancy of each building.
4. The applicant shall execute a public improvement agreement with Montgomery County for roadway construction prior to recordation.
5. The applicant shall submit an overall stormwater facilities phasing plan to staff and Department of Environmental Protection for approval prior to the release of the last half of the permits for Section 1.
6. An amendment to the development plan and preliminary plan phasing shall be approved by the Board as necessary in conjunction with review of future sections.
7. The applicant shall submit a revised development program and shall execute a site plan agreement prior to release of permits.

Section 1

Section 1 of Gunners Lake Village consists of 468 rental apartment units in three and four story buildings located on 32.1 acres of land at the northeast of the Village. About three fourths of the property is zoned R-H; the remainder is zoned PD-9. The proposed density of 14.6 units per acre is substantially less than the maximum permitted. The development complies with all of the requirements in the PD and R-H Zones.

The site is bounded on the northeast by proposed Warning Station Road (A-74) and on the southeast by proposed Great Seneca Highway (M-90). The portions of these two roads abutting the property will be constructed in conjunction with Section 1. The portion of M-90 connecting to Middlebrook Road will also be constructed in Section 1, and will provide the principle means of access to the north and west areas of the Village, until A-74 is extended to Route 118 with the commercial development to the northwest in the final phase of development of the Village.

The site is bounded to the southeast by the B & O Railroad. Commercially

zoned land abuts the property to the northwest (Section 12). The Wallich Tract development, a site plan for which is pending before the Board, occupies land across the B & O Railroad and along the extension of M-90 toward the south. The Seneca Valley High School site lies across A-74 to the north of the site. The school and park site, Section 8, and Commercial Section 10 lie across M-90 to the east.

The site slopes down 90 feet from A-74 to the B & O Railroad. Two stream valleys cut the site into three topographical segments. The layout of the development reflects this topography by location of the buildings along the ridges. Access to the site is made from a main entrance off A-74 and two secondary points of access located off M-90 and A-74.

Walkways

Sidewalks along A-74 and M-90 will provide pedestrian connection to other portions of the Village in the future. Staff requested an overall pedestrian plan showing how Section 1 would connect with future sections. Sections 1; 8; and 7 all lie to the south of A-74, will be developed with garden apartments, and will share recreation facilities. Staff recommends that these three sections should be connected by a walkway system with a crossing of M-90 at the point of vehicular access to Sections 1 and 8. This walkway will also connect the school and park site with other areas of the Village at large, including the lake. Within Section 1, this walkway would connect the pool facility with the entrance off M-90.

Recreation Facilities

Two tot lot areas and one pool facility are indicated in the plans. Staff recommends the addition of a third tot lot area. The pool is intended to serve Sections 1; 7; and 8. The submitted development plan indicates that the pool will be constructed at 50 percent occupancy of all three sections. Staff recommends that the pool be constructed in conjunction with Section 1, since this section is likely to contain close to half the total units in all three sections. The pool facility and parking should be sized in accordance with County requirements.

Landscaping

Only a very few trees exist on the site. New evergreen and deciduous trees will be dispersed throughout the development. This planting is of adequate size and quantity. Lighting locations are indicated in the plans, but staff recommends submission of lighting fixture details prior to release of permits.

A fence will be provided around the property for security, with gates at the entrances.

A noise berm has been provided at one point adjacent to the B & O Railroad.

Stormwater Management

On-site stormwater management will be provided in accordance with MSCD

and DEP requirements. DEP has requested that a stormwater facilities phasing plan be submitted in conjunction with Section 1.

Phasing Plan

The submitted phasing plan (see attached letter) varies somewhat from what was approved at the preliminary plan stage (which in turn amended the development plan phasing). An agreement with DOT and transportation staff for phasing of the roadways to be constructed for the Village has been worked out, but must be signed prior to recordation and release of permits.

Phasing of the stormwater management facilities has been requested by DEP and should be provided prior to release of the last half of the permits for Section 1. Section 1 however will be provided with on-site management.

Other aspects of the phasing of Village-wide facilities such as walkways and recreation can be dealt with as future sections are submitted for site plan review. The attached letter from Mr. Williams, DEP, addresses the provision of the lake identified as phase 4 in the phasing plan.

The revised phasing should be subject to approval by the Board in conjunction with subsequent site plan review of additional sections of the development of the Village.

DA:dh
Attachments

SENECA VALLEY HIGH SCHOOL

SECTION 2

7

SECTION 10

SECTION 3

3

SECTION 1

1

SCHOOL/PARK SITE

BALTIMORE

AND

OHIO

RAILROAD

SECTION 8

1

SECTION 7

SUMMARY

Approved PG-9 Area	292.5 Ac.
Developed or Committed	67.4
Remaining PG-9 Area	225.1 Ac.
R-10 Area	31.7
Commercial Area	3.3
Concept Plan Area	367.1 Ac.

RESIDENTIAL	SWELLING UNITS	DEVELOPABLE AREA
Section 1	588	22.1 Ac.
Section 2	773	21.6
Section 3	304	15.5
Section 4	322	15.1
Section 5	250	14.4
Section 6	310	18.5
Section 7	214	11.9
Section 8	310	15.7
Section 9	81	3.4
	2763	135.7 Ac.

156.3 Ac.

COMMERCIAL		
Section 10	± 100,000 SF	10.1 Ac.
Section 11	± 15,000	1.5
Section 12	± 250,000	10.5
Section 13	± 800,000	48.2
	1,005,000	34.6 Ac.

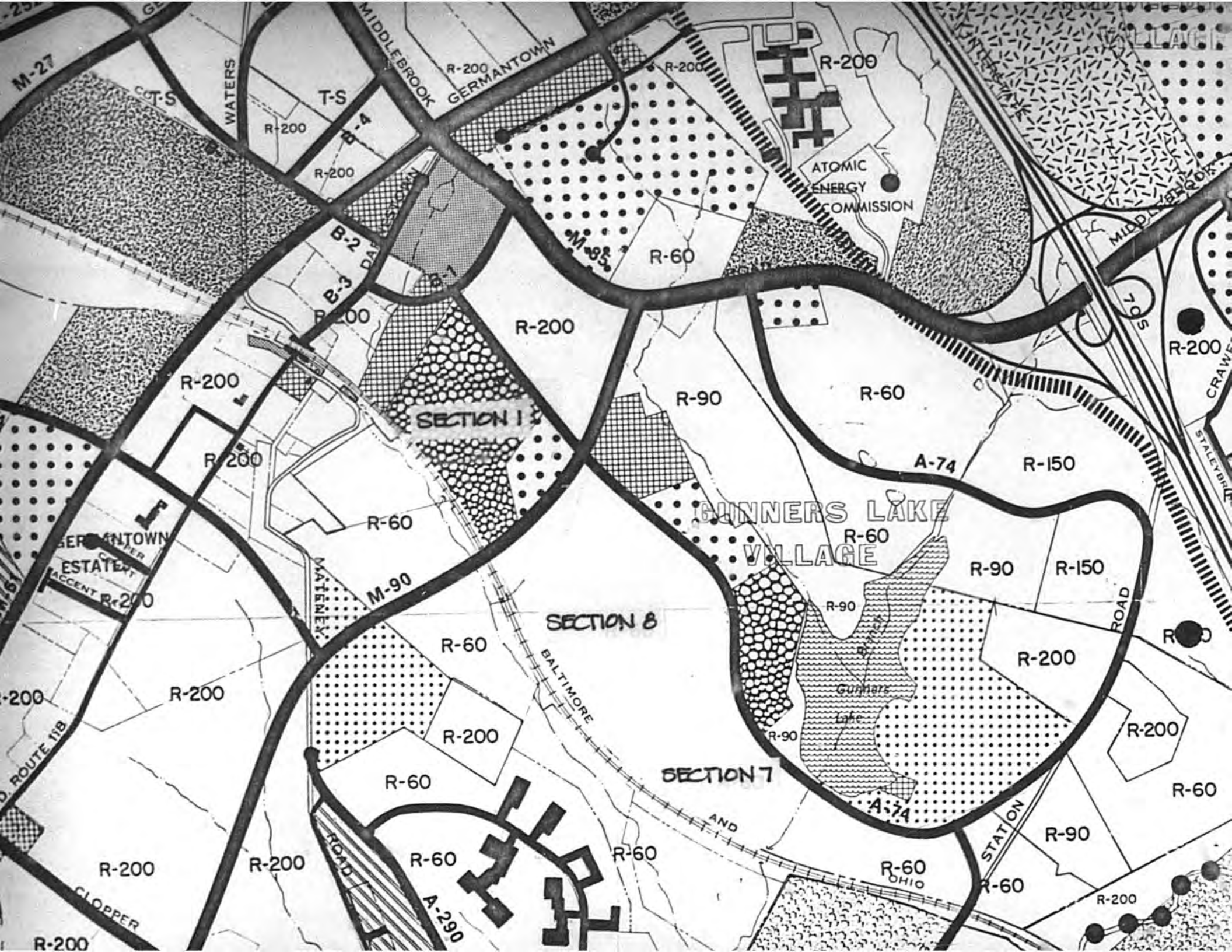
34.6 Ac.

Dedicated Roads or Undeveloped (Land, Stream, Valley, Etc.)

162.7 Ac.

PHASING PLAN





Agenda Date: January 20, 1983



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

January 17, 1983

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Staff, Urban Design Division

SUBJECT: Site Plan #8-82008
Section 1, Gunner's Lake Village
Reconsideration of the Sidewalks along M-90

Background

On May 27, 1982, the Planning Board approved Site Plan #8-82008 subject to the condition that sidewalks should be provided along both sides of Great Seneca Highway within the R.O.W. Subsequently, MDOT reviewed their road plans and agreed that pedestrian access would be desirable. The plans were revised to provide an 8' hiker-biker trail along the entire length of M-90 along the east side where the majority of development is taking place.

However, MDOT did not agree to permit a sidewalk along the west side of the divided roadway due to grading problems. The roadway is in a deep cut in this section with a 2:1 slope rising up directly behind the road's drainage swale. There is a need to immediately begin the 2:1 slope behind the swale in order to quickly reach proposed elevations within Section 1. Setbacking back the slope further into Section 1 in order to provide for a sidewalk along the R.O.W. will result in interior layout problems for Section 1 apartments.

In addition to the problem of slopes, MDOT is building only the eastern 2 lanes of M-90 along this section due to the projected low traffic volumes. This means that pedestrians from Section 1 walking to eastern destinations will only have to cross a 2 lane road at an intersection to the hiker-biker trail. MDOT's County planners are unable to project when, if ever, the road in this section will need to be completed into a 4 lane divided road.

Staff Recommendation

Given these circumstances, Staff recommends APPROVAL of the applicant's request to delete condition #2b of Site Plan #8-82008 for a sidewalk along the western side of M-90. However, there is a need to extend a sidewalk along Section 1's entrance road to it's intersection with M-90 and to provide a cross-walk at this point. This revised condition should be subject to MDOT's approval.

KK:sam

Attachment



STANLEY MARTIN COMMUNITIES, INC. 1717 Elton Road, Silver Spring, Maryland 20903

(301) 439-4200

July 27, 1982

Mr. Norman Christeller, Chairman
Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20907

Dear Mr. Christeller:

We hereby request that the conditions of approval for the Site Plan Application No. 8-82008 be revised to show a Hiker-Biker Trail on the east side of Proposed M-90 in lieu of a 4' sidewalk on the west side of the roadway. This is in accordance with the typical cross-section for M-90 that was recently adopted by the Montgomery County Department of Transportation. We feel that this compromise by D. O. T. will enable us to provide adequate pedestrian access along M-90 and addresses the concerns of the various Board members relative to pedestrian circulation.

We would also request that the building permits for Section One of the Project be released pending the outcome of our request. We have executed a Site Plan Enforcement Agreement for this Section giving the Commission adequate protection that we will positively perform all of the provisions of the Approved Site Plan.

Thank you for your consideration in this matter.

Very truly yours,

Jerry Strasbaugh

jo

Copy to: Karen Kumm
Douglas Alexander
A. Kenton Drury

Date: 2-17-82

TO: Doug Alexander
VIA: Jorge A. Villedares, Chief
Environmental Planning Division

FROM:

SUBJECT: Review of: _____ Pre-Preliminary Plan
_____ Preliminary Plan
✓ _____ Site Plan
_____ Zoning Text Amendment
_____ Project Plan
_____ Development Plan
_____ Others

Number: 8-82008, CONNORS L. VILLAGE

We have reviewed the above referral, dated 1/25/82 and wish to make the following comments:

- _____ No adverse comments.
_____ Plans submitted are incomplete. Recommend deferral of action. (See Items A & D)
✓ _____ Conditional approval of plan. (See Items C & D)
_____ Disapproval of plan/request. (A & D)

A. List of items needed for Plan review.

1. _____ Delineate 100-year ultimate floodplain & 25' BRL.
2. _____ Show sediment control and grading plan.
3. _____ Show SWM control plans/concept.

-

C. Recommended Modification.

- Modify building restriction line as shown.

Delete lots

Modify lots.

 Use Best Management Practices Listed in D

☒ Show noise barriers or noise attenuation measures.

Others (i.e., leave stream channel open,

no grading or clearing on steep slopes > 15%
> 25%)

D. Specific Recommendations:

Potentially adverse noise levels may impact Townhomes exposed to RR on East side of section 1, and within 180[±] ft.

Please contact Nazir Baig if you have any questions.

cc: N. Baig

MONTGOMERY COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF POLLUTION CONTROL
WATER RESOURCES SECTION

SUBDIVISION REVIEW COMMENTS

M-NCPPC File No.: 8-82008
Project Name: Gummers Lake Village
Date: February 22, 1982

Stormwater management is provided for this site in a central facility (existing or planned). No on-site stormwater management is required. Developer will be required to make a contribution prior to the issuance of any building permits.

✓ No central stormwater management facilities are existing or planned to serve the subject development. On-site facilities will be required, ~~unless the developer obtains a waiver from the Montgomery Soil Conservation District and the Department of Environmental Protection. (See requirements for making application for waiver.)~~

The subject development is eligible for a "Standard Waiver" of on-site stormwater management. To obtain such a waiver, an application must be made to the Montgomery Soil Conservation District. If waiver is granted, a contribution will be required prior to issuance of any building permits.

The subject development is exempt from any stormwater management responsibility. No waiver request nor contribution will be required.

Inadequate information received to evaluate the proposed development. The following additional information is required: _____

If on-site stormwater management is required:

✓ Easements for access and maintenance of such on-site facilities must be recorded prior to issuance of any building permits.

— A maintenance agreement between the developer and the Department of Environmental Protection must be recorded and a copy provided to the Department prior to issuance of any building permits.

Comments: A plan showing sequencing of SWM facilities (at least 3 on-site ponds & 1 major lake) vs. development of all sections should be submitted now. DEP may participate in major structure.

If any questions remain concerning this report, please feel free to call the Water Resources Section at ~~468-4440~~ 251-2360.

By: W. J. Davis

Urban Design Div., PPC

cc: DPC File No. 21132



Montgomery Soil Conservation District

6110 Executive Boulevard - Rockville, Maryland 20852 - Telephone: 468-4161

M-NCPPC Preliminary Plan No. 8-82008 SITE PLAN
MSCD Watershed File No. _____
Subdivision Name Gunnys Lake Village
Date Discussed 2-22-82

Dear DOUG ALEXANDER

The following information reflects the comments of the Montgomery Soil Conservation District which were presented at the M-NCPPC Subdivision Review Committee Meeting, held on 2-22-82.

Please note that the District will not review any pre-preliminaries, preliminaries, and site plans unless both a soils map of compatible scale to that development plan submitted and a conceptual SWM plan are included.

I. With regards to this subdivision's sediment control requirement, it can be addressed by:

- ☐ Qualifies for use of the Small Land Disturbing Activities Permit Application (copies can be obtained from DEP).
- ☒ A sediment control plan prepared by a professional engineer shall be required. Plan should be prepared according to the "Standards and Specifications for Soil Erosion and Sediment Control in Developing Areas."

II. The storm water management for this site is:

- ☐ Exempt and/or not required.
- ☐ Qualifies within MSCD Standard Waiver Category. Request should be forwarded to MSCD for consideration.
- ☒ On-site SWM will be required.
- ☐ SWM has already been addressed.
- ☐ A request for permission to enter the Off-Site SWM Program should be forwarded to DEP for consideration (carbon copy MSCD).

III. Based on the information provided to MSCD, I recommend:

- ☒ Plan has adequately addressed MSCD conceptual needs, therefore recommend approval.
- ☐ Plan has not addressed MSCD needs, therefore recommend denial until MSCD needs are adequately addressed. (Reasons why listed below.)



IV. Comments:

Need Soils delineated, AND copy of computations. Not critical enough to hold up Approvals for such.

The following information reflects the comments of the Montgomery Soil Conservation District which were presented at the M-NCPD Subdivision Review Committee Meeting, held on 3-22-82. Please note that the District will not review any pre-proposed plan and site plans unless both a soils map of comparable scale to that development plan submitted and a conceptual SWM plan.

Should there be any questions pertaining to this information, please feel free to contact me at 251-2290.

Sincerely,
Mark Scott Rea

- Qualities for use of the Small Land Disturbing Activities Permit Application (copies can be obtained from DEP).
- A sediment control plan prepared by a professional engineer shall be required. Plan should be prepared according to the "Standards and Specifications for Soil Erosion and Sediment Control in Developing Areas."
- II. The storm water management for this site is:
- Exempt and/or not required.
 - Qualities within MSOD Standard Waiver Category. Request should be forwarded to MSOD for consideration.
 - On-site SWM will be required.
 - SWM has already been addressed.
 - A request for permission to enter the Off-Site SWM Program should be forwarded to DEP for consideration (attach copy MSOD).
- III. Based on the information provided to MSOD, I recommend:
- Plan has adequately addressed MSOD conceptual needs, therefore recommend approval.
 - Plan has not addressed MSOD needs, therefore recommend denial until MSOD needs are adequately addressed. (Reasons why listed below).



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

(301) 279-1000

OPINION

Date: June 1, 1982

Site Plan Review # 8-82008

Project: Gunners Lake Village, Section 1

On January 25, 1982, Stanley Martin Communitites submitted an application for the approval of a site plan for property in the R-H/PD-9 zone. The application was designated Site Plan Review # 8-82008.

On May 27, 1982, Site Plan Review # 8-82008 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the site plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe and efficient;
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.
4. the Site Plan is consistent with the approved development plan.

and approves the Site Plan subject to the following conditions:

1. Recreation Facilities

- a. A localized recreation facility to serve the south section of the development shall be added to the site plan.
- b. Recreation equipment shall be specified and located on the plans.
- c. The pool facility including parking shall be constructed in conjunction with section 1 and shall be sized in accordance with County regulations.

2. Walkways

- a. Sidewalks shall be provided on both sides of A-74.
- b. A sidewalk shall be provided on the west side of M-90.
- c. A walkway shall be provided to connect the pool facility with the south entrance and sidewalk on M-90.
- d. The sidewalk system shall connect the pool facility at building 15.
- e. Construction details of the walks shall be provided.

3. Landscaping

- a. Street trees shall be provided on both sides of A-74 adjacent to the site.
- b. Landscaping shall be provided along the fence that takes into consideration the aesthetic appearance of the fence.

4. Lighting shall be specified in the plans and shall be provided in conjunction with occupancy of each building.

5. The applicant shall execute a public improvement agreement with Montgomery County for roadway construction prior to recordation.

6. An amendment to the development plan and preliminary plan phasing shall be submitted to the Board as necessary in conjunction with review of future sections.

7. The applicant shall submit a revised development program and shall execute a site plan agreement prior to release of permits.



STANLEY MARTIN COMMUNITIES, INC. 1717 Elton Road, Silver Spring, Maryland 20903

(301) 439-4200

August 3, 1982

Mr. Robert Bushnell
Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20903



Dear Mr. Bushnell:

At the closing with our purchasers on Gunners Lake Village, there was a change in the owning entity for Section One. I have enclosed new Site Plan Enforcement Agreements for your files showing the correct ownership.

If you should have any questions with regard to this matter, please feel free to contact me.

Very truly yours,


Jerry Strassbaugh

jo

Enclosure

Copy to: A. Kenton Drury

SITE PLAN ENFORCEMENT AGREEMENT

THIS AGREEMENT, made this 29th day of July, 1982, by and between R. H. LIMITED PARTNERSHIP (hereinafter "R. H.") and the MONTGOMERY COUNTY PLANNING BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (hereinafter the "Planning Board").

WHEREAS, Text Amendment No. 80025, approved July 21, 1981, effective October 15, 1981, amended Section 50-D-3.3 of the Montgomery County Code to require as a part of the site plan review process that applicants enter into a formal agreement with the Planning Board requiring the applicant to execute all features of the approved site plan in accordance with the development program required by Section 59-D-3.23(m) of the Montgomery County Code, 1972 (as amended); and

WHEREAS, pursuant to Section 59-D-3 of the Montgomery County Code, 1972 (as amended), "R. H." has filed with the Planning Board an application for approval of a site plan, denominated Site Plan Application 8-82008, attached hereto as Exhibit "A".

WHEREAS, the property which is the subject of Site Plan Application No. 8-82008 consists of 40.5702 acres is scheduled to be developed in one phase as shown on Exhibit "A".

NOW, THEREFORE, in consideration of the mutual promises and stipulations set forth herein and pursuant to the requirements of Section 59-D-3.3 of the Montgomery County Code, 1972 (as amended), the parties hereto agree as follows:

1. In accordance with approval by the Planning Board of Site Plan Review Application No. 8-82008, "R. H." agrees that, when it commences construction of Phase I as set forth under sequencing above, it will execute and maintain all the features of the applicable site plan required by Section 59-D-3.23 which are applicable to the approval granting Site Plan Application No. 8-82008. "R. H." agrees to install and construct all features of the site plan in a good and workmanlike manner.

2. "R. H." agrees that the construction of Phases I will progress in accordance with the development program for the subdivision as set forth in Exhibit "C".

3. Representatives or designees of the Planning Board may enter upon the property from time to time for the sole purpose of inspection and enforcement of the terms, conditions, and restrictions of this agreement.

4. The Planning Board or its designee, shall inspect the property for compliance with the approved Site Plan within a reasonable amount of time after receipt of written notice from "R. H." and shall inform "R. H." of the results of the inspection within a reasonable amount of time. The Planning Board shall recommend for issuance within a reasonable amount of time any permit or permits sought by "R. H." when the Planning Board determines that said permit request(s) are consistent with the approved Site Plan and any amendments thereto.

5. The parties agree that monetary damages will not be an adequate remedy for breach of any of the terms, conditions and restrictions herein contained or required by the approval Site Plan, the Planning Board may institute a suit to enjoin by ex parte, temporary and/or permanent injunction such violation and to require the compliance with the approved Site Plan. The Planning Board by any prior failure to act, does not waive or forfeit the right to take action as may be necessary to insure compliance with the terms, conditions and purposes of this Site Plan Enforcement Agreement.

6. Approval of a feature of the Site Plan by the Planning Board after inspection may not constitute a warranty that the feature was installed or constructed in a good and workmanlike manner or that the feature is free of latent defects.

7. The parties agree that this Site Plan Enforcement Agreement may only be modified by a writing signed by the parties hereto, their heirs, successor or assigns.

8. This Agreement shall be binding upon the heirs, successors and assigns of all parties hereto. At time of execution of every contract to purchase any part of the property which is the subject of said approved Site Plan "R. H." shall deliver to the purchaser a written statement that the property sold is subject to the Approved Site Plan and that the property sold must continue to comply with the approved Site Plan.

IN WITNESS WHEREOF, the parties hereto have hereunto set our hands and
seals this 29th day of July, 1982.

WITNESS:

[Signature]

R. H. LIMITED PARTNERSHIP

BY: INTERSTATE GENERAL CORPORATION
general partner

By: [Signature]
Edwin L. Kelly
General Partner, Vice President

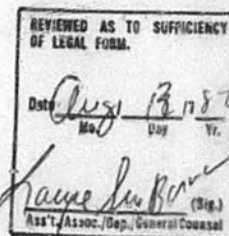
WITNESS:

MONTGOMERY COUNTY PLANNING BOARD

_____ By: [Signature]

or

By: _____



SITE PLAN ENFORCEMENT AGREEMENT

THIS AGREEMENT, made this 12TH day of July, 1982, by and between ROLLING HILLS APARTMENTS, INC. (hereinafter the "Corporation") and the MONTGOMERY COUNTY PLANNING BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (hereinafter the "Planning Board").

WHEREAS, Text Amendment No. 80025, approved July 21, 1981, effective October 15, 1981, amended Section 50-D-3.3 of the Montgomery County Code to require as a part of the site plan review process that applicants enter into a formal agreement with the Planning Board requiring the applicant to execute all features of the approved site plan in accordance with the development program required by Section 59-D-3.23(m) of the Montgomery County Code, 1972 (as amended); and

WHEREAS, pursuant to Section 59-D-3 of the Montgomery County Code, 1972 (as amended), the "Corporation" has filed with the Planning Board an application for approval of a site plan, denominated Site Plan Application 8-82008, attached hereto as Exhibit "A".

WHEREAS, the property which is the subject of Site Plan Application No. 8-82008 consists of 40.5702 acres is scheduled to be developed in one phase as shown on Exhibit "A".

NOW, THEREFORE, in consideration of the mutual promises and stipulations set forth herein and pursuant to the requirements of Section 59-D-3.3 of the Montgomery County Code, 1972 (as amended), the parties hereto agree as follows:

1. In accordance with approval of the Planning Board of Site Plan Review Application No. 8-82008, the "Corporation" agrees that, when it commences construction of Phase I as set forth under sequencing above, it will execute ^{1. MAINTAIN} all the features of the applicable site plan required by Section 59-D-3.23 which are applicable to the approval granting Site Plan Application No. 8-82008. The "Corporation" agrees to install and construct all features of the site plan in a good and workmanlike manner.

2. The "Corporation" agrees that the construction of Phase I will progress in accordance with the development program for the subdivision as set forth in Exhibit "C".

3. Representatives or designees of the Planning Board may enter upon the property from time to time for the sole purpose of inspection and enforcement of the terms, conditions, and restrictions of this agreement.

4. The Planning Board or its designee, shall inspect the property for compliance with the approved Site Plan within a reasonable amount of time after receipt of written notice from the "Corporation" and shall inform the "Corporation" of the results of the inspection within a reasonable amount of time. The Planning Board shall recommend for issuance within a reasonable amount of time any permit or permits sought by the "Corporation" when the Planning Board determines that said permit request(s) are consistent with the approved Site Plan and any amendments thereto.

5. The parties agree that monetary damages will not be an adequate remedy for breach of any of the terms, conditions and restrictions herein contained or required by the approval Site Plan, the Planning Board may institute a suit to enjoin by ex parte, temporary and/or permanent injunction such violation and to require the compliance with the approved Site Plan. The Planning Board by any prior failure to act, does not waive or forfeit the right to take action as may be necessary to insure compliance with the terms, conditions and purposes of this Site Plan Enforcement Agreement.

6. Approval of a feature of the Site Plan by the Planning Board after inspection may not constitute a warranty that the feature was installed or constructed in a good and workmanlike manner or that the feature is free of latent defects.

7. The parties agree that this Site Plan Enforcement Agreement may only be modified by a writing signed by the parties hereto, their heirs, successor or assigns.

8. This Agreement shall be binding upon the heirs, successors and assigns of all parties hereto. At time of execution of every contract to purchase any part of the property which is the subject of said approved Site Plan the "Corporation" shall deliver to the purchaser a written statement that the property sold is subject to the Approved Site Plan and that the property sold must continue to comply with the approved Site Plan.

IN WITNESS WHEREOF, the parties hereto have hereunto set our hands and
seals this 12th day of July, 1982.

ATTEST:

ROLLING HILLS APARTMENTS, INC.

Gerald E. Strasbaugh
Gerald E. Strasbaugh
Vice President

By: Martin K. Alloy
Martin K. Alloy
President

[CORPORATE SEAL]

WITNESS:

MONTGOMERY COUNTY PLANNING BOARD

Rosemary T. Schmidt

By: John J. Matthews

OR

By: _____



EXHIBIT "C"
GUNNERS LAKE VILLAGE
SECTION 1
DEVELOPMENT PROGRAM

PROJECT DESCRIPTION

Section 1 of Gunners Lake Village consists of 468 Rental Apartment the "Corporation" Units to be developed by Rolling Hills Apartments, Inc. (hereinafter the "Corporation"). The "Corporation" anticipates developing the entire Section (Site Plan Application #8-82008) at one time as described below.

LOCALIZED FEATURES

Localized features are those features that either abut or are adjacent to or are intended to serve individual buildings such as, but not limited to:

- ...Roads, except for final topping
- ...Parking Lots, except for final topping
- ...Sidewalks
- ...Retaining Walls, if any
- ...Street Lighting

The localized features listed above will be completed prior to the occupancy of each building. The localized features listed below will be completed not later than nine (9) months following occupancy, except as allowed to be delayed by M-NCPPC for weather, or other reasonable cause.

- ...Pathways
- ...Landscaping
- ...Fences, if any
- ...Tot Lots
- ...Final Street Topping

M-NCPPC inspection will occur at not later than 50% of occupancy of the structures in the section at which point, the localized features will be completed in proportion to the occupancy of the structures. A final inspection will be made at the completion of all improvements within the section.

SPECIAL FEATURES AND CONSIDERATION

The stormwater management facility located in the center of the section near the B & O Railroad tracks will be constructed following the stabilization of an upstream development. The pool complex in Section 1 will serve the residents in the section along with those of Sections 7 & 8. The pool will be started when fifty (50) per cent of the units in Section 1 are occupied, and will be completed when substantially all of the units have been occupied.

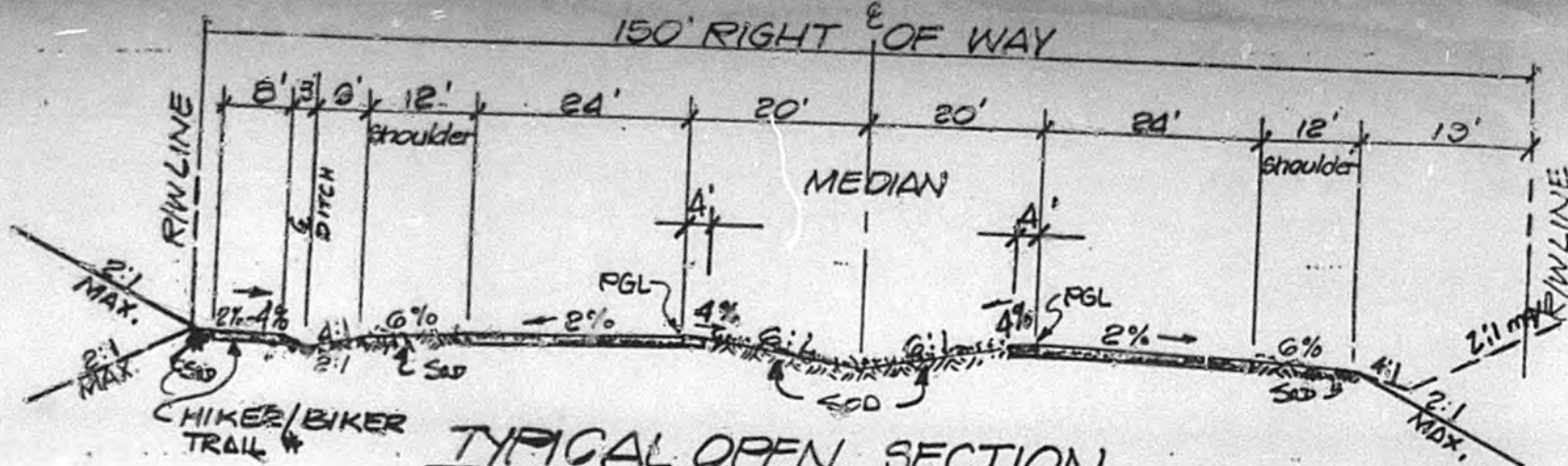
SHEET NO. 1 OF 1
JOB NO.
FILE NO.

SUBJECT: GREAT SENECA Highway
TYPICAL SECTION

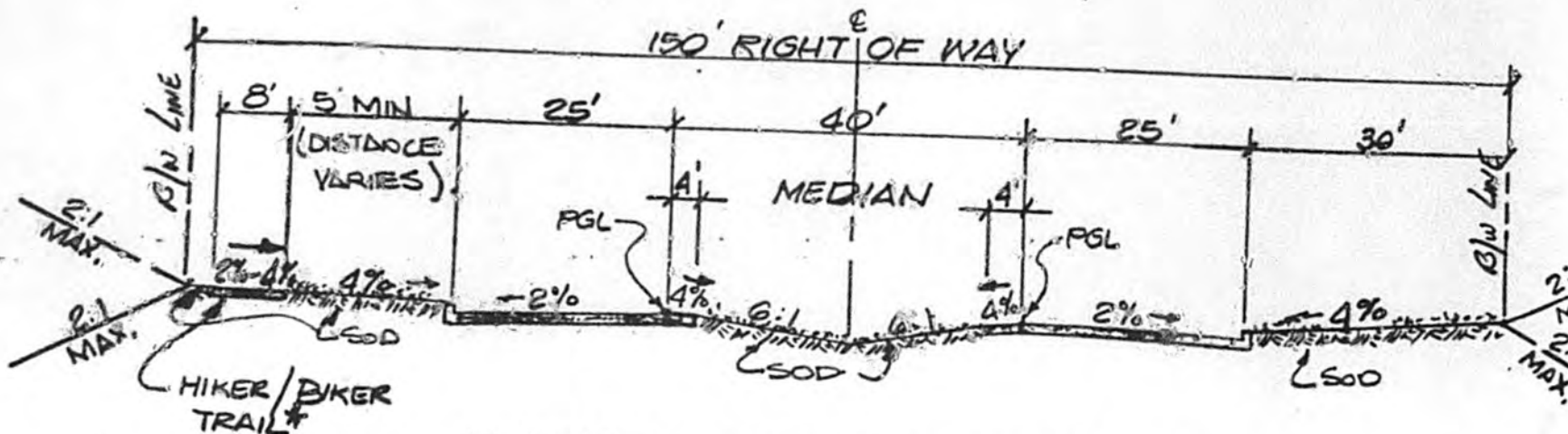
BY: WEL DATE: 1/13/02
CHKD. BY: DATE:
REV. BY: DATE:

*NOTE:

FOR HIKER/BIKER TRAIL
USE 4% CROSS-SLOPES
IN CUT SECTION.



TYPICAL OPEN SECTION
NOT TO SCALE
FROM MIDDLEBROOK RD TO LONGDRAFT RD.



TYPICAL CLOSED SECTION
NOT TO SCALE
FROM LONGDRAFT RD. TO MD. RTE. 28

GREAT SENECA HIGHWAY

MEMORANDUM

June 17, 1982

TO: Don Bohrer, Subdivision Development Section
VIA: Gerald R. Cichy, Director, Department of Transportation
VIA: John J. Clark, Director, Office of Transportation Planning
FROM: Edgar A. Gonzalez, Chief, Project Development Section
SUBJECT: Typical Cross Section for Great Seneca Highway

At your request, and in connection with IDICPPC's conditions of approval for the Gunner's Lake Village subdivision, we have re-evaluated the typical cross section for Great Seneca Highway. The new recommended cross section has been discussed with our Engineering Consultant, G&O, and Mike Ofenstein of the Design Section.

Essentially, we are recommending that two different cross sections be used, to reflect the different character of the areas adjacent to the road.

We recommend an open section road, with a 40 foot median from Middlebrook Road to Longdraft Road. This section is more compatible with the more rural nature of this area, and its also more compatible with the environment in the Seneca Creek Park. The narrower median will permit the construction of an eight foot wide hiker-biker trail, without jeopardizing the possibility of widening the road to six lanes, under ultimate development conditions, as called for in the Master Plan.

The section of Great Seneca Highway from Longdraft Road to MD Route 20 should also have a maximum 40 foot wide median, but should have curb and gutter on the outside lanes. This section will provide us with more room outside the road itself to provide berms and landscaping, if necessary, to reduce the noise and visual impacts of the road. In some cases, and especially on the Warther Tract, the developer will build and pay for the berms and landscaping provided we allow them to partially build them within the right-of-way.

Based on the existing approved preliminary plans, and the location of the more active sections of Seneca Creek Park, we recommend the hiker-biker trail be built on the eastern side of the road, with adequate crossing at Middlebrook Road, to provide access to the school.

Don Bohrer
Page Two
June 18, 1982

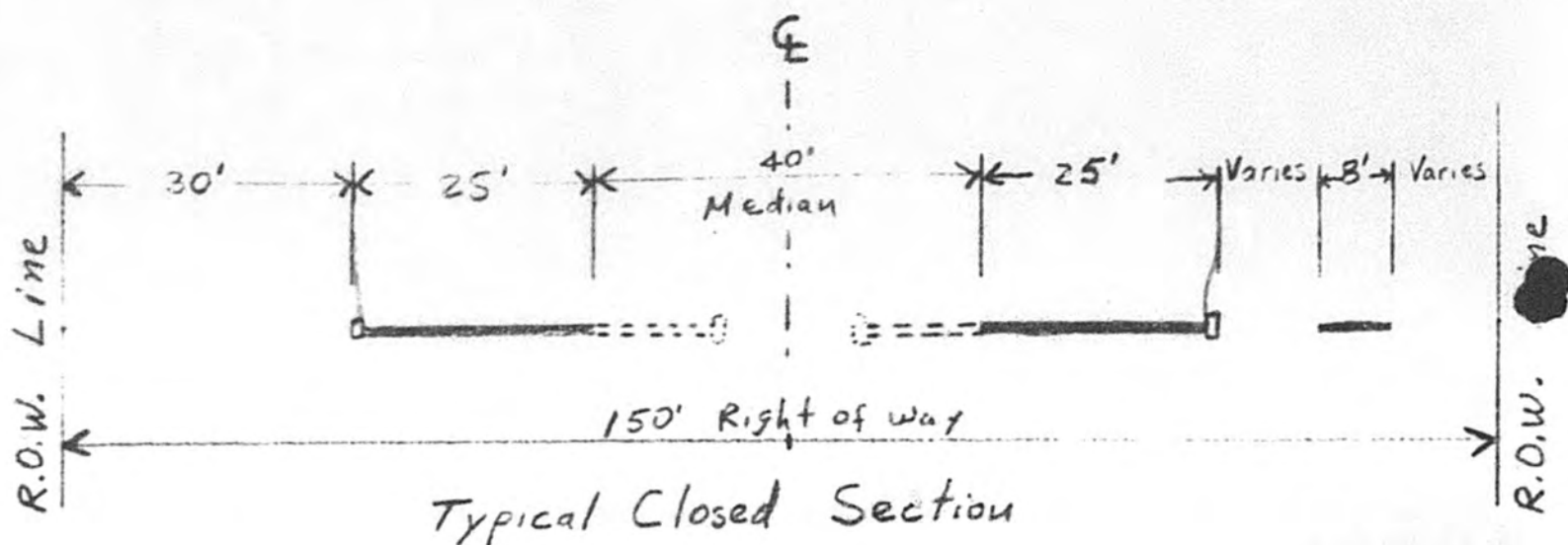
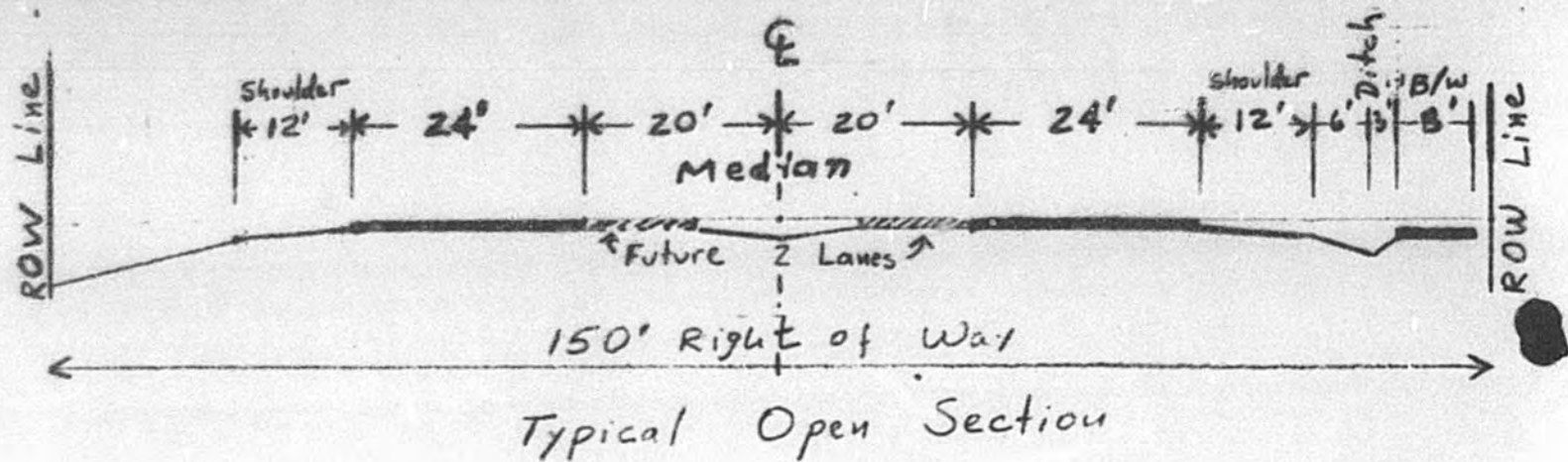
We assume that either a bikeway, or a sidewalk will exist on Middlebrook Road from Great Seneca to the entrances to the Seneca Valley High School.

For your information, we are attaching a sketch of the new proposed cross sections. These cross sections are being incorporated into the Final Draft EIS which we will print this fall, prior to the Corridor Public Hearing on this project.

EAG:tao

Attachment

CC: Ed Ferber, N-10PPC
Bob Merryman, Division of Transportation Engineering
Charles Utermohle, Kilde Consultants
Fritz Provini, Greenhorne & O'Mara
Mike Ofenstein, Design Section



GREAT SENECA Hwy. - E.I.S.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

January 11, 1982

MEMORANDUM

TO: John Broda, Development Review Division
VIA: Robert M. Winick, Chief, Transportation Planning Division *RW*
FROM: Ki H. Kim, Transportation Planner *KHK*
SUBJECT: Transportation Adequate Public Facilities Review of
Gunner's Lake Village Subdivision (Nemazee Tract)
Germantown, 1-81170

1. Introduction

This memorandum represents a traffic impact review of the proposed 2,863 dwelling units Gunner's Lake Village Residential Development under the provisions of the Adequate Public Facilities Ordinance. The tract is located within the area bounded by MD 118 on the west, Middlebrook Road on the north, Waring Station Road on the east and the B&O Railroad on the south. It is proposed to be developed with a 100,000 square feet local shopping center and a 15,000 square feet neighborhood center in addition to the 2,863 garden apartments and attached units. This analysis considers the following:

- a) existing intersection and roadway conditions;
- b) the impact of recorded and 118 Club I Development traffic; and
- c) the additional impact of the proposed development.

2. Staff Recommendation

Transportation Planning Staff recommend approval of the proposed development subject to the following set of roadway improvements:

A. Projects in the adopted Capital Improvement Program:

Provision of the construction of Great Seneca Highway and Waring Station Road Bridge Replacement programmed in the County Capital Improvement Program (see attached Project Description Forms).

B. Participation in MD 118 Club I and II Improvements:

- 1) The applicant's participation in the roadway improvements of widening MD 118 to six lanes between master planned street "B-1" and the interchange at I-270 including improvements of intersections at Middlebrook Road and Aircraft Drive. This is the first element of the MD 118 Club II improvements. The need for widening the section of MD 118 between Middlebrook Road and Aircraft Drive to four lanes was included as an element of the Comprehensive Amendment to the Germantown Master Plan and has been required of the MD 118 Club I Developments.
- 2) The applicant's participation in the roadway improvement of providing an additional lane on each approach at the intersection of MD 355 and Middlebrook Road, except the eastern approach. This is the second element of the MD 118 Club II improvements.

C. Improvements Specifically Required of the Proposed Subdivision:

- 1) The applicant's participation in the roadway improvement of widening Middlebrook Road to four lanes between Great Seneca Highway and MD 118.
- 2) Providing a right turn lane on Clopper Road (MD 117) at Waring Station Road to allow a free right turn and installation of a traffic signal at this intersection. This should be coordinated with the Maryland State Highway Administration.
- 3) Improving Waring Station Road between A-74 and Clopper Road excluding the bridge over the B&O Railroad. This improvement should provide for a minimum of twenty feet of paved roadway. This needs to be coordinated with the Maryland State Game and Inland Fish Commission in order to account for possible impact on the surrounding park.
- 4) Provision of a double left turn lane on northern approach of MD 118 and a free right turn lane on eastern approach of Middlebrook Road at MD 118 and Middlebrook intersection.

3. Staff Assumptions and Discussions

- A. The proposed development is expected to generate approximately 1700 peak hour trips utilizing the trip generation rate published in the M-NCPPC Guidelines. The staff utilized a lower residential trip generation rate than the applicant's analysis considering the tracts close location to the Germantown commuter rail station and the proposed housing types.
- B. Staff agreed with the applicant's analysis that no additional traffic was added to the street network for the proposed retail center and neighborhood center since the analysis contains all platted and committed development within a one-half mile radius of the site.

- C. Staff included all platted traffic in the background traffic analysis as is the practice in administering the APF Ordinance. The recorded lots include 2,920 dwelling units from Churchill area subdivision, 523 dwelling units from Colony subdivision, 170 dwelling units from Wallich subdivision and 1221 dwelling units from Farmingdale subdivision in the Germantown West area. In the Germantown East area, 1419 residential dwelling units are recorded for Ayrlawn, Greenwood and Middlebrook Commons subdivisions and 170,000 square feet of non-residential office development is recorded for Digital Communication subdivision.
- D. Staff included all preliminary subdivision traffic in the 118 Club I development, which were approved subject to widening of MD 118 to four lanes between Middlebrook Road and Aircraft Drive and the improvement of the two intersections. The 118 Club I Developments include 1661 dwelling units from Churchill area subdivision, 1485 dwelling units from Germantown Estates subdivision, 772 dwelling units from Colony and Gunner's View subdivisions and 1,500 square feet of non-residential commercial development for Suburban Trust Company subdivision.
- E. Construction of the Great Seneca Highway between Darnestown Road and Middlebrook Road, which is included in the current County CIP, was considered in the staff's and the applicant's analyses. A large portion of both the "site generated traffic", as well as "existing traffic", are diverted to this programmed highway. It should be pointed out that staff's recommendation for approval under the Adequate Public Facilities Ordinance for the proposed PD-9 preliminary subdivision is dependent on the Great Seneca Highway being programmed for construction.
- F. The current Waring Station Road between proposed A-74 and Clopper Road approximately averages 15 feet in width and is gravel paved. The Germantown Master Plan recommends that this road eventually be 4 lane arterial highway. Reconstruction of the existing one-lane bridge over the B&O Railroad is contained in the current County CIP. The current peak hour traffic on this road is about 100 vehicles. It is estimated that the volume will increase by about 300 vehicles. Therefore, it is recommended that this road be paved to a minimum width of twenty feet. Coordination with the Maryland State Game and Inland Fish Commission is necessary in order to account for possible impact on the surrounding park.
- G. Staff utilized the projected trip distribution consistent with the previous area subdivision reviews. Staff also considered the trip distribution assumed by the applicant as reasonable and no major disagreement has been found between the staff's and the applicant's analyses.

H. Staff agreed with the finding of applicant's analysis that the total projected ramp volumes are not expected to exceed the capacity of the eastbound MD 118 to southbound I-270 ramp.

4. Staff Conclusions

Staff concludes that with implementation of roadway improvements as described previously, all intersections analyzed are projected to operate at acceptable Levels of Service under background and proposed development condition as illustrated in line 4b of Table I.

Staff reiterates that approval of the proposed development is dependent on the Great Seneca Highway being programmed for construction.

KHK:RMW:bap

Attachments

A. IDENTIFICATION AND CODING INFORMATION

1. Project Number	Agency No.	Update Code
713129		PENDING PROJECTS

2. Date DEC. 5, 1980

REVISED:

1102

yes

3. Project Name GREAT SENECA HIGHWAY

5. Agency TRANSPORTATION

4. Program TRANSPORTATION

6. Planning Area GAITHERSBURG VICINITY

B. EXPENDITURE SCHEDULE (000's)

Cost Elements	(8) Total	(9) Thru FY 80	(10) Estimate FY 81	(11) Total 6 Years	(12) Year 1 FY 82	(13) Year 2 FY 83	(14) Year 3 FY 84	(15) Year 4 FY 85	(16) Year 5 FY 86	(17) Year 6 FY 87	(18) Beyond 6 Years
Planning, Design & Suprv.	2400	298	156	1280	220	200	200	250	205	205	666
Land	4025			4025		625	1700	1700			
Site Impvts. and Utilities											
Construction Furniture and Equip.	16465	301		8365				2705	2820	2820	7819
6. Total	22890	599	156	13650	220	825	1900	4655	3025	3025	8485

C. FUNDING SCHEDULE (000's)

	(8) Total	(9) Thru FY 80	(10) Estimate FY 81	(11) Total 6 Years	(12) Year 1 FY 82	(13) Year 2 FY 83	(14) Year 3 FY 84	(15) Year 4 FY 85	(16) Year 5 FY 86	(17) Year 6 FY 87	(18) Beyond 6 Years
CO BONDS	6084	505	55	3418	55	206	475	1164	756	757	2121
FED AID	16796	94	101	10237	165	619	1425	3491	2269	2268	6364

D. DESCRIPTION AND JUSTIFICATION PROJECT NO. 713129 PROJECT NAME Great Seneca Highway

1. **DESCRIPTION:** This project includes the design, land acquisition and construction of a highway on the western side of I-270 between Germantown and Rockville. Under a federally funded Environmental Impact Statement the County is studying the following alternatives: 1) Do nothing; 2) Master Plan Alignment and Modifications; 3) Riffle Ford Road-Maryland Route 28, and 4) Clopper Rd. The Master Plan Alignment extends from Route 28 to Middlebrook Rd., a distance of 6.5 miles. **Service Area:** This project will serve the western area of the I-270 urban corridor.
2. **JUSTIFICATION:** **Plans & Studies:** This project is included in the Gaithersburg vicinity and Germantown Master Plans. **Specific Data:** Construction of this project will provide relief to the congestion on I-270 and improve mobility in the area.
3. **STATUS:** The southern section is operational. The Environmental Impact Statement under way is expected to be completed in FY82.
4. **OTHER:** This project may be partially funded through federal aid, and front foot benefit assessments in an amount subject to the limitation of benefits. Estimated cost refer to the Master Plan Alignment. The EIS, however, may recommend other alternatives, in which case the cost estimate would be revised. The relocation impact noted in Box G. above assumes the Master Plan Alignment; other alignments may have relocation impacts, but are as yet undetermined.

E. ANNUAL OPERATING BUDGET IMPACT \$ (000's)

	Core Cost	Add'l (Rec)	Total Cost	Impact FY 81
Program Costs Staff (2)	0	0	0	30
Program Costs Other	0	0	0	
Facility Maintenance	0	0	0	
Energy Costs	0	0	0	
Facility Debt Svc	609	0	609	81
Offset Cost Savings	0	0	0	00
Offset Revenue	0	0	0	00
Net Impact	609	0	609	00
Staff Positions	0	0	0	00

F. APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	7/1	(000's)
Initial Cost Estimate		8,527
First Cost Est Current Scope (1)		19,848
Last FY's Cost Estimate		20,300
Present Cost Estimate (1)		22,890
Cumulative Appropriation	857	Expenditures/ Encumbrances
		779
		Unencumbered Balance
		78
Appropriation Request, Budget Year FY 82		118
Supplemental Appropriation Request		
Current Year FY 81		0

G. RELOCATION IMPACT:

H. MAP Map Reference Code:

C11K

I. COORDINATION INFORMATION

SNA (MD Routes 118, 28, 117 and 355, and I-370)
 M-NCPPC - Master Plans for Germantown and Gaithersburg vicinity.
 City of Gaithersburg
 City of Rockville
 Muddy Branch Road (663899), Longdraft Road (743799) and Quince Orchard Road (813710)

A. IDENTIFICATION AND CODING INFORMATION

1. Project Number	Agency No.	Update Code
803461		PENDING PROJECTS

2. Date DEC. 5, 1980

REVISED:

1157

3. Project Name WARING STA. RD. BRIDGE REPLACHT

4. Agency TRANSPORTATION

5. Program TRANSPORTATION

6. Planning Area GAITHERSBURG

B. EXPENDITURE SCHEDULE (000's)

Cost Elements	(8) Total	(9) Thru FY 80	(10) Estimate FY 81	(11) Total 6 Years	(12) Year 1 FY 82	(13) Year 2 FY 83	(14) Year 3 FY 84	(15) Year 4 FY 85	(16) Year 5 FY 86	(17) Year 6 FY 87	(18) Beyond 6 Years
1. Planning, Design & Survey	235	2	150	83	10	38	35				
2. Land	48			48	48						
3. Site Improv. and Utilities											
4. Construction	1175			1175		600	575				
5. Furniture and Equip.											
6. Total	1458	2	150	1306	58	638	610				

C. FUNDING SCHEDULE (000's)

CO BONDS	293	2	36	261	12	127	122				
FED AID	1165		120	1045	46	511	488				

D. DESCRIPTION AND JUSTIFICATION PROJECT NO. 803461 PROJECT NAME WARING STA. RD. -BRIDGE REPLACE

1. **DESCRIPTION.** This project includes the replacement of the existing bridge on Waring Station Road over the B & O Railroad. Roadway approach work on both sides of the bridge to meet existing grade is also covered by the scope of this project. Roadway approaches will provide for approximately 400 linear feet of 4-lane arterial highway within an 80' R/W. Bridge design will provide for 50' wide paving with curb, gutter and sidewalk/bikeway on both sides.

2. **JUSTIFICATION.** Plans and Studies: Design plans and specs to be furnished by MCDOT, in accordance with adopted Master Plan. Specific Data: Waring Station Road is a primary access to proposed Gunners Lake Village. With increased vehicular traffic from the development of Gunners Lake Village, the existing one-lane bridge and narrow roadway will present a safety hazard. The existing bridge is posted for a maximum load of only 16,000 lbs. Cost Increase: Not applicable.

3. **STATUS.** Preliminary Design Stage. Plans are to be developed by the consultant firm of Rummel, Klepper & Kahl.

4. **OTHER:** The project scope has remained the same. As part of development of Gunners Lake Village, the developer has agreed to reconstruct Waring Station Road from the B & O bridge northward to connect into a proposed arterial roadway (A-74) within the subdivision. This project will be submitted to the FHWA for Federal funds under the Federal Bridge Replacement Program. If this project qualifies, Federal funds will be available for 80% of the project cost. The design will be provided by an outside consultant. Sufficient appropriation is needed to encumber the anticipated fee and review costs.

E. ANNUAL OPERATING BUDGET IMPACT \$ (000's)

	Cur Cost	Sub Cost	Total Cost	FY of Impact
Program Effects Street	0	0	0	00
Program Effects Other	0	0	0	
Facility Maintenance	0	0	0	
Energy Costs	0	0	0	
Facility Dist Src	29	0	29	81
Offset Cost Savings	0	0	0	00
Offset Revenue	0	0	0	00
Net Impact	29	0	29	00
Staff Positions	0	0	0	00

F. APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	80	(000's)
Initial Cost Estimate	710	
First Cost Est Current Scope ()	710	
Last FY's Cost Estimate	1,458	
Present Cost Estimate ()	1,458	
Cumulative Appropriation	212	
Expenditures/Encumbrances	3	
Unencumbered Balance	209	
Appropriation Request, Budget Year FY 82	0	
Supplemental Appropriation Request Current Year FY 81	0	

G. RELOCATION IMPACT:

H. MAP: Map Reference Code: A10J



I. COORDINATION INFORMATION

B & O RAILROAD
WMATA
M-DCPPC
MSHA
FHWA

Table I. Intersection Level of Service (and Critical Lane Volumes
Under Various Development Schemes

Development Condition	MD 138/Middlebrook Rd.		MD 118/Aircraft Dr.		MD 355/Middlebrook Rd.		MD 117/MD 118		MD 117/Waring Station Rd.	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
1. Existing Traffic										
a. Existing Geometrics	A (825)	A (623)	A (780)	B/C (1164)	A (733)	A (935)	A (695)	A (686)	A (970)	A (803)
2. Background (Existing plus planned) Traffic										
a. Existing Geometrics	F (1858)	F (1680)	D (1369)	F (2004)	F (1920)	F (1757)	B (1075)	B/C (1149)	E (1517)	D (1352)
3. Background Traffic Plus 118 Club I Developments										
a. Existing Geometrics	F (2923)	F (2637)	F (1843)	F (2594)	F (2468)	F (2338)	F (1763)	F (2045)	F (1937)	F (1770)
b. With Roadway Improve- ments of 118 Club I	D (1404)	D/E (1431)	D/E (1468)	F (1622)	F (1667)	E (1522)	C/D (1291)	D/E (1429)	B (1105)	A/B (1018)
4. Background Traffic Plus 118 Club & Full Site (1-81150) Developments										
a. Existing Geometrics	F (3354)	F (2855)	F (2033)	F (2394)	F (2612)	F (2482)	F (1798)	F (2063)	F (2247)	F (2178)
b. With Roadway Improve- ments of 118 Club I and II plus 1-81150 recommended improve- ments	D/E (1456)	D (1407)	D (1354)	D/E (1471)	B/C (1153)	B/C (1149)	C/D (1309)	D/E (1448)	D (1415)	C (1204)

Attachment E



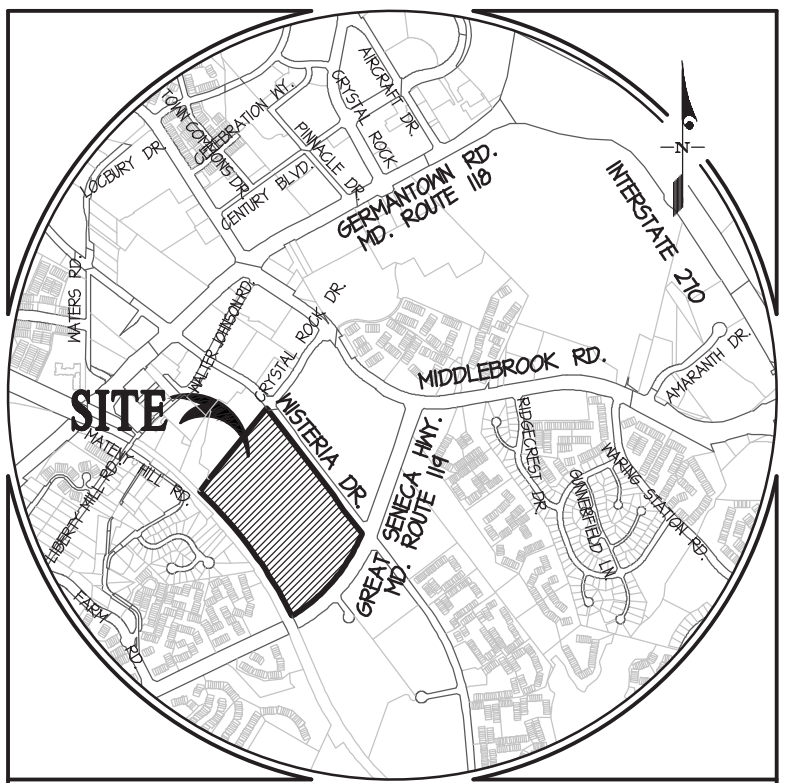
Department of Permitting Services Fire Department Access and Water Supply Comments

DATE: 23-Feb-23
TO: Tim Longfellow
Gutschick Little & Weber, PA
FROM: Marie LaBaw
RE: Seneca Place
81982008A

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **20-Feb-23**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** New maintenance building on existing site *****



VICINITY MAP

SCALE: 1" = 2,000'
WSSC GRID: 226 NW 13
ADC MAP BOOK GRID: EU-341

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

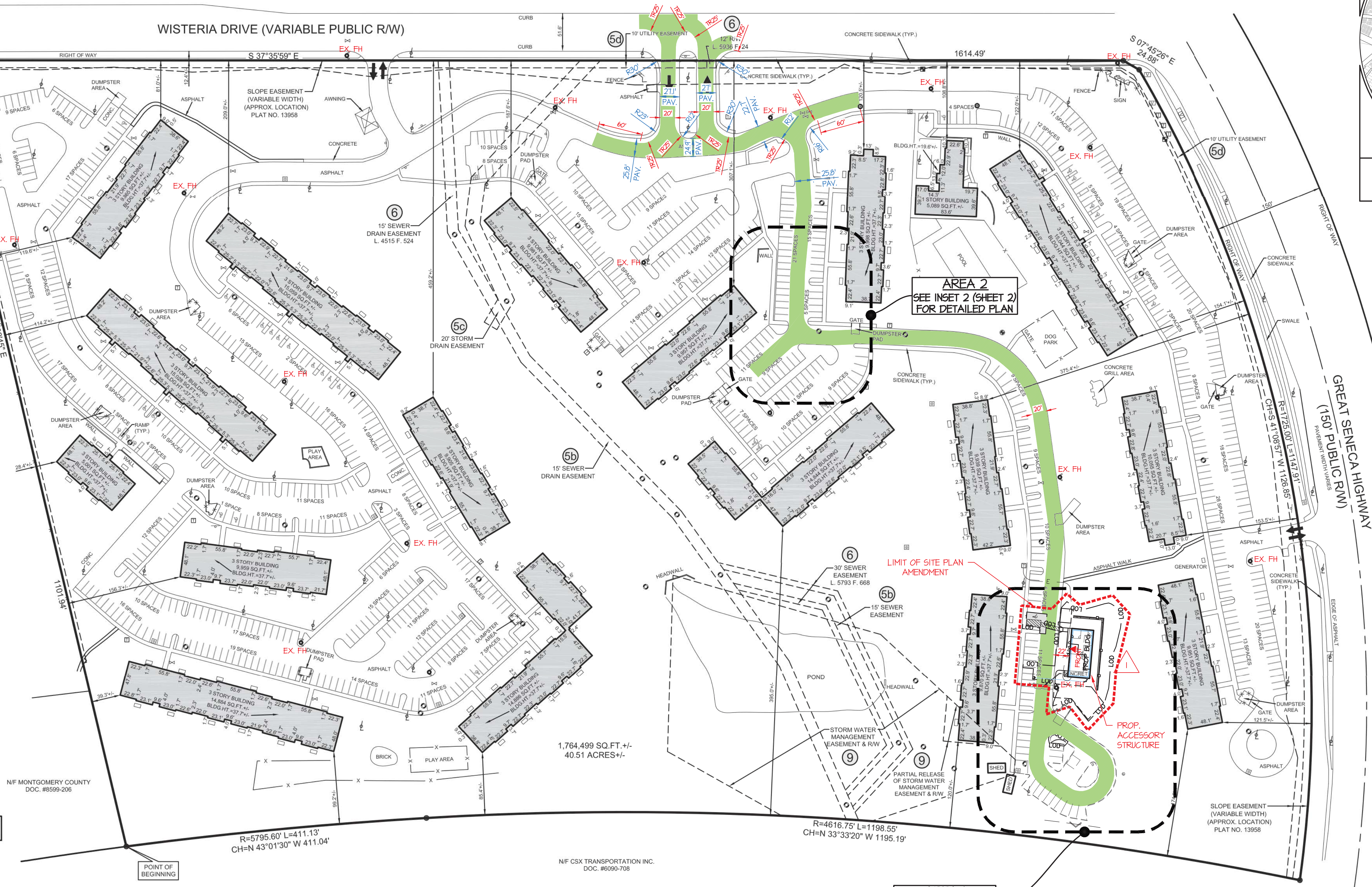
BY: S.M.C. FH: 43 DATE: 2/23/2023

LEGEND

- EX. BUILDING
- PROP. BUILDING
- EX. CURB
- PROP. CURB
- EX. SIDEWALK
- PROP. SIDEWALK
- EX. SEWER
- PROP. SEWER
- EX. WATER
- PROP. WATER
- EX. STORM DRAIN
- PROP. STORM DRAIN
- PROP. FIRE ACCESS ROUTE
- MAIN ENTRANCE DOOR
- PROP. FIRE HYDRANT
- PROP. TURNING RADIUS
- PROP. CURB RADIUS & PAVEMENT WIDTH (CURB TO CURB)
- PROP. FIRE DEPARTMENT APPARATUS ACCESS PATH WIDTH

LEGEND OF SYMBOLS & ABBREVIATIONS

POWER POLE	TRAFFIC SIGNAL BOX	MANHOLE
LIGHT POLE	SIGNAL LIGHT POLE	CLEAN OUT
GUY WIRE	SIGNAL LIGHT	GAS MANHOLE
ELECTRIC MANHOLE	VAULT	GAS VALVE
ELECTRIC METER	SIGN (AS NOTED)	GAS METER
ELECTRIC VAULT	TOWER	HANDICAPPED PARKING
TRANSFORMER	MONITORING WELL	MITERED END SECTION
AIR CONDITIONER UNIT	FLAG POLE	BENCHMARK
TELEPHONE MANHOLE	WATER VALVE	RECORD
TELEPHONE PEDESTAL	FIRE HYDRANT	MEASURED
CABLE BOX	SIAMSE FIRE HYDRANT	VOL. VOLUME
STORM DRAIN MANHOLE	WATER MANHOLE	PG. PAGE
STORM DRAIN INLET	BACKFLOW PREVENTER	O.R. OFFICIAL RECORDS
STORM PIPE	WATER METER	INDICATES MUTUAL OWNERSHIP
GREASE TRAP	WELL HEAD	FOUND CONCRETE MONUMENT
SET IRON PIN	FOUND PK NAIL	GAS MARKER, UNLESS OTHERWISE NOTED
FOUND IRON PIN	FOUND RAILROAD SPIKE	
X	FENCE	
OH	OVERHEAD WIRES	
POINT OF BEGINNING		
POINT OF ACCESS		



Site Plan Amendment 81982008A Summary:
Construction of a 30' x 66' maintenance building (accessory use) within an existing open space area.

PROFESSIONAL/ENGINEER'S CERTIFICATION
THE UNDERSIGNED LICENSED PROFESSIONAL ENGINEER CERTIFIES THAT THE SITE PLANS HEREIN CONFORM TO THE STANDARDS OF THE ZONE, AND THE PLANNING BOARD SITE PLAN OPINION. IN ADDITION, THE SITE PLANS ARE CONSISTENT WITH THE DATA TABLE PROVIDED ON THE COVER SHEET. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 24914 EXPIRATION DATE: January 20, 2024.

2/10/2023
Date
Tim M. Longfellow
Professional Engineer
Gutschick, Little & Neber, P.A.

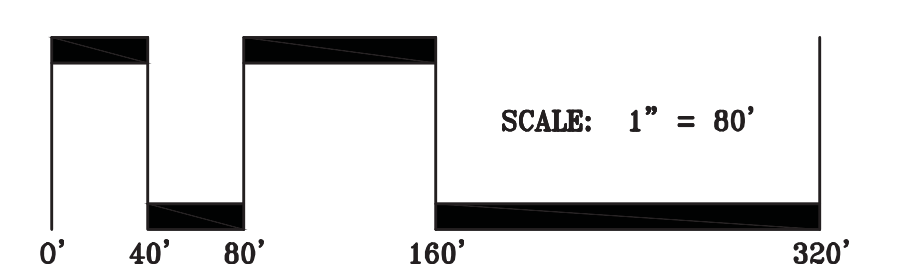
DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval No. 81982008A, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: UDR Company
Address: 5579 Harrington Falls Lane, Alexandria, Virginia 22312
Phone: (703) 750-0017
Signature: J. Brett Ponchione

SITE PLAN No. 81982008A



DESIGNED BY:	KAB				
DRAWN BY:	KAB				
CHECKED BY:	TML				
DATE		REVISION		BY	APP'R



PREPARED FOR:
UDR
5579 HARRINGTON FALLS LANE
SUITE No. 1054
ALEXANDRIA, VA 22312
ATTN: J. BRETT PONCHIONE
P: 703-750-0017

SCALE
1" = 80'
DATE
JAN. 2023

ZONING
CR-1.0 (C-0.25, R-0.75, H-90)
TAX MAP - GRID
EU-341
WSSC:226NW13

FIRE ACCESS PLAN
SENECA PLACE
PARCEL P GUNNERS LAKE VILLAGE
Plat No. 13958
LIBER: 63334 FOLIO: 64

G. L. W. FILE No.
22006
SHEET
1 OF 2

L:\CADD\DRAWINGS\22008\PLANS BY GLW\SITE PLAN\Exhibit 22008 SPA 01 Fire Access Exhibit.dwg, PLOTTED: 2/20/2023 11:46 PM, LAST SAVED: 2/10/2023 3:26 PM, PLOTTED BY: Keith Bennett



Attachment F

DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Ehsan Motazed
Acting Director

December 23, 2022

Ms. Lisa Whitten
Gutschick, Little, & Weber, P.A.
3909 National Drive
Suite 250
Burtonsville, MD 20866

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Seneca Place
Address: 19200 Circle Gate Drive
Site Plan Amendment #: 81982008A
SM File #: 288681
Tract Size: 1,764,493 sf/40.51 Ac.
Zone: CR-1.0(C-0.25,R-0.75,H-90)
Total Concept Area: 10,450 sf/0.24 Ac.
Parcel(s): P
Watershed/Use Class:
Middle Great Seneca Creek/I
Type of Development: New development

Dear Ms. Whitten:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via the use of dry wells and landscape infiltration.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping in areas located within the stormwater management easements which are shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purposes only, and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Montgomery County Department of Permitting Services, Water Resources Section.

This list may not be all-inclusive and may change based on available information at the time.



2425 Reddie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingervices

Ms. Lisa Whitten
December 23, 2022
Page 2 of 2

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Sherry Mitchell at 240-777-5206 or sherryl.mitchell@montgomerycountymd.gov.

Sincerely,



Mark Etheridge, Manager
Water Resources Section
Division of Land Development Services

cc: Neil Braunstein
SM File # 288681

ESD: Required/Provided 373 cf / 758 cf
PE: Target/Achieved: 1.8"/2.38"
STRUCTURAL: N/A cf
WAIVED: N/A ac.

DPS-ROW CONDITIONS OF APPROVAL

January 9, 2023

81982008A Seneca Place

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-BSITE-81982008A-003.pdf” uploaded on/ dated **“10/24/2022”**.

As there seems to be minimal impact to the County ROW, we do not have any comment at this point.