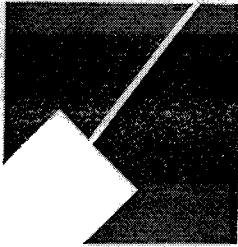


M-NCPPC



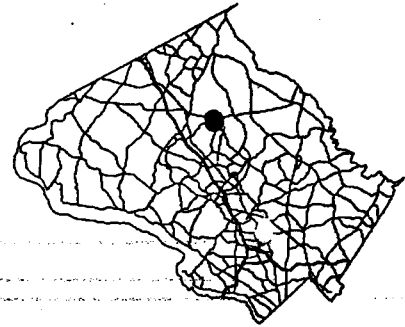
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Item #6  
10/1/01

MEMORANDUM



**DATE:** September 26, 2001

**TO:** Montgomery County Planning Board

**VIA:** Joseph R. Davis, Chief, Development Review Division

**FROM:** A. Malcolm Shaneman, Supervisor, and Richard Weaver Senior Planner,  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision

**APPLYING FOR:** 33 Independent Elderly or Handicapped

**PROJECT NAME:** Meadow Ridge Seniors' Village

**CASE NO.** 1-01073

**REVIEW BASIS:** Chapter 50, Montgomery County, Subdivision Regulations

**ZONE:** R-200

**LOCATION:** Southwest Corner of Wightman Road and Pratherstown Road

**MASTER PLAN:** Montgomery Village/Airpark

**APPLICANT:** National Seniors Housing Corporation

**HEARING DATE:** October 1, 2001

---

**STAFF RECOMMENDATION:** Approval, Subject to the Following:

## **Conditions of Approval For 1-01073 -Meadow Ridge Seniors' Villas**

**Staff Recommendation:** Approval, Pursuant to Section 50-29 (b) (2) of the Montgomery County Subdivision Regulations, Including Abandonment of Cordenary Court and Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to a maximum of thirty-three (33) Elderly Independent Housing Units as approved by the Board of Appeals Case No. S-2423
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 3) All road rights-of-ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Gaithersburg Master Plan, and to the design standards imposed by all applicable road codes
- 4) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Gaithersburg Master Plan, unless otherwise designated on the preliminary plan
- 5) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- 6) Record plat to provide for dedication of 80 feet of right-of-way for Wightman Road
- 7) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 8) Access and improvements as required and approved by MCDPWT prior to release of access permits
- 9) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 10) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 11) The validity of this preliminary plan is dependent upon the applicant abiding by the terms and conditions associated with B.O.A. Case S-2423
- 12) Other necessary easements

### **Discussion**

#### **Prior Planning Board Action**

Prior reviews for the subject site included a special exception for elderly housing under Board of Appeals Case No. S-2423 and a Pre-Preliminary Plan application 7-00026. The Planning Board reviewed the special exception on May 17, 2000. The Board

recommended approval of the application to permit the construction of ten single-family villas for a total of 33 residences. The Board of Appeals held hearings in, May, June, July and September of 2000 and later granted the requested special exception under final opinion dated November 20, 2000. One of the conditions associated with that opinion required the holder of the special exception to obtain approval of a subdivision plan by the Planning Board.

Pre-Preliminary Plan No 7-00026 was brought before the Planning Board on February 22, 2001. At this hearing the Board and staff discussed the applicability of the resubdivision criteria (Section 50-29 (b)(2)) to the project. The Board was satisfied that the lots, as proposed, met the resubdivision criteria based on the lot configuration portrayed on the submitted plans. Based on issues raised by the community, the Board asked the Transportation Planning staff to provide additional measurements of the trip generation numbers associated with this type of elderly housing. With this, the Board had no objection to submission of a preliminary plan subject to the application complying with all provisions of Chapter 50, the subdivision regulations and including 50-29 (b)(2).

### **Current Planning Board Reviews**

Application No. 1-01073, for Meadow Ridge Seniors' Villas, was submitted for review on May 2, 2001. Again, this plan was reviewed pursuant to Section 50-29 (b)(2), the resubdivision criteria. In their review, staff compared the proposed lots to the lots defined in the neighborhood delineation map (attached). The lots within the defined neighborhood contain only whole, recorded lots that are: 1) abutting the subject property, 2) within the block, and 3) that are within an area that will be influenced by the proposal primarily along Bell Bluff Road and Bell Bluff Court.

Transportation Planning also reviewed the trip generation numbers as directed by the Planning Board at the Pre-Preliminary Plan. Actual counts were taken at an existing elderly housing facility (Asbury Villas) to compare with the standard Institute of Transportation Engineers (ITE) trip generation factors used in the original Transportation Planning study. The Transportation Planning staffs' review, dated September 20, 2001, is attached to this memorandum

### **Conclusion**

Staff has reviewed this application under the provisions of Chapter 50, Subdivision Regulations, and finds this preliminary plan to comply with the applicable sections of this chapter. The proposed lot configuration, reflected on the preliminary plan, is in keeping with the large lot configuration found in the adjacent Goshen Estates Subdivision and defined neighborhood and therefore satisfies the provisions of 50-29(b)(2). Based on the information submitted as part of the preliminary plan application

and the reviews by staff, staff is recommending approval of this application with the conditions enumerated on page 2 of this report.

### **Attachments**

Vicinity Map	5
GIS Development Map	6
Neighborhood Delineation	7
Applicant's Proposal	8
Tabular Summary (Resub Table)	9 - 10
Pre-Preliminary Plan	
Planning Board Opinion	11
Transportation Analysis	12- 19
Board of Appeals Opinion	20 -

**MEADOW RIDGE SENIORS' VILLAGE (1-01073)**



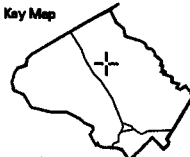
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland -National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998



8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



A horizontal scale bar with a black and white alternating pattern. The number '0' is at the left end and '400' is at the right end.

**1:4800**

## VICINITY MAP FOR

**MEADOW RIDGE SENIORS' VILLAGE (1-01073)**

Map compiled on June 06, 2001 at 4:21 PM | Site located on base sheet no - 228NW09

**NOTICE**

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

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**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**  
**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**  
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3750

Key Map



Research &amp; Technology Center

0 400

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# MEADOW RIDGE SENIORS' VILLAS (7-00026)





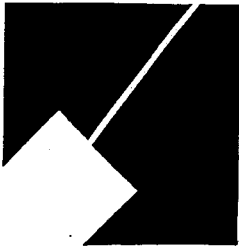
# TABULAR Summary

## MEADOW RIDGE SENIORS VILLAS

SUBDIVISION	BLOCK	LOT NO.	PLAT BOOK & PLAT NO.	DATE RECORDED	ORIGINAL SUBDIVISION	RESUB.	FRONTAGE	ALIGNMENT	SIZE	SHAPE	WIDTH @ STREET	AREA	COMMENT
Prathertown	A	1	75/7436	6/12/64	Y	N	144 L.F.	Angled w/ St.	109 x 402	Trapezoid	144 L.F.	38,357 s.f.	R-200
Prathertown	A	2	75/7343	4/1/64	Y	N	139 L.F.	Angled w/ St.	126 x 308	Triangular	139 L.F.	28,070 s.f.	R-200
Prathertown	A	3	79/8054	12/8/65	Y	N	150 L.F.	Perpendicular	165 x 264	Rectangular	150 L.F.	43,560 s.f.	R-200
Goshen Est.	C	31	98/11010	6/24/75	Y	N	357 L.F.	Angled w/ St.	302 x 332	Panhandle	357 L.F.	121,764 s.f.	RE-2
Goshen Est.	C	34	98/11009	6/24/75	Y	N	220 L.F.	Angled w/ St.	200 x 275	Panhandle	220 L.F.	82,900 s.f.	RE-2
Goshen Est.	C	35	98/11009	6/24/75	Y	N	284 L.F.	Angled w/ St.	257 x 258	Panhandle	284 L.F.	79,996 s.f.	RE-2
Goshen Est.	C	36	98/11009	6/24/75	Y	N	383 L.F.	Angled w/ St.	206 x 292	Trapezoid	383 L.F.	64,865 s.f.	Cor. Lot, RE-2
Goshen Est.	S	1	100/11326	9/14/76	Y	N	57 L.F.	Angled w/ St.	254 x 636	Panhandle	57 L.F.	89,531 s.f.	R-200
Goshen Est.	S	2	98/11009	6/24/75	Y	N	30 L.F.	Angled w/ St.	197 x 318	Panhandle	30 L.F.	62,162 s.f.	R-200
Goshen Est.	S	3	98/11009	6/24/75	Y	N	30 L.F.	Angled w/ St.	175 x 263	Panhandle	30 L.F.	55,699 s.f.	R-200
Goshen Est.	S	4	98/11009	6/24/75	Y	N	207 L.F.	Angled w/ St.	238 x 307	Trapezoid	207 L.F.	74,268 s.f.	R-200
Goshen Est.	S	5	98/11009	6/24/75	Y	N	433 L.F.	Perpendicular	226 x 262	Rectangular	433 L.F.	60,789 s.f.	Cor. Lot, R-200
Goshen Est.	S	6	98/11009	6/24/75	Y	N	175 L.F.	Angled w/ St.	167 x 290	Irregular	175 L.F.	53,701 s.f.	R-200
Goshen Est.	S	7	100/11326	9/14/76	Y	N	340 L.F.	Angled w/ St.	212 x 355	Irregular	340 L.F.	59,927 s.f.	R-200
Goshen Est.	S	8	100/11326	9/14/76	Y	N	219 L.F.	Angled w/ St.	151 x 340	Irregular	219 L.F.	56,340 s.f.	R-200
Goshen Est.	S	9	100/11326	9/14/76	Y	N	190 L.F.	Angled w/ St.	303 x 362	Irregular	190 L.F.	89,367 s.f.	R-200
Goshen Est.	S	10	100/11327	9/14/76	Y	N	454 L.F.	Angled w/ St.	216 x 263	Rectangular	454 L.F.	58,447 s.f.	Cor. Lot, R-200
Goshen Est.	S	11	100/11327	9/14/76	Y	N	266 L.F.	Angled w/ St.	182 x 300	Trapezoid	266 L.F.	54,774 s.f.	R-200
Goshen Est.	S	12	100/11328	9/14/76	Y	N	151 L.F.	Perpendicular	151 x 322	Rectangular	151 L.F.	47,810 s.f.	R-200
Goshen Est.	S	13	100/11328	9/14/76	Y	N	117 L.F.	Angled w/ St.	135 x 358	Irregular	117 L.F.	51,755 s.f.	R-200

SUBDIVISION	BLOCK	LOT NO.	PLAT BOOK & PLAT NO.	DATE RECORDED	ORIGINAL SUBDIVISION	RESUB.	FRONTAGE	ALIGNMENT	SIZE	SHAPE	WIDTH @ STREET	AREA	COMMENT
Goshen Est.	S	14	100/11328	9/14/76	Y	N	105 L.F.	Angled w/ St.	129 x 388	Irregular	105 L.F.	53,008 s.f.	R-200
Goshen Est.	S	15	100/11328	9/14/76	Y	N	44 L.F.	Angled w/ St.	187 x 368	Irregular	44 L.F.	62,120 s.f.	R-200
Site		1	N/A	N/A	No	Yes	421 L.F. +/-	Perpendicular	200 x 380	Irregular	421 L.F. +/-	60,550 s.f. +/-	corner lot
		2	N/A	N/A	No	Yes	195 L.F. +/-	Perpendicular	190 x 380	Irregular	195 L.F. +/-	65,754 s.f. +/-	
		3	N/A	N/A	No	Yes	120 L.F. +/-	Perpendicular	150 x 390	Irregular	120 L.F. +/-	54,593 s.f. +/-	
		4	N/A	N/A	No	Yes	150 L.F. +/-	Perpendicular	170 x 440	Irregular	150 L.F. +/-	70,668 s.f. +/-	open space
		Total	N/A	N/A	No	Yes	886 L.F.		377 x 446+/-	Rectangular	886 L.F.	251,566 s.f. +/-	corner lot

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Date Mailed: March 29, 2001

Action: Approved Staff Recommendation

Motion of Comm. Bryant, seconded by  
Comm. Perdue with a vote of 3-0;

Comms. Bryant, Perdue and Wellington  
voting in favor

Comms. Holmes and Hussmann absent

## MONTGOMERY COUNTY PLANNING BOARD

### OPINION

Pre-Preliminary Plan 7-00026

NAME OF PLAN: MEADOW RIDGE SENIORS' VILLAS (RESUBDIVISION)

On 02/14/00, NATIONAL SENIORS HOUSING CORPORATION submitted an application for the approval of a pre-preliminary plan of subdivision of property in the R-200 zone. The application proposed to create 4 lots on 5.79 acres of land. The application was designated Preliminary Plan 7-00026. On 02/22/01, Pre-Preliminary Plan 7-00026 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 upon the testimony and evidence presented by staff and on the information on the Pre-Preliminary Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Pre-Preliminary Plan 7-00026 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and has **no objection** to the submission of a preliminary plan application, pursuant to the provisions set forth in Chapter 50, Subdivision Regulations.


In accordance with the provisions of Section 50-33A(b) of the Montgomery County Subdivision Regulations, an application for preliminary plan must be filed by May 23, 2001 (90 days from Planning Board approval), or the pre-preliminary plan will expire.


#6  
10-1-01

September 20, 2001

**MEMORANDUM**

TO: Malcolm Shaneman, Supervisor  
Development Review Division

VIA: Ronald C. Welke, Supervisor  
Transportation Planning 

FROM: Ed Axler, Coordinator/Planner   
Transportation Planning

SUBJECT: Preliminary Plan No. 1-01073  
Meadow Ridge Seniors' Village  
Montgomery Village/Airpark Policy Area

---

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan for an independent-living elderly housing development.

**RECOMMENDATIONS**

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approving the preliminary plan based on the attached Amended Traffic Statement dated March 16, 2000:

1. Limit the housing development to a maximum of 33 independent-living units for residents over 62 years old or handicapped.
2. Satisfy Policy Area Review by entering into a traffic mitigation agreement with the Planning Board to schedule employees' work hours so that they do not travel during the weekday morning peak period (7:00 to 9:00 a.m.) and the evening peak period (4:00 and 6:00 p.m.). The employees' hours should be as follows:
  - a. Arriving before 7:00 a.m., between 9:30 a.m. and 4:00 p.m., and after 6:30 p.m.

- b. Departing before 6:30 a.m., between 9:00 a.m. and 3:30 p.m., and after 6:00 p.m.
3. Upgrade Prathertown Road to tertiary residential road standards as approved by the Montgomery County Department of Public Works and Transportation (DPWT).
4. Construct a four-foot sidewalk along the property frontage of Prathertown Road and Wightman Road.
5. Coordinate with DPWT regarding the need for deceleration and/or acceleration lanes at the intersection of Wightman Road and Prathertown Road. If the lanes are required, construct such lanes.

## DISCUSSION

### Site Location and Access

The site is located in the southeast quadrant of the intersection with Wightman Road and Prathertown Road. The proposed site vehicular access is from Prathertown Road which connects to Wightman Road. Sidewalks are proposed within the site, along driveway leading into the site from Prathertown Road, and along Prathertown Road between the site access point and Wightman Road.

### Master Plan Roads and Bikeways

According to the *Gaithersburg Vicinity Park Master Plan*:

1. Wightman Road is designated as an arterial, A-36, with an 80-foot right-of-way. Forty feet of right-of-way has already been dedicated between the northern property frontage and the centerline of Wightman Road.
2. Prathertown Road is a narrow road with variable right-of-way and no designation in the master plan.
3. Warfield Road is designated as a primary road, P-1, with a 70-foot right-of-way.

### Accident History on Wightman Road Near Prathertown Road

The accident history was investigated regarding safety concerns along Wightman Road at Prathertown Road. Based on the Maryland Accident Record System (MARS), two reported accidents involving personal injury and/or towed vehicles occurred in the three-year period between 1996 and 1998 for locations within 250 feet of Prathertown Road along Wightman Road:

1. A head-on three-vehicle accident with injuries in 1997.
2. A single-vehicle run-off-the-road accident in 1998.

The relative safety is better because the traffic impact of a 33-unit housing development for the elderly is only 20% to 25% of the impact of a single-family development of ten detached units which was previously approved for the site.

At the Planning Board hearing for the special exception on April 6, 2000, public testimony was given that 18 accidents have occurred along Wightman Road. The source of that data was from accident records available through a sergeant in the Germantown Police Station. The locations of 18 accidents reported along Wightman Road between Brink Road and Goshen Road in the years 1998 and 1999 are shown on the table and attached map.

The entire length of Wightman Road is approximately 8,200 feet or a segment of one and a half miles. From the list of 18 reported accidents, only four occurred within 1,500 feet of the subject site (with the cause in parentheses within the table below).

Location	Approximate Distance from Prathertown Road	Reported Accidents		
		Year 1998	Year 1999	Total
Bell Bluff Road	1,300 feet	0	1 (inattention)	1
Warfield Road	400 feet	1 (Vehicle backing up)	0	1
Prathertown Road	At Site	1 (hit an animal)	1 (driving too fast)	2
Strath Haven Drive	1,700 feet	1	0	1
Aspenwood Lane	2,500 feet	3	0	3
Montgomery Village Avenue	3,300 feet	3	2	5
Sparrow Valley Drive	3,800 feet	3	1	4
Goshen Road	5,200 feet	1	0	1
Totals		13	5	18

### Prior Actions

1. Preliminary Plan No. 1-89096, Benson Property, was approved on November 11, 1989, and Site Plan No. 8-9002 on September 17, 1990 for eleven single-family detached units. Record Plat No. 2-95182 was submitted and signed by the Planning Board on January 5, 1995. The Planning Board approved the first two requests for a three-year extension for the preliminary plan, but denied the third requested extension on October 10, 1996. However, recordation occurred prior to the expiration of the second extension. One single-family detached unit was subsequently sold to another person.
2. The Planning Board recommended that Special Exception No. S-2423 be granted at a public hearing on April 6, 2000. The Board of Appeals granted the special exception use with an effective date of the opinion of November 20, 2000.

3. Pre-Preliminary Plan No. 7-00026 was submitted and review comments were provided by the Development Review Committee at a meeting on March 13, 2000. The Planning Board recommended that the pre-preliminary plan proceed as a preliminary plan at a February 22, 2001 public hearing.

#### Local Area Transportation Review

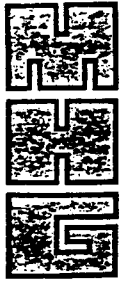
A housing development of 33 attached units for the elderly would generate two peak-hour trips during the weekday morning peak period (7:00 to 9:00 a.m.) and three peak-hour trips during the evening peak period (4:00 to 6:00 p.m.). The site-generated traffic was determined using trip-generation rates from the Institute of Transportation Engineer's *Trip Generation Report* (as land use code 253). Since the site-generated trips are fewer than 50 peak-hour trips during the weekday morning and evening peak periods, a traffic study is not required to satisfy Local Area Transportation Review (e.g., analysis of the congestion levels at nearby intersections).

#### Policy Area Review/Staging Ceiling Condition

The Montgomery Village/Airpark Policy Area has a remaining capacity of a negative 5,197 housing units and a negative 365 jobs as of August 31, 2001, in the transportation staging ceilings under *the FY 02 Annual Growth Policy*. For residential development (or 33 housing units), the proposed use would generate fewer peak-hour trips than the ten approved single-family detached units which are already in the pipeline of (approved) subdivision plans. For the non-residential development (or jobs), the employees arrive and depart during the weekday non-peak periods as described in Recommendation No. 2.

EA:cmd  
Attachment

cc: Bill Landfair  
Jeff Riese  
John Sekerak  
Bob Wells

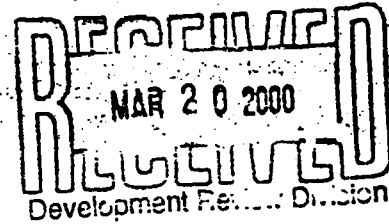


# Macris, Hendricks and Glascock, P.A.

Engineers • Planners • Surveyors

## APPENDED TRAFFIC STATEMENT

March 16, 2000



Mr. Malcolm Shaneman  
Development Review Division  
Maryland National Capital  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Meadow Ridge Seniors' Villas  
Special Exception No.: S-2423  
Pre-Application Submission No.: 7-00026  
MHG Project No. 99-366

Dear Mr. Shaneman:

As we discussed at the March 13, 2000 Development Review Committee meeting, we would like to provide the following additional information regarding the proposed Special Exception use and its relationship to existing approvals in terms of traffic elements.

The subject property of the proposed Special Exception is comprised of 10 single-family lots recorded in Plat Book 182, Plat 20209. The proposed use is "Housing and Related Facilities for Elderly or Handicapped Persons". According to the Institute of Transportation Engineers Trip Generation Report (6<sup>th</sup> Edition), the number of weekday, peak-hour trips generated by the proposed development for "Elderly Housing-Attached" (I.T.E. Land Use 253) is:

AM: 33 d.u.'s @ 0.07 trips per d.u. = 2.31 trips  
PM: 33 d.u.'s @ 0.10 trips per d.u. = 3.30 trips

The I.T.E. report does not identify if the trip rates are for residents only or if the rates include the ancillary services listed in I.T.E.'s description of the land use.

The proposed development will include limited services that will be provided by one or two employees. A "worst case" scenario of peak-hour trips generated by the proposed use would be 3.3 resident trips plus 2.0 employee trips for a total of 5.3 evening, peak-hour trips. However,



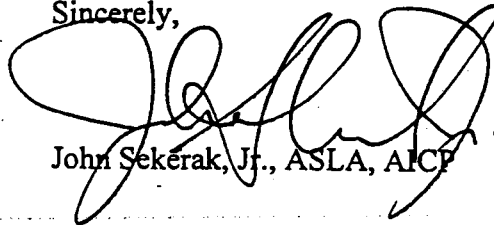
Mr. Malcolm Shaneman  
Development Review Division  
MNCP&PC  
Re: Meadow Ridge Seniors' Villas  
March 16, 2000  
Page 2

the 10 record lots of subject property account for 10 housing units currently in the pipeline. The 10 housing units would potentially generate 11.1 evening, peak-hour trips (10 units @ 1.11 trips per unit).

In summary, the proposed senior housing development would generate at least 5.8 *fewer* peak hour trips than the currently approved residential subdivision.

If you have any questions or need additional information, please feel free to call.

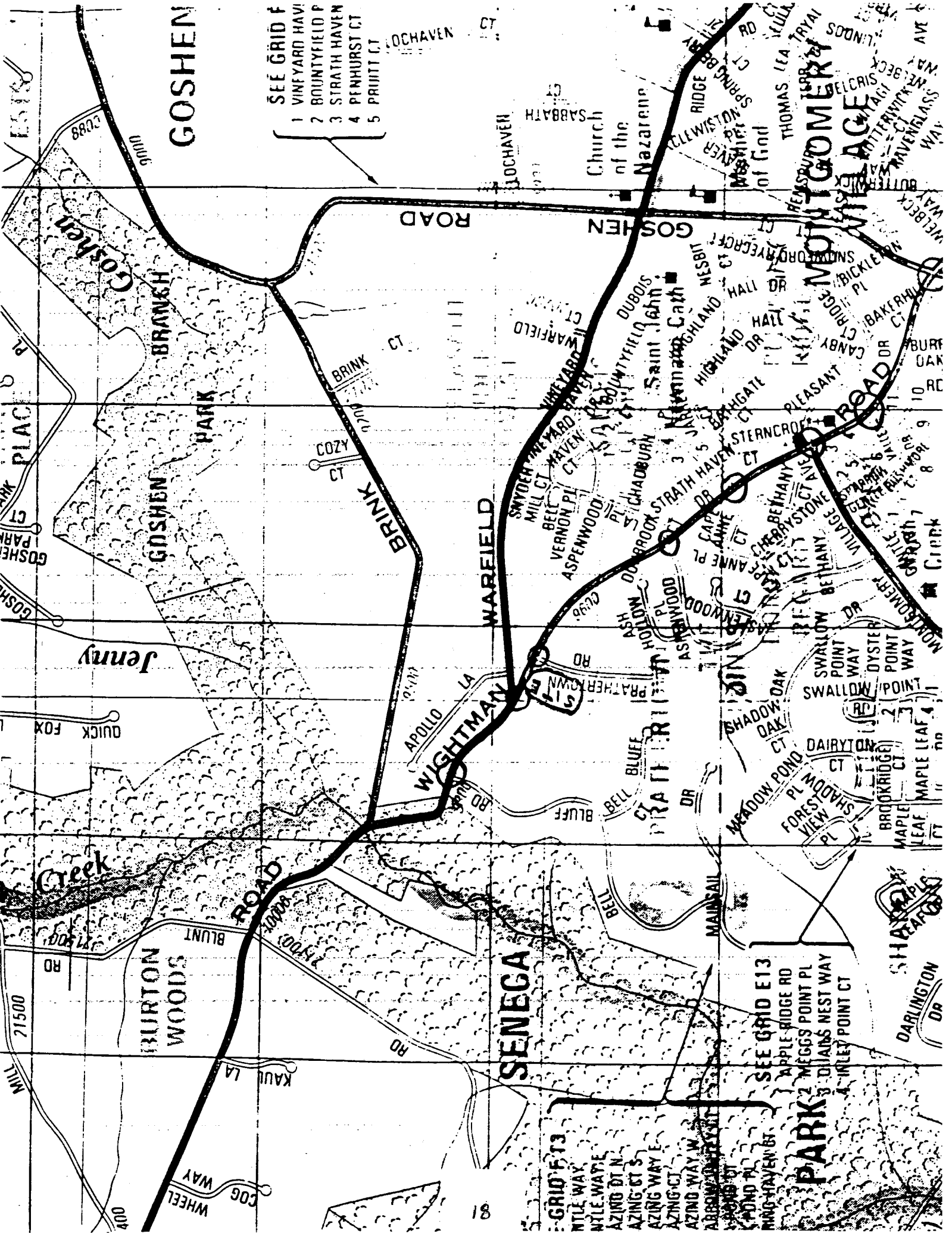
Sincerely,



John Sekerak, Jr., ASLA, AICP

cc: Mr. Bill Landfair  
Mr. Ed Axler  
Mr. Richard Koch  
Mr. Jody Kline

TS002JES.DOC



GOSHEN

- SEE GRID F
- 1 VINEYARD HAVEN
  - 2 BOUNTYFIELD P
  - 3 STRATH HAVEN
  - 4 PENHURST CT
  - 5 PRUITT CT

ROAD

GOSHEN

MONTGOMERY

BRANCH

PARK

BRINK

WAREFIELD

WIGHTMAN

SENECA

PARK

SEE GRID E13

- 1 APPLE RIDGE RD
- 2 MEGGS POINT PL
- 3 DIANS NEST WAY
- 4 INLET POINT CT

GRID F13

- 1 NILE WAY
- 2 NILE WAY E
- 3 AZING DT N
- 4 AZING CT S
- 5 AZING WAY E
- 6 AZING CT
- 7 AZING WAY W
- 8 ABBOTT WAY S
- 9 ABBOTT WAY
- 10 POND PL
- 11 POND PL
- 12 POND PL
- 13 POND PL
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## DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

September 12, 2001

Robert C. Hubbard  
Director

Ms. Carlyn Weber  
Macris, Hendricks & Glascock, P.A.  
9220 Wightman Road, Suite 120  
Montgomery Village, MD 20886-1279

Re: Stormwater Management **CONCEPT**  
**RECONFIRMATION** for Meadow Ridge Seniors'  
Villas  
SM File # 200821

Dear Ms. Weber:

Your request for a Stormwater management reconfirmation for the above site has been evaluated. The original approved SWM concept dated ( April 24, 2000, with amendments dated August 15, 2001) is hereby reconfirmed. Please adhere to all conditions required as part of that approval.

If you have any questions regarding these actions, please feel free to contact Nadine Vurdelja Piontka of my staff at 240-777-6334.

Sincerely,

Richard R. Brush, Manager  
Water Resources Section

RRB:enm:reconfirm.shl

cc: SM File # 200821

**CORRECTED OPINION,  
SIGNATURES**

**BOARD OF APPEALS  
for  
MONTGOMERY COUNTY**

**Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
(240) 777-6600**

**Case No. S-2423**

**PETITION OF NATIONAL SENIOR'S HOUSING CORPORATION**

**OPINION OF THE BOARD**

**(Hearings held May 23, June 6, June 7, June 13,  
June 20, July 19 and September 12, 2000)  
(Effective date of Opinion: November 20, 2000)**

Case No. S-2423 is a petition for a special exception to permit the construction of ten single family style villas with attached garages as residences for elderly or handicapped persons pursuant to Section 59-G-2.35 of the Zoning Ordinance of Montgomery County, Maryland, *Montgomery County Code, 1994, as amended*. (the Zoning Ordinance)

**Decision of the Board:**

**Special exception GRANTED, subject  
to conditions enumerated below.**

A public hearing was held pursuant to Section 59-A-4.11(a) of the Zoning Ordinance. Jody S. Kline, Esquire appeared for the applicant. Mr. Kline called nine witnesses in support of the application: Richard Koch, a principal of National Senior's Housing Corporation, James O'Brien, a general architect, John Sekerak, a landscape architect, James A. Ruff, a civil engineer and Greg Clucas, a real estate appraiser. Four property owners testified in support of the petition: Peggy Saunders, Dennis Barnes, Jackie Simon and Martha Cadle, a representative from the nearby Montgomery Village community. The Greater Goshen Civic Association appeared in opposition to the application through its President, Robert Goldberg. Several Association members also testified in opposition. The Board called two witnesses from the Maryland-National Capital Park and Planning Commission (M-NCPPC), Sally Roman, a housing and demographic supervisor, and William Landfair, a zoning analyst. Martin Klauber, the People's Counsel for Montgomery County, Maryland, also participated in the proceedings.

**FINDINGS OF FACT**

1. The subject property comprises 5.75 acres and is located at Lots 1 and 2, 4-11, and parcel A, block B, Prathertown subdivision located at 9700-9704, 9706, 9707, 9709, 9711 and 9713 Cordoray Court, Gaithersburg, Maryland in the R-200 zone. The site has approximately 230 feet of frontage on Wightman Road and approximately 640 feet of frontage on Prathertown Road.
2. The applicant proposes to construct housing and related facilities for elderly persons (over 62 years of age) or handicapped persons as defined in Section 59-G-2.35 of the Zoning Ordinance. Occupancy will be restricted to elderly or handicapped persons, the spouse of an elderly or handicapped resident, and resident care-givers needed to assist an elderly or handicapped resident. The applicant will obtain all licenses and certificates required under applicable Federal, State and County law.
3. The surrounding neighborhood consists of scattered, smaller, single-family detached homes, the older Prathertown community, the large lot Goshen Estates Subdivision, and the mixed-use planned development of Montgomery Village. The Prathertown community, located south and east of the property, is an older settlement in the R-200 zone. The Goshen Estates Subdivision is located to the west of the site and is also zoned R-200. To the northeast, between Wightman Road and Warfield Road, is the site of the proposed 20-acre Montgomery Village Local Park.
4. The proposed development will consist of 10 single family style villas with attached garages, each containing three to four dwelling units, for a total of 33 units, and is designed for independent living in a single family residential setting.
5. Eight of the thirty-three units in the proposed development will be permanently reserved for households of "MPDU income", the moderately priced dwelling unit program prescribed by Chapter 25A of the County Code.
6. Parking will be provided to meet the requirements contained in Section 59-E-3.7 of the Zoning Ordinance. The proposed project will contain 58 parking spaces (6 more spaces than required) for use by the residents, visitors and guests, and a bus stop located along the main entrance road serving the project. The project will also be served by a private road with a cul-du-sac turnaround and by sidewalks along Wightman Road and Prathertown Road. The traffic impact will be less than what would have been generated by the previously approved subdivision for 10 single family homes.
7. The proposed project will provide a staffed recreational hall furnished with a computer/communications center, casual seating and kitchen facilities, and a children's play area for visiting grandchildren. It will also provide a community mailroom, curbside pickup of residents' trash, and a home security system. The proposed development will

not provide health care or transportation services. It will be reasonably convenient to shopping and other goods and services. A vicinity map showing major thoroughfares, public transportation routes and stops, and the location of commercial, medical, and public services within a one mile radius of the proposed facility was submitted with the special exception application.

8. The proposed buildings will be setback 40 feet from the street and 25 feet from the side and rear lot lines.

9. The proposed buildings will be approximately 30 feet in height.

10. The proposed buildings will cover 11% of the total lot.

11. The proposed building design is an arrangement of 3 or 4 units configured in a way that suggests a large single family dwelling or villa. As seen from the surrounding community and along Wightman road, it will be viewed as an enclave of 10 residential buildings.

12. The proposed project will use two types of light fixtures. Along the main entrance road to the community, typical subdivision-style street light lanterns will be installed on light poles. In the front yard of each villa, a post-mounted outdoor lantern will be installed that matches the style of the outdoor lantern installed next to each villa's entry door.

13. The proposed lighting will not cause any overwhelming glare and will, for the most part, be screened.

14. The proposed landscaping plan provides for extensive plantings of evergreen and deciduous shade trees along Wightman Road and Prathertown Road, extensive plantings around each building, and additional shade trees around the cul-du-sac which will improve the internal view of the community and diminish the presence of the numerous garage doors which line the cul-du-sac.

15. Physical characteristics of the proposed project, such as impervious areas for parking and driveways are no different than what is typically associated with housing for the elderly, and will not create any significant noise, odor, glare, or other disturbances.

16. Operational characteristics of the proposed project, such as on-site kitchen facilities, medical facilities, nursing care, and retail facilities, are no different than what is typically associated with housing for the elderly, except that the proposed project has a relatively small number of units and a relatively narrow scope of services and will not create any significant noise, odor, glare, or other adverse effects.

17. The Board was not persuaded by testimony from the community that the proposed project would lead to a decline in property values in the area, and no study was presented to this effect.

18. The Maryland-National Capital Park and Planning Commission (M-NCPPC) reviewed plans for the proposed project and recommended approval of the application, subject to specific conditions.

19. The Montgomery County Planning Board reviewed plans for the proposed project and recommended approval of the application, subject to specific conditions.

20. The Board adopts the findings contained in the M-NCPPC report prepared by William Landfair, except for the finding that an "institutional design" is an inherent adverse effect of elderly housing.

21. There is only one other special exception in the neighborhood, a special exception for an accessory apartment located on a lot adjoining the subject property. There are no similar uses in the neighborhood.

22. The 1985 Gaithersburg Vicinity Master Plan covering the project designates the property as low-density residential with a zoning designation of R-200. Housing and related facilities for elderly or handicapped persons are allowed by special exception in the R-200 zone under Section 59-C-1.31 of the Zoning Ordinance. Although the Master Plan does not address the desirability of elderly housing at the site, the M-NCPPC report concludes that a County-wide objective of the Master Plan is to increase the County's total housing stock.

23. The M-NCPPC review included an analysis of the "need" for the proposed project and concluded that there was a need for the project because: the villa housing style is unique and in high demand, the County supply of middle income housing (serving a population with income between \$35,000 and \$100,000 per year) for the elderly is sparse, the rate of persons living in age restricted housing in the County (the "penetration rate") is higher than the national average rate, and the project could only be built without a special exception in multi-family zones, where it would not be economically feasible.

24. The Board adopts the findings on "need" contained in the M-NCPPC "Supplementary Statement" (Exhibit 86).

25. The Board finds the testimony of Sally Roman, M-NCPPC housing and demographic supervisor, to be credible and persuasive.

26. The Board finds the testimony of Richard Koch, a principal of National Seniors' Housing Corporation, to be credible and persuasive.

27. The Board is not persuaded that there is no "need" for the proposed project merely because it will not provide health care or transportation services. The project is intended to house the independent elderly.

## **CONCLUSIONS OF LAW**

The proposed special exception for housing and related facilities for elderly or handicapped persons complies with the standards and requirements set forth for the use in Section 59-G-2.35, specifically:

1. Eight of the thirty-three units in the proposed development will be permanently reserved for households of "MPDU income" (Finding of Fact 5), in accordance with the requirement in Section 59-G-2.35(a)(1) of the Zoning Ordinance.
2. The Board finds that there is a shortage of villa style housing serving the middle income elderly in Montgomery County, and that the project would not be feasible without a special exception (Findings of Fact 22-26). Therefore there is a need for the facility in the area, in accordance with Section 59-G-2.35(a)(2) of the Zoning Ordinance.
3. Thirty three (33) units of elderly housing will not create any significant noise (Findings of Fact 15-16). Therefore the proposed project will not produce adverse effects on the use or development of the surrounding area because of noise, in accordance with Section 59-G-2.35(a)(3) of the Zoning Ordinance.
4. The proposed project will not produce adverse effects on the use or development of surrounding area because of traffic, in accordance with Section 59-G-2.35(a)(3) of the Zoning Ordinance. The traffic impact of the proposed project will be less than what would have been generated by the previously approved subdivision for 10 single family homes (Finding of Fact 6), and approval of the this project will be conditioned upon the Planning Board's subdivision review process.
5. The buildings within the proposed project are well within the height and density restrictions and the building footprint will not be massive (Findings of Fact 8-11). Therefore the Board finds that the project will not produce adverse effects on the use or development of the surrounding area because of height or bulk of buildings, density or any other reason, in accordance with Section 59-G-2.35(a)(3) of the Zoning Ordinance.
6. The Board finds that the proposed project will have adequate accessibility to public transportation, medical services, shopping areas, and recreational and other community services frequently desired by elderly or handicapped persons, in accordance with Section 59-G-2.35(a)(4) of the Zoning Ordinance. The proposed project is to serve the independent elderly and will be reasonably convenient to shopping and other goods and services and the proposed Montgomery Village Local



Park, and because the applicant intends to have a bus stop located within the development (Findings of Fact 3, 7, 27),

7. Located in the middle of a residential neighborhood (Finding of Fact 3), the proposed project will be protected from excessive noise, air pollution, and other harmful physical influences, in accordance with Section 59-G-2.35(a)(5) of the Zoning Ordinance.

8. The project will satisfy Section 59-G-2.35(b) of the Zoning Ordinance because occupancy at the proposed project will be restricted to elderly or handicapped persons, the spouse of an elderly or handicapped resident, and resident care-givers needed to assist an elderly or handicapped resident (Finding of Fact 2). In addition, approval of the project will be conditioned upon certification of these requirements and compliance with the federal "Fair Housing Act",

9. The proposed project meets the development standard contained in Section 59-G-2.35(c)(1) of the Zoning Ordinance in that the 5.75 net lot area is more than four acres larger than the minimum net lot area of one and one-half acres (Finding of Fact 1)

10. The proposed project meets the development standard contained in Section 59-G-2.35(c)(2) of the Zoning Ordinance in that it meets the minimum 40 feet setback from the street and the minimum 25 feet setback from the side and rear lot lines (Finding of Fact 8).

11. The proposed project meets the development standard contained in Section 59-G-2.35(c)(3) of the Zoning Ordinance in that it will be approximately 30 feet in height, 20 feet less than the maximum 50 feet height allowed in the R-200 zone (Finding of Fact 9).

12. The proposed project meets the development standard contained in Section 59-G-2.35(c)(4) of the Zoning Ordinance in that the 11% lot coverage is less than the 25% maximum lot coverage allowed in the R-200 zone (Finding of Fact 10).

13. Parking will be provided in accordance with the provisions of Section 59-E-3.7 of the Zoning Ordinance (Finding of Fact 6). Therefore the proposed project satisfies Section 59-G-2.35(f) of the Zoning Ordinance.

14. The proposed project will contain a recreation hall (Finding of Fact 7) as permitted by Section 59-G-2.35(g) of the Zoning Ordinance.

15. In accordance with Section 59-G-2.35(g)(3) of the Zoning Ordinance a vicinity map showing major thoroughfares, public transportation routes and stops, and the location of commercial, medical and public services within a one-mile radius of the proposed facility was submitted with the special exception application (Finding of Fact 7).

16. The applicant will obtain all required Federal, State and County licenses or certificates (Finding of Fact 2), in accordance with Section 59-G-2.35(g)(4) of the Zoning Ordinance.

The proposed project meets the requirement set forth in Section 59-G-1.21, specifically:

17. The proposed project will have no adverse effects on nearby properties and the general neighborhood (Findings of Fact 6, 11-27).

18. The proposed project is a permissible special exception in the R-200 zone under Section 59-C-1.31 of the Zoning Ordinance (Finding of Fact 22), and is therefore also permissible in the zone in accordance with Section 59-G-1.21(a)(1) of the Zoning Ordinance.

19. The proposed project complies with the standards and requirements set forth in Section 59-G-2.35 of the Zoning Ordinance (Findings of Fact 1-16), in accordance with Section 59-G-1.21(a)(2) of the Zoning Ordinance.

20. The proposed project is consistent with the 1985 Gaithersburg Vicinity Master Plan and the County-wide objective to increase the County's housing stock (Finding of Fact 22). The Board finds that it is therefore also consistent with the general plan for the development of the district, in accordance with Section 59-G-1.21(a)(3) of the Zoning Ordinance.

21. Containing only 33 units and seen from the surrounding neighborhood as a small enclave of 10 residential buildings (Findings of Fact 4, 11), the proposed project will be in harmony with the general character of the neighborhood considering population density and design, in accordance with Section 59-G-1.21(a)(4) of the Zoning Ordinance.

22. The proposed project will be in harmony with the general character of the neighborhood considering its design, scale and bulk, in accordance with Section 59-G-1.21(a)(4) of the Zoning Ordinance. The building design and arrangement will be configured in a way that suggests a large single family dwelling or villa, the building setbacks from the surrounding roads are generally 40 to 45 feet, and the proposed landscaping plan will provide screening and shade (Findings of Fact 4, 8, 11, 14),

23. The physical and operational characteristics of the proposed project are no different than what is typically associated with housing for the elderly and there are no similar uses in the neighborhood, in addition, the project has a relatively small number of units and a relatively narrow scope of services (Findings of Fact 15-16, 21). Therefore, the Board finds that the project will be in harmony with the general character of the neighborhood considering its intensity and character of activity and number of similar uses, in accordance with Section 59-G-1.21(a)(4) of the Zoning Ordinance.

24. The traffic impact of the proposed project will be less than what would have been generated by the previously approved subdivision for 10 single family homes and the project will comply with County parking requirements (Finding of Fact 6), it will therefore be in harmony with the general character of the neighborhood considering traffic and parking conditions, in accordance with Section 59-G-1.21(a)(4) of the Zoning Ordinance.

25. Approval of the proposed project will be subject to design restrictions, an approved landscaping and lighting plan, a forest conservation plan, County stormwater management requirements and Planning Board subdivision approval, (Findings of Fact 4, 6, 11-14). Therefore, the Board finds that the proposed project will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood, and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity, in accordance with Section 59-G-1.21(a)(5) and (6) of the Zoning Ordinance.

26. The proposed project will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area, in accordance with Section 59-G-1.21(a)(7) of the Zoning Ordinance. There is only one other special exception in the neighborhood, a special exception for an accessory apartment (Finding of Fact 21).

27. The proposed project will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone, in accordance with Section 59-G-1.21(a)(8) of the Zoning Ordinance. The Board heard no persuasive evidence that neighboring property owners would suffer a decline in property values as a result of the project, and the Board found that the project would not create problems of noise, odor, glare, or any other adverse effects (Findings of Fact 15-17).

28. The Planning Board will determine the adequacy of public facilities at the time of subdivision approval in accordance with Section 59-G-1.21(a)(9) of the Zoning Ordinance.

Therefore, based upon the foregoing, the Board GRANTS the requested special exception for housing and related facilities for elderly or handicapped persons, subject to the following conditions:

1. The applicant is bound by its testimony and exhibits of record, the testimony of its witnesses and representations of its attorney, to the extent that such evidence and representations are identified in this opinion.

2. The applicant must obtain Planning Board approval of a subdivision plan prior to issuance of a building permit.

3. The applicant must obtain approval by M-NCPPC technical staff of a Final Forest Conservation Plan prior to release of sediment and erosion control or building permit, as appropriate.

4. The applicant must comply with all requirements for stormwater management.

5. The applicant will be bound by the submitted landscaping and lighting plans [Exhibit No. 30(c)].

6. The applicant must adhere to the submitted site plan [Exhibit No. 30(b)].

7. The applicant must adhere to the submitted Statement of Operations [Exhibit No. 3].

8. The applicant must use those construction materials identified in Exhibits 47(a) and (b).

9. The applicant must construct a fence between lot 3 and the facility.

10. The applicant must provide the Board with annual certification that it has met the occupancy restrictions, beginning with the date on which the project is fully occupied.

11. The applicant must provide all project occupants of the special exception requirements in a written lease provision.

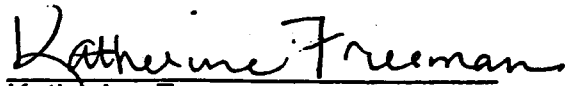
12. The applicant must provide sidewalks at Prathertown Road.

On a motion by Louise L. Mayer, seconded by Donna L. Barron, with Donald H. Spence, Jr., Chairman, Angelo M. Caputo and Mindy Pittell Hurwitz in agreement, the Board adopted the following Resolution:

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

  
Donald H. Spence, Jr.  
Chairman, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 20<sup>th</sup> day of November, 2000.

  
Katherine Freeman  
Executive Secretary to the Board

**NOTE:**

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

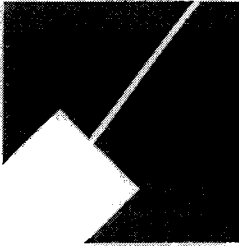
Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (see Section 59-A-4.63 of the Zoning Ordinance). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

See Section 59-A-4.53 of the Zoning Ordinance regarding the twenty-four months' period within which the special exception granted by the Board must be exercised.

See Section 59-A-3.2 of the Zoning Ordinance regarding Use and Occupancy Permit for a Special Exception.

Item #6

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

M E M O R A N D U M

**DATE:** September 27, 2001  
**TO:** Montgomery County Planning Board  
**FROM:** A. Malcolm Shaneman  
Planning Department  
(301) 495-4587  
**SUBJECT:** Informational Maps for Subdivision Items on the  
Planning Board's Agenda for October 01, 2001.

---

Attached are copies of plan drawings for Items #05, #06, 07, 08, 09. These subdivision items are scheduled for Planning Board consideration on October 01, 2001. The items are further identified as follows:

Agenda Item #05 - Preliminary Plan 1-99100E  
Cloverly Commercial

Agenda Item #06 - Preliminary Plan 1-01073  
Meadow Ridge Seniors' Villas

Agenda Item #07 - Preliminary Plan 1-97023A  
Manor Care-Norbeck

Agenda Item #08 - Preliminary Plan 1-01025  
Faith Presbyterian Church

Agenda Item #09 - Preliminary Plan 1-01086  
Mandell Property

Attachment

VICINITY MAP FOR  
**MEADOW RIDGE SENIORS' VILLAGE (1-01073)**



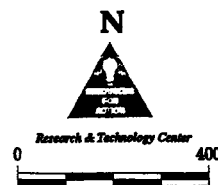
Map compiled on June 06, 2001 at 4:21 PM | Site located on base sheet no - 228NW08

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This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998



**VICINITY MAP FOR**

Map compiled on June 05, 2001 at 3:53 PM | Site located on base sheet no - 228NW09

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**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**  
**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

8787 Georgia Avenue - Silver Spring, Maryland 20910-3750

8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



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