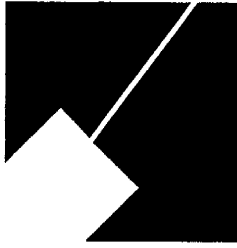


M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

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

**MCPB**  
**Item # - 3**  
**May 18, 2006**



**MEMORANDUM**

**DATE:** April 24, 2006

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief  
Catherine Conlon, Supervisor *CK*  
Development Review Division

**FROM:** Dolores Kinney, Senior Planner *DK* (301) 495-1321  
Development Review

**REVIEW TYPE:** Preliminary Plan Review

**APPLYING FOR:** Subdivision of Parcels 807 and 730

**PROJECT NAME:** Gateway Park

**CASE #:** 120060470

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

**ZONE:** R-T 8.0

**LOCATION:** Located on the north side of Lullaby Road, approximately 200 feet west of the intersection with Father Hurley Boulevard

**MASTER PLAN:** Germantown

**APPLICANT:** Germantown Station, LLC

**ENGINEER:** Loiderman Soltesz Associates, Inc.

**ATTORNEY:** Miller, Miller & Canby

**HEARING DATE:** May 18, 2006

**STAFF RECOMMENDATION:** Approval, pursuant to Chapter 50 of the Montgomery County Subdivision Regulations, and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 28 dwelling units, including 4 MPDUs.
- 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) Record plat to reflect a Category I easement over all areas of forest conservation.
- 4) Compliance with the recommendations of the February 24, 2006 "Phase III Building Shell Analysis" report and written commitment from the builder to construct the noise impacted units in accordance with the acoustical specifications identified in this analysis. Any changes that may affect acoustical performance must be approved by the acoustical engineer in advance of installation.
- 5) Compliance with the specifications and requirements of the approved development plan for Zoning Application No. G-833.
- 6) Final approval of the number and location of buildings, dwelling units, MPDUs, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 7) No clearing, grading or recording of plats prior to certified site plan approval.
- 8) Compliance with the conditions of approval of the MCDPS stormwater management approval dated June 6, 2005.
- 9) Compliance with conditions of MCDPWT letter dated March 6, 2006, unless otherwise amended.
- 10) Record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 11) Record Plat shall reflect all areas under Homeowners Association and stormwater management parcels.
- 12) Record plat shall reflect public use ingress/egress easements over all private streets.
- 13) Other necessary easements.
- 14) 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.

**SITE DESCRIPTION:**

The subject property, identified as Parcels 803 and 730 (Subject Property), is located on the north side of Lullaby Road, approximately 200 feet west of the intersection with Father Hurley Boulevard (Attachment A). The Subject Property contains 4.57 acre and is zoned R-T 8.

## **PROJECT DESCRIPTION:**

This is a subdivision application for 28 residential lots for the construction of 28 one-family attached dwellings (Attachment B). The Subject Property abuts the CXS Rail Line right-of-way on the north and is surrounded on the south by residential properties consisting primarily of one-family detached dwellings and townhomes. The proposed lots have frontage and access from a private road, which has access to Lullaby Road.

## **DISCUSSION:**

### **Master Plan Compliance**

The Subject Property is identified in the Germantown Master Plan within the Kingsview Village area. The plan recommended that the property be zoned I-3 with a 0.25 FAR. The property was approved for 27,077 gross square feet of commercial office on April 18, 2002, in accordance with the Master Plan recommendations. Development of the site as a commercial office use was not achieved. Therefore, the property owner requested reclassification of the property to residential use. District Council Resolution 15-1161 associated with Local Map Amendment G-833 zoning reclassification was approved on September 27, 2005.

### **Environmental Compliance**

#### Forest Conservation

The Subject Property was subject to two previously approved preliminary plans and site plans. The first preliminary plan #1-97096 and site plan #8-99028, both entitled Gateway West, were included in the Autumn Glen subdivision to the east. Those plans did not include any development to the west of Father Hurley Boulevard but did establish conservation easements on the far west side of the subject property. The second preliminary plan #1-01087 and site plan #8-02006, both entitled Gateway Park, were approved for office/commercial development. The applicant held pre-construction meetings and cleared forest within the limits of disturbance in preparation of construction. However, the buildings were never constructed.

The entire Gateway West property, including the 4.57-acre Subject Property, is subject to the forest conservation plan. A 1.96-acre Category I Forest Conservation Easement was required on the western part of the Subject Property as part of the approval of Gateway West Site Plan, #8-99028 and is still applicable. Approval of the site plan also permitted a 0.1-acre encroachment into the conservation easement for a stormwater management conveyance and outfall. There were no planting requirements associated with the Gateway West site plan because the forest conservation plan indicates the preservation of more than the break-even point. There are no forest-planting requirements for the current preliminary plan associated with the development of the

Subject Property because a 1.34-acre credit for forest retention above the conservation threshold was applied with the previous approval.

### Noise

The Subject Property is located adjacent to the CSX Rail Line and west of Father Hurley Boulevard which is not fully constructed. Currently, the trains which travel along the railway generate the greatest source of noise. Once completed, Father Hurley Boulevard will generate vehicular traffic which will be another source of noise negatively impacting the Subject Property. To sufficiently accomplish noise mitigation, the development of the Subject Property will utilize noise barriers and acoustical treatments.

### **Transportation**

As previously indicated, the preliminary plan proposes a combination of public and private streets. The public streets include Lullaby Road and Farther Hurley Boulevard. Both roads have been fully dedicated and recorded with Record Plat #21623 entitled, "Germantown Station, Street Dedication for Father Hurley Boulevard and Lullaby Road".

The plan proposes 28 one-family detached dwelling units. Therefore, the Subject Property is not subject to a local area traffic review (LATR) because it is expected to generate less than 30 peak hour vehicle trips.

### Private Streets

The plan depicts the proposed private streets with a right-of-way width of 20 feet. Pursuant to Section 50-26 (h) of the Subdivision Regulations, the Planning Board must make a determination that the private road is acceptable. Staff finds that the proposed private streets meet public street standards as required by the subdivision regulations and complies with fire and rescue requirements for emergency vehicles. The plan will also provide public use ingress/egress easements over all private streets. As such, Staff supports the use of private streets as proposed with the preliminary plan.

### **ANALYSIS**

Staff's review of Preliminary Plan #120060470 (Formerly 1-06047) Gateway Park, indicates that the plan conforms to the conditions of Rezoning Application G-833. Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the area of the proposed subdivision, as demonstrated in Attachment C, Data Table. Staff further finds that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.

**CONCLUSION:**

Staff finds that Preliminary Plan #120060470 (Formerly 1-06047) Gateway Park, conforms to the land use objectives the Rezoning Application G-818. It also meets all necessary requirements of the Subdivision Regulations. As such, Staff recommends approval of the preliminary plan, subject to the above conditions.

**ATTACHMENTS:**

Attachment A	Vicinity Map
Attachment B	Preliminary Plan
Attachment C	Data Table

# GATEWAY PARK RESIDENTIAL (8-20060150) (1-20060470)



Map compiled on October 26, 2005 at 3:17 PM | Site located on base sheet no - 227NW13

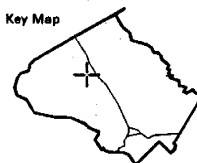
**NOTICE**

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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

Key Map



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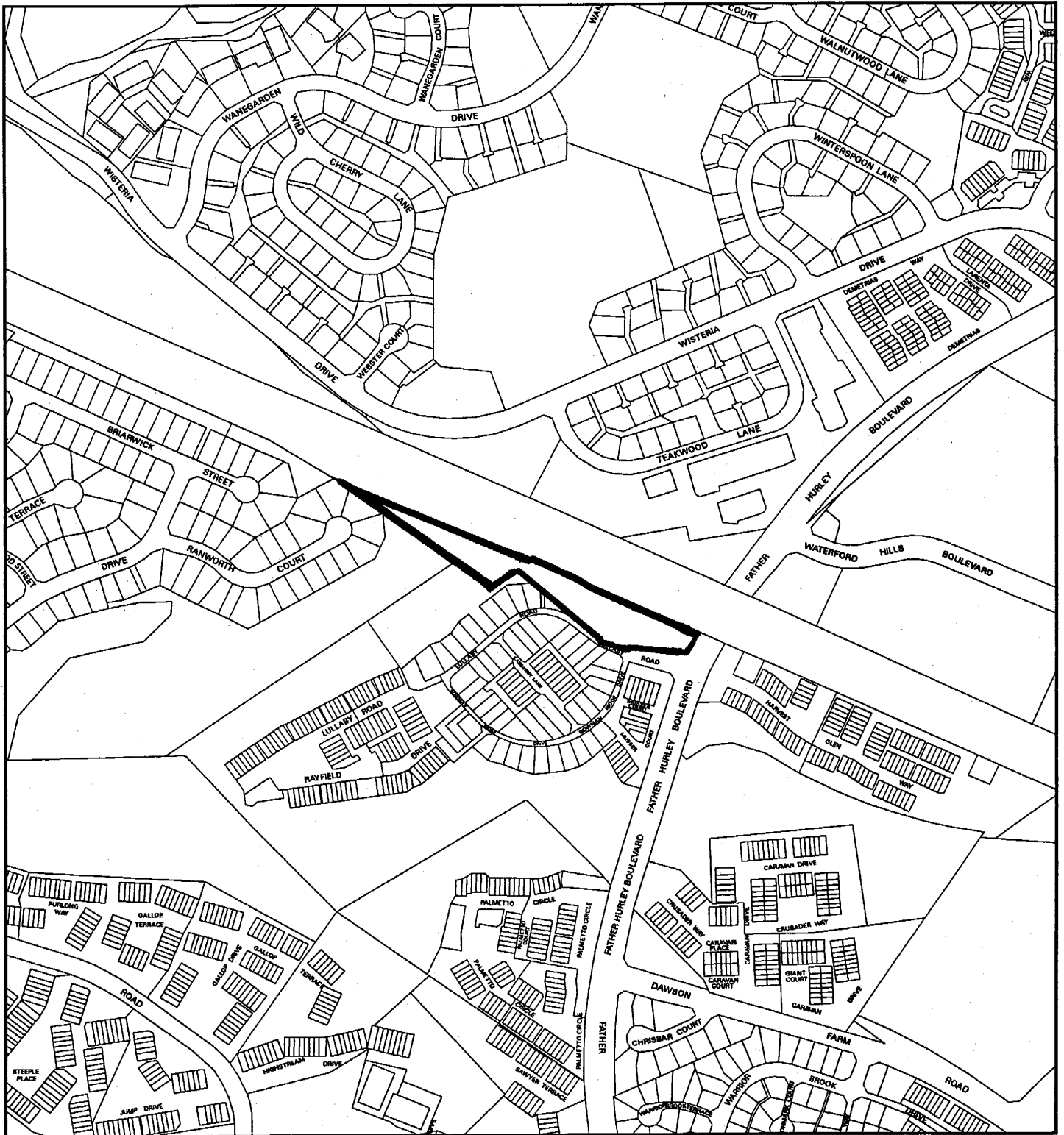


Research & Technology Center



1 inch = 600 feet  
1 : 7200

# GATEWAY PARK RESIDENTIAL (8-20060150) (1-20060470)



Map compiled on October 26, 2005 at 3:20 PM | Site located on base sheet no - 227NW13

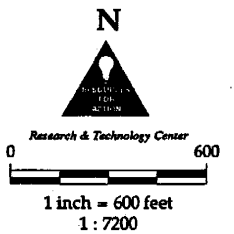
## NOTICE

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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 20910-3760



## Preliminary Plan Data Table and Checklist

<b>Plan Name: Gateway Park</b>				
<b>Plan Number: 120060470 (Formerly 1-06047)</b>				
<b>Zoning: RT-8</b>				
<b># of Lots: 29</b>				
<b># of Parcels: 3 (open space, storm water management and private roads)</b>				
<b>Dev. Type: 29 one-family attached dwelling units</b>				
<b>PLAN DATA</b>	<b>Zoning Ordinance Development Standard</b>	<b>Proposed for Approval on the Preliminary Plan</b>	<b>Verified</b>	<b>Date</b>
Minimum Tract Area	20,000 sq.ft.	199,069 sq.ft. is minimum proposed	<i>Dmm</i>	April 17, 2006
Lot Width	Not specified	Must meet minimum	<i>Dmm</i>	April 17, 2006
Lot Frontage	Not specified	Must meet minimum	<i>Dmm</i>	April 17, 2006
Setbacks				
Front	25 ft. Min. from public street	Must meet minimum	<i>Dmm</i>	April 17, 2006
Side	10 ft. Min (end unit)	Must meet minimum	<i>Dmm</i>	April 17, 2006
Rear	20 ft. Min. from adjoining lot	Must meet minimum	<i>Dmm</i>	April 17, 2006
Height	35 ft. Max.	May not exceed maximum	<i>Dmm</i>	April 17, 2006
Max Resid'l d.u. or Comm'l s.f. per Zoning	9.76 d.u./acre*	6.1 d.u./acre	<i>Dmm</i>	April 17, 2006
MPDUs	Min. 12.5% of total # of units	4 MPDUs (12.5%)	<i>Dmm</i>	April 17, 2006
Site Plan Req'd?	Yes	Yes	<i>Dmm</i>	April 17, 2006
<b>FINDINGS</b>				
<b>SUBDIVISION</b>				
Lot frontage on Public Street	Yes	Yes	<i>Dmm</i>	April 17, 2006
Road dedication and frontage improvements	Dedication	Yes	DPWT	March 6, 2006
Environmental Guidelines	Yes	Yes	Environmental memo	April 4, 2006
Forest Conservation	Yes	Yes	Environmental memo	April 4, 2006
Master Plan Compliance	Yes	Yes	Community Based Planning memo	March 31, 2006
Other				
<b>ADEQUATE PUBLIC FACILITIES</b>				
Stormwater Management	Yes	Yes	DPS	June 10, 2005
Water and Sewer (WSSC)	Yes	Yes	WSSC	November 7, 2005
Local Area Traffic Review	N/A	N/A	<i>Dmm</i>	
Fire and Rescue	Yes	Yes	MCFRS	January 9, 2006

\* Permitted maximum density when MPDUs are provided pursuant to Section 59-C-1.74(b)





**AGENCY  
CORRESPONDENCE**



**THE MARYLAND-NATIONAL CAPITAL PARK AND  
PLANNING COMMISSION**  
Department of Park & Planning, Montgomery County, Maryland  
8787 Georgia Avenue, Silver Spring, Maryland 20910

**MEMORANDUM**

**TO:** Cathy Conlon, Supervisor, Development Review  
Laxmi Srinivas, Senior Planner, Development Review

**FROM:** Mark Pfefferle, Planning Coordinator, Environmental Planning *MP*

**DATE:** April 4, 2006

**SUBJECT:** Preliminary Plan 120060470  
Site Plan 820060150  
Gateway Park Residential

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The Environmental Planning staff has reviewed the preliminary and site plans referenced above. Staff recommends approval of the plans with the following conditions.

1. Compliance with the conditions of the final forest conservation plan.
2. Compliance with the recommendations of the February 24, 2006 "Phase II Noise Barrier Analysis and Design".
3. Compliance with the recommendations of the February 24, 2006 "Phase III Building Shell Analysis" and written commitment from the builder to construct the noise impacted units in accordance with the acoustical specifications identified in this analysis. Any changes that may affect acoustical performance must be approved by the acoustical engineer in advance of installation.

**Background**

The 4.58-acre property is located in the Seneca Creek watershed. The site is located immediately west of Father Hurley Boulevard, south of the CSX railway tracks, and north of Lullaby Road. The property includes wetlands and a stream buffer.

This site was subject to two previously approved preliminary plans and sites plans and one rezoning case. The first preliminary plan (1-97096) and site plan (8-99028) were included in the Autumn Glen subdivision to the east. Those plans did not include any development to the west of Father Hurley Boulevard but did establish conservation easements on the far west side of the subject property. The second preliminary plan (1-01087) and site plan (8-02006) were approved with an office/commercial development. The applicant held pre-construction meetings and cleared forest within the limits of disturbance in preparation of construction. However, the

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buildings were never constructed. Subsequently, the applicant submitted and received approval to rezone the 4.57-acre property to RT8.

### **Forest Conservation**

The entire Gateway West property including the 4.57-acre subject property is part of forest conservation plan 8-99028. When site plan and forest conservation plan 8-99028 were approved there was a 1.96-acre category I forest conservation placed on the subject property. The easement is located on the most western portion of the property and includes all environmentally sensitive areas. There were no planting requirements associated with plan 8-99028 because the forest conservation plan indicates the preservation of more forest than the break-even point. Approval of site plan 8-02006 permitted a 0.1-acre encroachment into the conservation easement for a stormwater management conveyance and outfall. The subject preliminary and site plan have no additional encroachment into the forest conservation easement other than what was previously approved by site plan 8-02006. There is no forest planting requirements associated with the development of the 4.57-acre property. The forest conservation plan for Gateway West, which includes the subject property, has a 1.34-acre credit for forest retention above the conservation threshold.

### **Noise**

The subject property is impacted by traffic on the CSX rail line and Father Hurley Boulevard. The applicant was required to prepare and submit a noise analysis for the subject property. At this time, the greatest noise source on the subject property is the rail line. In a 24-hour period from July 22-23, 2004 there were 46 trains that passed the subject property. The trains included both passenger and freight trains. The train speeds ranged from 20 to 55 miles per hour. Currently, there is little influence from Father Hurley Boulevard because this roadway is not complete from Wisteria Road to Germantown Road. However, once the roadway is complete, vehicle traffic will also impact the residential development. The noise analysis takes into consideration 20-year future traffic levels that include a completed Father Hurley Boulevard.

The 1983 "Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development" identifies an interior noise guideline not to exceed 45 dBA Ldn for residential properties and 60 dBA Ldn exterior noise level for recreation and outdoor areas. The method to accomplish these criteria, in order of preference is: site design; berms; acoustical fences/walls/barriers; landscaping; and finally acoustical design and construction techniques/materials. Development of the subject site will utilize noise barriers and acoustical treatments.

### **Exterior Noise Levels**

The applicant's noise consultant performed a noise barrier analysis to determine the outdoor noise levels in the proposed recreational locations for the subject property. The noise barrier analysis indicates unmitigated ground-level noise levels of approximately 65 dBA Ldn in the proposed gazebo and seating areas. The "Phase II Noise Barrier Analysis and Design Gateway Park", dated February 24, 2006, prepared by Polysonics Corporation indicates that these outdoor recreational areas can achieve the recommended exterior noise levels of 60 dBA Ldn by constructing an 8-foot high noise barrier. The location, height, and materials of a noise barrier

are important factors that influence the noise mitigation that can be achieved at impacted locations. The noise analysis identifies two 8-foot high noise barriers, one parallel to the rail line and the second integrated into the gazebo in order to reduce the noise from the CSX rail line and Father Hurley Boulevard to acceptable levels. The efficiency of the noise barriers is also dependent upon grading. Changes to the grading may change the required heights of the barriers.

The applicant has proposed to use Paraglas Soundstop Noise Barrier sheets as a noise barrier. The product is transparent and has been used for noise control along railways and roadways throughout the Country. The noise consultant recommends 25 mm thickness sheets for use in this project. When the wooden construction is utilized, the noise barrier analysis recommends a solid wood fence of nominal 1-inch thick boards with no gaps or openings. No matter the materials used, it is imperative that the construction be free of gaps or openings otherwise the noise-mitigating performance of the barriers can be severely diminished.

Environmental Planning requests a specific condition requiring the builder comply with the Noise Consultant's noise barrier recommendations.

#### Interior Noise Levels

The traffic noise analysis, prepared by the applicant's noise consultant, indicates all units will be impacted by noise levels greater than those recommended by the M-NCPPC Noise Guidelines. Unmitigated noise levels in excess of 70-dBA Ldn impact lots 1 through 10, 15, and 22 through 28. Unmitigated noise levels in excess of 65-dBA Ldn impact all lots. The highest unmitigated noise level is 72.5 dBA Ldn and will impact the top level of the residential unit on Lot 28. Residential units of good quality construction will typically reduce interior noise levels as high as 65 dBA to 45 dBA without modification. When noise levels rise above 65 dBA, such as they do in this plan, it is necessary to employ acoustical building materials to achieve an interior noise criteria of 45 dBA Ldn. The "Phase III Building Shell Analysis Gateway Park", February 24, 2006, prepared by Polysonics Corporation identifies Sound Transmission Class (STC) ratings that must be incorporated into specific building elements to achieve an interior noise level of 45 dBA Ldn. The specific building elements addressed are front, side, and rear exterior walls, exterior doors, front and rear windows and are unit specific. It is important to note that if a resident opens an exterior window the interior noise level will be compromised.

Environmental Planning requests a specific condition requiring the builder of the residential units to comply with the Noise Consultant's recommendations and provide a certification that they make that commitment. The most realistic time to determine if the builder is complying with the Noise Consultant's recommendations is when the Department of Permitting Services reviews the drawings for the individual building permits and when that agency conducts their building inspections.

#### **Recommendation**

Environmental Planning recommends approval of the preliminary and site plans for the subject site with the conditions stated above.



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## FIRE MARSHAL COMMENTS

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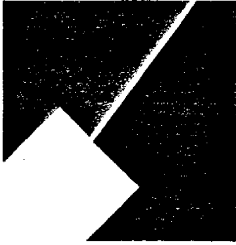
**DATE:** 1-9-06  
**TO:** PLANNING BOARD, MONTGOMERY COUNTY  
**VIA:**  
**FROM:** CAPTAIN JOHN FEISSNER 240.777.2436  
**RE:** APPROVAL OF ~ *GATEWAY PARK RESIDENTIAL SITE #8-20060150 PP #1-20060470*

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### 1. PLAN APPROVED.

- a. Review based only upon information contained on the plan submitted (1-10-06). Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
- b. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services



March 31, 2006

TO: Delores Kinney, Development Review Division  
FROM: Sue Edwards, Community Based Planning Division *Sue*  
SUBJECT: Gateway Park (Preliminary Plan #1-06047)

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This preliminary plan results for Local Map Amendment G-833 which reclassified 4.5668 acres of land from the I-3 and R-200 Zones to the R-T 8 Zone. District Council Resolution 15-1161 for this action is dated September 27, 2005. The application was filed under the Optional Method using a Schematic Development Plan containing binding elements covering land use, density, development standards and staging.

The binding elements contained on the approved Schematic Development Plan are as follows:

1. Not more than 29 one-family attached units [including MPDUs];
2. No proposed building shall be closer than 50 feet to any existing building;
3. Green area not less than 55 percent;
4. Building coverage not more than 20 percent;
5. Use of forest conservation area only by a pedestrian pathway; and
6. Use of an area adjacent to Father Hurley Boulevard for installation of streetscape improvements.

The subject site is within the Kingsview Village area of the 1989 Germantown Master Plan. The Master Plan describes this property as analysis area KI-B, suitable for employment uses in the I-3 Zone with a 0.25 Floor Area Ratio. The property was approved for 27,077 gross square feet of commercial office on April 18, 2002 in accordance with the Master Plan recommendations (Site Plan #8-02006).

The property owner was unsuccessful in achieving this development goal and therefore sought a reclassification of the property to residential use. Language in the Master Plan has been replaced by language in the District Council Resolution that the Master Plan recommendation for employment uses should not be

followed in this case "because to do so would lead to incompatible development" (Resolution 15-1161, Page 11).

The Kingsview Village area of Germantown has built out with a blend of housing types including single-family detached, townhouse, and multi-family units. The densities of surrounding developments range from two du/acre in Kingsview Ridge to the southwest to 11.9 du/acre in the Village of Oak Hill to the east of Father Hurley Boulevard.

The proposed project meets the intent of the Germantown Master Plan, as modified by Council Resolution 15-1161).

Community-Based Planning staff did not conduct urban design review for this plan.

G: Edwards/1-06047.gateway park.staffmemo.doc



**WSSC Comments on Items for November 7, 2005, Development Review Committee Meeting**

File Number	Project Name	Comments
1-20060470 8-20060150	GATEWAY PARK RESIDENTIAL	Water and sewer extensions are required. Alignments of water and sewer lines may need to be changed – preferred locations are usually in street – depending on design issues. Conflict with curb may also be an issue.

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site ([www.wsscwater.com](http://www.wsscwater.com)) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.



Robert L. Ehrlich, Jr., *Governor*  
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*  
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

November 1, 2005

Ms. Cathy Conlon  
Supervisor, Development Review  
Subdivision Division  
Maryland National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Re: Montgomery County  
MD 118 General  
Gateway Park Residential  
File Nos. 1-20060470 & 8-20060150

Dear Ms. Conlon:

The State Highway Administration (SHA) would like to thank you for the opportunity to review the preliminary and site plan applications for the Gateway Park Residential development. We have completed our review and have no comments at this time.

If additional information is required from SHA regarding this project, please do not hesitate to contact Mr. Raymond Burns at 410-545-5592, Mr. John Borkowski at 410-545-5595, or by using our toll free number in Maryland only, 1-800-876-4742 (x-5592 for Ray, x-5595 for John). You may also E-mail Ray at [rburns1@sha.state.md.us](mailto:rburns1@sha.state.md.us) or John at [jborkowski@sha.state.md.us](mailto:jborkowski@sha.state.md.us). Thank you for your cooperation.

Very truly yours,

for Steven D. Foster, Chief  
Engineering Access Permits Division

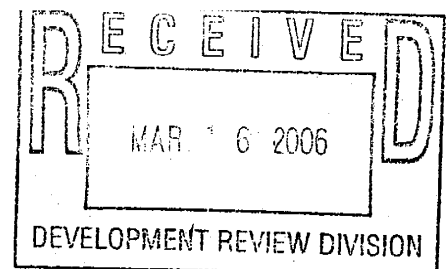
SDF/RB/JAB

cc: Mr. Darrell Mobley (Via E-mail)  
Mr. Augustine Rebish (Via E-mail)  
Mr. Richard Weaver, M-NCPPC (Via E-mail)

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)



DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION

Douglas M. Duncan  
County Executive

March 6, 2006

Arthur Holmes, Jr.  
Director

Ms. Catherine Conlon, Subdivision Supervisor  
Development Review Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20060470  
Gateway Park Residential

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 10/12/05. This plan was reviewed by the Development Review Committee at its meeting on 11/07/05. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Show all existing planimetric and topographic details specifically storm drainage and driveways adjacent and opposite the site.
2. Necessary dedication for Father Hurley Boulevard and in accordance with the master plan and also for Lullaby Road.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. Public Improvements Easements will be required along all Modified Tertiary classification roadways. The Declaration of Public Improvements Easement document is to be recorded in the Land Records of Montgomery County. The deed reference is to be provided on the record plat. Unless otherwise noted, the Public Improvements Easement is to be a minimum width of ten (10) feet with the overlapping Public Utilities Easement being no less than twenty (20) feet wide.
5. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. If the proposed subdivision drains to an existing closed section street, include spread and inlet efficiency computations in the impact analysis.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878  
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

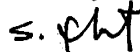
6. Prior to approval of the record plat by the Department of Permitting Services, submit a completed, executed and sealed DPWT Sight Distances Evaluation certification form, for the proposed driveway for the storm water management facility maintenance, for our review and approval. The site distance study for the proposed private street is acceptable.
7. Record plat to reflect denial of access along Father Hurley Boulevard.
8. Waiver from the Montgomery County Planning Board for lot(s) on a private right of way.
9. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.
10. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision.
11. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
12. The owner will be required to furnish this office with a recorded covenant whereby said owner agrees to pay a prorata share for the future construction of Father Hurley Boulevard to be built under Montgomery County CIP project # 500516, prior to DPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
13. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
14. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
15. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
16. Please coordinate with DPWT division of Transit Services about their requirements and project impacts on their network.
17. Please coordinate with Department of Fire and Rescue about their requirements for access.
18. Public Improvements Agreement (PIA) will be an acceptable method of ensuring construction of the required public improvements within the County right of way. The PIA details will be determined at the record plat stage. The PIA will include, but not necessarily be limited to, the following improvements:
  - A. Sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along the site frontage.
  - B. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT Storm Drain Design Criteria.

Ms. Catherine Conlon  
Preliminary Plan No. 1-20060470  
Date March 6, 2006  
Page 3

- C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- D. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- E. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
- F. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at [sam.farhadi@montgomerycountymd.gov](mailto:sam.farhadi@montgomerycountymd.gov) or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist  
Traffic Safety Investigations and Planning Team  
Traffic Engineering and Operations Section

m:/subdivision/farhas01/preliminary plans/1-20060470, Gateway Park Residential.doc

Enclosures (1)

cc: Daniel Pino, Loiederman Soltesz Associates  
Jody Kline, Miller, Miller and Canby  
William Fisher, Germantown Station  
Joseph Y. Cheung; DPS RWPPR  
Christina Contreras; DPS RWPPR  
Sarah Navid; DPS RWPPR  
Shahriar Etemadi; M-NCPPC TP  
Gregory Leck, DPWT TEOS

Facility/Subdivision Name: Gateway Park Residential Preliminary Plan #: \_\_\_\_\_

Street Name: Lullaby Road Master Plan Classification: Secondary

Posted Speed Limit: 30

Street/Drwy. 1 ( \_\_\_\_\_ ) Street/Drwy. 2 ( \_\_\_\_\_ )

Sight Distance (feet) OK?  
Right 480 YES  
Left 340 YES

Sight Distance (feet) OK?  
Right \_\_\_\_\_  
Left \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance In Each Direction#
Tertiary - 25	150
Secondary - 30	200
Business - 30	200
Primary - 35	250
Arterial - 40	325
(45)	400
Major - 50	475
(55)	550

# Source AASHTO

Sight distance is measured from an eye height of 3.5 feet at a point on the centerline of the driveway (or side street), 6 feet back from the face of curb or edge of traveled way of the intersecting roadway, to the furthest point along the centerline of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing.)

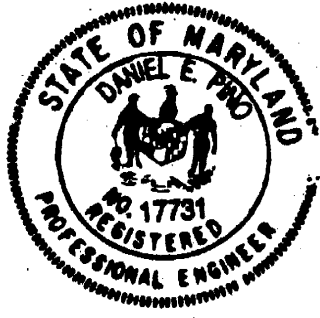
ENGINEER/SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Daniel E. Pro 10/11/05  
Signature Date

SEAL

17731  
PLS/P.E. MD Registration No.



Accepted By: SF  
Date: 3/6/06



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

June 10, 2005

Ms. Carmen Crisostomo  
Loiederman Soltesz Associates, Inc.  
1390 Piccard Drive, Suite 100  
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request  
for revised Gateway Park  
Preliminary Plan #: 1-01087  
SM File #: 216227  
Tract Size/Zone: 4.57 acres  
Total Concept Area: 4.57 acres  
Lots/Block:  
Parcel(s): P909  
Watershed: Little Seneca Creek

Dear Ms. Crisostomo:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures via detention pond; on-site water quality control via a surface sand filter; and onsite recharge via recharge trenches.

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. The drainage area for the sand filter /pond exceeds the County's standards. However, it is acceptable for this project only. Please make sure all future designs remain within the maximum allowable drainage area of 2 acres for this type of best management practice.
6. All paved areas of the site will have some form of structural pre-treatment provided.

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

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 Richard Gee at 240-777-6333.

Sincerely,



Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:dm RIGcn216227

cc: R. Weaver  
S. Federline  
SM File # CN216227

QN - on site; Acres: 2.57  
QL - on site; Acres: 2.57  
Recharge is provided