

RAZTEC ASSOCIATES, INC

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NATIONAL PARK SEMINARY-PARCEL K-PHASE 2 SITE PLAN JUSTIFICATION STATEMENT December 22, 2022

I. INTRODUCTION

Page | 1

On behalf of our client, the applicant, Manova Corporation, we hereby submit this justification statement for the property located at The National Park Seminary –Parcel K, located at the intersection of Linden Lane and Smith Drive in Silver Spring. The subject project site is 4.23 acres and is situated 740 feet north of the intersection of Linden lane and Smith Drive. The property is zoned PD-15, as described in Section 59.4.4.6 of the Montgomery Code.

II. EXISTING CONDITIONS

The property currently holds two existing unoccupied dilapidated structures, known as the Castle and the Villa. The castle is structure similar to a single family vacant and unimproved. The villa is a larger building. Approximately 1.25 acres of the site is covered by forest area. There is an existing stream that is located to the west of the proposed development.

Neighboring properties located to the west of the subject property that are part of Phase 1 of this development are also zoned PD-15. These properties are currently improved with residential units.

III. PROPOSED SITE PLAN

The applicant has proposed to subdivide the property to obtain ten buildable lots. Lot 1 will consist of an existing building which will be added onto and contain fourteen (14) condominium/apartment units. Lot 2 will be developed as a single-family lot containing one existing building (castle) and renovated and rehabilitated. Lot 3 through 10 will be townhouse lots. The access to this development is through Smith Drive, which is a private access road, and is currently paved for access, though the paving needs to be improved for fire access, etc. To serve the residents of this future community, we propose to place the private road in a separate parcel as private access, and maintained by a home owners association.

The project proposes to meet the required stormwater management regulations of Montgomery County, and the State of Maryland, by fully providing ESDv to MEP measures, using micro-practices, and by developing the site with special attention to the existing environmental features of the site. This is accomplished by maintaining as much of the existing forest stands as possible, and by maintaining stream buffers to the extent possible. A Stormwater Management Concept has been prepared and submitted to Montgomery County DPS for review and approval.

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IV. SITE PLAN REQUIREMENTS

59-C-7.3.4.B

1. Ownership

a. An applicant must own the subject property or be authorized by the owner to file the application.

This site plan application is made by the property owner, Manova Corporation.

b. If any land or right-of-way encompassed by a site plan application is owned or controlled by the State, County, or any other entity or agency, a written agreement or authorization from that entity or agency must be submitted with the site plan application.

So noted. The proposed development does not propose to encroach on the property of any government, or outside entity.

2. The applicant must submit the following for review:

a. application forms and fees required by the Planning Director;

Application form has been prepared and required fees will be submitted.

b. Vicinity Map at 1" = 200';

A vicinity map is provided on the site plan.

c. Site plan showing existing buildings, structures, circulation routes, significant natural features, historic resources, zoning, and legal description on the proposed development site and within 500 feet of the perimeter boundary.

A site plan showing existing building, structures, circulation routes, natural features, and historic resources has been prepared as part of this application. Zoning and legal description is provided as part of the site plan.

d. list of abutting and confronting owners in the County tax records;

The list will be submitted with this application.

e. list of civic, homeowners, and renters associations that are registered with the Planning Department and are within ½ mile of the site;

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The list will be submitted with this application.

f. documentation of interest in the proposed development site under section 7.3.4.B.1;

State tax records provide evidence of the applicant's ownership of this property.

Page | 3

g. statement of justification outlining how the proposed development satisfies the standards and criteria required to grant the application.

Statement of justification is hereby submitted.

h. verification that the applicant has posted notice on the property, notified affected parties, and held a pre-submittal meeting with the public under the Planning Department Review Manual.

The applicant posted notice , and notified affected parties and held a pre-submittal meeting with the public on August 8, 2019.

i. Traffic statement or traffic study accepted by the Planning Director, if not submitted with a previous or concurrent application;

A traffic statement is filed with the Amended Preliminary Plan Application, which is proposed for concurrent review with the application for Site Plan.

j. environmental documentation or exemption for:

i. an approved Natural Resource Inventory/Forest Stand Delineation;

An approval for the Natural Resource Inventory/Forest Stand Delineation has been granted by MNCPPC for this project.

ii. Stormwater Management Concept Application or, if required, a Water Quality plan Application; and

A Stormwater Management Concept Application has been filed with the Montgomery County Department of Permitting Services, Water Resources Division. The application is currently in review.

iii. A final forest conservation application;

A forest conservation plan amendment in compliance to chapter 22 has been prepared and submitted as part of this application. The initial forest conservation plan was

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prepared and approved for the National Park Seminary –Phase 1 project. In meeting with staff, the applicant was required to amend the original forest conservation plan as part of the phase 2 project.

The revisions in the amendment include the following changes:

- Changes in the layout of the proposed townhouse units.
- Minor revision to the proposed condominium building footprint.
- Addition of stormwater management features and practices.
- Minor revision to the parking areas.
- Impact to the forest preservation area, due to the impact of proposed sewer/utility construction.

Page | 4

k. existing and proposed dry and wet utility plan

Information regarding the utilities are presented on the Site Plan.

l. plans of proposed development showing:

- i. use, footprints, ground-floor layout, and heights of all buildings, and structures;*
- ii. required open space and recreational amenities;*
- iii. detailed layout and dimensions for all sidewalks, trails, paths, roadways, parking, loading, and bicycle parking areas;*
- iv. grading*
- v. landscaping and lighting;*
- vi. documentation demonstration how the application satisfies previous approvals and applicable requirements;*

A Site Plan has been prepared s part of this application that shows the items required.

m. a development program and inspection schedule detailing the construction phasing for the project.

Construction phasing has not been finalized at this time.

n. if a sketch plan was approved for the property, a table of proposed public benefits and the incentive density points approved for each; and

N/A

o. if common open space is required, a description of how the common use and adequate maintenance of common open space will be assured.

Common space and open space requirements are presented on the Site Plan.

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V. Duration of Validity-59-C-7.3.4.H

1. A Site Plan expires unless a certified site plan, as defined and reviewed by the Planning Director is approved within 24 months after the date the resolution is sent.

Page | 5

So, noted. Site Plan certification will be completed within the allowed 24 months.

2. A site plan does not become effective until a record plat is recorded that satisfies any approved subdivision plan for the subject property.

A preliminary plan amendment is submitted for concurrent review. A record plat will be prepared for review, and recordation upon approval of the preliminary plan amendment.

3. A development must satisfy the zoning in effect at the time the building permit is issued as well as the requirements of a certified site plan.

The proposed site plan will conform to the PD-15 zone. The project will meet the requirements of the certified site plan.

4. Development activities under section 7.3.4 must satisfy the certified site plan and any conditions of approval.

Proposed development of the site are in conformance with section 7.3.4.

VI. NECESSARY FINDINGS

1. When reviewing an application, the approval findings apply only to the site covered by the application.

So noted. The applicant seeks approval for the scope shown on the proposed Site Plan.

2. To approve a site plan, the Planning Board must find that the proposed development:
a. satisfies any previous approval that applies to the site;

So noted. Concurrent Preliminary Plan Amendment is proposed.

b. satisfies under Section [7.7.1.B.5](#) the binding elements of any development plan or schematic development plan in effect on October 29, 2014;

So noted.

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c. satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;

Green and open space requirements are met as allowed in this zone.

Page | 6

d. satisfies applicable use standards, development standards, and general requirements under this Chapter;

Applicable use standards, and development standards are shown on the proposed Site Plan and are in conformance with the requirements.

e. satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

A proposed erosion and sediment control plan will be filed in accordance with the requirement of the Montgomery County DPS, and State of Maryland standards. A stormwater management concept application, showing proposed design to meet the current standards of the Environmental Site Design(ESD) standards has been prepared and is in review.

ii. Chapter 22A, Forest Conservation.

A forest conservation amendment plan has been prepared as part of the concurrent Preliminary Plan Amendment.

f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The proposed Site plan has been prepared to provide the stated requirements including the required open space, and site amenities.

g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

Conformance with master plan has been outlined in this justification.

h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public

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facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;

The proposed development will pass the test for public services and facilities, prior to approval.

Page | 7

i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and

N/A

j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.

The proposed application and accompanying Site Plan show compatibility with phase 1 and adjacent development.

3. To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.

N/A

4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.

N/A

VII. Conformance to Master Plan

In determining the acceptability of a preliminary plan submitted under this Chapter, the Planning Board must consider the applicable master plan, sector plan, or urban renewal plan. A preliminary plan must substantially conform to the applicable master plan, sector plan, or urban renewal plan, including maps and text, unless the Planning Board

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finds that events have occurred to render the relevant master plan, sector plan, or urban renewal plan recommendation no longer appropriate.

The property is subject of the 2000 North and West Silver Spring Master plan. The National Park Seminary (NPS) area is a special focus of the master plan. The master plan states that the NPS site is identified as a historic district, and is designated on the Master Plan for Historic Preservation. The history of this site dates back to 1887.

Page | 8

Recommendations of the master plan are as follows;

“Prepare a minor master plan amendment if the proposed reuse cannot be accommodated by the existing R-90 zone.”

The subject site was re-zoned as PD-15, to provide a planned development for the National parks Seminary site.

“Maintain and restore the district’s historic integrity including the buildings, relationships between the buildings and the character of the open space.”

The proposed site design and proposed building architecture of the project have been created to maintain and follow the historic integrity of the National Park Seminary. The site planning and design have been accomplished with the input, and review of the Maryland Historic Trust. The architecture of the proposed building addition known as the villa will be accomplished to assure compliance with the historic integrity of the existing building.

“Limit impacts on the environmentally sensitive areas and provide for private conservation easements of public ownership.”

The site design has been prepared to observe the existing forest areas, and to uphold the approved forest conservation plan created and approved as part of the phase 1 for the national park Seminary project. A 150 feet stream buffer has been maintained, which includes the avoidance of disturbance of steep slope areas.

“Consider, where compatible with the proposed use(s), the ability to allow access (either public or for-fee) to buildings with public or quasi-public uses such as the Ballroom, the chapel, or the Pagoda.”

N/A

“Minimize traffic impact on surrounding neighborhoods and roadways primarily through low traffic generating land uses.”

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The scope of the phase 2 of the National Seminary Park project is quite limited in the number of units proposed, totaling 23 units. Therefore, there will be a limited amount of traffic generated by this project.

“Minimize noise, light, and other environmental impacts on the surrounding residential neighborhoods.”

Page | 9

Given the limited scope of this project, the environmental impacts such as noise, lights will be insignificant. Furthermore, the location of the project is somewhat secluded and separated from other residential developments, due to the physical nature of the site which includes existing forest areas, natural stream bed.

“Provide trail connections as recommended in this plan.”

Trails and pathways are designed within the scope of the project, mainly for recreation and access within the proposed development.

Relevant portions of -Parks, Community Facilities, and Environmental Resources:
Water Quality Stormwater Management;

“Continue to provide on-site stormwater treatment with effective technologies where feasible.”

Stormwater management is proposed to meet today’s ESDv standards for site design. These include non structural practices, such as bio-retention, landscape infiltration, permeable paving design in the parking areas, drywells.

“Explore opportunities to create linear stormwater management ponds/wetlands within urban open spaces or along greenways.”

A portion of the proposed stormwater management features, such as bio-retention, and landscape infiltration practices are adjacent to open space areas, while remaining outside of forest conservation areas.

“Promote the use of areas designed to increase infiltration within required open space or green areas.”

The bio-retention and landscape infiltration features proposed promote infiltration within open space and green areas.

“Improve permeability of surface parking areas with green space that increase infiltration.”

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Permeable paving is one of the site design techniques utilized to provide stormwater management design in the parking areas of the site. This technique does increase infiltration of runoff from surface areas in the parking lot.

This property is situated within the Lower Rock Creek watershed. The proposed project proposes to improve the water quality of the stream and overall watershed by providing stormwater management features that meet the requirements of the Environmental Site Design (ESDv). A variety of stormwater management practices are proposed to meet the ESDv standards, including landscape infiltration, micro-bioretenion, permeable paving, micro-infiltration, and drywells.

Page | 10

VI. CONCLUSION

Based on the justification provided herein, the applicant requests that the Planning Board grant approval of this Site Plan. The plan prepared and presented with this justification, as part of the Site Plan Application, satisfies the requirements that the Planning Board will consider and act upon as part of the approval of this application.