



Frederick Road Bike Path, Mandatory Referral, MR2015025

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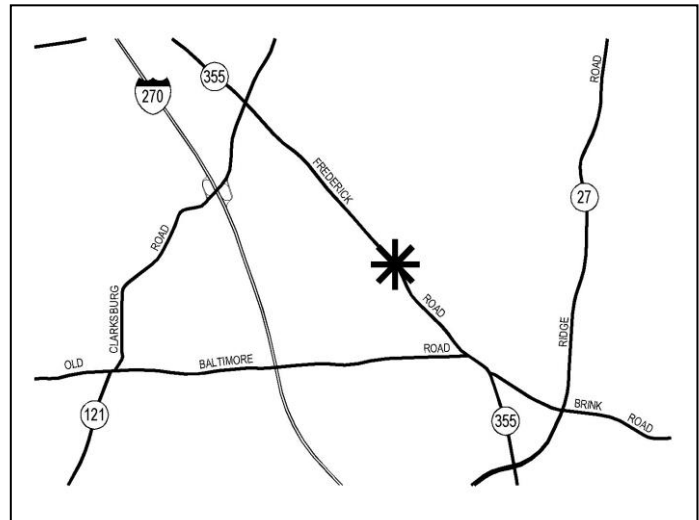
Completed: 6/9/15

Description

Item 4A. Frederick Road Bike Path: MR2015025

Construction of a ten-foot-wide shared use path along the west side of Frederick Road (MD 355) extending 2.5 miles from the intersection of Stringtown/Frederick Road in Clarksburg to 300 feet south of the intersection of Milestone Manor Lane/Frederick Road in Germantown.

- Master Plans: Clarksburg and Germantown
- Applicant: Montgomery County Department of Transportation
- Filing Date: April 24, 2015



Summary

- The review of this Mandatory Referral is two-part: **Item 4A - Mandatory Referral MR2015025**, and **Item 4B – Preliminary/Final Water Quality Plan MR2015025** discussed as a separate staff report.
- Staff recommends approval of the Mandatory Referral with recommendations to be transmitted to the Montgomery County Department of Transportation (Item 4A).
- This project is located within the Clarksburg Special Protection Area (SPA) and on publicly owned property. It is required to obtain approval of a water quality plan under Section 19-62 of the Montgomery County Code. The Planning Board must take separate action on the Preliminary/Final Water Quality Plan (Item 4B) prior to taking action on the Mandatory Referral.
- This shared use path will fill in major gaps along a 2.5 mile length of Frederick Road where the path does not exist or is otherwise not funded or built by other agencies or developments.
- The path will cross the Little Seneca Creek over a separate interim 8-foot wide bridge structure until the ultimate section of Frederick Road is constructed.

RECOMMENDATIONS:

Transmit the following recommendations to the Montgomery County Department of Transportation:

1. Prior to any land disturbance activity within parkland, a park permit is required from the Montgomery Parks Department. Any parkland disturbed by the project must be restored to its original condition in accordance with the park permit.
2. The project must adhere to the approved Forest Conservation Plan Exemption/Tree Save Plan and Preliminary/Final Water Quality Plan.
3. The limit of disturbance for the 40" black walnut located within Clarksburg Neighborhood Park at Station 226+50 should be held no closer than 25 feet from the trunk to avoid impacts. Parks staff has previously requested that the path alignment be moved to the east side of the utility pole to avoid impacts to the 40" black walnut. A response for the alignment of the path at this location is needed from the Applicant to Parks staff.
 - i. Trenchless sediment control measures should be used within the critical root zones of all trees to be saved. On the SEC plan, the applicant is still showing a super silt fence in the critical root zone of the 40" black walnut.
 - ii. The most recent plans show a 17' construction easement along the west side of the trail. Parks staff asks that any parts of the proposed easement within 60' of the critical root zone of the black walnut tree be removed from plans, especially if the path cannot be shifted to the other side of the utility pole.
4. There are 14" maple trees identified on Plan Sheet PS-07 that may be impacted. Until design is near completion (approximately 90%), Parks staff is not able to sufficiently review potential impacts. If the fill material from the bike trail can't be held a minimum of 5-feet from the trunk of these trees, then the Parks Department will require mitigation. Trees won't be able to be planted in this location, so a tree mitigation fee of \$100 per inch of tree diameter impacted would be requested and used by the Parks Department to plant trees at locations in or around Clarksburg Local Park.
 - i. The proposed fill material adjacent to the two 8" maples on Sheet ES-09 of the Soil Erosion Control Plan shown at Station 225 and 225+50, must be kept a minimum of 5' off the trunks. If not possible, Parks staff will ask for the trees to be removed and mitigated, either through new tree plantings or a mitigation fee.
5. A Phase I archaeological survey must be conducted for the four parks within the project limits, unless correspondence from the SHPO/MHT indicates they have been previously surveyed or clearly disturbed by prior construction activities such as road-building or utility corridors.
6. Expand all landscape panels to a minimum of six feet to accommodate tree plantings. From the intersection of Stringtown Road to 150 feet north of Suncrest Avenue, the landscape strip should be 10 feet wide to match the landscape panel provided on the northbound side of N. Frederick Road, consistent with the 1994 Clarksburg Master Plan and to Business District Street standards.
7. Plant street trees as specified in Table 1 below; avoiding mixing species within a block. Trees with high canopies are recommended to avoid conflicts with truck traffic and to maintain clear views to adjacent schools, shops and businesses.
8. High-mount cobra lighting on decorative poles is recommended for the extent of the project.
9. Provide crosswalks at all bus stops. One example is at Shawnee Lane where there is a bus stop on the southwest corner of the intersection on the opposite side of the bike path.
10. Show dual directional ramps that align with the direction of the shared use path. The shared use path should be located outside the ramps.

Table 1: Frederick Road (MD 355) Classification with Streetscape Design

From	To	Classification, ROW, Description	Streetscape designation	Streetscape treatment	Plantings*
Stringtown Road	Roberts Tavern Drive	Business, 50', 2 lanes	Historic Main Street	Curb and gutter, bikeway, closely spaced trees line the street with bikeway behind trees, cobra lighting on decorative poles	Ulmus americana 'Valley Forge' (American elm)
Roberts Tavern Drive	Shawnee Lane	Arterial, 120', 4-lane divided	Residential	Open or closed section, bikeway, County standard tree spacing with bikeway behind trees, cobra lighting on decorative poles.	Quercus phellos (willow oak)
Shawnee Lane	Little Seneca Parkway	Arterial, 120', 4-lane divided	Residential	Open or closed section, bikeway, County standard tree spacing with bikeway behind trees, cobra lighting on decorative poles.	Zelkova serrata 'Village Green' (zelkova)
Little Seneca Parkway	Ridge Road	Major, 120', 4-lane divided	Residential	Connect to greenway at Little Seneca Parkway. Open or closed section, bikeway, County standard tree spacing with bikeway behind trees, cobra lighting on decorative poles.	Quercus rubrum (red oak)

*These trees are on the current list of approved street trees. If tree plantings have been done as part of the development on the confronting properties, those plantings should be mirrored.

Previous Board Actions

None

Background and Schedule

The project was initiated in January 2011. Construction was expected to occur in Summer 2014 based on the original schedule. The project was delayed to account for changes in the width of the shared use path, land acquisition, and funding. The new estimated completion date is within Fiscal Year 2017 with construction starting in Fiscal Year 2016.

Mandatory Referral Review

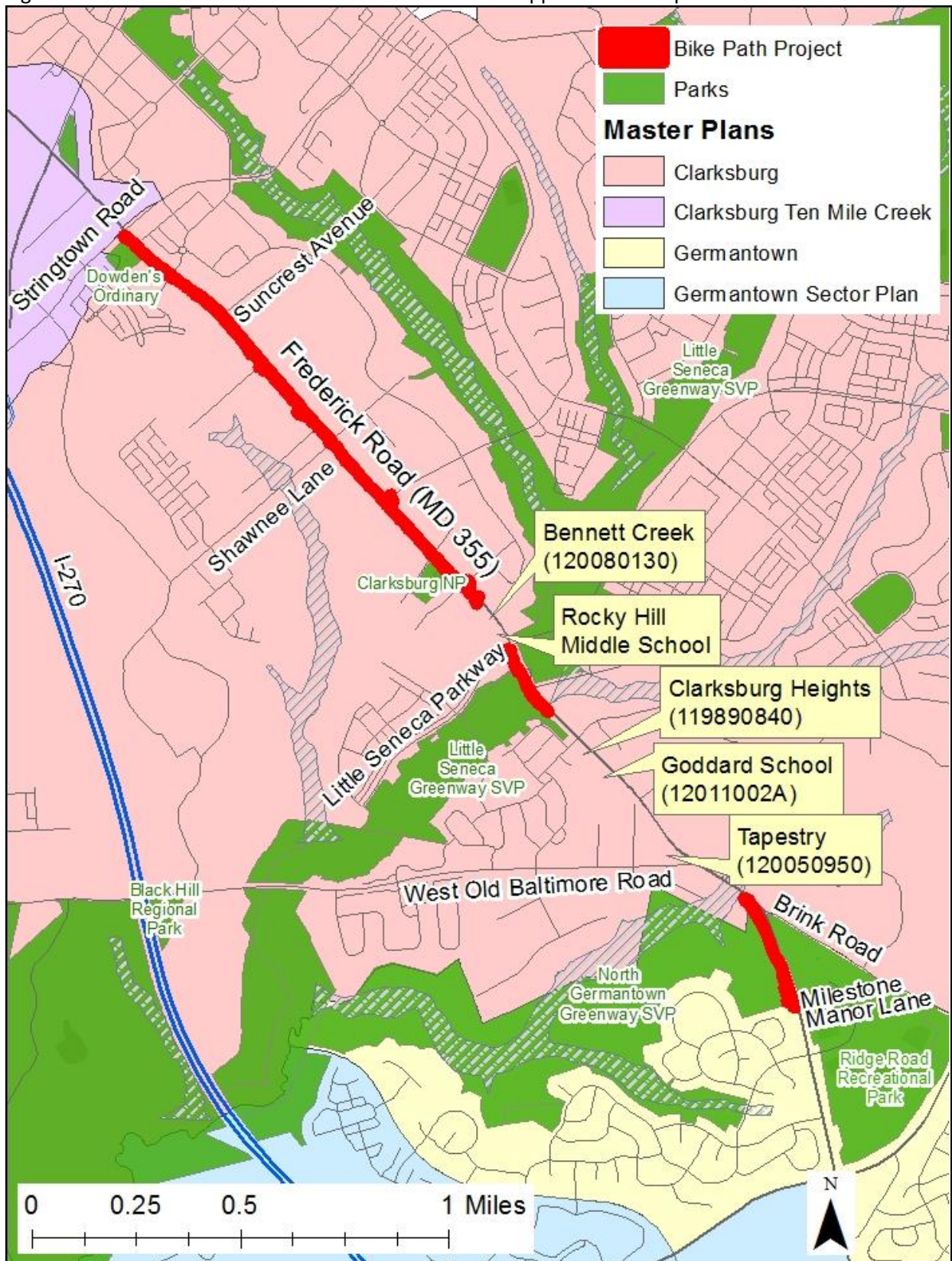
The Montgomery County Department of Transportation (MCDOT) proposal for the construction of the 2.5 mile segment of bike path along Frederick Road requires the Mandatory Referral review process as per the Montgomery County Department of Park and Planning Uniform Standards for Mandatory Referral Review. This regulation requires all federal, state, and local governments and public utilities to submit proposed projects for a Mandatory Referral review and approval by the Commission. The law requires the Planning Board to review and approve the proposed location, character, grade and extent of any road, park, public way or ground, public (including federal) building or structure, or public utility (whether publicly or privately owned) prior to the project being located, constructed or authorized.

The Montgomery County Forest Conservation Law is applicable to the project, however; the project qualifies for, and has been granted an exemption by Planning Department Staff (#42015156E) under the provisions of Section 22A-5(e) as “a State or County highway construction activity...” In addition, the project is located in the Clarksburg Special Protection Area and is, therefore; subject to Water Quality Plan requirements. A summary of this review is provided in this staff report with a more complete analysis provided in the associated Preliminary/Final Water Quality Plan staff report (Item 4B)

Site Description

The project study area includes a 2.5 mile segment on the west side of Frederick Road (MD 355) from Stringtown Road in Clarksburg to 300 feet south of Milestone Manor Lane in Germantown. The classification of MD 355 changes within this 2.5 mile segment. It is identified in the 1994 Clarksburg Master Plan as a Business District Street in its northernmost section transitioning to an Arterial Highway in its mid-section, and then to a Major Highway in the southernmost section. The road is mainly posted at 40 miles per hour except in two areas where the posted speed is 30 miles per hour. The majority of the road remains as a two lane road except in some locations where development has been required to widen the road and at intersections where turn lanes have been provided.

Figure 1: Frederick Road Bike Path Extent with Relevant Approved Developments



Study Description

The shared use path will connect Clarksburg and Germantown with a safe and convenient pedestrian and bicycle route. The project includes the design, land acquisition, and construction of new sections of a 10-foot wide hiker-biker path along the west side of Frederick Road (MD 355). For environmental sensitivity, the bike path will be narrowed to 8 feet where the project crosses the Little Seneca Creek area for a distance of approximately 600 feet. In places, the new path will tie into existing 8-foot path segments that were built by developers along this side of MD 355. The project will replace existing sidewalk segments that are not at least 8 feet wide. The result will be a continuous bike path along the entire 2.5 mile route also serving two schools, two parks, and a church as well as numerous subdivisions. The project includes streetlights and street trees and will be primarily asphalt with some sections using permeable pavement in and near environmental buffers.

Development Project Approvals and Relevant Information

Development projects have been approved along the 2.5 mile project segment as discussed above and as shown in Figure 1. From north to south the following projects have been approved:

- Bennett Creek (120080130) – 8-foot shared use path already constructed
- Rocky Hill Middle School – 8-foot shared use path already constructed
- Clarksburg Heights (119890840) – 8-foot shared use path already constructed
- Goddard School (12011002A) – 8-foot shared use path is already constructed.
- Tapestry (120050950) – One of the conditions of approval is for Tapestry to work with the Maryland State Highway Administration (MDSHA) to realign West Old Baltimore Road with Frederick Road. It should be noted this is also a condition of the Goddard School but they constructed the shared use path separately. MDSHA has now taken the lead on the intersection realignment project. The shared use path has also been incorporated into the intersection realignment. The path was originally shown to be 8 feet wide; however, since MDSHA has taken over the project, the path will now be 10 feet wide per their requirements. A portion of the shared use path between the Goddard School and the end of the intersection project by MDSHA will be constructed by Tapestry. The MDSHA plans are currently at 30% design. 65% design will be available at the end of Summer 2015.

Master Plan Consistency

The project is consistent with the three relevant Master Plans that apply to the project area:

- 1994 Clarksburg Master Plan - Class I facility (B-3) from southern study area boundary to Frederick County Line). Class I is off-street.
- 1989 Germantown Master Plan – No specific mention. References the 1979 Countywide Master Plan of Bikeways.
 - 2009 Germantown Employment Area Sector Plan - Shared use path/off-road class 1 (SP-72) from Little Seneca Creek to Boland Farm Road.
- 2005 Countywide Bikeways Master Plan –Shared use path (SP-72) from Watkins Mill Road in Gaithersburg to the Frederick County line.

Public Meetings

A public meeting was held on December 20, 2012, which provided adjacent residents and all interested parties in the project area with an opportunity to review and comment on the plans. When the project was shown to the public, an 8-foot trail was being recommended as that was the MDSHA standard.

Funding

Funds for this project are being financed with General Obligation Bonds. The cost of the project is estimated at \$7,193,000.

Impacts to Parkland

- *Dowden's Ordinary Special Park*. This 2.8-acre interpretive park is located at the intersection of MD 355 and Stringtown Road. The park is on the site of a former "ordinary" or 18th century tavern. Facilities include a "ghost" structure where the original tavern was located, as well as a playground, historic-themed artwork, interpretive displays and internal paved pathways.
- *Clarksburg Neighborhood Park*. This 3.8 acre park is located adjacent to Clarksburg High School and includes a park activity building, tennis courts, a basketball court and a playground. This park was the former site of the Clarksburg Negro School and Gibbs House. An area of archaeological sensitivity stretches along the park's entire MD355 frontage. See Figure 2.
- *Little Seneca Greenway Stream Valley Park*. This park buffers Little Seneca Creek to the south of MD355. While it does not include any recreational amenities, the park's entire MD 355 frontage is an area of archaeological sensitivity. See Figure 3.
- *North Germantown Greenway Stream Valley Park*. Part of a larger 300 acre stream valley park on both sides of MD355, the portion west of MD355 includes a popular hiker-biker trail. The park's entire MD355 frontage (west side) is an area of archaeological sensitivity. See Figure 4.

Figure 2: Clarksburg Neighborhood Park, Area of Archaeological Sensitivity



Figure 3: Little Seneca Greenway Stream Valley Park, Area of Archaeological Sensitivity



Figure 4: North Germantown Greenway Stream Valley Park, Area of Archaeological Sensitivity



The MD 355 corridor in Clarksburg features many historical, cultural and archaeological resources, both on parkland and on private land. MCDOT is required to make a reasonable effort to identify historic properties in the vicinity of the project and mitigate the impacts to them. MCDOT is responsible for the Section 106 process with the Maryland State Historic Preservation Office (SHPO)/Maryland Historic Trust (MHT) and for consulting with property owners affected, including Parks. Parks staff notified the SHPO/MHT of this project in mid-May 2015. The SHPO/MHT has 30 days to comment. As of the completion of this staff report, staff has yet to hear from the SHPO/MHT.

Additionally, the project has the potential to affect historic properties on M-NCPPC land, based on historic map and archival research, as well as a site visit in spring, 2015. Specifically, the proposed work goes through areas where known structures once existed. These include the Clarksburg Negro School and the Gibbs House, both important historically to the African American community in Clarksburg. The project also goes through areas that have a high potential for prehistoric sites to occur.

Parks staff has identified several potential tree impacts that should be avoided and are listed in the recommendations to be transmitted to MCDOT.

ENVIRONMENT

Environmental Guidelines

The project area contains environmental buffers, streams, other sensitive features. It is located in the Clarksburg and Germantown Master Plan areas, the Clarksburg Special Protection Area, and within the Little Seneca Creek watershed, which is classified by the State of Maryland as Use Class IV-P waters. Following is a brief discussion of the environmental issues, which are more completely discussed in the Preliminary/Final Water Quality Plan staff report (Item 4B).

Forest Conservation

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. See the Preliminary/Final Water Quality Plan staff report (Item 4B) for a complete analysis

Special Protection Areas (SPA) Water Quality Plan

This project is located within the Clarksburg SPA and on publicly owned property. The Mandatory Referral project is required to obtain approval of a water quality plan under Section 19-62 of the Montgomery County Code. See the Preliminary/Final Water Quality Plan staff report (Item 4B) for a complete analysis

Environmental Buffer Protection

The Application includes impacts to Little Seneca Creek and its associated environmental buffer. See the Preliminary/Final Water Quality Plan staff report (Item 4B) for a complete analysis

CONCLUSION

Staff recommends that the Planning Board approves the Mandatory Referral and transmits recommendations as specified on page two of this staff report.