



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item # 4
10.24.02

MEMORANDUM



DATE: October 17, 2002
TO: Montgomery County Planning Board
VIA: Joseph R. Davis, Division Chief
Michael Ma, Supervisor *Ma*
Development Review Division *JRO*
FROM: Mary Beth O'Quinn *mbog*
Planning Department Staff
(301) 495-1322

REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 79 one-family detached lots in the R-200 (Cluster) Zone
PROJECT NAME: Cross Creek Club, Phase II
CASE #: 8-99048A
REVIEW BASIS: Sec. 59-D-3, Zoning Ordinance

ZONE: R-200
LOCATION: East side of Briggs Chaney Road, approximately 500 feet north of its intersection with Fairland Road..
MASTER PLAN: Fairland
APPLICANT: Bear Corporation, c/o MK Enterprises
FILING DATE: September 5, 2002
HEARING DATE: October 24, 2002

STAFF RECOMMENDATION: Approval of 26 additional single-family-detached lots for a total of 79 single family homes and fee-in-lieu payment compensation for MPDUs, subject to the following conditions:

1. Stormwater Management
Conditions of the revised Stormwater Management Concept approval, dated September 5, 2002.
2. Park Planning
Conditions of the division of Park Planning memo dated October 16, 2002, including:

- a. Dedicate the approximately 6.7 acre local park site to M-NCPPC. Dedicated land to be conveyed free of trash and unnatural debris. Park boundaries to be marked with boundary markers to delineate between parkland and privately owned lots in the development;
- b. Provide public street access from English Turn Drive cul-de-sac, gravel parking area sufficient to accommodate at least 28 vehicles and sidewalk from the cul-de-sac to the multi-age play lot, to be constructed by Applicant on dedicated parkland. Location of access and parking to be coordinated with M-NCPPC staff;
- c. Construct a multi-age play lot on the dedicated parkland to park standards and specifications. Play equipment to be included and exact location of play lot to be approved by M-NCPPC staff prior to approval of the signature set plans.
- d. Grade and seed a site within the dedicated parkland that will accommodate a soccer field with dimensions of at least 300' by 180'. Grading and seeding to be done to park standards and specifications (specifically Design Standard #131 and Technical Specifications #220 and #900). Location of site to be graded and seeded, and exact size of field to be coordinated with M-NCPPC staff;
- e. Construct, furnish, and finish all local park recreation, including the soccer field, multi-age Playground, and parking facilities prior to release of building permits for construction on lots 22D, 23D, 24D, 28E and 29E .
- f. Retain the natural areas of subject local park as follows: Applicant shall not grade the north and northwest portions of the site where the trees and habitat is to be preserved. This area will be delineated in the field and on applicable maps and construction drawings by M-NCPPC staff and Applicant.
- g. Construct Stormwater Management facilities to accommodate runoff from the multi-age play lot, soccer field and parking area as required by DPS. Park Construction Permit to be secured by Applicant prior to beginning of construction of the park recreation facilities.

3. Transportation

Conditions of Transportation Planning staff memo dated October 18, 2002, including:

- a. Limit the subject preliminary plan revision and subject site plan amendment to 26 more one-family detached units for a total of 79 one-family detached units in Phase II;
- b. As required by Site Plan No. 8-99048, provide a practice soccer field with a parking area and temporary access from English Turn Drive's cul-de-sac. Provide a pedestrian connection between the soccer field and Briggs Chaney Road pending coordination with the Montgomery County Department of Public Works and Transportation (DPWT), the Montgomery County Department of Permitting Services (DPS), and Park planning staffs;
- c. Satisfy the APF test by paying the EDA excise tax:
 - i. *Policy Area Review*: The Fairland/White Oak Policy Area is in a moratorium with no capacity available for housing units. The

remaining staging ceiling capacity is a **negative** 3,372 housing units as of September 30, 2002;

- ii. *Local Area Transportation Review*: Based on the results from the traffic study submitted for the original preliminary plan, three intersections on Columbia Pike (US 29) would exceed the congestion standard for the Fairland/White Oak Policy Area with the additional traffic generated by the proposed housing units. The payment of the EDA excise tax by the applicant should be used towards programmed improvements at the current intersection of Columbia Pike with Briggs Chaney Road, Fairland Road, and Musgrove Road. SHA appropriated funds for the following Consolidated Transportation Program (CTP) projects:
 - Construction funding for an interchange at Columbia Pike with Briggs Chaney Road as SHA's CTP Project No. MO8685171.
 - Planning and design funding for an interchange at Columbia Pike with Fairland Road and Musgrove Road as SHA's CTP Project MO425A23.

d. Coordinate plans for realignment along Briggs Chaney Road with DPWT.

4. Signature Set

Prior to signature approval of the site/landscape plans the following revisions shall be made and/or information provided, subject to staff review and approval:

a. Site Plan

- i. Show all easements, LODs, ROWs, PUEs, Forest Conservation Areas and Storm Water Management Parcels, HOA areas, sidewalks and trails;
- ii. Show Forest Conservation Easements, boundaries and square footage;
- iii. Show house footprints and location for all lots;
- iv. Indicate the current ICC ROW on all plans showing lots adjacent to the proposed ROW;
- v. Methods and locations of tree protection;
- vi. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
- vii. Provide the development program inspection schedule;

b. Site Design

- i. Rotate unit on Lot 13E to face street; match building line established on Lot 14E; verify that building line of Lot 11D matches Lot 10D and building line of Lot 12E matches Lot 11E;
- ii. Extend the 25-foot wide HOA space (forest conservation easement) provided at the rear property line of Lots 1-12, Block D to include Lots 13 through 20 and Lots 22, 23, and 24 of Block D; no fencing and decks shall be permitted within this space;
- iii. Verify matched sidewalk alignment and transition along English Turn Drive for Phase 1 and Phase 2; show sidewalks on all drawing sheets for all street frontage throughout;

c. Landscape Design

- i. Show landscape plant material and one shade trees in traffic calming island and in the island at the end of the cul-de-sac;

- ii. Provide two additional shade trees at the perimeter of the traffic circle and the cul-de-sac;
- iii. Realign street trees on English Turn Drive to provide paired tree locations across the public street, subject to coordination with DPWT, DPS, and site plan staff; provide street trees at 45-50 feet spacing;
- iv. Provide landscaping plan for the Multi-Age Playground; show adequate shade trees, hedges, and accent landscaping;
- v. Provide landscaping for the perimeter of the parking lot;
- vi. Provide substantial tree screening for the rear of Lots 12-24, Block D, for 20 feet width at the rear property line;
- vii. Provide additional shade trees and evergreens for screening at the west property line of Lot 24D adjacent to the MNCPPC parkland.

d. Recreation

- i. Provide a composite site plan showing the location of all the proposed on-site and off-site recreation facilities available to the Montgomery County residents of the development. The plan shall also indicate how the residents in the Montgomery County portion of the development will access these facilities in conformance with the Recreation Guidelines.
- ii. Add two seating areas at either the parking lot or soccer field within the local MNCPPC park.

e. MPDUs

Include as part of the signature drawing set a copy of the DHCA statement addressing satisfactory compliance with the MPDU requirements of this development.

5. Summary Plan

Provide a final summary plan showing the entire development phases (completed, proposed and abandoned) within Montgomery County and Prince Georges County; plan should also show location of recreation, sidewalks, trail connections, bus stops and/or public transportation facilities, stream buffers, and forest conservation areas, street ROWs, and the proposed ICC ROW. Include preliminary plan and site plan case numbers and dates of approval on the drawing.

6. Submit revised Forest Conservation Plan to address the combined phases. The final FCP shall address the combined phases.

7. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:

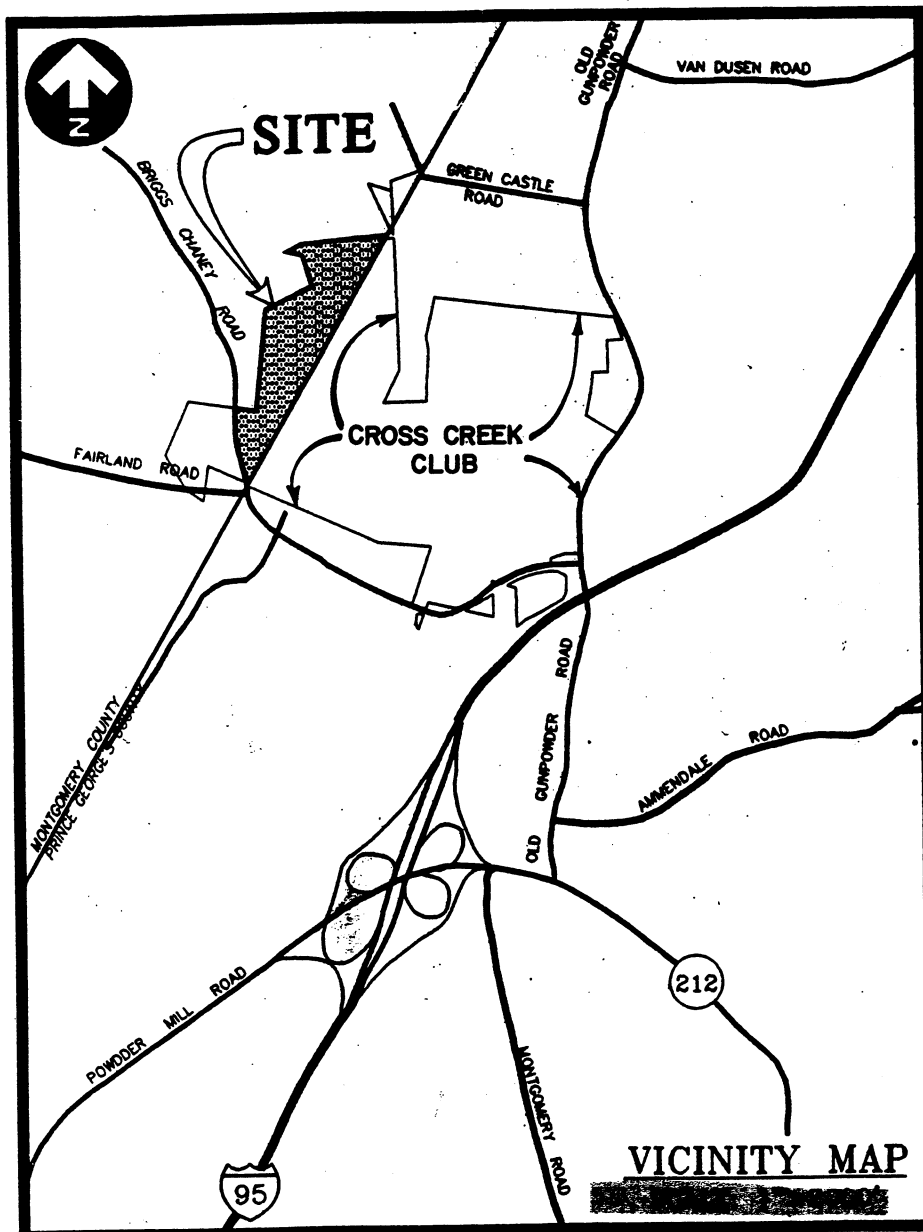
a. Development Program to include a phasing schedule as follows:

- i. Streets tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets;
- ii. Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development;
- iii. Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
- iv. Coordination of each section of the development and roads;

- v. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features;
 - vi. Site Plan Enforcement Agreement to include recreation facility maintenance.
- b. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
 - c. No clearing or grading prior to M-NCPPC approval of signature set of plans.

PROJECT DESCRIPTION: Surrounding Vicinity

The subject site comprises Section II, Phase II of a large subdivision known as Cross Creek Club that straddles the Montgomery County-Prince Georges County line. Primary access is provided by Briggs Chaney Road, an arterial roadway with an 80-foot-wide right-of-way. A vacant, R-200 zoned parcel, of approximately 14 acres, also abuts the site to the west. Property adjoining the site to the south and east is all part of the Cross Creek Club development and is proposed to be developed either as part of the golf course or as one-family detached lots or is in parkland dedication. The ROW reservation for the future alignment of the Inter County Connector adjoins the development on the north side of this proposal for the amendment to Phase Two. The ROW strip lies approximately 125 feet north of English Turn Drive at its closest point, and approximately 325 feet north of Shinnecock Drive at its closest point.



PROJECT DESCRIPTION: Site Description

The site was formerly a sand and gravel mining operation. This activity has left the site with what has been called a “moonscape” consisting of shallow pits and up to 30-foot-high cliffs. The area has become a haven for off-road vehicles and this use along with the fact that the majority of the topsoil has been lost, has created severe erosion problems.

In areas where mining activities did not occur, many of the larger hardwoods have either been logged or have died from gypsy moth infestation; however there are still areas with existing high-quality forest, which will be preserved. The site is located within the Little Paint Branch watershed.

PROJECT DESCRIPTION: Proposal

The Cross Creek Development comprises a significant, phased development proposal sited within Montgomery County and Prince Georges County. The current applicant proposes an amendment to the previously approved Phase II. The current amendment deletes the future Phase III proposal for 145 residential units sited within the land area of the future ICC Right-of-Way that was recently purchased by the State Highway Administration. The deletion of Phase III permits an abbreviated completion of Phase II with respect to length and termination of English Turn Drive, and the moderate addition of 26 one-family detached units that may be accommodated on this internal public road. *[See Transportation Planning memo attached for full discussion of road and traffic elements.]*

The amendment proposal consists of the additional 26 units for total of 79 one-family detached lots located within the Montgomery County portion of two separate areas of the larger Cross Creek Club development. The two separate areas are located on either side of the fairway of the fourth hole of the Cross Creek golf course. Fifty-nine (59) of the lots (including the 26 additional units) are located along English Turn Drive, a fifty-foot-wide public right-of-way that terminates in a cul-de-sac. The remaining 20 lots are located along Medallion drive, a major spine road with a 70-foot-wide right-of-way.

Recreation facilities have been provided for the entire community in conformance with the approved Recreation Guidelines. These are enumerated and further discussed below.

Stormwater management consists of on-site water quantity and quality control via facilities located in Prince George's County. Water quality control for Lots 1-6, Block C that drain to Montgomery County will be provided via a dry well system.

PROJECT BACKGROUND AND REVIEW ISSUES

History

The original proposal for Cross Creek Club provided for development in three phases:

Phase I Site Plan 8-99015

Approved for 20 one-family detached units and 36 townhouses.

Phase II Site Plan 8-99048

Submitted in 1999 for 78 one-family detached units;
Approved for 53 units in September 1999;
Applied for 79 units under subject amendment.

Phase III Proposed conceptually for 87 one-family detached units and 96 townhouses.
Maryland State Highway Administration (SHA) had since purchased this land
located on the north side of the Intercounty Connector's right-of-way.

Approval Chronology

- September 30, 1999: Site Plan No. 8-99048 was approved as Section II, Phase II for 53 one-family detached units in the southwest quadrant of Briggs Chaney Road and the Prince Georges County line.
- February 11, 1999: Site Plan No. 8-99015 was approved as Section II, Phase I for 36 townhouses and 20 one-family detached units. The houses were located in the western quadrant of Briggs Chaney Road and Fairland Road with access from Briggs Chaney Road to Big Horn Drive.
- February 11, 1999: Preliminary Plan No. 1-98048 was approved as Phases I and II for a maximum of 79 one-family detached units and 36 townhouses.
- June 25, 1998: The Planning Board agreed to the applicant's request for a deferral of Preliminary Plan No. 1-98048. At that time, Phases I and II included 124 one-family detached units and 87 townhouses.
- January 16, 1997: The Board of Appeals granted the Special Exception Case No. S-2247 for 77 housing units and three golf holes in Montgomery County. The remaining Cross Creek development would be in Prince George's County for 390 housing units, 15 golf holes, and 50-room hotel.
- October 17, 1996: The Planning Board recommended that the Board of Appeals grant the Special Exception Case No. S-2247.

PROJECT DESCRIPTION: Prior Approvals

Applicable Approved Preliminary Plan

On February 11, 1999, the Planning Board approved the preliminary plan of subdivision for the proposed development, Preliminary Plan 1-98048, with the following conditions:

Approval of Phase I and Phase II, at this time, Pursuant to the FY 99 Annual Growth Policy Alternative Review Procedures for Expedited Development Approval ("Pay-and-Go"), Subject to the Following Conditions:

1. *Prior to recordation of plat(s), applicant to enter into an agreement with the Planning Board to limit development to a maximum of 115 Single Family Dwelling Units (79 Detached units and 36 townhouse units) and to pay to the Montgomery County Department of Finance the balance of the expedited development approval excise tax prior to receipt of building permit, as provided in the county code*
2. *Record plat to provide for dedication for 80 Feet of right-of-way for Briggs-Chaney Road and 80 feet of right-of-way for Fairland Road, in accordance with the recommendations of the Fairland Master Plan*
3. *Compliance with the conditions of approval of the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plats or MCDPS issuance of sediment and erosion control permit, as appropriate*
4. *Dedication of a minimum six (6) acre local park with access from English Turn Drive as shown on Preliminary Plan*
5. *Dedication for the termination of English Turn Drive in conformance with MCDPW&T standards*
6. *Record plat to show delineation of a Category I conservation easement over the stream buffer(s) and all forest conservation areas*
7. *Record plat to show the limit of the 100-year floodplain and associated floodplain building restriction lines per MCDPS requirements*
8. *Compliance with conditions of MCDPS stormwater management approval dated 6-8-98 and reaffirmed 12-8-98*
9. *Terms and conditions of access, as required, to be approved by MCDPW&T prior to recording of plat*
10. *Applicant to abide by all conditions of approval contained in the Board of Appeals Opinion for Special Exception Application No. S-2247 for the golf course portion of the property*
11. *No clearing and/or grading of the site, other than for the approved golf course, prior to site plan approval*
12. *Final approval of the number and location of dwellings, on-site parking, landscape, sidewalks and bike paths will be determined at site plan*
13. *Prior to expiration of the ICC right of way reservation, applicant to submit a revision to the preliminary plan finalizing the local park location, re-alignment of internal road network and proposed lot lay-out for Phase III, north of the ICC right of way*
14. *Waiver of overlength cul-de-sac*
15. *Waiver of sidewalks (on one side of right-of-way) to be determined at site plan.*
16. *Other necessary easements*
17. *In accordance with the provisions of EDAT of the FY99 AGP, this preliminary plan will remain valid until April 11, 2001 (25 months from the date of mailing, which is March 11, 1999). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded. In order for the approval to remain valid, all building permits must be issued within two years of the recordation of the associated plat(s).*

The site plan is in substantial conformance with the approved Preliminary plan conditions. A Special Exception for the golf course was approved by the Board of Appeals on January 16, 1997.

Previous Site Plan for Phase II

Planning Board approved the Site Plan 8-99048 for Phase II, 53 one-family units with the following specific conditions, in addition to the standard conditions:

1. *Prior to signature approval of the site/landscape plans the following revisions shall be made and/or information provided:*
 - a. *Additional landscape planting shall be provided along with an attractive fence or wall on the side of Lot 1, Block C adjacent to Briggs Chaney Road to mitigate visual and noise impacts.*
 - b. *A statement shall be added to the plans which states the number of MPDUs which are required for this section and shall identify their location*
 - c. *Street trees of one species shall be provided, no further apart than 50-feet on-center, along each street.*
 - d. *Supplemental planting shall be provided behind Lots 11-13, Block D, and between Lots 43 and 44, Block M for screening and buffering purposes*
 - e. *A plan showing the location of all the proposed on-site and off-site recreation facilities shall be provided. The plan shall also indicate how the residents in the Montgomery County portion of the development will access these facilities in conformance with the Recreation Guidelines. Additional recreation facilities shall be provided in conformance with the Recreation Guidelines to adequately satisfy the recreation demand of children between the ages of 5 and eleven without credit for the golf course.*

2. *Prior to recording of the Plats, the applicant shall deliver a signed deed for the dedicated six-acre parcel to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for a future local park. An alternative park site, as shown on the approved Preliminary Plan 1-98048 for Cross Creek Club, is in reservation until July 30, 2000, for the construction of the proposed ICC interchange with Briggs Chaney Road.*

The deed for the six-acre parcel will be held in escrow by the M-NCPPC until the State Highway Association (SHA) makes a decision regarding the land held in reservation, or until December 30, 2000, whichever comes first. Thereafter, assuming the alternative park site is needed for the interchange, M-NCPPC will record the deed. In the event that the proposed interchange is not to be constructed at this location, the applicant shall convey the alternative park site, approximately 6.8 acres, to the M-NCPPC. The signed deed for the six-acre parcel will then be returned to the applicant.

3. *The dedicated parkland shall be graded and seeded by the applicant in accordance with the M-NCPPC's grading specifications. Prior to the grading operation, a grading plan for the park site shall be approved by the Parks Department. The grading shall be completed by the applicant and accepted by the Parks Department one year after the State Highway Association (SHA) makes a decision regarding the land held in reservation, or one year after December 30, 2000, whichever comes first.*

4. *A Play Lot shall be provided by the applicant in the dedicated park land in accordance with the Recreation Guidelines and with the M-NCPPC's technical specifications. The Play Lot shall be completed by the applicant and accepted by the Parks Department one year after the State Highway Association (SHA) makes a decision regarding the land held in reservation, or one year after December 30, 2000, whichever comes first. The design and layout of the Play Lot shall be submitted for review and approval as part of the required grading and seeding plan as described above in Condition 4.*

5. *Full Compliance with the revised Environmental Planning Division memo dated September 23, 1999.*

ANALYSIS: Conformance to Master Plan

- a. The Fairland Master Plan recommends the following:
 - Rezone R60/TDR to R-200 to balance housing types
 - Sidewalks on both sides of all local streets
 - New, small, public park/playground south of ICC east of Briggs Cheney
 - Open space connections from future Tanglewood Park to Prince George's County
 - Stream buffers on all Paint Branch tributaries
 - Develop away from Briggs Chaney Road to mitigate noise and protect streams and forest in the north and east portions of the site
 - SWM and water quality facilities outside stream buffers

- b. The Master Plan of Highways/Bikeways recommends a Class I bikeway along Briggs Chaney Road. The bikeway will be located on the east side of Briggs Chaney Road.

These provisions are substantially accommodated in the proposed Site Plan.

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE		
Zoning	R-200	
Gross Tract Area Phase 2	53.23 Acres	
Development Method	Cluster with MPDU option	
Proposed Use	One-Family Detached Lots	
Proposed Number of Lots	79	
DEVELOPMENT STANDARD	Permitted Required	Proposed
Minimum Lot Area (sq. ft.):	6000 sf	6000 sf
Minimum Lot Width: front bldg line	25 feet	25 feet
Minimum Lot Width: street line	25 feet	25 feet
Building Height	40 feet	40 feet
Setbacks		
Front Yard	25 feet	25 feet
Side Yard	0 feet	5 feet
Rear Yard	20 feet *	25 feet
MPDUs Total	17	17
MPDUs this amendment [See attached communication from DHCR]	2	2
<p><i>* Per Section 59-C-1.624 of the Zoning Ordinance: For a side or rear yard that abuts a lot that is not developed under the provisions of this section 59-C-1.6, the setback must be at least equal to that required for the abutting lot, provided that no rear yard is less than 20 feet.</i></p>		

MPDU CALCULATIONS

Phase	Units	MPDUs Required	MPDUs Provided	Location
Phase 1	56 units	15	15	On-site
Phase 2	79 units	2	2	Off-site *
Total	135 units	17	17 *	

* Fee-in-lieu agreement

Staff supports applicants proposal for an alternative supply of MPDUs off-site through a fee-in-lieu arrangement. The agreement provides for a payment of \$60,000 will subsidize funding from the Housing Initiative Fund to renovate Great Hope Homes, located within the same planning area as proposed development for Cross Creek Club. This arrangement will support more dwelling units than the two MPDUs that would be achieved on site.

RECREATION CALCULATIONS

RECREATION		Tots	Children	Teens	Adults	Seniors
SFH II		13	24	25	106	11
Townhouses		17	22	18	129	7
PROJECT DEMAND						
<i>SFH II</i>	1.35	17.55	32.4	33.75	143.1	14.85
<i>TH</i>	0.36	6.12	7.92	6.48	46.44	2.52
PROJECT DEMAND		23.67	40.32	40.23	189.54	17.37
ON-SITE SUPPLY POINTS						
Natural Area		0.00	2.02	4.02	18.95	0.87
Nature Trail		1.18	2.02	2.01	28.43	2.61
Pedestrian System		2.37	8.06	8.05	85.29	7.82
Tot Lot		9.00	2.00	0.00	4.00	1.00
On Site Total		12.55	14.10	14.08	136.68	12.29
LOCAL PARK ADJACENT						
Open Play Area I		6.00	9.00	12.00	31.00	2.00
Multi-Age Playground		9.00	11.00	3.00	7.00	1.00
		15.00	20.00	15.00	38.00	3.00
Pro-rated Credit Local Park		7.50	10.00	7.50	19.00	1.50
TOTAL ON-SITE SUPPLY		20.05	24.10	21.58	155.68	13.79
Off-Site						
Clubhouse Room		1.90	4.80	0.50	45.80	5.40
SUPPLY/DEMAND RATIOS						
On Site Ratio		0.72	0.44	0.42	0.96	0.83

FINDINGS for Site Plan Review:

1. *The site plan is consistent with an approved development plan or a project plan for the optional method of development, if required. None Required.*
2. *The site plan meets all of the requirements of the zone in which it is located. See Project Data Table above.*
3. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. **Location of Buildings**

The site design and lot layouts have been designed to take full advantage of the golf course and open space areas. The siting of the additional 26 units is adequate, safe, and efficient for utilizing natural topography, providing access to open space, encouraging use of the local park and the surrounding natural areas.

b. **Open Spaces**

The open space provided on the site consists of a long linear parcel of forest conservation area behind Lots 1-13, Block D. Staff recommends the extension of this area northward behind the new additional lots 13-20 D, and 22-24D to provide screening and buffering from the adjacent large parcel whose future development or preservation is unknown. The other significant area of open space is the six-acres of dedicated parkland.

The stormwater management concept for the proposed development was approved with conditions by the Montgomery County Department of Permitting Services (DPS) on October 13, 1998. The SWM concept for Phase II residential portion was reconfirmed on Jun 12, 2002. The SWM concept for the local MNCPPC park was approved on September 5, 2002. Stormwater management consists of on-site water quantity and quality control via facilities located in Prince George's County. Water quality control for Lots 1-6, Block C that drain to Montgomery County will be provided via a dry well system.

c. **Landscaping and Lighting**

Landscaping on the site consists of an informal style of street tree planting. This type of treatment does not meet MCDPW&T standards or is it considered desirable. A condition has been included which requires that street trees be aligned more formally, and planted no further apart than 50-feet on-center; staff also recommends additional, attractive shade trees and supplemental planting at the traffic island and cul-de-sac.

Staff is also recommending that supplemental planting be provided behind Lots 11-13, Block D, and behind Lots 13-24, Block D for screening and buffering purposes.

d. Recreation

Recreation proposed for the Montgomery County portion of Cross Creek Club is MOSTLY adequate, safe and efficient for population categories. On-site amenities include nature trail, natural area, pedestrian system, and tot lot. The applicant's provision of the local park dedicated to MNCPPC will provide a soccer practice field and a multi-age playlot. These amenities are open to the public for shared use with the residents. As such, they are counted at 50% credit toward on-site facilities. Staff recommends two additional seating areas located at the parking facility and/or the soccer field to achieve a few more recreational amenity credit necessary to satisfy the requirements.

Staff recommends the extension and enlargement of the linear HOA forest conservation area at the rear of Block D homes on the west side of English Turn Drive to provide adequate natural recreation connections for the 135 proposed households.

It does appear that the Community Room Clubhouse for off-site site facilities will be located on the Prince George's County side of the development. A plan which locates all recreation facilities has not as yet been submitted; without the benefit of a plan, which locates the facility, it is not possible to determine whether the residents of Montgomery County will have safe and convenient access and full use of the facility. Staff has included as a condition, that the applicant provide a plan showing all recreation facilities, and the pedestrian and vehicular mode distances between the housing areas and the facilities.

It is noted that the applicant is dedicating a six-acre parcel of land for future development as a M-NCPPC public park. Several conditions regarding the conveyance of this land and its grading have been recommended by the Park Planning and Development Division and are included in the Conditions of Approval.

e. Vehicular and Pedestrian Circulation

The street connections to the site are in accordance with the preciously approved Preliminary Plan and with the proposed amendment to the Preliminary Plan. The road network in the Montgomery side of the development consists entirely of public streets, generally with sidewalks on both sides, in conformance with Master Plan recommendations. [The exception is along Shinnecock Drive, the subject of which was addressed during the previous site plan approval, which transverses both counties.]

The extension of English Turn Drive, which terminates at the cul-de-sac, provides safe and efficient vehicular access for the future residents. Staff has encouraged the retention of the original cul-de-sac island at the mid-point of the street as a traffic calming feature and attractive visual amenity.

English Turn Drive provides the entrance to the M-NCPPC local park facilities from the cul-de-sac at the north end of the road. Staff anticipates that a formal entrance to the park will be provided from Briggs Chaney Road in the future.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The houses are sited in a compatible manner with the previously approved houses, vehicular systems, recreational areas, and with the surrounding natural areas. Staff recommends additional screening for the HOA forest area within Block D to provide a landscape buffer between the houses and and future development or use of the large land area between English Turn Drive and Briggs Chaney Road. Staff further recommends through a condition that this HOA forest strip be extended for the rear lot lines of the additional houses proposed by this amendment.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

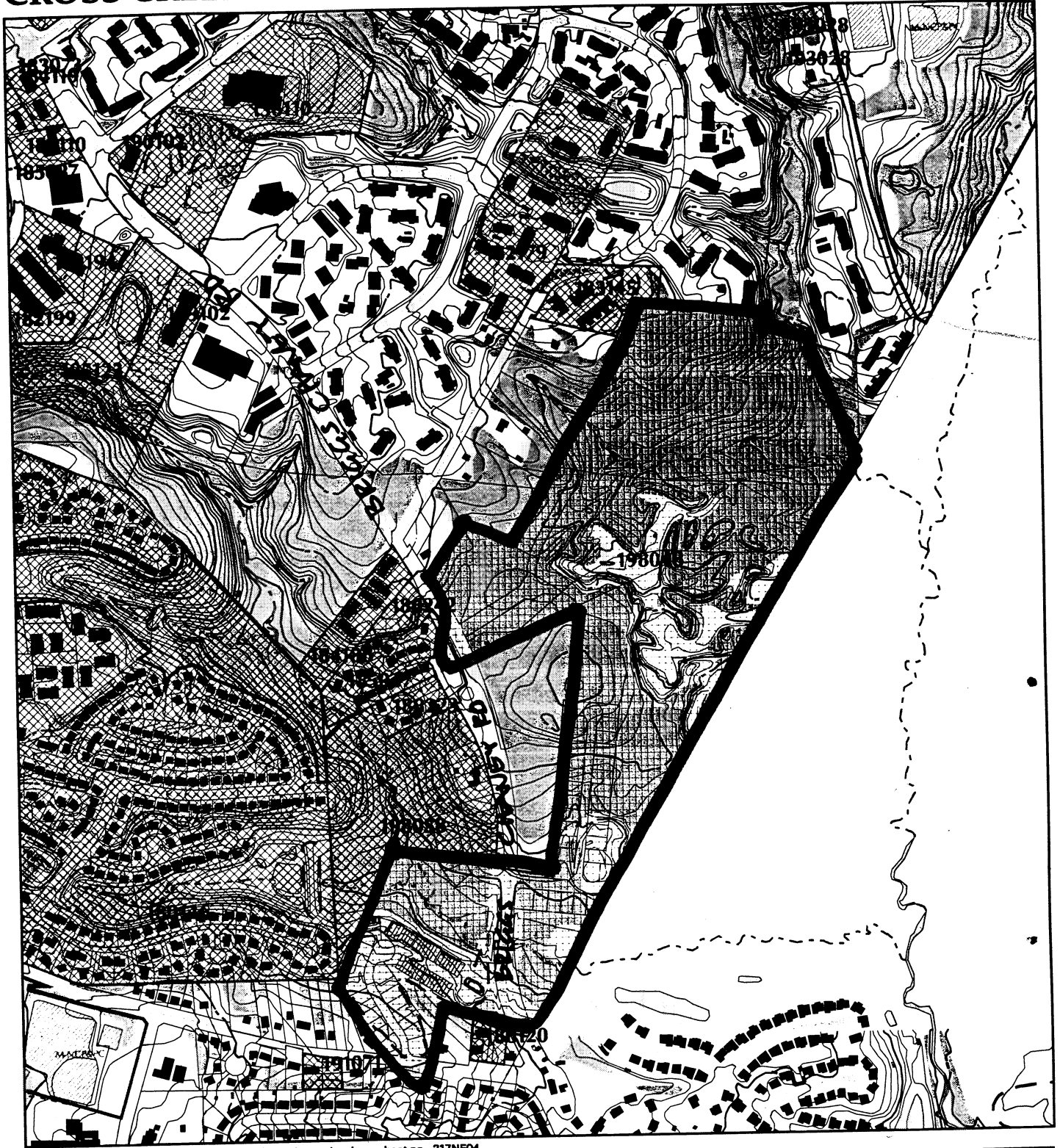
The final Forest Conservation plan was approved with Preliminary Plan 1-99048 and conforms to the requirements of Chapter 22A.

APPENDIX

- A. Standard conditions dated October 10, 1995
- B. Correspondence referenced in report
- C. Documentation of relevant prior action or approval

VICINITY MAP FOR

CROSS CREEK CLUB- PHASE II (8-99048A)



Map compiled on April 10, 2002 at 11:57 AM | Site located on base sheet no - 217NE04

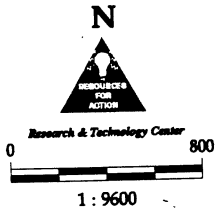
NOTICE

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.

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.

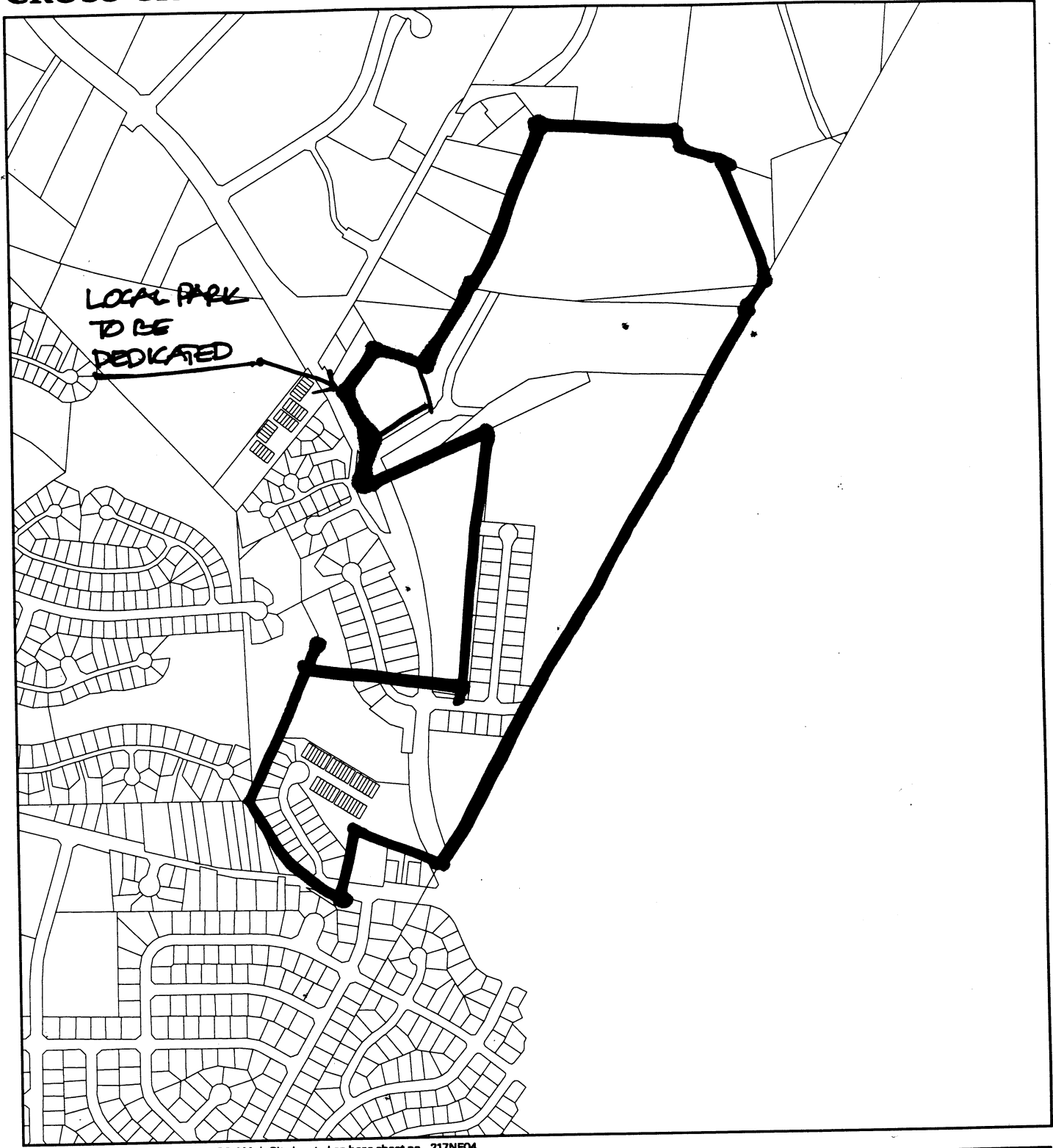
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Key Map



VICINITY MAP FOR

CROSS CREEK CLUB- PHASE II (8-99048A)



Map compiled on April 10, 2002 at 11:53 AM | Site located on base sheet no - 217NE04

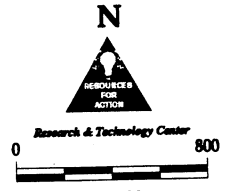
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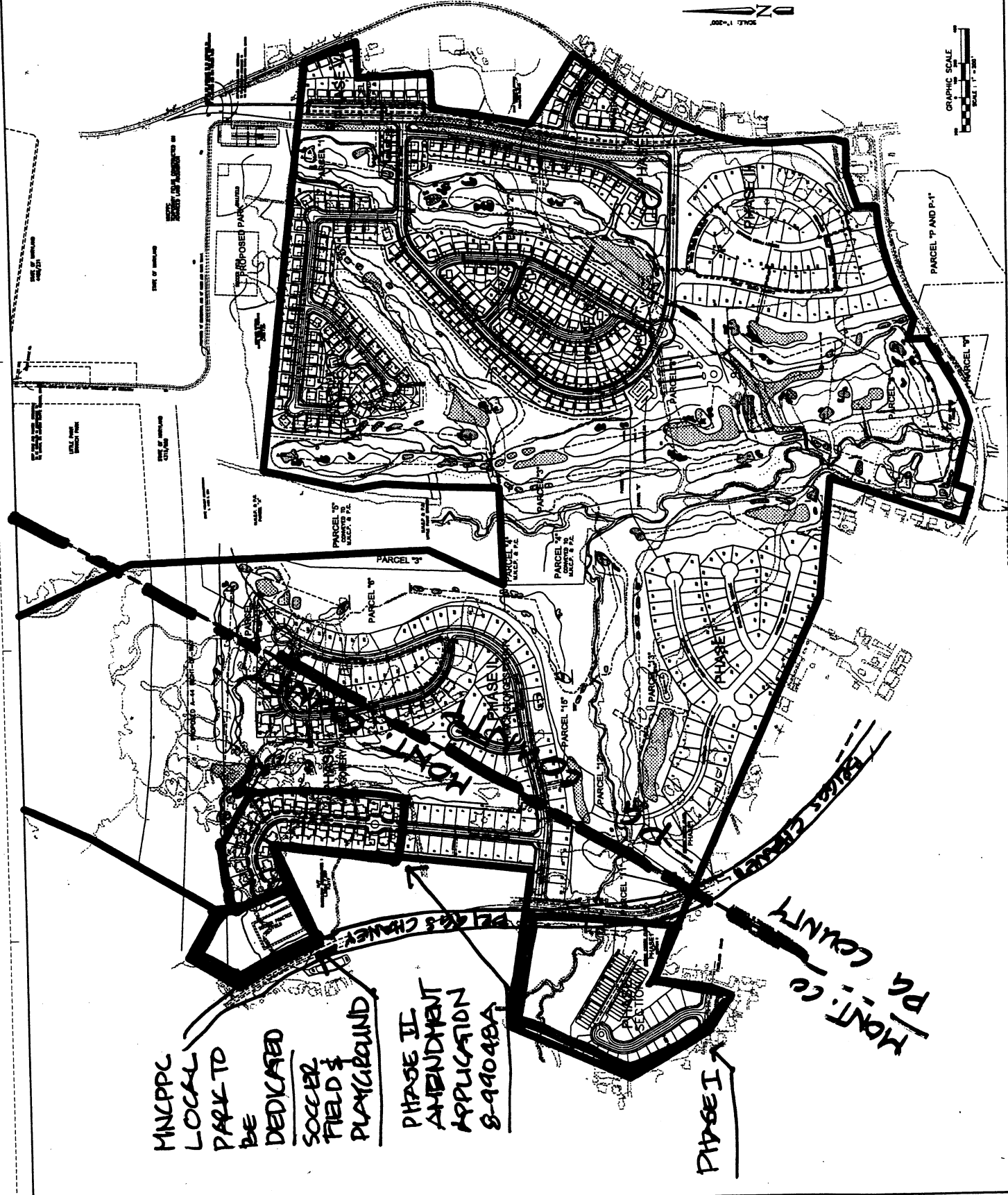
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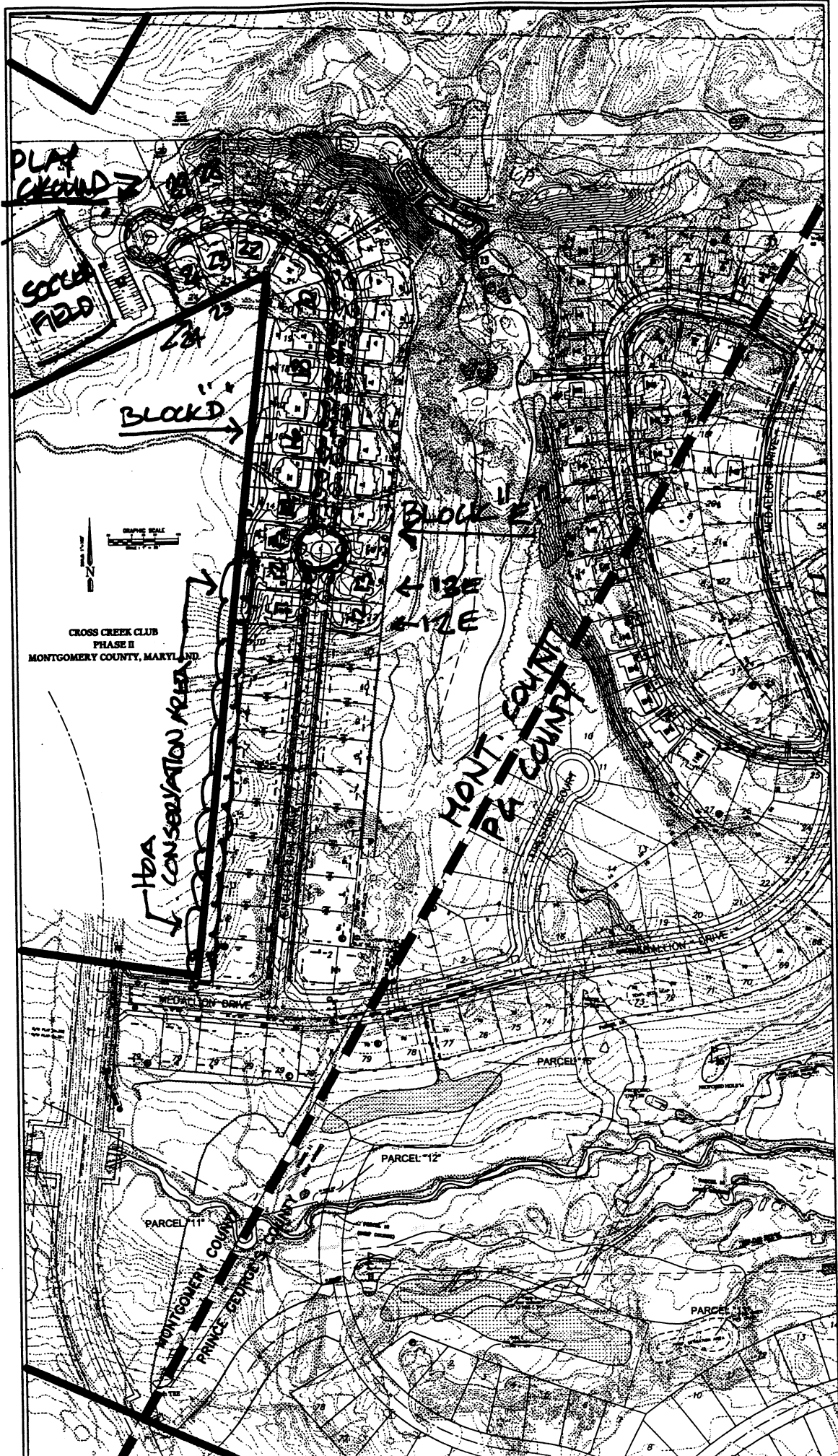
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Key Map



DATE	11/11/03
SCALE	1" = 200'
PROJECT	CROSS CREEK CLUB
PHASE	PHASE II
NO.	1





PLAY GROUND
SOCCER FIELD

BLOCK 1

BLOCK 2

13E
17E

HQA
CONSERVATION AREA

MONTGOMERY COUNTY
PA COUNTY

CROSS CREEK CLUB
PHASE II
MONTGOMERY COUNTY, MARYLAND

DRAWING SCALE

NEOCLAY DRIVE

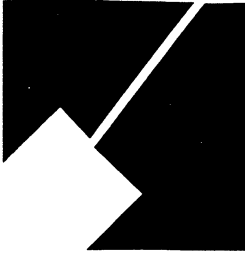
PARCEL 11

PARCEL 12

PARCEL 13

MONTGOMERY COUNTY
PRINCE GEORGE'S ROAD

PARCEL 14



MEMORANDUM

October 16, 2002

TO: Mary Beth O'Quinn, Development Review Division

FROM: Doug Powell, Plan Review Coordinator, Park Planning and Resource Analysis Unit, Countywide Planning Division

RE: Cross Creek Club, Plan #8-99048A

Park Planning and Resource Analysis staff requests the following **Conditions for Approval** of the Cross Creek Club Plan:

- Applicant to dedicate the approximately 6.7 acre local park site to M-NCPPC. Dedicated land to be conveyed free of trash and unnatural debris. Park boundaries to be marked with boundary markers to delineate between parkland and privately owned lots in the development.
- Public street access from English Turn Drive cul-de-sac, gravel parking area sufficient to accommodate at least 28 vehicles and sidewalk from the cul-de-sac to the multi-age play lot, to be constructed by Applicant on dedicated parkland. Location of access and parking to be coordinated with M-NCPPC staff.
- Applicant to construct a multi-age play lot on the dedicated parkland to park standards and specifications. Play equipment to be included and exact location of play lot to be approved by M-NCPPC staff prior to approval of the signature set plans.
- Applicant to grade and seed a site within the dedicated parkland that will accommodate a soccer field with dimensions of at least 300' by 180'. Grading and seeding to be done to park standards and specifications (specifically Design Standard #131 and Technical Specifications #220 and #900). Location of site to be graded and seeded, and exact size of field to be coordinated with M-NCPPC staff.

- Applicant to construct local park recreation and parking facilities prior to release of building permits for construction on lots 22, 23, 24, 28 and 29.
- Applicant will NOT grade the north and northwest portions of the site where the trees and habitat is to be preserved. This area will be delineated in the field and on applicable maps and construction drawings by M-NCPPC staff and Applicant.
- Stormwater management facilities will be constructed by Applicant to accommodate runoff from the multi-age play lot, soccer field and parking area as required by DPS. Park Construction Permit to be secured by Applicant prior to beginning of construction of the park recreation facilities.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

October 18, 2002

MEMORANDUM

TO: Malcolm Shaneman, Supervisor
Mary Beth O'Quinn, Planner
Development Review Division

VIA: Ronald C. Welke, Supervisor *DCH for*
Transportation Planning

FROM: Ed Axler, Planner/Coordinator *EA*
Transportation Planning

SUBJECT: Preliminary Plan No. 1-98048-R
Site Plan No. 8-99048-A
Cross Creek Club, Amended Phase II
Fairland/White Oak Policy Area

This memorandum is Transportation Planning staff's review of transportation requirements related to approval of the subject preliminary plan and site plan. The site is located in the Fairland/White Oak Policy Area that is in a moratorium for residential development.

The adequate public facilities (APF) test can be satisfied under the Alternative Review Procedure for Expedited Non-Residential Development Approval (EDA) process. This residential preliminary plan application is eligible for ARP/EDA under the *FY 2003 Annual Growth Policy (AGP)* because it is grand-fathered as a residential development under section TA2.2. Consistent with the requirements of Section TA2.2, the original preliminary plan of subdivision was filed no later than noon May 12, 1998. As required in Section TA2.3, the Planning Board hearing for the preliminary plan of subdivision must be approved before May 1, 2003.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of this revised preliminary plan and amended site plan:

1. Limit the subject preliminary plan revision and subject site plan amendment to 26 more single-family detached units for a total of 79 single-family detached units in Phase II.
 2. As required by Site Plan No. 8-99048, provide a practice soccer field with a parking area and temporary access from English Turn Drive's cul-de-sac. Provide a pedestrian connection between the soccer field and Briggs Chaney Road pending coordination with the Montgomery County Department of Public Works and Transportation (DPWT), the Montgomery County Department of Permitting Services (DPS), and Park planning staffs.
 3. Satisfy the APF test by paying the EDA excise tax:
 - a. Policy Area Review: The Fairland/White Oak Policy Area is in a moratorium with no capacity available for housing units. The remaining staging ceiling capacity is a **negative** 3,372 housing units as of September 30, 2002.
 - b. Local Area Transportation Review: Based on the results from the traffic study submitted for the original preliminary plan, three intersections on Columbia Pike (US 29) would exceed the congestion standard for the Fairland/White Oak Policy Area with the additional traffic generated by the proposed housing units. The payment of the EDA excise tax by the applicant should be used towards programmed improvements at the current intersection of Columbia Pike with Briggs Chaney Road, Fairland Road, and Musgrove Road. The Maryland State Highway Administration (SHA) appropriated funds for the following Consolidated Transportation Program (CTP) projects:
 - 1) Construction funding for an interchange at Columbia Pike with Briggs Chaney Road as SHA's CTP Project No. MO8685171.
 - 2) Planning and design funding for an interchange at Columbia Pike with Fairland Road and Musgrove Road as SHA's CTP Project MO425A23.
 4. Coordinate plans for realignment along Briggs Chaney Road with DPWT.
- The proposed interchanges would significantly increase the capacity at the three existing intersections. The reduced congestion would considerably exceed the impact generated by the site-generated traffic and satisfy Local Area Transportation Review (LATR).

DISCUSSION

Site Location and Access for the Subject Section II, Phase II Development

The Section II, Phase II site is located between Briggs Chaney Road and the Prince Georges County line. Vehicular access is from Briggs Chaney Road via Medallion Club Drive and English Turn Drive. Pedestrian movements are accommodated with sidewalks along the residential streets.

Site Location and Access for the Overall Cross Creek Development

The overall Cross Creek site is located on both sides of the Montgomery County and Prince George's County boundary line in the vicinity of the intersection of Briggs Chaney Road and Fairland Road. A subdivision street identified as Sawgrass Drive has been constructed to provide access from Briggs Chaney Road to a section of Cross Creek Club that is under construction in Prince George's County.

The applicant modified the alignment of Fairland Road at Briggs Chaney Road in Prince George's County to align with the subdivision street identified as Sawgrass Drive on the preliminary plan that was recently constructed. Traffic safety is a major concern because Fairland Road and Briggs Chaney Road are only two lanes wide and sight distance is restricted by their horizontal and vertical curvature at existing Sawgrass Drive. The intersection is located just over the County boundary line in Prince Georges County, but any plans for realignment and improvement of the intersection should be coordinated with the Montgomery County DPWT.

Two other streets also will provide access from Briggs Chaney Road. Design and construction of the intersections will have to be coordinated with Montgomery County DPWT.

The Master Plan alignment for the Intercounty Connector divides the overall site and is a major factor in the layout of the site's road network. The early preliminary plan had approximately 27 lots located within the right-of-way of the proposed ICC interchange at Briggs Chaney Road.

The earlier preliminary plan showed 90 lots located on the north side of the Intercounty Connector master-planned right-of-way that would be served by a road extended through its right-of-way. The applicant had sought permission from SHA to build a road through the Intercounty Connector's right-of-way for the provision of temporary access until the Intercounty Connector is constructed. At that time, the applicant will provide access to the 90 lots by extending one of the subdivision streets in Prince George's County or use an alternate access within Montgomery County. Approximately 20 of the 90 lots are located in Montgomery County that will have access only from Prince George's County.

Phasing and Prior Planning Board Actions

Cross Creek originally had the following three phases:

1. Phase I was approved for 20 single-family detached units and 34 townhouses as Site Plan No. 8-99015.
2. Phase II is for 79 single-family detached units as Site Plan No. 8-99048.
3. Phase III was first proposed for 87 single-family detached units and 96 townhouses but the Maryland State Highway Administration (SHA) had since purchased this land located on the north side of the Intercounty Connector's right-of-way.

The prior Montgomery County approvals by date are as follows:

1. September 30, 1999: Site Plan No. 8-99048 was approved as Section II, Phase II for 53 single-family detached units in the southwest quadrant of Briggs Chaney Road and the Prince Georges County line.
2. February 11, 1999: Site Plan No. 8-99015 was approved as Section II, Phase I for 36 townhouses and 20 single-family detached units. The houses were located in the western quadrant of Briggs Chaney Road and Fairland Road with access from Briggs Chaney Road to Big Horn Drive.
3. February 11, 1999: Preliminary Plan No. 1-98048 was approved as Phases I and II for a maximum of 79 single-family detached units and 36 townhouses.
4. June 25, 1998: The Planning Board agreed to the applicant's request for a deferral of Preliminary Plan No. 1-98048. At that time, Phases I and II included 124 single-family detached units and 87 townhouses.
5. January 16, 1997: The Board of Appeals granted the Special Exception Case No. S-2247 for 77 housing units and three golf holes in Montgomery County. The remaining Cross Creek development would be in Prince George's County for 390 housing units, 15 golf holes, and 50-room hotel.
5. October 17, 1996: The Planning Board recommended that the Board of Appeals grant the Special Exception Case No. S-2247.

Prince George's County Planning Board approved Plan No. 4-94117 and No. A-9166.

Master Planned Roadways and Bikeways

According to the *Fairland Master Plan*, the adjacent nearby roadways and bikeways are functionally classified as follows:

1. Briggs Chaney Road is designated as an arterial road, A-86, with a four-lane road is recommended in a minimum right-of-way width of 80 feet from the Prince George's County line to Dogwood Drive. From Dogwood Drive to Columbia Pike (US 29), a four-lane divided road with sidewalks in a minimum 120-foot right-of-way width is recommended. With the approval of Preliminary Plan No. 1-98048 on February 11, 1999, the applicant was required to dedicate the right-of-way and improve the road for access as required by Montgomery County DPWT. A Class I, bikeway, PB-43, is also recommended.

2. The Intercounty Connector is designated as freeway, F-9, with a minimum 300-foot right-of-way. The Master Plan also recommends a Class I, bikeway, PB-54.

In accordance with the Draft Environmental Impact Statement and Major Investment Study for the Intercounty Connector, SHA had requested that the right-of-way be dedicated or continued to be placed in reservation to preserve the full range of options for consideration by the Transportation Solutions Group working on long-term ways to improve cross county travel. Transportation Planning staff supported the request by SHA because of the importance of providing adequate county-wide circulation to the residents and businesses.

3. Fairland Road is designated as an arterial road, A-75, with two to four lanes and sidewalks in an 80-foot wide right-of-way from the Prince George's County line to Paint Branch. Approximately 48 lots will have direct access to Fairland Road. With the approval of Preliminary Plan No. 1-98048 on February 11, 1999, the applicant was required to dedicate the right-of-way and improve the road for access as required by the Montgomery County DPWT. The Master Plan also recommends a Class I, bikeway, PB-50, on Fairland Road.

As a modified primary residential street, the right-of-way for Medallion Club Drive is 70 feet with 5-foot sidewalks on both sides. As tertiary residential streets, the right-of-way for English Turn Drive and Shinecock Drive is 50 feet with 4-foot sidewalks on both sides.

Other DPWT Capital Improvement Program Projects

The Montgomery County Capital Improvement Program (CIP) includes the following projects for the improvement of Briggs Chaney Road:

1. CIP Project No. 509942, Briggs Chaney Road East of US 29: Briggs Chaney Road is being designed as a four-lane, divided, closed-section roadway from Automobile/Castle Boulevards to Aston Manor Drive and a two-lane, undivided, open-section roadway for the remaining distance. The CIP project includes a sidewalk along the north side and a Class I bikeway on the south side from US 29 to Olive Branch Drive. The design plans begun in 2000 with construction scheduled to start in 2003.

2. CIP Project No. 509781, PDF 11-38, Briggs Chaney Road - Curve Improvement:
 This project was completed to realign, widen, and improve the “S” curve between Legend Oaks Drive and Olive Branch Drive, a distance of approximately 1,600 feet in an 80-foot right-of-way. The project required dedication of right-of-way by the applicant.

Local Area Transportation Review

The calculated critical lane volumes (CLV) were calculated in the traffic study prepared for APF review under the “Pay and Go” alternative review procedure in the AGP. At the first three intersections, the congestion levels exceed the congestion standard (a CLV value of 1,550) for the Fairland/White Oak Policy Area. At these intersections, the CLV values exceeds 1,550 in the existing, background, total, and total with improvements traffic conditions during one or both of the weekday morning peak period (6:30 a.m. to 9:30 a.m.) and the weekday evening peak period (4:00 p.m. to 6:00 p.m.).

Intersection	Peak Hour	Traffic Condition			
		Existing	Background	Total	Total with Improvements
US 29 and Briggs Chaney Road	Morning	1,955*	2,177*	2,198*	Construction Funded for Interchange
	Evening	1,657*	1,956*	1,987*	
US 29 and Fairland Road	Morning	1,742*	1,993*	2,017*	Interchange Design is Approximately 30% Completed
	Evening	1,439	1,776*	1,809*	
US 29 and Musgrove Road	Morning	1,805*	1,994*	2,048*	
	Evening	1,337	1,844*	1,889*	
Fairland Road and Musgrove Road	Morning	636	684	737	----
	Evening	521	562	630	----
Fairland Road and Briggs Chaney Road	Morning	1,131	1,207	1,262	----
	Evening	959	1,073	1,156	----
Briggs Chaney Road and Robey Road	Morning	1,065	1,107	1,193	----
	Evening	893	958	1,046	----
Briggs Chaney Road and Castle Boulevard	Morning	1,072	1,102	1,188	----
	Evening	1,232	1,301	1,339	----

Even though the CLV values in the total traffic condition exceed the 1,550 standard, LATR is satisfied with the identified improvements -- to use of the EDA excise tax towards SHA's US 29 interchange projects. The interchanges would eliminate the conflicting north-south traffic on US 29 with the east-west traffic on Briggs Chaney Road, Fairland Road,

and Musgrove Road. These interchange projects would mitigate the impact of site-generated traffic in the total improved traffic condition.

Policy Area Review/Staging Ceiling Condition

The remaining staging ceiling capacity for housing in the Fairland/White Oak Policy Area was a negative 3,372 housing units as of September 30, 2002. The applicant is satisfying policy area review by making the EDA excise tax payment under the "Pay and Go" provision of the *FY 2003 Annual Growth Policy*.

EA:cmd

PP #1-98048-R SP #8-99048-A Cross Creek Club.doc



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Douglas M. Duncan
County Executive

October 9, 2002

Elizabeth B. Davison
Director

Mr. Joseph Davis, Chief
Development Review Section
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Davis:

The developer of the Cross Creek Club subdivision, Montgomery Development, has proposed an alternative agreement for two moderately priced dwelling units (MPDUs). It is my understanding that the Maryland State Highway Administration has designated a portion of this development as right-of-way for the Inter County Connector; therefore, Phase II of the project had to be redesigned, and the number of units was reduced. Fifteen MPDUs were sold in Phase I of Cross Creek in late 2001, and the market-priced townhouses have also been sold.

I have decided to accept the offer of a payment rather than to require that Montgomery Development construct the two additional MPDUs. I have agreed to a payment of \$60,000. To compensate the builder in the sales price for the design and construction cost of providing two detached single family houses, in addition to the homeowner association fees, would make the moderately priced units unaffordable to MPDU certificate holders. The payment will be used to subsidize funding from the Housing Initiative Fund to Montgomery Housing Partnership to renovate Great Hope Homes, which is in the same planning area as Cross Creek Club. This payment will support more affordable units than the two which would have been produced in the Cross Creek Club subdivision. The alternative agreement is in conformance with the provisions of Section 25A-5(e) of the Moderately Priced Housing Law.

Sincerely,

Elizabeth B. Davison
Director

EBD:tl

cc: Eric Larsen

Evelyn Scalia, Montgomery Development

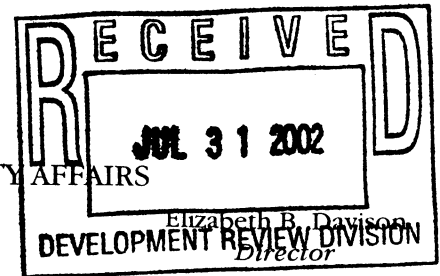
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DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Douglas M. Duncan
County Executive

July 23, 2002



Mr. Joseph Davis, Chief
Development Review Section
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Davis:

The developer of the Cross Creek Club subdivision, Montgomery Development, has proposed an alternative agreement for two moderately priced dwelling units (MPDUs). It is my understanding that the Maryland State Highway Administration has designated a portion of this development as right-of-way for the Inter County Connector; therefore, Phase II of the project had to be redesigned, and the number of units was reduced. Fifteen MPDUs were sold in Phase I of Cross Creek in late 2001, and the market-priced townhouses have also been sold.

I have decided to accept the offer of a payment rather than to require that Montgomery Development construct the two additional MPDUs. I have agreed to this payment because to compensate the builder in the sales price for the design and construction cost of providing two detached single family houses, in addition to the homeowner association fees, would make the moderately priced units unaffordable to MPDU certificate holders. A payment in lieu of providing the two MPDUs on-site is being negotiated. The payment will be used to subsidize affordable housing within the Fairland/White Oak planning areas and will be an amount that will produce significantly more affordable units than the two detached MPDUs. The Department is planning to provide funding to Montgomery Housing Partnership to renovate Great Hope Homes, which is in the same planning area as Cross Creek Club. The alternative agreement is in conformance with the provisions of Section 25A-5(e) of the Moderately Priced Housing Law.

Sincerely,

Elizabeth B. Davison
Director

EBD:tl
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Office of the Director