



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

MCPB
Item #9
2.13.03

MEMORANDUM

DATE: ~~October 17, 2000~~ **February 6, 2003**

TO: Montgomery County Planning Board

VIA: Joseph R. Davis, Division Chief *JRD*

Michael Ma, Supervisor *Ma*
Development Review Division

FROM: Mary Beth O'Quinn *mboq*
Planning Department Staff
(301) 495-1322



REVIEW TYPE: Site Plan Review

APPLYING FOR: Approval of ~~79~~ **78** one-family detached lots in the R-200 (Cluster) Zone

PROJECT NAME: Cross Creek Club, Phase IIC

CASE #: 8-99048A

REVIEW BASIS: Division 59-D-3, Zoning Ordinance

ZONE: R-200 (Cluster)

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~~ **deferred: February 13, 2003**

STAFF RECOMMENDATION: Approval of ~~26~~ **25** additional one-family-detached lots for a total of ~~79~~ **78** single family homes and fee-in-lieu payment compensation for 2 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 staff memo dated ~~October 16, 2002~~ **February 6, 2003**, including:

- a. Prior to recording of the Plats, the applicant must 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. The dedicated parkland must be conveyed free of trash and unnatural debris, clear of briars and invasive species, with boundary markers to delineate between parkland and privately owned lots in the development;
- b. Prior to issuance of any building permit for Lots 14-D through 23D and Lots 15E through 29E or July 1, 2003, whichever comes first, the proposed 6-acre local park must be completed by the applicant and accepted by the M-NCPPC. The proposed local park must be constructed in accordance with M-NCPPC Park Standards and Specifications. A park development plan, including grading and all the final engineering plans, must be approved by M-NCPPC park staff prior to construction of the park. The applicant must obtain a Park Construction Permit prior any grading within the dedicated parkland. The proposed local park must include the following facilities:
 - i. A multi-age play lot at a minimum of 5,000 square feet in size;
 - ii. A soccer field with minimum dimensions of 300' by 180' (referencing Design Standard #131 and Technical Specifications #220 and #900);
 - iii. A paved trail 8 feet in width connecting Briggs Chaney Road to the English Turn Drive cul-de-sac through dedicated park acreage; align the paved trail along the vehicular entrance drive and along the south side of the soccer field and playground to connect to the cul-de-sac; field-locate paved trail in coordination with M-NCPPC staff prior to approval of the signature set plans;
 - iv. Vehicular street access from Briggs Chaney Road into the park; design the park entrance road per intersection style with acceleration and deceleration lanes along the park frontage; re-stripe Briggs Chaney Road to create a left hand turn by-pass area on the eastbound side of Briggs Chaney Road; coordinate design with Montgomery County Department of Permitting Services (DPS); replace any existing street trees along Briggs Chaney Road that are damaged or removed to accommodate the entrance drive improvements;
 - v. A gravel parking area sufficient to accommodate at least 28 vehicles, including a paved handicapped accessible parking space;
 - vi. Stormwater management facilities to accommodate runoff from the multi-age play lot, soccer field, trail, and parking area as required by DPS;

3. Transportation

Conditions of Transportation Planning staff memo dated ~~October 18, 2002~~, February 5, 2003 including:

- a. Limit the subject preliminary plan revision and subject site plan amendment to ~~26~~ 25 more one-family detached units for a total of ~~79~~ 78 one-family detached units in Phase II;
- b. Provide adequate vehicular site access from relocated Briggs Chaney Road, with accommodation for the future sidewalk on the Northeast side of Briggs Chaney Road and the bike path on the southwest side of Briggs Chaney Road.
- c. Coordinate plans for realignment of 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, Forest Conservation Areas and

- Storm Water Management Parcels, HOA parcel, and trails;
- ii. Show Forest Conservation Easements, boundaries and square footage;
- iii. Show the Nature Trails and Natural Areas (with square footage) provided as recreation amenities;
- iv. Provide a plan that clearly delineates the ICC ROW line(s) and the setback line(s) with dimensions, for lots or HOA property adjacent to the proposed ROW; label the ROW and setback on all plans that are part of the signature set;
- v. Provide a plan showing the exact size and location of the SWM facilities within the development and the parkland;
- vi. Delineate methods and locations of tree protection for the entire site, including the natural habitat areas within the northwest portion of the parkland to be dedicated;
- vii. Include plan note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
- viii. 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. Show Category I Conservation Easement on the HOA parcel behind Lots 14D-20D; attach note to plan stating that 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 on the 30-scale plans; show sidewalks on each drawing sheet for all street frontage throughout;
- iv. Provide 5-foot sidewalk along street frontage on Briggs Chaney Road.

c. Landscape Plan

Provide a composite Landscape Plan showing curbs, sidewalks and street trees through all phases of plan, including conditions on Briggs Chaney Road; show all grading within the Montgomery County portion of the development;

d. Landscape Design

- i. Show landscape plant material and two shade trees in traffic calming island;
- ii. Provide substantial tree screening for the rear of Lots 12-24, Block D, for 20 feet width at the rear property line;

e. Recreation

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. Show the natural areas and nature trails provided for recreation amenity credit. 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.

f. 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. Forest Conservation Plan

The final forest conservation plan (FCP) must address the combined phases.

7. Site Plan Enforcement Agreement

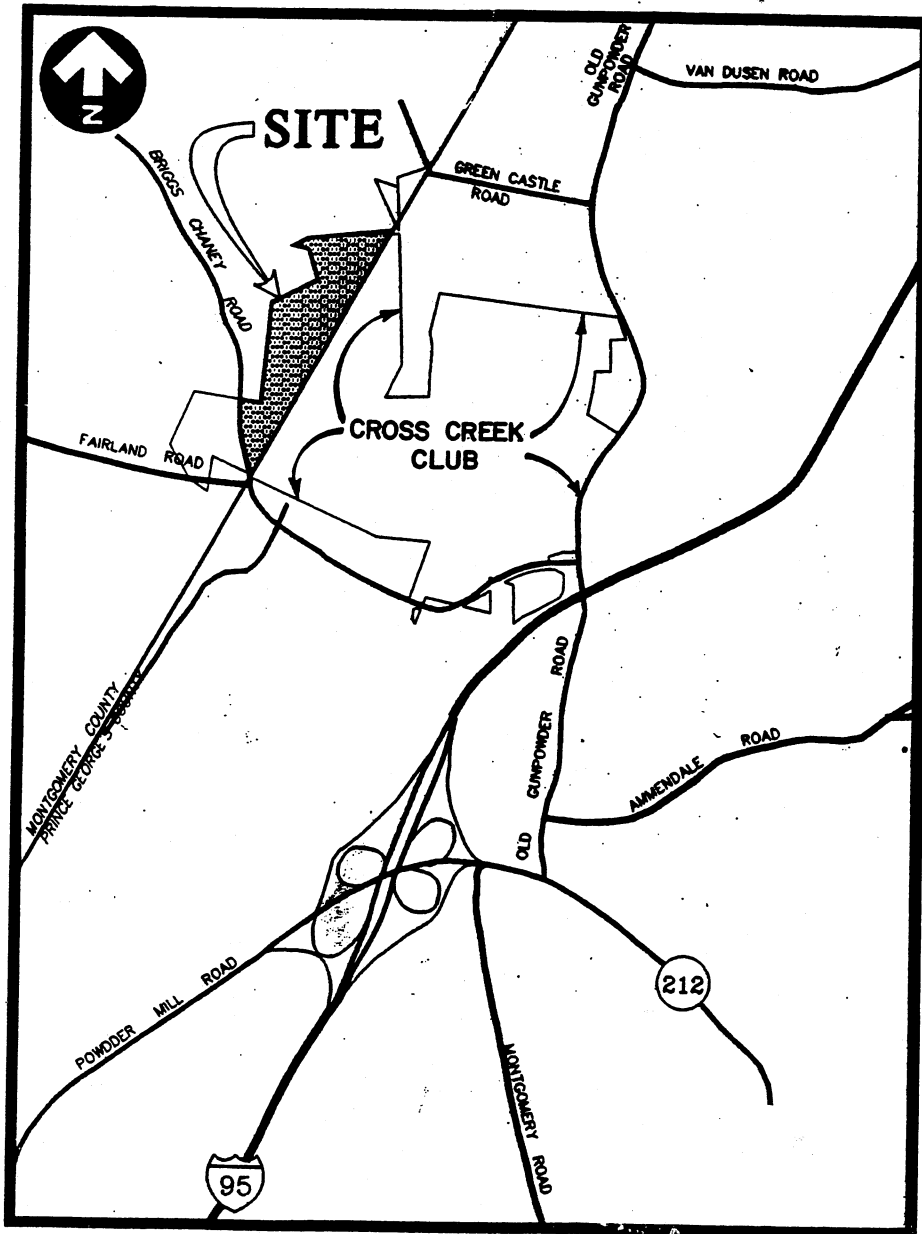
Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:

- 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.

SITE PLAN REVIEW ISSUES

The Planning Board held a public hearing for the subject Site Plan Amendment 8-99048A on October 24, 2002. The Planning Board's discussion focused on the required dedication of six acres of parkland as prior conditions of approval for both the Preliminary Plan 1-99048 and the original Site Plan 8-99048. The proposal submitted to the Planning Board as part of the subject site plan amendment did not fulfill the requirement. The applicant requested a deferral to resolve the issue of parkland dedication.

The follow-up site plan review addressed the issues of the full land dedication of six acres, and the facilities to be provided as part of the dedication, and the design of the future park. The applicant proposed a new design for access to the park, which features a vehicular entrance from the (future) relocated Briggs Chaney Road. Applicant and staff, with the DPS and DPWT have reviewed the design of the entrance as well pedestrian and bicycle routes for future park users. Other issues reviewed include the design of the soccer field and playground.



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 via 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, with development proposed either as part of the golf course or as one-family detached lots or parkland dedication. The ROW reservation for the future Inter County Connector adjoins the development on the north side of this proposal, approximately 125 feet north of English Turn Drive at its closest point, and approximately 325 feet north of Shinnecock Drive at its closest point.

Vicinity Map showing entire Cross Creek Club Development within Montgomery County, SHA Rights-of-Way, and the Montgomery County-Prince Georges County Boundary



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.

Aerial Photograph of Cross Creek Club property



**SITE PLAN
PHASE 2C**



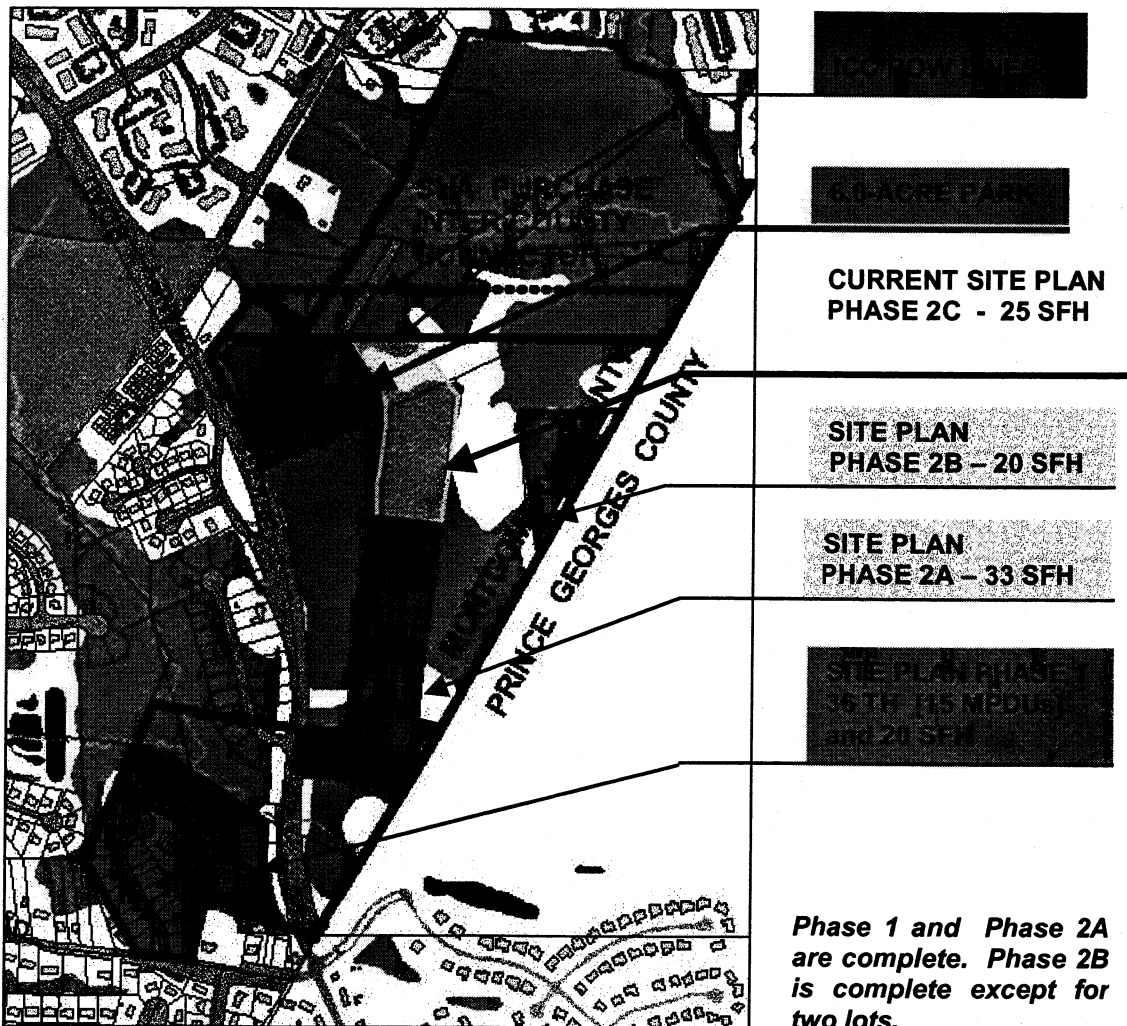
**Cross Creek Club
Site Area showing
Phase 2C and
6-acre Parkland**

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 25 units for total of 79 78 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 25 additional units) are located along English Turn Drive, a fifty-foot-wide public right-of-way that terminates in a cul-de-sac.

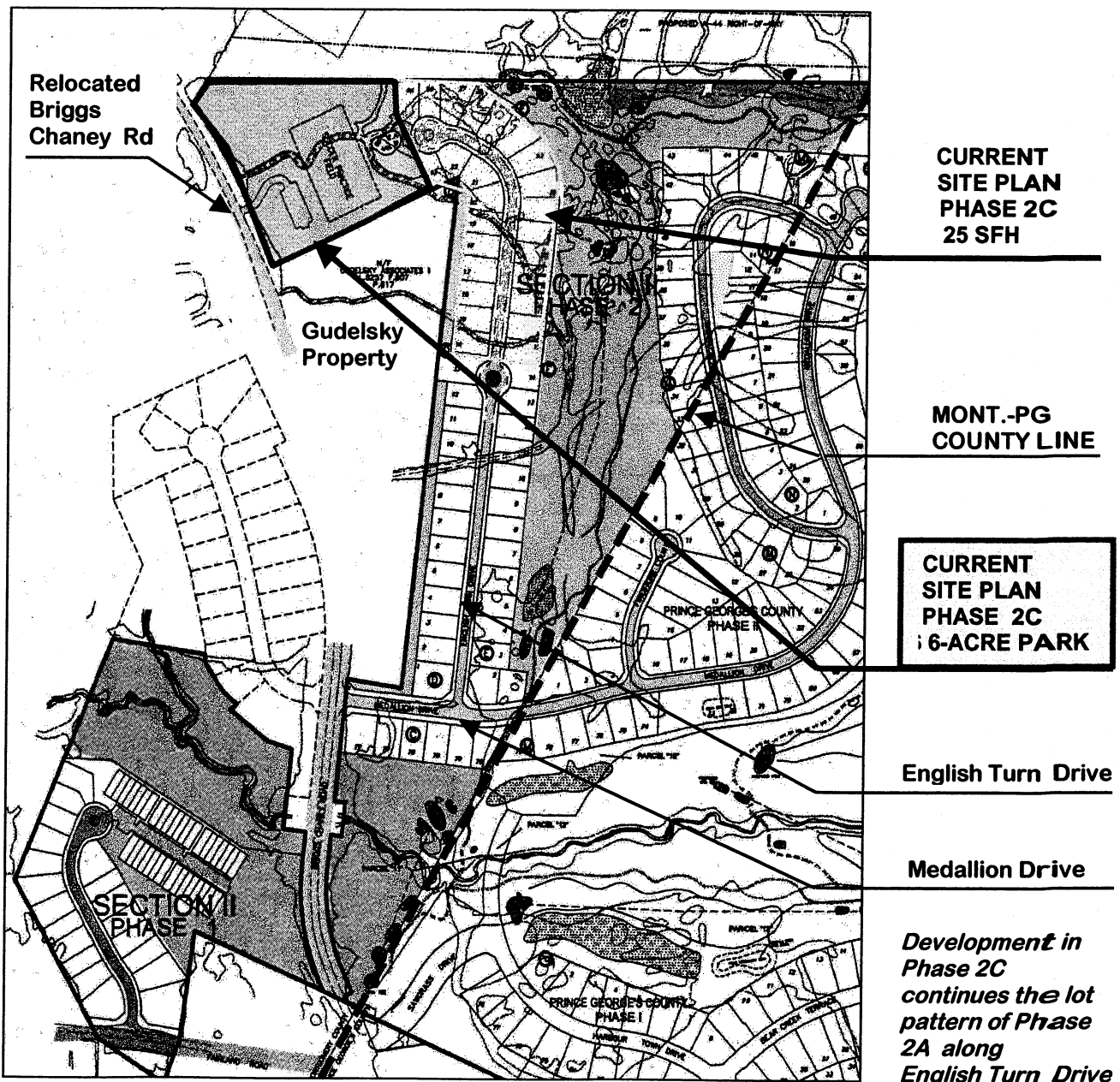
Schematic Plan showing Development Phases



Recreation facilities, in addition to the golf course, have been provided for the Montgomery County community in conformance with the approved Recreation Guidelines, and include the facilities within the local park to be dedicated to M-NCPPC. The general recreation facilities for the community at large include the Club House and swimming pool located within the Prince Georges portion of the development. The amenities provided for the Montgomery County phases are enumerated in the Recreation Amenity Chart below.

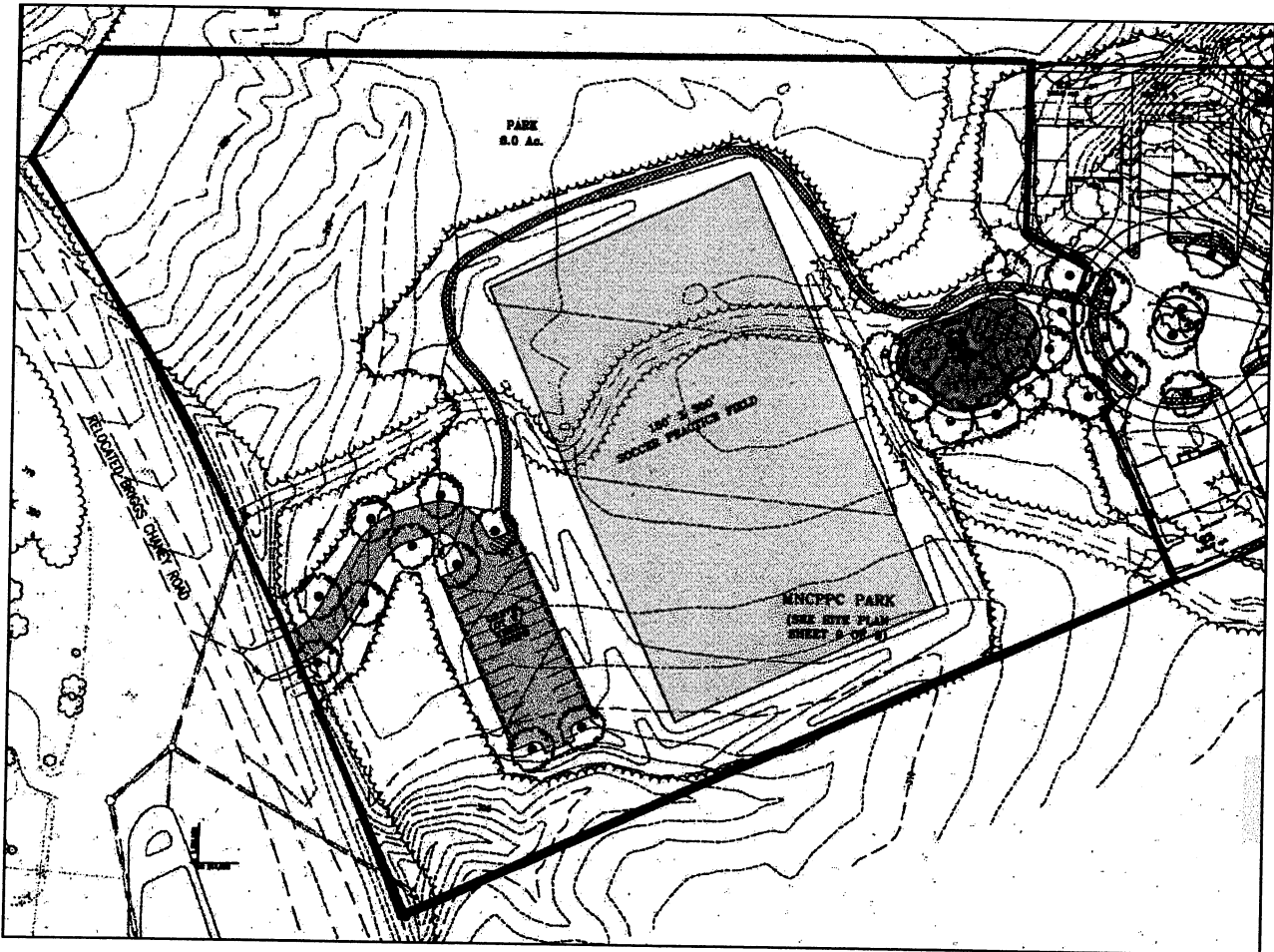
Stormwater management consists of on-site water quantity and quality control via facilities located in Prince George's County. Water quality control for Lots 1-6, Block C that drain to Montgomery County will be provided via a dry well system.

Site Plan proposed for Phase 2C of the Cross Creek Club Development



The dedication of the 6.0-acre local park to M-NCPPC will provide a soccer practice field, multi-age playground and parking area for 28 cars. Vehicular access is provided from the future relocated Briggs Chaney Road and from the terminal cul-de-sac of English Turn Drive.

Plan showing facilities proposed for the local 6-acre M-NCPPC park



The local park will serve residents of the new community and residents of the existing surrounding neighborhoods. The 6.0-acre property, to be conveyed to M-NCPPC, lies adjacent to the Gudelsky Property, a parcel that offers potential future use as parkland

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. Planning Board granted applicant's request for a deferral (October 24, 2002, deferred to February 13, 2003).

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.

Previously Approved Site Plan for Phase II

On September 30, 1999, the 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.*
 - f. *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.*
 - g. *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.*
 - h. *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.*
 - i. *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.*
 - j. *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 southwest side of Briggs Chaney Road. Staff recommends (Condition 2) that the trail through the dedicated be constructed to bicycle trail standards to provide a bike path connection to Briggs Chaney from the development.

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	78	
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	2	2
[See attached communication from DHCR]		
<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	78 units	2	2	Off-site *
Total	134 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 AMENITIES CROSS CREEK CLUB II 8-99048B Amendment

DEMAND POINTS	Tots	Children	Teens	Adults	Seniors	TOTALS
<i>per 100 units</i>						
SFH II	0.98	13	24	25	106	11
Townhouses	0.36	17	22	18	129	7
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SFH II Demand	12.74	23.52	24.5	103.88	10.78	
Townhouse Demand	6.12	7.92	6.48	46.44	2.52	69.48
PROJECT DEMAND	18.86	31.44	30.98	150.32	13.3	69.48

SUPPLY POINTS	Tots	Children	Teens	Adults	Seniors	
On Site						
Natural Area	0.00	1.57	3.10	15.03	0.67	
Nature Trail	0.94	3.14	4.65	22.55	2.00	
Pedestrian System	1.89	6.29	6.20	67.64	5.99	
Tot Lot	9.00	2.00	0.00	4.00	1.00	
On Site Supply	11.83	13.00	13.94	109.22	9.65	
Adjacent Local Park						
Multi-Age Play (Pro-rated Credit)	4.50	5.50	1.50	3.50	0.50	
Open Plan Area I (Pro-rated Credit)	3.00	4.50	6.00	15.50	1.00	
TOTAL ON SITE CREDIT	19.33	23.00	21.44	128.22	11.15	203.14
<hr/>						
Bike Path in Park (Pro-rated)	0.58	2.15	3.15	14.22	8.70	
	19.91	25.15	24.59	142.44	19.85	231.94

SUPPLY/DEMAND RATIOS	Tots	Children	Teens	Adults	Seniors	
On Site Ratio	1.02	0.73	0.69	0.85	0.84	
With Bike Path	0.95	0.95	0.79	0.95	0.95	

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 25 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 1-12 and Lots 13-20, Block D. Staff recommends the additional screening and buffering from the adjacent large parcel whose future development or preservation is unknown. The most significant area of open space is the six-acres of dedicated parkland with its soccer field and playground.

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 nor 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 adequate, safe and efficient. 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 that the trail connection from English Turn Drive through the dedicated parkland be constructed

February 5, 2003

MEMORANDUM

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

VIA: Ronald C. Welke, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator
Transportation Planning

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

This memorandum updates the prior memorandum dated October 18, 2002 (attached), to reflect changes as discussed at the deferred Planning Board hearing on October 24, 2002. Transportation Planning staff reviewed the current transportation requirements related to approval of the subject site plan.

RECOMMENDATION

Transportation Planning staff recommends revising Recommendation No. 2 as part of the APF test for transportation requirements related to approval of this amended site plan:

2. As required by Site Plan No. 8-99048, provide a practice soccer field with a parking area and vehicular access from Briggs Chaney Road. Provide an eight-foot hiker/biker trail connecting English Turn Drive's cul-de-sac to the soccer field, and extended to Relocated Briggs Chaney Road. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT), the Montgomery County Department of Permitting Services (DPS), and Park Planning staff for the hiker/biker trail connection, adequate vehicular site access from Relocated Briggs Chaney Road, and accommodation for future sidewalks (south side) and bikeway (north side) along Relocated Briggs Chaney Road.

DISCUSSION

Location and Access for the Relevant Section of the Cross Creek Club Development

The relevant parkland is located between the cul-de-sac of English Turn Drive and relocated Briggs Chaney Road. Relocated Briggs Chaney Road will provide vehicular access to the parking area serving the proposed practice soccer field. Pedestrian and bicycle access will be provided by the recommended 8-foot hiker/biker trail between the cul-de-sac of English Turn Drive and relocated Briggs Chaney Road.

Related Master Planned Roadways and Bikeways

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

1. Briggs Chaney Road is designated as an arterial, A-86, with a Class I bikeway, PB-43 and the following right-of-way recommendations:
 - a. A four-lane roadway with a minimum 80-foot right-of-way from the Prince George's County line to Dogwood Drive.
 - b. A four-lane divided roadway with a minimum 120-foot right-of-way from Dogwood Drive to Columbia Pike (US 29) and sidewalks.
2. The Intercounty Connector is designated as a freeway, F-9, with a minimum 300-foot right-of-way and a Class I bikeway, PB-54.

English Turn Drive is designated as a tertiary residential street with a right-of-way of 50 feet and four-foot sidewalks on both sides.

Related 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 began 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.

With the approval of Preliminary Plan No. 1-98048 on February 11, 1999, the applicant was required to dedicate the right-of-way and coordinate access improvements with Montgomery County DPWT.

Most-Recent Planning Board Actions

At the last Planning Board public hearing on October 24, 2002, both Site Plan No. 8-99048-A and Preliminary Plan No. 1-98048-A were deferred by request of the applicant to resolve the issue related to six acres of usable parkland. After this public hearing, it was determined that the preliminary plan does need to be amended to satisfy the adequate public facilities (APF) test because the current number of housing units has been accounted for as part of the previous approval of the overall preliminary plan of subdivision.

On February 11, 1999, Phases I and II were approved for a maximum of 79 single-family detached units and 36 townhouses under the Alternative Review Procedure (ARP) for Expedited Non-Residential Development Approval (EDA) process. This residential preliminary plan application was eligible for ARP/EDA under the then FY 1999 and now FY 2003 *Annual Growth Policy* (AGP). Under the FY 2003 AGP, the application would be 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 of May 12, 1998. Also required in Section TA2.3, the Planning Board hearing for the preliminary plan of subdivision must be approved before May 1, 2003.

Policy Area Review Updated Status

The remaining staging ceiling capacity for housing units in the Fairland/White Oak Policy Area still is negative at 3,461 housing units as of January 31, 2003. As discussed above, the applicant satisfied policy area review by making the EDA excise tax payment under the "Pay and Go" provision of the AGP. DPS confirmed in October 2002 that the EDA excise tax was paid for 78 units.

Intercounty Connector

In accordance with the Draft Environmental Impact Statement and Major Investment Study for the Intercounty Connector (ICC), the Maryland State Highway Administration (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 Working Group and the Planning Board's Transportation Policy Report 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.

The master-planned alignment for the ICC divides the overall Cross Creek Club site and was a major factor in the layout of the site's road network. As Phase III, the applicant first proposed 87 single-family detached units and 96 townhouses.

1. Within the right-of-way of the proposed ICC and the ICC interchange at Briggs Chaney Road, approximately 27 lots were located.
2. On the north side of the Intercounty Connector master-planned right-of-way, there were 90 lots. Vehicular access for these lots would be provided via a street extended through the ICC right-of-way. The applicant had sought permission from SHA to build a street through the ICC right-of-way as a temporary access until construction of the ICC. With the ICC construction, the applicant would have provided access to these 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 were located in Montgomery County that will have access only from Prince George's County.

Since then, right-of-way acquisition staff in the SHA's District 3 Office informed us that SHA purchased the land in July 2002 for approximately \$50 million dollars. The land was needed for the ICC Master Plan alignment, ICC Master Plan interchange at Briggs Chaney Road, and the land-locked area on the north side of the ICC right-of-way. The plat was recorded as No. 55964, Parcel 5. This right-of-way would include the shifted right-of-way requirements on the southern side of the master-planned ICC interchange at Briggs Chaney Road.

To assure that future homebuyers are adequately informed, the Planning Board could also recommend that the applicant notify homebuyers regarding the most-current status of the ICC.

EA:kcw
Attachment

mno to oquinn re 8-99048 cross creek club.doc