



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 1, 2003

## MEMORANDUM

**TO:** Montgomery County Planning Board

**VIA:** John A. Carter, Chief *JAC*  
Community-Based Planning Division

Khalid Afzal, Team Leader  
Georgia Avenue Planning Team

**FROM:** Frederick Vernon Boyd, Community Planner *FVB*  
Georgia Avenue Planning Team (301/495-4654)

**SUBJECT:** Planning Board Worksession #9 for the Upper Rock Creek Area Master Plan—Review of Planning Board Draft

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**RECOMMENDATION:** *Approval* to transmit Planning Board Draft to County Executive and County Council

## OVERVIEW

The Planning Board Draft Upper Rock Creek Area Master Plan (“Draft Plan”) is attached for your review. This Draft Plan reflects the recommendations reached by the Planning Board during the Board’s previous eight worksessions for land uses, zones, environmental resources, community facilities, streets and highways. In addition to the Draft Plan, staff has attached a table outlining the revisions to the Plan by issue, area and section. Also attached is a separate memorandum setting forth recommended amendments to the Countywide Park Trails Plan that should also be approved at this worksession. Some additional revisions to the text may be necessary to bring the Plan text in line with the recommendations in the Countywide Park Trails Plan.

This memorandum highlights three issues that, in staff’s opinion, need to be addressed further in this worksession: 1) the requirement for the provision of Moderately Priced Dwelling Units (“MPDUs”); 2) the recommended densities for the large undeveloped properties; and 3) concerns raised by the Washington Suburban Sanitary Commission (“WSSC”) about proposed recommendations for providing community sewer service to the Casey and Dungan properties.

## **STAFF RECOMMENDATION**

### Moderately Priced Dwelling Units

While incorporating the changes made by the Planning Board at the last worksession, staff reviewed again the basis for the Board's recommendation for providing MPDUs on the large lot developments as well as the language in proposed Zoning Text Amendment 03-09 ("ZTA").<sup>1</sup> In light of the proposed ZTA, staff recommends that the requirement to provide MPDUs be deleted from the Master Plan. If the proposed ZTA is adopted by the District Council, under the current MPDU Law, MPDUs will be required for each of the large undeveloped properties that propose development of over 35 units.<sup>2</sup>

### Densities for the Large Undeveloped Properties

Once the requirement for provision of MPDUs is removed from the text of the Master Plan, the optional method density in the recommended RNC Zone for the large undeveloped properties must be revised. Staff recommends that the Planning Board adopt 0.4 units per acre as the optional method density for all RNC zoned properties in Upper Rock Creek. Staff further recommends that the Planning Board make clear in the text of the Master Plan that 0.4 units per acre is the maximum density allowable on the RNC zoned properties, and that if the ZTA is adopted, the 0.4 units per acre includes any density bonus allowed under the MPDU Law. In other words, if the ZTA is adopted, a developer who provides only 12.5 percent MPDUs will be eligible for a maximum density of 0.327 units per acre. A developer who provides 15 percent MPDUs will receive a bonus density of 22 percent for a maximum total density of 0.4 units per acre in accordance with the existing MPDU Law and the maximum density recommendation in the Master Plan. If, however, the ZTA is not adopted, the maximum density under the optional method of development remains 0.4 units per acre.

In addition, staff recommends adding language to the Master Plan text to clarify that the owners of the large undeveloped properties will be permitted to develop under the optional method with community sewer—a private benefit—in exchange for preservation of environmentally sensitive resources—a public benefit. This concept supports an important objective of the Plan—preservation of environmentally sensitive open space—and the recommended means of achieving the objective—cluster development. With respect to the Dungan property, because the entire tract is environmentally sensitive, staff continues to recommend standard development only at 0.2 units per acre unless development of the Dungan property is combined with another property in a manner that would preserve the entire Dungan tract.

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<sup>1</sup> The analysis contained in this memorandum related to the ZTA assumes that the ZTA will be adopted as introduced.

<sup>2</sup> While the Planning Board's recommendation at its last worksession incorporated percentages of MPDUs above those required in Chapter 25A of the Montgomery County Code ("MPDU Law"), staff recommends deferring to those set forth in the MPDU Law in order to maintain consistency under the law.

The Freeman property, which is located in the headwaters of the North Branch, contains particularly sensitive environmental resources; and, therefore, staff recommends that it be permitted to develop under the optional method, with community sewer, in exchange for preservation of those resources. The resources on the Casey property are less extensive than those found on the Freeman property. However, development on the portion of the Casey property nearest the Dungan property, coupled with development on the Dungan property, would have a detrimental effect on the complex of sensitive resources that extends from the eastern portion of the Casey property across the Dungan property and into the North Branch Stream Valley Park. In exchange for optional method development on the Casey property with community sewer, staff recommends that the Planning Board require additional mitigation measures designed to offset the environmental impact of developing Casey with community sewer (e.g., preserving other environmentally sensitive areas in the same watershed).

### WSSC's Concerns

The Planning Board has received a letter (see Attachment 2) from the Washington Suburban Sanitary Commission (WSSC) expressing concern regarding the language proposed for the Planning Board Draft regarding how community sewer service should be provided. In preparing the Public Hearing Draft, staff had recommended no community sewer service to the southeastern portion of the Casey property and all of the Dungan property in order to avoid the need for a new gravity sewer line to the North Branch of Rock Creek.

The Planning Board has decided to include an option that allows concentration of the density from both properties with some of that development on the southeastern portion of the Casey property (which requires community sewer service), but adding a requirement that the sewer service be provided only through existing sewer lines in Muncaster Mill Road and Bowie Mill Road. The WSSC states that the decision of how to serve the property should be made through the Comprehensive Water and Sewer Plan policy as part of a detailed analysis of environmental and economic impacts, leaving open the possibility of a new gravity sewer to the North Branch.

Staff believes that WSSC has misinterpreted the Planning Board's intent. The Plan does not intend to tell WSSC *how* to serve properties. The Plan is attaching a condition—that existing lines should be used to serve the properties—to its recommendation that the property be included in the sewer envelope. If the property can be served only by gravity systems through the stream valley, it should not be included in the sewer envelope. The staff recommends that the language on this issue remain unchanged.

### **CONCLUSION**

Staff recommends that the Planning Board incorporate the above recommendations into its final draft to be transmitted to the County Council. Staff is continuing to work on the specific draft language to be included in the Master Plan, should the Planning Board adopt the above recommendations, and will provide the language to the Board for its review.

## **ATTACHMENTS**

1. A table summarizing by issue area the revisions made to the Public Hearing Draft;
2. A letter from the Washington Suburban Sanitary Commission raising concerns about community sewer service recommendations contained in the Plan; and
3. The associated memorandum containing proposed amendments to the Countywide Park Trails Plan.

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Issue	Revision
Land Use Plan	
<p><i>Some revisions in the following sections of the Land Use Plan are proposed as part of this staff report; they do not yet appear as new text in the Plan.</i></p>	
<p>Residential Wedge Areas--Goals, Objectives and Recommendations (p.12-13)</p>	<p>Adds overall recommendation to integrate modest amounts of affordable housing into new communities</p> <p>Proposes maximum densities of one dwelling unit for every 2.5 acres (0.4 units per acre) in the Rural Neighborhood Cluster Zone</p>
<p>Residential Wedge Areas (p. 14)</p>	<p>Proposes to add language indicating that sewer service is a private benefit conferred in return for provision of public benefit of open space</p> <p>Adds language clearly defining park acquisition areas</p>
<p>Dungan Property (p. 15-16)</p>	<p>Proposes language on desirability of combined development with Casey property and proposes to add narrative language recommending that Dungan property become part of the open space system</p> <p>Recommends that allowable densities be considered maximums and proposes to add language indicating that any MPDUs should be provided in accordance with Chapter 25A and the Zoning Ordinance</p> <p>Recommends RNC Zone for property with allowable densities of 0.2 units per acre on septic</p>
<p>Casey Property (p. 17-19)</p>	<p>Proposes to add language on desirability of combined development with Dungan property and proposes to add language recommending that Dungan property become part of the open space system</p> <p>Proposes language indicating that any MPDUs should be provided in accordance with Chapter 25A and the Zoning Ordinance</p> <p>Specifies that south and east portion of the property is suitable for cluster development with sewer service only if development is combined and only if existing lines are used</p>

Issue	Revision
Casey Property (cont.)	<p>Recommends RNC Zone for property with allowable densities of 0.2 units per acre on septic; 0.4 units per acre with optional method development and sewer service</p> <p>Adds design and development guidelines that direct development to specific areas, reduce environmental and imperviousness impacts, enhance compatibility, locate areas appropriate for open space and suggest minimum lot sizes</p>
Freeman Property (p. 20)	<p>Recommends RNC Zone for property with allowable densities of 0.2 units per acre on septic; 0.4 units per acre with optional method development and sewer service</p> <p>Adds design and development guidelines that direct development to specific areas, reduce environmental and imperviousness impacts, enhance compatibility, locate areas appropriate for open space and suggest minimum lot sizes</p>
Woodlawn Property (p. 24)	<p>Recommends RNC Zone for property with allowable densities of 0.2 units per acre on septic; 0.4 units per acre with optional method development and sewer service</p> <p>Adds recommendation for reducing environmental impacts through design and engineering</p>
<b><i>Revisions in the remaining sections of the Plan reflect recommendations made during worksessions; revised text appears in the Plan.</i></b>	
Catherine Fraley Property (p.26)	Adds recommendation encouraging assembly of land in townhouse zones to maximize ability of area to provide affordable housing
WINX Property (p. 28)	Adds recommendation strongly supporting residential development of property over the long term
H&S Leasing Property (p. 31)	Adds narrative describing the property and recommends its reclassification from I-2 to I-1 Zone
<b>Housing Plan</b>	
Background (p. 33-34)	<p>Adds section describing areawide analysis of affordable housing opportunities</p> <p>Adds discussion on density and related affordable housing issues for all RNC-zoned properties</p>

Environmental Resources Plan	
Water Resources (p. 42-43)	Adds narrative and recommendations that specify suggested design and engineering methods for reducing imperviousness
Watersheds and Stream Valleys—North Branch Rock Creek (p. 47)	Adds recommendation requiring wastewater pump station to provide sewer service to portions of Casey property that drain to North Branch
Transportation Plan	
Streets and Highways—East-West Transportation (p. 58-60)	Revises narrative describing Intercounty Connector to clearly state Plan recommendation to build ICC along master plan alignment and to include Western Connector roadway options  Adds recommendation to complete federal EIS for ICC and language indicating that TPR Option 1 and Option 2 are consistent with Plan
Roadway Classifications—Muncaster Mill Road/Avery Road Realignment (p. 62)	Adds language highlighting the Plan's support for a minor roadway realignment included in ongoing Muncaster Mill Road safety improvements
Roadway Classifications—Bowie Mill Road Relocated (p. 62-63)	Adds recommendation supporting an SHA study of operational improvements and stating that appropriate relocations could be considered consistent with the Plan
Roadway Classifications—Redland Road (p. 64)	Eliminates language supporting reversible lanes  Revises reclassification to recommend 80-foot right-of-way and adds language recognizing residential character of Redland Road and stating that reclassification should not be used to make rezoning requests
Bikeways (p. 69)	Adds Class I bikeway on Needwood Road to recommendations
Community Facilities Plan	
Trail Corridors (p.76-78)	Adds language on expanding equestrian trail network opportunities through development process  Revises recommendation on Muncaster Mill Road/Emory Lane to reflect pending Olney Master Plan recommendation
Schools (p.80)	Adds language recommending residential use for Sherwood Elementary School #6 site if a school is not built
Public Safety (p.81-82)	Adds language on possible renovation of existing fire stations and incorporates Fire and Rescue Service guidelines for underground water tank construction in areas without fire hydrants

Implementation Plan	
Proposed Zoning for Residential Wedge Areas (p.83-86)	Adds language recommending use of Rural Neighborhood Cluster Zone and revises tables to reflect new zoning recommendations
Relation to Countwide Park Trails Plan (p. 90)	Attachment containing recommendations for amendments to Countywide Park Trails Plan proposes language clarifying that Class I bikeway connecting Rock Creek Trail to ICC bikeway is along Needwood Road; proposes language recommending that Shady Grove Sector Plan process be used to examine trail surface issues in Crabbs Branch Stream Valley Park
Community Water and Sewer Service (p. 91)	Adds language including Pope Farm, Laytonia Recreational and Muncaster Recreational parks to sewer envelope





# WASHINGTON SUBURBAN SANITARY COMMISSION

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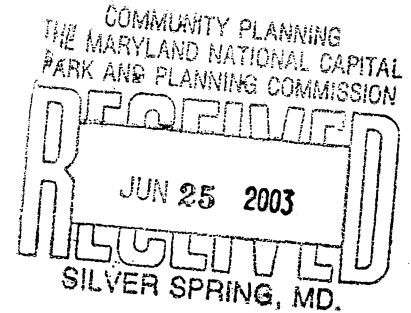
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June 23, 2003

Mr. Derick P. Berlage, Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910



Re: Sewer Service Recommendations in the Upper Rock Creek Master Plan

Dear Mr. Berlage:

WSSC has worked with your staff in comprehensive team efforts toward the development and update of Montgomery County's Master Plans. In these efforts, WSSC staff members serve as consulting technical advisors to your staff throughout the planning process, and respond to your staff's inquiries made in the early stages of the Master Planning effort. For example, in the recent Upper Rock Creek Master Plan update, WSSC has worked closely with Maryland-National Capital Park and Planning Commission (M-NCP&PC) staff. Initially, some original proposals for sewer service for several properties under consideration in the staff draft of the Master Plan seemed to reflect information provided in technical advisory meetings by WSSC staff.

However, my staff has brought to my attention some concerns regarding the latest language in the Upper Rock Creek Master Plan that would prohibit gravity extensions to the North Branch of Rock Creek, where an existing gravity trunk sewer can be accessed. The pending Planning Board draft, I understand, will require the use of a wastewater pumping station to serve a developable property in the planning area based only on general environmental concerns with gravity sewer construction in the upper reaches of Rock Creek.

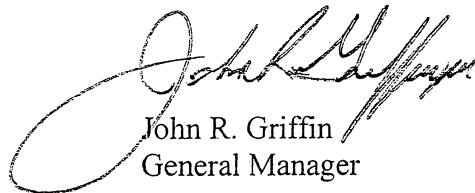
While we acknowledge M-NCP&PC staff and community concerns over impacts to the watershed from new sewer construction in this controversial area, no decision on prohibition of gravity sewer for some properties should be made in the context of the Master Plan document. We believe such a decision cannot be made without the benefit of more detailed, site-specific comprehensive analysis of economic and environmental impacts. Then, multiple concepts, alternatives, or options for service in this planning area can be developed and evaluated.

We suggest that the County's Comprehensive Water Supply and Sewage Systems Plan policy should serve as the appropriate vehicle for analysis and decisions on sewer service requirements for properties in the Upper Rock Creek planning area.

Derick P. Berlage, Chairman  
Montgomery County Planning Board  
Sewer Service Recommendations in the Upper Rock Creek Master Plan  
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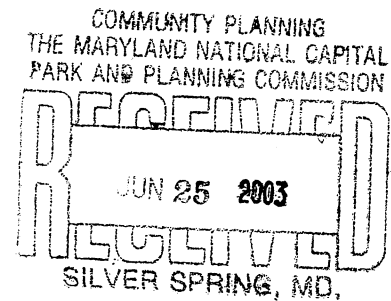
Thank you and again we appreciate the opportunity to work with your staff in the County's Master Planning process.

Sincerely,



John R. Griffin  
General Manager

cc: James Caldwell, Montgomery County Department of Environmental Protection  
David Lake, Montgomery County Department of Environmental Protection  
Alan Soukup, Montgomery County Department of Environmental Protection  
Nazir Baig, Environmental Planning, M-NCP&PC  
Fred Boyd, Community Planning, M-NCP&PC ✓  
Mary Dolan, Environmental Planning, M-NCP&PC





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 26, 2003

**MEMORANDUM**

**TO:** Montgomery County Planning Board

**VIA:** Jeff Zyontz, Chief  
Countywide Planning Division

**FROM:** Lyn Coleman, Master Planner  
Park Planning and Resource Analysis  
Countywide Planning Division (301-650-4392)

**SUBJECT:** Proposed Amendment to Countywide Park Trails Plan

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**RECOMMENDATION:** **APPROVAL** to amend the Countywide Park Trails Plan as follows:

1. Remove a hard surface trail proposal from the most sensitive portion of the North Branch biodiversity area and rely instead on proposed bike paths along Emory Lane and Muncaster Mill Road to provide trail connectivity.
2. Recommend a bike path along Needwood Road be constructed in a park-like setting to link the Rock Creek hard surface trail to the future bike path in the ICC right-of-way.
3. Rely on the Shady Grove Sector Plan process to examine whether or not a hard surface trail should continue as a feature of the Countywide Park Trails Plan in the Crabbs Branch Stream Valley Park.

Table 1 summarizes the analysis and background information leading to these recommendations.

**DISCUSSION**

The Planning Board concurred with the above recommendations at the January 9, 2003 work session on parks and trails. These recommendations are presented as amendments to the Countywide Park Trails Plan. The County Council has stated the Planning Board should address park trail planning issues as stewards of the park system and County Council approval is not necessary.

The attached Table summarizes the interrelationship of the above recommendations to the Rock Creek Master Plan.

**TABLE 1**

<p><b>Recommended Amendment to Countywide Park Trails Plan</b></p>	<p><b>Relationship to Upper Rock Creek Area Master Plan</b></p>	<p><b>Staff Comment</b></p>
<p>Remove a hard surface trail proposal from the most sensitive portion of the North Branch biodiversity area and rely instead on proposed bike paths along Emory Lane and Muncaster Mill Road to provide trail connectivity.</p>	<p>Planning Board Draft Upper Rock Creek Area Master Plan should emphasize importance of the bike paths along Emory Lane and Muncaster Mill Road to the future proposed trail network, especially in terms of avoiding sensitive environmental areas.</p>	<p>Providing a safe crossing of Muncaster Mill Road is essential.</p>
<p>Recommend a bike path along Needwood Road be constructed in a park-like setting to link the Rock Creek hard surface trail to the future bike path in the ICC right-of-way.</p>	<p>Planning Board Draft Upper Rock Creek Area Master Plan should reflect this recommendation in the bikeway section.</p>	
<p>Rely on the Shady Grove Sector Plan process to examine whether or not a hard surface trail in the Crabbs Branch Stream Valley Park should continue as a feature of the Countywide Park Trails Plan.</p>	<p>Planning Board Draft Upper Rock Creek Area Master Plan should emphasize the importance of bike path connections to Shady Grove to avoid need to rely on trails in Crabbs Branch Stream Valley Park.</p>	<p>Given the environmental sensitivity of this stream valley, relying on bike paths along nearby roads is the preferred option to provide connectivity to the Shady Grove Metro Station. The Master Plan for Rock Creek Regional Park recommended removal of a hard surface trail from Crabbs Branch Stream Valley Park due to the predominance of wetlands and environmentally sensitive areas.</p> <p>The desirability of retaining a hard surface trail in the stream valley will be evaluated in relation to land use proposals for the Shady Grove area.</p>