



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

MCPB
ITEM #6
1/20/05



MEMORANDUM

DATE: January 14, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *R&K*
Development Review Division

FROM: Catherine Conlon, Acting Supervisor (301-495-4542)
Development Review Division *CC*

REVIEW TYPE: Preliminary Plan of Subdivision
APPLYING FOR: Preliminary Plan Approval for 24 dwelling units

PROJECT NAME: Woodlawn Property
CASE NO. 1-05038
REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations
and Chapter 59, the Zoning Ordinance

ZONE: RNC
LOCATION: On the northwest and southeast sides of Needwood Road, approximately
600 feet southwest of Muncaster Mill Road
MASTER PLAN: Upper Rock Creek

APPLICANT: Winchester Homes
ENGINEER: Gutschick, Little & Weber P.A.
ATTORNEY: Holland & Knight

HEARING DATE: January 20, 2005

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 24 dwelling units.
- 2) No clearing, grading, or recording of plats prior to site plan approval.

- 3) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 4) Applicant shall not record any plats for any lots located within the area identified by Maryland State Highway Administration (SHA) in its letter dated October 29, 2004 (see Attachment A), and shown on Attachments A-1 and A-2 (Rock Creek Option A and Option C, respectively) until the earlier of:
 - a. September 1, 2005; or
 - b. A final Record of Decision is issued by the Federal Highway Administration (FHWA), provided that Record of Decision does not include the Alignment Options, or any portions thereof, within the final Intercounty Connector (ICC) alignment.
- 5) If FHWA issues a final Record of Decision that includes either Rock Creek option of the Corridors 1 and 2 alignments, the applicant shall submit a revised preliminary plan that appropriately reconfigures all dwelling units and related infrastructure (e.g., site access road, stormwater management facility, on-site roadways, public areas, etc.) affected by the chosen Alignment.
- 6) If Rock Creek Option A or other similar option is included in a final Record of Decision, the record plat shall dedicate and show the master-planned 150-foot right-of-way for Midcounty Highway, M-83.
- 7) Any contract of sale between the applicant and any prospective buyer within the subdivision must (a) advise the buyer in writing of the location of the Alignment Options of the Intercounty Connector (ICC); and (b) advise the buyer that they can contact the SHA for current information on these alignments. This notification requirement is binding on the applicant's heirs/successors and/or assigns, and shall be required as long as the applicant is precluded from recording plats under Condition No. 4, above.
- 8) Applicant shall dedicate right-of-way and improve Needwood Road as follows:
 - a. Dedicate additional right-of-way for 35 feet from the centerline on both sides of Needwood Road.
 - b. Reconstruct Needwood Road as a 24-foot-wide open-section primary residential street with five-foot paved shoulders on each side for future bike lanes.
 - c. Construct a ten-foot bike path on the southeast side with six feet offset from the pavement edge and extend the path to connect to Beach Drive, the northern entry point into the Rock Creek Regional Park.
- 9) Applicant to establish a 25' wide Public Use Trail Easement from the cul-de-sac terminus of the proposed internal road to the existing parkland. Easement to be adequately marked and signed for public use.
- 10) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 11) Applicant to prepare an invasive and exotic plant species management plan as part of the final forest conservation plan submitted at the time of site plan.
- 12) Applicant to prepare and submit a noise analysis, as part of the site plan submission, indicating the location of existing 60 and 65 Ldn dBA noise contours, 2030 ICC build-out noise contours, and methods to minimize exterior and interior noise levels if the noise analysis determines the need for mitigation.

- 13) Compliance with the conditions of the MCDPS stormwater management approval dated December 23, 2004.
- 14) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Upper Rock Creek Master Plan unless otherwise designated on the preliminary plan.
- 15) The applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Upper Rock Creek Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 16) Compliance with conditions of MCDPWT letter dated January 14, 2005 unless otherwise amended.
- 17) Record plat to reflect delineation of a Category I Conservation Easement over all areas of stream buffer and forest conservation.
- 18) Record plat to reflect dedication of proposed Parcel "G", consisting of approximately 11 acres, to M-NCPPC for addition to Rock Creek Regional Park. Property to be conveyed at the time of record plat and to be free of trash and unnatural debris.
- 19) Record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 20) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas.
- 21) Other necessary easements.

SITE DESCRIPTION and SURROUNDING AREA:

The subject property is a 75-acre site located on either side of Needwood Road approximately 600 feet southwest of its intersection with Muncaster Mill Road (MD 115) (see Attachment B). The property is zoned RNC. The proposed Master Plan alignment of the Inter County Connector runs across the western portion of the property. Future Mid-County Highway (M-83) runs along the northeastern side of the property.

This property lies within the Upper Rock Creek watershed (Use IV-P in this section). Existing land uses consist of forest and farmland. There are 20.5 acres of existing forest on site and few trees greater than 24 inches in diameter.

RELATIONSHIP TO THE UPPER ROCK CREEK MASTER PLAN

The 2004 Upper Rock Creek Area Master Plan evaluated and made specific recommendations for the Woodlawn property. It recommended that the majority of the property be placed in the Rural Neighborhood Cluster Zone. A Proposed Land Use and Zoning Map for the property shows specific areas proposed as parkland. The intent of the Plan is that the

property develop with residences and the Plan's text states that it is suitable for cluster development, with the provision that additional open space be provided in return for the benefit of cluster development. Cluster development, the Plan continues, "will allow lots to be concentrated west of Needwood Road...." to minimize development of the area designated for the intersection of the Mid-County Highway and Intercounty Connector. The Plan further recommends that "little or no residential development" occur east of Needwood Road and that open space dedicated to parkland be used to create a connection between the Lake Needwood recreation areas and any trail in the ICC right-of-way.

The Woodlawn proposal meets the intent and the recommendations of the Plan. It proposes a residential development using the optional method of the Rural Neighborhood Cluster Zone. It concentrates development almost entirely west of Needwood Road, proposing only a single conservation lot east of the road. It shows proposed parkland dedication that conforms to the areas shown in the Plan. It should be noted that the proposed right-of-way for the ICC that is now being studied as part of the Draft Environmental Impact Statement process for that project traverses an area identified in the Plan for parkland dedication. Uncertainties about provision of a bike trail in the right-of-way may affect the Plan's recommendation for a trail connection on this dedicated land.

The Sectional Map Amendment for the Upper Rock Creek Area Master Plan, which placed this property in the RNC Zone, was approved on October 26, 2004. A Zoning Text Amendment for the Rural Neighborhood Cluster Zone was also approved on October 26. That amendment clarified the intent of the zone, and strengthened provisions concerning diversity of lot sizes and provision of rural open space.

PROJECT DESCRIPTION

This application proposes to create a residential community with 24 dwelling units (see Attachment C). The units will be one-family detached dwelling units on 7,000-20,000 square foot lots with one 17.41 acre conservation lot. A modified tertiary residential street, with sidewalk on one side, is proposed to access the clustered lots. Safe and adequate access for vehicles and pedestrians will be provided by the existing and proposed vehicular and sidewalk system. Site plan review pursuant to §59-D-3 is required for this project.

TRANSPORTATION:

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians.

Master-Planned Roadways and Bikeways

According to the *Upper Rock Creek Master Plan* and the *Countywide Bikeway Functional Master Plan*, the master-planned roadways and bikeways affecting this plan are as follows:

1. Needwood Road is designated as a primary residential street, P-8, with a 70-foot right-of-way. The road is designated for a dual bikeway (i.e., shared use path and bike lanes), DB-14.
2. Midcounty Highway is designated as a major highway, M-83, with a 150-foot right-of-way. The road is designated for a Class I bike path (i.e., an off-road, shared use path), SP-70.
3. The Intercounty Connector is designated as a freeway, F-9, with a 300-foot right-of-way. The Connector is designated for a Class I bike path, SP-40.

Proposed Alignments and Options for the Intercounty Connector

As part of its preparation of the Draft Environmental Impact Statement (DEIS) for the proposed ICC, SHA is currently developing detailed engineering mapping for the roadway, which is proposed as a limited-access east-west highway intended to link areas between I-270 and I-95/US 1, through central/eastern Montgomery and western Prince George's Counties.

The ICC planning process has concurrence on two alternative alignments, selected through the Alternatives Retained for Detailed Study or ARDS, called Corridor 1 and Corridor 2. Corridor 1 is the southern alignment that generally follows the alignment incorporated in the area master plans for the ICC, and Corridor 2 is the alignment to the north that is not represented in any area master plans. The alignment of Corridor 1 and Corridor 2 merges into one joint alignment west of Georgia Avenue (MD 97) and through the subject site.

Based on current information available from the SHA, the joint segment of Corridors 1 and 2 includes two roadway alignment options that would physically impact the subject development as shown on Attachments A-1 and A-2:

- Rock Creek Option A: The alignment of this option goes through the western part of the property and is closer to the master-planned alignment and could impact the western-most proposed new unit and existing housing unit.
- Rock Creek Option C: The alignment of this option goes through the eastern part of the property and uses part of the M-83 right-of-way and could impact all 23 new units proposed on Needwood Road.

Staff recommends that the Alignment Options be protected from development with proposed condition 4, above, which precludes the applicant from recording plats until after September 1, 2005. The ICC study process continues to move forward, following guidelines mandated by Federal Agencies that require evaluation of more than one "build" alternative, and the two options along Corridors 1 and 2 identified in Attachments A-1 and A-2 are among those alternatives retained within the ARDS. By preventing the applicant from filing record plats, no development can occur within the Alignment Options until September 1, 2005 (or until a final Record of Decision is issued, if issued before September 1, 2005) but clearing and grading can occur.

Local Area Transportation Review

The traffic statement submitted for the property indicates that the proposed 24 single-family detached units would generate 23 peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and 27 peak-hour trips during the evening peak period (4:00 to 7:00 p.m.). A traffic study is not required to satisfy Local Area Transportation Review because proposed land use generates fewer than 30 peak-hour trips during the weekday morning and evening peak period.

Over-length Cul-de-Sac

The roadway design for the property includes the creation of a cul-de-sac road which will be greater than 500 feet in length. Per Section 50-26(d) of the Montgomery County Code, a cul-de-sac road should be no longer than 500 feet unless a greater length is justified by reason of property shape, size, topography, large lot size, or improved street alignment.

Staff believes that design of the over-length roadway is justified by the shape of the property north of Needwood Road. If roadway loops or connections were required for this road, desirable buffer area between the lots and adjacent parkland would be lost.

ENVIRONMENTAL:

Forest Conservation

There are 20.5-acres of existing forest on the property. Approximately 2.3 acres of this forest lie within the proposed major road right-of-ways and are not included in the forest conservation plan. The development plan removes 4.3 acres of upland forest and retains 14 acres, including all forest within the stream buffers. Forest conservation requirements will be met by the proposed retention. There are significant amounts of exotic and invasive plant species within the forest retention area. A condition of approval has been included which requires the applicant to prepare a management plan for these areas as part of the site plan review.

Environmental Guidelines

The site includes forested stream buffers and wetlands. These areas will be protected by Category I conservation easements.

Noise

The developed portion of the property will be surrounded by vehicle noise from the future ICC and future Mid-County Highway. The ICC Draft Environmental Impact Analysis did not conduct any noise measurements from the subject property. Therefore, Environmental Planning staff has included a condition on the preliminary plan requiring the applicant to prepare a noise analysis for the site plan submission. This analysis will identify existing and future noise

levels and determine if noise mitigation should be incorporated into site plan.

CONCLUSION:

Staff's review of Preliminary Plan #1-05038, Woodlawn Property, indicates that the plan conforms to the recommendations of the Upper Rock Creek Master Plan. The proposed preliminary plan is consistent with the master plan goal to maintain the area's residential character. The proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the area of the proposed subdivision. Staff further believes that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision. As such, Staff recommends approval of the preliminary plan.

Attachments:

Attachment A.– SHA ICC Letter

Attachment A-1 – Rock Creek Option A ICC Alignment

Attachment A-2 – Rock Creek Option C ICC Alignment

Attachment B – Vicinity Map

Attachment C – Preliminary Plan