



MCPB Item # ___ 8 B ___

Date: 07 / 10 / 2014

MEMORANDUM

DATE: July 2, 2014

TO: Montgomery County Planning Board

VIA: Michael F. Riley, Deputy Director, Administration *MR*
Dr. John E. Hench, Ph.D., Chief, Park Planning and Stewardship Division (PPSD) *J. Hench*

FROM: Brooke Farquhar, Park and Trail Planning Supervisor, (PPSD) *Brooke Farquhar*
Dominic Quattrocchi, Park Planner Coordinator, (PPSD)

SUBJECT: **Disposition of Land Item Pertaining to Platt Ridge Drive Extended: Mandatory Referral No. MR2014012**

Recommended Action:

The Department of Parks recommends **APPROVAL WITH CONDITIONS** of the disposition of approximately 2 acres of parkland at North Chevy Chase Local Park -- assuming the Planning Board determines there is a public need for the Platt Ridge Drive Extended project. This recommendation is based on MCDOT's design changes to the road that reduce environmental impacts to the park, and MCDOT's "good faith" commitment to mitigate impacts to North Chevy Chase Local Park through the acquisition of replacement parkland.

Recommended Conditions for Disposition of Parkland

1. MCDOT shall commit, through a formal written agreement with M-NCPPC, to acquire replacement parkland as outlined in options 1, 2, or 3 below for impacts of the Platt Ridge Drive Extended project on North Chevy Chase Local Park.
2. MCDOT shall perform non-native invasive plant species removal in the remaining forested area at North Chevy Chase Local Park. This work should be coordinated with the M-NCPPC Department of Parks Forest Ecologist. The work will encompass approximately 20 acres and span 2 growing seasons. Park Staff estimate the cost of this work to be approximately \$113,000.
3. For the proposed bioswale, MCDOT shall:
 - a. Design the bioswale and roadside swale slopes with channel stabilization methods to be non-erosive;
 - b. Stabilize the graded 2:1 side slope with low maintenance ground cover;
 - c. Incorporate underdrains incorporated into the media
 - d. Provide an access path from the road to the bioswales to facilitate future maintenance.

4. The Commission shall not provide title to the North Chevy Chase Local Park property needed for the Platt Ridge Drive Extended project until such time as the Commission has received the deed for the replacement parkland.

Background

Guiding Policy

The Planning Board-approved [2012 Park Recreation and Open Space \(PROS\) Plan](#) (and more specifically the Policy for Parks therein) provides guidance under which the Park Commission may allow non-park uses of parkland:

Lands and facilities under the control of The Maryland-National Capital Park and Planning Commission are held as a public trust for the enjoyment and education of present and future generations. The Commission is pledged to protect these holdings from encroachment that would threaten their use as parkland. The Commission recognizes that under rare circumstances non-park uses may be required on park property in order to serve the greater public interest. (2012 Park Recreation and Open Space Plan, M-NCPPC, 2012: pp 18).

Past Planning Board decisions for non-park uses of parkland have been based on the following hierarchy of action:

1. Avoid the impact
2. If avoidance is not achievable, minimize the impact
3. If minimizing the impact is not enough, mitigate the impact
4. If mitigation is not possible, consider compensation.

In this case, if the Planning Board determines there is adequate public need for the road through the park, and recommends approval of the project, avoidance will not be an option. The following combination of minimization and mitigation proposed by the Montgomery County Department of Transportation (MCDOT) is considered acceptable to the Department of Parks:

1. Minimization of the project impacts through engineering and infrastructure relocation.
2. Mitigation through parkland replacement.

Park Description

North Chevy Chase Local Park serves the Bethesda/Chevy Chase area. It is located south of Interstate 495, west of MD Route 185 (Connecticut Avenue), east of the Walter Reed National Military Medical Center, and north of Jones Bridge Road. The park is approximately 31 acres in size and includes a park activity building, two tennis courts, a full basketball/multi-use court, playground, three athletic fields, and parking area. The three athletic fields include two diamonds and a rectangular overlay. One of the diamonds serves as the home field for Bethesda Little League. Unimproved areas of the park are covered with relatively high quality, mature, mixed deciduous forest. The forest supports a wide variety of wildlife species, offers significant aesthetic appeal, and provides significant air quality and stormwater management benefits.

The 1990 Bethesda-Chevy Chase Master Plan noted that the park acreage per person in the planning area is low compared to other planning areas and that these parks provide “relief from concrete and asphalt.” The plan also notes that the sense of openness and beauty of the area is enhanced by the presence of “wooded vacant developable land” in parks. Preservation of woodlands is also noted as an environmental objective. No extension of Platt Ridge Drive was recommended in this plan.

Anticipated Park Impacts

As proposed, the project would directly impact the southeast corner of North Chevy Chase Local Park. The proposed road alignment runs along a glen in the southeast corner of the park with an average grade from Jones Bridge Road to Montrose Drive of 10%. Because of topography, the project design relies heavily on retaining walls and engineered slopes.

The project would result in the loss of approximately 2 acres of parkland - all of which supports relatively high quality, mature forest. The 2 acres of proposed impact area includes 1.15 acres of physical land disturbance, 0.35 acres of expected additional forest dieback related to critical root zone and physical impacts to parkland forest, and 0.55 acres of impact associated with existing parkland that would be cut-off and isolated from the rest of the park by the road project. The project would result in the loss of approximately 17 specimen trees- mostly *Liriodendron tulipifera*. In addition to the road construction, the project will require relocating a sewer line and an intermittent drainage channel. Perhaps most significant, the project will convert 0.35 acres of down-county mature forest to impervious surface.

In addition to the road construction, the project plans are showing that the existing intermittent stream channel through this portion of property that currently has a very large head-cut at the existing outlet to be entirely piped by storm drain. Stormwater Management (SWM) for the impervious road surface is shown to be provided by a series of bioswales at the bottom of the 2:1 fill slope on the southeastern side of the proposed road. The design plans also show the existing aged 8” sewer line is being replaced with new pipe.

The Park Development Section recommends that the bioswale treatments have underdrains incorporated into the media and that an access path to the bioswales is provided from the road for future maintenance purposes. Additionally, the graded 2:1 side slope should be stabilized with low maintenance ground cover, and the bioswale and roadside swale slopes should be designed with channel stabilization methods to be non-erosive.

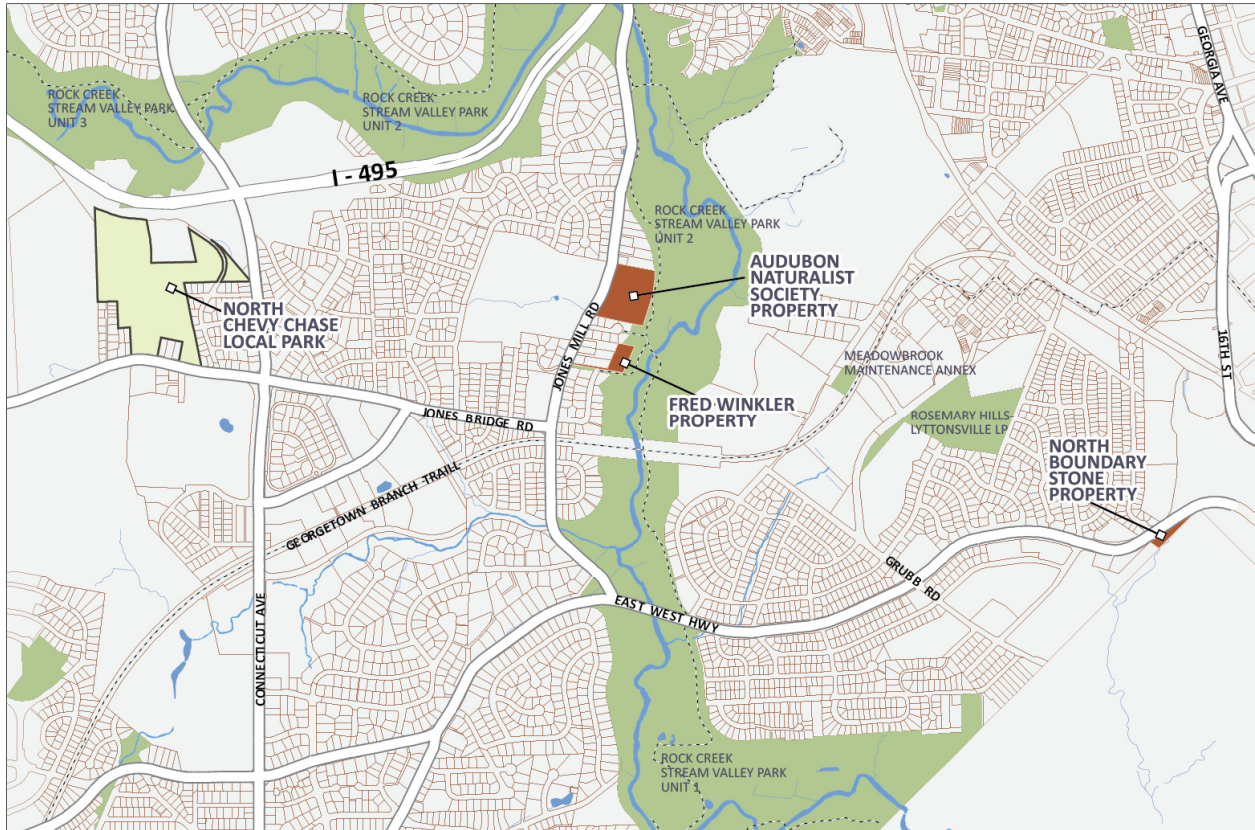


Figure 1 - Locator Map of North Chevy Chase Local Park in relation to Audubon Naturalist Society, Winkler and North Boundary Stone Properties

Mitigation/Compensation Recommendations

Guiding Criteria

In the event the Planning Board recommends approval of the disposition of the necessary land to facilitate the Platt Ridge Drive Extension project, the Department of Parks recommends that mitigation/compensation be based on the following criteria:

- Replacement land to be of equal or greater natural, recreational or cultural value than the parkland proposed to be taken; preferably at a ratio of at least 2:1;
- Replacement land to afford reasonable public access;
- Replacement land to contain mature forest;
- Replacement land preferably to be adjacent to an existing Local Park or Neighborhood Park in the same service area and watershed as the North Chevy Chase Local Park. If not, replacement land to significantly exceed resource value loss associated with North Chevy Chase Local Park impacts;
- MCDOT to deed to M-NCPPC the mitigation parkland prior to disposition of the park area at North Chevy Chase Local Park needed to facilitate the construction of Platt Ridge Drive extended; and,

- Non-native Invasive plant species removal of all remaining forested area at North Chevy Chase Local Park.

Mitigation Options

Mitigation through replacement land has been discussed by M-NCPPC and MCDOT. Three agreed upon options are being pursued in good faith by MCDOT staff, as outlined in the attached memo from MCDOT dated June 26, 2014, and summarized below. Staff recommends that we continue to work to arrive at an ultimately agreed upon mitigation package after the Board's review of the mandatory referral. To date, three options for parkland replacement have been discussed. (See **Figure 1**)

Option #1: Audubon Naturalist Society Parcel

Option #1 would be acquisition of the **Audubon Naturalist Society** parcel (Tax Account 00416781; District 07) located east of Jones Mill Road, jointly funded by MCDOT and M-NCPPC, consisting of approximately seven forested acres. The ratio of funding to be provided by each agency has not yet been determined. This parcel is adjacent to the Rock Creek Stream Valley Park Unit 2 and is only 4,200 feet distant from the Project. (See **Figure 2**)

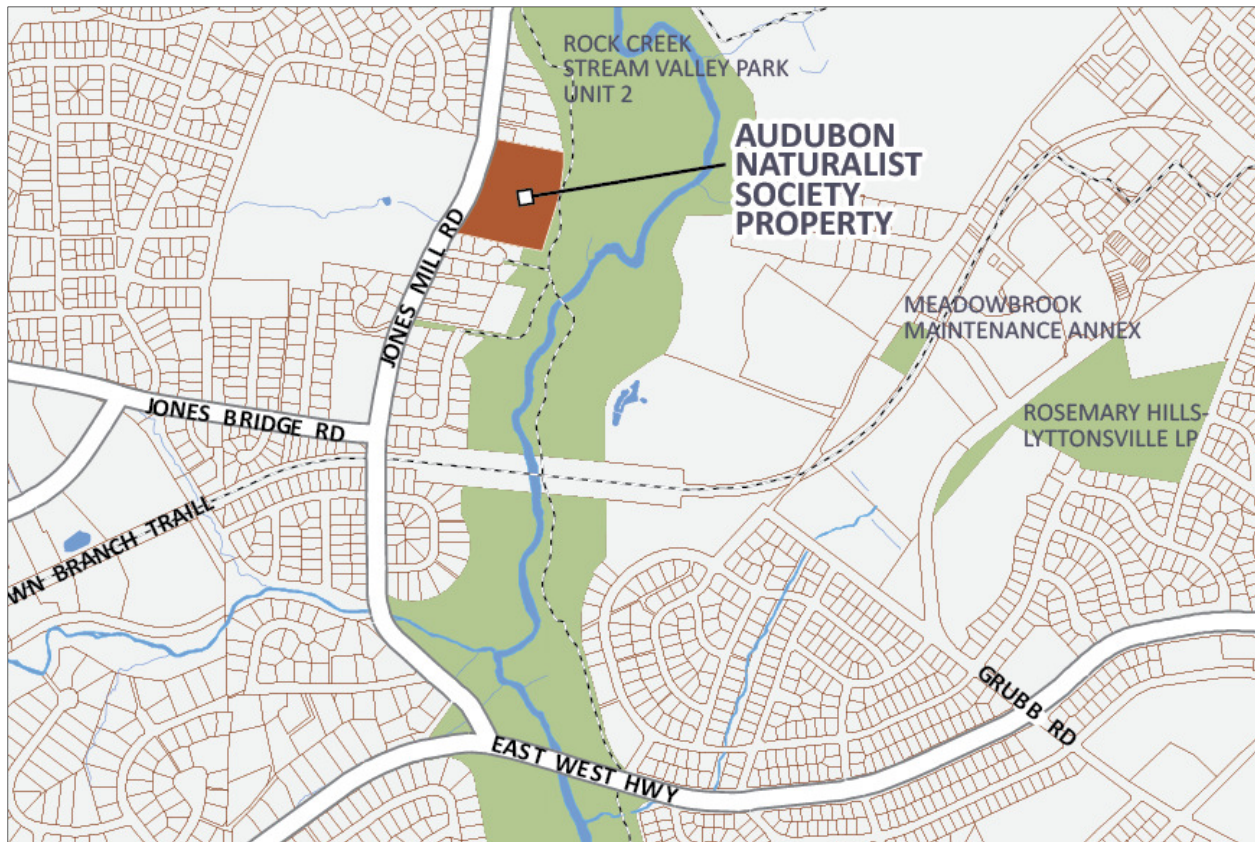


Figure 2- Option #1, Audubon Naturalist Society Parcel

Option #2: Fred Winkler and Boundary Stone North Properties

Option #2 would be acquisition of the following two properties totaling approximately 2.25 acres:

Property A - The Fred Winkler Property (Tax Account 00438572; District 07, Clean Drinking) which lies adjacent to Rock Creek Stream Valley Park Unit 2 and the historic Clean Drinking Spring. This property would provide a potential important visual buffer and extension to Rock Creek Park and the Rock Creek Park trail system. Additional benefits of acquisition include water quality and floodplain protection. This is another property proximate to North Chevy Chase Local Park and has been nominated for Legacy Open Space (LOS) designation and has M-NCPPC staff support. (See **Figure 3**)

Property B - The Boundary Stone North Property (Tax Account 00979913; District 13, Josephs Park) is a forested property largely encumbered by environmental buffer including floodplain and stream valley. The property has 548 linear feet frontage along East-West Highway, creating a well forested buffer along a heavily developed arterial road. The property is a Legacy Open Space (LOS) Appendix III Site formerly known as the Jolles Property. The LOS Advisory Group and staff support designation and acquisition. M-NCPPC and National Park Service staff conducted an evaluation of the Jolles Property in November 2010 and concluded that the property is an important Greenway Connection, merits considerable justification as Urban Open Space and is important to Cultural and Historic preservation associated with the adjacent Federal D.C. North Boundary Stone. Rock Creek National Park is directly adjacent to the south. (See **Figure 3**)



Figure 3 - Option#2, Fred Winkler and North Boundary Stone Properties

Option #3: State Highway Administration Ednor Road Parcel

Option #3 would be acquisition of the **SHA Ednor Road** Parcel consisting of approximately 15.9 acres located south of Ednor Road across from the Woodlawn Mansion and east of Norwood Road presently owned by the State of Maryland, State Highway Administration. (See

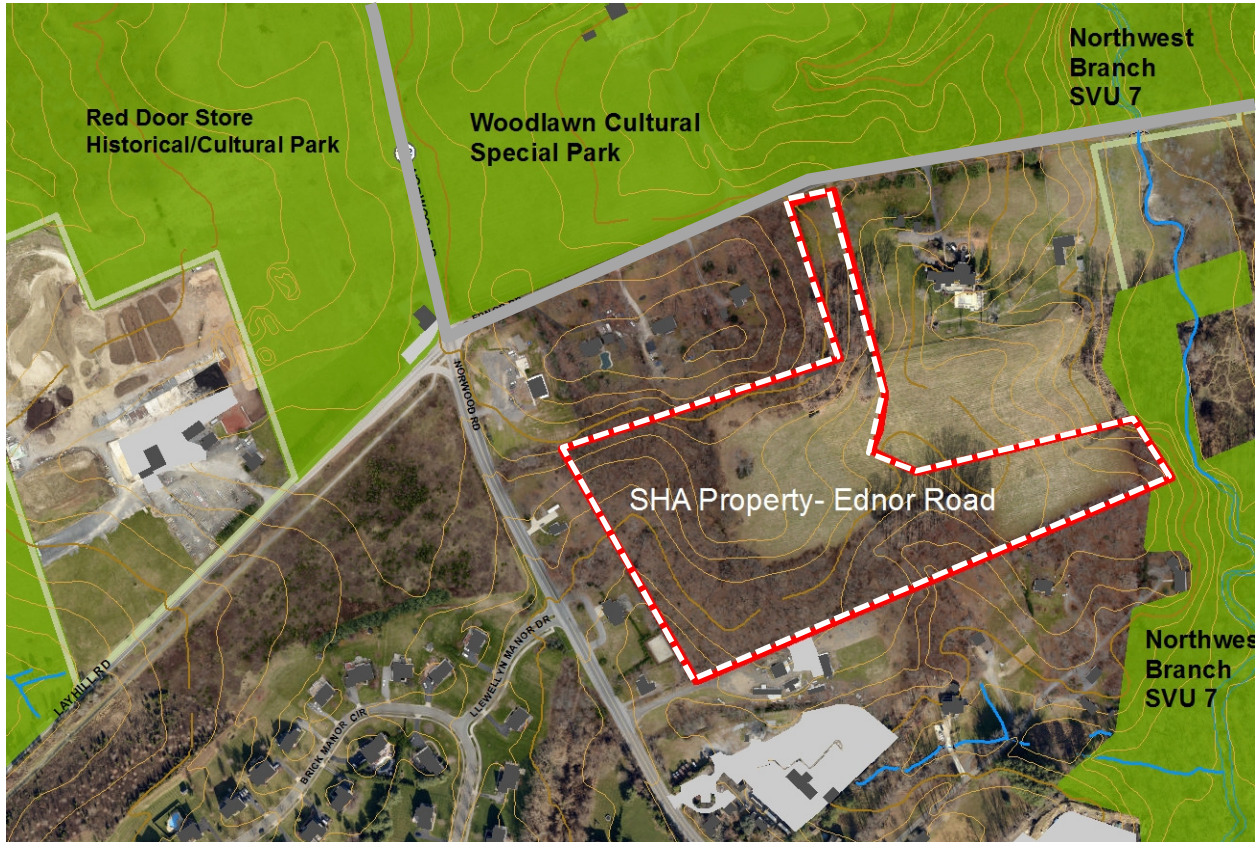


Figure 4)

Figure 4- Option #3: State Highway Administration, Ednor Road Property

Staff Recommended Mitigation Package

Although all three of MCDOT's mitigation scenarios are supported by Park Staff, Staff prefers Option #3, the SHA Ednor Road Property. The SHA property also includes eight acres of mature forest (encumbered by a Category 1 Forest Conservation Easement). M-NCPPC staff believes that this parcel, when assembled with several adjacent parcels, would provide an excellent opportunity to expand the bucolic park-like and historic setting of Woodlawn Manor Special Park and the Red Door Special Park. The SHA Property is also directly adjacent to Northwest Branch Stream Valley Park. Staff believes the magnitude of these factors offsets concerns that the SHA Ednor Property is not within the same subwatershed or service area as North Chevy Chase Local Park. This parcel is currently being offered for sale as surplus property by the SHA. M-NCPPC staff has been considering acquisition of this parcel for some time but lacks appropriate funds. It is also important to note that acquisition of this property represents a 7:1 mitigation ratio.

In the event Staff's preferred option cannot be realized, Staff would recommend MCDOT pursue Option #2, the Fred Winkler property and the Boundary Stone property, followed by Option #1.

Attachments

Attachment 1 - Letter from MCDOT Director Holmes to Chair Carrier, dated June 26, 2014

CC:

Mike Horrigan, Chief of Northern Region
Bill Tyler, Chief of Southern Region
Mitra Pedoeem, Chief, Park Development
Stephen Chandlee, Southern Regional Area Operations Manager, Southern Parks
Doug Ludwig, Acting Regional Area Operations Manager, Northern Parks
Antonio, DeVaul, Chief of Park Police
Bill Gries, Acquisition Specialist, Park Development
Brian Lewandowski, Engineer, Park Development

Attachment 1- Letter from MCDOT Director Holmes to Chair Carrier, dated June 26, 2014



DEPARTMENT OF TRANSPORTATION

June 26, 2014

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

Ms. Francoise M. Carrier, Chair
Montgomery County Planning Board
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Platt Ridge Drive Extended
CIP No. 501200
MR2014012

Dear Ms. Carrier,

In anticipation of our meeting with the Planning Board again on July 10th to discuss the Mandatory Referral for the Platt Ridge Drive Extended project, this letter is to provide you with an update of the status of our discussions with M-NCPPC Parks staff (Parks staff) regarding the Board's direction concerning Parkland Replacement Issues as specified in your April 14, 2014 letter.

Please be assured that if this project moves forward, MCDOT agrees to pursue acquisition of land to mitigate the parkland proposed to be taken, and is committed to continuing our discussions with M-NCPPC staff to identify an appropriate parcel. In that spirit, MCDOT staff has had several conversations with Parks staff culminating in a meeting on June 25, 2014 at which time several possible parkland replacement options were identified and endorsed by all in attendance as possible solutions to replacing the parkland impacted by the Project.

At our June 25, 2014 meeting, all agreed that the replacement should focus on meeting the following goals:

- The most important factor is for the replacement land to be of equal or greater natural, recreational, and cultural value to that of the parkland being lost.
- Afford reasonable public access;
- Preferably be mature forest; and
- Preferably be adjacent to an existing Local Park or Neighborhood Park in the same service area and watershed as the North Chevy Chase Local Park (NCCLP).

MCDOT also believes that along with those other characteristic, the financial value of the properties to be exchanged is an important factor that needs to be considered in the final transaction.

Office of the Director

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Located one block west of the Rockville Metro Station

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We also discussed and agreed that there may be some properties out of the service area which may be of significant value to M-NCPPC so as to outweigh the local service area requirement.

While not wanting to limit other opportunities where M-NCPPC and MCDOT might cooperate to obtain a replacement property that better suits M-NCPPC's needs, our combined staffs agreed that at this point in time any one of the following three options are worth pursuing as potential parkland replacement sites for the Project:

1. Jointly funded (ratio of funding by MCDOT and M-NCPPC is yet to be determined) acquisition of the **Audubon Naturalist Society** parcel (Tax Account 00416781; District 07) located east of Jones Mill Road, consisting of approximately 7 forested acres. This parcel is adjacent to the Rock Creek Stream Valley Park Unit 2 and is only 4,200 feet distant from the Project.
2. Acquisition of BOTH the following properties which would total approximately 2.25 acres:
 - a. The **Fred Winkler Property** (Tax Account 00438572; District 07, Clean Drinking) which lies adjacent to Rock Creek Stream Valley Park Unit 2 and the historic Clean Drinking Spring. This property would provide a potential important visual buffer and extension to Rock Creek Park and the Rock Creek Park trail system. Additional benefits of acquisition include water quality and floodplain protection. This is another property proximate to NCCLP and has been nominated for Legacy Open Space (LOS) designation and has M-NCPPC staff support.
 - b. The **Boundary Stone North Property** (Tax Account 00979913; District 13, Josephs Park) is a forested property largely encumbered by environmental buffer including floodplain and stream valley. The property has 548 linear feet frontage along East-West Highway, creating a well forested buffer along a heavily developed arterial road. The property is a Legacy Open Space (LOS) Appendix III Site formerly known as the Jolles Property. The LOS Advisory Group and staff support designation and acquisition. M-NCPPC and National Park Service staff conducted an evaluation of the Jolles Property in November 2010 and concluded that the property meets LOS Criteria as an important Greenway Connection, merits considerable justification as Urban Open Space and for its importance to Cultural and Historic preservation associated with the adjacent Federal D.C. North Boundary Stone. Rock Creek National Park is directly adjacent to the south.
3. Acquisition of the **SHA Ednor Road Parcel** consisting of approximately 15.9 acres located south of Ednor Road across from the Woodlawn Mansion and east of Norwood Road presently owned by the State of Maryland, State Highway

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Administration. This parcel is currently being offered for sale as surplus property by the SHA and could be acquired by MCDOT for transportation purposes on behalf of M-NCPPC. M-NCPPC staff has been considering acquisition of this parcel for some time but lack sufficient funds. M-NCPPC staff feels that this parcel is desirable because it supports approximately three acres of forest and would help to maintain - when combined with several adjacent parcels - the bucolic, park-based, open space setting that currently characterizes the intersection of Layhill Road and Norwood Road.


MCDOT would like to explore with the Board the concept of a "parkland bank" to be created when MCDOT acquires land in excess of a fair transaction that could be used by us for future projects. Parks staff is amenable to a similar concept but limited to compensation for forest areas. A similar "bank" process has been used with the State DNR and the Corps of Engineers when dealing with wetland replacement and mitigation. Obviously, any final decision is subject to appropriation from the County Council.

As suggested in your letter, the discussions between our staff members have resulted in several viable and reasonable possible solutions to the replacement of the impacted parkland. We agreed that Parks staff will review the three possible solutions and get back to us, or the Board, with their priority recommendations. Independent of a final solution, however, we at MCDOT look forward to our Mandatory Referral meeting with the Board on June 10th and to hearing the Board's guidance on these park replacement opportunities.

Please be advised that engineering revisions and traffic data have already been provided to your Transportation staff, consistent with your letter of April 14, 2014.

Thank you for your consideration of this project and if you have any questions, please feel free to call Edgar Gonzalez at 240-777-7185 or Bruce Johnston at 240-777-7236.

Sincerely,


Arthur Holmes, Jr.
Director

Cc. Michael Riley
Edgar Gonzalez
Bruce Johnston