



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

November 7, 2003

MEMORANDUM

TO: Montgomery County Planning Board

VIA: John A. Carter, Chief, Community-Based Planning Division *JAC*
Khalid Afzal, Team Leader, Georgia Avenue Planning Team

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

SUBJECT: Upper Rock Creek Area Master Plan—Presentation and Public Comment on Pulte Homes' Proposal for an Active Adult Community on the Freeman Property

RECOMMENDATION: Discussion

Overview

The Planning Board Draft Upper Rock Creek Area Master Plan recommends the Rural Neighborhood Cluster (RNC) Zone for the Freeman property, and sets appropriate densities of 0.2 dwelling units to the acre under the standard method of development and of 0.33 dwelling units to the acre with community sewer service under the optional method. The Plan also recommends a series of guidelines designed to concentrate cluster development in unforested areas while preserving existing forests and other sensitive areas and maintaining compatibility with nearby neighborhoods. The Planning Board Draft map of the property is attached.

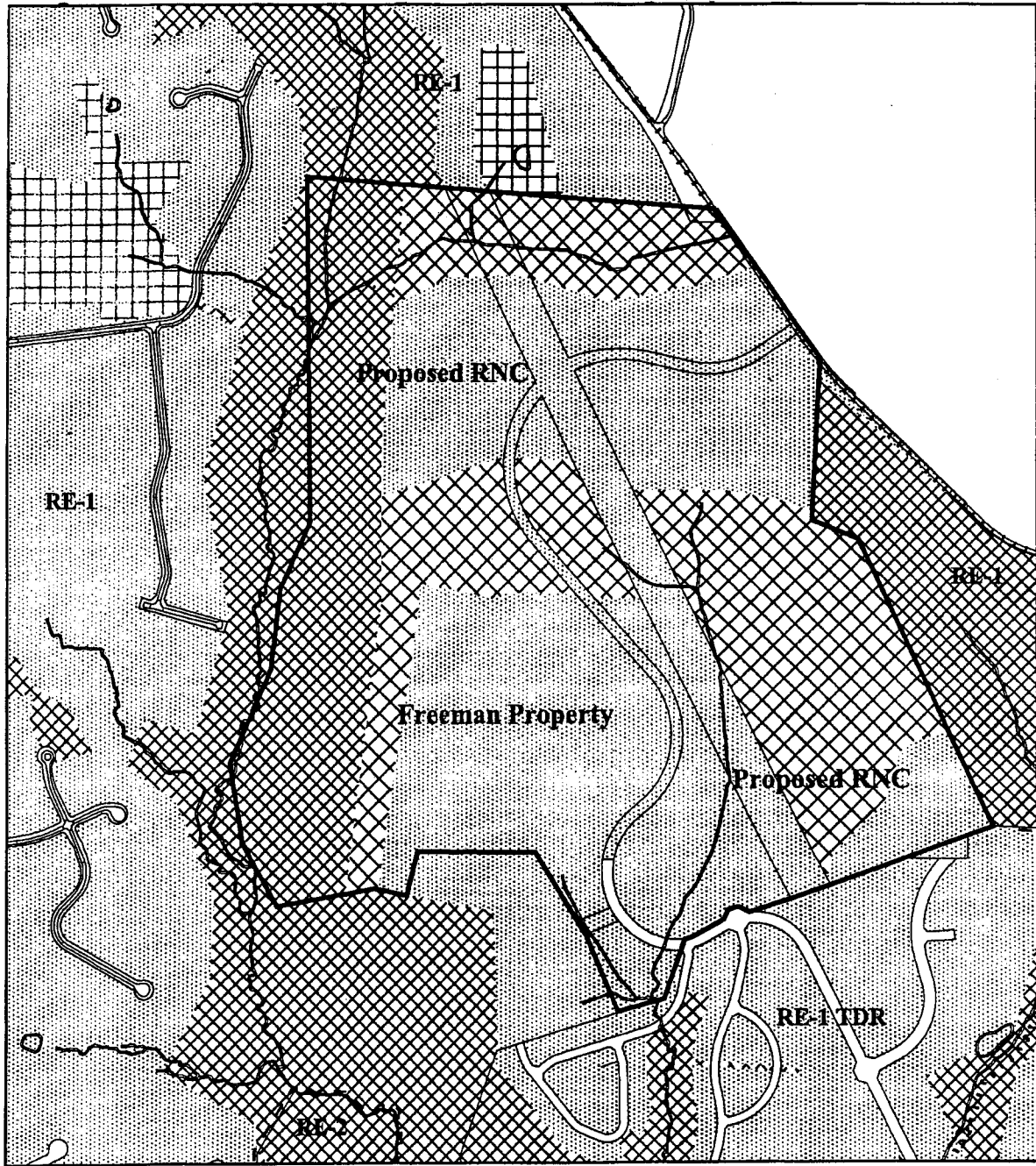
At the County Council's October 21 Public Hearing on the Plan, representatives of Pulte Homes proposed to the Council an "active adult community" for the Freeman property, which Pulte has contracted to acquire. Pulte representatives indicated that the community would contain approximately 525 single-family detached houses. Drawings and other supporting materials from Pulte representatives are attached.







Because this proposal differed in many respects from the Planning Board Draft recommendation for the property, the Chairman of the Planning, Housing and Economic Development (PHED) Committee, Steven Silverman, formally requested that the Planning Board review the proposal, hear the views of local residents and other interested parties on the proposal, discuss it, and make a recommendation on it to the PHED Committee. The memorandum from Mr. Silverman is attached.

On November 13, the Planning Board will hear a brief presentation on the proposal from Pulte Homes and will hear public comment. On November 20, the Planning Board will hear Planning staff's analysis of the proposal in light of the goals and objectives of the Upper Rock Creek Area Master Plan and a staff recommendation. The Planning Board may then discuss the matter and reach a decision on a recommendation that will be transmitted to the PHED Committee.

FVB:ha: g:\boyd\1113cvmemo.doc
Attachments

PROPOSED LAND USE/ZONING - FREEMAN PROPERTY



-  Freeman Property
-  Proposed Parkland
-  Existing Parkland
-  Proposed Conservation Easements
-  Residential, Single-Family
-  Master Plan Area Boundary

See text for detailed description of park acquisition areas.



Supporting Materials on Pulte Homes' Active Adult Community

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

November 6, 2003

Barbara A. Sears
301.961.5157
bsears@linowes-law.com

Michael L. Subin, President
Montgomery County Council and
Councilmembers, Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Derick P. Berlage, Chairman
and Members of the Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Planning Board Draft Upper Rock Creek Area Master Plan; Freeman Property

Dear Council President Subin, Members of the Montgomery County Council,
Chairman Berlage, and Members of the Montgomery County Planning Board:

Our firm represents Pulte Homes ("Pulte"), the contract purchaser of the Freeman property, which consists of approximately 334 acres zoned RE-1 (residential) and is located on the east and west sides of Wickham Road, north of Tackbrooke Drive in Olney (the "Property"). In 2001, Pulte, one of the nation's premier homebuilders, merged with Del Webb, a builder of award-winning adult communities throughout the country. To serve the growing unmet need for active adult housing in the County, Pulte desires to develop the Property as a Del Webb community for residents 55 and older, with approximately 585 dwelling units composed of 365 single-family detached units, 155 single-family attached units, and 65 multi-family moderately priced dwelling units ("MPDUs") and associated recreational amenities (the "Project"). Pulte's proposal for the Property is shown on the Concept Plan attached to this letter as Attachment "1". The County Council has asked the Planning Board to evaluate Pulte's proposal, which was not before the Planning Board when the Planning Board Draft of the Upper Rock Creek Area Master Plan (the "Planning Board Draft") was being reviewed.

There are three primary reasons why Pulte believes the Planning Board and Council should favorably consider the proposal. First, there is a significant unmet need in Montgomery County for senior housing. Second, Pulte is able to develop the Property as an adult community, while substantially complying with the development guidelines found in the Planning Board Draft for

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the Property. Third, the Project, as an adult community with higher density than projected under the Rural Neighborhood Cluster ("RNC") Zone currently proposed in the Planning Board Draft, may be built without a significant difference in the impact on roads, and with no impact on schools. This letter will provide the Planning Board and the County Council further details about the Project.

The Need For Increasing Housing Options For Seniors

The following facts highlight the need for active adult housing in the County:

- By 2005, one out of every four households in the US will be over 55.
- 103,841, or nearly 30 percent of households in Montgomery County are over 55.
- 59 percent of seniors say they will move from their current home.
- 31 percent say they will move more than a 3-hour drive from their current home, but most wish to stay where they are.
- In 2001, there was a net loss of almost 3,000 taxpayers in Montgomery County.
- The Del Webb database shows that senior buyers will relocate to find a suitable adult community.
- In the mid-Atlantic area, of the 47 age-restricted communities actively selling today, only Leisure World is in Montgomery County, and no new fee simple communities are planned for construction.
- Of all the counties in our region, Montgomery County will have the largest unmet demand for senior housing.

The guiding principle in the design of the Project is Pulte's vision for the development of a showcase Del Webb community on the Property for adults 55 and older that achieves a balance between the need to provide housing options for older residents in the County, and the need to protect the environmental resources on the Property. The need for increasing housing options for seniors, including creating more affordable options, is generated by both the aging of the County's population and the strong desire of our older residents to remain in the County. In

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this regard, just as good schools are important not only to attract new residents, but also to keep residents from leaving the County, affordable housing choices for seniors must be viewed as a significant factor affecting the quality of life for the County's residents. However, several factors, including the scarcity of developable land and the rising costs of development in the County, have caused a significant shortfall in the number of affordable housing choices for older residents. As noted above, in the mid-Atlantic area, of the 47 age-restricted communities actively selling today, only Leisure World, which is nearing completion, is in Montgomery County. Further, no new for-sale adult communities are planned for construction in the County, despite the fact that the County has the largest unmet demand for such housing of any County in the State. Pulte's proposal helps to address this problem by adding a significant number of housing units that would be limited to occupancy by residents 55 and older, including a MPDU component of approximately 65 units (12.5 percent of the base density), that will appeal to a variety of income levels and tastes.

Compliance of the Project with the Planning Board Draft Guidelines

Based on the development shown in the Concept Plan, the Project will substantially comply with the Planning Board Draft guidelines for development of the Property found at page 21 as follows:

- *Development should be clustered in unforested upland areas; existing forest adjacent to parkland should be kept intact, undeveloped, and in its natural state as rural open space.*

The Concept Plan shows the clustering of residential units in four neighborhoods, linked by an extensive pedestrian path system, in the unforested uplands sections of the Property. Further, development of the Project preserves approximately 234 acres (70 percent) of the Property, including the existing forest adjacent to parkland, as rural open space. Approximately 200 acres of the forested area adjacent to the North Branch Stream Valley Park will be dedicated to public use and therefore "kept intact, undeveloped and in its natural state as rural open space." The balance of the rural open space, approximately 34 acres, will be subject to conservation easements.

- *Environmental impacts and imperviousness may be reduced by innovative design and engineering techniques.*

Pulte's proposal to preserve and protect important natural resources on the Property encompasses not only conservation of all forested areas on the Property and preservation of

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wetlands and stream valley buffers, but also innovative stormwater management features, above and beyond those employed in Special Protection Areas. Pulte's stormwater management concept employs a three-tier approach. Tier I provides facilities in full compliance with existing State and County stormwater laws and regulations, including the use of bio-retention facilities, grass swales, and sand filters for quantity and quality control. Tier II will augment these facilities based on the best management practices of Special Protection Areas by providing numerous redundant systems and oversized facilities. Tier III will capture and store runoff from the rooftops of 75 percent of the units for 100 percent of the two-year storm in a separate system that provides for infiltration and incorporation of the stored runoff into the community's irrigation system. Finally, the long-term professional management of the community will ensure the good maintenance and proper operation of these facilities. A careful analysis of the Concept Plan demonstrates that, by employing this innovative, multi-tiered stormwater management plan, the effective imperviousness of the Project is reduced from approximately 14.96 percent to approximately 9.44 percent. With regard to community design, the Project proposes internal private streets with reduced pavements widths and natural surface trails, which will reduce the impervious surface of the vehicular and pedestrian circulation systems. Further, Pulte proposes a greater mix of two- and three-story units than is typically found in active adult communities in order to reduce building footprints. Therefore, by use of both design and engineering techniques, low levels of imperviousness will be achieved and the protection of water resources ensured.

- *Maintain compatibility in the western portion of the Property and elsewhere, including preservation of views from Route 108 and low-density residential character.*

Open space, including large areas of contiguous forest, undisturbed wetlands, and preserved wetlands and stream buffers, is located along the perimeter of the Property, with development clustered primarily in the central, unforested upland areas of the Property. By locating the open space along Route 108, Pulte maintains the low-density residential character of the surrounding area, including preservation of the existing views into the Property. The communities of Barnsley Manor Estates and The Oatlands to the south of the Property are developed at densities of 2.22 units per acre and 2.44 units per acre, respectively, and contain a mix of townhouses and single-family detached units at the common boundary with the Property. In contrast, the Property proposes a density of 1.8 units per acre and utilizes large areas of open space and a small area of single-family detached units as a buffer in this area.

The Concept Plan also shows a large green area in front of the clubhouse oriented towards the Property's frontage along Route 108. This area of the Property is currently not vegetated, and

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the proposed plantings in this area will serve to further enhance the views into the Property from Route 108.

- *Incorporate open space into the community and provide residents with recreation.*

Open space and connected trail systems are cornerstones of Del Webb communities. The Concept Plan provides significant areas of common open space for the recreational needs of the residents, which are in addition to the rural open space and park dedication discussed above. In addition to internal systems, pedestrian and bicycle linkages between residential neighborhoods are provided.

Further, near the Route 108 entrance to the Project, the Concept Plan shows a community clubhouse and recreation area on approximately seven acres. The clubhouse will contain an indoor pool, a fitness and aerobics center, game/craft rooms, multi-purpose rooms, and lounge and meeting spaces, and will serve as a focal point for important on-site recreational and social activities for residents. The clubhouse could also house services for residents such as a valet for drycleaning drop-off and pick-up, a beauty salon, a small café, or a sundry shop, further relieving reliance on the automobile. Outdoor amenities near the clubhouse include an outdoor pool, tennis courts, a putting green, multi-purpose courts, community gathering areas, and gardens. The clubhouse is also the hub of the pedestrian path system, and is therefore well connected to the individual neighborhoods in the Project. As mentioned above, the extensive amenity package proposed serves to reduce the need for residents to travel off-site for both recreation and personal needs, thereby resulting in lower peak hour trip generation for the Project when compared with non-age-restricted development.

The Project also proposes to preserve the Chichester House foundation, shown on the Concept Plan on the south central portion of the Property, and to rebuild and reuse the house as a possible nature center at the trailhead to the North Branch Stream Valley Park. Finally, the existing farmstead storage silo in the northern part of the Property would be retained and integrated into a small park/amenity area adjacent to the clubhouse. In this amenity area, the Concept Plan also calls for the existing barn to be rebuilt as residences and several mature specimen trees to be preserved. The adaptive reuse of these two homesteads will contribute to the rural character of the overall development.

- *Preservation of wetlands and other sensitive in areas on the headwater tributaries of the Property through dedication.*

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As stated earlier, approximately 234 acres of the site, or 70 percent of the Property, will be maintained as rural open space. Included within the preserved area will be extensive dedications of undisturbed wetland, forested, and sensitive areas to the Stream Valley Park. The area not dedicated will be preserved through conservation easements. Approximately 50 acres of wetlands that are not presently forested will be reforested.

Public Facilities Impact

The Project presents a unique opportunity to provide a much-needed housing choice that will have no impact on public schools and a substantially similar impact on transportation facilities when compared with non-age-restricted development at the densities that could reasonably be achieved on the Property under the RNC Zone.

- *The Project will have no impact on schools.*

The community will be restricted to residents 55 and older. Compliance with federal Fair Housing Laws and private covenants within the community will prohibit occupancy by school-age children.

- *The Project will have minimal impact on peak hour traffic.*

Based on data collected from similar Del Webb communities across the country, the Project is projected to generate approximately one-third of the peak hour trips as a single-family detached housing development of a similar density. In fact, the ITE trip generation rates suggest that senior housing actually generates 25 percent of the peak hour trips as single-family detached housing. Accordingly, a non-age-restricted community of approximately 150 single-family detached units is likely to generate roughly the same number of peak hour trips as the Project proposed at 585 age-restricted units.

The lower generation rates can be attributed to a variety of factors in addition to the age of the residents of active adult communities. In particular, these communities generally provide significant recreational, cultural, and social amenities on-site, and, as discussed above, the Project will have significant on-site amenities, in addition to the passive recreational opportunities afforded by the adjacent parkland and the open space proposed for the Project. While on-site amenities and the age of the residents create substantially reduced peak hour travel, we do note that the Property is well-served by the types of community facilities that are important to older adults, including convenient shopping and health care services, at the Olney Town Center.

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Implementation

The Planning Board Draft recommends rezoning the Property to the RNC Zone, with a recommended development density of .2 units per acre using septic systems, to .4 units per acre using community water and sewer and if MPDUs, which are not required in the RNC Zone, are provided. Further, the current development standards of the RNC Zone would not permit the densities and unit types and layout proposed in the Concept Plan. Accordingly, the Project as envisioned by Pulte could not be developed under either the Planning Board Draft, or the RNC Zone.

Therefore, in order to implement Pulte's vision for the Property, we request on behalf of Pulte that the Final Draft of the Master Plan include not only a recommendation to rezone the Property to the Rural Neighborhood Cluster (RNC) Zone, but that it also include a recommendation that the Property be developed under an Optional Method of Development in the RNC Zone for age-restricted housing to be created by zoning text amendment as part of the Master Plan process. In this regard, we have attached a proposed text amendment to the RNC Zone as Attachment "2" for your consideration (the "ZTA").

As you will note from the draft of the proposed ZTA, the intent and purposes of the Optional Method are closely tailored to conform to the recommendations for the Property in the Planning Board Draft. In particular, development under the Optional Method would have to be specifically recommended in a Master Plan to conform to applicable Master Plan guidelines and recommendations, including Master Plan limits on density. In this way, the Council retains authority over where the Optional Method can be used and can thereby ensure that development under the Optional Method occurs only at locations and densities that are compatible with surrounding uses and have the necessary infrastructure support. Further, in order to meet the purposes of the Optional Method, development must preserve areas that contain significant natural resources, and open space provided in the development must be located so as to provide appropriate buffers from adjacent neighborhoods to maintain rural vistas and character. By requiring compliance with these purposes as a condition for development under the Optional Method, the Planning Board can assure that such development will be both environmentally sensitive and compatible with existing developments and areas with a rural character.

In terms of development standards, the ZTA proposes a density range of 1.6 units per acre without MPDUs, and up to 1.8 units per acre with MPDUs, which is not a significant increase above the density of one unit per acre permitted under the existing optional method in the RNC zone. The density proposed in the ZTA is also in line with typical suburban development and,

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as noted above, is in fact considerably lower than the density of the adjacent Oatlands community (2.44 units per acre) and the Barnsley Manor Estates (2.22 units per acre). The ZTA also provides flexible development standards in terms of lot size and internal setbacks to allow for compact community design that allows the Project to be developed with no impact on the sensitive natural resources on the Property and allow for the preservation of large contiguous areas of forest. Finally, the ZTA retains both the significant open space requirement of the RNC Zone (70 percent) and the requirement for additional common open space to serve community recreational needs. Overall, the ZTA provides an appropriate mechanism for building an age-restricted community with appropriate density that is compatible with surrounding uses and that minimizes the impact of development on important natural resources.

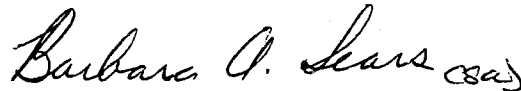
Conclusion

Pulte's vision for the Property, as shown in the Concept Plan, offers a unique opportunity for development of a signature active adult community that not only addresses the County's growing demand for housing options for older residents without impacting schools and with minimal impact on roads, but also demonstrates that environmentally sensitive development can be accomplished in the County to the benefit of all stakeholders.

On behalf of Pulte, we look forward to offering further testimony on the Concept Plan and the ZTA at the upcoming public hearings. In the interim, if you have any questions on this matter, please do not hesitate to contact us. Thank you.

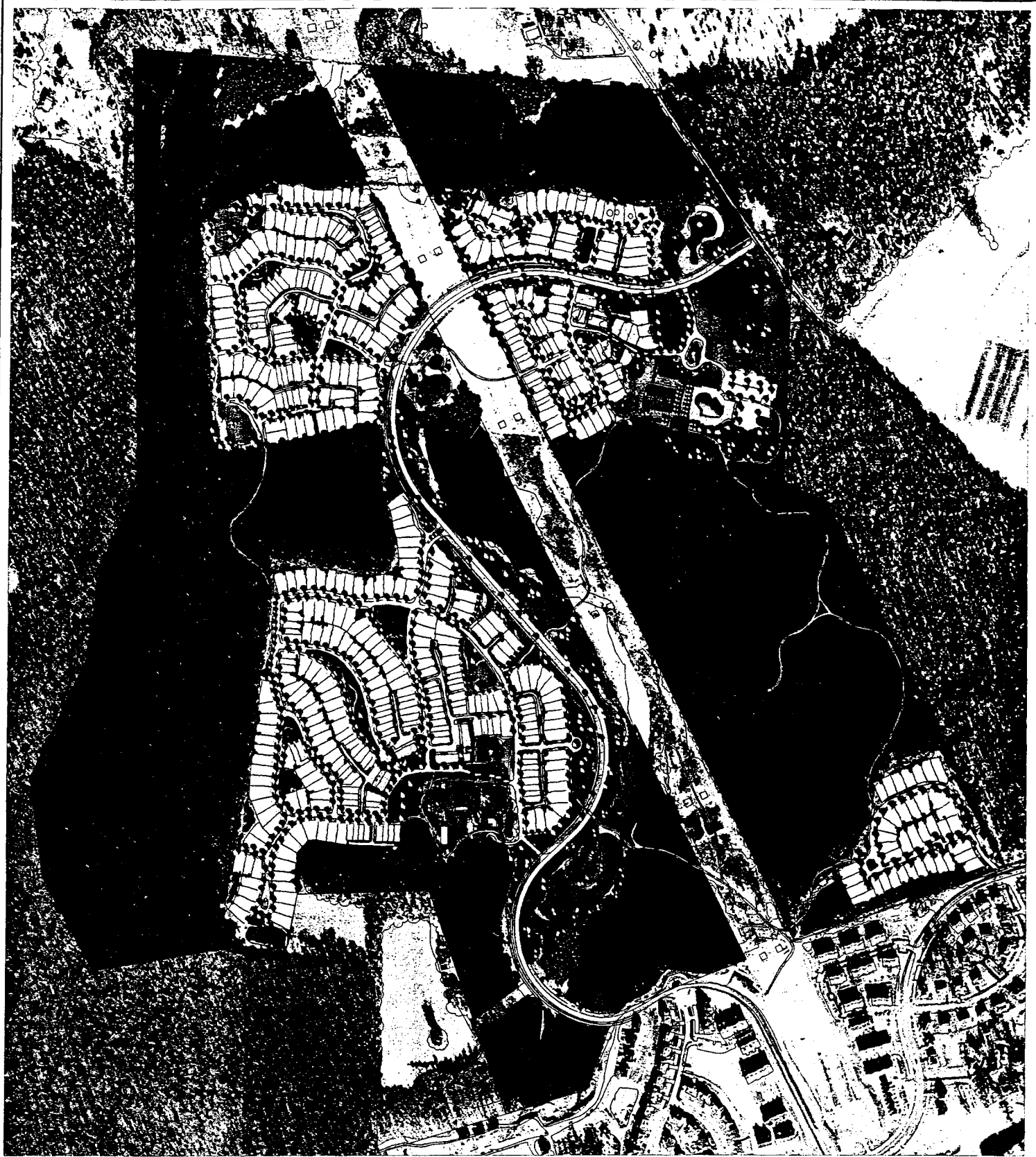
Sincerely,

LINOWES AND BLOCHER LLP



Barbara A. Sears

cc: Mr. Fred Boyd
Ms. Marlene L. Michaelson
Mr. Scott W. Reilly
Ms. Lisa W. Rother
Mr. Steve Coniglio
Mr. Dave Ager
Scott C. Wallace, Esq.



F R E E M A N

ACTIVE ADULT COMMUNITY

OLNEY, MARYLAND

CONCEPT SITE PLAN

11/05/03

Development Summary

Total Site 334 acres
 Rural Open Space 234 acres (70%)

Unit Mix

Single Family Detached 365
 Single Family Villa 155
 Flats (MPDU's) 65

Total 585



GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft.



Zoning Text Amendment No.:
Concerning: Optional
Method of Development for Age-Restricted
Adult Housing in the RNC Zone
Draft No. & Date:
Introduced:
Public Hearing:
Adopted:
Effective:
Ordinance No.:

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND

By: District Council at the Request of the Planning Board

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of

- Creating an Optional Method of Development for Age-Restricted Adult Housing in the RNC Zone.

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 59-C-9

EXPLANATIONS:

Boldface indicates a heading or a defined term.

Underlining indicates text that is added to existing law by the original bill.

[Single boldface brackets] indicate text that is deleted from the existing law by the original bill

Double underlining indicates text that is added to the bill by amendment.

[[Double]] boldface brackets indicate text that is deleted from existing law or the bill by amendment.

* * * indicates existing law that is unaffected by the bill.

Sec. 1. Amend Division 59-C-9 as follows:

59-C-9.58 Optional Method of Development for Age-Restricted Adult Housing

The optional method for age-restricted adult housing permits development of age-restricted adult communities in the RNC Zone at locations where it can be shown that density can be increased in a manner that is compatible

with the surrounding community and that preserves and protects large areas containing significant natural resources and sensitive environmental features. The optional method is appropriate for locations that are well served by amenities and facilities used by senior adults, including retail and medical services. Development must be in accordance with the provisions of this section, as well as the density and other guidelines contained in the applicable Master Plan approved by the District Council. In addition, site plans shall be submitted and approved in accordance with the provisions of Section 59-D-3.

59-C-9.581 Purposes

It is the purpose of this optional method for age-restricted housing to:

(a) promote the development of age-restricted adult communities by allowing appropriate densities and flexible development standards that encourage market-based responses to the need for such housing in the County.

(b) preserve large areas of rural open space and significant natural resources consistent with the recommendations of the applicable Master Plan.

(c) create communities with open space located on the perimeter to preserve the rural and scenic character of the surrounding area and to provide adequate buffers from adjacent established neighborhoods.

(d) encourage flexibility in lot sizes and unit types and the use of innovative environmental engineering techniques to preserve wetlands and other sensitive natural resources and reduce the environmental impacts of development.

59-C-9.582 Permitted Uses

Dwelling units.

Accessory uses.

Retail, personal service, and professional office facilities principally for the service of residents in the development in an amount not exceeding five square feet per dwelling unit.

Recreational, educational, and cultural facilities that are not inconsistent with the purposes of the optional method.

59-C-9.583 Age of Residents

Dwelling units must be restricted to permanent residents 55 years and older, except that a disabled resident may reside with a permanent resident. In addition,

residency must be regulated in accordance with the provisions of the Fair Housing Amendments Act of 1988, as may be subsequently amended.

59-C-9.584 Density

The base residential density must not exceed 1.6 dwelling units per acre for the gross tract area. The base density may be increased to accommodate Moderately Priced Dwelling Units (MPDUs) in accordance with Chapter 25A of this Code, as amended, provided that the final density does not exceed 1.8 units per acre for the gross tract area and does not exceed the recommended total density in the applicable Master Plan.

59-C-9.585 Development Standards

- (a) Development standards. The requirements of section 59-C-9.4 do not apply:
 - (i) Setbacks.
 - (A) Setbacks of structures from the perimeter boundaries of the tract subject to the optional method:
 - (1) If land zoned residential is abutting:
 - a. If recommended for single-family detached residential use in an approved and adopted Master Plan, one hundred (100) feet, except that the setback may be reduced to fifty (50) feet where the land abutting is developed with single-family attached units.
 - b. If recommended for non-residential use in an approved and adopted Master Plan, no requirements.
 - (2) If land zoned non-residential is abutting, twenty-five (25) feet.
 - (3) If a street is abutting, fifteen (15) feet.
 - (B) Accessory buildings. Accessory buildings must be located in a side or rear yard.
 - (C) Minimum lot sizes, internal setback requirements and frontage requirements, if any, shall be determined by the Planning Board as part of site plan application.

(ii) Maximum building height – 35 feet. May be increased to 45 feet for multi-family buildings that include MPDUs.

(iii) A maximum of 70 percent of the gross tract area must be provided as rural open space in accordance with the provisions of Section 59-C-9.573(g).

(b) Common open space: Common open space within the residential neighborhood is required for all development of 10 dwellings or more. Such open space, if provided, must not be applied towards the rural open space requirement. If provided, common open space should be configured with the following guidelines:

Common open space is intended for common use by residents of the neighborhood and may be either located in a central position in the neighborhood bordered by streets and/or building lots, or configured as an open space bordered by streets on all sides and generally intended for a smaller neighborhood. The common open space may contain surface features such as stormwater management facilities or limited parking areas.

(c) Lots fronting on private streets. Lots may front on a private street if the Planning Board finds, as part of the cluster subdivision plan approval, that the private street:

- (1) provides safe and adequate access;
- (2) has sufficient width to accommodate the dwelling units proposed;
- (3) will better advance the goal of preserving rural open space and the rural character than would a public road;
- (4) has proper drainage.

Each private road must comply with the requirements of subsection 59-C-7.234 of the zoning ordinance and section 50-25(h) of the subdivision regulations pertaining to private roads.

(d) Lots developed under this optional method must be connected to a community water and sewerage system, unless it can be demonstrated that, at the time of subdivision, a limited number of lots on a private well and septic facility within the cluster will provide a more beneficial subdivision design because of environmental or compatibility reasons.

- (e) The Planning Board may approve a waiver of any requirement in this section if it determines that such waiver will be consistent with the purpose of the optional method.

59-C-9.586 Off-street parking

- (a) Parking must be provided in accordance with the provisions of Division 59-E.

Sec. 2. **Effective Date.** This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Mary A. Edgar, CMC
Clerk to the Council

*Montgomery County Council Request for Review of the
Pulte Homes Proposal*



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

RECEIVED
14/5
OCT 21 2003

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

STEVEN A. SILVERMAN
COUNCILMEMBER

MEMORANDUM

October 21, 2003

To: Derick Berlage, Chairman, Montgomery County Planning Board

From: Steven Silverman, Chair, Planning, Housing, and Economic Development Committee

Subject: Upper Rock Creek Master Plan

I have been informed that the property owner and contract purchaser for the Freeman parcel in the Upper Rock Creek planning area intend to propose a significantly different use for this parcel than the Planning Board Draft recommends, and that this proposed use was not part of the Planning Board review of the Freeman parcel.

Accordingly, and consistent with past Council practice, I believe that the PHED Committee and Council should not review this proposed use until the Planning Board has reviewed it and made a recommendation. In addition, I believe that the Board should hold an evening hearing on this proposal before acting to provide opportunity for the public to comment. Because of the time period for notice, which I believe is typically three weeks, and time required for staff review, I would not anticipate receiving a recommendation from the Board until early December.

My intention as Chair of the PHED Committee is to begin Committee review of the Upper Rock Creek plan on November 10, but we will hold off discussing the Freeman parcel until we receive a recommendation from the Board. That may mean that the Committee will not be able to finalize its recommendations until shortly before or after the December holidays. In either case, I anticipate full Council review in January, 2004.

I have asked the Council President to share this scheduling information at tonight's public hearing.

cc: Councilmembers

Fitzbare/0310/upper rock creek schedule

100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850 • 240/777-7960, TDD 240/777-7914
E-MAIL: STEVEN.SILVERMAN@CO.MO.MD.US

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