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**MEMORANDUM**

DATE: July 8, 2005  
TO: Montgomery County Planning Board  
VIA: Rose Krasnow, Chief *RK*  
Michael Ma, Supervisor  
Development Review Division  
FROM: Robert A. Kronenberg *RK*  
Development Review Division  
(301) 495-2187



REVIEW TYPE: **Site Plan Review**  
CASE #: **8-05032**  
PROJECT NAME: **Rock Creek Ridge**  
APPLYING FOR: Approval of 24 one-family detached dwelling units on 74.66 acres  
REVIEW BASIS: Div. 59-D-3 of Montgomery County Zoning Ordinance

ZONE: Rural Neighborhood Cluster (RNC)  
LOCATION: On Needwood Road, 600 feet west of the intersection with Muncaster Mill Road  
MASTER PLAN: Upper Rock Creek Area Master Plan  
APPLICANT: Winchester Homes  
FILING DATE: April 5, 2005  
HEARING DATE: July 14, 2005

**STAFF RECOMMENDATION:** Approval of 24 one-family detached dwelling units in the RNC Zone, on 74.66 acres, with the following conditions:

1. Preliminary Plan Conformance  
The proposed development shall comply with the conditions of approval for Preliminary Plan 1-05038 for the Woodlawn Property as listed in the Planning Board opinion dated March 15, 2005 [Appendix A].
2. Lighting
  - a. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent residential properties.
  - b. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting residential properties.

3. Pedestrian Circulation
  - a. Construct a 10-foot-wide bike path with a minimum six-foot offset from the pavement edge on the southeast side of Needwood Road from the eastern building area envelope of Lot 24 to the north side of the park facility entrance.
  - b. Provide a 4-foot-wide natural surface path from the terminus of Rock Ridge Lane to the M-NCPPC Park boundary.
4. Recreation Facilities

Provide a sitting area; open play area, natural area and pedestrian system in accordance with the Recreation Guidelines.
5. M-NCPPC Park Facility

The applicant shall comply with the following condition of approval from M-NCPPC-Park Planning and Resource Analysis:  
The applicant shall dedicate to M-NCPPC the area identified on the Site Plan as Parcel C. Dedication of parkland shall not include any stormwater management ponds or facilities. Land to be conveyed by time of record plat for the project areas that include the dedicated parkland and adjacent roads and lots. Dedicated property shall be conveyed free of trash and unnatural debris and the boundaries to be adequately staked and signed to delineate between private properties and parkland.
6. Forest Conservation

The applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandum dated June 10, 2005 [Appendix B]:

  - a. The proposed development shall comply with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
  - b. Record plat of subdivision shall reflect a Category I conservation easement over all areas of stream buffers and forest conservation.
7. Noise Attenuation
  - a. Applicant shall provide a certification from an acoustical engineer that the building shell for residential dwelling units to be constructed within the projected 65 dBA Ldn noise contour and designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The certification shall be provided to M-NCPPC Environmental Planning staff for concurrence prior to issuance of building permits.
  - b. The builder shall provide a signed commitment to construct the impacted units in accordance with the acoustical design specifications. Any changes to the building shell construction that may affect acoustical performance after issuance of building permit shall be approved by an acoustical engineer and M-NCPPC Environmental Planning staff prior to their implementation.
  - c. For all residential dwelling units to be constructed within the projected 65 dBA Ldn noise contour, the applicant/developer/builder shall disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification will be accomplished by inclusion of this information and any measures taken to reduce the impacts in all sales contracts, brochures and promotional documents, including: any illustrative site plan(s) on display within any sales related office(s); in Homeowner Association documents; with all Deeds of Conveyance; and by inclusion on all signature

subdivision and site plans. Notification measures shall be provided to M-NCPPC staff prior to issuance of any building permit.

- d. Applicant shall construct a noise attenuation fence/wall along the east property line of Lot 19 Rock Ridge Lane, or berming on Parcel "F" that will accomplish the same noise attenuation. Materials and height to be approved by M-NCPPC Environmental Planning staff prior to issuance of building permits.

8. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated September 23, 2004.

9. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff prior to issuance of the 17th building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.

10. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:

- a. Street tree planting shall progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
- b. Community-wide pedestrian pathways and recreation facilities, including the 10-foot-wide bike path, shall be completed prior to issuance of the 17th building permit.
- c. Landscaping associated with each building shall be completed as construction of each building is completed.
- d. Pedestrian pathways associated with each street shall be completed as construction of each street is completed.
- e. The recreation area in Parcel 'E' shall be completed prior to the issuance of the 17<sup>th</sup> building permit.
- f. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- g. Provide each section of the development with necessary roads.
- h. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features.

11. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

12. Signature Set

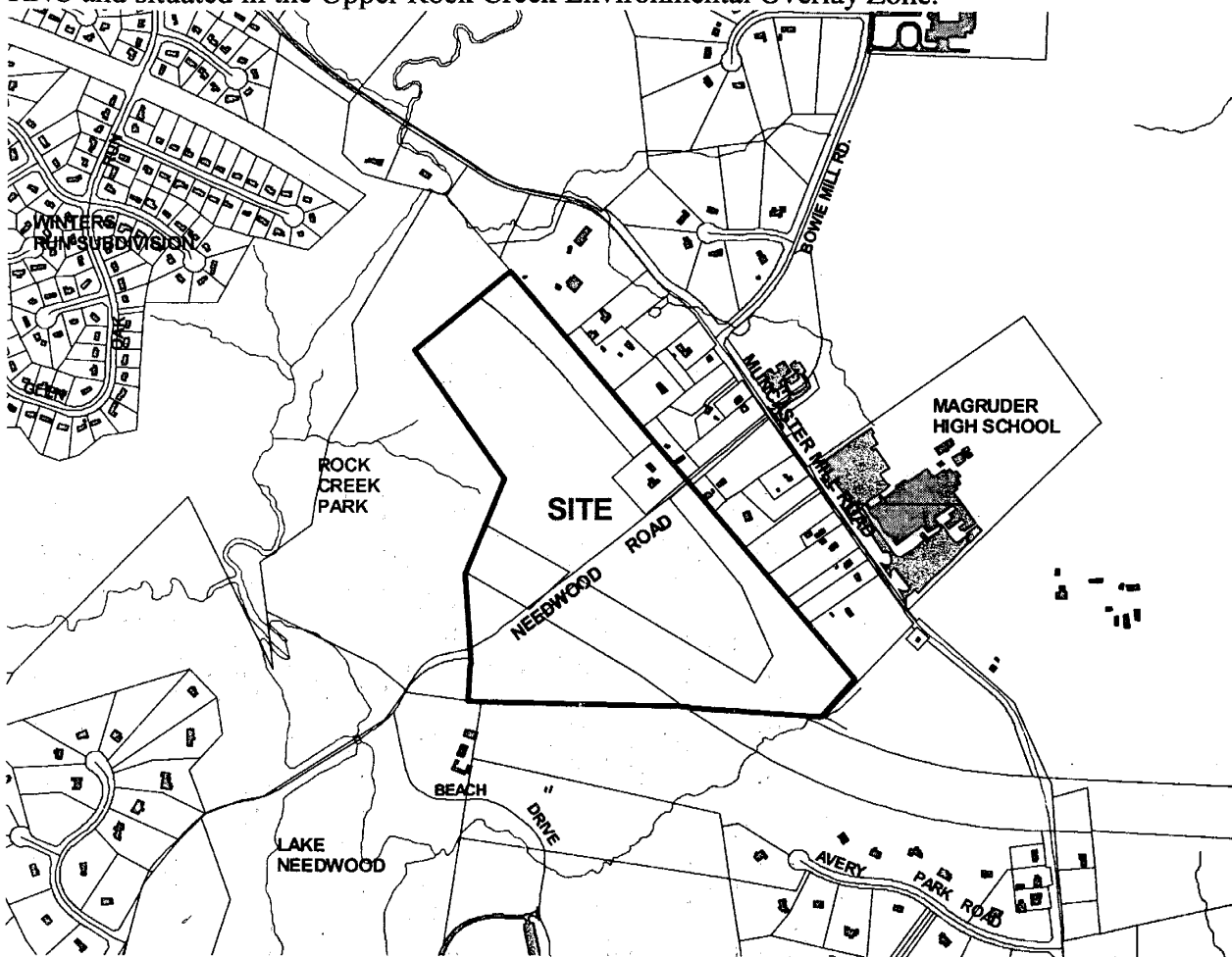
Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion.
- b. Undisturbed stream buffers.
- c. Limits of disturbance.
- d. Methods and locations of tree protection.
- e. Forest Conservation easement areas.
- f. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.

- g. Location of outfalls away from tree preservation areas.
- h. Details of the noise attenuation fence.

**PROJECT DESCRIPTION:** Site Vicinity

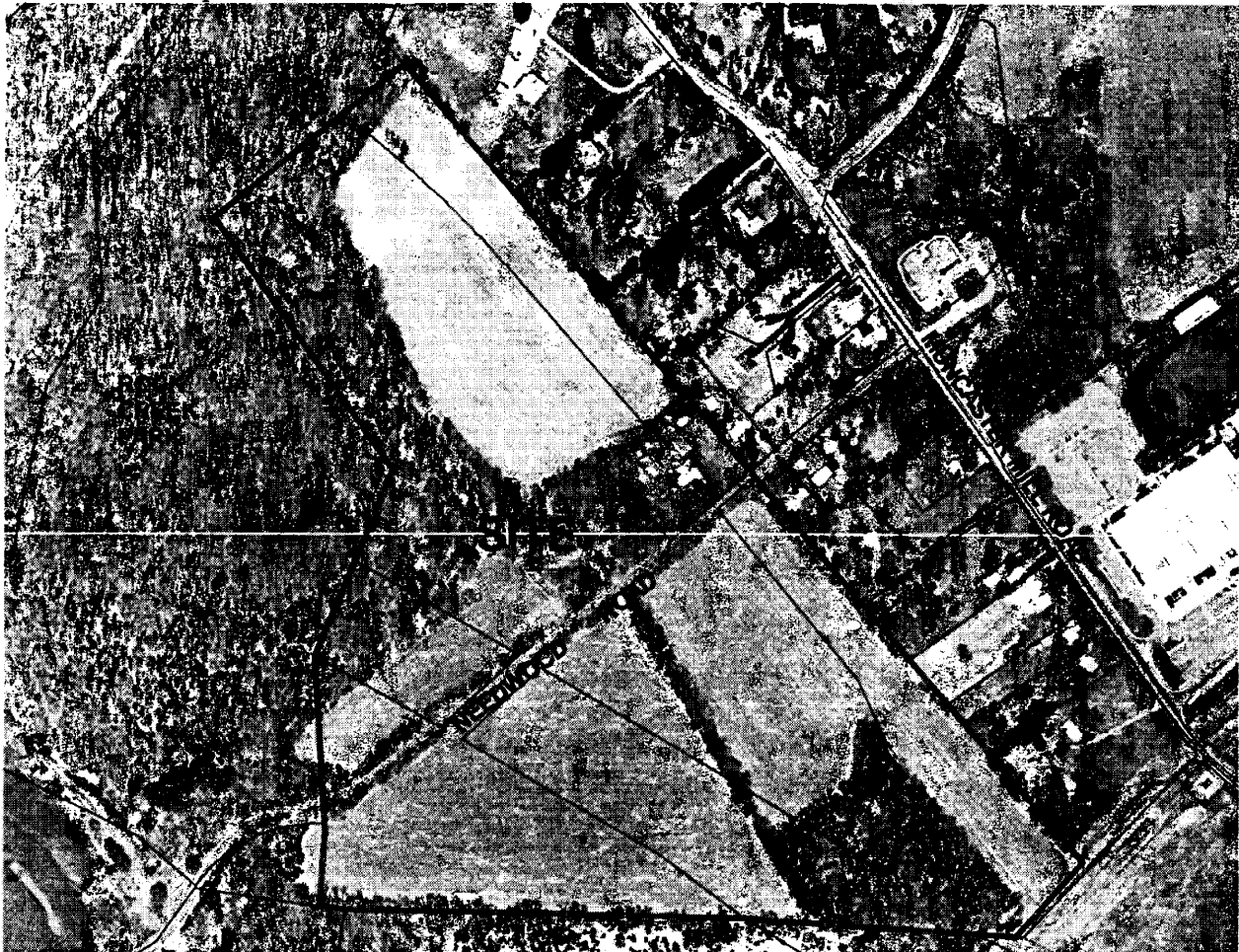
The subject property is located on the east and west side of Needwood Road, approximately 600 feet west of the intersection with Muncaster Mill Road. The property is situated within the Upper Rock Creek watershed and is zoned Rural Neighborhood Cluster (RNC). The northwestern and southern boundaries of the proposed site are bounded by the M-NCPPC Rock Creek Regional Park, which encompasses Rock Creek and Lake Needwood. The entrance to the park is located approximately 300 feet south of the subject site off of Beach Drive. The properties to the north and east of the site, located between the subject property and Muncaster Mill Road, consist of individual parcels and small lot subdivisions, with one-family detached structures. These properties contain a mix of zones including RE-1, RE-2 and R-200. Avery Park subdivision (Plat Book 581, page 36), consisting primarily of 2-acre lots, is zoned RE-2 with access from Muncaster Mill Road. Magruder High School is located across Muncaster Mill Road, approximately 200 feet southeast of the intersection with Needwood Road. The school site is zoned RE-1; however, the adjacent property to the north and west of the school is zoned RNC and situated in the Upper Rock Creek Environmental Overlay Zone.



**PROJECT DESCRIPTION:** Site Description

The subject site is approximately 75 acres in size and contains approximately 20.50 acres of existing forest with a few trees greater than 24 inches in diameter. The remainder of the site is an active agricultural field. The property is bifurcated by Needwood Road. The northwest side of Needwood Road contains approximately 15 acres of the total forested area including two stream channels in the northwest corner of the site and their associated buffers. This area of the site contains two existing farm structures with sole access to Needwood Road. The northeast section of the site differs in elevation by approximately 45 feet from two knolls to the two stream channels. An existing WSSC sewer right-of-way is adjacent to the northernmost tip of the property with service from Muncaster Mill Road.

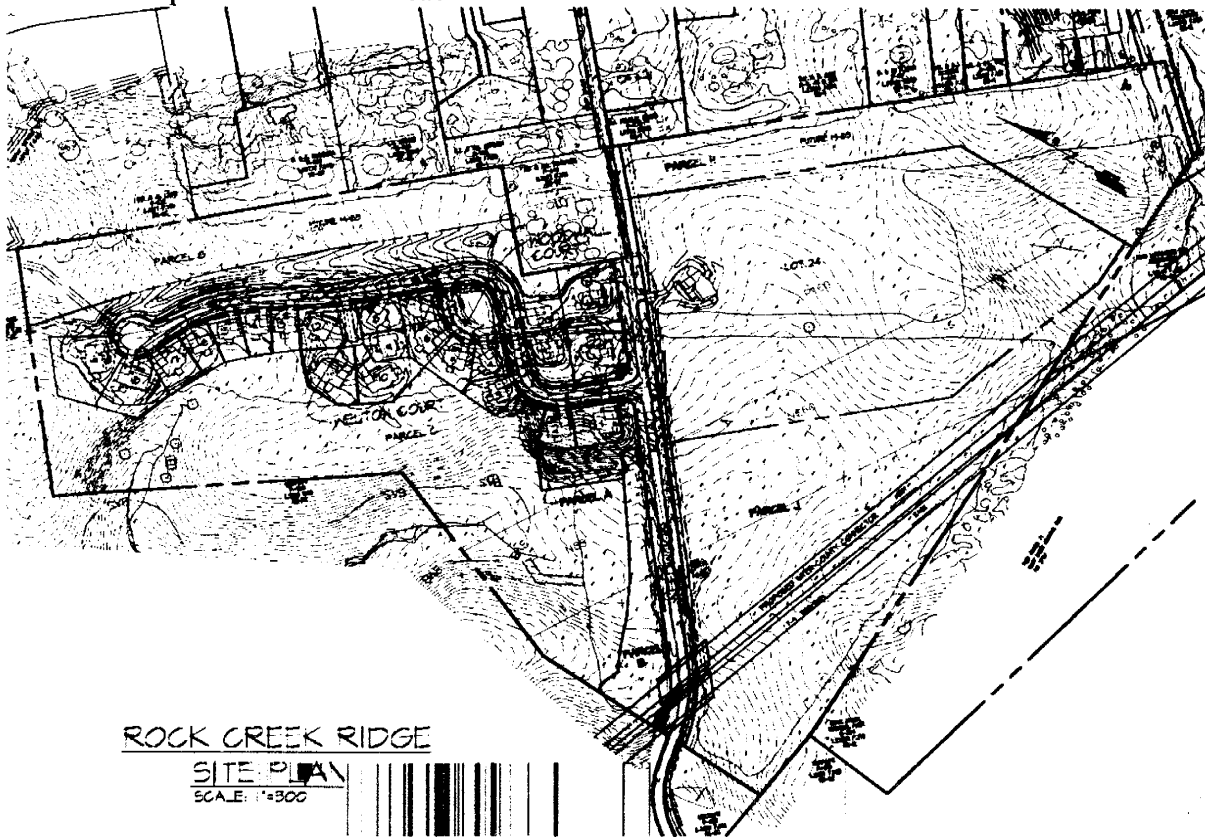
The southeastern portion of the site, across Needwood Road, contains the remaining 5.50 acres of forest in the southeast quadrant of the property. The forested area encompasses the low point of the site and includes an ephemeral stream and associated buffer. The topography on this section of the site changes in elevation by approximately 30 feet with the high points being closest to Muncaster Mill Road. This portion of the property contains an existing house and associated outbuildings with primary access from Muncaster Mill Road, and secondary access from Needwood Road. An existing transcontinental gas right-of-way transverses the southernmost tip of the site.



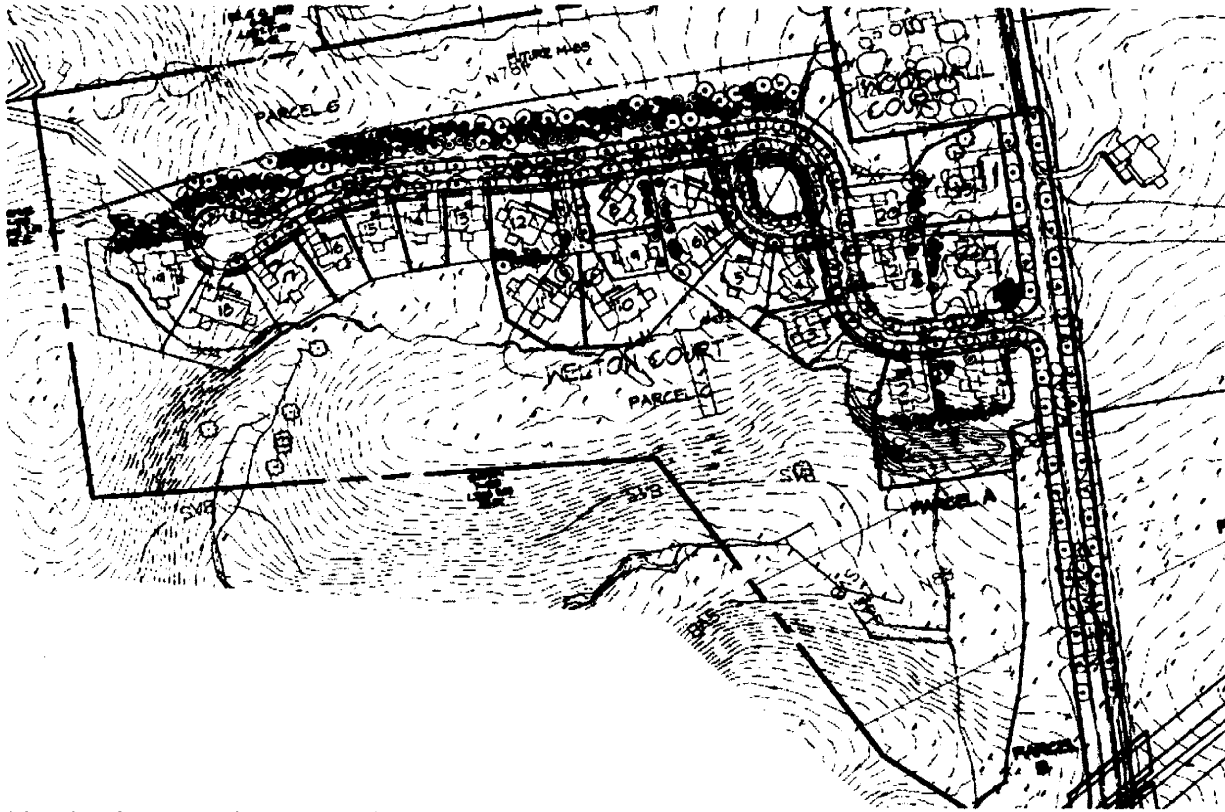
**PROJECT DESCRIPTION:** Proposal

The Rock Creek Ridge site plan proposes 24 one-family detached dwelling units on 70.50 acres in the RNC Zone. The layout contains a diversity of lot sizes from 7,000 square feet to over 25,000 square feet, including four different house types that conform to each varying lot size. The majority of the development is located on the northeast side of Needwood Road and one large conservancy lot on the south side.

Vehicular access is provided to the proposed home sites via a public road from Needwood Road and two internal private driveways. The conservancy lot gains access via a private driveway from Needwood Road. Internal pedestrian access consists of sidewalks on the public and private roads and a natural surface trail to the adjacent park property from the proposed public road. The applicant is also proposing a 10-foot-wide bike path on the south side of Needwood Road from lot 24 to the park entrance at Beach Drive.



Landscaping consists of street trees in the public road right-of-way, consistent with County standards for species and spacing, as well as buffer planting in Parcel 'F'. The buffer planting provides a visual and physical separation between the proposed Mid-County highway dedication and the proposed lots.



This plan is proposing approximately 32 acres, or 65 percent of the gross tract area; of rural and common open space within the property boundaries to accommodate the provisions of the RNC Zone. The majority of the open space protects the stream valley buffers and provides a landscape buffer between the proposed homes and future road dedications. The applicant is also dedicating approximately 13 acres to the M-NCPPC for the expansion of Rock Creek Park.



**PROJECT DESCRIPTION:** Prior Approvals

Zoning/Development Plan

The subject property was rezoned from the RE-2 Zone to the RNC Zone by Sectional Map Amendment G-827 on October 26, 2004. A Zoning Text Amendment for the Rural Neighborhood Cluster Zone was also approved on October 26, 2004. That amendment clarified the intent of the zone and strengthened provisions concerning diversity of lot sizes and provision of rural open space.

Preliminary Plan

Preliminary Plan 1-05038 was approved on March 15, 2005 for 24 one-family detached dwelling units in the RNC Zone. The preliminary plan was approved prior to the current MPDU legislation, which requires developments of 20 dwellings or more to provide 12.5 percent MPDUs. The base requirement for the prior MPDU legislation was 35 dwelling units.

**ANALYSIS: Conformance to Development Standards**

**PROJECT DATA TABLE (RNC Zone)  
Optional Method of Development**

Development Standard	Permitted/ Required	Proposed
Total Site Area (ac.):	10	74.66
Net Site Area after right-of-way dedication (ac.):		46.08
Max. Density of Development (d.u./ac.)	.33	.33
Number of Dwelling Units		
Detached unit	24	24
Min. Building Setbacks (ft.)		
from street	15	15
rear yard	10	10*
side yard	8	8*
Min. Lot Size (sf.)	4,000	8,400
Min. lot width at existing or proposed Street line (ft.):	25	25
Max. lot coverage (%):	35	35
Rural Open Space (ac.):		
Parcel 'A'		0.69
Parcel 'C'		13.01
Parcel 'F'		2.54
Lot 24		<u>15.44</u>
Total	29.95	31.68
	(65% of net tract area)	(69% of net tract area)
Common Open Space (ac.):		
Parcel 'D'		0.15
Parcel 'E'		<u>0.53</u>
Total	0.00	0.68
Total Open Space (ac.):	29.95	32.36
		(70.2% of net tract area)
Max. Building Height (ft.):	35	35
Parking Spaces		
Detached units	48	48

\* Pursuant to Sect. 59-C-9.574 (d)(iii), " A side yard, if required, must be at least 8 feet. For a side or rear yard that abuts a lot that is not developed under the optional method of the Section, the setback must be at least equal to that required for the abutting lot, provided that no rear yard is less than 30 feet. Lots 23 and 24 are not developed under the RNC Zone optional method of development provisions. Lot 23 is subject to the RE-2 Zone provisions for side yards (17 feet) and Lot 24 is subject to the RE-1 Zone provisions for side yards (17 feet). Both lots are subject to the 30-foot rear yard requirement and meet the side yard setbacks .

RECREATION CALCULATIONS

	Tots	Children	Teens	Adults	Seniors
<b>Demand Points</b>					
Demand per 100 d.u.					
SFD I (5)	10.0	20.0	22.0	85.0	8.0
SFD II (19)	13.0	24.0	25.0	106.0	11.0
*Housing type : 5 SFD I (Lots 20, 000+ sf), 19 SFD II (7,000-19,999 sf.)					
SFD I (0.05)	0.50	1.00	1.10	4.25	0.40
SFD II (0.19)	2.47	4.56	4.75	20.14	2.09
<b>Total Required Points</b>	<b>2.97</b>	<b>5.56</b>	<b>5.85</b>	<b>24.39</b>	<b>2.49</b>
<b>Supply Points</b>					
Open Play Area II (1)	3.0	4.0	4.0	10.0	1.0
Sitting Area (1)	1.0	1.0	1.5	5.00	2.0
Pedestrian System	0.29	1.11	1.17	10.97	1.12
<u>Natural Area</u>	<u>0.15</u>	<u>0.55</u>	<u>0.87</u>	<u>3.65</u>	<u>0.37</u>
<b>Total Supply Points</b>	<b>4.44</b>	<b>6.66</b>	<b>7.54</b>	<b>29.62</b>	<b>4.49</b>
% of demand met on-site	149	120	129	121	180

Note: Recreation demand is met on site; however the Recreation Guidelines provide guidelines for communities that include more than 25 dwelling units. This development includes 24 lots.

DIVERSITY OF LOT SIZES\*

<u>LOT SIZE</u>	<u>NO. OF LOTS</u>
7,000-8,499 sf.	2
8,500-9,499 sf.	5
9,500-10,999 sf.	3
11,000-13,999 sf.	4
14,000-16,999 sf.	2
17,000-19,999 sf.	3
20,000-24,999 sf.	3
25,000+ sf	2

DIVERSITY OF HOUSE SIZES

<u>HOUSE TYPE</u>	<u>SQUARE FOOTAGE</u> <u>(APPROX.)</u>
Harrison Model	3,600
Langley Model	3,400
Benefield Model	2,200
Randall Model	2,700

\* Pursuant to Sect. 59-C-574(b), "The Planning Board must evaluate the range of lot sizes provided and ensure that a proposed development is compatible with the existing development on adjoining properties and consistent with the purpose and intent of the zone".

### Conformance to Master Plan

The July 2003 Upper Rock Creek Area Master Plan, adopted by the County Council on February 24, 2004, specifically discusses the subject "Woodlawn Property" in terms of residential cluster development. The property was reclassified from the RE-2 Zone to the RNC Zone by Sectional Map Amendment G-827. The Master Plan recommends a density of 0.33 dwelling units per acre if developed with public sewer and if dedication is made to the M-NCPPC to expand Rock Creek Park. In addition to the dedication, the Master Plan recommends a trail connection to Lake Needwood, the reduction of environmental impacts and noise mitigation from the proposed Intercounty Connector and Mid-County Highway extension.

The proposed development allows for the future road rights-of-way and implements the recommendations of the Master Plan.

### Intercounty Connector

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.

The two roadway alignment options (Rock Creek Option A and C) that would physically impact the subject development were reviewed during the preliminary plan of subdivision. Rock Creek Option A, which goes through the western part of the property and is closer to the master-planned alignment, was selected and placed in reservation. This alignment will be protected from development with the preliminary plan condition that precludes the applicant from recording plats until after September 1, 2005. By preventing the applicant from filing record plats, however, 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) except that clearing and grading can occur within this area.

**FINDINGS: For Site Plan Review**

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.*

An approved development plan or a project plan is not required for the subject development.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan meets all of the requirements of the RNC Zone as demonstrated in the project Data Table above. Furthermore, the application meets all of the special regulations of the RNC Zone, including the purpose and intent to preserve and set aside large areas of contiguous rural open space.

3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

- a. Buildings

The one-family detached houses directly front onto the proposed public road west of Needwood Road, with the exception of Lots 23 and 24 that have frontage on Needwood Road.

Pursuant to the guidelines in the zoning ordinance for the Rural Neighborhood Cluster Zone, the site plan proposes diversity in lot sizes as well as house sizes. The proposed houses range in size from 2,200 square feet to 3,600 square feet, providing a mixed level of incomes, housing styles and diversity of house types.

The proposed buildings are located in a manner that is adequate, safe and efficient with the surrounding development.

- b. Open Spaces

The plan proposes 32.36 acres of open space, or approximately 71 percent of the useable tract area. The open space is separated into 31.68 acres of rural open space and 0.68 acres of common open space. The applicant is required to provide 65-85 percent of the net area toward rural open space. The rural open space is located in Parcels 'A', 'C', 'F' and Lot 24. Parcel 'C' consists of 13.01 acres and will be dedicated to M-NCPPC as part of the expansion of Rock Creek Park. Parcel 'F' will be owned and maintained by the future homeowners' association. The common open space is located in a central area between proposed Rock Ridge Lane and the shared driveway for lots 4-7.

Consistent with the guidelines in the Montgomery County zoning Ordinance, the common open space will be useable by the residents, in a central position or location in the neighborhood bordered by streets on all sides. The site plan meets the provisions outlined for rural open space by protecting natural features, such as the parkland dedication and stream valley buffer and the forest conservation easement over the wooded areas.

The proposed stormwater management concept consists of (1) on-site water quality and recharge control via grass swales, dry swales, a modified dry swale, drywells and a surface sand filter. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs. The proposed stormwater management (Parcel 'A') also meets the intent of the Master Plan recommendations for "locating stormwater management facilities outside of parkland".

c. Landscaping and Lighting

The proposed landscaping on the site consists of shade trees in the proposed public right-of-way for Rock Ridge Lane and adjacent to the private roads for Woodhall Court and Welton Court. Street trees are also proposed on each side of Needwood Road in front of lots 23 and 24 and extending to the dedication of the future ICC right-of-way. The street trees are spaced 50 feet on center in accordance with Montgomery County standards. Parcel 'F' includes a three-foot earth berm planted with a mix of evergreen, ornamental and shade trees that will provide a buffer from units 4 through 19 to the future Mid-County Highway on the northwestern property line. Parcel 'F' also includes a noise mitigation fence to buffer the proposed Mid-County Highway extension through the northeastern property boundary of the site, consistent with the recommendations of the Master Plan.

The proposed stormwater management facility is also being screened from the proposed units located near Needwood Road as well as the units that back up to one another near the entrance to the development. A masonry wall with accent planting is proposed for the entrance to the site on lot 22.

The lighting plan consists of twelve residential, colonial post top light fixtures within the proposed public road right-of-way, consistent with Montgomery County standards.

d. Recreation

Recreation demand is satisfied as shown in the recreation calculations table above; however, the applicant is not required to provide recreational facilities or amenities due to the number of units provided on site. The proposed recreation facilities include a sitting area within Parcel 'E', an open play area, a natural area and a pedestrian system. The pedestrian system includes a natural surface trail at

the end of proposed Rock Ridge Lane, within Parcel "C" that will be dedicated to M-NCPPC for the expansion of Rock Creek Park.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient.

Access points to the site are to be provided primarily from proposed Rock Ridge Lane, a tertiary roadway within a 50-foot-wide right-of-way. Rock Ridge Lane connects on the west side of Needwood Road, a primary roadway within a 70-foot-wide right-of-way. Lot 23 and 24 have direct access and frontage onto Needwood Road. Lot 24, a conservancy lot, is the only proposed house and lot on the east side of Needwood Road.

The development provides rights-of-way for two major road extensions on this property: the Mid-County Highway (M-83) extension; and the Intercounty Connector (Rock Creek Option A). The Mid-County Highway extension parallels the northeastern boundary. The proposed alignment for the Intercounty Connector traverses through the western part of the property.

A ten-foot-wide bike path (Class I bikeway) is proposed along the east side of Needwood Road, from the park entrance road (Beach Drive) to the property boundary across from Lot 23 and directly across a portion of Lot 24. The ten-foot-wide bike path is located outside the public right-of-way and within a 15-foot-wide public improvement easement (PIE).

Four-foot-wide internal sidewalks will also be provided on the north and west side of proposed Rock Ridge Lane to facilitate pedestrian circulation throughout the development. The site plan proposes a sidewalk opposite Needwood Road at the intersection with Rock Ridge Lane connecting to the proposed bike path.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The proposed development is compatible with other uses and existing and proposed adjacent development.

The proposed buildings are located in a manner that protects the environmental and natural resources and complements the adjacent one-family home on parcel 969 located directly to the west. The future Mid-County Highway and proposed buffer area will provide a physical separation from the one-family homes that gain access off of Muncaster Mill Road. The use is compatible with the zone and surrounding uses to the north and west. The expansion of the parkland to the west of the proposed houses provides a natural buffer to Rock Creek Park and ensures protection of the natural resources.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

There is 20.5-acres of existing forest on the property. After removal of land within roadway right-of-ways 17.8-acres of onsite forest remains. The applicant proposes to remove approximately 4 acres of upland forest and retain approximately 14 acres of forest, including all forest within the stream buffers. Based on the amount of existing forest and the proposed amount of forest removed, there are no planting requirements.

The subject property includes a considerable amount of exotic and invasive materials within the existing forests. The exotic and invasive materials were identified in the natural resource inventory/forest stand delineation. The invasive materials will continue to expand if they are not brought under control. The applicant prepared and submitted an invasive management plan. The plan is still under review and will be approved as part of the final forest conservation plan.

The site includes 1.35-acres of forested stream buffers. This area will be protected by Category I forest conservation easements. There is no proposed forest removal in the stream buffer.

#### APPENDICES

- A. Planning Board opinion for Preliminary Plan 1-05038.
- B. Memoranda from agencies