DISCUSSION

History of Review

This proposal has received extensive environmental review, with the development and analysis of multiple avoidance and minimization alternatives, including shared use of adjoining parkland and locating the facility on an alternative site (Layhill Village Local Park). There were several meetings with the applicant including a discussion at a Wetlands Coordinating Committee meeting where the case was discussed.

Staff initially considered denying the forest conservation plan because of the removal of priority forest, impervious surfaces within wetlands buffers, and concerns over the effect that the proposed retaining wall and upgrade development could have on the continued survival of the wetlands post development, when contributing flows are cut off or diverted. Section 107 (A)(1) of the Forest Conservation Regulations lists nontidal wetlands and their buffers among the highest priority resources for retention and protection, and strongly recommends that they be left in an undisturbed condition unless:

- (a) The Planning Director or Planning Board find that the provisions of subsection 22A-12(b)(1) of the Forest Conservation Law have been met and;
- (b) The development proposal cannot reasonably be altered.

Staff continues to believe that, solely from an environmental perspective, there is too much development on this site. However, there are multiple countervailing non-environmental influences that point to the need to use this site. Environmental Planning staff assessed the need and merit of recreational or locational needs versus environmental policies. Active recreational uses, particularly ones with associated imperviousness have rarely been considered acceptable within environmental/wetland buffers. One rare exception would be unavoidable and minimized all weather public use paths needed for interconnectivity and/or transit or school access. After reviewing all the options, however, Environmental Planning Staff has concluded that the development proposal cannot reasonably be altered to avoid the wetlands and buffer areas and recommends approval of the forest conservation plan and mandatory referral.

Forest Conservation

The site has an approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) (No. 4-05237) approved in June 2005. Environmental Planning staff has reviewed the preliminary forest conservation plan submitted for the project. That plan shows 4.92 acres of the site's 6.65 acres of forest being cleared. The Conservation Threshold (e.g. minimum retention area) for the site is 1.86 acres. By retaining 1.73 acres of forest onsite and planting an additional 1.27 acres offsite the site will meet the requirements of forest conservation law. Staff has provisionally approved the preliminary forest conservation plan.

Wetlands Resources Onsite

The site contains approximately 0.6 acres of wetlands and associated wetlands buffer, which lie on the east side of the property adjacent to an existing asphalt basketball court. The court was constructed within the historical wetlands. The wetlands are classified as 'palustrine forest broadleaved deciduous (PFO1) wetland'. The wetlands contain mottled Gaila silt soils and the water table is close to the surface with a few small pockets of surface water. The wetlands provide surface drainage connecting to downstream resources. The applicant contends that the wetlands were created by past construction activity on the site. However, 1951 and 1970 aerial photography shows the property as active cropland except for the sections near the wetlands, which are shown as

unmowed or containing tree cover. Further, 1990 aerial photography shows the wetlands and stream valley buffer areas as the only forested portions of the otherwise cleared property, indicating that the area may have been wet even then.

Compliance with the Environmental Guidelines

Contrary to the Environmental Guidelines (Guidelines for Environmental Management of Development in Montgomery County) the Development Plan shows approximately 3,300 s.f. of wetlands buffer being taken up by the proposed hard surface play area. Additionally, Environmental Planning Staff is concerned over the effect that the proposed retaining wall and upgrade development will have on the continued survival of the wetlands post development, when contributing flows are cut off or diverted. The Park and Planning Department evaluates proposed wetland impacts under federal and State avoidance guidelines that are listed as avoidance, minimization, and mitigation. The applicant was very responsive to Staff suggestions to develop avoidance options that did not encroach into wetlands or wetlands buffer areas. However, the applicant has not accepted these alternative designs because of the reduction in hard-surface play area and/or the number of parking spaces, and because of safety concerns

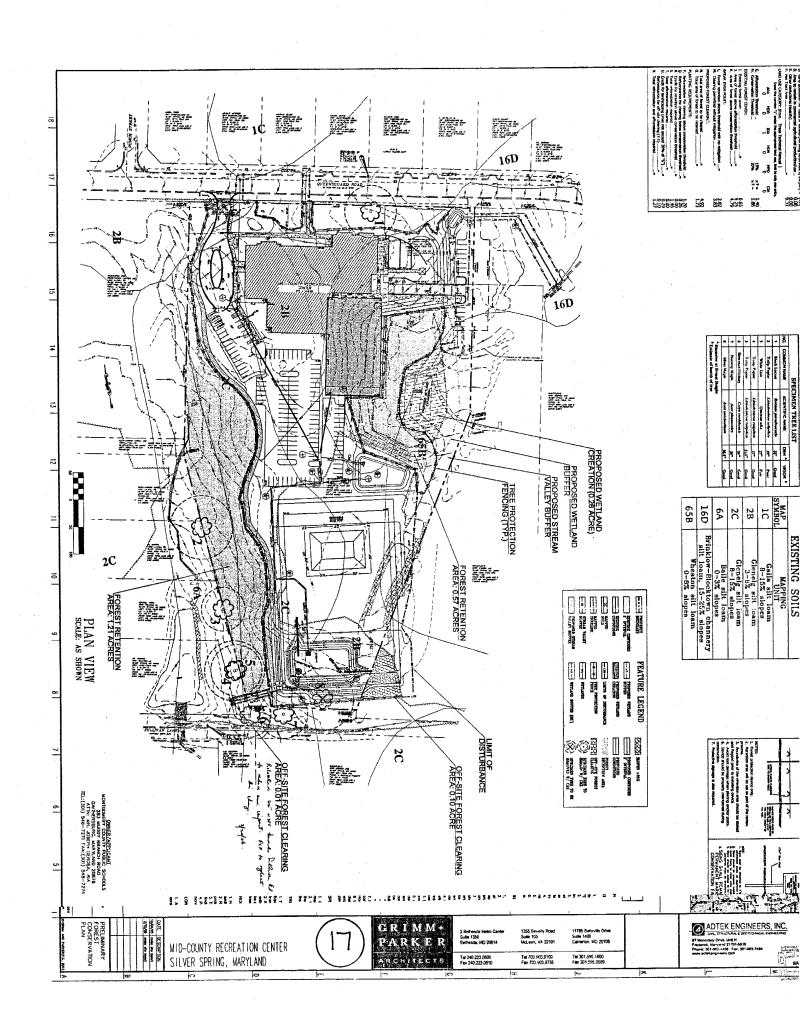
The applicant has offered to remove the existing basketball court on their site and restore the wetlands at that location, and create an additional 0.26 acres of wetlands, as part of the mitigation for encroaching into the wetland buffer. This action will result in a slight loss of buffer area but a net gain of wetlands area on the site. Staff believes that this is adequate mitigation for the proposed encroachment.

Water Quality

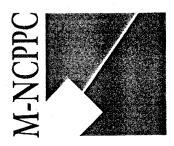
The site forms part of the ridgeline separating the Bel Pre Creek and Middle Mainstem Glenmont subwatersheds of the Northwest Branch Watershed. The Northwest Branch is the largest of the County's three contributing watersheds to the Anacostia. The *Countywide Stream Protection Strategy* (CSPS, 1998) lists Bel Pre Creek stream conditions as 'poor' and habitat conditions as 'fair to good' overall. It lists both stream and habitat conditions in the Middle Mainstem Glenmont subwatershed as 'fair' based on data available at that time. CSPS has designated both subwatersheds as Watershed Restoration Areas indicating a need to treat varying degrees of stream degradation, primarily from the effects of past, uncontrolled runoff.

Stormwater Management

The Montgomery County Department of Permitting Services (DPS) denied the applicant's initial stormwater management concept request in June 2005, because of the amount of wetlands disturbance and concern over impacts to an offsite pond. The concept was resubmitted on March 13, 2006. By letter dated March 22, 2006 DPS requested more information from the applicant. To date DPS has not approved the SWM Plan for the site.



ATTACHMENT 3



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

9500 Brunett Avenue Silver Spring, Maryland 20901

April 5, 2006

MEMORANDUM

TO:

Khalid Afzal, Team Leader, Community-Based Planning Division

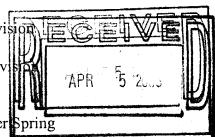
FROM:

Marian Elsasser, Landscape Architect, Park Development Div

Mark Wallis, Park Planner, Countywide Planning Division

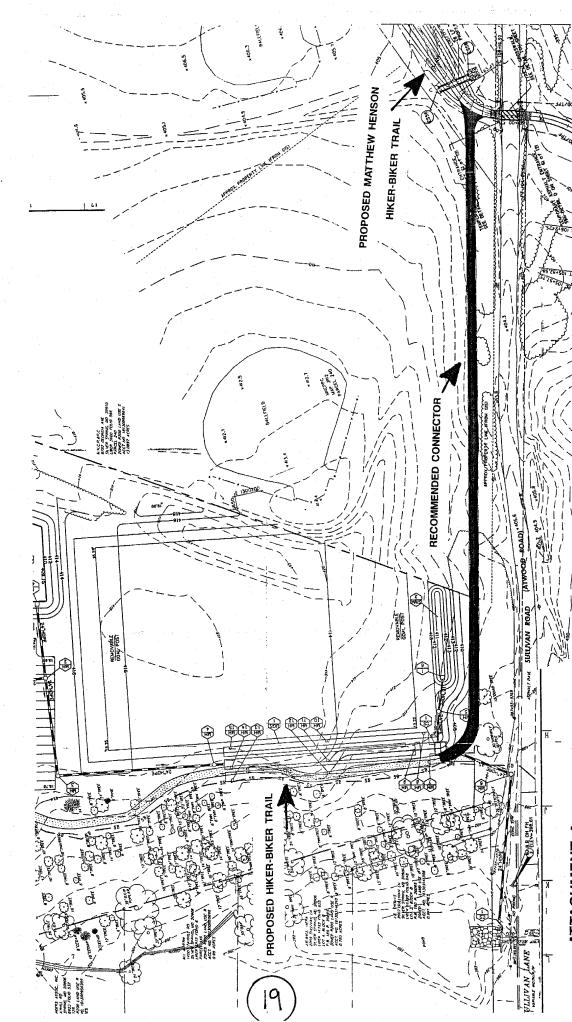
SUBJECT:

Mandatory Referral for Mid-County Recreation Center, Silver Spring

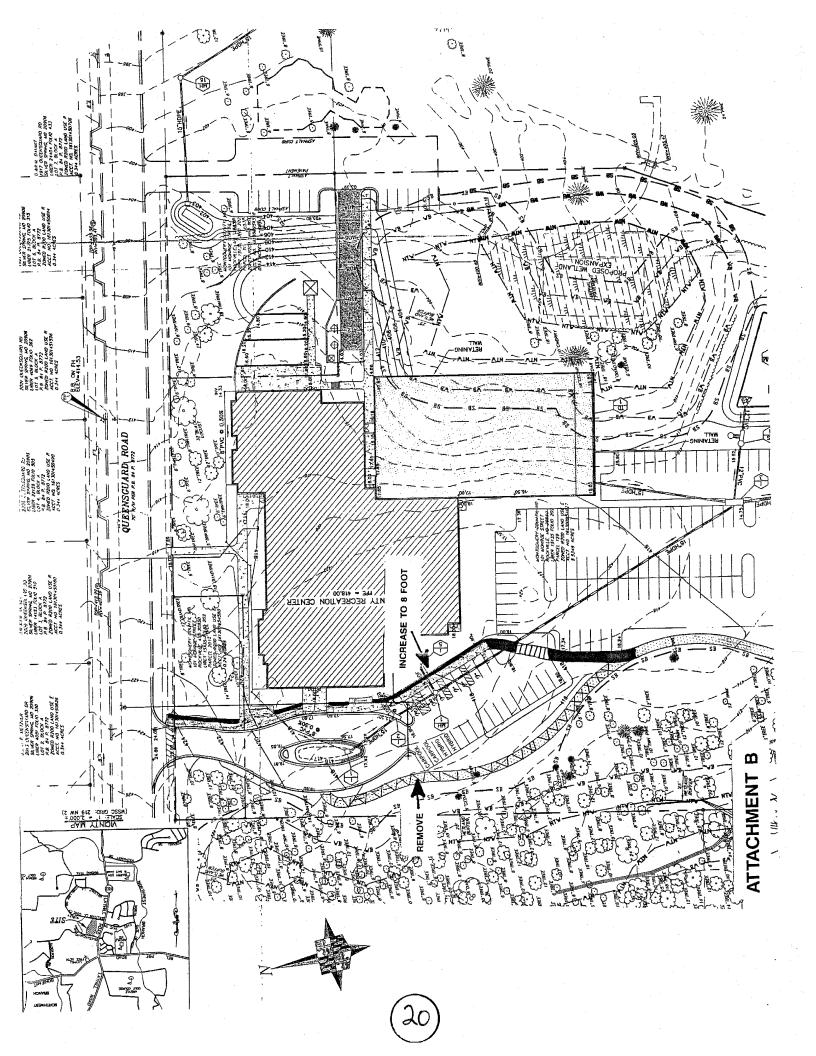


Staff reviewed the proposal for the Mid-County Recreation Center in Silver Spring for park issues. The proposed recreation center provides an opportunity to create pedestrian and bicycle connections from the bicycle route on Queensguard Road to the recreation center and the Matthew Henson Hiker-Biker Trail. These connections can be provided by the proposed eightfoot wide hiker-biker trail along the west side of the recreation site. The trail should not be an optional element of the plan, as suggested in meetings with DPWT staff. Staff comments are outlined below.

- 1. The southern terminus of the trail should extend to connect to the future Matthew Henson Hiker-Biker Trail located in Layhill Village Park. Matthew Henson Trail provides the only safe crossing of Sullivan Lane to the south. A proposed plan of the connection to the Matthew Henson Trail is attached (Attachment A).
- 2. As the trail travels north along the southern parking lot, it should cross between the narrow connections of the two lots. A cross walk should be provided at that location. This point provides the least pedestrian vehicle conflict. At that point, it can connect to the sidewalk in front of the recreation center. This allows the section of trail along the northern parking lot to be removed. Signs should be provided to direct bicycle traffic to the bike route on Queensguard Road. A plan of the northern connection to the recreation center is attached (Attachment B).
- 3. The sidewalk in front of the recreation center should be widened to 8 feet.
- 4. A park permit is required from M-NCPPC for construction of the athletic field or any other construction activity on park property.
- 5. A legal agreement may be required to address maintenance, public safety and security responsibilities.



ATTACHMENT A



ATTACHMENT 4

M-NCPPC

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue Silver Spring, Maryland 20910-3760 301-495-4500, www.mncppc.org

April 6, 2006

MEMORANDUM

TO:

Khalid Afzal, Team Leader

Development Review Division

VIA:

10%

Daniel K. Hardy, Supervisor

Transportation Planning

FROM:

Ed Axler, Planner/Coordinator &

Transportation Planning

SUBJECT:

Mandatory Referral No. 05504-DPWT-1

Mid-County Community Recreation Center

Aspen Hill Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject mandatory referral case.

FINDINGS

Transportation Planning staff have the following comments as part of the APF test for transportation requirements related to the subject mandatory referral case:

- 1. Submit a revised traffic study to satisfy Local Area Transportation Review for any future expansion plans beyond the current Program of Requirements (POR) that would increase peak hour site traffic generation.
- 2. Extend a four-foot-wide sidewalk along the north side of Sullivan Lane to connect to the proposed eight-foot-wide shared-use path along the site's western property line.

DISCUSSION

Site Location

The site is located on the east side of Layhill Road between Queensguard Road and Sullivan Lane.

Vehicular Access Points

The site access point is proposed from the south side of Queensguard Road approximately 400 feet east of Layhill Road.

Pedestrian Facilities

In the vicinity of the proposed recreation center, sidewalks exist on both sides along Queensguard Road, along Layhill Road, and along Sullivan Lane for approximately 300 feet east of Layhill Road.

Their plan (sheet C4A revised, dated July 19, 2005) shows the following proposed pedestrian facilities:

- 1. A five-foot-wide sidewalk leading to the recreation center's main entrance from Queensguard Road.
- 2. An eight-foot-wide shared-use path along the western property line from a point opposite the recreation center's main entrance near the northern vehicular access point along the southern property line to the site's southwest corner.

Transportation Planning staff supports Parks Department's recommendation to construct an eight-foot-wide shared-use path along the north side of Sullivan Lane to connect the terminus of the proposed on-site eight-foot-wide shared-use path in the site's southwest corner to the Matthew Henson Trail to the east.

People walking or bicycling to the proposed recreation center and living in communities located on the west side of Layhill Road must cross Layhill Road to reach the recreation center on the east side. Although the intersections of Layhill Road with Queensguard Road and Sullivan Lane are not signalized intersections, the existing median provides a refuge so pedestrians do not have to cross both the northbound and southbound lanes of Layhill Road at the same time. In addition, traffic signals exist at the Bel Pre Road/Bonifant Road intersection to the north and at the Middlevale Lane intersection to the south of the recreation center site; these signalized intersections create gaps in traffic when the traffic signal timing for the Layhill Road traffic is in the red signal phase. Based on available information, Transportation Planning staff does not expect the increased pedestrian and bicycle traffic crossing Layhill Road at Queensguard Road to satisfy quantitative traffic signal warrants for installation of a pedestrian signal at this intersection.

Available Transit Service

Transit service is available via Ride-On routes 26, 39, and 49 that operate along Layhill Road.

Montgomery County Master-Planned Roadway and Bikeway

According to the Aspen Hill Master Plan, Layhill Road is designated as a four-lane divided major highway, M-16, with a recommended minimum right-of-way width of 150 feet and an existing on-road bikeway. The Countywide Bikeway Functional Master Plan recommends bike lanes, BL-18, along this road.

Queensguard Road and Sullivan Lane are residential streets not listed in the master plan.

Adequate Public (Transportation) Facilities Review

For the Local Area Transportation Review, the number of peak-hour vehicular trips generated by the proposed recreation center was determined based on driveway counts of vehicles entering and leaving a similar recreation center located in Damascus. The average numbers of peak-hour vehicular trips counted on three consecutive weekdays were as follows:

Weekday Morning Peak Hour		Weekday Vehicular Peak-Hour Trips within the 3-Hour Peak Periods		
Recreation Center Peak Hour	7:00 to 8:00	7		
Adjacent Street Peak Hour	8:30 to 9:30	2		
Weekday Evening Peak Hour				
Recreation Center Peak Hour	5:15 to 6:15	52		
Adjacent Street Peak Hour	5:30 to 6:30	51		

The weekday peak hour is the one-hour within the three-hour peak period with the highest traffic volumes for four consecutive 15-minute intervals. In accordance with the POR for this project, the hours of operation would be 9:00 a.m. to 10:00 p.m. Monday through Saturday, and 12:00 noon to 7:00 p.m. on Sundays. On the weekday morning peak period from 6:30 a.m. to 9:30 a.m. the recreation center proposes to open at 9:00 a.m., which is after the start of the morning peak hour for traffic along Layhill Road at the intersection with Queensguard Road. On the weekday evening peak period starting at 4:00 p.m. and ending at 7:00 p.m., the peak hours of the site and along Layhill Road at Queensguard Road differs by one 15-minute interval.

Under the FY 2006 Annual Growth Policy, a traffic study was required to satisfy Local Area Transportation Review because the proposed land use generates 30 or more peak-hour trips within the weekday evening peak hour. A traffic study was submitted on June 27, 2005, and included the resulting critical lane volume (CLV) values (following) for the existing, background, and total traffic conditions when the traffic volumes were highest at the adjacent Layhill Road intersection.

The background traffic condition included 1) the existing traffic, 2) traffic generated by nearby approved, but unbuilt developments, and 3) two concurrently pending developments at the time the traffic study was prepared. These two developments are:

- a. The recently approved (December 1, 2005) Site Plan No. 8-06004, Plaza del Mercado (expansion).
- b. The still pending Local Map Amendment No. G-836 (and future preliminary plan), Aspen Hill Manor (or the Homecrest Road Property) for 37 single-family detached and attached units.

Both developments are located on the north side of Bel Pre Road south of Layhill Road.

Testamonation	Weekday	Traffic Condition		
Intersection	Peak-Hour	Existing	Background	Total
Layhill Road &	Morning	1,503	1,527*	1,527*
Bel Pre Road/Bonifant Road	Evening	1,297	1,347	1,367
Layhill Road &	Morning	973	988	988
Queensguard Road	Evening	853	885	916
Layhill Road & Middlevale	Morning	1,115	1,128	1,128
Lane/Church Driveway	Evening	917	941	945
Queensguard Road & Site Driveway	Morning	Not applicable:		115
	Evening	Intersection does not exist		154
Site Directary		now.		

The traffic study described CLV values during the morning peak hour in both the background and total traffic conditions exceed the congestion/CLV standard of 1,500 for the Aspen Hill Policy Area. However, the CLV value in the background traffic condition is not increased in the total traffic condition because the nominal number of site-generated trips through this intersection.

The recently approved Site Plan No. 8-06004, Plaza del Mercado, was required to construct a separate right-turn lane on the eastbound approach of Bel Pre Road at this intersection with Layhill Road. With this Plaza del Mercado's improvement, the CLV value in both background and total conditions would be reduced to 1,417 and be below the congestion standard. Participation in the construction of this eastbound right-turn lane would not be required because the subject site-generated trips do not add any CLV's through this intersection. For the Policy Area Transportation Review or staging ceiling condition, Policy Area Transportation Review is no longer required as part of APF test under the FY 2006 Annual Growth Policy.

EA:gw

cc:

David Paine Steve Petersen

Building Program

The original February 5, 2004 program of requirements had been revised in the Schematic Design Submission due to owner comments, though the total net requirement still remains the same. The major difference included a lesser square footage requirement for the gymnasium. Also, additional space is was required for lobby areas and for a larger kitchen. The chart below details the revised program as well as the current Design Development square footage shown in this submission.

Space	2/05/04 POR square footage	Revised Schematic square footage	Actual Square footage
Lobby	800	800	800
Children's Area	0	130	136
Admin Control Center	250	250	345
Center Staff Offices	300	300	285
Regional Offices	650	650	968
Conference Room	800	800	845
Community Parternership Space	300	300	290
Game Area	1600	1600	1599
Arts/Crafts Room	800	800	846
Kiln Room	200	200	172
Music/ Multi-purpose Classroom	800	800	894
Senior Community Lounge	800	800	903
Kitchen	300	500	507
Social Hall	4000	4000	4006
Senior Lobby	0	270	388
Storage	1400	1400	1424
Gymnasium	8600	8000	7987
Exercise Room	1600	1600	1650
Custodial Area	100	100	40
Rest Rooms	1000	1000	977
Vending	100	100	230
Net Total	24400	24400	25292
Gross Square Footage			32987
% Efficiency = Net Total/Gross Total			76.67%

