

Background

- The applicants previously appeared before the Commission at the February 12, 2020 HPC meeting for a preliminary consultation.

Proposal

- The applicants propose to construct an 8' wide shared-use path along the east side of MD 355 (Frederick Road) within the Clarksburg Historic District. The proposal also includes intersection improvements, tree removal/planting, and streetlamp installation.

Applicable Guidelines

- *Montgomery County Code; Chapter 24A-8*
- *Secretary of the Interior's Standards for Rehabilitation*
 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Discussion

At the February 12, 2020 HPC meeting, the Commission voiced support for the project but recommended the following (with applicants' response in red).

- a) The proposed Colonial-style light fixtures will detract from the historic district, and alternatives should be explored.

Potomac Edison only offers two light fixture styles, Colonial- and Acorn-style. Members of the Clarksburg Historic District requested the Colonial-style light fixture; however, in order to match the light fixtures on adjacent Clarksburg Square Road, the applicants propose Acorn-style light fixtures. This is also generally consistent with the Commission's recommendations.

- b) Explore reducing the height of the retaining wall at 23407 and 23415 Frederick Road (as depicted on Page 32 of the February 12, 2020 staff report).

The maximum height of the retaining wall is 6' above grade, and reducing the height requires moving the wall closer to the road. Due to buffer requirements and minimum path width requirements, the wall can only be moved 1' to 2', which would not perceptibly change the wall height, would conflict with proposed drainage, and possibly conflict with waterline relocation. Therefore, the applicants have not revised this aspect of their proposal.

Discussion (cont.)

- c) Concerns were expressed regarding altering the relationship of houses along Frederick Road to the street, due to the construction of retaining walls in front of the houses. The applicant should explore the introduction of stairs within the retaining walls to retain the relationship.

There are currently no pedestrian accommodations to the front of 23407 and 23415 Frederick Road, which are commercial properties. Pedestrian access is currently from the rear and side of both buildings. Therefore, the applicants have not revised this aspect of their proposal .

- d) Consider reduction of the paved area and driveway width at 23421 Frederick Road (as depicted on Page 34 of the February 12, 2020 staff report).

The applicants have indicated that they will reduce the driveway width to the minimum width needed for commercial use of the driveway and for the type of vehicles requiring access, where possible.

- e) Consider working with property owners to reduce the number of curb cuts and/or combine driveways.

The applicants have indicated that they will reduce the width of the driveways [and/or combine driveways], where possible.

Discussion (cont.)

- f) Explore minimizing the amount of pavement directly adjacent to the proposed shared-use path and/or in front of the houses.

The applicants have indicated that they will reduce the amount of pavement adjacent to the proposed shared-use path, where possible.

- g) Concrete with exposed aggregate should be used in lieu of plain concrete.

Exposed aggregate concrete is not a standard material for sidewalks and is not allowed by SHA. Tinted or stained concrete could be used as an aesthetic alternative, at the HPC's direction.

- h) Explore differing border materials along the proposed shared-use path to achieve the required 8' minimum width.

Separate materials will cause differential settlement along the edge of the path and will create uneven pavement, which will create ADA compatibility issues. Because of this, this treatment is not recommended and was not pursued by the applicants.

Discussion (cont.)

- i) Consider preserving the existing concrete stair along Frederick Road (as depicted on Page 27 of the February 12, 2020 staff report).

The applicants agree with the Commission's recommendation regarding the preservation of the existing concrete stair along Frederick Road. Accordingly, the applicants will amend their plans to direct the contractor to remove and salvage the existing stairs, and the contractor will coordinate with M-NCPPC to have the stairs taken to a preferred location. ***(Staff notes that the Commission's recommendation was to consider leaving the stair in place, not to remove it and preserve it off-site.)***

- j) Reduce the height of all proposed retaining walls and soften the retaining walls' appearance, where possible.

The applicants have stated that response "b" regarding retaining wall height applies here as well. The finish of the proposed retaining walls has been revised to plain concrete, as recommended.

Discussion (cont.)

Specific responses to the Commission's recommendations regarding driveway width, retaining wall revisions, and reduction in paving:

- The application states that the applicants' Office of Property Acquisition contacted several property owners and/or their representatives regarding the proposed right-of-way and modification to some of the driveways, due to the proposed construction of the shared-use path.
- The following are details of those discussions and the proposed modifications [*with addresses changed by staff for clarification, where appropriate*].

Discussion (cont.)

- 23401 Frederick Road (dentist's office) (*see the Commission's recommendation and the applicants' response labeled "f" above*)
 - The grading is proposed to be altered to meet the existing front deck height from the proposed shared-use path.
 - The driveway apron is proposed to be shortened.
 - The existing parking spaces in front of the building are proposed to be removed, accommodating the construction of the proposed shared-use path, and new parking spaces are proposed at the side of the building. This will reduce the amount of pavement adjacent to the proposed shared-use path in front of the building.
 - The applicants' Property Acquisition Specialist contacted the property owners on June 1, 2020, September 18, 2020, and September 24, 2020. The property owners have now hired a lawyer to represent them.

Discussion (cont.)

- 23407 & 23415 Fredrick Road (plumbing business) - Retaining wall in front of the buildings (*see the Commission's recommendation and the applicants' response labeled "c" above*)
 - Pedestrian access to these properties is currently at the sides.
 - The applicants' Property Acquisition Specialist contacted the property owner's representative [same owner for both properties] on October 9, 2020 and October 12, 2020 to discuss the proposed right-of-way and whether the owner would prefer pedestrian access from the proposed shared-use path at the front of the building. The property owner's representative indicated that they have hired a real estate firm to redevelop their property, and they will not come to any agreements until their site plan is approved.

Discussion (cont.)

- 23421 Fredrick Road & adjacent access to 23425 & 23505 Frederick Road to the rear (plumbing business) [same owner for all as 23407 & 23415 Frederick Road] (*see the Commission's recommendations and the applicants' responses labeled "d" and "e" above*)
 - As proposed, the width of the driveway entrances will be reduced from 30' to 20'.
 - As proposed, the two existing driveway entrances at 23421 Frederick Road will be combined into one driveway entrance, removing one curb cut.

Discussion (cont.)

- Staff remains supportive of the applicant's proposal and finds that the applicants have generally responded to the Commission's recommendations at the February 12, 2020 preliminary consultation.
- The applicants have also responded to staff's previous concerns regarding the compatibility of the proposed retaining walls (specifically, concerns that cultured stone veneers and/or stamped concrete would be an inappropriate finish, and that plain concrete would be an appropriate option), as well as questions about the proposed new streetlamps.

Discussion (cont.)

As staff noted in the February 12, 2020 preliminary consultation staff report:

- The Clarksburg Master Plan and Hyattstown Special Study Area (1994), which amended the Clarksburg and Vicinity Master Plan (1968), called for an off-street bike path along the existing road with vegetation against the edges in this location. In addition, the 10 Mile Creek Area Limited Amendment (2014), which amended the Clarksburg Master Plan and Hyattstown Special Study Area (1994) for the Ten Mile Creek Watershed, recommended a shared-use path in this location.
- Most of the proposed work will occur within the public right-of-way, where previous alterations (i.e., road and sidewalk construction, road widening, regrading, landscaping) have occurred. In accordance with Standards #2 and #9, the addition of a shared-use path will not remove or alter character-defining features of the historic district. The introduction and/or replacement of modern transportation features and appurtenances within the public right-of-way will not detract from the district's ability to convey its historical significance. Staff finds that increasing the connectedness of the historic district via a shared-use path will create a more cohesive streetscape, with buildings that clearly relate and interact with one another.

Discussion (cont.)

As staff noted in the February 12, 2020 preliminary consultation staff report:

- The Clarksburg Master Plan and Hyattstown Special Study Area (1994), which amended the Clarksburg and Vicinity Master Plan (1968), called for an off-street bike path along the existing road with vegetation against the edges in this location. In addition, the 10 Mile Creek Area Limited Amendment (2014), which amended the Clarksburg Master Plan and Hyattstown Special Study Area (1994) for the Ten Mile Creek Watershed, recommended a shared-use path in this location.
- Most of the proposed work will occur within the public right-of-way, where previous alterations (i.e., road and sidewalk construction, road widening, regrading, landscaping) have occurred. In accordance with Standards #2 and #9, the addition of a shared-use path will not remove or alter character-defining features of the historic district. The introduction and/or replacement of modern transportation features and appurtenances within the public right-of-way will not detract from the district's ability to convey its historical significance. Staff finds that increasing the connectedness of the historic district via a shared-use path will create a more cohesive streetscape, with buildings that clearly relate and interact with one another.

Recommendations

- Staff recommends that the HPC **approve** the HAWP application, finding the proposal consistent with the Criteria for Issuance in Chapter 24A-(b) 1 and 2, and with the *Secretary of the Interior's Standards for Rehabilitation #2 and #9*.

Questions for staff?