



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item #
MCPB 3-20-08

MEMORANDUM

DATE: March 7, 2008
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RAK*
Development Review Division
FROM: Robert A. Kronenberg, Supervisor *RAK*
Planning Department Staff
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PROJECT NAME: Clarksburg Town Center
CASE #: 91994004B
REVIEW TYPE: Project Plan

ZONE: RMX-2/RDT
APPLYING FOR: Request for Extension for 265,660 gross square feet of development, including 210,480 square feet of retail (includes up to 70,780 sf of specialty retail within live/work units); 55,180 square feet of office (potential second floor office space within live/work units), and 1, 240 residential dwelling units, including 155 MPDUs, on approximately 270 acres

LOCATION: Located at the southeast quadrant of the intersection of the intersection of Clarksburg Road and Snowden Farm Parkway

MASTER PLAN: Clarksburg

REVIEW BASIS: Division 59-D-2.11 of the Zoning Ordinance requires submission of a Project Plan as part of the application for the use of optional method of development for a CBD zoned property.

APPLICANT: NNPII Clarksburg LLC
FILING DATE: April 25, 2007
HEARING DATE: March 20, 2008

The applicant filed the subject Project Plan Amendment application for Clarksburg Town Center on April 25, 2007. Section D-2.2 of the Zoning Ordinance provides that the Planning Board shall hold a public hearing no later than 90 days after the filing of a project plan. The Planning Board, however, can extend this time period.

The project plan application was submitted concurrently with a new detailed site plan and preliminary plan amendment for the subject site in April of 2007 as a result of the Plan of Compliance and redesign

efforts primarily related to the area associated with the retail component. The applications were reviewed by Staff and comments provided to the Applicant and members of CTCAC (Clarksburg Town Center Advisory Committee) at the Development Review Committee meeting on July 5, 2007. M-NCPPC, DPWT and DPS Staff have met with the Applicant team and community members on various occasions to discuss the comments provided at the DRC meeting. To date, revised plans have not been submitted for our review to move the project along. It is staff's understanding that the Applicant and CTCAC have outstanding issues that cannot be disclosed to Staff making it impossible to recommend certain actions and provide an accounting of the review timeframe associated with the project. M-NCPPC is meeting with the Applicant, CTCAC and the mediation judge on March 10, 2008 to discuss timing and the outstanding issues to be resolved; however, since this memorandum will be posted on the website prior to the conclusion of the meeting, it does not capture the results of the discussion.

Staff highlights two primary issues that are not resolved: 1) the vehicular connection from the town center site to MD 355 through the Clarksburg Historic District; and 2) the process, location and design elements associated with the future Library site. Numerous meetings have been held to discuss the connection and possible relocation of the historic structure and potential impacts to the affected area associated with the historic district, but no consensus has been achieved. Likewise, DPWT is insistent that the Library site is not big enough for the size facility needed and wants to process the application as a mandatory referral rather than through the project and site plan process.

Staff is not aware of any other major issues associated with the plan review other than the normal design and process related comments. Staff has received many phone calls and emails regarding the delays and the fact that there appears to be no assurance that the project will move forward within any specified time frame.

Staff recommends a six month (September 18, 2008) extension of the review period for the Project Plan in order for the Applicant to respond to agency comments, continue to work with CTCAC and resolve various issues still outstanding. Staff further recommends that if the parties continue to disagree on issues, then the project should be independently scheduled for the Planning Board with a recommendation and conditions.