



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**MCPB
ITEM# 11
7/7/11**

June 30, 2011

MEMORANDUM

TO: The Montgomery County Planning Board

VIA: John Carter, Chief, Area 3 *JAC*

FROM: Ronald Cashion, RA, Planner Coordinator, Urban Designer *RC*
Area 3 (301-650-5671)

SUBJECT: **Montgomery County Planning Board Resolution of Adoption:
Limited Amendment to the 1994 Approved and Adopted
Clarksburg Master Plan & Hyattstown Special Study Area
To Allow an Exception to the Retail Staging Provisions**

RECOMMENDATION: *Approve the Planning Board Resolution of Adoption for
Transmission to the full Commission*

Attached for your review and approval is the Montgomery County Planning Board Resolution No.11-54 to adopt the Limited Amendment to the Clarksburg Master Plan and Hyattstown Special Study Area. On June 28, 2011 the County Council, sitting as the District Council, approved the Limited Amendment by Resolution No. 17-188 dated June 28, 2011.

Attachments:

- Montgomery County Planning Board Resolution No.11-54
- Montgomery County Council Resolution No. 17-188

G:\Cashion\Clarksburg\Cbrg MP Amendmnt Memo Draft RC 062911 .doc



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB NO. 11-51

M-NCPPC NO.

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 28 of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to *The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District Within Montgomery and Prince George's Counties*; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on May 5, 2011 on the Limited Amendment to the 1994 Approved and Adopted Clarksburg Master Plan and Hyattstown Special Study Area to allow an exception to the Retail Staging Provision; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on May 5, 2011, approved the Planning Board Draft of the Limited Amendment to the 1994 Approved and Adopted Clarksburg Master Plan and Hyattstown Special Study Area to allow an exception to the Retail Staging Provision, recommended that it be approved by the District Council, and forwarded it to the County Executive for recommendations and analysis; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board Draft Limited Amendment and forwarded those recommendations and analysis to the District Council on May 10, 2011; and

WHEREAS, the Montgomery County Council sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held a public hearing on June 28, 2011, wherein testimony was received concerning the Planning Board Draft Limited Amendment; and

WHEREAS, the District Council, on June 28, 2011 approved the Planning Board Draft of the Limited Amendment to the 1994 Approved and Adopted Clarksburg Master Plan and Hyattstown Special Study Area as set forth in Resolution No. 17-188

NOW, THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt the said Limited Amendment to the 1994 Approved and Adopted Clarksburg Master Plan and Hyattstown Special Study Area together with the *General Plan for the Physical Development of the Maryland-Washington Regional District within Montgomery and Prince George's Counties*, as amended, and as approved by the District Council in the attached Resolution No. 17-188; and

BE IT FURTHER RESOLVED, that copies of said Amendment must be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

This is to certify that the foregoing is a true and correct copy of a resolution # 11-51 adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, and _____ voting in favor of the motion at its regular meeting held on Thursday, July 7, 2011 in Silver Spring, Maryland

Patricia Colihan Barney
Executive Director

This is to certify that the foregoing is a true and correct copy of Resolution # _____, adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____, _____, _____, _____, and _____ voting in favor of the motion at its regular meeting held on _____, 2011

Patricia Colihan Barney
Executive Director

Resolution No.: 17-188
Introduced: June 28, 2011
Adopted: June 28, 2011

**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

SUBJECT: Approval of Planning Board Draft Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area

1. On May 10, 2011, the Montgomery County Planning Board transmitted to the County Executive and the County Council the Planning Board Draft Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area.
2. The Planning Board Draft Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area amends the 1994 Approved and Adopted Clarksburg Master Plan & Hyattstown Special Study Area; and The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties.
3. On May 31, 2011, the County Executive transmitted to the County Council his fiscal analysis of the Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area.
4. On June 28, 2011, the County Council held a public hearing and reviewed the Planning Board Draft Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Planning Board Draft Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area, dated May 2011, is approved **as submitted** by the Planning Board. Planning Board revisions to the 1994 Clarksburg Master Plan & Hyattstown Special

Study Area are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring.

General: All page references are to the 1994 Approved and Adopted Clarksburg Master Plan & Hyattstown Special Study Area.

Page 190: Revise the last paragraph as follows:

This plan recognizes that retail uses are critical to the vitality of a community and can play a significant role in reinforcing the Town Center as a central focus for the entire Clarksburg area. Once a sufficient critical mass of housing units are in place to support a retail center (retailers indicate that approximately 3,500 to 4,000 dwelling units are needed to support a retail development that includes a grocery store), this Plan recommends that early retail development priority be given to the Town Center. Retail development in the Newcut Road and Cabin Branch neighborhoods should follow the development approval with a Preliminary Plan of approximately 90,000 square feet of retail uses in the Town Center.

Page 196: Revise the first paragraph as follows:

Stage 3 includes all portions of Clarksburg that do not drain into the Ten Mile Creek watershed, i.e., most development east of I-270 and the Cabin Branch Neighborhood (see Figure 54, page 215). Retail/commercial development in the Newcut Road and Cabin Branch Neighborhoods will be deferred, however, until 90,000 square feet of retail uses have been [established] approved with a Preliminary Plan in Clarksburg's Town Center.

Page 196: Under "**Implementing Mechanisms**", revise text of 2) as follows:

2) Floating zone and project plan approvals are guided by Master Plan language that recommends that retail/commercial development in the Newcut Road and Cabin Branch Neighborhoods be deferred until 90,000 square feet of retail uses have been [established] approved with a Preliminary Plan in Clarksburg's Town Center.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council