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MCP-CTRACK

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

From: Whit Cobb <whit.cobb@gmail.com>
Sent: Thursday, September 12, 2013 11:42 AM
To: MCP-Chair
Cc: Lazdins, Valdis; Dolan, Mary; Boyd, Fred
Subject: Re: Staff Draft Clarksburg Limited Master Plan for the Ten Mile Creek Watershed

Dear Chair Carrier and Members of the Planning Board,

Thank you for taking the time to consider the many competing perspectives on the Ten Mile Creek Limited Master Plan. I would like to provide you additional input on (1) the public testimony process; and (2) my property in particular, which is directly impacted by the Staff Draft's proposals for the Clarksburg Historic District.

Due to a misunderstanding, my testimony at the Tuesday evening hearing was cut short. I had less time to testify than I was given to expect from both the Planning Board's website and by email from the Planning Board Staff. In addition, I requested in writing additional time to testify. To improve the process, I recommend that you post the list of speakers and their allotted amount of time to speak prior to Planning Board hearings.

In your deliberations on Ten Mile Creek, I hope you will consider one key request that I had hoped to emphasize on Tuesday night:

Please do not rezone my property, the Gardner House, which is on a 1.3 acre lot located in the Clarksburg Historic District at 23330 Frederick Road. As explained in my prior letter to the Planning Board (please see below), the Gardner House is currently zoned C-1 (Convenience Commercial). It is ideally suited for C-1 zoning given its location at the intersection of MD 355 and Redgrave Place, and it has served C-1 permitted uses for decades. Downzoning it to CRN would both reduce the density significantly and limit the commercial uses for the property. This would hinder the development of beneficial amenities that the Historic District needs to thrive.

I fully support more flexible zoning for other properties in the Historic District (which would be upzoned as proposed by the Staff Draft), but please leave the current zoning of the Gardner House in place.

Thank you considering my views.

Sincerely,

Whit Cobb

On Sat, Sep 7, 2013 at 9:52 AM, Whit Cobb <whit.cobb@gmail.com> wrote:
Dear Chair Carrier and Members of the Planning Board:

In reviewing the Staff Draft Clarksburg Limited Master Plan for the Ten Mile Creek Watershed ("Staff Draft"), I urge you to preserve the original vision of the Clarksburg Master Plan.

My wife and I own a historically protected commercial property, the Gardner House, at 23330 Frederick Road in Clarksburg. The Gardner House currently houses a book store and offices; the total property area is approximately 1.3 acres between MD 355 and Clarksburg Elementary School. The Gardner House is located within the Clarksburg Historic District, which the Master Plan designates as a focal point of the Town Center.

While the Staff Draft makes some useful recommendations, I am concerned that the Staff Draft addresses issues that are beyond the scope of the County Council's request for a limited master plan amendment. The Staff Draft also makes some recommendations that would be detrimental to the Clarksburg Historic District as well as to greater Clarksburg. Many people have bought into vision of the Clarksburg Master Plan, and given time it can create a great community. There is nothing wrong with the Master Plan, especially with respect to the Historic District, and the Master Plan's concept of a vibrant Historic District and Town Center should be preserved.

It is important to note that, according to the Master Plan, the "Town Center" is an area of 635 acres that includes the Historic District, the potential Elm Street neighborhood retail area east of the Historic District, and commercial and residential areas west of the Historic District (adjacent to Interstate 270). Although some have equated the Town Center to the Elm Street neighborhood retail center, the Town Center is actually a much larger area that encompasses the Historic District.

The key concerns that I have with the Staff Draft relate both to the Gardner House in particular and to the Historic District, the Town Center, and Stage 4 more generally:

1. The Staff Draft detrimentally and contrary to the intent of the County Council downzones the Gardner House to a zoning designed for neighborhoods with minimal density.
2. The proposed limitations on imperviousness will have a harmful economic effect on Clarksburg, including the Town Center and the Historic District, without a significant environmental benefit.
3. Counter to the clearly expressed and fully articulated vision of the Master Plan, the Staff Draft moves the Transit Stop to the northern edge of the Historic District.
4. Providing public sewer service to the Historic District should be a clearly stated, non-contingent priority.

I will address each of these issues in turn.

Downzoning in the Historic District

The Staff Draft correctly recognizes the need for more flexible zoning in the Historic District. However, the Staff Draft's proposed change to the zoning for the Gardner House will be detrimental to the Historic District. Indeed, it is inconsistent with the explicit intent of the County Council in requesting the limited master plan amendment. The October 8, 2012 staff report to the Council states, in bolded language, "The intent would be to consider changes that would support the successful development of Town Center, with caveats that the master plan would not lower any densities in Town Center (but could consider increases)." Oct. 8, 2012 memo from Ms. Marlene Michaelson to County Council recommending limited master plan amendment for Clarksburg Stage 4, p. 6 (emphasis added).

Instead, the Staff Draft recommends down-zoning the Gardner House (which is within the Town Center) from Convenience Retail, C-1, that has no density limitation to a neighborhood-type zoning with the minimum permitted density (FAR of 0.25). This change in zoning would reduce the area available for new amenities on the Gardner House property by approximately 50% and would impose numerous additional requirements on any development. I note that according to the zoning maps on page 26 and 28 of the Staff Draft, the Gardner

House appears to be the only property that would be downzoned, which clearly creates an issue of fairness. This change in no way supports the successful development of the Historic District but would contribute to leaving it in its present, underutilized state. Downzoning a significant property in the Historic District such as the Gardner House is directly contrary to the original intent of the Council.

Moreover, reducing densities to the absolute minimum FAR in the Historic District is contrary to the long-term viability of the Historic District. The Historic District should not be put in a glass cabinet, to be viewed only on special occasions and then put away for safe keeping. The only way the Historic District can survive if it is a place people want to visit regularly and continuously. It must have the economic activity necessary to pay for the expensive upkeep of older buildings. We should not re-create Manhattan in Clarksburg, but if density is limited to a neighborhood scale, the Historic District will continue to struggle economically; properties will not be kept occupied or repaired; and they will ultimately be lost. In the final analysis, owning any commercial property is largely an economic matter, and if the economics don't work, the property won't be preserved.

A minimal FAR of 0.25 is not consistent with either new or historical development in the Historic District. For example, the Buffington Building, which was recently built diagonally across the street from the Gardner House, has a FAR of 0.34. I note that the Historic Preservation Commission unanimously approved the Buffington Building after significant input from the Clarksburg Community. In addition, the historic General Store at 23341 Frederick Road across the street from the Gardner House has a FAR of 0.46.

I agree with the Staff Draft's recommendation to revise the zoning elsewhere in the Historic District to permit commercial and/or residential development; this accurately reflects the mix of uses within the Historic District and its location along major roads. CRN zoning is, however, the wrong solution for the Historic District. The Historic District is in the Clarksburg Town Center, and Commercial/Residential Neighborhood zoning is not appropriate in a Town Center. As stated in the zoning rewrite, "The CRN zone is intended for pedestrian-scale, neighborhood-serving mixed-use centers and transitional edges." Section 2.1.6.B.2 (emphasis added). Clearly, the Historic District is intended to serve more than the immediate neighborhood; the Master Plan intends for it to be a focal point for the entire Clarksburg community with a transit station in the middle of it. The Town Center, including the Historic District, deserves to have the proper zoning classifications so that the vision of the Master Plan can be fulfilled.

In contrast to the proposed neighborhood type zoning, the Commercial/Residential Town zoning is specifically designed for town centers such as the Historic District. The zoning rewrite states, "The CRT zone is intended for small downtown, mixed-use, pedestrian-oriented centers and edges of larger, more intense downtowns. Retail tenant ground floor footprints are limited in order to preserve the town center scale. Transit options may include light rail, Metro, and bus." Section 2.1.6.B.3 (emphasis added). "Small downtown," "town center," and "transit" all describe the function of the Historic District precisely.

If the zoning is going to be changed, it should be changed to a zoning category and density consistent with the vision of the Master Plan for the Historic District to be a focal point of the Town Center of greater Clarksburg. Based on current patterns of development in the Historic District, it should have a FAR of 0.50, which would also be consistent with other proposed FARs within the Town Center. Moreover, as a practical matter the FAR will be reduced by other factors such as public space, parking, and historic preservation requirements. But if the Historic District starts out with the minimum permissible FAR, the resulting development after all other requirements are met would not be economically viable. Anything less than a FAR of 0.50 would put the Historic District at an economic disadvantage.

Limitations on Imperviousness

The Staff Draft proposes imperviousness limitations throughout the Stage 4 area that are not consistent with the intent of the review, which was to ensure that the Ten Mile Creek watershed would be adequately protected.

While the Staff Draft correctly recognizes that impervious caps should not apply to new "development" of 5 acres or less, the limitations east of Interstate 270 in the LSTM 206 subwatershed are too limiting. As the Staff Draft notes, there is already a significant amount of development in this subwatershed. In addition, the Staff Draft does not adequately take into consideration the fact that the LSTM 206 tributaries of Ten Mile Creek run for 200 feet or more under Interstate 270. Even if we tore down all the buildings and removed all the roads in the watershed east of the Interstate, the tributaries would still run under the highway and receive significant amounts of run off from the highway. These tributaries are not pristine, so the justification for the 25 percent imperviousness limit is not clear to me, nor is it clear to me how the 25 percent limit was determined. Imperviousness should be applied on a property-by-property basis, consistent with the zoning that is ultimately applied to that property.

When combined with the proposed minimal FAR densities for the Historic District, the imperviousness limits would cripple the Historic District. The Staff Draft does not indicate that there is precedent for dramatically limiting imperviousness in an already developed area such as the Historic District. I recommend that the Planning Board reconsider the Staff Draft's recommendations for the imperviousness limits for LSTM 206. At a minimum, the Planning Board should increase the imperviousness limit for this watershed based upon the final zoning that is applied.

West of 270, the imperviousness limits are severe. The Staff Draft does not fully take into account the progress made in environmental protection since the Master Plan was drafted, and in particular the advancements in Environmental Site Design, including the 2007 Maryland Stormwater Management Act, which requires the use of ESD. Presumably the Act would not have required ESD unless it would have a beneficial impact.

Such severe imperviousness limits would damage the vision of Clarksburg set forth in the Master Plan, which balances community, environmental, and economic impacts. The Staff Draft's proposal to reduce the number of housing units in Pulte's Ten Mile Creek development by approximately 75% would harm the development of the Historic District and the Town Center by reducing available retail spending by over \$10 million annually. This decrease would significantly limit the number of retail jobs created in Clarksburg, and it would also limit the number of riders available to support transit in Clarksburg.

I would also note that the environmental impact of the proposed Cabin Branch development west of 270, which also affects a tributary of Little Seneca Lake, was not subject to similar limits on imperviousness.

The Clarksburg Town Center has suffered due a number of development errors, and restricting new development on the basis of incomplete environmental analysis would only compound those errors.

Moving the Transit Stop

The Staff Draft calls for moving the Transit Stop from the location on Redgrave Place provided in the Master Plan to a location north of Clarksburg Road (MD 121). This change would negatively affect the Historic District in several ways. First, by moving the Transit Stop to the northern edge of the Historic District, it would not have the benefit of drawing people into the Historic District. In addition, it would require buses and passengers to travel a greater distance to reach the station. It would add to congestion on MD 355, which buses would have to cross, and MD 121. As the Staff Draft notes on page 21, the intersection of Routes 355 and 121 is already rated at a low, "C" level of service for both the morning and afternoon peak

hours. Relocating the Transit Stop here would exacerbate this problem. Locating the station on Redgrave Place was a key factor in the overall Master Plan, and changing its location would require revising numerous other aspects of the Master Plan. I strongly recommend that the location of the Transit Stop should be left where it is in the Master Plan.

Public Sewer Service for the Historic District

The Historic District currently suffers from numerous failing septic systems. This is a public health hazard and direct threat to Ten Mile Creek. In addition, the lack of public sewer service limits beneficial development that could otherwise take place in the Historic District. The Staff Draft should make clear that sewer for the Historic District is a priority. It states only that sewer service should be provided to the Historic District as part of stage 4 development, but it is not clear when that development will occur. Given the concerns with Ten Mile Creek, I believe it is critical to address the present, on-going problem with failing septic systems in the Historic District.

Conclusion

While I appreciate the work of the Planning Board staff in preparing the Staff Draft and in recognizing the need for more flexible zoning in the Historic District, my strong recommendation is to focus on zoning classifications and modern environmental techniques to permit the Town Center, including the Historic District, to come to fruition. A number of the changes the Staff Draft proposes would be detrimental to the Town Center and to the Historic District in particular. Dramatically reducing density and imperviousness in the Historic District would harm the vitality of the Historic District and its role under the Master Plan as a focal point for the Town Center and the entire Clarksburg area. Similarly, the imperviousness limits elsewhere in the Stage 4 area that are not supported by current environmental management practices will limit the potential of the Historic District and the Town Center to function as they were intended in the Master Plan. Finally, the Transit Stop should remain on Redgrave Place, and the provision of public sewer service to the Historic District should be prioritized.

Thank you in advance for your consideration of my views.

Sincerely,

Whit Cobb

Garcia, Joyce

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SEP 09 2013

From: Steve Crum <scrum@mhgpa.com>
Sent: Monday, September 09, 2013 2:17 PM
To: MCP-Chair
Cc: Boyd, Fred; vic008l@aol.com; Toby Wilson
Subject: Clarksburg Limited Master Plan Amendment for Ten Mile Creek, Item No. 1, September 10, 2013
Attachments: L_FCarrier_01_sec.pdf

OFFICE OF THE CHIEF OF STAFF
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Please include the attached written testimony regarding the subject Master Plan Amendment.
I had signed-up to speak at the hearing tomorrow evening.

Thanks-

Stephen E. Crum, P.E.
Macris, Hendricks & Glascock, P.A.
Engineers, Planners, Landscape Architects & Surveyors
9220 Wightman Road, Suite 120
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September 9, 2013

Ms. Françoise Carrier, Chair
Montgomery County Planning Board
Maryland-National Capital Park and
Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Via Email: MCP-Chair@mncppc-mc.org
Via Facsimile: 301-495-1320

Re: Item Name: Clarksburg Limited Master Plan
for Ten Mile Creek Watershed
Hearing Date: September 10, 2013
Item No. 1
Master Plan Recommendations
Tax Map EW31
Parcels P311 and N366

Dear Ms. Carrier:

We represent the owner, Hamerhill LLC, of the parcels of land located at 23310 Frederick Road and 23100 Stringtown Road in Clarksburg, Maryland. We note that the Public Hearing Draft of the subject Limited Master Plan Amendment recommends that one of these parcels, Parcel P311, receive CRN zoning, while maintaining R-200 zoning for the other, Parcel N366.

We support the recommendation for CRN zoning for Parcel P311 and request that parcel N366 also receive a recommendation for CRN zoning. We believe that this request furthers the goals of this Limited Master Plan Amendment.

Policy 1, found on page 9 of the Public Hearing Draft, identifies these bullet points:

- including the Clarksburg Historic District as an important component of the Town Center
- making land use recommendations that balance the need to protect sensitive environmental resources with the desirability of somewhat higher densities that can support transit service

One of the keys to achieving these bullet points is having an economically viable historic district. Historic structures are more expensive to maintain and to adapt to current market forces in terms

Ms. Françoise Carrier, Chair
Montgomery County Planning Board
Item No. 1
Clarksburg Limited Master Plan
for Ten Mile Creek Watershed
September 9, 2013
Page 2 of 2

of space planning, infrastructure, and technology. For the structure located on Parcel P311 to be economically viable, Parcel P311 needs the support of Parcel N633 to provide the flexibility to develop these parcels to their full potential.

We believe that the request for CRN zoning of Parcel N366 supports the stated policy goals for the following reasons:

- 1) For properties located in the Historic District to be important components of the Town Center, they need to be economically viable; common zoning of these two parcels provides the flexibility to redevelop or adaptively reuse the structure located on Parcel P311.
- 2) The somewhat higher density contributes to the critical mass necessary to support transit service without compromising environmental resources.

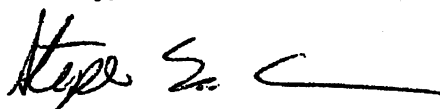
Aside from the Master Plan goals; good planning principals would encourage the same zoning for both of the subject parcels.

- 1) Because these parcels are in common ownership, the likelihood that they will be developed together is reasonable to assume and the zoning of both of these relatively small parcels should be the same.
- 2) The Owner of these parcels intends to consolidate these parcels into a single record lot through the subdivision process; split zoned lots are difficult to develop under any circumstance and the combination of a traditional Euclidian zone (R-200) and a Non-traditional Euclidian zone (CRN) would be especially difficult to develop.
- 3) The fact that Parcel P311 is located within the Clarksburg Historic District, common zoning would allow Parcel N366 to support the redevelopment or adaptive reuse of Parcel P311; split zoning, particularly R-200, adds unnecessary complexities to any redevelopment of Parcel P311.

In conclusion, we request that the Planning Board include CRN zoning for both Parcel P311 and N366, located at 23310 Frederick Road and 23100 Stringtown Road in Clarksburg, Maryland, as part of the Clarksburg Limited Master Plan for Ten Mile Creek Watershed.

Should you have any questions concerning this matter, please don't hesitate to give me a call.

Sincerely,



Stephen E. Crum, P.E.

Cc: Frederick V. Boyd, Fred.Boyd@mncppc-mc.org

Subject: FW: Clarksburg Master Plan

Date: Monday, September 9, 2013 11:00:56 AM Eastern Daylight Time

From: Theresa DiPeppe

To: Theresa DiPeppe

----- Original message -----

From: Joe Buffington <joebuffington@remax.net>

Date: 09/06/2013 4:10 PM (GMT-05:00)

To: Susan Singer-Bart <susan@maierwarnerpr.com>

Subject: Clarksburg Master Plan

Françoise Carrier, Chair, and Planning Board Commissioners
Montgomery County Planning Board
Re: Clarksburg Master Plan Amendment

Dear Ms. Carrier,

My family and I have invested time, resources and heart into the growth of the Clarksburg community. We own the Clarksburg Crossing building that houses my real estate company (RE/MAX Realty Centre) and the Bennigan's that my parents own. We trust in the vision of Clarksburg that was carefully written into the Master Plan.

I see the development/housing evolution first hand in Clarksburg. As a Realtor, I speak to home purchasers considering a move to Clarksburg. Also, as a property owner I speak to businesses about relocating to our Clarksburg office. The one common theme is there "just isn't enough in Clarksburg"; lack of transportation options, few community facilities (no library, no rec center, overcrowded schools), and virtual no commercial resources (stores, restaurants, shops). Most residents don't want to see more housing. Most businesses don't see enough housing. Until the population numbers projected in the Master Plan come to fruition, the amenities that most residents and businesses want will be few and far between.

Finally the Clarksburg community is starting to see light at the end of the tunnel. We need projects like Ten Mile Creek to help complete our community and bring the development back into balance. I urge you not to amend the master plan and allow Clarksburg to become the complete and thriving community promised in the 1994 Master Plan.

Sincerely,

Joe Buffington, GRI
Associate Broker
RE/MAX Realty Centre
RE/MAX Central Atlantic Brokerage of the Year 2012
o:(301) 774-5900
c:(301) 461-8925
JoeBuffington@Remax.net
Where are people looking for homes?
<http://workingforyou.remax.com/>

Subject: FW: Ten Mile Creek Limited Amendment

Date: Monday, September 9, 2013 1:22:22 PM Eastern Daylight Time

From: Theresa DiPeppe

To: Theresa DiPeppe

From: MCP-Chair <mcp-chair@mncppc-mc.org>

Date: September 9, 2013, 10:09:16 AM EDT

To: "bettebuffington@mrisc.com" <bettebuffington@mrisc.com>

Subject: RE: Ten Mile Creek Limited Amendment

Thank you for your comments. They will be shared with the Board and appropriate staff.

Joanne Hill
Office of the Chair
Montgomery County Planning Board
301-495-4605
MCP-CTRACK@mncppc-mc.org

From: bettebuffington@mrisc.com [<mailto:bettebuffington@mrisc.com>]

Sent: Monday, September 09, 2013 9:56 AM

To: MCP-Chair

Cc: Lazdins, Valdis; Boyd, Fred; Dolan, Mary

Subject: Ten Mile Creek Limited Amendment

Dear Chair Carrier and Members of the Planning Board:

The current Clarksburg Master Plan sets out a well thought out and positive vision for Clarksburg. The Staff Draft on the Ten Mile Creek Watershed would have significant, harmful impacts on Clarksburg, including the Historic District and the Town Center. Please do not change the Master Plan so as to prevent Clarksburg from developing as laid out in the current Master Plan.

My husband, Dr. Joe Buffington, and I have invested many resources in Clarksburg based on the vision of the Master Plan. We purchased a vacant lot on MD 355 in the Historic District in 2006 and worked over the next six years with the understanding that we would help bring to life the Master Plan's concept for a lively Historic District that would be the focal point for the entire Clarksburg area. We were finally able to open our building last year, and it is the newest commercial building in the Historic District in many decades. In response to the community's plea for a sit down restaurant, last December we opened Bennigan's, a 4000 sq ft restaurant. The building also houses our real estate company, REMAX Realty Centre.

We have strong concerns with the Staff Draft and its impact on Clarksburg, for a number of reasons.

First, the viability and health of the Historic District and Town Center depend on the growth of the surrounding area consistent with the Master Plan. The Staff Draft proposes significant imperviousness limitations throughout the Ten Mile Creek Watershed without apparently taking into account improvements in environmental technologies. Limiting the

area east of I-270 to 25% imperviousness is not reasonable; this area is already significantly developed. Also, the tributaries of Ten Mile Creek have to run under I-270 anyway and would not be noticeably improved by an imperviousness limitation.

Limiting the Pulte property west of I-270 to a small fraction of the houses originally designated for the area would be a significant blow to local businesses such as Bennigan's and REMAX. We were counting on Clarksburg developing to the size proposed in the Master Plan. Eight hundred fewer homes will harm all businesses in the area. An independent firm estimates that a projected \$13 million will be lost annually along with 300 permanent jobs from the Clarksburg economy by this severe reduction in the number of homes. This will harm not only our business but every business in the Clarksburg area. We counted on the growth of the number of people in Clarksburg when we made our decision to invest in Clarksburg. According to the census there are only 14,000 residents. In order to reach its full potential as a community, it needs to grow. The balance between environmental concerns and development in the current Master Plan should be preserved.

Second, the Staff Draft's proposed rezoning and density limitations for the Historic District will hurt the Historic District. The Staff Draft is proposing CRN zoning, a neighborhood type of zoning with the lowest possible FAR of .25. We could not have built our current building under those standards. This would be a significant detriment to Clarksburg. Since restaurant opened last year, it has provided a meeting place for the Clarksburg community; it is a venue for community meetings, social events and entertainment. Our building has a FAR of .34 which is an established precedent. It was approved by acclamation by the Historic Preservation Commission. We could not have provided a viable restaurant with a reduced FAR as is now proposed by staff.

No commercial buildings could be successful if the Staff Draft's recommendation is followed. CRN zoning is contrary to the intent of the Master Plan, which was that the Historic District should be the "focal point" for Clarksburg and combine a mix of commercial, residential, public, and transit uses. A successful, economically viable "focal point" should not have such a low density if the Master Plan goal is to be achieved. CRN zoning should be rejected in favor of zoning more consistent with the role of the Historic District in the Master Plan.

Third, the Staff Draft proposes to move the Transit Stop from Redgrave Place to north of Clarksburg Road. One of the key concepts of the Master Plan is that Redgrave Place should "provide needed east-west movement and help integrate the [Historic District] into the larger Town Center." Master Plan, p. 52. Moving the Transit Stop to the outskirts of the Historic District would defeat this objective. It would also have negative traffic impacts on MD 355 and Clarksburg Road. Furthermore, it would discourage improvement, development and renovation of the Historic District.

Finally, the Staff Draft should emphasize the need for public sewer service for the Historic District. This has been a long term problem which has been largely ignored. A number of properties have failing septic systems, and in fact the property directly across MD 355 from our building had a significant failure in which sewage was leaking onto the road. Providing public sewer service to the Historic District is a very positive step that must be taken to help protect Ten Mile Creek.

In summary, as the owner of a significant commercial property in the Historic District, I am extremely concerned about the changes that the Staff Draft is proposing to make to the Clarksburg Master Plan. I urge the Planning Board to uphold the current Clarksburg Master Plan and reject the Staff Draft's proposals that would be harmful to the Historic District and the Town Center.

Sincerely,

Bette Buffington

23315 Frederick Rd

Clarksburg, MD 20871



7819 Norfolk Avenue
Bethesda, Maryland 20814

**Testimony of Potomac Holdings LLC
by Donnie Gross
before the Montgomery County Planning Board
10 Mile Creek Limited Master Plan Amendment
September 10, 2013**

Good afternoon Planning Board Chair Carrier and Members of the Board. My name is Donnie Gross and I am the managing member of Potomac Holdings LLC, the owner of a 3.3 acre property located at the northwest quadrant of the Maryland Route 355/Stringtown Road intersection. I am attaching a map that depicts the location of the property. The property is located within the Clarksburg Historic District and presently is zoned R-200, one-family residential. We support the Limited Amendment's recommendation to rezone the property to a CRN designation. We have owned the property for approximately 8 years and have not been able to redevelop the property under the existing residential zoning designation. Given the location of the property at this very important and highly traveled intersection, we routinely questioned the recommendation that left the zoning for the Property at R-200. It is highly unlikely that R-200 product will ever be developed at this location.

Over the years, we have attempted to attract special exception users for the Property. Again, we have not been successful given the significant restrictions on special exception uses. Predominantly commercial development is what should occur on this property (the Draft Plan, p. 23, indicates that MD Route 355 and Stringtown road have the highest combination of retail uses with the highest traffic generation rates). As a sidebar, Potomac Holdings also developed the shopping center along the east side Stringtown Road, north of Maryland Route 355.

As previously stated, we support the CRN zoning designation. The Plan proposes CRN .25, C .25, R .25, H35. We would ask the Board to consider a somewhat greater FAR at this location, perhaps a CRN or CRT zone at an FAR of .5. This would allow for a greater development opportunity, perhaps mixed use in nature. Given the location and size of the property, and given that the majority of the property fronts on Stringtown Road, this change in zoning appears to be reasonable and consistent with the goals and objectives of the plan. This change in zoning will provide for a reasonable opportunity to attract commercial develop on a property where commercial should be the preferred use.

Thank you for your consideration of our position.

Park and Planning Board Hearing
September 10, 2013
Ten Mile Creek Limited Master Plan Amendment

Patrick Darby
Novel Places Bookstore
23330 Frederick Road
Clarksburg, MD 20871

I opened Novel Places bookstore on May 30, 2011 in the Historic District's Clark Trading Post. I recently moved to my current location in the Gardner House. Most businesses open in Clarksburg for a variety of reasons, including the potential sales of a developing community. I include family history as one of the reasons for opening in Clarksburg.

We own two lots in the Historic District, which I intend to build a store and house. The drawback is it's taken nearly 10 years to accomplish, and we're not any closer to that goal than when we started. The expense of sewer needed to build is impossibly high. It has prevented other residents from improving, or building, on their property as well.

Before I opened my store, I was President of the Clarksburg Chamber of Commerce. It was through that position that I understood that we had to represent what's best for all of Clarksburg. It also became apparent that fixing one problem, usually affected many others. I'm not an expert on the environmental technology, but as someone invested in this community, I want to address some of the issues in the amendment plan.

First is outside the amendment plan. The outlet mall proposal in Cabin Branch is going forward based on the approvals and recommendations of the former hospital plans. While, I'm in favor of all development in Clarksburg, my concern is the larger scale project exceeds the approvals, and should be evaluated as a new project in regards to the environmental impact and design.

Second, it doesn't appear to me that the environmental standards of today have been fully taken into account for the Pulte project. I believe their design and implementation is capable of sustaining the watershed. The precautions they've shown seem to indicate a responsibility to preserve the environment. As the develop process continues, I'm confident the county planners will identify any issues between density and protection of the streams. The 8% cap indicated in the recommendations is far too low, and Pulte should be allowed to apply for the original plan of approximately 1,000 homes.

Third, the Miles/Coppola outlet mall project promises aid to the Historic District as a result of their development. Their plan has more details than the other developers, but the cost to retailers in rent and maintenance will be higher than the Simon mall. If they lose the race to build first, Peterson will withdraw their project, leaving the Historic District at a loss again.

Businesses need growth, and Clarksburg is sorely lacking in retail and office space. A comprehensive development plan is necessary, with transportation, homes, retail and office, if the town is going to attract the population to make it a sustainable and prosperous community. The Master Plan anticipated development in Stage 4, and should proceed with responsible projects that have been presented.

Most importantly, and to me, the Historic District cannot be forgotten again. I'm grateful for the recommendations by staff, and believe they will be effective in the revitalization of the Historic District. However, without sewer, nothing will be built. Over the years I've tried for sewer, a number of projects and promises were made, and nothing happened. In each case, there was talk of how to fix the Historic District, but in the end, the solutions were never acted upon, or rejected.

This is the Historic District's last, best, hope. It should be the first priority in any application for massive development. It must be guaranteed before permits are issued, and it must be first before any construction. I know the Planning Board can only recommend to the Council, but this should be emphasized in all discussions and approvals.

Thank you.