

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION8787 Georgia Avenue
Silver Spring, Maryland 20910-3760MEMORANDUMMCPB
10/18/01

DATE: October 4, 2001
 TO: Montgomery County Planning Board *JRO*
 VIA: Joseph Davis, Acting Chief, Development Review Division
 FROM: Wynn E. Witthans, RLA, AICP *WW*
 Planning Department Staff
 (301) 495-4584

PROJECT NAME: Highlands at Clarksburg
 CASE #: 9-98001 A
 REVIEW TYPE: Project Plan

ZONE: RMX-2
 APPLYING FOR: 12,870 square feet of retail, 18,590 square feet of office, 97 dwelling units
 (inclusive of 12.5% MPDU's) on 16.1 acres

LOCATION: SE quadrant, intersection of Frederick Road and Stringtown Road
 MASTER PLAN: Clarksburg & Vicinity

REVIEW BASIS: Section 59-C-10.2 of the Zoning Ordinance provides that the developer is
 required to submit a project plan for the use of the optional method of
 development for RMX-2 zoned property.

APPLICANT: F&H Limited Partnership / Bowis Investment Realty Corporation
 FILING DATE: April 20, 2001
 HEARING DATE: October 18, 2001

Attached is the staff report for the proposed development. The staff recommends **APPROVAL** of the Project Plan with the conditions as stated to be addressed by the time of Site Plan Review and Approval.

**STAFF REPORT
PROJECT PLAN #9-98001 A**

HIGHLANDS AT CLARKSBURG

October 18, 2001

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SUMMARY

Highlands of Clarksburg is a highly desirable use of the RMX-2 zone - it proposes a mix of commercial and residential uses. The plan proposes a village green, commercial architecture designed with historic/rural themes and residential uses within walking distance of the commercial uses on site and Clarksburg historic district. Additionally, the Project Plan adjoins and connects with, via an internal street, an assemblage of parcels zoned R-200 that comprise the proposed R-200 Cluster Preliminary Plan that includes this Project Plan site.

The future site plans shall include the following amenities and facilities:

Rural/ Historic Architecture:

The design of the commercial buildings shall be designed to conform to the rural/historic architectural themes as indicated in the sketches included within the Project Plan Staff Report. The buildings shall include a corner focal point at the intersection of MD Route 355 and Stringtown Road.

The Commons:

A central open space (+/- 25,000 sf) suitable for pedestrian recreation, enjoyment and circulation shall be provided. Amenities shall include tree lined sidewalks with special paving, stone (or masonry) walls, historically appropriate site furniture and lighting, a lawn panel, a rustic pavilion, a plaza with special paving, special landscape features and terracing.

Commercial Area Plaza:

Open space amenities to include outdoor seating areas, special paving, wide sidewalks, special landscape planting areas, historically appropriate site furniture and lighting, and possible outdoor eating areas.

Site Features

Throughout the site, the amenities proposed include the historically appropriate light fixtures, special landscape areas, the dedication of Stringtown Road so to preserve historic district and the orientation of the units to the surrounding streets. Brick sidewalks will be provided at the edges of the Commons and within the mews walks within the townhouses.

ISSUES OF THE REVIEW PROCESS

Relationship to the Earlier Approval

The proposed Project Plan amends an earlier Project Plan that was approved by the Planning Board on July 1, 1999. The earlier plan was amended to address comments made during the original approval and to adapt the layout to the proposed preliminary plan approval now adjoining the site. The current proposal has units that face MD Route 355 without a service road in front and it has a more useable design of the common open space. The MPDU's are all on top of the office buildings within the commercial quadrant of the site, adjacent to services, open spaces and transit.

Interconnected Streets

In response to Staff's comments earlier in the process, the applicant has submitted a plan that includes a connection to MD Route 355. This reflects the earlier approval that the applicant sought to change with this amendment. In fact, at one time during the review staff was prepared to recommend that the Planning Board deny an earlier version of this application because no connection to MD Route 355 was made. The road connection is important to promote the Master Plan goals for having interconnected streets. The connection will also allow for direct access to the homes within this site and will reduce the need to seek access to the site using Timber Creek Lane, an existing subdivision to the south.

Although the intersection location is acceptable, a more desirable location would be within an adjoining group of two parcels immediately to the south. Staff would like to make it possible to use this connection should access to the southern parcel develop (via an approved Preliminary Plan). Staff recommends that the Planning Board approve the Project Plan for one additional unit – a unit that could be located in the area where the road connection is now proposed. If the connection is eventually made on the adjoining parcel, the site plan would revert to the proposed Project Plan layout without a street connection and with one additional unit.

MD Route 355 Oververtical Reduction and Dowden's Ordinary

There is a hill within the MD Route 355 right-of-way adjacent to the site that prevents safe visibility and stopping distance at the Stringtown Road intersection for northbound travelers. As part of this review process, the applicant has developed several studies that assess what impact the lowering of the hill on the adjoining properties.

Opposite the Highlands of Clarksburg site, on the west side of MD Route 355 is a historic site known as Dowden's Ordinary – a site now on the Locational Atlas of Historic Places and approved for acquisition by M-NCPPC (although currently owned by others). The

M-NCPPC Park Archeologist has submitted a memo requesting that Dowden's Ordinary not be disturbed in regards to any road improvements.

The resultant cross section recommended by MDSHA for MD Route 355 proposes two north bound lanes and one south bound lane and a seven to ten foot wall next to the boundary of the historic site. The access road to the Highlands would be right-in, right-out only. The Dowden's Ordinary site will be untouched.

Community Concerns

Throughout the review process, the Timber Creek Citizens Association and the Clarksburg Civic Association have expressed concerns over the proposed Project Plan as well as the proposed R-200 Cluster development, Preliminary Plan, 1-98009A, a larger parcel of R-200 zoned and RMX zoned land which includes the subject Project Plan. Their concerns are as follows:

- 1. Support a direct access to the new community from Frederick Road to help alleviate cut-through traffic along Timber Creek Lane and improve east-west connections.*
- 2. Desire control of construction traffic to avoid use of Timber Creek Lane eliminating conflicts with children and residents. Request a temporary physical barrier at the end of Timber Creek Lane.*

The community has other concerns that deal with the Preliminary Plan, 1-98009A that include adequate setback and preservation of wood land along the common property line with Mr. Moses property, adequate views of the Greenway, and extension of an asphalt pathway along Timber Creek Lane connecting off site to Foreman Boulevard. These additional concerns should be addressed in the context of the Preliminary Plan. Letters from the community are attached.

STAFF RECOMMENDATION:

The staff recommends **APPROVAL** of Project Plan # 9-98001-A inclusive of the waivers, the reductions in setback and as detailed in the findings below:

1. Development Ceiling

Limit the Project Plan to the following uses and density:

- 18,590 square feet of office space
- 12,870 square feet of retail space
- 97 residential dwelling units (of which 2 units are to be located on Preliminary Plan #1-98009R)

2. Transportation Improvements

This application shall satisfy the APF test by paying the Expedited Development Approval Excise Tax (EDAET) under the alternative review procedure provided for in the FY 99 annual growth policy for the commercial component and the Development Approval Payment (DAP) under the Alternative Review Procedure for limited Residential Development provision of the FY 02 Annual Growth Policy for the residential component. If an alternative means of satisfying the APF test is later approved by the Planning Board, this condition will not require a Project Plan Amendment.

3. Dedication and construction of A- 260 (Stringtown Road)

A-260 (Stringtown Road) must be dedicated as shown and construction shall include improvements (two of four lanes with center median and associated landscaping) from the centerline to the edge of right-of-way for the frontage of the property.

4. Construction of improvements to MD 355 (Frederick Road)

- a. Improvements to MD Route 355 shall follow the requirements of the MD SHA:
 - Reduce over vertical along MD Route 355 to provide improved site distance at Stringtown Road;
 - Provide deceleration land along MD Route 355 at proposed site entrance (Street "C");
 - Improve MD Route 355 to 3 lanes along property frontage (one northbound lane, one southbound lane and an exclusive eastbound lane onto Stringtown Lane);
 - Site entrance (Street "C") to be right-in, right-out.

- b. A bike path shall be constructed along the site frontage at the eastern edge of the site along MD Route 355, with it's design to be reviewed at the time of site plan.

5. Provision of Amenities and Facilities

The future site plans shall include the following amenities and facilities:

Rural/ Historic Architecture:

The design of the commercial buildings shall be designed to conform to the rural/ historic architectural themes as indicated in the sketches included within the Project Plan Staff Report. The buildings shall include a corner focal point at the intersection of MD Route 355 and Stringtown Road.

The Commons:

A central open space (+/- 25,000 sf) suitable for pedestrian recreation, enjoyment and circulation shall be provided. Amenities shall include tree lined sidewalks with special paving, stone (or masonry) walls, historically appropriate site furniture and lighting, a lawn panel, a rustic pavilion, a plaza with special paving, special landscape features and terracing.

Commercial Area Plaza:

Open space amenities to include outdoor seating areas, special paving, wide sidewalks, special landscape planting areas, historically appropriate site furniture and lighting, and possible outdoor eating areas.

Site Features

Throughout the site, the amenities proposed include the historically appropriate light fixtures, special landscape areas, the dedication of Stringtown Road so to preserve historic district and the orientation of the units to the surrounding streets. Brick sidewalks will be provided at the edges of the Commons and within the mews walks within the townhouses.

6. Staging of Amenities

All street related amenities shown would be included with the adjoining phase of development. The Commons shall be constructed by completion of the first 50% of the residential units. The amenities associated with the commercial building shall be built concurrently with that structure. The project anticipates that the residential units will be built first.

7. **Maintenance**

Maintenance of the private open space areas, stormwater management areas, civic spaces and all other amenities on private land or, for non-standard amenities, within the public right-of-way, if applicable, shall be maintained by a community association. The site plan enforcement agreement shall include for the provision of maintenance for all amenities as they are installed.

8. **Waiver Requests**

Staff recommends the Planning Board consider and approve the following waivers:

- a. Chapter 50 – Subdivision Regulations - Lot Design -50-29(a)(2) to allow certain detached lots to be platted without public road frontage. This includes Lots 9-14 with frontage on Private Street “B.”
- b. Chapter 50-Subdivision Regulations – Intersection Truncation -Section 50-26-(e)(3) to allow for a more compact and compatible lot arrangement within the housing section.

9. **Reductions in Setback**

The applicant seeks two reductions in the minimum setbacks adjoining R-200 one-family residential zoning. One reduction is from one hundred feet to fifty feet for a portion of southern boundary. The second setback reduction is along the eastern property line to reduce the setback from thirty feet to fifteen feet. Staff recommends that the Planning Board allow these setback reductions to provide for optimal on-site development and a more desirable relationship to the adjoining development.

9. **Historic Preservation**

- a. The Site Plan shall show a detailed plan for the preservation of the historic character along site frontages. The Stringtown Road and MD Route 355 frontages shall be developed with streetscape and other features as necessary to recreate or develop a sympathetic design with the Clarksburg Historic District.
- b. The Site Plan Enforcement Agreement shall provide consent to the Historic Preservation Section, M-NCPPC to perform a Phase I Archaeological Investigation of the property prior to construction. The investigation shall not delay the Applicant’s construction schedule. The Applicant shall co-operate with M-NCPPC archeological staff regarding any reasonable requests to remove any artifacts found during this survey for use in future public displays.

10. Site Plan Issues

- a. The site plan review application shall identify proposed construction traffic access patterns in an effort to minimize the impact of construction vehicles on neighboring residential development.
- b. The site plan application shall include details along the MD Route 355 frontage sufficient to determine that the elements proposed create a character sympathetic to the historic district immediately to the north and to the Clarksburg town center area in general. These elements will include the street trees, the lighting, retaining wall (if required), signage and any other elements.
- c. The Applicant commits to participate in a process with representatives from county agencies and private developers to review current light standards and propose and develop new light standards for Clarksburg.
- d. Maintenance Organization –A Community Association shall be set up to maintain the street trees within the public right-of-way so to allow for tighter tree spacing pending County agreement.
- e. This approval has been enlarged by one additional unit- allowable if access to MD Route 355 is achieved through an adjoining parcel. Should the access to MD Route 355 be located within this parcel, the unit count will be one less to allow for the street connection.
- f. Two MPDU units shall be located outside the bounds of the Project Plan but within the accompanying Preliminary Plan application and the future site plan area.

PROJECT DESCRIPTION: Surrounding Vicinity

The Highlands at Clarksburg is a 16-acre site in Northern Montgomery County located on the southeast corner of the intersection of Frederick Road (MD Route 355) and Stringtown Road (Route A-260) across from the Clarksburg Historic District (zoned R-200) and the proposed Clarksburg Town Center Property (zoned RMX-2). Stringtown Road is scheduled for an upgrade to a 4 lane divided road, which will connect with I-270 about one mile to the west.

Adjoining the site to the south is farmland with wooded areas to the east; both areas are zoned R-200. In addition to its location to major thoroughfares and the town center, the site is located within five miles of Little Bennett Regional Park, Blackhill Regional Park, and Ovid Hazen Wells Park.

PROJECT DESCRIPTION: Site Description

Natural Resources

A former farmstead is centrally located on the property. It consists of what appears to be the scattered remnants of a masonry cistern and foundations of a silo, large barn, and outbuilding. Quartz rock is the main building material in the foundation and probably came from on-site.

The adjacent fields contain a very high amount of channery material primarily consisting of quartz along with some schist and phyllite. No massive rock outcrops were observed on-site. There are no springs, seeps, streams, or wetlands present on-site.

The site contains a rolling topography with the site elevations ranging between 620 and 680 feet. Drainage is generally to the east or northeast towards an unnamed tributary of Little Seneca Creek. This portion of the Potomac River Watershed has been designated as Class IV Waters by the State of Maryland.

The forested area on-site is 1.54 acres. No mature forest is present on-site nor are any specimen trees present (See Exhibit 1.)

Historic Context

This site is located just outside the southern boundary of the Clarksburg Historic District and across Route 355 from Dowden's Ordinary site and marker. Dowden's Ordinary's history is rich in events in the French Indian war and served as a gathering place for the earliest citizens of Clarksburg. Clarksburg's historic origins reflect its role as a flourishing trading, transportation, and industrial center for Montgomery County.

The farmstead is listed in the Maryland National Capital Park & Planning Commission (M-NCPPC) Locational Atlas. Approximate locations of these foundations are shown on the Natural Resource Inventory/Forest Stand Delineation Map.

PROJECT DESCRIPTION: Proposed Development

The RMX portion of the Highlands at Clarksburg is proposed to be a 75-unit planned community adjacent to historic Clarksburg and the proposed Clarksburg Town Center subdivision.

The commercial/residential portion of the project is planned to operate at three levels and within three buildings: the lower level is proposed retail at the street level of Stringtown Road; office/retail space will occupy the second level and the third level are the proposed MPDU and market rate apartments or condominiums. A fourth two-story freestanding office/ retail building is proposed at the intersection of MD 355 and Stringtown Road.

The proposed amenities associated with these structures are the architectural details that resurrect a rural agricultural appearance utilizing barn-like roofs and stair towers that resemble silos. The surrounding pedestrian areas are proposed to include other open space amenities like a plaza and sitting areas.

The residential portion of the project is organized around a centrally located open space known as the Commons. Single-family detached housing is located to the west and south of the Commons and single family attached is located to the east of the Commons. The Commons is proposed to include: a pavilion, paths, gathering areas and recreation facilities. Separately from the amenities, the project proposes an additional recreation area along the eastern boundary within the townhouse section.

Storm Water Management and additional structures required to meet the special protection area regulations for the site are located along the southeastern boundary of the site.

An in-road bike path is required along MD Route 355.

AMENITIES AND FACILITIES

The proposed project plan includes the following amenities and facilities for the site:

Rural/ Historic Architecture:

The architecture design of the buildings shall conform to the rural/ historic architectural themes as indicated in the sketches included within the Project Plan Staff Report. The retail/ commercial buildings shall include a corner focal point. The garages of all residential units shall be recessed from the front façade or otherwise treated to reduce their appearance from the street.

The Commons:

A central open space suitable for pedestrian recreation, enjoyment and circulation shall be provided. Amenities shall include tree lined sidewalks with special paving, historically appropriate site furniture and lighting, a lawn panel, a pavilion, a plaza with special paving, special landscape features and terracing.

Commercial Area Plaza:

Open space amenities to include outdoor seating areas, special paving, wide sidewalks, special landscape planting areas, historically appropriate site furniture and lighting, and possible outdoor eating areas.

Site Features

Historically appropriate light fixtures, special landscape areas, and dedication of Stringtown Road to preserve historic district.

The proposed amenities generally support the requirements of the RMX-2 zone for this site except the provision of recreation areas within the amenity areas.

Recreation Areas

The anticipated recreational needs provided by this application shall include the following:

Multiage Play Facility
Open Play Area - Type II
Pedestrian System

Nature Trails
Picnic and Sitting Areas
Off Site M-NCPPC Parks

The future site plan shall review the final requirements for the recreational guidelines.

PLANNING AND REGULATORY FRAMEWORK:

Development History

The original Project Plan and Preliminary Plans were approved by the Planning Board on July 1, 1999 for the 16 acres portion of the property zoned RMX-2. On April 26, 2001, the applicant was granted a one year extension of the Project Plan approval to allow for the proposed redevelopment now proposed. The Preliminary Plan has been amended to include an additional 40.4 acres zoned R-200 in addition to the 16 acre parcel zoned RMX. The proposed units increased from 75 to 164 for the entire site. The Preliminary Plan will be presented to the Planning Board concurrently with the Project Plan Review on October 18, 2001.

Waiver Requests:

The applicant has requested the following waivers:

Chapter 50 – Subdivision Regulations - Lot Design -50-29(a)(2) to allow certain detached lots to be platted without public road frontage. This includes Lots 9-14 with frontage on Private Street “BB”

Chapter 50-Subdivision Regulations – Intersection Truncation -Section 50-26-(e)(3) to allow for a more compact and compatible lot arrangement within the housing section.

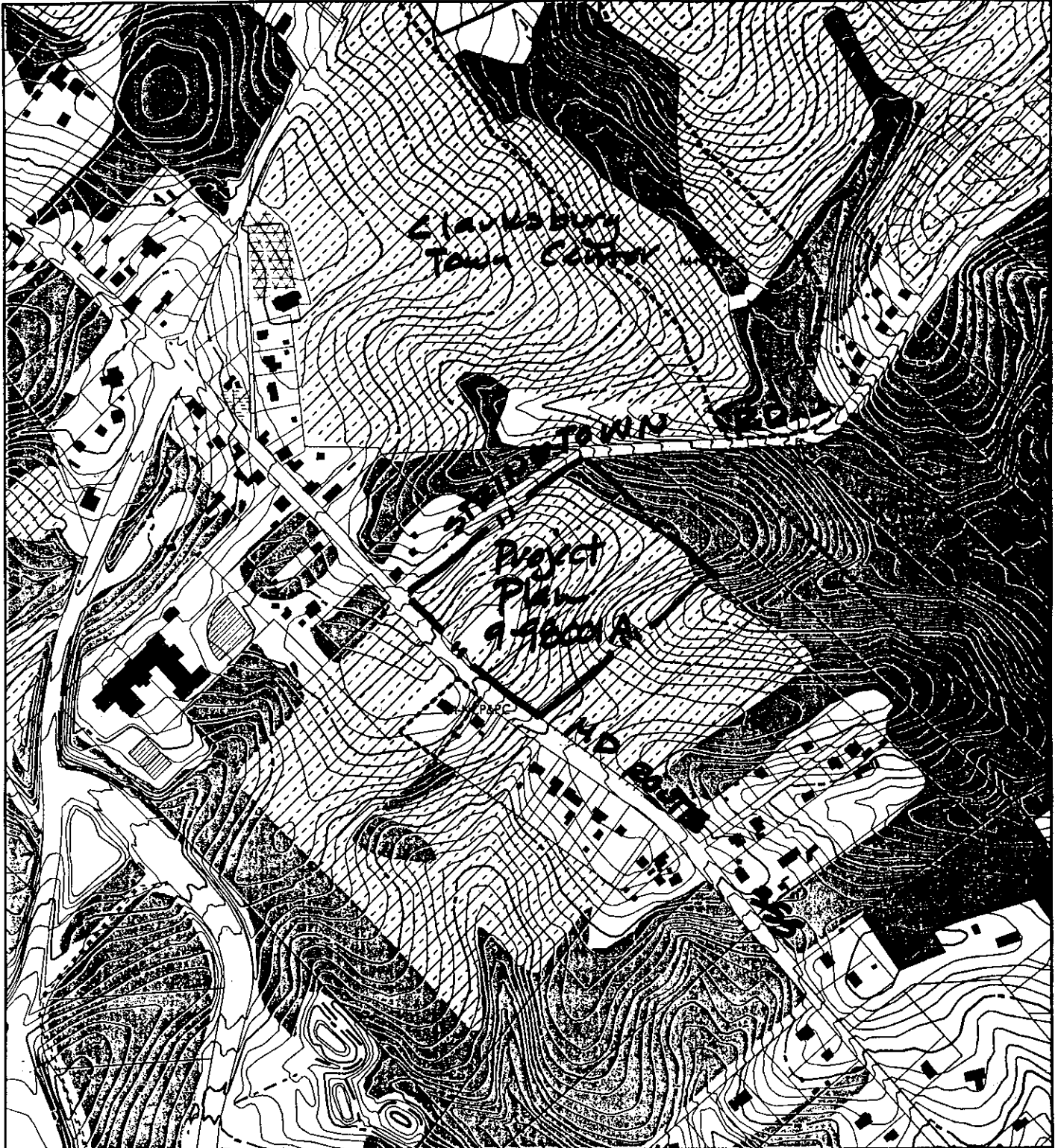
Staff supports these waivers that allow the proposed neo-traditional neighborhood designs to achieve the character and efficiency in the densities proposed.

PROJECT EXHIBITS

HIGHLANDS OF CLARKSBURG - PROJECT PLAN # 9-98001

VICINITY MAP FOR

HIGHLANDS AT CLARKSBURG (9-98001A)



Map compiled on April 20, 2001 at 2:29 PM | Site located on base sheet no - 232NW13

NOTICE

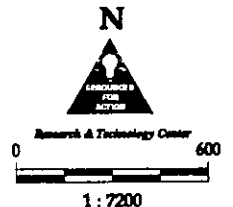
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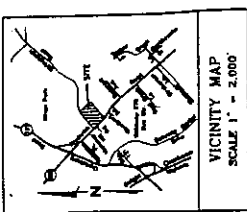
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14,400 scale aerial photography using stereo photogrammetric methods.

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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Key Map





HOUSING TYPE AND QUANTITIES	AMOUNT
SINGLE FAMILY HOMES	10
TWO FAMILY HOMES	10
THREE FAMILY HOMES	10
CONDOMINIUMS (OWN)	10
CONDOMINIUMS (RENT)	10
TOTAL	50

PROJECT PLAN
REVISED LAND USE PLAN
HIGHLANDS AT CLARKSBURG
 P.B. 26 P. 1068
 LOTS 1-3
 WASHINGTON COUNTY, CLARKSBURG, MARYLAND

MACRIS, HENDRICKS & GLASC, P.A.
 Engineers • Planners • Surveyors
 10000 W. BRIDGEWAY
 CLARKSBURG, MD 21713
 (301) 476-0000
 FAX (301) 476-0000

REVISIONS

NO.	DATE	DESCRIPTION
1	10/20/01	ISSUED FOR PERMITTING
2	10/20/01	REVISED PER PERMITTING
3	10/20/01	REVISED PER PERMITTING
4	10/20/01	REVISED PER PERMITTING
5	10/20/01	REVISED PER PERMITTING

REVISIONS

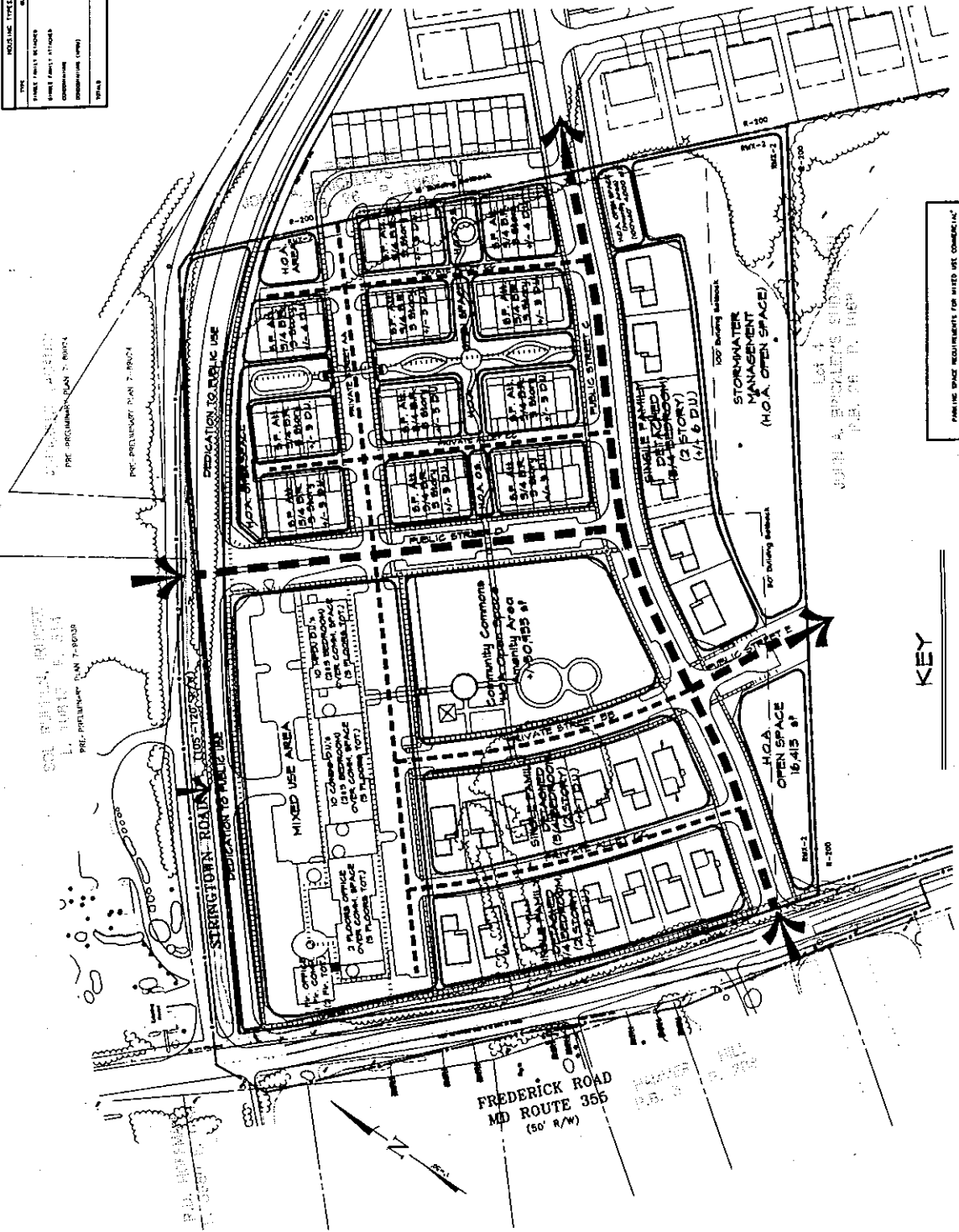
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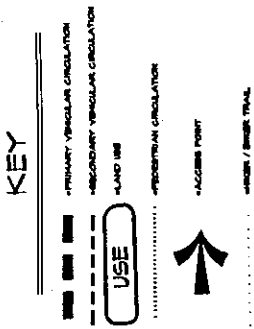
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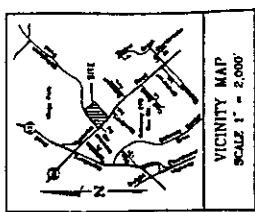


MINIMUM SPACE REQUIREMENTS FOR MIXED USE COMMERCIAL

USE	MIN. HEIGHT	MIN. WIDTH	MIN. DEPTH	MIN. AREA
OFFICE	10	10	10	100
RETAIL	10	10	10	100
RESTAURANT	10	10	10	100
BAR	10	10	10	100
CLUB	10	10	10	100
THEATER	10	10	10	100
CONCOURSE	10	10	10	100
STATION	10	10	10	100
TRAVEL CENTER	10	10	10	100
TRAVEL CENTER	10	10	10	100
TRAVEL CENTER	10	10	10	100
TRAVEL CENTER	10	10	10	100
TRAVEL CENTER	10	10	10	100

* Minimum based on requirements set forth in section 10-101





TYPE	VEGETATION TYPE AND QUANTITIES	PLANT SPECIES	QUANTITY
1	Small Family Tree	10' - 15' Ht. of	10
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76	Small Family Tree	10' - 15' Ht. of	10
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94	Small Family Tree	10' - 15' Ht. of	10
95	Small Family Tree	10' - 15' Ht. of	10
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97	Small Family Tree	10' - 15' Ht. of	10
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KEY



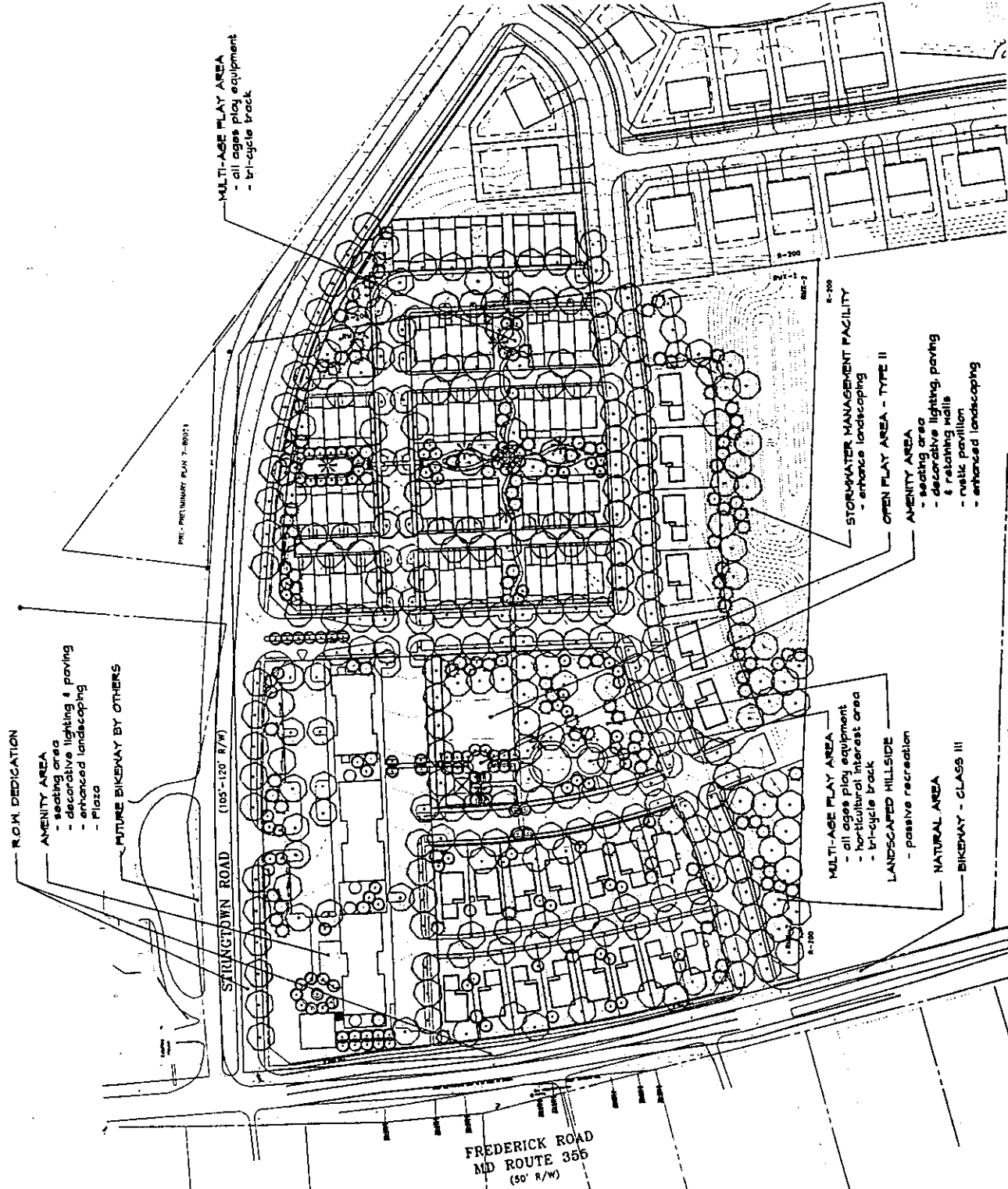
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EW

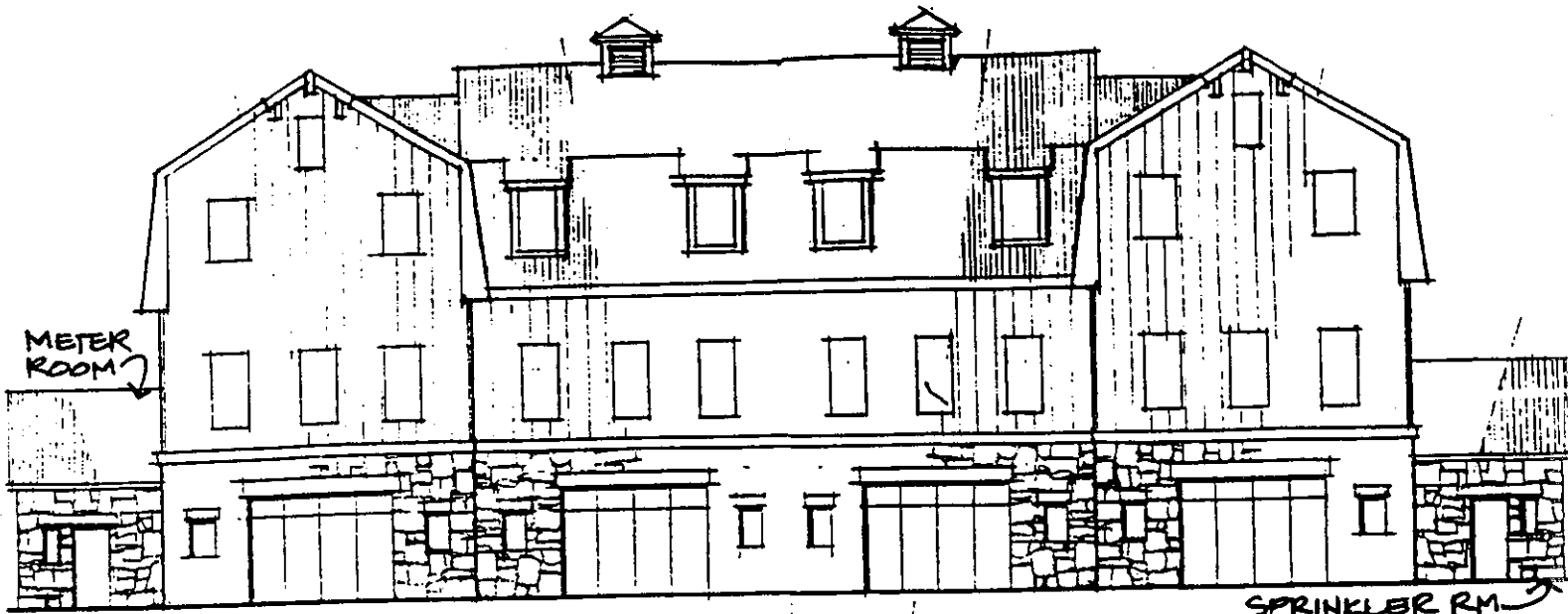
AMENITY PLAN
HIGHLANDS AT CLARKSBURG
P.B. 25 P. 1068

THE COLLECTOR GROUP
ENVIRONMENT COUNTY - CLARKSBURG, MARYLAND

Macris, Hendricks & Glascock, P.A.
Engineers • Planners • Surveyors

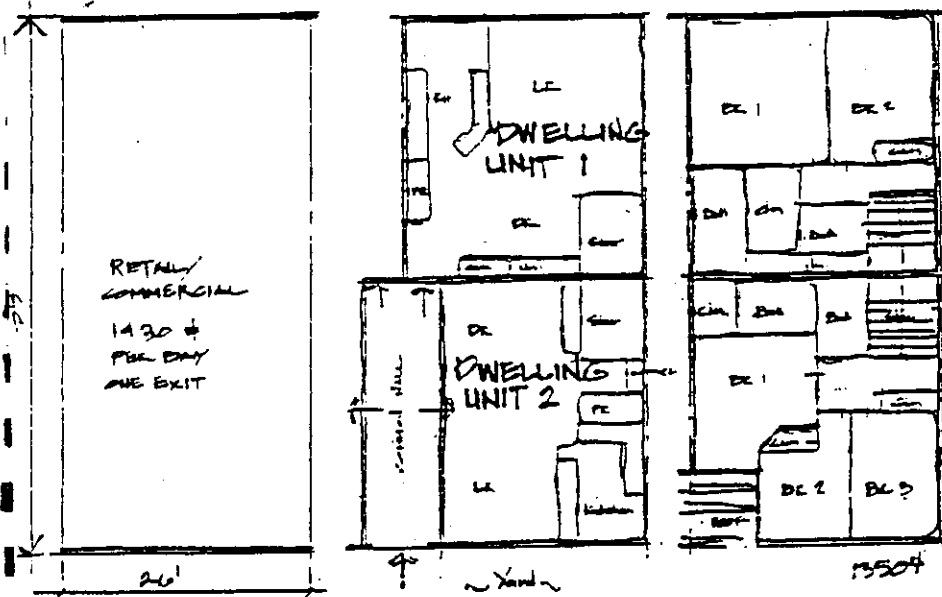
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CHECKED BY: [Name]



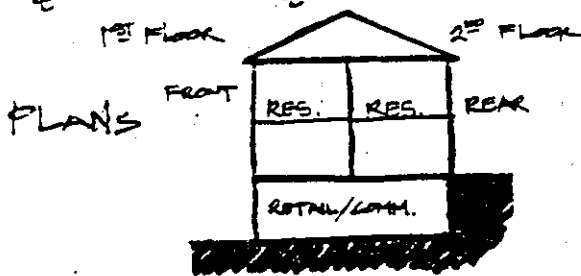


FRONT ELEVATION

III. Retail/Condominium - TYPE 1



- Site Key: RETAIL/CONDO
- Lot Size: SEE SITE PLAN
- Lot Dimensions: SEE SITE PLAN
- Unit Size: OFFICE: 20' x 55'
D/U : 20' x 27'-0"
- Finished Space: OFFICE: 1430 SF
D/U 1: 1430 D/U 2: 195
- Levels: OFFICE: 1 D/U: 2
- Floor Dimensions: SEE UNIT SIZE
- Bedroom Count: D/U 1: 2 D/U 2: 3
- Bathroom Count: D/U 1 & 2: 2 1/2
- Garage: - 0 -
- Exterior Material: SIDING/STONE



NOT TO SCALE

LAYOUT AS SHOWN ON THIS PLAN IS FOR REFERENCE PURPOSES ONLY AND IS SUBJECT TO CHANGE.

[Redacted] - Retail/Condominium Architecture

HIGHLANDS
Clarksbury

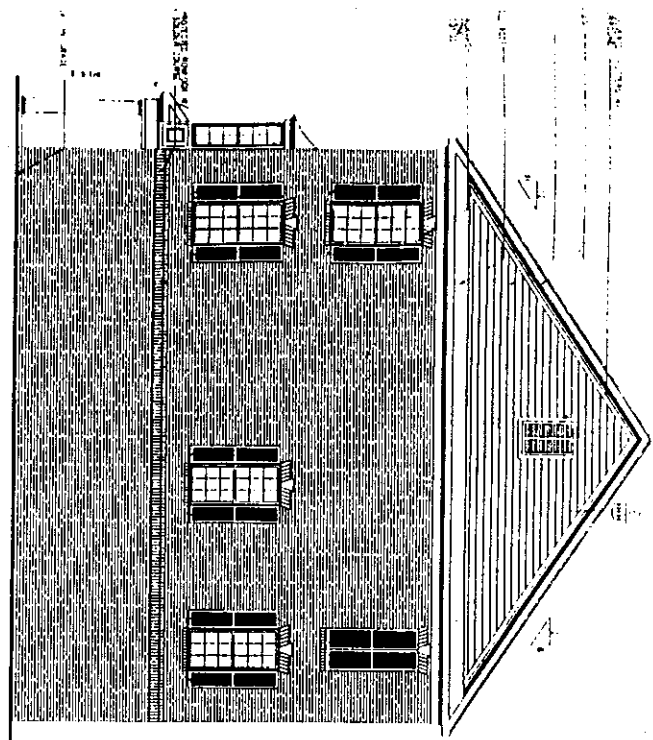
Montgomery County, Maryland

Moore, Hendricks, & Glasscock, P.A.
9820 Wightman Road, Suite 120
Gaithersburg, MD 20878
(301) 970-0840

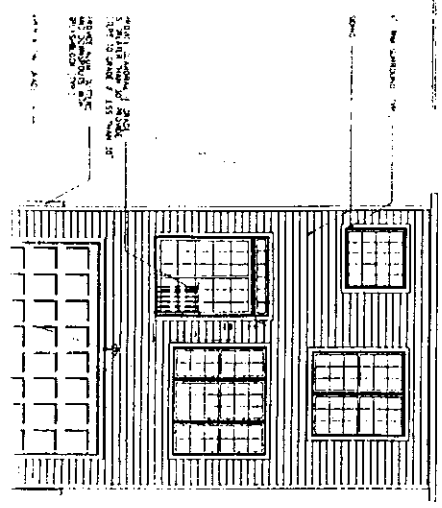
Crosser/O'Brien Architects
9818 Wightman Road, Suite 400
Gaithersburg, MD 20878
(301) 945-0200

Stone Investment Realty Corp.
574 Millwood Lane
Great Falls, VA 22066
(703) 797-8842

SIDE ELEVATION (W/END UNIT FRONT ENTRY)

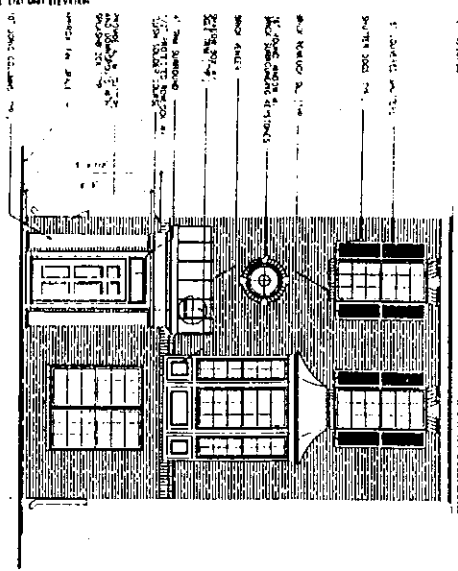


END UNIT RISE OVER HINGE (2'-10") SEE END UNIT ELEVATION



END UNIT RISE OVER HINGE (2'-10") SEE END UNIT ELEVATION

FRONT ELEVATION "A"

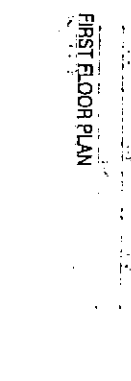


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SECOND FLOOR PLAN



FIRST FLOOR PLAN

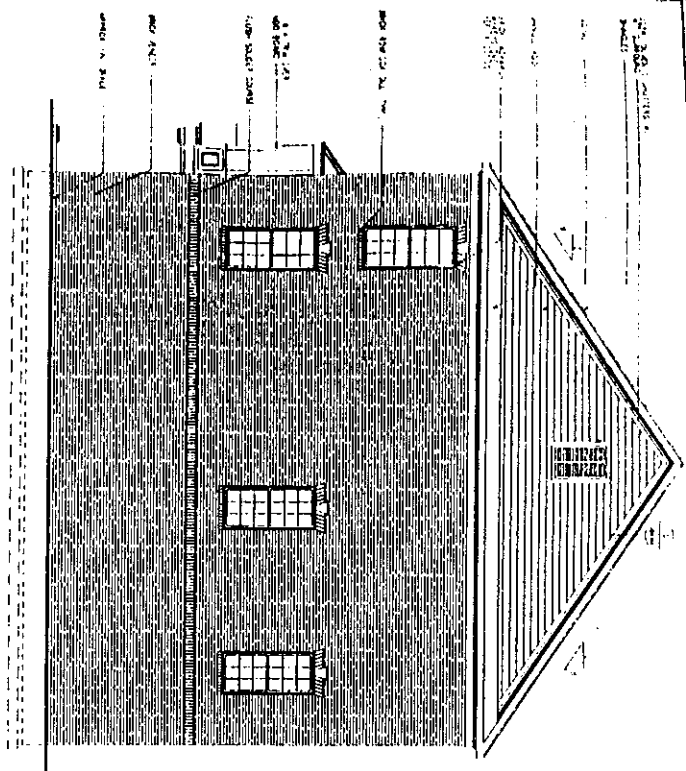


ELEVATION "A" & REAR ELEVATION
CENTEX HOMES - THE FERGUSON / 1920

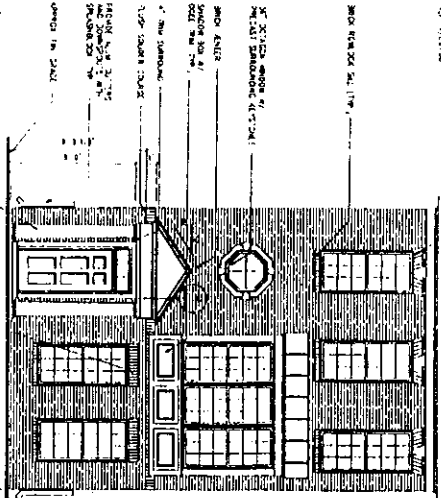


HIGHLANDS
Clarksburg

SIDE ELEVATION (WEND UNIT FRONT ENTRY)



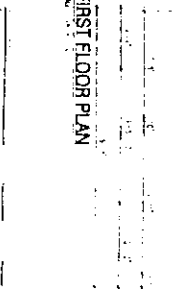
FRONT ELEVATION 'B'



SECOND FLOOR PLAN



FIRST FLOOR PLAN

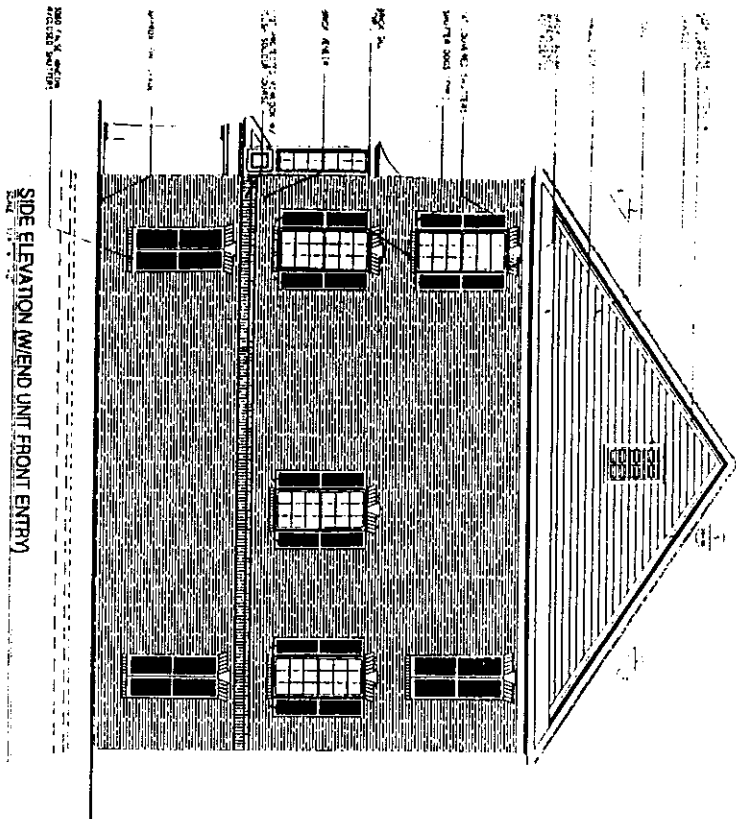


ELEVATION "B"

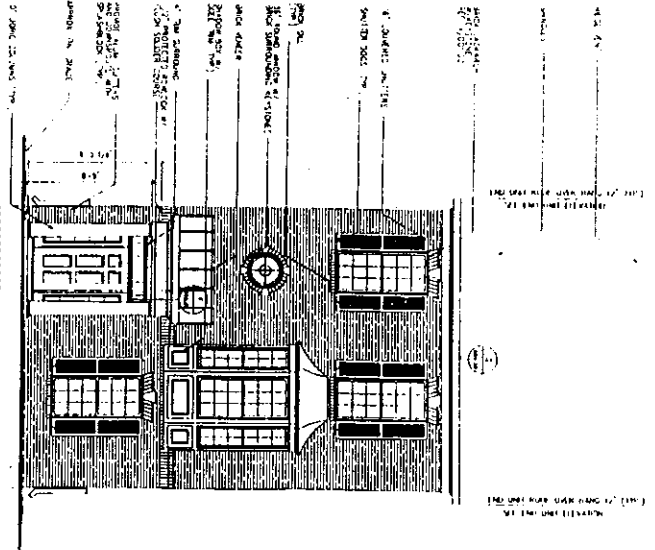
CENTEX HOMES - THE FERGUSON / 1920



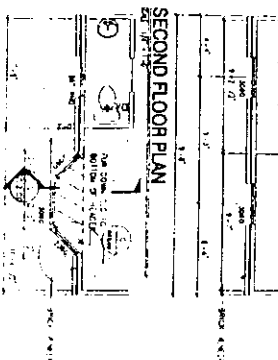
HIGHLANDS
Clarkeburg



SIDE ELEVATION (WIEND UNIT FRONT ENTRY)



FRONT ELEVATION - C



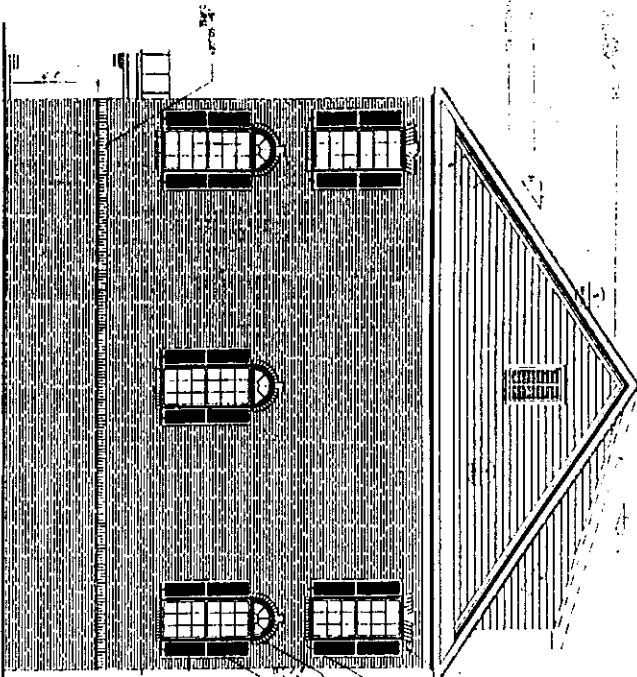
FIRST FLOOR PLAN

ELEVATION "C"
 CENTEX HOMES - THE FERGUSON / 1920

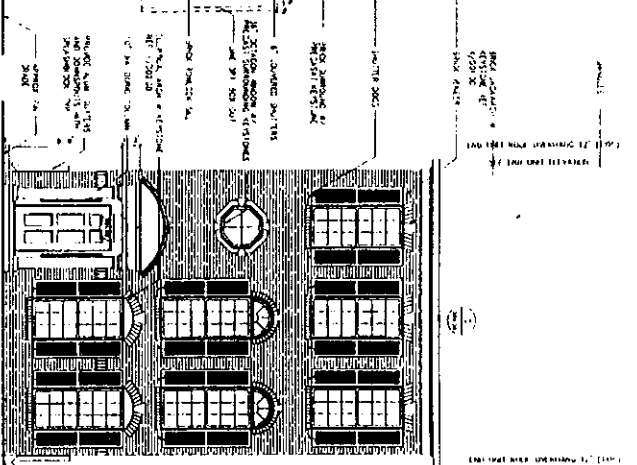


HIGHLANDS
 Clarkesburg

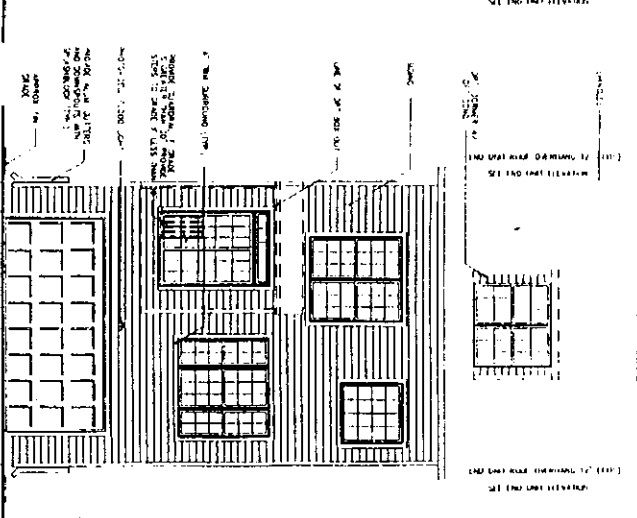
SIDE ELEVATION (W/END UNIT FRONT ENTRY)



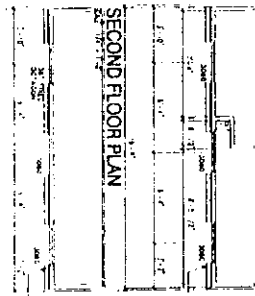
ELEVATION "A"



REAR ELEVATION



FIRST FLOOR PLAN



SECOND FLOOR PLAN



ELEVATION "A"
CENTEX HOMES - THE TOWNSEND / 1928



HIGHLANDS
Clarksburg

BASIS FOR CONSIDERATION OF ISSUES

Section 59-D-2.43. Of the Zoning Ordinance provides that in reaching its determination on an application for the optional method of development and in making the required findings, the Planning Board must consider the following:

- (a) The nature of the proposed site and development, including its size and shape, and the proposed size, shape, height, arrangement and design of structures.*

The proposed layout and building types are sympathetic to the adjoining approved neo-traditional projects and the existing homes and businesses in the area.

- (b) Whether the open spaces, including developed open space, are of such size and location as to serve as convenient areas for recreation, relaxation and social activities for the residents and patrons of the development and are so planned, designed and situated as to function as necessary physical and aesthetic open areas among and between individual structures and groups of structures, and whether the setbacks, yards and related walkways are so located and of sufficient dimensions to provide for adequate light, air, pedestrian circulation and necessary vehicular access.*

The open spaces are centrally located to the project and accessible to retail and residential users alike. The pedestrian system is linked to the open spaces so there is a continuum of spaces that have a variety of uses.

- (c) Whether the vehicular circulation system, including access and off-street parking and loading, is so designed as to provide an efficient, safe and convenient transportation system.*

The vehicular system is developed as a grid that provides adequate access to every unit and structure on site. Parking lots are located near area of more concentrated development and parallel parking is located along the streets. Parking for each residential unit (except the condominiums) is located on each lot.

- (d) Whether the pedestrian circulation system is so located, designed and of sufficient size as to conveniently handle pedestrian traffic efficiently and without congestion; the extent to which the pedestrian circulation system is separated from vehicular roadways so as to be safe, pleasing and efficient for movement of pedestrians; and whether the pedestrian circulation system provides efficient, convenient and adequate linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities.*

The pedestrian system is separate from roadways but it follows the grid pattern of the streets, thus providing access to the entire site. Additional pedestrian connections are made across residential blocks and out to the adjoining streets.

(e) *The adequacy of landscaping, screening, parking and loading areas, service areas, lighting and signs, with relation to the type of use and neighborhood.*

These issues will be reviewed and determined with site plan review.

(f) *The adequacy of the provisions for the construction of moderately priced dwelling units in accordance with chapter 25A of this Code if applicable.*

The units propose 12.5% MPDU's of those required on site. Additional units from the adjoining site are also proposed on this site. The site plan will review the final MPDU's proposal with the final number of units.

(g) *The staging program and schedule of development.*

Adequate as submitted.

(h) *The adequacy of forest conservation measures proposed to meet any requirements under Chapter 22A.*

Final review at the time of site plan

(i) *The adequacy of water resource protection measures proposed to meet any requirements under Chapter 19.*

Final review at the time of site plan.

FINDINGS for Project Plan Review:

Section 59-D-2.42 of the Zoning Ordinance establishes the findings that must be made by the Planning Board and forms the basis for the Board's consideration of approval. In accordance herewith, the staff recommends the following findings:

- (a) *It would comply with all of the intents and requirements of the zone.*

The intent of the RMX-2 Zone

- (1) *This optional method of development accommodates mixed-use development comprised of planned retail centers and residential uses at appropriate locations in the County. This means of development is a means to encourage development in accordance with the recommendations and guidelines of approved and adopted master plans.*

This development meets the intent of the zone to by presenting a mixture of retail, office, and residential uses at the intersection of Stringtown Road and MD 355, within an intensity that is in accordance with the approved Clarksburg Master Plan. The proposed development for Highlands at Clarksburg conforms to this finding.

- (2) *Approval of this optional method of development is dependent upon the provision of certain public facilities and amenities by the developer. The requirement for public facilities and amenities is essential to support the mixture of uses at the increased densities of development allowed in this zone.*

This development proposes public facilities and amenities. The amenities, as listed above, provide a commons, a mixed-use center that includes architecture with a rural theme that creates an appropriate gateway to the Clarksburg Historic District and site elements that have historical themes.

Conformance to the development standards of the RMX-2 Zone.

The proposed project plan for Highlands at Clarksburg is in conformance with the standards of the RMX-2 Zone. The development standards are found both in the Zoning Ordinance and the Clarksburg Master Plan, 1994.

DEVELOPMENT DATA TABLE FOR THE RMX-2 ZONE

	<u>Required/Permitted</u>	<u>Provided¹</u>
Gross tract area 16.1 acres – 1 acre dedicated to public use = 15.1 acres net tract area		
Offices (59-C-10.3.2):		
- Professional, and Business:	20,000 s.f. max.	0 s.f.
- General:	20,000 s.f. max.	18,590 s.f.
Retail		
- Lower Floor		12,870 s.f.
Green Area or Outside Amenity Area (59-C-10.3.3):		
- (a) w/in commercial portion		
(2.718 ac.):	15% min.	(Earlier approval 49%) 54,012 sf or 48%
- (b) w/in residential portion		
(12.155 ac.):	50% min.	(Earlier approval 70%) 327,064 sf or 60%
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.23 FAR (31,460 s.f. GFA)
Gross Leasable Area (59-C-10.3.5):	600,000 s.f. max.	31,460 s.f.
Number of Dwelling Units (59-C-10.3.6):	NA min. (<30 ac.)	(Earlier Approval 75 d.u.'s) 95 du's
Residential Density (59-C-10.3.7):	30 d.u./ac. max. (Code) 5 to 7 d.u./ac. (M.P.) ²	(Earlier Approval 5.8 d.u./ac.) 6.0 du's
Building Setbacks (59-C-10.3.8):		
- from adj. R-200 properties:		
Commercial buildings:	100 ft. min. ⁴	100 ft.
Residential buildings:	30 and 100 ft. min. ⁴	15-50 ft.
- from Frederick & Stringtown Roads:		
Commercial buildings:	0 ft. min. (Code) 0 ft. min. (M.P.)	25 ft.
Residential buildings:	0 ft. min. (Code) 0 ft. min. (M.P.)	20 ft.

¹ Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-D-3) not to exceed the amounts required/permited.

² The abbreviation M.P. refers to standards recommended in the 1994 Clarksburg Master Plan

3

Excluding MPDU's

4

The Planning Board may reduce the minimum setbacks shown above to no greater than 50 percent, upon a finding that trees or other features on the site permit a lesser setback without adversely affecting development on an abutting property.

The project is seeking two reductions in the minimum setback adjoining R-200 one-family residential zoning. One area is to the south, reducing the setback from one hundred feet to fifty feet for a portion of the boundary. This only affects a rear yard and not actually units. This reduction would allow for flexibility in the final siting of the units on that lot and is acceptable. The units are setback approximately 100 feet. The second area for setback reduction is along the eastern property line to reduce the setback from thirty feet to fifteen feet next to a street on the adjoining property - one that will be joined with this project in the plan of subdivision and a later site plan. Staff recommends that the Planning Board allow these setback reductions to provide for optimal on site development and a more desirable relationship to the adjoining development.

The property conforms to the optional method of development for the RMX-2 zone.

- (b) *It would conform to the approved and adopted sector plan or an urban renewal plan approved under Chapter 56.*

The subject site falls within the Transit Corridor District of the Clarksburg Master Plan. It is also strategically located at the gateway to the Historic District and within walking distance to the Town Center and the future Transitway Town Center Station. Therefore, development of the site needs to strongly reflect the policies and recommendations of the Master Plan given its highly visible corner location and proximity to the Historic District.

Master Plan Policy Statements

Town Scale of Development – *“This plan envisions Clarksburg as a town at a larger scale than proposed in the 1968 Clarksburg Master Plan but smaller than a corridor city such as Germantown.”*

The proposed Project Plan achieves a town scale of development by providing a mixed use development with 32,460 sf. of commercial uses and 95 residential units including MPDU’s. The overall residential density for the project is 6.0 units per acre. The Master Plan recommends a residential density of 5 – 7 units per acre. The proposed range in unit types, 21 sf detached (22 possible), 20 apartments, and 53 townhouses, will assure a mix of households and incomes.

Natural Environment – *“This plan recommends that Clarksburg’s natural features, particularly stream valleys, be protected and recommends that Ten Mile Creek and Little Seneca Creek be afforded special protection as development proceeds”.*

No stream valleys, springs or wetlands are found within the subject property of the Project Plan. However, the site is included in the Special Protection Area and will be providing additional water quality measures in conformance to the guidelines. At the time of site plan review, extensive landscaping of the stormwater management facilities should be provided in order to create an attractive open space within the community.

Greenway Network – *“This plan recommends a multi-purpose greenway system along stream valleys.”*

The subject site does not directly abut the Clarksburg Greenway. However, a series of bikeways and sidewalks are proposed that provide access to the Greenway and thus improve connectivity to the Greenway Trail that is located just to the east of the Project Plan site. A Class III bikeway will be provided within the ROW of Frederick Road along this eastern side.

Transit System – *“This plan proposes a comprehensive transit system that will reduce dependence on the automobile.”*

The Master Plan identifies bus routes along Stringtown Road and Frederick Road which will serve the subject site. Access to these future bus routes will be accommodated by proposed sidewalks internal to the development. The subject site is also within walking distance to the future Town Center Transitway Station located to the east of Frederick Road.

Hierarchy of Roads & Streets – *“This plan proposes a street network which clearly differentiates between highways needed to accommodate regional through traffic and roads which provide sub-regional and local access.”*

The subject site is bordered by Stringtown Road, an arterial that accommodates both regional and local traffic, and by Frederick Road which is classified by the Master Plan as a local business district street. On site, the project plan achieves a hierarchy streets through a variety of local residential streets to accommodate traffic circulation. Most importantly, the street layout provides a connection to the Town Center via Street C and a direct entrance into the community via Frederick Road.

The direct street entrance from Frederick Road is important to the connectivity of the community by providing a convenient and direct point of access. However, the location of the entrance is constrained by the limits of the property. Ideally, an access point along Frederick Road would be better located further to the south through property that is not yet assembled for development. This possible southern access would line up with other development which is currently under a pre-preliminary plan review. Staff supports a direct access to the Highlands of Clarksburg on site since the southern access cannot be assured at this time. However, in the future, should the southern property be proposed for development, the southern access point to Frederick Road should be considered for Highlands of Clarksburg.

Transit and Pedestrian-Oriented Neighborhoods – *“ This plan clusters development into a series of transit and pedestrian oriented neighborhoods.”*

The project locates a mixed of commercial and multifamily uses at the northwest corner of the site thus clustering the most intensely developed portion of the site towards the future transit station and the Historic District. The proximity and density of the residential portion of the site also supports the transit and pedestrian-orientation by facing residential units along Frederick and Stringtown Road. This establishes the traditional town planning pattern as seen from the surrounding roadways. Internally, the proposed layout also establishes a grid of interconnected streets lined with front facing units, street trees and sidewalks. The central open space is highly visible, forms a town commons and is sufficiently large enough to accommodate recreational activities and community gathering. Other open space is provided as town house courtyards in the front of units. The location and size of the open space will encourage pedestrian access and social gathering.

Employment – *“Additional limited employment uses re recommended at transit stops, at the town center and in neighborhoods as part of a mixed-use land use pattern...”*

The project plan includes 31,460 sf of office and retail uses within walking distance to the future transit station and the town center. Such uses will also provide convenient services to residents within the general vicinity.

Staging – *“This plan recommends that development be staged to address fiscal concerns and to be responsive to community building and environmental protection objectives.”*

The subject site falls within Stage 2 of the Clarksburg Master Plan. The proposed project will be served by public sewer and water.

Master Plan Land Use Recommendations

The Transit Corridor District recommends a density of 5 –7 units per acre with a range of unit types as follows:

Multi-family	10 – 20%
SF attached	30 - 40%
SF Detached	50 – 50%

The proposal contains a higher percentage of attached units than the general guidelines of the master plan. Given the strategic location of the site, close to transit and the town center, a higher percentage of attached units can be considered appropriate. The proposed density range is consistent with the previously approved project plan.

Other plan objectives that are relevant to the subject site are as follows:

1. Continuation of the residential character along Frederick Road, MD 355.
2. Encourage mixed use development near transit stops as an integrated use within residential neighborhoods.
3. Establish strong pedestrian and bicycle linkages to the Greenway.
4. Improve east-west roadway connections.
5. Provide an open space system which includes small civic spaces at transit stops.

The proposed project plan meets the land use objectives in the following ways:

1. Residential character along Frederick Road is established by proposing front facing residential lots along the roadway.

2. Mixed uses are provided within mixed use buildings, apartments over retail. These uses will provide convenient services to the greater community.
3. Pedestrian and bicycle linkages to the Greenway are provided via the network of connecting sidewalks and adjacent bikeways.
4. East-west roadway connections are provided by the Street C, creating a street connection from Frederick Road to the Greenway Road within the Town Center. This is an important connection for the existing community improving the circulation options for getting in and out of their community.
5. Open space is provided internally in a manner which strengthens a sense of community by its central location. Additional pedestrian space is provide at the corner of Stringtown Road and Frederick Road where there will be future bus stops.

Historic Preservation Issues

This project is adjacent to the **Clarksburg Historic District, Master Plan Site # 13/10**. It lies across Frederick Road from the **Dowden's Ordinary Site, Locational Atlas Resource #13/53**. The impacts of the new development on these historic resources have been discussed with the applicant.

Staff supports the latest proposal for the Highlands at Clarksburg project, with the inclusion of the construction of a retaining wall on Frederick Road in front of the site of Dowden's Ordinary. A bronze marker, set in stone by the DAR ca. 1915, marks the east edge of the archaeological site. The retaining wall location, east of this marker, will protect the site of the 18th century tavern against erosion.

Dowden's Ordinary is an important archaeological site in the county. The roadside inn provided hospitality services for many people important in local and national history. Andrew Jackson stayed here on his journey to Washington to take the oath of office as the next president. General Braddock stayed here with his troops during the French & Indian War in the 1750s.

Frederick Road was the major north-south route for many centuries, having developed from a well-known Indian trail.

As noted in Park Planning and Resource Analysis comments to the Development Review Committee (1/2/01), the Historic Preservation Section would like consent to perform a Phase I Archaeological Investigation of the property prior to construction of the proposed development. With General Braddock staying at the inn on the west side of Frederick Road, there is a high potential that his troops camped on the east side across the road. Consent is also requested for M-NCPPC staff to remove any artifacts that are found on the land to become the property of M-NCPPC for likely use in future public displays.

- c) ***Because of its location, size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood.***

The size, density and design of the project create a project that blends into the existing town center and the proposed new developments within Clarksburg. The traditional and neo-traditional town planning of this and the other projects will be sympathetic to each other in appearance and in density. The two and three story commercial/residential buildings at the corner of Stringtown Road and MD Route 355 create a focal point for the site and create an entrance into the Historic District. Their size and mass are compatible with existing and proposed development. The reduced setbacks will allow the project to blend in with adjoining development seamlessly. The operations of the site will allow buildings on site to be serviced via direct vehicular or pedestrian access.

Each commercial/retail or residential component will be built concurrently with the adjacent or related amenity area. The amenities around the commercial /retail area will be built with those buildings; and related residentially used amenities will be phased to coincide completion of the residential areas. The Commons will be constructed by the time 50% of the residential units are completed. The roads, sidewalks, stormwater management facilities will be built to adequately serve each phase.

- (d) *It would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.*

1. Transportation

The project has been reviewed for adequate public facilities (APF) review of the subject preliminary plan and project plan under the Alternative Review Procedure for Expedited Development Approval (EDA) for the commercial component and Development Approval Payment (DAP) procedure for the residential component since the site is located in a policy area which is in a moratorium. The subject site has an approved project plan and preliminary plan for 18,590 square feet of office space, 12,870 square feet of retail space, and 95 residential dwelling units. The applicant revised the approved project plan and preliminary plan to request 31,460 square feet of retail space, applying the previously used EDA procedure (or “pay and go”) and 168 residential dwelling units under the DAP procedure.

Summary of Local Area Transportation Review

The critical lane volume (CLV) impacts of the proposed development on critical intersections in the vicinity of the site were analyzed and are summarized in Table I.

TABLE 1

Intersection Capacity Analysis with CLV Under Various Development Schemes								
			Background		Total		Total Improved	
	AM	PM	AM	PM	AM	PM	AM	PM
MD 355/Clarksburg Road (MD 121)	1276	1294	1812	1466	1885	1466	1581	1466
MD 355/Stringtown Road	1147	950	1577	1719	1686	1853	1214	1418
MD 355/ Shawnee Lane	1179	901	1701	1505	1715	1520	1602	1119

As shown in the above table, all intersections analyzed along MD 355 at Clarksburg Road (MD 121), Stringtown Road, and Shawnee Lane are currently operating at acceptable CLVs (below 1,500). Under the background development and the total development conditions, all intersections are anticipated to operate at an unacceptable level. With inclusion of roadway improvements identified by the applicant’s traffic consultant, all intersections are anticipated to operate at either an acceptable level or better than the background condition. The roadway improvements include construction of a southbound left-turn lane and a westbound right-turn lane at the MD 355/ Stringtown Road intersection,

construction of a northbound left-turn lane and an eastbound right-turn lane at the MD 355/Shawnee Lane intersection, and construction of an additional westbound through lane at the MD 355/MD 121 intersection. These intersection improvements could be constructed with either the EDA excise tax funds or the DAP fund.

The subject preliminary plan satisfies the APFO requirements since all nearby intersections are anticipated to operate either within acceptable critical lane volumes or at better than the background developments with the identified improvements. The applicant is satisfying policy area review by paying the previously available EDA excise tax and the DAP under the *FY 02 Annual Growth Policy* staging ceiling capacity. Staff further concludes that the subject project plan satisfies the zoning requirements in that it would not overburden either existing public services or those programmed for availability concurrently with each stage of construction.

Site Access and Circulation

Three access points to the site are provided: one from Stringtown Road, one from MD 355, and one from the extension of Timber Creek Lane. The internal pedestrian circulation system shown on the site plan is adequate. The internal roadways and the future connection to adjoining properties shown on the site plan are also adequate.

The proposed site access point (Street "C") on MD 355 raises some transportation issues. This access point does not align with the future street connection from the US Homes development across MD 355 as shown in their Pre-Preliminary Plan (No. 7-02009). With the access point constructed for the subject site, the adjoining undeveloped property to the south on MD 355 does not appear to have an access point to MD 355 due to its close proximity to Street "C". From a transportation perspective, staff prefers no access point from MD 355 to the subject site but prefers a future access point to MD 355 through the adjoining property that could be aligned with the future street connection from US Home's development across MD 355. This would provide better intersection spacing on MD 355 and a full movement intersection for access to the subject site, the adjoining undeveloped property, and the US Homes development across MD 355.

2. Water and Sewer

Service is considered adequate if designated in Categories 1,2 or 3. The subject property is in water category 1 and sewer category 4 with administrative advancement to sewer category 3 upon the approval of a Preliminary Plan of Subdivision.

3. Schools

According to the Annual Growth Policy, the County Council declares adequate space exists in the Damascus cluster to permit subdivision approval. See letter from MCDPS attached.

4. Police, Fire and Health Services:

The FY01 A.G.P. indicates that these services are considered adequate county-wide.

- (e) ***It would be more efficient and desirable than could be accomplished by the use of the standard method of development.***

The proposed project is more desirable than standard method of development. The diversity of unit types possible with the mixed – use development allow for higher densities near transit stations, they promote pedestrian movements. The proposed amenities and facilities add richness and character and additional green space.

The standard method of development would utilize the R-200 development standards, which would allow residential uses at a greatly reduced density. The resultant development patterns would create suburban sprawl in a special protection area with a master plan whose objective is to conserve the rural and the natural environment of the area. The standard method would not conserve open or natural spaces, and would be out of character with the adjacent historic district.

- (f) ***It would include moderately priced dwelling units in accordance with chapter 25A of this Code, if the requirements of that chapter apply.***

Moderately priced dwelling units are proposed to be in accordance with Chapter 25A of the Montgomery County Code. The applicant proposed to put 2 of the required 12 MPDU's in the next lot. The next lot will join this lot in plan of subdivision and will be all one site plan in the future site plan.

- (g) ***When a project plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, and is shown to transfer public open space or development density from one lot to another or transfer densities within a lot with two or more CBD zones, pursuant to the special standards of either section 59-C-6.2351 or 59-C-6.2352 (whichever is applicable), the project plan may be approved by the Planning Board based on the following findings:***

- (1) ***The project will preserve an historic site, building, structure or area as shown on the Locational Atlas and Index of Historic Sites or the Master Plan for Historic Preservation; and/or***

- (2) *The project will implement an urban renewal plan adopted pursuant to Chapter 56 of the Montgomery County Code; and/or*
- (3) *The project will result in an overall land use configuration that is significantly superior to that which could otherwise be achieved.*

This is not applicable to this site.

- (h) *The adequacy of forest conservation measures proposes to meet any requirement under Chapter 22A.*

The proposed Forest Conservation Plan is under review and will be finalized with the future site plan. At this time, the applicant's obligation is to plant approximately 4.1 acres of off-site reforestation.

- (i) *The adequacy of water resource protection measures proposed to meet any requirements under Chapter 19.*

The proposed project plan is within the Clarksburg Special Protection Area and the Planning Board is required to approve the Final Water Quality Plan at the time of site plan review. The applicant has received a waiver to use open section roads and is allowed to use closed section streets on site due to the density of the project plan area. MCDPS, who issued the waiver, indicated that open section roads will be required for Stringtown Road.

APPENDIX

HIGHLANDS OF CLARKSBURG - PROJECT PLAN # 9-98001

**Highlands of Clarksburg
Project Plan #9-98001A**

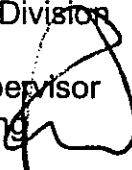
Agency Letters




October 4, 2001

MEMORANDUM

TO: Malcolm Shaneman, Supervisor
Wynn Witthans, Planner
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning 

FROM: Ki H. Kim, Transportation Planner 
Transportation Planning

SUBJECT: Preliminary Plan No. 1-98009
Project Plan No. 9-98001A
Highlands at Clarksburg
Clarksburg Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan and project plan under the Alternative Review Procedure for Expedited Development Approval (EDA) for the commercial component and Development Approval Payment (DAP) procedure for the residential component since the site is located in a policy area which is in a moratorium. The subject site has an approved project plan and preliminary plan for 18,590 square feet of office space, 12,870 square feet of retail space, and 75 residential dwelling units. The applicant revised the approved project plan and preliminary plan to request 31,460 square feet of retail space, applying the previously used EDA procedure (or "pay and go") and 168 residential dwelling units under the DAP procedure.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of this preliminary plan and project plan:

1. Limit the preliminary plan to the following uses and density:
31,460 square feet of retail space
168 residential dwelling units

2. Satisfy the APF test by paying the previously available EDA (payment) excise tax under the Development Impact Tax - EDA Excise Tax (or "pay and go") legislation for the commercial component and the Development Approval Payment (DAP) under the Alternative Review Procedure for Limited Residential Development provision of the FY 02 Annual Growth Policy for the residential component. The APF test includes:
 - a. Policy Area Review: Site-generated traffic has to be mitigated within the Clarksburg Policy Area which is in a moratorium. There is no capacity available for employment and residential development as of July 31, 2001 in the Clarksburg Policy Area. The applicant is satisfying policy area review by paying the previously available EDA excise tax and DAP under the *FY 02 Annual Growth Policy* staging ceiling capacity.
 - b. Local Area Transportation Review: A traffic study (to analyze the traffic impact at nearby intersections) is required since the proposed land use generates more than 50 total peak-hour trips during the weekday morning peak period (7:00 to 9:00 a.m.) and the evening peak period (4:00 to 6:00 p.m.).
3. Provide right-turn in/right-turn out only access to the site via Street "C" from Frederick Road (MD 355) unless alternate access is available from the adjacent parcel directly south of the site prior to the recordation of plats.

DISCUSSION

Summary of Local Area Transportation Review

The critical lane volume (CLV) impacts of the proposed development on critical intersections in the vicinity of the site were analyzed and are summarized in Table 1.

TABLE 1

Intersection Capacity Analysis with CLV Under Various Development Schemes								
	Existing		Background		Total		Total Improved	
	AM	PM	AM	PM	AM	PM	AM	PM
MD 355/Clarksburg Road (MD 121)	1276	1294	1812	1466	1885	1466	1581	1466
MD 355/Stringtown Road	1147	950	1577	1719	1686	1853	1214	1418
MD 355/ Shawnee Lane	1179	901	1701	1505	1715	1520	1602	1119

As shown in the above table, all intersections analyzed along MD 355 at Clarksburg Road (MD 121), Stringtown Road, and Shawnee Lane are currently operating at acceptable CLVs (below 1,500). Under the background development and the total development conditions, all intersections are anticipated to operate at an unacceptable level. With inclusion of roadway improvements identified by the applicant's traffic consultant, all intersections are anticipated to operate at either an acceptable level or

better than the background condition. The roadway improvements include construction of a southbound left-turn lane and a westbound right-turn lane at the MD 355/ Stringtown Road intersection, construction of a northbound left-turn lane and an eastbound right-turn lane at the MD 355/Shawnee Lane intersection, and construction of an additional westbound through lane at the MD 355/MD 121 intersection. These intersection improvements could be constructed with either the EDA excise tax funds or the DAP fund.

Site Access and Circulation

Three access points to the site are provided: one from Stringtown Road, one from MD 355, and one from the extension of Timber Creek Lane. The internal pedestrian circulation system shown on the site plan is adequate. The internal roadways and the future connection to adjoining property shown on the site plan are also adequate.

The proposed site access point (Street "C") on MD 355 raises some transportation issues. This access point does not align with the future street connection from the US Homes development across MD 355 as shown in their Pre-Preliminary Plan (No. 7-02009). With the access point constructed for the subject site, the adjoining undeveloped property to the south on MD 355 does not appear to have an access point to MD 355 due to its close proximity to Street "C". From a transportation perspective, staff prefers no access point from MD 355 to the subject site but prefers a future access point to MD 355 through the adjoining property which could be aligned with the future street connection from US Home's development across MD 355. This would provide better intersection spacing on MD 355 and a full movement intersection for access to the subject site, the adjoining undeveloped property, and the US Homes development across MD 355.

Conclusion

Staff concludes that the subject preliminary plan satisfies the APFO requirements since all nearby intersections are anticipated to operate either within acceptable critical lane volumes or at better than the background developments with the identified improvements. The applicant is satisfying policy area review by paying the previously available EDA excise tax and the DAP under the *FY 02 Annual Growth Policy* staging ceiling capacity. Staff further concludes that the subject project plan satisfies the zoning requirements in that it would not overburden either existing public services or those programmed for availability concurrently with each stage of construction.

KHK:kcw

mmo to shaneman re PP 1-98009 Highlands.doc



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

September 1, 1998

Mr. Steve Wilde
Macris, Hendicks, & Glascock
9220 Wightman Road, Suite 120
Gaithersburg, MD 20879-1226

Re: **Preliminary Water Quality Plan** for Highlands
at Clarksburg
Preliminary Plan #: 1-98009
SM File #: 1-98009
Tract Size/Zone: 16 Ac/RMX-2
Total Concept Area: 16 Ac
Tax Plate: EW
Montg. Co. Grid: 9, D-4
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Mr. Wilde:

Based on a review by the Department of Permitting Services Review Staff, the Preliminary Water Quality Plan (PWQP) for the above mentioned site is **conditionally** approved.

Site Description: The site is located on the South East quadrant of the Frederick Road (MD Route 355) and Stringtown Road. The proposed development includes commercial and office uses, along with single family and townhouse residential areas. The site is 16 acres in size and zoned RMX-2.

Stormwater Management: Water quantity control will be provided within a wetland/detention pond. The one and 2-year storm event will be controlled to predeveloped rates. The one year storm is controlled due to the lack of a continuous channel to the main stream. these requirements preclude an analysis of a bankfull discharge, which was agreed upon at the pre-application meeting. Water quality will be provided in a redundant "treatment train" consisting of water quality flow splitting, sand filters, wetland detention, and 12-hour extended detention.

Sediment Control: The sediment control concept utilizes the main pond and two separate rip-rap traps to provide the sediment control for this site. Phased grading, forebays, and redundancy will be utilized for controlling sediment during construction.

Performance Goals and Monitoring: The monitoring specifics have not yet been finalized and are being deferred until the Final Water Quality Plan (FWQP). The monitoring requirements were determined at the pre-application meeting. They are as follows:

1. Before development: Groundwater levels will be monitored one year prior to construction.
2. During construction: Monitor the inflow and outflow of one sediment trap.

Steve Wilde
September 1, 1998
Page 2

3. After development: The inflow and outflow of all the devices in a single typical "treatment train" will be monitored.

Conditions of Approval: The following items must be addressed during the submittal of the FWQP. This list may not be all inclusive and is based on the information provided with this submittal.

1. Dry wells proposed for the rear of lots 46 through 61 are not feasible. The main concern is the difficulty in maintenance and inspection with easements located on each private lot. Therefore, investigate locating a centralized facility within the open spaces at the northeast portion of the site. Additional soils testing may be necessary to determine the feasibility of infiltration. Should the above be proven infeasible, then further investigate the feasibility of piping runoff to the pond, or providing a sand filter.
2. Provide water quality pretreatment for the commercial area. Infiltration is to be the priority. Existing soil borings do not reflect this entire area. Therefore, additional soil borings should be obtained. If infiltration is proven infeasible, then provide a water quality inlet for pretreatment.
3. Provide a water quality treatment scheme for any improvements to Stringtown Road and MD Route 355 required of the developer of this site.
4. Provide forebays for redundant sediment control treatment.
5. Provide a plan to phase the grading of the site.
6. Provide an earthen level spreader at the outfall to the pond.

Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Blair Lough at (301)217-6314.

Sincerely,



Richard R. Brush, Manager
Division of Land Development Services
Water Resources Section

RRB:enm:CN198009

cc: L. Bachle
S. Federline
J. Davis
L. Galanko
SM File # 1-98083
SM Log # 98-188



**MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED MANAGEMENT DIVISION**

Rockville Center - 255 Rockville Pike, Suite 120 - Rockville, Maryland 20850-4166
Telephone No. 240-777-7780 - FAX No. 240-777-7715

**SUBDIVISION PLAN REVIEW: MNCPPC Development Review Committee (DRC)
Comprehensive Water Supply and Sewerage Systems Plan Issues**

MNCPPC File Number: 9-98001A

DRC Meeting Date: 05/21/2001 06/18/2001

Subdivision Plan Name: **Highlands At Clarksburg**

Proposed Development: 95 single-family houses, 61 townhouses and 10 condominiums; retail:
12,870 sq. ft.; commercial office: 18,590 sq. ft.

Watershed: Little Seneca Creek

Zoning: RMX-2

Planning Area: Clarksburg

Site Area: 16.1 acres

Location: Frederick Road (Rte. 355)

Engineer: Macris, Hendricks & Glascock 301-670-0840

Water Supply and Sewerage Systems (as specified on the subject subdivision plan or plan application)

Proposed Water Supply:

Proposed Wastewater Disposal:

Community (public) WATER system

Community (public) SEWER system

Existing Service Area Categories: Water: W - 1/W-3

Sewer: S - 3

Water/Sewer Plan Map Amendment: GWSMA 00G-CKB-01

Water Supply Comments:

Sewerage System Comments:

Yes; the water supply system is consistent with the existing water service area category

Yes; the sewerage system is consistent with the existing sewer service area category

*Additional Comments:

June 18, 2001, DRC Comments: See the comments below from the prior DRC meeting.

May 21, 2001, DRC Comments: GWSMA 00G-CKB-01 approved the site for categories W-1/3 and S-3, making it eligible for public water and sewer service. The water and sewer categories note should be revised to reflect these updated water and sewer categories. The plans submitted to MCDEP for review do not specify how public water and sewer service will be provided to Lots 61-65. The plan also needs to account for the eventual provision of public sewer service to adjacent properties: a) Lots 4, 5, and 8 of Brickley's subdivision and b) the lots fronting Suncrest Avenue. The WSSC should evaluate where rights-of-way, if needed, should be established under the current subdivision process to minimize the need for future rights-of-way acquisition.

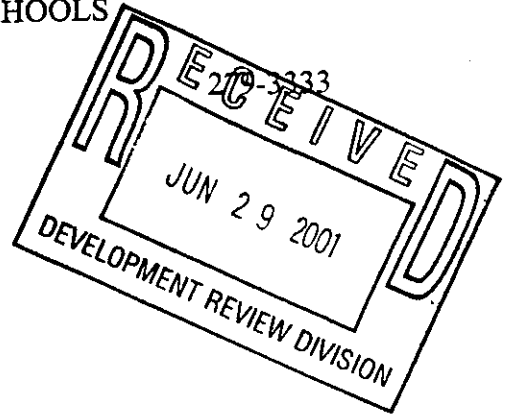
When the record plats are submitted to MCDEP, the engineer should note the information on any existing development which is to be removed, along with the new development information.

Prepared by: Alan Soukup/Dorothy Pecson

Date prepared: 05/18/2001

Department of Planning and Capital Programming
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

June 27, 2001



Ms. Wynn Witthans
Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760


Dear Ms. Witthans:

This letter is sent in response to Project Plan # 9-98001A, the "Highlands at Clarksburg." This project is located on the east side of Frederick Road, just south of Stringtown Road in Clarksburg, Maryland. The total number of residential units proposed is 28 single family detached homes, 51 townhomes, and 20 condominiums. In terms of public school student generation, we estimate the impact of this project to be approximately 28 elementary school students, 10 middle school students, and 15 high school students.

The schools that serve this property are in the Damascus cluster, including Clarksburg Elementary School, Rocky Hill Middle School, and Damascus High School. At the elementary school level Clarksburg Elementary School is projected to be over capacity beginning in the 2002-03 school year. An eight room addition is proposed for the school, but has not yet been funded in the capital improvements program. At the middle school level Rocky Hill Middle School is projected to exceed capacity for the next few years, until a larger replacement facility for Rocky Hill Middle School is opened in September 2004. At the high school level Damascus High School is projected to exceed capacity for the next six years. A new Clarksburg Area High School (to be built through conversion of the current Rocky Hill Middle School facility) is proposed to relieve Damascus High School of overutilization. However, this high school has not yet been funded in the capital improvements program. (See enclosed table from the FY2002 Educational Facilities Master Plan and the Amended FY 2001- 2006 Capital Improvements Program.)

As we have indicated in previous rezoning and development plan amendment requests, the Annual Growth Policy (AGP) is the vehicle that regulates subdivision development approval with regard to facility adequacy. The current AGP indicates that, given the methodology applied, adequate space exists in the Damascus cluster to permit subdivision approvals.

Sincerely,



Joseph J. Lavergna, Director
Department of Planning and Capital Programming

JJL:bc

Enclosure

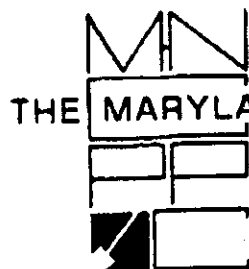
Copy to: Mr. Bowers, Mr. Crispell, Ms. Turpin

DAMASCUS CLUSTER

Projected Enrollment and Space Availability Effects of Amended FY 2001-2006 CIP and Non-CIP Actions on Space Available

Schools		Actual 00-01	Projections						2010	2015
			01-02	02-03	03-04	04-05	05-06	06-07		
Damascus HS	Capacity	1563	1563	1563	1563	1563	1563	1563	1563	1563
	Enrollment	1777	1832	1921	1918	1985	2024	2063	2500	3000
	Available Space	(214)	(289)	(358)	(355)	(422)	(461)	(500)	(937)	(1437)
	Comments		Circulation Improvement							
Clarksburg Area HS	Capacity	0	0	0	0	0	0	0	0	0
	Enrollment									
	Available Space									
	Comments	Facility Planning	Proposed Planning			Proposed Opening*				
John T Baker MS	Capacity	595	581	564	599	599	599	599	595	599
	Enrollment	739	728	757	740	694	651	641	700	700
	Available Space	(144)	(147)	(193)	(41)	5	48	58	(1)	(1)
	Comments		+1 LFI	+1 SCB	+6 Room Addition					
Rocky Hill MS	Capacity	675	675	675	675	0	0	0	0	0
	Enrollment	742	781	778	839					
	Available Space	(67)	(106)	(103)	(164)					
	Comments	Facility Planning	Proposed Planning		Proposed Conversion To High School					
Rocky Hill Replacement	Capacity	0	0	0	0	990	990	990	990	990
	Enrollment					834	839	817	1000	1300
	Available Space					156	151	173	(10)	(310)
	Comments	Facility Planning	Planning		Opens					
Cedar Grove ES	Capacity	533	533	533	533	533	533	533		
	Enrollment	563	609	604	597	597	597	589		
	Available Space	(30)	(76)	(71)	(64)	(64)	(64)	(56)		
	Comments									
Clarksburg ES	Capacity	376	383	383	383	383	383	383		
	Enrollment	350	349	402	430	475	527	578		
	Available Space	26	34	(19)	(47)	(92)	(144)	(195)		
	Comments	Facility Planning	-1 Sess. HS	Proposed Planning		Proposed +8 Room Addition				
Clearspring ES	Capacity	706	706	706	706	706	706	706		
	Enrollment	488	497	470	455	462	478	481		
	Available Space	218	209	236	251	244	228	225		
	Comments									
Damascus ES	Capacity	425	425	425	425	425	425	425		
	Enrollment	325	306	308	308	315	319	315		
	Available Space	100	119	117	117	110	106	110		
	Comments									
Lois P. Rockwell ES	Capacity	624	617	635	635	635	635	635		
	Enrollment	533	513	476	459	455	448	456		
	Available Space	91	104	159	176	180	187	179		
	Comments		+1 Sess. HS	+1 PEP						
Woodfield ES	Capacity	538	538	538	538	538	538	538		
	Enrollment	483	485	458	451	449	439	428		
	Available Space	55	53	80	87	89	99	110		
	Comments									
Cluster Utilization	HS Utilization	113.7	118.5	122.9	122.7	127.0	129.5	132.0	159.9	191.9
	MS Utilization	116.6	120.1	123.9	114.9	90.5	88.2	86.3	100.6	118.4
	ES Utilization	85.6	86.2	84.4	83.9	85.5	87.2	88.4		

*Total capacity for Clarksburg Area HS will be 1600



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

TO: Clarksburg Planners

FROM: James D. Sorensen, Archaeologist, County-wide Planning, M-NCPPC

SUBJECT: The Great Road (Rte 355) and Dowden's Ordinary (travern)

The Montgomery County Planning Board unanimously recommended placement of Dowden's Ordinary (tavern) Archaeological Site and Marker on the Locational Atlas of Historic Places. The Park and Planning Commission has also approved its acquisition as an historical park. The site is exceptionally important resource not only as the County's only French and Indian War camp (1750's), but also as a meeting place for the Sons of Liberty during our American Revolution.

Then too, the present alignment of Route 355, itself, is also significant. First started as an Indian trail, it has continued in use since colonial times as "The Great Road". As the route of General Edward Braddock when he bivouacked his troops at the ordinary on the nights of April 15-17, 1755 on the way to his famous defeat in Pennsylvania, the road could be considered part of the historic landscape and should be treated and interpreted accordingly.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

TO: Wynn Witthans: Site Plan Coordinator, M-NCPPC

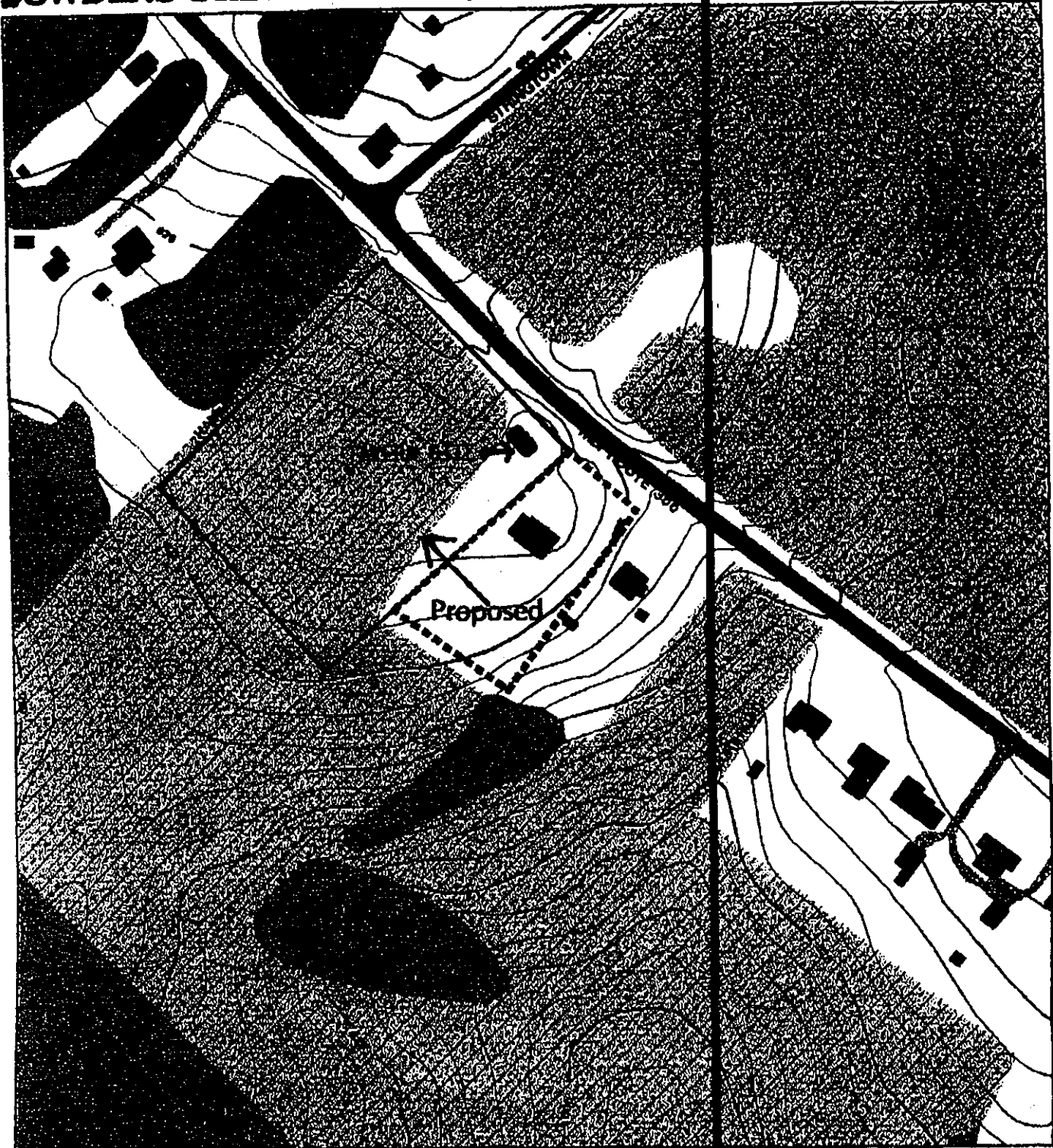
FROM: James D. Sorensen, Ph.D., Archaeologist, M-NCCPC

SUBJECT: Route 355 Road Alignment

Having consulted with the people at our Historic Preservation Commission (The contact was Michele Naru.), we feel that the best alternative to the road widening and leveling in front of the site of Dowden's Ordinary would be the one that has the least impact to the site, itself. Michele Naru reminded me that the historic D.A.R. marker on the site is the earliest one in the County (1915), and its current location should be considered historical in its own right.

If adjustments to the road alignment, so as not to impact the present bank, are not feasible, we would suggest that the present bank edge be considered as the limits of disturbance and all work impact be kept to the east of that edge. Perhaps, a retaining wall along the current bank edge is the next best alternative.

VICINITY MAP FOR DOWDEN'S ORDINARY C.P. (232NW13)



Map compiled on July 05, 2000 at 2:45 PM | Re-compiled on June 20, 2000

NOTICE

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Property lines are identified by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field corners. Planimetric features were compiled from M-NCPPC aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within 200 feet of their true location. This map may not be the same as a map of the same area plotted at an earlier date as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1999

Map Key



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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 2000 Shiloh Avenue • Silver Spring, Maryland 20910-0000

**Highlands of Clarksburg
Project Plan #9-98001A**

Citizen Letters

cCa

Highlands

Clarksburg Civic Association
P.O. Box 325
Clarksburg, Maryland 20871-0325

July 18, 2001

Arthur Holmes, Chairman
The Montgomery County Planning Board
The Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RECEIVED
011153
JUL 20 2001

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

Chairman Holmes:

The following is the testimony from the Clarksburg Civic Association's Planning Committee about the Highlands at Clarksburg development. I'm hoping that the record is still open and this can still be considered.

The current residences of Timber Creek are requesting that a requirement be placed onto the developer to restrict construction traffic to enter the development only from Stringtown Road, not through Timber Creek. The CCA Planning Committee believes this to be a reasonable request.

The Montgomery Planning Board needs to ensure that the Clarksburg Greenway Multi Use trail has a connection from the north side of Stringtown Road to the trail on the south side. It is our understanding that the trail will parallel the road between these two segments. We are not clear on which side of the road this will be. The trail going towards the south was recently moved east.

The CCA Planning Committee would like the trees left in the buffer between the Highlands and the existing Timber Creek homes. If the trees are removed, there is a compatibility issue. There may also be a compatibility issue with the planned lot sizes in the Highlands adjacent to Timber Creek. The Timber Creek lots are twice the size of the planned Highland lots. A transition zone of lot sizes from the larger size to the smaller should be considered adjacent to Timber Creek in the Highlands.

There is a circle planned in the Highlands just north of the Sun Crest homes. There needs to be pedestrian access from this circle to MD 355. The CCA Planning Committee also supports the multi use trail along MD 355.

The residences of the Sun Crest homes are concerned about their privacy. The CCA Planning Committee supports Centex in leaving the existing trees in the Highlands adjacent to these homes. The Sun Crest residences are also concerned with the view of their homes from the Highlands.



Clarksburg Civic Association
P.O. Box 325
Clarksburg, Maryland 20871-0325

The plans need to ensure that the Highlands do not tower over the existing Sun Crest homes without some form of mitigation. The existing trees may provide some mitigation, but their may not be sufficient tree coverage for the entire perimeter. Other mitigation may be necessary.

The CCA Planning Committee supports the concept of having alleys behind the town homes for access to the garages. It is also a good idea, as Centex is providing, to have the town homes face Stringtown Road. This is good design.

The CCA Planning Committee supports Centex with having sidewalks on each street. This provides for a walkable community. This is one of the goals of the Clarksburg Master Plan.

The CCA Planning Committee would like the County to consider some mitigation method that would allow Centex or another developer such as Elm Street to build sidewalks along each street in the existing Timber Creek Development. Apparently, when Timber Creek was planned, sidewalks were not part of that plan. Mitigation methods may include investing some of the collected impact fees to build these sidewalks or to waive some of the impact fees such that Centex would then be required to build these sidewalks. We would like the Montgomery Planning Board to recommend a mitigation method to make sidewalks possible in the existing Timber Creek.

Since this development is in a Special Protection Area, the density of buildings and roads must be kept within a reasonable limit. A 12% limit on impervious area as suggested by the Planning Staff seems reasonable. However, the safety of pedestrians and bicyclists in this development should be considered more important, if that were to become an issue.

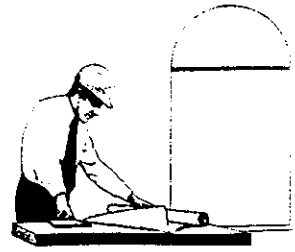
Sincerely yours,

John H. Fauerby
Vice President of CCA

cc: Karen Kumm



Timber Creek
Homeowners Association
Clarksburg, Maryland 20871-4008
Board of Directors



June 14, 2001

Malcolm Shaneman
Supervisor of Development Review
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Highlands Of Clarksburg Preliminary Plan #98009A

Dear Shaneman:

On behalf of the 48 single family homes in our community, we would like to express our concern for the environmental collateral damage to our neighborhood which will occur as a result of the lumbering, clearing, grading, and construction operations of the above referred project. To that end, we request that the following conditional items be included in the Preliminary Plan:

- **A direct connection from the Highlands to Route 355.**
We request this additional connectivity in order to reduce the traffic load on Timber Creek Lane. Timber Creek Lane is a narrow street without sidewalks and any increased traffic load would obviously place the pedestrian traffic (i.e. – mostly children) at risk. We have been told by representative(s) of the State Highway Department that this is "feasible." We have also been told that representatives of Centex Homes vehemently oppose this direct connection.
- **A temporary concrete barricade to be placed at the northern end of Timber Creek Lane, to remain in place until the completion of all construction and the roads have been duly transferred to the county for maintenance.**
These barricades will block construction traffic and insure, during all phases of construction, the safety and cleanliness of Timber Creek Lane, Shawnee Lane, and Foreman Boulevard. We ask that these barricades remain in place until the road bonds have been lifted and the streets are no longer the property of the builder/developer.

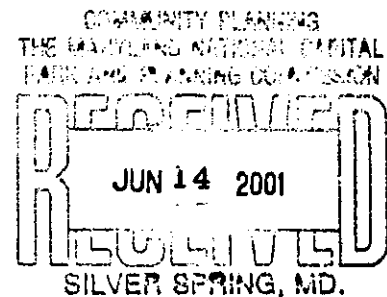
Please add this correspondence to the case file as representing the position of 48 affected homeowners. Also, we ask that this correspondence be forwarded to the appropriate person(s) in your department who are responsible for reviewing this application. Thank you.

On behalf of the Board of Directors of the Timber Creek Homeowners Association,

Martin G. Meadows
President

MGM:eag

cc: Board of Directors, TCHOA
✓ Karen Kumm Morris – M-NCPPC



Nancy Villadsen,
on behalf of neighboring residents
23016 Timber Creek Lane
Clarksburg, MD 20871
June 11, 2001

Malcolm Shaneman, Supv. of Dev. Review
MD National Capital Park & Planning Commission
8787 Georgia Ave.
Silver Spring, MD 20910

re: Highlands of Clarksburg
Preliminary Plan #98009A

Dear Mr. Shaneman and other members of the Development Review Committee:

We, the residents of Clarkbrooke Estates and Timber Creek Estates, request that the following items be included in the Preliminary Plan for Highlands of Clarksburg:

- A direct connection from Highlands of Clarksburg to Rt. 355. We would like this increased connectivity, to take some of the expected traffic load off our quiet, safe neighborhood streets.
- A temporary physical barricade at the current north end of Timber Creek Lane, to remain in place until after construction is complete and the road bonds are released. We are especially interested in having the barricade during times that include mass clearing (such as timber removal), mass grading, laying of sewer and storm drainage, paving, and any other heavy, dirty work. In addition, we would like to see defined in the Preliminary Plan a specific construction road for Centex Homes to use. We would like these physical supports ensured to be in place, to protect the safety, structure and cleanliness of our neighborhood streets.
- A transition area from Clarkbrooke Estates to Highlands of Clarksburg, beyond the current north end of Timber Creek Lane, either in transitional lot sizes or the standard of 50 feet of preserved woodland. This is to make the transition from larger lots with established growth, to smaller, newly planted lots with large houses, more sightly.

Thank you for your fair-minded consideration of the needs of citizens in existing neighborhoods.

Sincerely,

The Residents of Clarkbrooke
Estates and Timber Creek Estates

Signature / Printed Name / Address

Nancy Villadsen / Nancy Villadsen / 23016 Timber Creek La.

Signature / Printed Name / Address

~~Marion W. Jackson~~ MARION W. JACKSON 22801 TIMBER CREEK LN

~~Sandra U. Hutto~~ Sandra U. Hutto, 22709 Timber Creek Lane, Clarksburg

~~Danette J. Shaw~~ Danette J. Shaw 22707 Timber Creek Lane, Clarksburg

~~Nirva Dineesh Amin~~ Nirva Dineesh Amin 22705 Timber Creek Lane ^{CLARKS} MD 20871

~~Prem Singh~~ PREM P. SINGH 22703 TIMBER CREEK LANE ^{CLARKSBURG} MD 20871

~~Julie Heattley~~ JULIE HEATLEY 22701 TIMBER CREEK

~~Mark Broeker~~ Mark Broeker 22701 Timber Creek

~~Robert W. Bartz~~ ROBERT W. BARTZ 22607 TIMBER CREEK

~~Donna D. Miller~~ DONNA D. MILLER 22605 TIMBER CREEK

~~AN HUAN~~ AN HUAN 22603 TIMBER CREEK

~~Anita Arya~~ ANITA ARYA 22601 Timber Creek

~~Lance Harvey~~ Lance Harvey 22600 Timber Creek

~~Rachmi Mehta~~ Rachmi Mehta 22602 Timber Creek

~~Laura Bloodgood~~ Laura Bloodgood 22606 Timber Creek Ln

~~DINESH AMIN~~ DINESH AMIN 22705 Timber Creek Lane

~~Julie Donaldson~~ Julie Donaldson 12601 CLARK MEADOWS CT.

~~Mike Donaldson~~ Mike Donaldson 12601 CLARK MEADOWS CT.

~~Pat DeBar~~ Pat DeBar 12607 Clark Meadows Ct.

~~Michael McDonald~~ Michael McDonald 12607 Clark Meadows Ct.

~~Kimberly Neil~~ Kimberly Neil 12612 Foreman Blvd.

~~Jeffrey D. Neil~~ Jeffrey D. Neil 12612 Foreman Blvd.

~~HENRY T. CALISTI~~ HENRY T. CALISTI 23005 TIMBER CREEK LN CLARKSBURG MD 20871-9440

~~Dottie Calisti~~ Dottie Calisti 23005 Timber Creek Ln. CLARKSBURG, MD 20871-9440

Signature / Printed Name / Address

~~David~~ ^{Don} ~~Rosenstein~~ / ~~12707 Shawnee Lane~~

~~Julie~~ ^{P. Cheng} ~~Cheng~~ / ~~12701 Shawnee Ln~~

~~Raul~~ ^{C. Barclay} ~~Barclay~~ / ~~12703 Sun Day~~

~~M. Bar~~ ^{H. Barclay} ~~Barclay~~ / ~~12703 Sun Day~~

~~D. Gutierrez~~ / ~~12700 Shawnee Ln~~

~~L. Gutierrez~~ / ~~12700 Shawnee Ln~~

~~Ron G. King~~ / ~~22821 Timber Creek Ln~~

~~Camille King~~ / ~~22821 Timber Creek Ln~~

~~Lisa Ann Kaufman~~ / ~~22816 Timber Creek Lane~~

~~Jeanie W. Livingston~~ / ~~22819 T. Creek L.~~

~~Dawn Guynn-Werking~~ / ~~22817 Timbercreek Lane~~

~~R. Timothy Edwards~~ / ~~22815 Timber Creek Lane~~

~~Lillian Edwards~~ / ~~22815 Timber Creek Lane~~

~~CHING INGLIA~~ / ~~22814 Timber Creek Ln~~

~~Rolando Ingalla~~ / ~~22814 Timber Creek Ln~~

~~Robert Thomas~~ / ~~22808 Timber Creek Ln~~

~~Sandra Thomas~~ / ~~22808 Timber Creek Ln~~

~~Mr. Ali~~ / ~~22805 Timber Creek Ln~~

~~Bob Singh~~ / ~~22804 Timbercreek Ln~~

~~Jim Price~~ / ~~22803 Timbercreek Lane~~

~~Diane Price~~ / ~~22803 Timber Creek Lane~~

~~Eugene Jackson~~ / ~~22801 Timber Creek Lane~~

Signature / Printed Name / Address

Carol Shive / Carol Shive / 23024 Timber Creek Lane

DAVID / DAVID SHIVE / 23024 Timber Creek Lane

Michael Moses / Michael Moses / 23029 Timber Creek Lane

John Musser / John Musser / 23021 Timber Creek Ln

Darlene Musser / Darlene Musser / 23021 Timber Creek Ln

DARLEEN JONES / DARLEEN JONES / 23009 Timber Creek Lane

Laird Jones / LAIRD JONES / 23009 Timber Creek Lane

Diane Lopez / Diane Lopez / 23017 Timber Creek Ln, Clarksburg, MD 20871

Glenn Villadsen / Glenn Villadsen / 23016 Timber Creek Lane, Clarksburg MD

Jennifer Bailey / Jennifer Bailey / 23008 Timber Ck Ln Clarksburg Md

George C Bailey / GEORGE C BAILEY / 23008 TIMBER CREEK LN CLARKSBURG MD

George C Bailey II / George C Bailey II / 23008 Timbercreek Lane Clarksburg

Francine David / FRANCINE DAVID / 23004 Timber Creek Ln, Clarksburg, MD

Peter Davio / Peter Davio / 23004 Timber Creek Ln, Clarksburg, Md

Ross Cromwell / Ross Cromwell / 22912 Timber Creek, Clarksburg MD

Cindy Cromwell / Cindy Cromwell / " "

LeRoy W. Schroeder / LeRoy W. Schroeder / 23000 Timber Creek Ln, Clarksburg

Kay C. Schroeder / Kay C. Schroeder / 23000 Timber Creek Lane, Clarksburg

Cynthia McAlister / Cynthia McAlister / 22903 Timber Creek Lane Clarksburg

Shirley Edwards / Shirley Edwards / 22904 Timber Creek Lane Clarksburg

Dolores Smith / Dolores Smith / 22900 Timber Creek Ln. Clarksburg MD.

Karen Rouhani / Karen Rouhani / 22820 Timber Creek La Clarksburg Md

Lisa - Todd Sprites / Lisa - Todd Sprites / 12804 Shawnees lane Clarksbu. mo 20871

Signature / Printed Name / Address

Kendra Biddick / Kendra Biddick / 22817 Clarkbrooke Dr. Clarksburg, MD 20871

Katherine A. Mills / Katherine A. Miller / 22820 Clarkbrooke Dr. Clarksburg, MD 20871

Paul Anthony / Pamela M. FAUNCE / 22816 Clarkbrooke Dr. Clarksburg, MD 20871

James R. FAUNCE / James R. FAUNCE / 22816 Clarkbrooke Dr. Clarksburg, MD 20871

Laura Stohlman / Laura Stohlman / 22804 Clarkbrooke Dr, Clarksburg, MD 20871

Edna Seardes / Edna Seardes / 22808 Clarkbrooke Dr. Clarksburg, MD 20871

Thomas D. Seardes / Thomas D. Seardes / 22808 Clarkbrooke Dr. Clarksburg, MD 20871

John Stohlman Jr. / John F. Stohlman Jr. / 22804 Clarkbrooke Dr., Clarksburg, MD 20871

Fanchens Ginter / Fanchens Gerstenberg / 22801 Clarkbrook Dr. Clarksburg, MD 20871

Patrick Gallagher / PATRICK GALLAGHER / 22809 CLARKBROOKE DR. CLARKSBURG, MD 20871

Evelyn L. Gallagher / EVELYN L. GALLAGHER / 22809 CLARKBROOKE DR., CLARKSBURG, MD 20871

Charles E. Morris / 22813 Clarkbrooke Dr. Clarksburg, Md 20871

* Jean H. Morris / 22813 Clarkbrooke, Dr. Clarksburg, Md. 20871

Margaret U. Chew (Florence Chew) / 12809 Shawnee Ln. Clarksburg, MD 20871

Robert P. Reid / Robert P. Reid / 12901 Shawnee Ln. Clarksburg, MD 20871

CHARLENE GERHARZ / C. P. Gerhartz / 12905 SHAWNEE LA CLARKSBURG, MD 20871

R. Gerhartz / R. Gerhartz / " " " "

Karen Escalante / KAREN ESCALANTE / 12900 SHAWNEE LN. CLARKSBURG, MD 20871

Edward Escalante / Edward Escalante / 12900 Shawnee Ln. Clarksburg, MD 20871

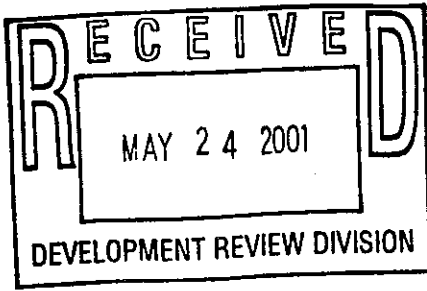
James B. Zorn / James B. Zorn / 22909 Timber Creek Ln. Clarksburg

Peter Mell / Peter Mell / 23017 Timber Creek Ln Clarksburg MD 20871

Anna Mell / Anna Mell / 23017 Timber Creek Ln Clarksburg MD 20871

Signature / Printed Name / Address

<i>M.G. Meadows</i>	M.G. MEADOWS	12617 Foreman Blvd
<i>E.A. Gassert</i>	E.A. GASSERT	12617 Foreman Blvd
<i>John P. Coughlan</i>	John Coughlan	12609 Foreman Blvd
<i>Valerie J. Paterno</i>	Valerie Paterno	12609 Foreman Blvd.
<i>Chiali Liu</i>	Chiali Liu	12613 Foreman Blvd
<i>JENG-JONG LEE</i>	JENG-JONG	12613 Foreman Blvd.
<i>Guri Nath</i>	Guri Nath	12621 Foreman Blvd
<i>Michael Nath</i>	Michael Nath	12621 Foreman Blvd
<i>LIN J. HYMEL</i>	LIN J. HYMEL	12610 Foreman Blvd.
<i>ANNA A. HYMEL</i>	ANNA A. HYMEL	12610 Foreman Blvd.
<i>C.M. Bennet</i>	C.M. Bennet	12608 Clark Meadows Ct
<i>S.A. Bennet</i>	S.A. Bennet	12608 Clark Meadows Ct.
<i>Lisa Hadrossek</i>	Lisa Hadrossek	12600 Clark Meadows Ct.
<i>PAUL HADROSSEK</i>	PAUL HADROSSEK	12600 CLARK MEADOWS CT



23016 Timber Creek Lane
Clarksburg, Maryland 20871
(301)540-2088
villadsen@erols.com
May 21, 2001

Malcolm Shaneman, MNCPPC Dev. Review Supv.
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

re: Highlands of Clarksburg Prelim. Plan

Dear Mr. Shaneman and other DRC members:

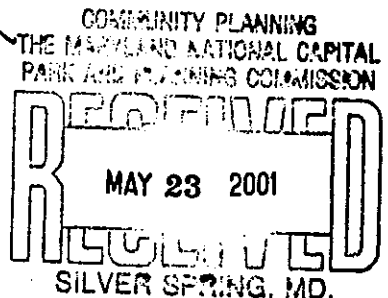
On behalf of the older, existing neighborhood of Clarkbrooke Estates, I would like to reiterate **our continued concern about the lack of direct connection to Rt. 355 from Highlands of Clarksburg.** The bulk of all Highlands traffic (which would be south flowing) can be expected to use our neighborhood street, Timber Creek Lane. (The other access to Highlands of Clarksburg is at Stringtown Rd. which is to the north, *and* the corner of Stringtown Rd. turning left onto Rt. 355 is not engineered for ease and safety so that route probably will not be attractive to Highlands residents.)

The Clarksburg Master Plan, p. 24, states that it “**Endorses an extensive network of interconnected streets.**” Montgomery County policy used to provide for the preservation of the character of existing neighborhoods. We understand that that policy has now been replaced with the priority of “interconnectivity.” **Where, then, is the interconnectivity to soften this blow? Should county planning ignore interconnectivity, especially when that affects the quality of existing neighborhoods, in favor of giving new development the okay?**

I thank you for your fair-minded consideration of this situation.

Sincerely,

Nancy Villadsen



cc: Nancy Dacek, Montg. Co. Council
Martin Klauber, Office of the People's Council
Citizens of Clarkbrooke Estates
Martin Meadows, president of Timber Creek Estates Homeowners' Assoc.

23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
villadsen@erols.com
Tuesday, March 6, 2001

Malcolm Shaneman
Supervisor of Development Review
National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

re: Highlands of Clarksburg
Preliminary Plan #98009A

Dear Mr. Shaneman,

I have several questions about Highlands of Clarksburg that I would like to ask once the initial Development Review process is complete. They are as follows. Will you please write or call me with your answers? Thanks!

- 1) Will there be any permanent Rt. 355 access from the proposed subdivision, and if so, where?
- 2) Will there be a temporary construction road approved? If so, where, and will it be in place for use before timber removal and earth-moving begin near our neighborhood?
- 3) Will there be a temporary physical barrier at the current north end of Timber Creek Lane? If so, during what processes or time period, and how would this be enforced?
- 4) What kinds of buffer areas and other transition features have been planned between the existing and proposed neighborhoods on Timber Creek Lane?
- 5) I have not been able to find out what the purpose of the traffic study was – that is, what decisions the results of it will impact. Will you please let me know? The concern of our community is that we saw traffic data being collected on the corner of Shawnee Lane and Rte. 355 during Christmas week, when traffic was a lot lighter than normal (no school traffic, people on vacation, and no rush-hour backups on Rte. 355).
- 6) May we have a copy of the traffic study when it is complete?

Again, thank you!

Sincerely,

Nancy Villadsen

cc: Karen Kumm, NCPPC
Martin Meadows, president Timber Creek Estates Homeowners' Assoc.
neighborhood residents
Martin Klauber, Office of the People's Counsel

23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
March 1, 2001

Malcolm Shaneman
Supervisor of Development Review
National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

re: Highlands of Clarksburg
Preliminary Plan #98009A

Dear Mr. Shaneman,

I have been in contact with Karen Kumm, and received an update about the **Highlands of Clarksburg Preliminary Plan**. I would like to focus on the continuing concerns of the existing Clarkbrooke Estates and Timber Creek Estates neighborhoods.

Our primary concerns with the proposed Highlands of Clarksburg center on traffic flow. They are:

- **Adequate connectivity** - As Karen Kumm explained, the developer, Centex Homes, has recently removed plan for any access to Rt. 355 from the development. So, as the plan currently stands, there are only two accesses to the whole Highlands of Clarksburg development - one at Stringtown Road and one at Timber Creek Lane. Our concerns are straightforward:
 - 1) **Interconnectivity** is a strongly-emphasized goal throughout the Clarksburg Master Plan. Looking at the preliminary plan map, it just seems logical there should be one access to Rt. 355 which connects the major area of the new development.
 - 2) **Dispersion of traffic** is a desirable condition for neighborhoods. Our neighborhoods would be burdened with most of the south-flowing traffic (which will be most of the traffic in total) from the new development.
- **Control of construction traffic** - Our neighborhoods (residents of 88 houses) are very concerned with the possibility of heavy construction traffic using our quiet, safe, clean, nicely paved streets. We are quite reasonably hoping for:
 - 1) **A temporary physical barricade** at what is currently the north end of Timber Creek Lane during heavy construction work - timber removal, grading, paving, and laying of storm drainage. *We are especially seeking this because when Timber Creek Estates was built, the residents of Clarkbrooke Estates experienced the horrors and helplessness of much unintended construction traffic using Shawnee Lane.* Timber Creek Estates *did* have a construction road and Shawnee Lane had a NO CONSTRUCTION TRAFFIC sign put up by the developer, but contractors and subcontractors consistently ignored them. There was much dust and mud on Shawnee Lane, and existing yards and insides of homes were covered with the orangish-brown dust. (People wore masks to mow lawns, had to hose down driveways, and two children had asthma just during that time.) The street, of course, was damaged.
 - 2) **A construction road** in the preliminary plan to connect the Highlands' proposed extension to Timber Creek Lane temporarily with Rt. 355. This would be necessary to allow for the temporary barricade. We expect the larger, single-family homes on the south half of Highlands of Clarksburg (those nearer us) to be developed first. We therefore hope a construction road convenient to that area be planned. (We are aware that Greg Cook of the State Highway Administration has given his approval for a construction road at that site.)

Thank you for giving the existing residents of Clarksburg your consideration as plans for Highlands of Clarksburg continue.

Best regards,

Nancy Villadsen

cc: Karen Kumm, NCPPC
Martin Meadows, president Timber Creek Estates Homeowners Assoc.
David Post, Clarksburg Civic Assoc. Planning Comm.
neighborhood residents
Martin Klauber, the People's Counsel for Montg. Co.
Bob Larkin, Centex Homes

**DEPARTMENT OF PERMITTING SERVICES**

Douglas M. Duncan
County Executive

January 25, 2001

Robert C. Hubbard
Director

Mrs. Nancy Villadsen
23016 Timber Creek Lane
Clarksburg, Maryland 20871

Re: Highlands of Clarkburg
Preliminary Plan #1-98009A

Dear Mrs. Villadsen:

We have received your letter requesting the installation of a temporary barricade at the dead end of existing Timber Creek Lane. This is to prevent construction traffic from using Timber Creek Lane during construction of the new subdivision.

While there are only two legal accesses proposed, one at Stringtown Road and the other at Timber Creek Lane, it may not be feasible to restrict the construction traffic at one access point for a development of such scale. The proposed subdivision is currently under review by staff at Maryland National Capital Park and Planning Commission (MNCPPC) and Department of Public Works and Transportation (DPWT) as part of the development review process. By a copy of this letter, I am requesting your concern be considered as part of the plan review effort by staff at MNCPPC and DPWT.

Having been working with the Development Review Committee in the past, I am sure that your concern will be addressed fully. If you have any other concern, please feel free to call me at 240-777-6299.

Sincerely,

Joseph Y. Cheung, P.E.
Acting Manager

Right-of-Way Permitting and Plan Review

JYC:dm

cc: Robert C. Hubbard, DPS
Martin Klauber, Office of the People's Council
Jeff Riese, DPWT
Malcom Shaneman, MNCPPC
Stan Wong, DPS

23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
villadsen@crots.com
January 12, 2001

Robert Hubbard
Director of Permitting Services, Montg. Co.
250 Hungerford Drive
Rockville MD 20850

Dear Mr. Hubbard:

I am writing to request a permitting requirement from your department for development work planned to occur in my neighborhood.

The current dead-end of Timber Creek Lane in Clarksburg will be opened up to a new subdivision, Highlands of Clarksburg (also called Clarksburg Gateway), located on 56 acres on the southeast corner of Frederick and Stringtown Roads. The Preliminary Plan is currently in review at Park and Planning. Neighbors in the adjacent Clarkbrooke Estates and Timber Creek Estates are concerned about the possibility of heavy construction traffic on our streets.

On behalf of all those in this area, I would like to request that Centex Homes, the developer of Highlands of Clarksburg, be required as part of permits issued for grading, paving, storm drainage, timber removal (if that needs a permit) and anything else along those lines, to erect a temporary physical barricade at the current dead-end of Timber Creek Lane to prevent construction equipment from getting through.

A construction entrance has been planned and tentatively approved.

Thank you for your support in maintaining the peace and safety of our neighborhood.

Best regards,

Nancy Villadsen

cc: Malcolm Shaneman, MNCPPC Dir. of Dev. Review
Karen Kumm, MNCPPC Clarksburg Planner
Bob Larkin, Centex Homes
Jim Ruff, Macris, Hendricks and Glascock
Martin Klauber, Office of the People's Counsel

23016 Timber Creek Lane
Clarksburg, Maryland 20871
(301)540-2088
villadsen@erols.com
January 9, 2001

Malcolm Shaneman, MNCPPC Dev. Review Supv.
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Shaneman and other members of the DRC:

On behalf of the residents of Clarkbrooke Estates and Timber Creek Estates, I would like to underscore our continued hope for a permanent outlet to Frederick Rd. (Rte. 355) from Highlands of Clarksburg's proposed extension to Timber Creek Lane.

On that subject, I would like to suggest that a waiver be sought of the state restriction that currently prevents Timber Creek Lane from outleting within less than 750 feet of Suncrest Ave., on the contingency that the Clarksburg Master Plan's re-routing of MD Rte. 355 is included in Montgomery County's Year 2002 or 2003 C.I.P.

Thank you for your continued consideration of this traffic-flow issue.

Best Regards,



Nancy Villadsen

cc: Karen Kumm, NCPPC Planner
John Fauerby, Clarksburg Civic Assoc.
Martin Meadows, Timber Creek Estates Homeowner Assoc.
Neighborhood residents
Bob Larkin, Centex Homes
Jim Russ, Macris, Hendricks and Glascock
Martin Klauber, the People's Counsel

From: Nancy Villadsen,
on behalf of neighboring residents
23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
villadsen@erols.com
January 9, 2001

To: Sara Navid, Dept. of Permitting Services
Jeff Riese, Dept. of Public Works & Transportation
Greg Leck, Dept. of Public Works & Transportation
Malcolm Shaneman, MNCCP Supv. of Dev. Review
Karen Kumm, MNCCP Clarksburg Planner
Bob Larkin, Centex Homes
Jim Russ, Macris, Hendricks and Glascock

We, the residents of Timber Creek Lane in the 22900 to 23029 block, request that sidewalks be installed in our block if the proposed extension of Timber Creek Lane in Highlands of Clarksburg does not outlet to Frederick Road permanently. We are concerned about pedestrian/biking safety with increased traffic flow down our residential street, because our street may be the sole access for south-flowing traffic from about 60 new homes in Highlands of Clarksburg.

Based on this contingency, we would like to ask Centex Homes, the developer of Highlands of Clarksburg, to build sidewalks for us in conjunction with the development, so that sidewalks will be in place when Timber Creek Lane is opened to increased traffic. We ask that Centex Homes either covers the cost of the sidewalks themselves or works in conjunction with Montgomery County to obtain funding. Because of the safety issue, we do not want to ask the County Sidewalk Program to do it because a longer wait time is expected.

Also based on this contingency, we would like to request a 4-foot-wide asphalt path on each side of the street, between the street and the swales. We ask for a waiver of County requirements for the amount of space between the street and each walk, to allow the walks to be placed between the street and the swales, which would cause a minimum impact to our front lots. Within these parameters, we are open to design ideas, and have discussed several among ourselves. Our ideas, in their order of popularity, are as follows:

- 1) Extend the width of the street 4 feet on each side and paint white lines down the road between the traffic and pedestrian areas.
- 2) Lay 4-foot-wide asphalt paths a couple of feet away from the street, with a grassy strip in-between.
- 3) Build up asphalt curbs along the existing edges of the street, with 4-foot asphalt paths directly beside them.

We thank you for giving this request and our ideas your serious consideration.

Sincerely,

Residents of the original Timber Creek Lane

Signature / Printed Name / Address

Nancy Villadsen / Nancy Villadsen / 23016 Timber Creek Ln.

Glenn Villadsen / Glenn Villadsen / 23016 Timber Creek Lane.

James Loizos / James Loizos / 23020 Timber Creek Lane.

Susan Loizos / Susan Loizos / 23020 Timber Creek Lane.

David Shive / DAVID SHIVE / 23024 TIMBER CREEK LN.

Cheryl Shive / Cheryl Shive / 23024 Timber Creek Lane.

Michael Moses / Michael Moses / 23029 Timber Creek Lane.

John Musser / John Musser / 23031 TIMBER CREEK LN.

Diane Lopez / Diane Lopez / 23012 Timber Creek Lane Clarksburg, MD 20871

Anna Mell / Anna Mell / 23017 Timber Creek Ln Clarksburg MD 20871

Peter Mell / Peter Mell / 23017 Timber Creek Ln Clarksburg MD 20871

Leslie Dotterer / Leslie Dotterer / 23013 Timber Creek Ln, Clarksburg MD 20871

Jennifer Bailey / Jennifer Bailey / 23008 Timber Creek Ln Clarksburg Md 20871

George C Bailey II / George C Bailey II / 23008 Timber Creek Lane Clarksburg Md 20871

Laird Jones / LAIRD JONES / 23009 TIMBER CREEK LANE Clarksburg, Md 20871

Darlene Jones / Darlene Jones / 23009 Timber Creek Lane Clarksburg, Md 20871

Henry T. Calisti (HENRY T. CALISTI) / Henry T. Calisti / 23005 TIMBER CREEK LN, CLARKSBURG, MD 20871

Dottie Calisti (Dottie Calisti) / Dottie Calisti / 23005 Timber Creek Ln Clarksburg Md. 20871

Ray C. Schroeder (Ray C. Schroeder) / Ray C. Schroeder / 23000 Timber Creek Ln Clarksburg, MD 20871

LeRoy W. Schaefer 23000 Timber Creek Lane

P. Ross Cromwell 22912 Timber Creek Lane

Cynthia Cromwell Cindy Cromwell 22912 Timber Creek Lane

Jeanne Hopkins Jeanne Hopkins 23001 Timber Creek Lane

John Hopkins John Hopkins 23001 Timber Creek Lane

D. Dolores Smith Dolores DeRiso-Smith 22900 Timber Creek Lane

Doug Smith Douglas Smith 22900 Timber Creek Ln.

1070. Darlene Musser Darlene Musser 23021 Timber Creek Ln.

These neighbors previously said they would sign, but were not available on Tues. eve, 1-9-01, to do so:

- Jim Zorn - 22909 Timber Creek La.
(will sign when he sees proof there is no law in Montgomery Co. making him shovel)

- Laura McCarthy and Mary?
12709 Shawnee Lane (on the corner)

- Pete and Fran David - 23004 Timber Creek La.
(out of town until Fri., 1-12-01)

- Bill and Joyce Ford - 23025 Timber Creek La.
(at their Florida home until April but can be contacted if needed)

These neighbors have not declared their intention to sign:

- The Edwards - 22904 Timber Creek La.
(have had a death in the family)

These neighbors said they did not want to sign:

- the McAlisters - 22908 Timber Creek La.

- Vicki Dotterer - 23013 Timber Creek La.
(her husband signed, though)

23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
January 5, 2001

Malcolm Shaneman
Supervisor of Development Review
National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Shaneman and other DRC members:

It was interesting and encouraging, as a Clarksburg resident, to observe the DRC meeting on Highlands of Clarksburg last Tuesday. I speak for the whole neighborhoods of Clarkbrooke Estates and Timber Creek Estates when I say that I am glad a construction road was approved (which is of course pending a visibility check by State Highways).

On the subject of the construction road, our neighborhoods would like to ensure our peace and safety by further requesting:

- that the construction road to Highlands of Clarksburg be the sole access for construction work until such time as residents of the new development need to access their homes.
- that Timber Creek Lane be physically blocked off at the current dead-end until that time.
- that Centex Homes posts clear signs guiding construction traffic past our neighborhoods and to the construction entrance (e.g. "CENTEX HOMES CONSTRUCTION ENTRANCE" with a pointing arrow). We would like the signs to be along Frederick Road in the vicinity of our neighborhoods and at the construction entrance.
- that *these requests be a binding condition for the Preliminary Plan to be approved.*

Thank you for giving the protection of our neighborhoods your careful consideration.

Also, Mr. Shaneman, I would like to call you after the follow-up DRC meeting of Jan. 10th to find out what specific items were resolved or what occurred in the meeting. I am hoping to have that information before our Clarksburg Civic Assoc. Planning meeting on the evening of Jan. 11th.
Thanks!

Best regards,



Nancy Villadsen

cc: Karen Kumm, NCPPC
John Fauerby, Clarksburg Civic Assoc.
Martin Meadows, Timber Creek Estates Homeowners Assoc.
Neighborhood residents
Bob Larkin, Centex Homes
Scott Roser, Macris, Hendricks and Glascock

23016 Timber Creek Lane
Clarksburg, Maryland 20871
(301)540-2088
December 22, 2000

Malcolm Shaneman
Supervisor of Development Review
National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Shaneman and other members of the Development Review Committee:

Two of my neighbors, who live at the current dead-end of Timber Creek Lane, recently received a copy of a Preliminary Plan of Subdivision for Highlands of Clarksburg from Centex Homes. On behalf of all those who live in this neighborhood, Clarkbrooke Estates, and those who live in our adjacent neighborhood, Timber Creek Estates, I would like to voice our major concerns regarding this Preliminary Plan.

First of all, I would like to assure you that we do not oppose the construction of Highlands of Clarksburg. We also do not oppose the extension of Timber Creek Lane to connect to Highlands of Clarksburg. We understand the inevitability of development in our community and the county's and the Clarksburg Master Plan's goal of connectivity between neighborhoods. Our concerns center on the impact construction will have on our neighborhood, and the markedly increased traffic flow we anticipate from seeing the Preliminary Plan.

We have two requests for the development of Highlands of Clarksburg:

- 1) We would like a **temporary construction road** to be built that does not carry construction traffic through our neighborhood. **In lieu of this, we ask that the current Timber Creek dead-end not be opened up to the development area until after most of the clearing of timber and the grading are done**, and preferably as far along after that as is feasible for the builder. Even after Timber Creek Lane is opened up, *we strongly request the builder to actively discourage contractors from using our streets whenever possible*. After considering the preliminary plan carefully, we suggest placing the construction road along the preliminary plan's proposed extension of Timber Creek Lane, extending beyond the new dead-end to open onto Frederick Road.
- 2) Our other request is that a **permanent road be built directly from Frederick Road into the development**. We suggest placing this at the same point as the construction road – continuing the proposed Timber Creek Lane through to connect with Frederick Road.

Reasons for requesting a temporary construction road and not opening Timber Creek Lane to construction:

The homeowners in Clarkbrooke Estates who live along Shawnee Lane feel very strongly that we need special provisions for construction traffic. When the other end of Timber Creek Lane was opened to build Timber Creek Estates, they report that:

- there were numerous violations of curfew laws, such as construction traffic barreling by and operating as early as 4 to 5 a.m.
- there was repeated use of Shawnee Lane even though there *was* a construction road and a county sign at the entrance of Shawnee Lane stating "NO CONSTRUCTION TRAFFIC."
- equipment was parked on the edge of Clarkbrooke Estates residents' lawns, leaving ruts.
- construction trash was regularly dribbled on the road (we have had a lot of flat tires to fix).
- a lot of food trash was strewn about.
- the children's safety was threatened walking to the neighborhood bus stop, which is on the corner of Shawnee and Timber Creek Lanes (there are no sidewalks in Clarkbrooke Estates).
- the removal of timber was awful. Even though there was a construction road available, acres of timber were hauled down Shawnee Lane, leaving quantities of dirt dropped on the road from roots. The clouds of dust that followed the trucks were so bad that they coated lawns and the insides of houses. One neighbor reports that during that two-year period, she had to hose down her driveway regularly, use a mask to mow the lawn, and two of her children developed asthma just during that period.

Although residents called the developer and the county often, results were unsatisfactory, for example:

- the police wouldn't show up at all, or would arrive at 6:45 a.m. to enforce a curfew.
- the county didn't come out to inspect the dirt in the road for a long time, and then came after a heavy rain and said it didn't look that bad.
- the county once said "don't be hard on the developer - their contact just had a baby."
- contractors would often be done with their jobs by the time their violations were pinned down.
- and of course it is difficult to determine which contractor parked on your lawn while you were at work, or who throws trash there.

The residents very reasonably do not want to allow construction for this new development to be able to impact their homes and street in similar negative ways.

Reasons for requesting that a permanent road be built directly from Frederick Road into Highlands of Clarksburg:

The residents of Clarkbrooke Estates and Timber Creek Estates are concerned about a markedly increased traffic flow through the neighborhood resulting from the proposed development. Specifically, our thoughts are:

- we would have less through-traffic with another access to the new neighborhood.
- that almost all work and shopping traffic, even after the Clarksburg Town Center is built, will flow to and from the south. Clarksburg is a northern suburb of Washington, D.C. (Current residents use Frederick Road to travel north from Germantown and enter the neighborhood from side streets in Timber Creek and Clarkbrooke Estates. The new traffic will funnel up through the side streets and all into Timber Creek Lane. Not much traffic will access the new single-family homes from the proposed Stringtown Road access.)
- that the Stringtown Road access will not even be built for several years. (We hear the preliminary plan for the higher-density area on the corner of Stringtown Road is not expected to be submitted until April. And Greg Cook of the Maryland State Highway Administration said that turning from Stringtown Road onto Frederick Road is dangerous due to bad visibility. He said that a rise in Frederick Road south of there must be lowered 10 feet, and until it is, construction traffic at least would not be safe exiting onto Stringtown Road. Are more cars safe?)
- that since residents of the new development will have a long way to drive through our neighborhood, they will have a tendency to drive too fast.
- that the quiet character of Clarkbrooke Estates will be drastically changed by the increased amount of traffic.
- that Timber Creek Lane and Shawnee Lane do not have sidewalks. Our children and other residents will not be safe walking in the neighborhood anymore.
- that there is no quick access from Frederick Road to the new neighborhood for emergency vehicles.
- that it would simply be easier on the residents of the new neighborhood to have their own Frederick Road access.

Why we suggest building a construction road and a permanent extension to Frederick Road at the specific site of Timber Creek Lane:

There really does not seem any other place to put it.

- Greg Cook of the State Highway Administration, as explained above, said Stringtown Road access for construction is out of the question. He also said Frederick Road access in the proposed higher density area near Stringtown Road is out of question for temporary or permanent purposes, for the same reason.
- Any through-road from the southwest corner of the property is out of the question due to environmental restrictions (unless a bridge were built over the environmentally sensitive area).
- The visibility at Frederick Road seems quite good in both directions from our proposed Timber Creek Lane extension.

- Suncrest Avenue is just 350 feet south of this spot, which does not meet the state standard for road entrances to a state highway being at least 750 feet apart. However, Suncrest functions more like a driveway than a road. Although it has been dedicated to the county, it is unpaved, and it is not maintained by the county because of being too narrow. Suncrest is a dead-end, and only six homes open onto it.
- Although it is not currently in the county's 6- or even 20-year plan, the Clarksburg Master Plan states that Md. Rte. 355 is to be re-routed west at Suncrest Ave. to circumvent the Clarksburg Town Center area. Frederick Road north of Suncrest Ave. will be given the status of "thoroughfare."

We would therefore like to suggest that a temporary waiver from the state be requested to allow a construction access road at the discussed site.

We would also like to ask the State Highway Administration to seriously consider, based on the above considerations, a permanent waiver to allow Timber Creek Lane to connect with Frederick Road.

And we are wondering when Rte. 355 will be widened and re-routed – it gets quite backed up during evening rush hour now. How can this be brought to the county's attention?

Thank you very much for considering our community's requests. We are looking forward to working with you further on the Highlands of Clarksburg plans. You may contact me anytime, at (301)540-2088.

Best regards,

Nancy Villadsen

attachment: Highlands of Clarksburg Preliminary Plan

cc: John Fauerby, Clarksburg Civic Assoc. Planning Comm.
David Post, Clarksburg Civic Assoc. Planning Comm.
Martin Meadows, president Timber Creek Estates Homeowners Assoc.
Neighborhood residents
Karen Kumm, NCPPC
Martin Klauber, the People's Counsel for Montg. Co.
Bob Larkin, Centex Homes
Scott Roser, Macris, Hendricks and Glascock, P. A.

