



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item #8  
MCPB  
9/12/02



## MEMORANDUM

**DATE:** September 5, 2002  
**TO:** Montgomery County Planning Board  
**VIA:** Joe R. Davis, Chief *JRD*  
Development Review Division  
**FROM:** Wynn E. Witthans *WW*  
Planning Department Staff  
(301) 495-4584

**REVIEW TYPE:** Special Protection Area – Final Water Quality Plan and Site Plan Review  
**APPLYING FOR:** Approval of 486 Units (328 SFD, 109 TH's and 49 MPDU townhouses) on 164 acres  
**PROJECT NAME:** Greenway Village at Clarksburg – Phases 1 and 2  
**CASE #:** 8-02036  
**REVIEW BASIS:** Sec. 59-D-3, M. C. Zoning Ordinance

**ZONE:** PD-4  
**LOCATION:** At the intersection of Skylark Road and New Cut Road, west of Ridge Road  
**MASTER PLAN:** Clarksburg Master Plan and Hyattstown Special Study Area, June 1994  
**APPLICANT:** Clarksburg Skylark LLC, Bernard Rafferty contact person  
**FILING DATE:** May 2, 2002  
**HEARING DATE:** September 12, 2002

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### STAFF RECOMMENDATION:

### SPECIAL PROTECTION AREA – FINAL WATER QUALITY PLAN

Approval of the final water quality plan subject to the following conditions:

1. Conformance to the conditions as stated in the Department of Permitting Services letter approving the Final Water Quality Plan.

## **SITE PLAN # 8-02036**

Approval of 486 Units (328 SFD, 109 TH's and 49 MPDU townhouses) on 164 acres with the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A.
2. Landscape Plan

Final Landscape Plan to include the following prior to signature set:

- a. Street trees to be space 40 feet on center for all internal streets and 50 feet on center for Skylark Drive and Sycamore Farm Drive;
  - b. Revised evergreen species for screening along the western boundary of Section 2, rear evergreen planting for Lots 1 and 2, Block "Q";
  - c. Details of gazebo in pool area;
  - d. Outline of mulch beds within play areas needs to be refined, less angular and irregular;
  - e. Label all paths and path materials on plan;
  - f. Taller evergreens screen (to 3 feet) around parking lot adjacent to pool house;
  - g. Driveway, landscaping and screen treatment around rear of all MPDU townhouses to be shown;
  - h. Side lot screening for Lots 1 and 37 – Block "L", Lot 10 Block "O";
  - i. Details of sitting area and path locations for Park 4 and 20 or 30 scale details for all MPDU recreation areas;
  - j. Provide Benches on mews area between Birch Mead Road and Winged Elm Drive;
  - k. Additional street trees for the rear driveways for the Townhouses along Birch Mead Road, Phase II; Butternut Grove;
  - l. Show all lead walks, grading and landscape treatment for all units;
  - m. Street trees species and spacing to conform to draft Clarksburg Streetscape draft study and the proposed lighting plan to conform to the IESNA guidelines and future street light plans for the Clarksburg planning area;
  - n. Provide staff with PUE diagram to assure that the PUE's locations allow for plant material as proposed;
  - o. The hedgerow shall be in an easement maintained by the Homeowners Association or equivalent rather than the individual homeowner;
  - p. Add an additional play area adjacent to the pool area to more fully develop the open space opportunities there;
  - q. Final landscape plan to be reviewed by staff prior to signature set.
3. Lighting Plan to be updated to reflect current lot configurations with cut sheets to be included.

#### 4. Path and Bike Path

- a. Add a Bike path segment adjacent to lots 62 and 63 north side of Broad Birch Road.
- b. The cross section for Skylark Road is to be adjusted to include the bike path on the south side of the right-of-way for it's entirety through the project.
- c. Path system to include the following:
  - a. Dedication to M-NCPPC of areas identified on Plan as Park 1B and Park 6, said dedications not to include the 1A private park or any stormwater management pond facilities. Dedicated property to be conveyed free of trash and unnatural debris and the boundaries to be adequately staked and signed to delineate between private properties and parkland.
  - b. Applicant to construct an 8' wide, hard surface trail in the following locations with exact location of trail alignments to be coordinated with M-NCPPC staff:
    - i. From Skylark Road along the east side of Persimmon Ridge Road and intersecting with the trail along Cherry Branch Drive.
    - ii. Along the south side of Cherry Branch Drive from Persimmon Ridge Road to the southeast corner of Lot 20 at the stormwater pond area, said trail to connect with the trail alignment through Clarksburg Village to Midcounty Highway hiker/biker trail system.
    - iii. From Persimmon Ridge Road trail, east through Park 1A and 1B to Birch Mead Road.
    - iv. From Cypress Spring Road to the Clarksburg Greenway Trail that runs along the east side of Little Seneca Tributary, said trail to include a hiker/biker trail bridge across Little Seneca Tributary.

#### 5. Unit Layout

- a. Unit orientation to major streets to remain as shown, in conformance to the grid pattern consistent with the neo-traditional design of the neighborhood. Any significant proposed changes to site plan shall be presented to staff for further staff level review and approval.
- b. The garage for the front loaded units shall not protrude beyond the front elevation of the front most portion of the building, ie the front porch.

6. Sky Lark Road

No building permits for units to be released for the portion of the road that was within the former proscriptive right-of-way for Skylark Road until abandonment procedures are complete.

7. Parks Issues

- a. Maintain bike path connection (8 foot asphalt) through Ovid Hazen Wells Park within old Skylark Road right-of-way prior to dedication. Future greenway trail crossing of new Skylark Road to be at grade and determined with future site plan phases to include pedestrian staging area, and a safe attractive crossing.
- b. Site Plan Enforcement Agreement to include final language to be included with all sales information for notifying prospective home purchasers on the south side of Skylark Road of the presence of an active park within the Ovid Hazen Wells Park immediately to the north.

8. Waiver requests

- a. Prior to recording a plat, Applicant to submit for a revision to Preliminary Plan conditions to provide for a waiver pursuant to section 50-26 of the subdivision regulations for smaller radius at the street intersections.
- b. With the approval of this site plan the Planning Board grants the waiver of overlength cul-de-sac on Persimmon Ridge Road.

9. Infrastructure Plan

- a. Future site plans to be accompanied by an amended Infrastructure Plan with the following comments to be included:
  - Additional community open space/ recreation areas within the high density residential areas within block J,K,L,M;
  - Redistribution of multifamily units to be closer to the commercial area;
  - Redesign of multifamily areas to continue the neotraditional theme of the design and to relate to the adjacent retail;
  - Review the location and function of recreation area # 14 to be further from major roadways and more integrated in the residential community;
  - Relocate the bike path for Phases 1 and 2 to be on the south side of Skylark Road;
  - Per the Development Plan, future phases must provide 2,000 square feet of civic space (that is privately owned and maintained) for public use in the commercial center.

# **SPECIAL PROTECTION AREA – FINAL WATER QUALITY PLAN REVIEW**

## Discussion

The Greenway Village at Clarksburg includes 374 acres and is entirely located within the Clarksburg Special Protection Area (SPA). The property runs the entire length of Skylark Drive. Clarksburg Village (1-01030) is adjacent to the subject property and Ovid Hazen Wells Recreational Park to the north. The proposed development for Phases I and II covers 164 acres and includes 486 residential units. The drainage area within the subject property drains to Little Seneca Creek, a Use Class IV water.

Under the Special Protection Law, Montgomery County Department of Permitting Services (MCDPS) and the Planning Board have different responsibilities in the review of the water quality plan. MCDPS has reviewed and conditionally approved the elements of the final water quality plan under their purview. The Planning Board responsibility is to determine if the site imperviousness, environmental guidelines for special protection areas, and forest conservation requirements have been satisfied.

## Site Performance Goals

As part of the preliminary water quality plan, several site performance goals were established for the project, including:

- Protect the streams and aquatic habitat
- Maintain the natural on-site stream channels
- Minimize storm flow runoff increases
- Identify and protect stream banks prone to erosion and slumping
- Minimize increases in ambient water temperature
- Minimize sediment loading
- Maintain stream base flows
- Protect seeps, springs, and wetlands
- Minimize pollutant loadings.

## Stormwater Management

To help meet these performance goals, the stormwater management plan requires water quality control and quantity control to be provided through an extensive system of linked best management practices (BMPs). The water quality structures are sized to provide control for one and two year storms with pre-development release rates.

## Site Imperviousness

There is no impervious limitation on this property. The impervious amount proposed for the entire 34.5-acre site is within the acceptable range for this type of developments.

### Environmental Guidelines

The environmental guidelines for SPA's require examination of many tools to maximize achievement of site performance goals. For instance, the goal of protecting seeps, springs, and wetlands is better achieved with naturalized buffers surrounding these areas. The natural resource inventory for the 370-acre tract identified the environmental buffers. As part of the forest conservation plan for the Greenway Village, the applicant will place forest conservation easements on the sensitive areas including streams, springs, seeps, wetlands, floodplains, associated buffers, and steep slopes.

## ISSUES RESOLVED IN THE COURSE OF SITE PLAN REVIEW

### Review of Infrastructure Plan

The Greenway Village at Clarksburg Preliminary Plan #1-02033 included Condition #5 that required an Infrastructure Plan to provide a framework for stormwater management, bike and pedestrian circulation, roadway networks, trail systems, MCPS school and M-NCPPC Park dedication areas, total recreation guideline concepts and proposed clearing and grading schedule.

Staff has reviewed the proposed infrastructure plan and found it provides the needed framework for Phase I and 2 site plan as proposed. Staff recommends the following changes be made to the Infrastructure Plan for the remaining site plans when they are submitted:

- Additional community open space/ recreation areas within the high density residential areas within block J,K,L,M;
- Redistribution of multifamily units to be closer to the commercial area;
- Redesign of multifamily areas to continue the neotraditional theme of the design and to relate to the adjacent retail;
- Review the location and function of recreation area # 14 to be further from major roadways and more integrated in the residential community;
- Relocate the bike path for Phases 1 and 2 to be on the south side of Skylark Drive;
- Per the Development Plan, future phases should also provide 2,000 square feet of civic space (that is privately owned and maintained) for public use in the commercial center.

### Citizen input

Staff received a call from an adjacent citizen was concerned that the Storm water management facility close to Piedmont Road was in her rear yard. The applicant returned her call and clarified the situation and verified that the pond was not on her property.

### Issues of the Review Process

The applicant initially had “manor house” type units proposed to provide a mix of multifamily units within the west side of the project. However an interpretation of the Master Plan and the Development Plan for the re-zoning indicated that multifamily units should be located closer to the future town center. Staff rejected the proposal for back-to-back townhouses that were not recommended for use by the MPDU design guidelines. Townhouses are now recommended for the required MPDU’s.

The bike path along the south side of Skylark Road was developed during the review process to provide more direct community circulation for access to the commercial area and future school site.

**PROJECT DESCRIPTION:** Surrounding Vicinity

The surrounding area encompasses the Newcut Road neighborhood and portions of Ridge Road and Brink Road Transition Areas of the Clarksburg Master Plan. The site is bounded by Piedmont Road and M-NCPPC Ovid Hazen Wells Park to the north, Ridge Road to the east, Frederick Road and Little Seneca Creek to the south and Stringtown Road to the west, beyond the site.

The area contains a mix of zones and uses with farmland being the primary land use. Adjoining the site to the south and southwest is the proposed Clarksburg Village site plan (Preliminary Plan previously approved). The entire tract encompasses three free-standing homes which have been integrated into the design.

**PROJECT DESCRIPTION:** Site Description

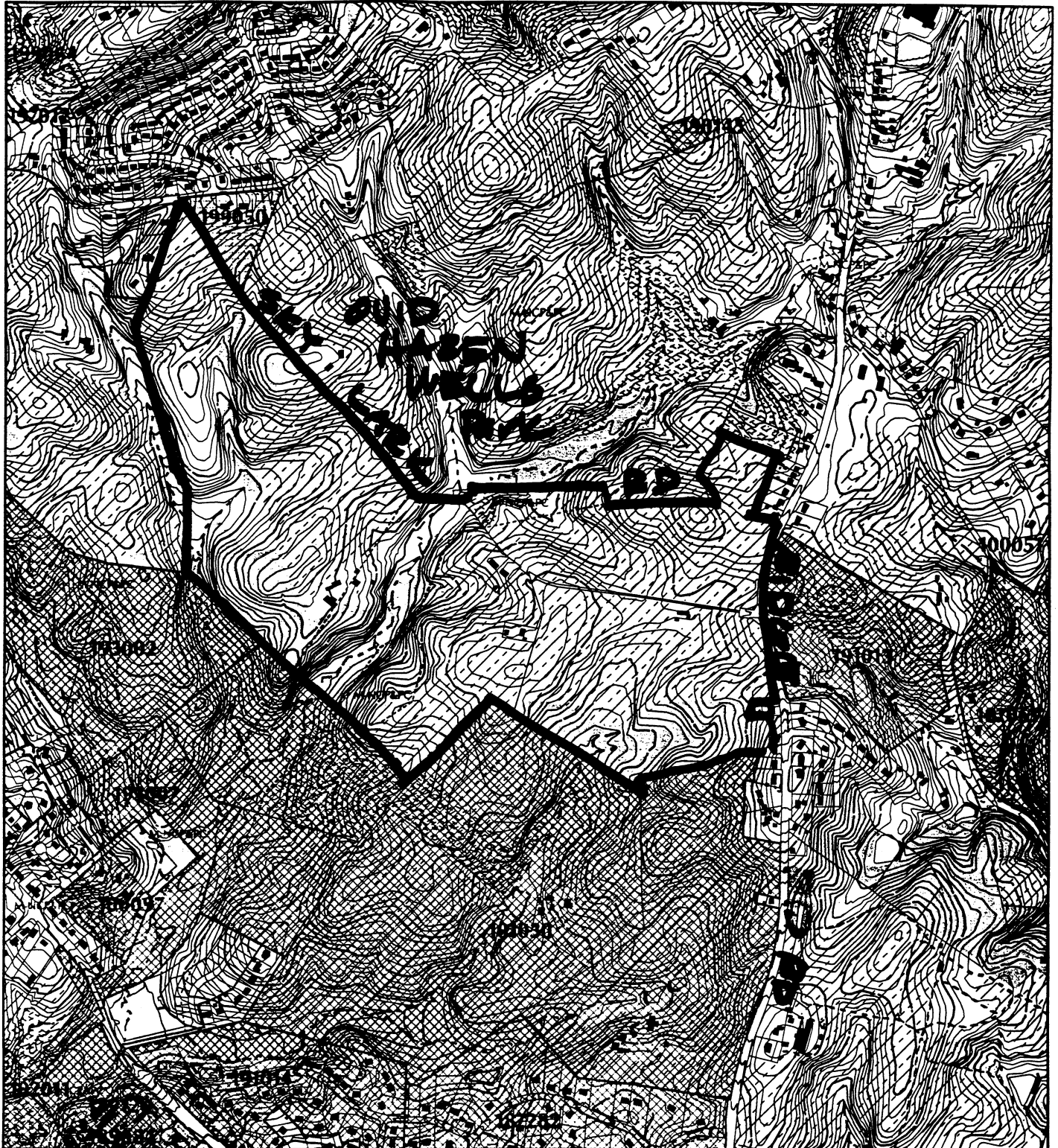
The site consists of rolling hills previously used as farmland. The site is within the Clarksburg Special Area Protection Area and is divided by Little Seneca Creek with tributaries running north south through the property. Stream valley buffers and one-hundred year flood plains define the development limits adjacent the streams and tributaries. There are significant trees stands throughout the property and the stream valleys are wooded.

The proposed site for this site plan is the portion of the site west of Little Seneca Creek and south of Ovid Hazen Wells Park.



VICINITY MAP FOR

# GREENWAY VILLAGE AT CLARKSBURG PHASE I & II (8-02036)



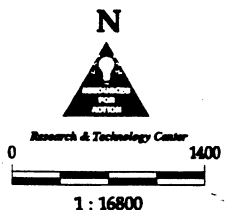
Map compiled on May 06, 2002 at 4:07 PM | Site located on base sheet no - 232NW12

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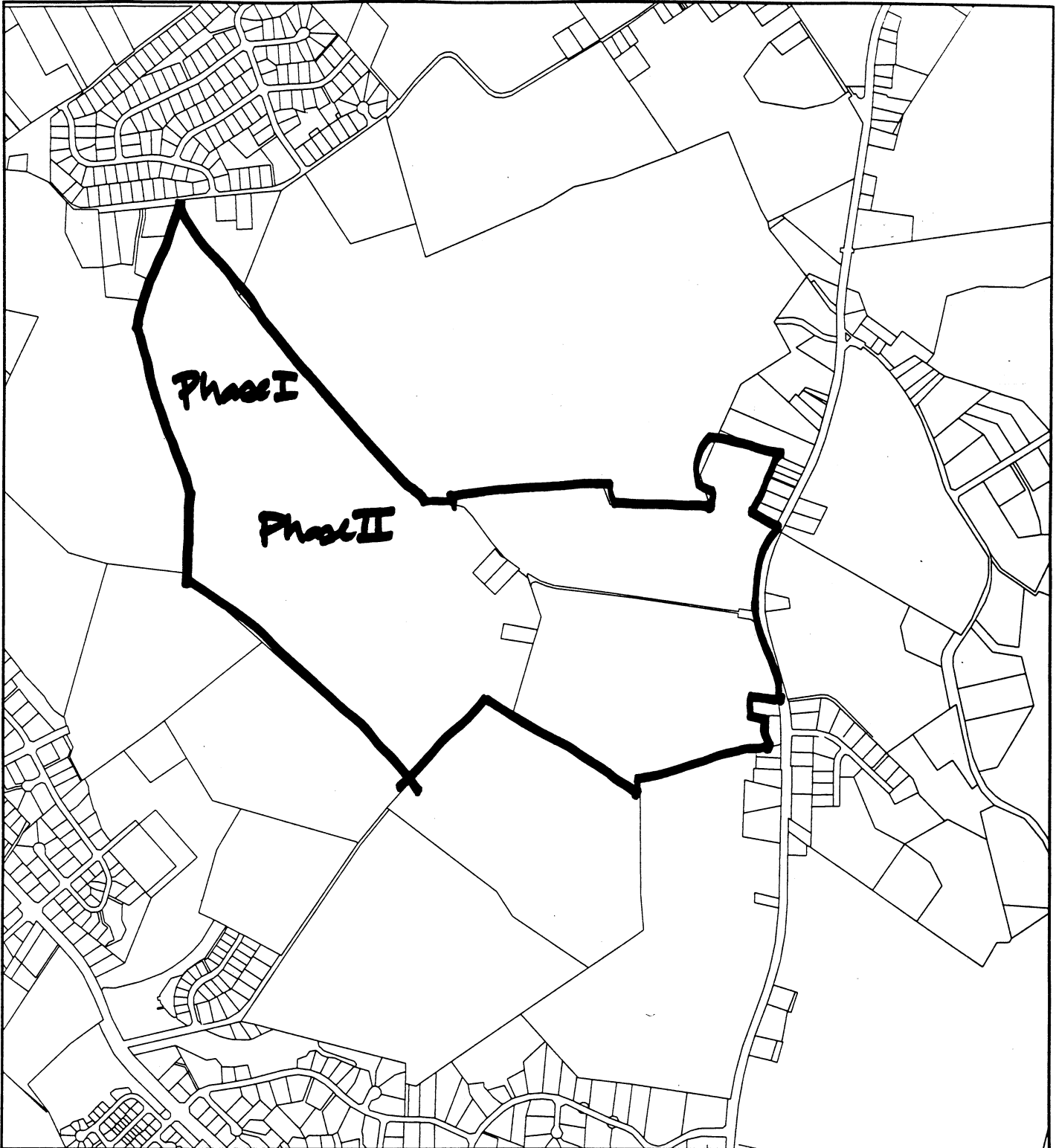
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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 five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998



VICINITY MAP FOR

# GREENWAY VILLAGE AT CLARKSBURG PHASE I & II (8-02036)



Map compiled on May 06, 2002 at 3:58 PM | Site located on base sheet no - 232NW12

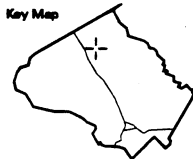
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Key Map



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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

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**PROJECT DESCRIPTION:** Proposal

The entire site encompasses the area from Piedmont Road to Ridge Road, with the first two phases of the project west of Little Seneca Creek developing first.

The proposed project faces Skylark Road with the front doors of single-family detached homes directly across from Ovid Hazen Wells Park. Service roads reduce the number of driveways directly on to Skylark Road. A wooded hedgerow has been created with a spit rail fence and shrubs and an 8-foot bike path on the south side of Skylark Road.

In Phase I, the western-most sections adjoin a wooded edge off site. The blocks are a mix of front loaded garage units and alley loaded freestanding garage units. Single loaded streets (houses on only one side) provide for open views to adjacent open spaces. Storm water management facilities are placed within the open spaces and landscaped to create attractive views over them.

A wooded area adjacent a stream tributary has been preserved between Phases I and II in the area, immediately opposite the entry to Ovid Hazen Wells Park. A bike path connects Phases I and II through this wooded area and connects to an offsite bike path connection. A play area is placed within the open space area adjacent to the bike path.

Phase II is laid out with single family detached units adjacent to Skylark Road, then town houses and the centralized recreation and pool area in the center, and then it transitions back to single family detached units to the south, adjacent to the future Clarksburg Village Project. The frontage treatment along Skylark Road is the same as in Phase I.

The centralized pool area in Phase II includes multipurpose pool and pool house, parking, paths and a gazebo. The integral stormwater management facility includes landscaping and paths and allows for views to the open spaces beyond.

The units within Phase I and II are tightly integrated blocks of units in a neotraditional neighborhood design. They include tightly spaced units, rear loading freestanding garages and mews and centralized open spaces. Sidewalks and street trees frame each street. Units with front loaded garages include porches - the garage will not protrude beyond the porch in order to maintain a pedestrian scale to the neighborhood. In the rear, garages are generally sited a minimum of 20 feet away from the house or townhouse.

MPDU's are located within three different areas within Phase II. They are located adjacent to open space and recreation areas and are placed within the block pattern of the neighborhood, similar to the market rate units.

Green spaces are merged into the community by either creating solid blocks of tree preservation, by creating mews with unit front doors facing them or by providing an interconnected system of open spaces that link through Phase II.

Landscaping for the project includes street trees along each street. Because of the higher density of units within the blocks (with only six and eight feet between units), the street trees are recommended to be 40 feet on center within the blocks and 50 feet on center for Skylark Road and for streets adjacent to the open spaces. Landscaping has been provided within open spaces to better define public areas and to enhance recreational experiences. The storm water management facilities have been landscaped with trees to make them more attractive. The open spaces are defined by shrub masses that help distinguish between public and private open spaces.

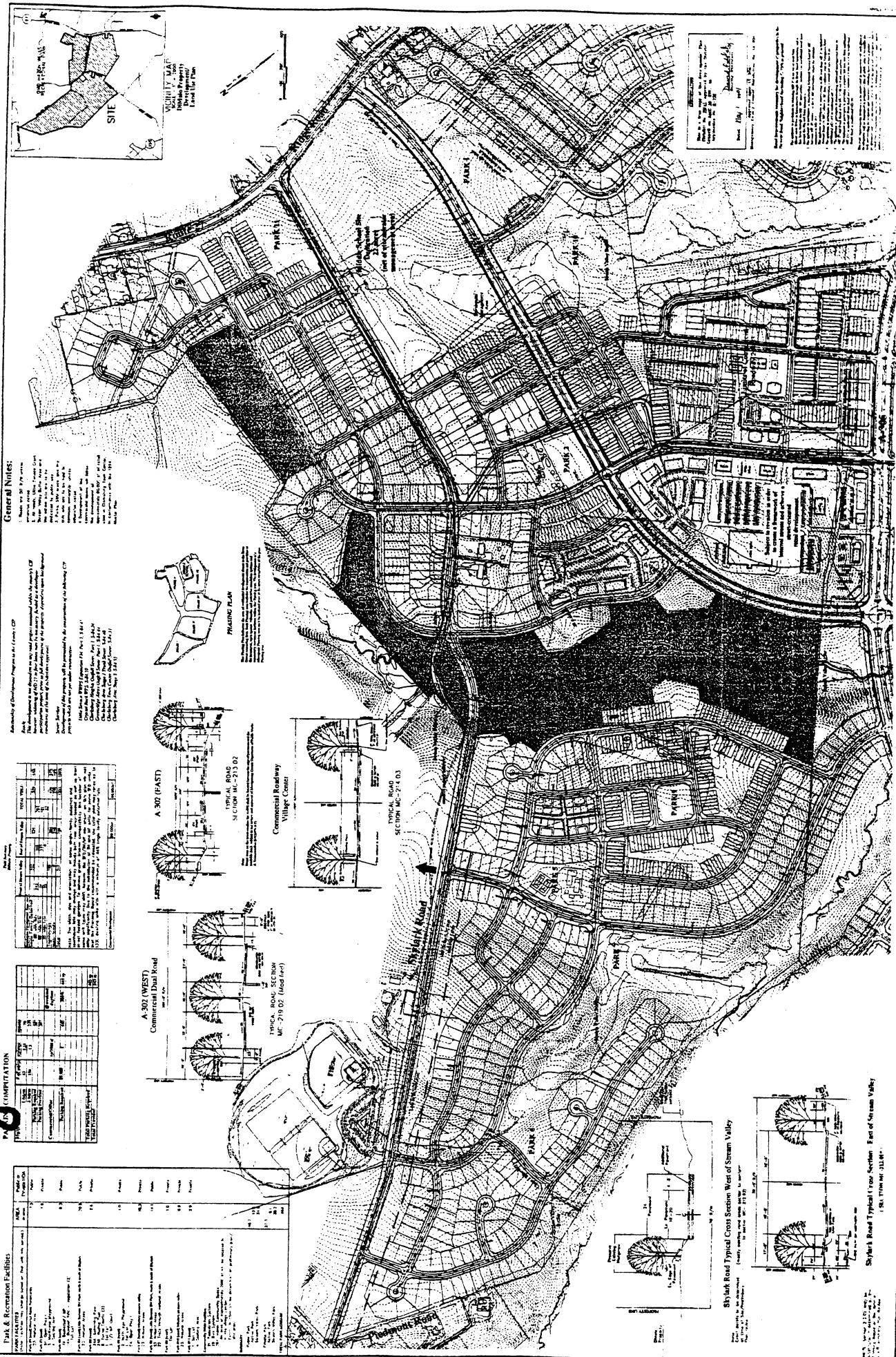
The proposal includes the length of Skylark Road, inclusive of the bike path on its south side and regularly spaced street trees.

Recreation areas are provided with multiage play areas, open spaces, sitting areas and bike paths. These areas are integrated into the community 's mews, open space areas and alleys and are evenly distributed. The open spaces within this site plan do not include any of the open space trails that connect to the Greenway Trail system. Lighting plans have been provided for the open spaces within the community.

A bike path system is provided for within the neighborhood. They system connects open space areas and it adjoins streets. Sidewalks are provided on each side of each street, providing continuous circulation throughout the neighborhood, to recreation facilities and beyond.

No school sites are provided with this site plan. A middle school site is planned in the remaining portion of the site, adjacent to Ridge Road.

**From zoning case G-735**



**General Notes:**

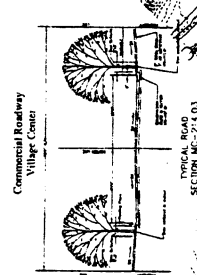
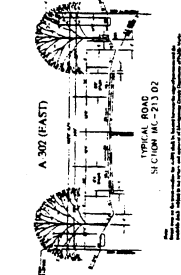
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**Site Plan**

Site Plan showing the location of the proposed development within the context of the surrounding area. The site is bounded by [Street Name] to the north, [Street Name] to the south, and [Street Name] to the east and west.

**ROADS**

Section	Width	Notes
A-30 (WEST)	30'	Commercial Dual Road
A-30 (EAST)	30'	Commercial Dual Road
Typical Road Section	30'	Commercial Dual Road

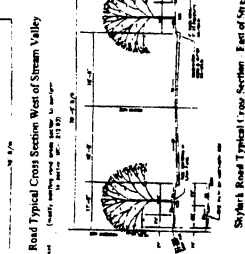


**COMMITMENT**

Item	Quantity	Notes
Asphalt Paving	10,000 sq. ft.	
Concrete Paving	5,000 sq. ft.	
Gravel Paving	2,000 sq. ft.	
Landscaping	10,000 sq. ft.	
Utilities	10,000 sq. ft.	

**Park & Recreation Facilities**

Item	Quantity	Notes
Playground	1	
Swimming Pool	1	
Tennis Courts	2	
Walking Paths	10,000 sq. ft.	
Seating	10,000 sq. ft.	



Shark Road Typical Cross Section West of Stream Valley  
 Notes: 1. See 20th Plan for details.  
 2. See 20th Plan for details.  
 3. See 20th Plan for details.

**IRCA**  
**ROGERS & ASSOCIATES, INC.**  
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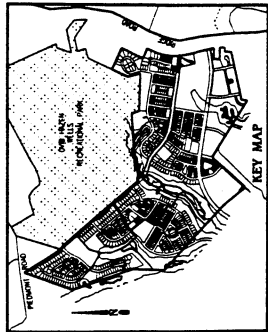
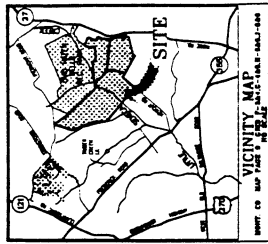
**DiMaio Property**  
 Chubbars, Section District Number 1

**Development/ Land Use Plan**

Owner: ...  
 Architect: ...  
 Engineer: ...  
 Surveyor: ...

119

NO. OF SHEETS	1	9
SHEET NO.	1	9
DRAWN BY		
CHECKED BY		
DATE		



**GENERAL NOTES**

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
2. THE DESIGNER HAS NOT INVESTIGATED THE UTILITY UTILIZATION FOR ALL UTILITIES.
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**GREENWAY VILLAGE GENERAL NOTES**

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**USE AND AREA OF PHASES I AND 2**

PHASE	USE	AREA (SQ. FT.)	AREA (AC.)	PERCENTAGE
I	RESIDENTIAL	1,234,567	28.1	90.5
	COMMERCIAL	123,456	2.8	9.5
II	RESIDENTIAL	2,345,678	53.7	90.5
	COMMERCIAL	234,567	5.3	9.5
TOTAL	RESIDENTIAL	3,580,245	81.8	90.5
TOTAL	COMMERCIAL	358,023	8.1	9.5
TOTAL		3,938,268	90.0	100.0

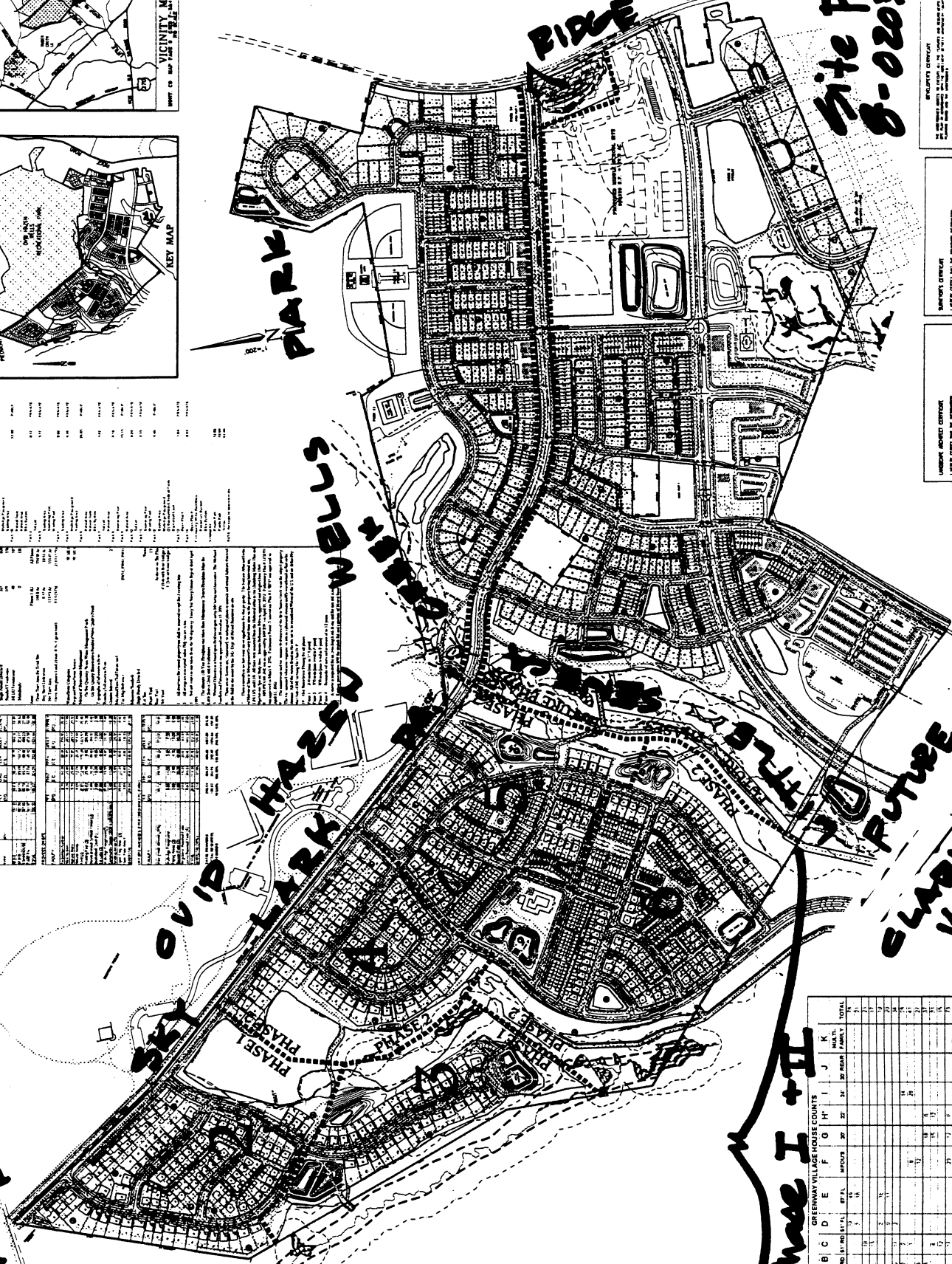
**PIONEER RD**

**SKY OVID PARK HAZEN WELLS**

**RIDGE RD.**

**Site Plan 8-02036**

**UNAPPROVED PROJECT**  
 THIS PLAN IS UNAPPROVED AND DOES NOT REPRESENT THE OFFICIAL POSITION OF ANY AGENCY.  
 ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE ORIGINAL DESIGNER.



**PUTURE GLADSKS BURG VILLAGE**

**Phase I + II**

WEST END	GREENWAY VILLAGE HOUSE COUNTS											TOTAL
	A	B	C	D	E	F	G	H	I	J	K	
APPROX. NO. OF UNITS	10	10	10	10	10	10	10	10	10	10	10	110
NO. OF UNITS	10	10	10	10	10	10	10	10	10	10	10	110
TOTAL HOUSE COUNTS	10	10	10	10	10	10	10	10	10	10	10	110
TOTAL HOUSES	10	10	10	10	10	10	10	10	10	10	10	110

(116)

# Infrastructure Plan

Sheet No. 12

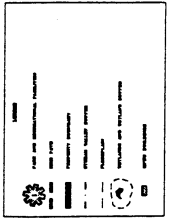
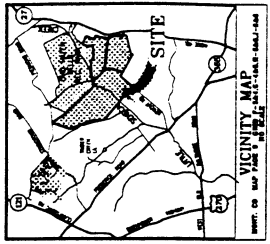
Scale: 1" = 100'

DATE	DESCRIPTION

## GREENWAY VILLAGE AT CLARKSBURG CLARKSBURG (2ND ELECTION DISTRICT) MONTGOMERY COUNTY, MARYLAND



Charles F. Johnson & Associates, Inc.  
1700 W. GREENSBORO - LAMARCK-CATHERICK CENTER  
FARMERS MARKET - BALTIMORE, MARYLAND  
21201-1000  
TEL: 410-528-1000  
FAX: 410-528-1001



DEVELOPER'S AND ENGINEER'S AGREEMENT

NO.	DESCRIPTION	DATE
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GREENWAY VILLAGE GENERAL NOTES

1. THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.

2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE INFRASTRUCTURE ELEMENTS.

4. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

5. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE SHOWN.

6. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE FEATURES.

7. THE DEVELOPER SHALL MAINTAIN ALL EXISTING EROSION CONTROL MEASURES.

8. THE DEVELOPER SHALL MAINTAIN ALL EXISTING FLOOD CONTROL MEASURES.

9. THE DEVELOPER SHALL MAINTAIN ALL EXISTING WATERWAYS AND DRAINAGE SYSTEMS.

10. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND STRUCTURES UNLESS OTHERWISE SHOWN.

11. THE DEVELOPER SHALL MAINTAIN ALL EXISTING EROSION CONTROL MEASURES.

12. THE DEVELOPER SHALL MAINTAIN ALL EXISTING FLOOD CONTROL MEASURES.

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45. THE DEVELOPER SHALL MAINTAIN ALL EXISTING WATERWAYS AND DRAINAGE SYSTEMS.

46. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND STRUCTURES UNLESS OTHERWISE SHOWN.

47. THE DEVELOPER SHALL MAINTAIN ALL EXISTING EROSION CONTROL MEASURES.

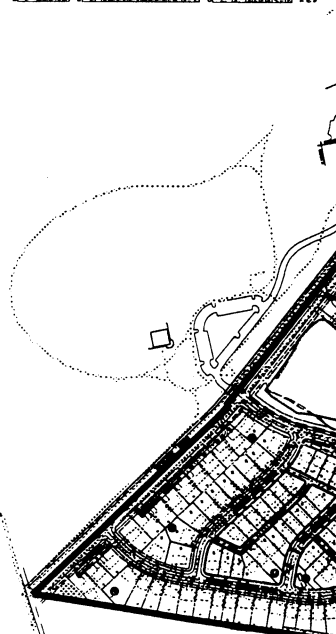
48. THE DEVELOPER SHALL MAINTAIN ALL EXISTING FLOOD CONTROL MEASURES.

49. THE DEVELOPER SHALL MAINTAIN ALL EXISTING WATERWAYS AND DRAINAGE SYSTEMS.

50. THE DEVELOPER SHALL MAINTAIN ALL EXISTING PUBLIC UTILITIES AND STRUCTURES UNLESS OTHERWISE SHOWN.

TRAFFIC VOLUMES AND SCHEDULES OF TRAVEL

NO.	SECTION	DATE	TIME	TRUCKS	BUSES	TRUCKS + BUSES	TRUCKS + BUSES	TRUCKS + BUSES	TRUCKS + BUSES
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12

APPROVED FOR CONSTRUCTION BY THE BOARD OF SUPERVISORS OF THE CLARKSBURG (2ND ELECTION DISTRICT) COMMUNITY DEVELOPMENT DEPARTMENT ON 08/15/2007.

APPROVED FOR CONSTRUCTION BY THE BOARD OF SUPERVISORS OF THE CLARKSBURG (2ND ELECTION DISTRICT) COMMUNITY DEVELOPMENT DEPARTMENT ON 08/15/2007.

APPROVED FOR CONSTRUCTION BY THE BOARD OF SUPERVISORS OF THE CLARKSBURG (2ND ELECTION DISTRICT) COMMUNITY DEVELOPMENT DEPARTMENT ON 08/15/2007.

PREPARED BY: CHARLES F. JOHNSON & ASSOCIATES, INC. DATE: 08/15/2007  
 CHECKED BY: [Name] DATE: [Date]  
 DRAWN BY: [Name] DATE: [Date]

**PROJECT DESCRIPTION:** Prior Approvals

Zoning Case G- 735

Zoning Case G-735 changed the zoning of the site from R-200 to PD-4, making it consistent with the master plan recommendations.

The Development Plan for the case includes the following binding elements: 86 acres of dedicated park area, 543 parking spaces for multifamily and commercial/office development, a unit mix table that allows for a total of 1330 units, and 44% minimum single family detached lots and 89,000 - 90, 000 sf of commercial development. Phasing for the commercial area is to follow Clarksburg Town Center. Road improvements have also been identified. Eleven park sites have been identified and a community wide facilities for a bike system, a pedestrian system, and indoor community space at the village center. A one hundred foot setback for rear and side units along Skylark Road is required. Park dedication is shown between Phase II and IV.

The plan proposes the full 1330 units allowed with 45.34% sfd units. The park sites have been shown on the plan's infrastructure plan and they exceed the development plan. Units now face Skylark Road, thus negating the requirement for the 100-foot setback. The attached memo from Transportation Planning details the road improvements to date. The cross section for Skylark Road has to be adjusted to include the bike path on the south side of the right-of-way. Park dedication will be dedicated with the next adjacent phase.

The proposed Site Plan conforms to the Development Plan for zoning case G-735.

Preliminary Plan # 1-02033

The Planning Board approved the Preliminary Plan for the site on February 7, 2002, Opinion attached. The Site Plan addresses the conditions in the following way:

1. Transportation Planning Memo of Jan 31, 2002	1. See updated LATR phasing letter attached
2. Infrastructure Plan required	2. See above
3. No clearing or grading beyond infrastructure plan	3. Conforms
4. Comply with Prelim Water quality plan	4. Conforms
5. Comply with Prelim FCP prior to record plat	5. To Conform
6. Access improvements per MCDPWT1/31/02 memo	6. Conforms
7. Access improvements per MDSHA 11/06/01 memo	7. Conforms
8. Full width improvements dedicated per Master Plan	8. To Conform
9. Full width improvements constructed per	9. To Conform



Master Plan	
10. Abandon Skylark Road subsequent to construction and release of relocated road to county	10. Conforms, see memo from applicant, attached.
11. Record plat to show FCP Type 1 areas	11. To Conform
12. Dedicate road network per earlier conditions	12. To Conform
13. Plat to show ingress/egress	13. To Conform
14. Plat to indicate school or park use only	14. To Conform
15. Recreational Facilities to conform to Feb 6, 2002 memo	15. Phase I and II Conforms
16. Construct play facilities	16. Future phases Conform
17. Dedicate Middle school 22 ac not including SWM and FCP easements	17. To Conform, future phases
18. School Site to be graded per MCPS stds	18. To conform, future phases
19. School dedication phasing to coincide with Site Plan approval	19. Per future phases
20. Greenway bike trail	19. Per future phases
21. Final units at site plan with adjustments to multifamily locations, redesign of neighborhood center, reduce MF to 20% max of total unit count	21. MF moved out of phases I and II, other changes for future phases
22. Final trail design, park windows, trail access points to be determined with site plan,	22. Conforms
23. Landscape and Lighting Plan	23. Conforms
24. MPDU's at Site Plan	24. Conforms, 12.5 % provided
25. Waiver of overlength cul de sac's and sidewalk waivers to be determined at Site Plan	25. Waivers requested with SP
26. PP Validity schedule	26. Conformance to be determined
27. Other easements	27. As needed

The proposed Site Plan conforms to the Preliminary Plan approval for this phase.

## ANALYSIS: Conformance to Master Plan

Greenway Village is located in the Newcut Road Neighborhood District of the 1994 Clarksburg Master Plan Area and will be traversed by the proposed M-83 (Snowden Farm Parkway). Stringtown Road and the Little Seneca Greenway separate the Newcut Road Neighborhood from the Clarksburg Town Center and the Transit Corridor Districts. The subject property represents the eastern “edge” of residential neighborhoods in Clarksburg and abuts the open space of Ovid Hazen Wells Regional Park and the Agricultural Preserve.

The Clarksburg Master Plan recommends a mixed-use neighborhood with transit-oriented land use patterns for this District. The proposed project recommends a significant number of new residential units. In combination with Clarksburg Village located directed to the west, these two large projects will provide approximately 3,900 residential units and 109,000 square feet of commercial space. See Attachment 1, memorandum dated January 31, 2002, that summarizes the Master Plan objectives in more detail.

Staff believes that the proposed site plan achieves the following Master Plan land use objectives:

1. *“Create a mixed-use neighborhood with transit-oriented land use patterns.” (p. 58)*

While Phase II and I achieve a transit-oriented land use pattern, future phases need to locate the multi-family units closer to the commercial area. Detached units and not multi-family units are proposed at the edge of the neighborhood to help form a suitable transition to rural and agricultural uses to the north and east. The multi-family units should be no more than 20 percent of the total units.

The Master Plan encourages street-oriented buildings throughout the neighborhood.

2. *“Provide strong pedestrian and bicycle linkages to Ovid Hazen Wells Park and create a development pattern, which encourages access to the greenway network.” (p. 62)*

While the proposed plan conforms to the Master Plan’s recommended bikeway network by providing several bikeways within the subject property, there should be a bikeway connection to Snowden Farm Parkway (Midcounty Highway). Field locate the greenway trail in a manner that maximizes one’s experience of the stream valley park and minimizes one’s exposure to stormwater management ponds, residential rear yards, and roadways.

There should be a possible connection under Snowden Farm Parkway. See Attachment in CBP memo.

**ANALYSIS: Conformance to Development Standards PD-4 Zone**

**PROJECT DATA TABLE**

Development Standard	Permitted/ Required	Proposed
Lot Area (ac.):	50 ac	374.08 acres Phase I: 164.00 acres
Density (dwelling/acre):	4 d/u per acre	
Dwelling Units:		
<i>Percentage of units allowed by Master Plan</i>		Total units entire project
One-family detached	45-55%	45.34%
Townhouse	34-45%	29.25%
Multifamily	10-20 %	15.41 %
<i>Number of Units</i>		Phase I
One-family detached		328
Townhouse		109
Townhouse MPDU		49
TOTAL		486
Moderately-priced DU's	12.5% or 163 total	49 Phase I and II 114 future phases
Green Space (%):	50% (per Dev Plan)	57%
Building Height (ft.):	to equal tract setback	to equal tract setback
Setbacks (ft.):		
Tract Boundary adj SFD zone	100 ft SFD only	n/a
Front yard	n/a	15 ft
Side yard	n/a	3 ft each side for rear loaded garage 4 ft per side for front loaded garage
Rear yard	n/a	as shown on site plan
Parking:		
Total	2 per du @482 du	964 on site

## GREENWAY VILLAGE PHASES 1 AND 2 RECREATION FACILITIES INFORMATION

### DEMAND POINTS PER POPULATION CATEGORY

TYPE	#DU	TOT (D1)	CHILD (D2)	TEEN (D3)	ADULT (D4)	ELDERLY (D5)
SFD II	108.00	14.04	25.92	27.00	114.48	11.88
SFD III	220.00	30.80	41.80	50.60	279.40	28.60
TOWNHOUSE	158.00	26.86	34.76	28.44	203.82	11.06
GARDEN	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>486.00</b>	<b>71.70</b>	<b>102.48</b>	<b>106.04</b>	<b>597.70</b>	<b>51.54</b>

### PROVIDED ON-SITE

FACILITY	TOT (D1)	CHILD (D2)	TEEN (D3)	ADULT (D4)	ELDERLY (D5)
Pedestrian System	3.59	20.50	21.21	268.97	23.19
Bike System	3.59	10.25	15.91	89.66	5.15
Natural Trails	3.59	10.25	15.91	89.66	7.73
Natural Areas	0.00	5.12	10.60	59.77	2.58
Pool	3.59	20.50	21.21	149.43	7.73
Wading Pool	10.76	5.12	0.00	59.77	5.15
Tot Lot	9.00	2.00	0.00	4.00	1.00
Multi-Age Playground	9.00	11.00	3.00	7.00	1.00
Seating Areas (4)	4.00	4.00	6.00	20.00	8.00
Open Play Area I (2)	12.00	18.00	24.00	60.00	4.00
<b>SUBTOTAL</b>	<b>59.10</b>	<b>106.74</b>	<b>117.83</b>	<b>808.24</b>	<b>65.54</b>

### OFF-SITE AMENITIES (PROPOSED MNCPPC PARK)

FACILITY	TOT (D1)	CHILD (D2)	TEEN (D3)	ADULT (D4)	ELDERLY (D5)
Max. credit allowed (35%)	25.10	35.87	37.11	209.20	18.04
Multi-Age Playground	9.00	11.00	3.00	7.00	1.00
Picnic Areas (3)	3.00	3.00	4.50	15.00	6.00
Soccer Field (2)	4.00	30.00	40.00	80.00	4.00
Regulation Baseball Field	2.00	15.00	20.00	40.00	2.00
Junior Baseball Field (4)	8.00	60.00	60.00	160.00	8.00
<b>TOTAL</b>	<b>26.00</b>	<b>119.00</b>	<b>127.50</b>	<b>302.00</b>	<b>21.00</b>
<b>SUBTOTAL (35%)</b>	<b>9.10</b>	<b>41.65</b>	<b>44.63</b>	<b>105.70</b>	<b>7.35</b>

<b>TOTAL PROVIDED</b>	<b>68.20</b>	<b>148.39</b>	<b>162.46</b>	<b>913.94</b>	<b>72.89</b>
(TOTAL REQUIRED)	71.70	102.48	106.04	597.70	51.54
<b>% OF REQUIRED AMOUNT</b>	<b>95.11%</b>	<b>144.80%</b>	<b>153.20%</b>	<b>152.91%</b>	<b>141.42%</b>

## **FINDINGS: For Site Plan Review**

1. *The Site Plan is consistent with an approved development plan for the PD-4 zone. Case G- 735 approved by the District Council April 10, 2001.*
2. *The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.*
3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. **Buildings**

The single family and townhouse units are predominately arranged in a grid to create the pedestrian oriented neotraditional neighborhood. This subdivision design allows for higher density pods of development and greater areas of open space preservation. The plan layout differs slightly from the Development Plan, the units are arranged primarily in grids with unit front doors facing the major streets and thus allowing for more consolidated open space areas. The tighter unit spacing creates a more pedestrian friendly environment along the public sidewalks and for more significant open space areas – stream valley buffers in particular. The orientation of the front door to the streets or to open space mews are an important part of this neighborhood design - they establish high quality pedestrian environments.

b. **Open Spaces**

A discussion of open space issues is included in the Special Protection Area discussion above.

The water quantity control for this site will be provided via several extended detention dry ponds. Water quality control for the site will be provided by the via a treatment train that consists of vegetated conveyance swales, dry swales (vegetated swales underlain with infiltration structures), bio-retention structures (for small drain areas), surface sand filters, underground sand filters, water quality inlets and recharge structures.

c. **Landscaping and Lighting**

Landscaping for the project is characterized by street tree planting, the development of a hedge row along Skylark Road, shrub masses at the perimeters of open space areas and decorative planting areas for accent areas. The plan utilizes stands of existing trees to create separations between development pods and for areas adjacent to backyards and play areas. The storm water management ponds have been landscaped and the landscaping and curvilinear grading provides

a visual relief to the functional form the ponds usually take. The landscaping provides attractive streetscapes, attractive views to adjacent open spaces and screening where rear yards are visible from public streets.

The lighting plans need to be updated to include the proposed final layout and they need to provide light levels that are adequate for pedestrian safety without creating a nuisance. A lighting plan is being developed for the communities in Clarksburg that will create a unified look for the communities as well as provide a light fixture that is sensitive to “dark sky” issues of no wasted light cast into the night sky. The final lighting plans for the site should incorporate these principals.

d. Recreation

Recreation demand is satisfied as shown in the recreation calculations table above, in general. Staff recommends that that an additional play area be included adjacent to the pool area to more fully develop the open space opportunities there.

e. Vehicular and Pedestrian Circulation

The street connections to the site are in accordance with the approved Preliminary Plan, and the layout provides an interconnecting grid of streets, providing for uniform access throughout the neighborhood for both pedestrians and vehicles. The combined system of streets and sidewalks allow for complete access for all inhabitants of the community. Private and public alleys provide access to the back yards of the homes with rear loaded garages, thus providing more uniform vehicular parking and pedestrian access next to the street within the front of the lot.

Beyond the places where public sidewalks follow the streets, the open space system is connected with interblock path systems which link play areas and open spaces. Beyond the unit blocks, paths and bike paths link open spaces with street oriented bike paths and off site bike paths (within Ovid Hazen Wells Park and towards the future Clarksburg Village).

The waiver of the public sidewalk along Sycamore Farm Drive is a challenge between environmental issues (possible stream buffer encroachment) and a need for a complete sidewalk system. The waiver would break the path system as the street adjoins the open space side of the street. There will be additional homes on the “open space” side of the street with future development applications. Given the limited street connections through this area and the potential for pedestrian demand in the future, staff recommends against the waiver of the sidewalk.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The buildings are arranged in a grid pattern of and buffers provided to allow for desirable relationship to adjacent homes and park uses.

Buffers will enhance the buffer to adjacent homes along the western boundary of the project.

The activity associated with the proposed residential will not cause any negative effect on adjacent residential and park uses.

5. The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.

A final forest conservation plan has been prepared for Phases I and II and a draft forest conservation plan for the entire 370-acre tract. The forest conservation plan for the entire tract will be modified as future site plans are submitted for the additional phases.

However, future site plans should not change the overall planting requirements. The undeveloped site includes 115 acres of forest and the applicant is proposing to remove 65 acres of forest. The applicant will meet the planting requirements through a combination of onsite and offsite planting. The first priority for any off-site forest planting is within the Clarksburg SPA. A five-year maintenance period for planted forest is required per the environmental guidelines.

## **APPENDIX**

- A. Standard conditions dated October 10, 1995
- B. Documentation of relevant prior action or approval – Development Plan Opinion and Preliminary Plan Opinion
- C. Correspondence referenced in report

**APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:**

1. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:
  - a. Development Program to include a phasing schedule as follows:
    - 1) Streets tree planting must progress, as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
    - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
    - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
    - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
    - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
    - 6) Coordination of each section of the development and roads.
    - 7) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
  - a. Limits of disturbance.
  - b. Methods and locations of tree protection.
  - c. Forest Conservation areas.
  - d. Relocation of stormwater facility outfalls from pond away from forest preservation or other environmentally sensitive areas.
  - e. Conditions of DPS Stormwater Management Concept approval letter dated September 5, 2002.
  - f. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
  - g. The development program inspection schedule.
  - h. Conservation easement boundary.
  - i. Streets trees 40 and 50 feet on center along all public streets.
  - j. Centralized, screened trash areas for all one-family attached units except townhouses.



3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.



## DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

September 5, 2002

Mr. Jeff Seidleck  
Charles P. Johnson & Associates, Inc.  
1751 Elton Road  
Silver Spring, Maryland 20903

Re: **Final Water Quality Plan for Greenway Village at Clarksburg Phases I and II**  
SM File #: 204344  
Tract Size/Zone: 164.0 Ac/PD-7  
Tax Plate: EW  
Watershed: Little Seneca Creek

### SPECIAL PROTECTION AREA

Dear Mr. Seidleck:

Based on a review by the Department of Permitting Services, the Final Water Quality Plan (FWQP) for the above mentioned site is conditionally approved.

**Site Description:** The total site area is 374.08 acres and is located mainly southwest of the intersection of MD Route 27 (Ridge Road) and Skylark Road. Phases I and II will include 164 acres, primarily consisting of single-family detached units, townhouses and some multi-family units, in a proposed neo-traditional town layout. Additionally, this plan includes the grading to improve Skylark Road and the proposed sales trailers and their associated parking. The site is located in the Clarksburg Special Protection Area (SPA) of the Little Seneca Creek Watershed.

**Stormwater Management:** Water quantity control for this site will be provided via several extended detention dry ponds. These structures will provide control of the one-year storm and a maximum detention time of 12 hours per the new state standards. Quality control will be provided via a treatment train that consists of vegetated conveyance swales, dry swales (vegetated swales underlain with infiltration structures), bioretention structures (for small drainage areas), surface sand filters, underground sand filters, water quality inlets and recharge structures. In areas where open section roads were not feasible, additional water quality structures were provided to offset the lost benefits that open section roadways provide. These offsetting structures included additional recharge structures, bioretention structures and underground sand filters. Runoff from vehicular use areas is to be pretreated prior to entering water quality structures. The water quality structures must be sized to treat a minimum of one-inch over the proposed impervious area.

**Sediment Control:** Redundant sediment control structures are to be used throughout the site. These are to include upland sediment traps that drain to secondary traps down grade. When this is not feasible sediment traps with forebays will be acceptable. All sediment trapping structures are to be equipped with dewatering devices. **Interim water quantity control is required in the proposed sediment traps for the grading of Skylark Road.** The following features are to be incorporated into the sediment control concept for the final water quality plan:



Jeff Seidleck  
September 5, 2002  
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1. The earth dikes that feed the sediment traps are to be constructed using trapezoidal channels to reduce flow rates.
2. The site grading shall be phased whenever possible to limit disturbance and immediate stabilization is to be emphasized.
3. Silt fence alone will not be allowed as a perimeter control. The use of super silt fence will be acceptable for small areas of disturbance.

**Performance Goals:** The performance goals that were established at the pre-application meeting are to be met with the implementation of this Final Water Quality Plan. They are as follows:

1. Protect the streams and aquatic habitat.
2. Maintain the natural on-site stream channels.
3. Minimize storm flow run off increases.
4. Identify and protect stream banks prone to erosion and slumping.
5. Minimize increases to ambient water temperatures.
6. Minimize sediment loading.
7. Maintain stream base flows.
8. Protect springs, seeps, and wetlands.
9. Minimize pollutant loading.

**Monitoring:** The monitoring must be in accordance with the BMP monitoring protocols which have been established by the Department of Permitting Services (DPS) and Department of Environmental Protection (DEP). The monitoring requirements of the Preliminary Water Quality still apply. **These requirements will be made more specific and refined in a follow up memorandum from DEP.** The following is a list of the monitoring requirements that were required in the Preliminary Water Quality Plan approval and may currently be being performed:

1. Provide discrete flow readings on the three tributaries west of proposed A-302 roadway. Flow readings are to be taken along with groundwater readings to allow comparison of groundwater levels to stream flows levels (to be submitted quarterly). Water chemistry monitoring parameters are to include nitrogen (nitrate, nitrite and TKN), phosphorus (total and ortho) metals, (lead, zinc, copper and cadmium) and total suspended solids. Three storm composite samples are to be collected during the pre-construction period to establish a baseline for this component of the monitoring.
2. Monitoring of the main linked stormwater management (SWM) system in the western portion of the site (SWM Pond #3) for flow, temperature, and chemical parameters as specified above in condition #1. The monitoring is to be at the inflow and outflow point of each cell of the structure. **This monitoring may be changed to the monitoring of individual structures (three to four structures) if it is determined by DPS and DEP that it would be more beneficial.**

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Jeff Seidleck  
September 5, 2002  
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3. Establish a stream monitoring station down stream of the SWM system that is being monitored (SWM Pond #3). This station will be used to monitor embeddedness and stream morphology changes.
4. Provide a continuous flow monitoring station on the main tributary below SWM Pond #5 as close to the southern property line as possible.
5. Total suspended solids are to be sampled (composite or grab samples is to be determined in the DEP memorandum) at the discharge into and out of each cell of the sediment trapping system (forebay, main cell and at the outlet). This sampling is to be done four times a year, during storm events, throughout the construction phase on the largest active sediment trap.
6. Groundwater monitoring wells are to be installed as per a previous field meeting with representatives of DEP.
7. Water temperature is to be monitored in Little Seneca Creek immediately below the bridge of Skylark Road. This monitoring is to occur from June through September of each year.

Prior to the start of any monitoring activity, a meeting is to be held on site with DEP, DPS and those responsible for conducting the monitoring to establish the monitoring parameters. Monitoring is to begin one-year prior to the start of construction, lasting through the construction phase of the development, and for up to five years after construction is complete. **One year of pre-construction monitoring must be completed prior to the issuance of a sediment control permit.** These monitoring requirements are based on the information currently available and may change based on final structure locations and subsequent project phases.

**Conditions of Approval:** The following conditions must be addressed in the initial submission of the detailed stormwater management and sediment control plan. This list may not be all inclusive and may change based on available information at the time of the review:

1. The proposed on-lot recharge areas must be within an easement.
2. All of the proposed stream buffer encroachments must be approved by MNCPPC.
3. Documentation must be provided that allows for the proposed grading, pond outfalls and a portion of proposed Pond #6 which is shown on the approved stormwater management concept as being on adjacent property.
4. Provide clear access to all stormwater management structures from a public right-of-way.
5. A dam breach analysis will be required for proposed Pond #6. As shown there appears to be a breach impact on the downstream property which would preclude development below the dam embankment and/or require the pond to be designed as a high hazard structure. If this matter can't be resolved in a timely manner with the adjacent property owner, the water quality plan (and possibly the site plan) will have to be revised for this portion of the site.
6. Water quality structures that are to be used for sediment control must have a minimum undisturbed buffer of two feet from the bottom of the sediment trap to the bottom of the stormwater structure.
7. At a minimum, one foot of stone (dead storage) is to be provided below the outlet pipe of all of the proposed water quality filtering devices to provide additional groundwater recharge.



Jeff Seidleck  
September 5, 2002  
Page 4

8. Provide a hydrologic study point at DEP's existing monitoring station LSLS 104 (from Annual Report-May 2001) to determine the effect of the ultimate buildout (pre-development, post-development and post-development with the proposed BMPs) on this subwatershed. This analysis is to be done using accepted methodology (e.g. TR-20, HEC-2, HEC-RAS, HSPF and SWMM).
9. In general, quantity compensation is not permitted in SPA's, however due to the proximity of lots to stream buffers and tree save areas some compensation may be permitted to minimize disturbance in these areas. The compensation areas are to be minimized as much as possible.
10. Minimize the use of insecticides and fertilizers via a residential Integrated Pest Management Plan as part of the Homeowners Association (HOA) documents. A draft of this plan/document is to be submitted at the detailed sediment control plan stage, and the final document is to be submitted prior to bond release.
11. All of the proposed stream crossings are to use environmentally sensitive design criteria.
12. The stream channels on-site are to be walked to determine if channel restoration is necessary.
13. Additional upland percolation tests may be required to determine the feasibility of providing ground water recharge.
14. Provide a tree planting plan to allow for shading of the dry pond outfalls (into the low flow channels and out of the ponds).
15. MCDPS reserves the right to require the developer to provide full-time, third-party, on-site, sediment control inspection if the department decides the goals of the Water Quality Plan are not being met.

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 Water Quality Plan requirements.

If you have any questions regarding these actions, please feel free to contact Leo Galanko at (240) 777-6242.

Sincerely,



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

RRB:enm:CN204344

cc: M. Shaneman MNCPPC-DR  
M. Pfefferie MNCPPC-ER  
D. Marshall MCDEP  
L. Galanko  
SM File # 204344



Rec'd 4/23/01  
Dev. Plan filed - 4/30/01

Resolution No. 14-834  
Introduced: April 10, 2001  
Adopted: April 10, 2001

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
IN MONTGOMERY COUNTY

By: County Council

Subject: APPLICATION NO. G-735 FOR AMENDMENT TO THE ZONING ORDINANCE MAP,  
Roger Bain, Attorney for DiMaio Joint Venture, Applicant, OPINION AND RESOLUTION ON  
APPLICATION

Tax Account Nos. 00019236, 00019247, and 00019258

OPINION

Zoning Application No. G-735 requests reclassification from the R-200 Zone to the PD-4 Zone of a 373.77 acre tract of land known as the DiMaio property, west of Ridge Road, north and south of Skylark Road, and east and west of Newcut Road in Clarksburg, in the 2nd Election District.

The Hearing Examiner recommended approval based on the conclusions that the PD-4 Zone at the proposed location is a proper use for the comprehensive and systematic development of the County; that the proposed development is capable of accomplishing the purposes of the PD-4 Zone; that the proposed development is in substantial compliance with the applicable master plan; and that the proposed development satisfies the technical requirements of the PD-4 Zone. Finally, the Hearing Examiner concluded that the amended development plan satisfies the requirements of Section 59-D-1.6 in that the PD-4 Zone complies with the recommendations contained in the master plan and does not conflict with the General Plan, the County's CIP, or other plans or policies; that the amended development plan complies with the purposes, standards and regulations of the PD-4 Zone; that the amended development plan provides for the maximum safety, convenience and amenities of the residents of the development, and will be compatible with adjacent

development; that the amended development plan proposes a vehicular and pedestrian circulation system that is safe, adequate and efficient; that the amended development plan provides a site design that would tend to prevent soil erosion and preserve natural features of the site; and that the amended development plan is supported by documents that adequately and sufficiently provide a method of assuring maintenance and care for recreational, common, and quasi-public areas. The Planning Board and Technical Staff provided similar recommendations. The District Council agrees with the findings and conclusions of the Hearing Examiner, the Planning Board and the Technical Staff.

The subject property is a 373.77 acre tract of land in the Newcut Road Neighborhood of the Clarksburg Master Plan. The property, known as the DiMaio property, is irregularly shaped. The subject property is comprised of three parcels of primarily rolling farmland. The site is located within the Clarksburg Special Protection Area and is divided by Little Seneca Creek and its tributaries which run roughly north to south across the middle of the site. The stream valleys are wooded and several stands of mature trees are located on the site. The subject property was classified under the R-200 Zone by the 1958 Countywide Comprehensive Zoning and was rezoned to the PNZ Zone in 1970. In 1994, the site was rezoned to the R-200 Zone based upon the Clarksburg Master Plan which recommended a base zone of R-200 with a floating zone of PD5-7.

The surrounding area encompasses the Newcut Road Neighborhood and portions of the Ridge Road and Brink Road Transition Areas of the Clarksburg Master Plan. This area is bounded by Piedmont Road and Ovid Hazen Wells Park to the north, Ridge Road to the east, Brink Road, Frederick Road and Little Seneca Creek to the south, and Stringtown Road to the west. This area contains a mix of uses and a variety of zoning categories. The existing land use in the area is primarily farmland. There are also a number of small residential communities in the area. Adjoining the subject property to the south and southwest is the future Clarksburg Village Neighborhood, an R-200/TDR-3 zoned residential community. The subject property surrounds two

6

enclaves, one of which contains two one-acre single-family residential lots, and the other contains one single-family residential lot.

The application proposes to develop the site with a mixed-use community with a maximum of 1,330 residential units and a commercial center containing a total of 89,000 square feet of commercial uses. Approximately 86 acres would be dedicated for public and private parks and a 25-acre site would be dedicated for a future middle school.

The property is divided by Little Seneca Creek creating two separate residential neighborhoods. The neighborhood east of the creek would contain the mixed-use commercial center bordered by apartments and townhouses that step down to larger single-family detached lots. The neighborhood west of the creek contains only residential lots with a mix of townhouses, patio homes and single-family detached houses. The community would be accessed by Newcut Road Extended and Skylark Road which borders the northern edge of the western neighborhood and traverses the northern portion of the eastern neighborhood. Internal neighborhood streets are interconnected within the two neighborhoods defined by the stream valleys.

A binding element of the amended development plan requires the Applicant to participate in several planned roadways and roadway improvements. The amended development plan provides for a dedication of more than 48 acres of public parkland, plus over 37 acres of private recreational areas. Over 50% of the site will contain green areas. Extensive pedestrian and bicycle paths are proposed as well as an interconnected internal street pattern. A greenway bisecting the site, and road cross-sections have been designed to prevent soil erosion and preserve natural vegetation and other natural features of the site.

The District Council determines that the amended development plan satisfies the requirements of Section 59-D-1.6. The requested reclassification to the PD-4 Zone complies with the recommendations contained in the Clarksburg Master Plan for a medium low density Planned Development Zone and does not conflict with the General Plan, the County CIP, or other applicable plans or policies. The amended



development plan complies with the purposes, standards and regulations of the PD-4 Zone and provides for the maximum safety, convenience and amenities of residents of the area as well as being compatible with adjacent development. The amended development plan also proposes a vehicular and pedestrian circulation system that is safe, adequate and efficient. The amended development plan provides a site design that will prevent soil erosion and preserve natural vegetation and other natural features of the site. The amended development plan is supported by documents that adequately and sufficiently provide a method of assuring perpetual maintenance of recreational, common or quasi-public areas.

The District Council concludes that the application satisfies the requirements of the PD-4 Zone. The PD-4 Zone at the proposed location constitutes a proper use for the comprehensive and systematic development of the County; that the proposed development is capable of accomplishing the purposes of the zone; that the proposed development is in substantial compliance with the applicable master plan; and that the proposed development satisfies the technical requirements of the PD-4 Zone. The proposed development satisfies the minimum area and density requirements of the zone and is also compatible with the surrounding uses. The proposed development also satisfies the green space, dedication and parking requirements of the zone.

For these reasons and because to grant the instant application would aid in the accomplishment of a coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District, the application will be granted in the manner set forth below.

#### ACTION

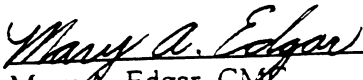
The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

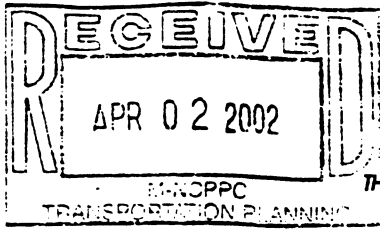
The amended development, plan, submitted as Exhibit 70(a), is hereby approved.



Zoning Application No. G-735, for the reclassification from the R-200 Zone to the PD-4 Zone of a 373.77 acre tract of land, known as the DiMaio property, west of Ridge Road, north and south of Skylark Road, and east and west of Newcut Road in Clarksburg, in the 2nd Election District, is granted for the PD-4 Zone in the amount requested subject to the specifications and requirements of the amended development plan above; provided, however, that within 10 days of receipt of the District Council's approval resolution, the applicant must submit a reproducible original and three copies of the amended development plan for certification in accordance with §59-D-1.64.

This is a correct copy of Council action.

  
Mary A. Edgar, CMC  
Clerk of the Council



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed: March 6, 2002

Action: Approved Staff Recommendation

Motion of Comm. Bryant, seconded by  
Comm. Wellington with a vote of 5-0;

Comms. Bryant, Holmes, Perdue,  
Robinson and Wellington voting in favor

## MONTGOMERY COUNTY PLANNING BOARD

### OPINION

Preliminary Plan 1-02033

NAME OF PLAN: GREENWAY VILLAGE AT CLARKSBURG AND PRELIMINARY  
WATER QUALITY PLAN

On 09/28/01, CLARKSBURG SKYLARK, L.L.C. submitted an application for the approval of a preliminary plan of subdivision of property in the PD-4 zone. The application proposed to create 1,330 units (600 single family detached, 386 single-family attached, 344 multi-family units and 89,000 square feet of retail) on 374.08 acres of land. The application was designated Preliminary Plan 1-02033. On 02/07/02, Preliminary Plan 1-02033 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-02033 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-02033.

Approval of Preliminary Plan, Pursuant to the FY 2002 Annual Growth Policy for Ceiling Flexibility for Developer Participation Projects, and Including a Preliminary Water Quality Plan, Subject to the Following Conditions:

- 1) Compliance with the conditions of approval of the January 31, 2002, Transportation Planning memorandum which includes the following conditions:
  - I. Total development under this preliminary plan application is limited to the following uses and density:
    - 1,330 dwelling units
    - 89,000 square feet of retail space
    - 2,000 square feet of community space
  - II. To satisfy Policy Area Transportation Review (PATR)
    - a. The applicant shall participate in widening MD 27; (1) to six through travel lanes from Observation Drive in Germantown through the Brink Road

- intersection, (2) to four through travel lanes through the A-305 intersection; and (3) continue two northbound travel lanes through the Skylark Road intersection, including dedication of 120' right-of-way, 60' from the centerline, along the site frontage. This improvement along MD 27 is consistent with the master plan recommendation. If, after master dedication along the west side of MD 27, sufficient right-of-way is not available for the proposed widening, the applicant has to either acquire additional right-of-way on the east side of MD 27 or dedicate additional right-of-way and widen MD 27 on their development side.
- b. The applicant shall dedicate on-site portions and participate in construction Relocated Newcut Road (A-302) as a two lane divided arterial or business district roadway between MD 27 and the A-305 intersection and as a four lane divided arterial roadway between A-305 and MD 355.
  - c. The applicant shall participate in constructing A-305 as a four lane divided arterial roadway between MD 27 and Stringtown Road.
  - d. The applicant shall dedicate and participate in constructing Foreman Boulevard as a two lane arterial roadway from its current terminus at Timber Creek Lane to A-305.

III. To satisfy Local Area Transportation Review (LATR)

- a. The applicant shall participate in construction a second left-turn lane from northbound MD 355 to westbound MD 27.
- b. The applicant shall participate in constructing additional turn/approach on MD 27 and Brink Road at the intersection of MD 27/Brink Road.
- c. The applicant shall participate in providing a separate left-turn lane from southbound MD 355 to eastbound Brink Road as a separate left-turn lane from westbound Brink Road to southbound MD 355.
- d. The applicant shall widen existing Skylark Road by four to six feet, for a total roadway width of 24 feet, from Piedmont Road to the Greenway and construct Relocate Skylark Road from the Greenway to MD 27, including a five-foot sidewalk on the south side.

IV. The applicant shall agree that the roadway improvement listed as conditions of approval are under construction in accordance with the phasing of road improvements for Clarksburg/DiMaio development as described in David D. Flanagan's letter dated March 14, 2002 and confirmed in Transportation Planning's letter date March 29, 2001. The locations of the above roadway improvements (except for condition 3d\_ are shown in the attached Exhibit 1.

V. The applicant shall construct a roundabout on A-302 at Street "P3-Q".

VI. The applicant shall construct A-302 as a business district street between A-305 and the roundabout in accordance with DPWT Standard No. MC-219.02, and as a two lane arterial street between the roundabout and MD 27 in accordance with DPWT Standard No. MC-213.04."

- 2) Prior to Planning Board review of a Site Plan applicant shall submit an "Infrastructure Plan" for Planning Board review. The plan shall include the following:
  - a) Location and types of stormwater management facilities for quality and quantity controls that comply with the conditions of MCDPS' preliminary water quality plan
  - b) Delineate bike and pedestrian access pathways including all at grade and below grade crossings along all road rights of way and at stream crossings
  - c) All roadway networks including both private and public connections, streetscape, lighting, sidewalks and paving materials
  - d) Delineation of "Greenway" and other open space areas including all environmental buffers
  - e) School sites and Park dedication sites
  - f) Recreation guideline concept plan
  - g) Proposed schedule for clearing and grading of site
- 3) No clearing, grading, unless designated on the "Infrastructure Plan" and no recording of plats prior to site plan enforcement agreement approval
- 4) Compliance with the conditions of the Revised Preliminary Water Quality Plan approval letter, dated, January 30, 2002, from the Montgomery County Department of Permitting Service
- 5) Compliance with the conditions of the Preliminary Forest Conservation Plan. Conditions must be satisfied prior to recordation of plat(s) or MCDPS issuance of sediment and erosion control permits
- 6) Access and improvement as outlined in MCDPWT letter dated January 31, 2002
- 7) Access and improvements as outlined in MDSHA letter dated, November 6, 2001
- 8) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Clarksburg Master Plan unless otherwise designated on the preliminary plan
- 9) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Clarksburg Master Plan, and to the design standards imposed by all applicable road codes or as approved by MCDPWT
- 10) Abandonment of unused portion of Skylark Road to be approved, by appropriate agency, subsequent to construction and release of relocated Skylark Road to Montgomery County
- 11) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation
- 12) Record plat to provide for dedication of local road network as outlined in conditions #1, #6 and #7 above and depicted on the approved preliminary plan
- 13) Record plat to reflect common ingress/egress easements over all shared access locations
- 14) Record plat to reflect note limiting uses of dedicated school site to school construction or park use only
- 15) Applicant to provide recreational related facilities as set out in the Amended Park Planning and Resources Analysis Unit memorandum dated, February 6, 2002. Applicant to dedicate to M-NCPPC the following areas:
  - Area identified as "Park 6" as shown on plan, to be an area with a minimum 600 ft. width with adequate area outside of stream buffer to accommodate the needed Greenway trails
  - Land north of relocated Skylark Road and Street P3-A adjacent to Ovid Hazen Wells. Not to include stormwater ponds of swimming pool facility areas.
  - Areas identified "Park 1" and "Park 9" and "Park 12" as shown on plan

- 16) Construction of two (2) full size baseball fields, one (1) full size basketball court, one (1) multi-age playground and an adequately sized parking lot by applicant within "Park 12". Facilities to be constructed to park standards and layout to be coordinated with M-NCPPC staff at Site Plan. It is noted that this park is part of a pending application for the Clarksburg/Skylark Development District
- 17) Dedication of the proposed Middle School site west of Ridge Rd. (MD 27), including 22.0 acres exclusive of stormwater management and forest conservation easements to Montgomery County Public Schools
- 18) The school site will be graded, surfaced with topsoil, fine graded to a maximum of +/- 6" over 100', and seeded as appropriate in accordance with Montgomery County Public School standards
- 19) Phasing of dedication of the school site and park sites shall be incorporated as part of the phasing schedule included with Site Plan approval
- 20) Applicant to construct eight (8) foot wide master plan paved, mixed use trail within the Clarksburg Greenway as approved by the Site Plan
- 21) Final approval of the number and location of buildings to be determined at Site Plan and in order to conform to the master plan and the approved Development Plan include: 1) relocation of multi-family units from north of Skylark Road and west of greenway trail to within walking distance of neighborhood center, or delete those units, 2) redesign neighborhood center to provide for a framework of internal streets and to achieve a street oriented development and, 3) reduce the number of multi-family units to no more than 20% of the total unit count
- 22) Final alignment, design and landscaping of trails, greenway trails and entrance features to be determined at Site Plan and to include additional "park windows" and resident trail access points to park in areas other than stormwater management facilities as per the approved Development Plan
- 23) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 24) Final number, location, and unit type distribution of MPDU's to be determined at the time of site plan dependent on Condition # 20 above
- 25) Waiver of over length cul-de-sac and appropriate sidewalk waivers to be reviewed and approved at Site Plan
- 26) This preliminary plan will remain valid until February 7, 2014 and shall be phased for recordation of lots as follows:

Phase One:	350 lots by February 7, 2005
Phase Two:	700 lots by February 7, 2008
Phase Three:	1050 lots by February 7, 2011
Phase Four:	All remaining lots by February 7, 2014

Prior to the expiration period, the final record plat for all remaining lots within each phase must be recorded, or a request for an extension must be filed
- 27) Other necessary easements

# Charles P. Johnson & Associates, Inc.

Planners Engineers Landscape Architects Surveyors

**CPJ**  
Associates

Silver Spring, MD

Frederick, MD

Fairfax, VA

August 27, 2002

Wynn Witthans  
MNCPPC – Montgomery County  
8787 Georgia Avenue  
Silver Spring, Maryland 20907

Re: Greenway Village  
# 8-020036

Dear Ms. Witthans,

On behalf of our client, Clarksburg Skylark LLC, we are requesting waivers for the following several items.

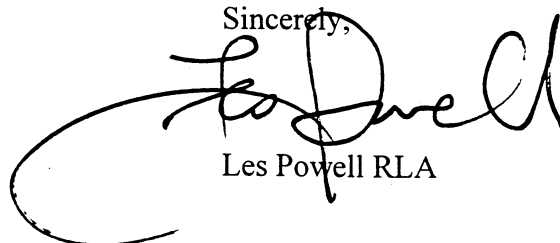
We are requesting a waiver of lot frontage (Sec. 50-29-2) for lots 9 & 10 block C, and lots 2 & 3 block D. There is green space in front of these four lots which we could provide access out to the right of way, however due to the fact that we are within a special protection watershed we are required to provide redundant storm water management facilities. In order to achieve this without disturbing existing woodland we are proposing underground facilities. As you are aware DPS requires that these be located within parcels, not within homeowner lots. By waiving the lot frontage we are able to create 2 large homeowner association parcels through which DPS can maintain these facilities.

A waiver of the standard 30' radius at intersections will also be required for all internal streets. With the exception of Sycamore Farm Drive we will be utilizing a 20' radius at intersections. Sycamore Drive intersections will have a 25' radius.

The final waiver that we are requesting is for a sidewalk along the northwest side of Sycamore Farm Drive from Birch Mead Road down to Magnolia Park Place. The grading for the sidewalk extends into the stream valley buffer causing unnecessary impacts. There are no houses along this side of the roadway that it would affect. By removal of the sidewalk, we are also lessening the amount of impervious area within the development.

Please feel free to contact concerning any of the above-mentioned waivers if you have any questions.

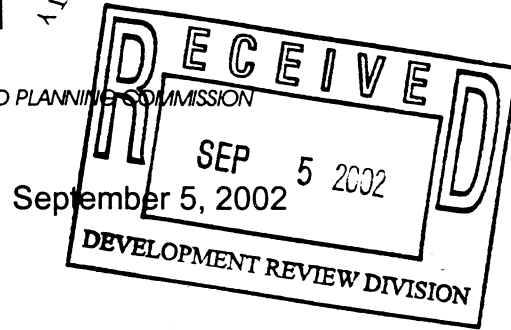
Sincerely,



Les Powell RLA

M:\31200\wp\Waiver letter.doc

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**MEMORANDUM**

TO: Wynn Witthans, Planner  
Development Review Division

VIA: Ronald C. Welke, Supervisor  
Transportation Planning

FROM: Ki H. Kim, Planner  
Transportation Planning

SUBJECT: Site Plan No. 8-02036  
Greenway Village at Clarksburg - Phases 1 & 2  
Clarksburg

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This memorandum is Transportation Planning staff's review of the subject site plan for Greenway Village at Clarksburg - Phases 1 and 2. The subject site is located on the west side of Ridge Road (MD 27) south of Skylark Road in the Clarksburg Policy Area. The site has an approved preliminary plan for 1,330 dwelling units, 89,000 square feet of retail space, and 2,000 square feet of community space. The application is for 486 dwelling units.

**RECOMMENDATION**

Staff recommends the following conditions related to approval of the subject site plan.

1. Total development under this site plan application is limited to 486 dwelling units.
2. In accordance with the Local Area Transportation Review (LATR) Guidelines and the revised phasing of road improvements for the Clarksburg Village/Greenway Village at Clarksburg developments described in Transportation Planning Staff's letter of August 22, 2002 to Mr. David Flanagan and Mr. Bernard Rafferty (copy attached), the off-site improvement to widen MD 27 to six through travel lanes from Observation Drive to MD 355 including a second left-turn lane from northbound MD



355 to westbound MD 27 must be bonded, under construction, or under contract for construction prior to issuance of building permits for the new development.

3. The applicant shall widen existing Skylark Road by four to six feet, for a total roadway width of 24 feet, from Piedmont Road to the Greenway.

## **DISCUSSION**

### Local Area Transportation Review (LATR) and Policy Area Transportation Review

The Adequate Public Facilities issues on the subject development as related to both the LATR and Policy Area Transportation Review were addressed at the time of the preliminary plan application. Revisions to the phasing of off-site and on-site roadway improvements are addressed in staff's August 22, 2002 letter.

### Site Access and Circulation

The existing Skylark Road with improvements to be provided by the applicant in connection with the subject site plan provides safe and adequate access for vehicles and pedestrians. The internal vehicular circulation as shown on the site plan is adequate and safe.

KHK:cmd

Attachment

cc: Malcolm Shaneman  
David Flanagan  
Bernard Rafferty

SP 8-02036 Greenway Village at Clarksburg.doc



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

August 22, 2002

Mr. David D. Flanagan  
Elm Street Development  
6820 Elm Street, Suite 200  
McLean, Virginia 22101

Mr. Bernard Rafferty  
Artery Development Company  
7200 Wisconsin Avenue, Suite 1000  
Bethesda, Maryland 20814

RE: Phasing of Road Improvements for  
Clarksburg Village/DiMaio Developments

Dear Mr. Flanagan and Mr. Rafferty:

We are writing in reply to Mr. Rafferty's letter of August 5, 2002, confirming the proposed modifications of phasing of road improvements for the Clarksburg Village/DiMaio developments. The recommended modified phasing program is as follows:

<u>Off-Site Improvements</u>	<u>Permit Capacity</u>
1. MD 27-Observation Drive to MD 355 plus turn lane on MD 355 to WB 27	700 Units
2. MD 27-MD 355 to Brink plus turn at MD 27/Brink	700 Units
3. MD 27-Brink to A-305 plus turn lanes at MD 355/Brink	600 Units

On-Site Improvements

- |   |   |
|---|---|
| A. A-305: Stringtown to Foreman<br>Foreman: MD 355 to A-305 | 500 Units   |
| B. A-305: Foreman to A-302<br>A-302: MD 27 to A-305         | 500 Units   |
| C. A-305: MD 27 to A-302                                    | 500 Units   |
| D. A-302: A-305 to MD 355                                   | Remaining Residential<br>(approx. 300 units) and<br>all retail and commercial |

We generally support the revised phasing of road improvements as described in Mr. Rafferty's August 5 letter with the following comments:

1. The amendment to the approved preliminary plans as related to the proposed new phasing of road improvements will be reviewed by the Planning Board at the time of the first site plan review. We may revisit the phasing plan in the future depending on the sequence of the submitted site plans.
2. The first off-site improvements should be (1) MD 27 from Observation Drive to MD 355 plus turn lane on northbound MD 355 to westbound MD 27 and (2) MD 27 from MD 355 to Brink Road plus turn lanes at MD 27 and Brink Road, since these improvements would be critical elements in creating regional staging ceiling capacity. Off-site improvement #1 must be physically under construction (not merely bonded) before any building permits are released related to off-site improvement #2.
3. We recommend that the on-site improvement, A-305 from Stringtown Road to Foreman Boulevard and Foreman Boulevard from MD 355 to A-305, identified as "A" in Mr. Rafferty's letter, be constructed as the first on-site improvement. This on-site improvement should be constructed prior to the on-site improvement "B", A-305 from Foreman Boulevard to A-302 and A-302 from MD 27 to A-305.
4. After the first off-site and on-site improvements are constructed as described above, the remaining off-site and on-site improvements could proceed in any sequence until all improvements are completed.

Should you have any questions or need any clarification on our comments, please call either Ki Kim or me at (301) 495-4525.

Sincerely,

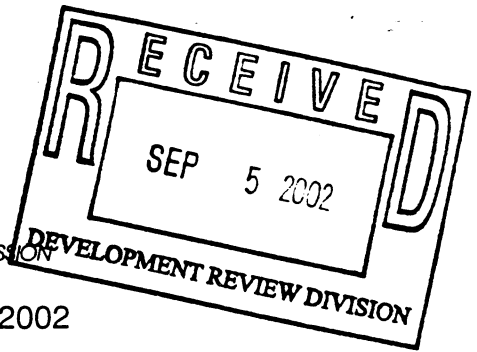


Ronald C. Welke, Supervisor  
Transportation Planning

RCW:KHK:cmd

cc: Wynn Witthans  
Malcolm Shaneman

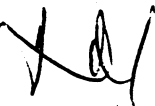
Ltr to Flanagan and Rafferty re Road Phasing.doc



September 5, 2002

MEMORANDUM

TO: Wynn E. Withans, Urban Designer  
Development Review Division

FROM: Nellie Shields Maskal, Community Planner  
Community-Based Planning Division 

SUBJECT: Greenway Village at Clarksburg Phase I and Phase II (Site Plan  
No. 8-02036)

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**Relationship to the Clarksburg Master Plan**

Greenway Village is located in the Newcut Road Neighborhood District of the 1994 Clarksburg Master Plan Area and will be traversed by the proposed M-83 (Snowden Farm Parkway). Stringtown Road and the Little Seneca Greenway separate the Newcut Road Neighborhood from the Clarksburg Town Center and the Transit Corridor Districts. The subject property represents the eastern "edge" of residential neighborhoods in Clarksburg and abuts the open space of Ovid Hazen Wells Regional Park and the Agricultural Preserve.

The Clarksburg Master Plan recommends a mixed-use neighborhood with transit-oriented land use patterns for this District. The proposed project recommends a significant number of new residential units. In combination with Clarksburg Village located directed to the west, these two large projects will provide approximately 3,900 residential units and 109,000 square feet of commercial space. See ~~Attachment 1~~, memorandum dated January 31, 2002, that summarizes the Master Plan objectives in more detail, *in file.*

Staff believes that the proposed site plan achieves the following Master Plan land use objectives:

1. "Create a mixed-use neighborhood with transit-oriented land use patterns."  
(p. 58)

While Phase II and I achieve a transit-oriented land use pattern, future phases need to locate the multi-family units closer to the commercial area. Detached units and not multi-family units are proposed at the edge of the neighborhood to help form a suitable transition to rural and agricultural uses

to the north and east. The multi-family units should be no more than 20 percent of the total units.

~~There is a need to re-orient lot 10, on Block 10 on Gycamore Drive to protect the rear yard. Also, on Block L, lots 1 and 37, the rear yards should not back to the street.~~

The Master Plan encourages street-oriented buildings throughout the neighborhood.

~~On sheet No. 7 of the site plan, there should be no flag lots in the greenway. This does not encourage access to the greenway. Also on this sheet, the sewer alignment should be shown. The trail should be shown in the sewer alignment. The Master Plan recommends a total of 600 feet for acquisition for the Little Seneca Creek Greenway as stated on page 158 of the Master Plan.~~

Future phases should also provide 2,000 square feet of civic space (that is privately owned and maintained) for public use in the commercial center.

~~Relocate handicap ramps at all intersections to increase pedestrian safety and line up with the crosswalks.~~

2. "Provide strong pedestrian and bicycle linkages to Ovid Hazen Wells Park and create a development pattern, which encourages access to the greenway network." (p. 62)

While the proposed plan conforms to the Master Plan's recommended bikeway network by providing several bikeways within the subject property, there should be a bikeway connection to Snowden Farm Parkway (Midcounty Highway). Field locate the greenway trail in a manner that maximizes one's experience of the stream valley park and minimizes one's exposure to stormwater management ponds, residential rear yards, and roadways.

There should be a possible connection under Snowden Farm Parkway. ~~See Attachment 2.~~

## Conclusion

Staff recommends approval of the proposed site plan with the conditions set forth in this memorandum. With these conditions, the site plan will comply with the policies and objectives of the Clarksburg Master Plan. It is important that a project of this size and scope achieve the goals of the Master Plan and set the standards.

## Attachments

NSM:tv: G:\Maskal\Greenway.doc

WHEELER & KORPECK, LLC

WILLIAM T. WHEELER  
ROBERT L. BROWNELL  
ROGER K. BAIN  
PATRICK F. GREANEY (MD AND DC)

ATTORNEYS AT LAW  
LEE PLAZA  
8601 GEORGIA AVENUE  
SUITE 908  
SILVER SPRING, MD 20910-3439

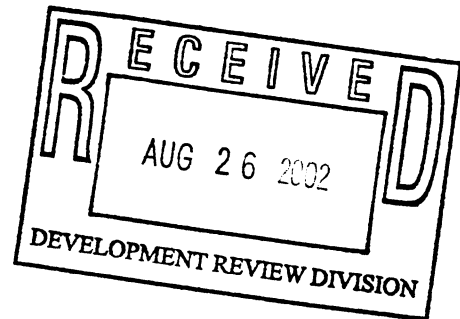
JEROME E. KORPECK  
(1924-2001)  
—  
MAIN PHONE: (301) 587-6200  
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TITLE (301) 589-6324  
—

WRITERS E-MAIL:  
rbain@wandk.com  
WRITERS DIRECT DIAL:

(301) 562-7285

August 21, 2002

The Honorable Douglas Duncan  
County Executive  
Montgomery County, Maryland  
Executive Office Building  
101 Monroe Street  
Rockville, MD 20850



Re: Abandonment of portions of  
Skylark and Newcut Roads

Dear Mr. Duncan:

On behalf of Petitioner, Clarksburg Skylark, LLC, we hereby request the abandonment of portions of Skylark and Newcut Roads located in the Newcut Road Neighborhood area of Clarksburg, Maryland, pursuant to Sections 49-62 through 49-68A of the Montgomery County Code 1994 (as amended). The portions of Skylark Road and Newcut Road to be abandoned are reflected on the plan attached hereto with metes and bounds descriptions and made a part hereof as Exhibit "A".

These abandonment requests are made in conjunction with development of the 375 acre tract formerly known as the DiMaio Property and now known as "Greenway Village at Clarksburg". These abandonment requests are being made to facilitate realignment of both roads consistent with the approved Clarksburg Master Plan and approved Preliminary Plan No. 1-02033.

Petitioner will be constructing the new alignment for both roads and understands that any abandonment request granted will not be complete until the corresponding section of the new alignment is operational and has been accepted by Montgomery County, Maryland.

Enclosed is a check in the amount of \$5,000.00 representing the filing fee for the requested abandonments.

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WHEELER & KORPECK, LLC

The Honorable Douglas Duncan  
August 21, 2002  
Page 2

We look forward to discussing the request for abandonments in greater detail at the public hearing and will be available to answer any questions the Hearing Examiner may have.

Should any additional information be required, please let me know.

Sincerely,

WHEELER & KORPECK, LLC

By:   
\_\_\_\_\_  
Roger K. Bain

RKB:lek

Enclosure

cc: Bernard Rafferty  
Les Powell  
Malcolm Shaneman  
Wynn Witthans  
Ron Wilke



# Charles P. Johnson & Associates, Inc.

Planners Engineers Landscape Architects Surveyors

Silver Spring, MD

Frederick, MD

Fairfax, VA

# CPJ Associates

August 26, 2002

Mr. Jeff Riese  
MCDPW&T  
Office of Project Development  
101 Monroe Street  
10<sup>th</sup> Floor  
Rockville, Maryland 20850

*MCDPW&T accepts the use of the  
modified sections type 12 and 17,  
and all other standard sections  
shown on sheet 27 of 27  
dated August 23, 2002.*

*This approval is subject to  
necessary adjustments by MCDPS  
during permitting and construction  
and approval of MCDPS water  
resources for meeting pre-treatment  
goals.*

*Jeffrey I. Riese 8/28/02*

Re: Greenway Village at Clarksburg  
Site Plan #8-02036

Dear Mr. Riese:

On behalf of our client, Clarksburg Skylark, LLC, we are submitting the proposed, modified roadway sections (see attached) for your approval as part of the site plan process. The enclosed sections were established to provide for water quality pre-treatment (via roadside swales), as mandated in special protection areas. All modified sections were approved as part of the preliminary plan (#1-02033) process with the exception of two: type 12 and type 17.

### Type 12: Modified MC-211.01 Secondary Residential Road

Since the proposed subdivision is within a special protection area, open section roadways are provided for wherever practical, for water quality pre-treatment (as required by MCDPS-Water Resources). However, open section roadways are not permitted where the lot frontage is less than 70 feet. As a result, the "combined" section is proposed. The final section has gone through multiple iterations over the last few months to address concerns from DPS, DPW&T and MNCPPC. Initially the open section portion of the road was based on the standard county section; however, DPS/DPW&T had maintenance concerns related to the shoulder area. As a result, curb and gutter was added with the swale behind the curb/sidewalk as directed by DPS. The design parameters for the swale were also adjusted, based on input from DPS-Water Resources.

### Type 17: Modified MC-210.02 Tertiary Residential Road

As was the case with Type 12, this section is a result of months of coordination with the entire development review staff to balance safety, maintenance, water quality and aesthetics.

Mr. Jeff Riese  
MCDPW&T  
Re: Greenway Village at Clarksburg  
August 26, 2002  
Page 2

Thanks for your consideration of the modified sections and your assistance throughout the review process.

Sincerely,



Jeff Seidleck  
Project Engineer

JJS/sme

cc: Artery - Nooshin Amirpour  
Bernie Rafferty  
MCDPS - Sarah Navid

# Charles P. Johnson & Associates, Inc.

Planners Engineers Landscape Architects Surveyors

**CPJ**  
Associates

Silver Spring, MD

Frederick, MD

Fairfax, VA

August 26, 2002

Mr. Jeff Riese  
MCDPW&T  
Office of Project Development  
101 Monroe Street  
10<sup>th</sup> Floor  
Rockville, Maryland 20850

Re: Greenway Village at Clarksburg  
Site Plan #8-02036

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26

Mr. Jeff Riese  
MCDPW&T  
Re: Greenway Village at Clarksburg  
August 26, 2002  
Page 2

Thanks for your consideration of the modified sections and your assistance throughout the review process.

Sincerely,

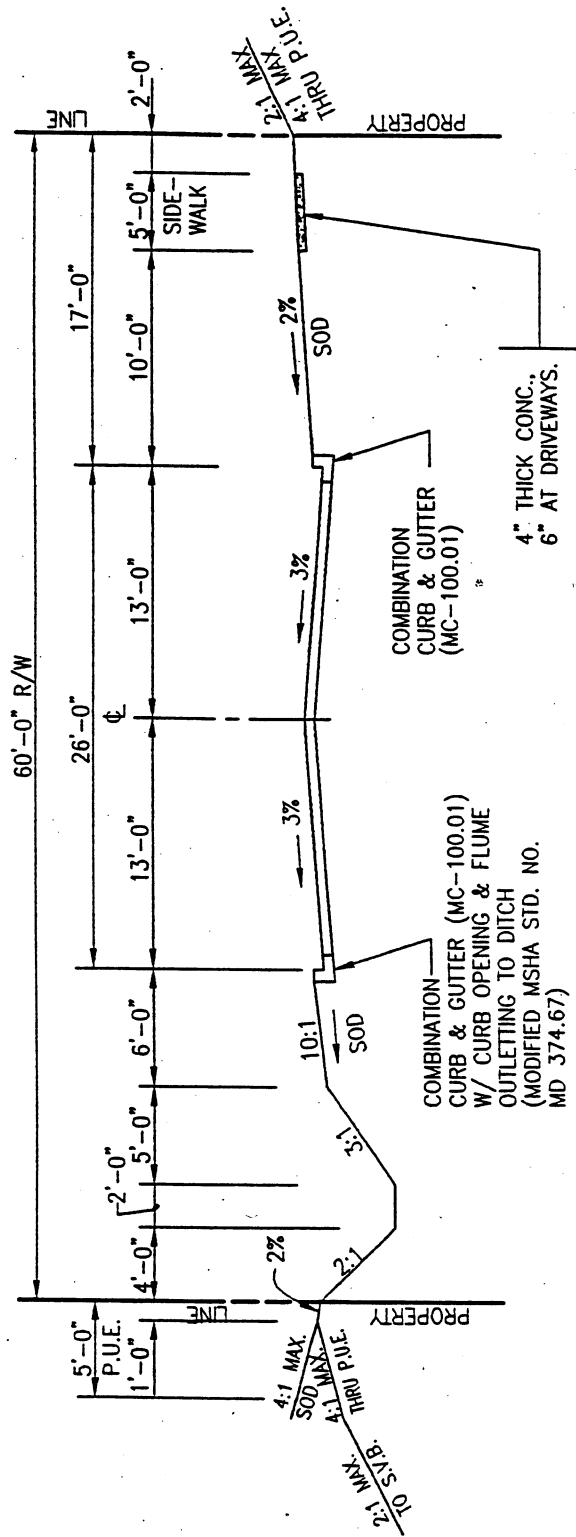


Jeff Seidleck  
Project Engineer

JJS/sme

cc: Artery - Nooshin Amirpour  
Bernie Rafferty  
MCDPS - Sarah Navid

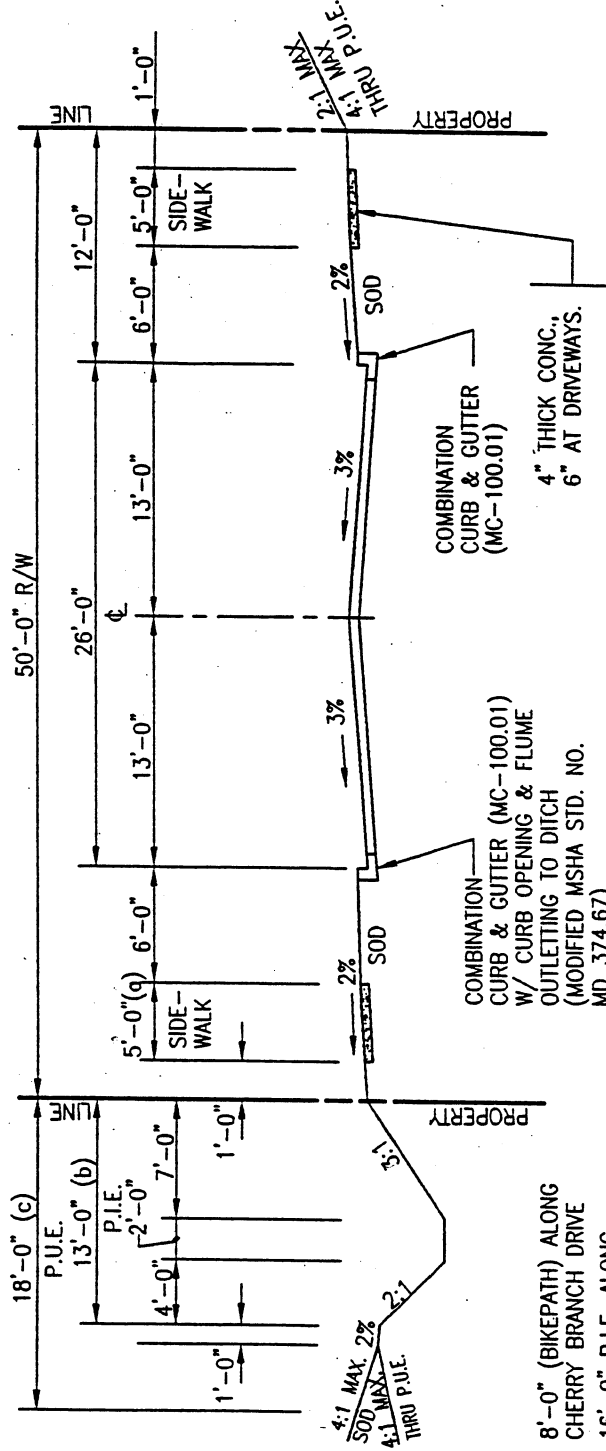
**MODIFIED MONTGOMERY COUNTY STANDARD NO. MC-211.01**  
**SECONDARY RESIDENTIAL ROAD**



**TYPE 12**

(SYCAMORE FARM DRIVE (STA.8+44.11 - 19+56.98)

**MODIFIED MONTGOMERY COUNTY STANDARD NO. MC-210.02(210.05)**  
**TERTIARY RESIDENTIAL ROAD**



- (a) - 8'-0" (BIKEPATH) ALONG CHERRY BRANCH DRIVE
- (b) - 16'-0" P.I.E. ALONG CHERRY BRANCH DRIVE
- (c) - 21'-0" P.U.E. ALONG CHERRY BRANCH DRIVE

**TYPE 17**

CHERRY BRANCH DRIVE (STA.11+50 - 16+12.23)  
 PERSIMMON RIDGE ROAD (STA. 0+00 - 5+91.12)