



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item #6  
MCPB  
01/16/03



## MEMORANDUM

**DATE:** January 10, 2003  
**TO:** Montgomery County Planning Board  
**VIA:** Joe R. Davis, Chief *JRD*  
Michael Ma, Supervisor *Ma*  
Development Review Division  
**FROM:** Wynn E. Witthans, RLA, AICP *WW*  
Planning Department Staff  
(301) 495-4584

**REVIEW TYPE:** Final Water Quality Plan Review and Site Plan Review  
**APPLYING FOR:** Approval of 34 single family detached dwelling units  
**PROJECT NAME:** PARKSIDE  
**CASE #:** 8-03000  
**REVIEW BASIS:** Sec. 59-D-3, M. C. Zoning Ordinance

**ZONE:** R-200/ RMX-2  
**LOCATION:** On Clarksburg Road, 2,100 square feet east of MD Route 355  
**MASTER PLAN:** Clarksburg Master Plan  
**APPLICANT:** Miller and Smith c/o Charles Ellison  
**FILING DATE:** August 13, 2002  
**HEARING DATE:** January 16, 2002

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### STAFF RECOMMENDATION – FINAL WATER QUALITY PLAN:

Staff recommends the Planning Board approve the Special Protection Area (SPA) Final Water Quality Plan subject to the following conditions:

1. Off-site reforestation must occur in the Clarksburg SPA. If a reforestation site is unavailable in the Clarksburg SPA, the applicant shall pay the in lieu fee to M-NCPPC prior to any clearing or grading.

- 6) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
  - 7) The Homeowners Association shall be set up to maintain the street trees within the public rights-of-way so to allow for tighter street tree spacing. The maintenance requirements shall also cover the sidewalk and path special paving where required.
- b. Site Plan Enforcement Agreement to delineate the Project Plan requirements as follows: *'Two (2) picnic shelters sized for two tables each at the southwest corner of Kings Local Park property to include rustic features consistent with the traditional rural character of Clarksburg and shall incorporate landscaping features with some historical, environmental or cultural interpretive elements.'*
4. 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. Methods and locations of tree protection.
  - b. Forest Conservation areas.
  - c. Conditions of DPS Final water Quality Plan for the Special Protection Area approval letter dated December 5, 2002.
  - d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
  - e. The development program inspection schedule.
  - f. Conservation easement boundary.
  - g. Streets trees 40 feet on center along all public streets.
  - h. Prior to signature set, the details for and location of noise mitigation techniques to attenuate future noise levels to no more than 55 dBA Ldn for the outdoor back yard area of homes and backing to future A-305 must be approved by staff.
5. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
- a. Off-site reforestation must occur in the Clarksburg SPA. If a reforestation site is unavailable in the Clarksburg SPA, the applicant shall pay the in lieu fee to M-NCPPC prior to any clearing or grading.
  - b. Compliance with the preliminary/final water quality plan as approved the Planning Board and the Department of Permitting Services.

6. Compliance with the conditions of approval for the final forest conservation plan. The applicant must satisfy all conditions of the forest conservation plan prior to recording of plat(s).
7. No clearing or grading prior to M-NCPPC approval of signature set of plans.

## **REVIEW OF FINAL WATER QUALITY PLAN**

### **Discussion**

This memorandum contains staff's review and recommendation on the final water quality plan for the Parkside development in Clarksburg, site plan number 8-03000.

The Planning Board must act on the SPA water quality plan before taking action on the site plan application.

### **Site Description**

The subject property is 11.65 acres located on the north side of Clarksburg Road (MD Rte. 121) and opposite Kings Park. The site includes 8.45 acres of forest and one single-family residence. Approximately 4.1 acres are within the Clarksburg Special Protection Area (SPA). The drainage area within the Clarksburg SPA drains to the Town Center tributary of Little Seneca Creek, which is classified as Use Class IV water. The non-SPA portion of the site drains to Little Bennett Creek, a Use Class III-P water.

### **Proposed Project**

The proposed onsite project work consists of constructing 34 single-family detached homes. The subject property is zoned R-200/RMX-2.

## **REVIEW FOR CONFORMANCE TO THE SPECIAL PROTECTION AREA REQUIREMENTS**

The Special Protection Area regulations require development applications to prepare and submit preliminary and final water quality plans to M-NCPPC and DPS for review. This review is for a preliminary/final water quality plan. Under the SPA law, DPS and the Planning Board have different responsibilities in the review of the water quality plan. DPS has reviewed and conditionally approved the elements of the preliminary and final water quality plan under their purview. The Planning Board's responsibility is to determine if the environmental buffer protection, SPA forest conservation and planting requirements, and applicable site imperviousness limits are satisfied.

### **Environmental Buffers**

There is less than 1,000 square feet of environmental buffer on the subject property. There is no encroachment or grading into the environmental buffer.

### **Forest Conservation**

A preliminary forest conservation plan has been prepared for the entire tract. The tract includes 8.45 acres of forest. The applicant is proposing to remove 7.58 acres of forest. All existing

forest within the Clarksburg SPA drainage area is proposed for removal. The applicant is proposing to meet the forest planting requirements through a combination of onsite retention, onsite planting, and offsite planting. The applicant is proposing 3.39 acres of off-site reforestation. A five-year maintenance period for planted forest is required per the environmental guidelines. The applicant has indicated that if they are unable to find a suitable off-site reforestation location in the Clarksburg SPA that they would pursue the in lieu fee option.

### **Site Imperviousness**

There is no impervious limitation on this property. The impervious amount proposed for the entire 11.65-acre site is approximately 52 percent. This is consistent with other RMX-2 developments in the Clarksburg SPA. When A-305 is completed through the northern portion of the property, and if the roadway is connected through parcel 527 an off-site parcel between Parkside and Catawba Manor, the imperviousness on the 11.65-acre site will increase to approximately 56 percent.

### **Site Performance Goals**

As part of the pre-application water quality plan meeting, several site performance goals were established for the project. These include:

3. Minimize storm flow runoff.
4. Minimize increases in ambient water temperature.
5. Minimize sediment loading.
6. Minimize nutrient and toxic substance loadings to stormwater runoff by requiring an integrated pest management plan.

### **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). Water quantity control, in the SPA portion of the site, will be provided via two dry ponds. In the Little Bennett watershed, the proposed water quantity structure will cross property lines and be used by Catawba Manor and Parkside. Four surface sand filters will provide water quality control for the entire property.

### **Sediment and Erosion Control**

DPS is requiring the use of a super silt fence and temporary berms around the perimeter of the disturbed areas to prevent the off-site transport of untreated stormwater. The site grading is to be phased with emphasis on immediate stabilization.

**Monitoring of Best Management Practices**

DPS requests total suspended solids monitoring during construction. The applicant is required to sample the large sediment trap during four storm events per year, throughout the construction phase, starting with the first storm event after breaking ground.

**ISSUES RESOLVED IN THE COURSE OF SITE PLAN REVIEW**

The site plan has followed the Project Plan approval closely with the exception of the revised location of the internal open space areas. The applicant re-designed the open space from one to two with staff's encouragement. The larger open space of the two is now proposed to be closer to the entry into the neighborhood and provides a more open view upon entry. The smaller open space serves the other end of the neighborhood and is adjacent to the bike path connection to A-305.

The site plan includes the provisions already determined with the Project Plan that allow the future connection of the adjacent parcels. They can now be easily incorporated into the neighborhood pattern when desired in the future. Of the three potential lots that could integrally connect to this plan, one owner has sold their property to the developer and it is now incorporated into the site plan.

Staff has received no comment from adjacent citizens to date.

**PROJECT DESCRIPTION:** Surrounding Vicinity

The subject property is one of many sites in the Clarksburg being built in the neotraditional style of development in conformity with the adopted Clarksburg Master Plan. The result will be a series of projects linked together by their sidewalk systems, open spaces, and streetscaping details.

The properties to the south, east and west are situated in the Town Center District and are zoned RMX. The Catawba Manor site plan is being developed with similarly sized housing. East of the site, across Clarksburg Road, is the Clarksburg Town Center project that is under construction with townhouses facing Clarksburg Road. Northwest of the site, in the vicinity of A-305 and outside the Town Center District, is the Little Bennett Regional Park. The Kings Pond Local Park is located directly to the east. Immediately north of the site is undeveloped land, potentially slated for the future fire station for the Clarksburg area.

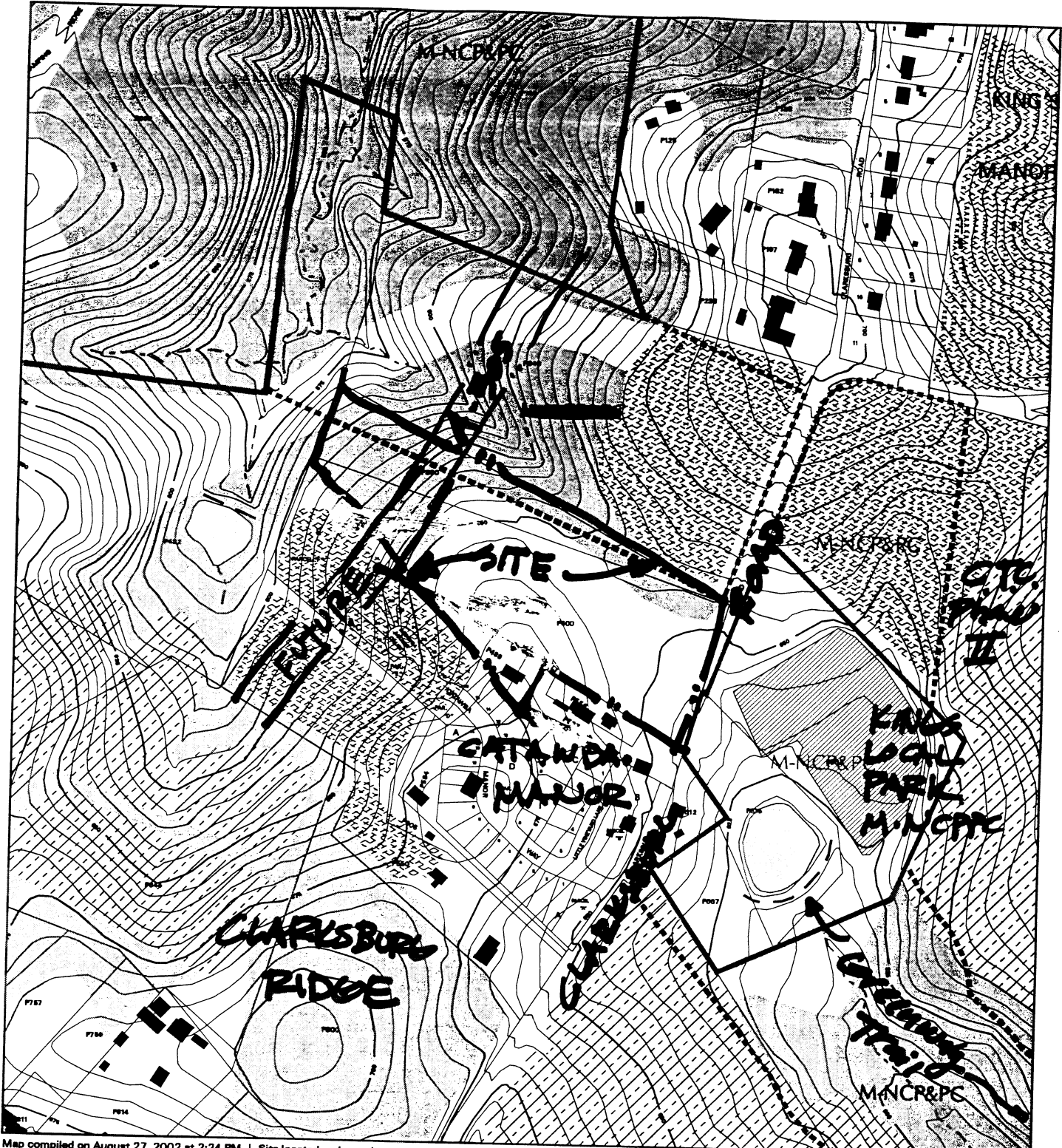
The surrounding properties are similar in character to the subject property. They are wooded, partially wooded, or agricultural uses, and some are developed with very low-density residential uses.

**PROJECT DESCRIPTION:** Site Description

The majority of the subject property is vacant with several foundations remaining from previous residential and farm structures and a small part of the subject property has an existing residence. The majority of the site was originally used as agricultural land and has been allowed to regenerate into a young forest stand. The site contains no wetlands or 100-year floodplain areas. This site does not contain any streams or channelized drainage ways.

There is a knoll and a drainage divide situated in the approximate center of the property. The topography slopes down from the knoll to the southeast towards Clarksburg Road and is within the Little Seneca Creek Special Protection Area.

VICINITY MAP FOR  
**PARKSIDE (8-03000)**

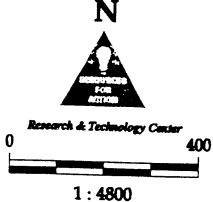


Map compiled on August 27, 2002 at 2:24 PM | Site located on base sheet no - 233NW13

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**PROJECT DESCRIPTION:**      Proposal

The site plan consists of a single road ends in a loop in the center of the site. There are homes and open space play and sitting areas within the loop. Single-family detached units are arranged to face the street internally and to Clarksburg Road, the frontage street. Many of the units have a distinctive frontage at the sidewalk – with 2 or 3 steps within a cheek wall and a decorative wooden fence along the street frontage.

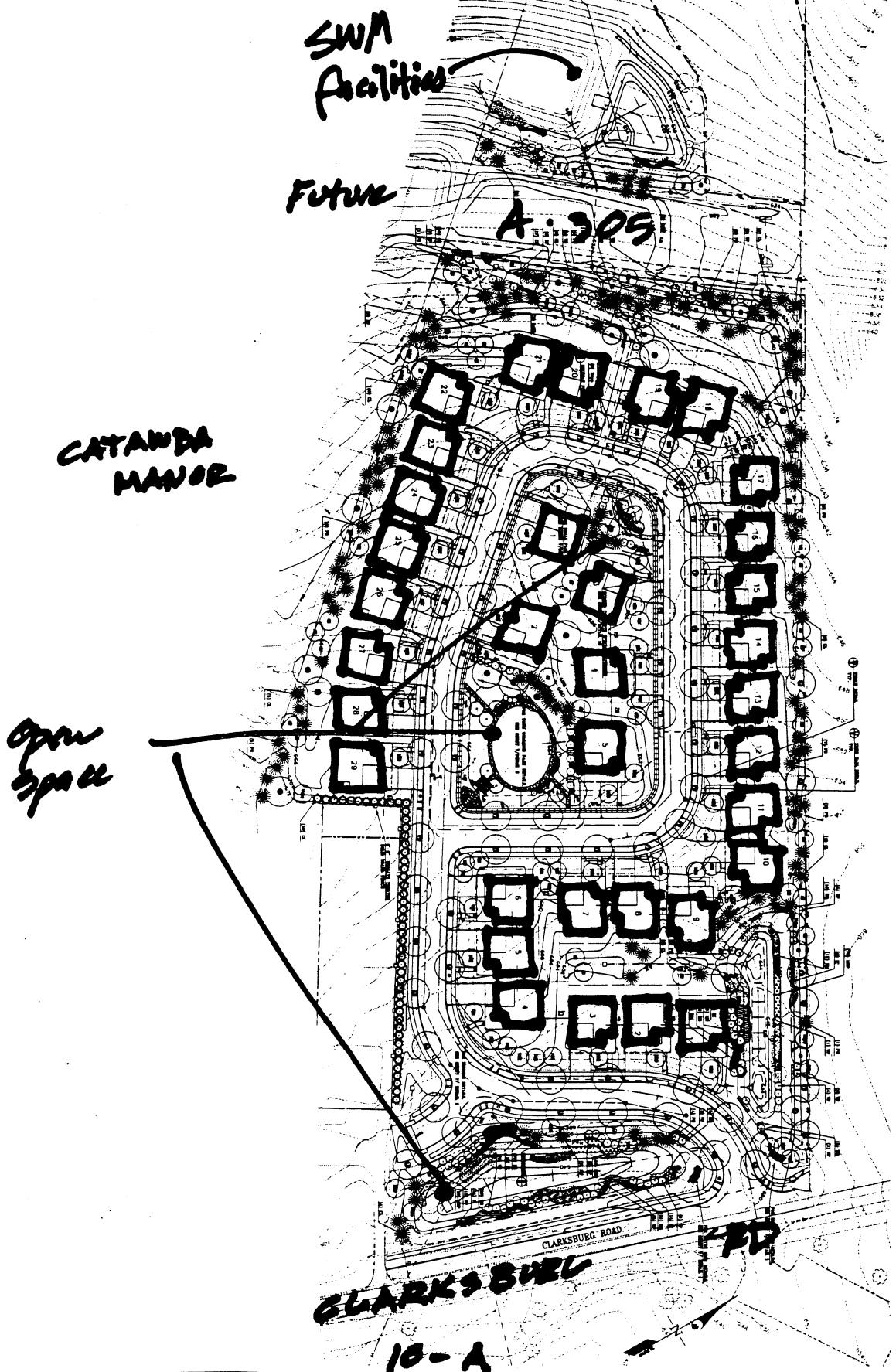
A public sidewalk system lines two sides of the street to provide access to the adjacent open spaces and public streets. A bike path connection links the western end of the site to the future bike path on A-305, adjacent to the western property line.

Three open space parks are available within the site. One is a centrally located large that contains sitting areas, paths, shade and screening plant materials around an oval lawn area. A small pergola emphasizes the entry to the park from the south. The second is a similarly designed but smaller corner park in the northern corner of the central loop. A sitting area and some recreation equipment are located there. The third open space has two benches that over look the storm water management area adjacent to Clarksburg Road. The SWM pond has naturalistic planting to attract wildlife.

Landscaping for the site includes street trees spaced at 40 feet, front door landscaping and extensive evergreen and deciduous tree screening at the boundaries of the site. A buffer has been planted along the two immediately adjacent properties to the west. Trees are not provided adjacent to Clarksburg Road and there are gaps in the tree pattern due to agency comments at MCDPS. Staff will review these gaps with the agencies prior to release of signature set to check for opportunities to fill in these areas. Landscaping for the internal parks requires additional review of the final details at signature set to assure screening capability and open space definition.

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LANDSCAPE PLAN  
 PARKSIDE  
 LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



10-A  
 10-A

**PROJECT DESCRIPTION:** Prior Approvals

The plan was the subject of an earlier Preliminary and Project Plan approval. The charts below display their conformance to the earlier approvals.

Conformance to Project Plan Approval # 9-02001	
1. Lighting and Streetscaping Standards – to conform to the Draft Streetscaping guidelines	1. Site Plan provides regularly spaced street trees and proposes lights that conform to the draft guidelines
2. HOA to maintain street trees and brick pavers within right-of-way.	2. The SPEA shall reflect the maintenance within the Right-of-way
3. Transportation conditions	3. The approved Preliminary Plan addresses the Project Plan transportation
4. Amenities On Site: Village green w/ special pavers, sitting areas, community structure and detailed planting; Enhanced landscaping to SWM pond (to create wildlife habitat); architectural elements ie cheek walls, brick piers and fencing; all garages to be recessed behind the face of the house; shade trees 40 ft on-center. Off Site Amenities: 2 picnic shelters located within Kings local park	On Site: Village Green and special pavers supplied, SWM has enhanced landscaping and more is recommended, architectural elements are supplied, garages are recessed behind face of house, shade trees shall be adjusted to reflect 40 ft spacing, and the SPEA shall include a provision for the 2 picnic shelters to be located in King’s local Park to reflect the Project Plan language.
5. Waiver request of Subdivision Standards a. SPA waiver of Open section Streets b. Section 50-26(f) waiver of min. horiz. CL radius c. Section 59-C-10.38 allows reduced setbacks per master plan	5. Approved with the Project Plan

The final conformance to the Preliminary Plan #1-02042 shall be addressed prior to record plat. The Opinion for the May 23<sup>rd</sup> hearing is attached.

**ANALYSIS: Conformance to Master Plan**

**Relation To The 1994 Clarksburg Master Plan**

The subject property is zoned R-200/RMX-2 and is located north of MD 121 (Clarksburg Road) between Piedmont Road and MD 355. It is situated directly across from Kings Pond Local Park and is in the Town Center District of the Clarksburg Master Plan. The Master Plan proposes a transit-oriented, multi-use Town Center that is compatible with the scale and character of the Clarksburg Historic District located at MD 355 and MD 121.

The Master Plan recommends a transit-oriented land use pattern within the Town Center that links all portions of the Town Center with transitways, bus loops, bikeways, and pedestrian-oriented streets. The site plan achieves a transit-oriented pattern of development by fronting homes along streets. Unfortunately, the stormwater management requirements have resulted in a stormwater management pond located in front of the proposed neighborhood setting it back from MD 121. The pond has been designed and landscaped as an amenity to avoid it becoming an undesirable feature.

The Master Plan strongly encourages a network of streets to facilitate access for service and improve convenience within the community. The street connectivity envisioned in the Master Plan is limited by access restrictions to proposed A-305 (Midcounty Arterial) and by residential properties located directly west of the subject property. The proposed sidewalk and trail system achieves good connections to off site destinations. The proposed trail connects the community to the future bikeway along A-305. Internal sidewalks lead down to the sidewalks. A connection along Little Vineyard Lane will eventually connect to the future community known as Catawba Manor.

Continuity of the streetscape and sidewalk system along MD 121 is very important to achieve with the approval of developments along this side of the roadway. Consideration should be given to possible off site streetscape improvements as project amenities in order to create a continuous sidewalk connection and curb line.

The Master Plan recommends a variety of open space features, such as, the greenway in the Town Center. While the greenway is the dominant open space feature, other smaller open space areas are also proposed. A park (Kings Pond Local Park) is already located in the Town Center that will provide active recreation opportunities.

**ANALYSIS: Conformance to Development Standards**

**PROJECT DATA TABLE**

<u>Development Standard</u>	<u>Permitted/ Required</u>	<u>Proposed</u>
One Family Detached Dwellings are a permitted use.		
1. Site Area:		
	RMX-2	8.48 acres
	R-200	3.17 acres
	Total	11.65 acres
2. Yield (59C-10.3.4; 10.3.5; 10.3.7)		
Residential (RMX2- 8.48 ac. @4 du/ac=33 du) + (R-200 - 3.17ac. @ 2 du/ac=6 du.)	39 d.u.	34 d.u.
3. RMX-2 Minimum Green Area: 50% or 4.24ac.	>50%; 4.61 ac	
		6.47 ac total green space
4. Minimum Number of Dwelling Units Required (59C-10.3.6)		
	If over 30 ac – 150 du req'd	n/a
5. Maximum Residential units (59-C-10.37)	30 du/ac	2.91 du/ac
6. Minimum Building Setbacks – Residential (59C-10.3.8):		
a. To adjacent R-200 zoning –	100'	50'*
b. To Adjacent MXN Zoning -	30'	15'*
c. From Street – no minimum, waived by master plan		15'
d. Internal lot setbacks:		
1. Front	0	15' min.
2. Street Side Yard	0	15' min.
3. Side Yard	0	7' min. bldg . separation
4. Rear	0	20' min.
7. Parking	2/du	4/du 2 in garage and 2 in driveway

\* The Applicant requests 50% reduction in minimum setbacks lots as shown on plan and as allowed in Section 59-C-10.3.8 of the MC Zoning Ordinance. The conditions of the waiver required that the Planning Board find that “trees or other features on the site permit a lesser setback without adversely affecting development on an abutting property.”

The Planning Board approved the waiver at the time of Project Plan approval.

**MPDU CALCULATIONS:**

The number of units does not generate the need for MPDU's.

**RECREATION CALCULATIONS:**

# RECREATION CALCULATIONS

HOUSING TYPE: ~~SFD II Lots 7,000 - 12,999 s.f.~~  
 34 D.U. SFD III. Lots under 7,000 s.f.

DEMAND per 100 D.U.:

Required	Tots	Children	Teens	Adults	Seniors
SFD II	13	24	25	106	11
SFD III	14	19	23	127	13

DEMAND for Parkside Property:

Required	Tots	Children	Teens	Adults	Seniors
SFD II (0.05)	0.65	1.20	1.25	5.30	0.55
SFD III (0.30)	4.20	5.70	6.90	38.10	3.90
<b>TOTAL</b>	<b>4.85</b>	<b>6.90</b>	<b>8.15</b>	<b>43.40</b>	<b>4.45</b>

SUPPLY for Parkside Property:

Provided	Tots	Children	Teens	Adults	Seniors
Pedestrian System	0.49	1.38	1.63	19.53	2.00
Open Play Area II	3.00	4.00	4.00	10.00	1.00
Natural Area	0.00	0.34	0.82	4.34	0.22
Sitting Area	1.00	1.00	1.50	5.00	2.00
<b>TOTAL</b>	<b>4.49</b>	<b>6.72</b>	<b>7.95</b>	<b>38.87</b>	<b>5.22</b>

Off-site. Kings Pond Local Park (35% max.)

Multi-age playgd.	1.57	2.35	2.78	7.00	1.00
<b>TOTAL</b>	<b>6.06</b>	<b>9.07</b>	<b>10.73</b>	<b>45.87</b>	<b>6.22</b>

DIFFERENCE	+1.21	+2.17	+2.58	+2.47	+1.77
	(+124%)	(+131%)	(+127%)	(+105%)	(+139%)

**FINDINGS: For Site Plan Review**

1. *The Site Plan is consistent with an approved Project Plan #9-02001 for the optional method of development.*
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 34 single-family detached units are arranged to be oriented to the internal streets and to Clarksburg Road. The orientation provides for a cohesive identity to the proposed neighborhood and easy orientation to find each unit. The layout also creates distinctive open spaces that are clearly defined as public and not intrusive to private yards.

b. Open Spaces

The preceding discussion of environmental issues and storm water management is within the Final Water Quality Plan discussion.

The storm water management facility has been combined with the adjacent Catawba Manor facility to create a more efficient function and preserve additional trees.

Noise attenuation will be required along the A-305 frontage where unit rears are adjacent. Future studies will determine the location and requirements for noise attenuation techniques – with walls or berms, etc.

c. Landscaping and Lighting

Landscaping on the site consists of street trees, boundary screening and additional screening adjacent to the future right-of-way of A-305. The street trees have been placed at 40 feet on center in conformance with the draft Clarksburg Streetscape Plan.

Additional coordination from the staff and the applicant is needed with DPS to review street trees along Clarksburg Road and along the internal street. Many trees have been omitted due to sight distance and SWM pond concerns - staff seeks confirmation on the necessity of all the omissions.

The landscaping for the storm water management area is distinctive and will create an amenity for the community. This is important, as the ponds are adjacent to Clarksburg Road and will be highly visible. Additional landscaping is provided for each unit entry. An evergreen buffer has been placed adjacent to the closest neighboring properties for compatibility. In total, with the satisfaction of the comments regarding the DPS review, the landscaping will provide shade, buffering, and visual interest.

d. Recreation

Recreation demand is satisfied as shown in the recreation calculations table above. The natural area is located within the R-200 zoned land beyond the future A-305. An additional play structure will allow for on site play opportunities, in addition to complying with the minimum requirements.

e. Vehicular and Pedestrian Circulation

The street connections to the site are in accordance with the approved Preliminary Plan, and the layout provides a highly visible intersection with Clarksburg Road. The front acceleration – deceleration lanes will transition to adjacent parcels. The right-of-way for the future A-305 is shown.

A bike path connection is established with this plan. It will connect to a future bike path along the inside of the A-305 loop. A bike path will be provided along Clarksburg Road if required to be in conformance with the bike plan.

Public sidewalks will be provided completely along all frontages except from A-305, which will be built later. The internal sidewalk around the loop road will be constructed from pavers as required with the amenities of the Project Plan. The pedestrian system will connect completely through the site and the open spaces.

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

The proposed housing will tie into existing housing patterns and adjacent developments. The Project will contribute an important housing component to the Town Center concept as proposed by the Master Plan.

The landscape buffers will provide for separation between this and adjacent projects and will screen views of units rear yards as viewed from areas beyond the site.

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



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

**Forest Conservation**

A preliminary forest conservation plan has been prepared for the entire tract. The tract includes 8.45 acres of forest. The applicant is proposing to remove 7.58 acres of forest. All existing forest within the Clarksburg SPA drainage area is proposed for removal. The applicant is proposing to meet the forest planting requirements through a combination of onsite retention, onsite planting, and offsite planting. The applicant is proposing 3.39 acres of off-site reforestation. A five-year maintenance period for planted forest is required per the environmental guidelines. The applicant has indicated that if they are unable to find a suitable off-site reforestation location in the Clarksburg SPA that they would pursue the in lieu fee option.

**APPENDIX**

- A. Approval memos from DEP/DPS Final Water Quality Plan, Environmental Planning, Community Based Planning and Park Planning and Design.
- B. Opinion of Project Plan #9-02001 and Preliminary Plan #1-02042. Minutes from the earlier Project Plan #9-02001 hearing are available in staff file, see Public Information Counter.



## DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

December 5, 2002

Mr. Brian Lewandowski  
Gutschick, Little and Weber, P.A.  
3909 National Drive, Suite 250  
Burtonsville Office Park  
Burtonsville, Maryland 20866

Re: **Final Water Quality Plan for Parkside**  
SM File #: 204351  
Preliminary Plan No.: 1-02042  
Tract Size, Zone: 10.96 Ac., RMX-2/R-200  
Tax Plate: EW-32  
Watershed: Little Seneca Creek/Little Bennett  
Creek

### SPECIAL PROTECTION AREA

Dear Mr. Lewandowski:

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

**Site Description:** The site consists of 10.96 acres located on the north side of Clarksburg Road (MD Rte. 121), opposite of Kings Park. The site is zoned RMX-2/R-200 and will consist of single-family detached units and the associated infrastructure. This site is located partially (4.1 acres) within the Clarksburg Special Protection Area (SPA) and partially (6.86 acres) within the Little Bennett Creek watershed (use III).

**Stormwater Management:** Water quantity control for the site will be provided via two dry ponds. These structures will provide control of the one-year storm per the new Maryland State standards. The proposed quantity control structure for the Little Bennett watershed will cross property lines and will be used by both Parkside and Catawba Manor subdivisions. In the SPA, quality control will be provided via a treatment train that consists of two surface sand filters in series (sized to treat one-half inch and one inch of runoff over the contributing impervious area respectively). In the area draining to the Little Bennett watershed, quality will also be provided by two surface sand filters in series that provide a total of one and one-half inches of water quality treatment. The increased sizing of the surface sand filters to provide a total of one and one-half inches of water quality treatment over the impervious areas will serve as pretreatment and as an offsetting benefit for the loss of open section roads. Areas that are intended for vehicular use are to provide additional pretreated via plunge pools or vegetated buffers prior to entering filtration and infiltration structures.

**Sediment Control:** Since the entire site is within a sensitive watershed (SPA or use III), 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, or when this is not feasible sediment traps with forebays will be acceptable. All sediment-trapping structures are to be equipped with dewatering devices. It is not totally clear on the concept plan as to how redundancy will be provided but this will be required on the detailed sediment control plan. The following features are to be incorporated into the sediment control concept for the final water quality plan:



Brian Lewandowski  
December 5, 2002  
Page 2

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.
4. Provide an oversized dewatering device for pond #2 during the sediment control stage due to the high water table.

**Performance Goals:** The performance goals that were established at the pre-application meeting still apply. They are as follows:

1. Minimize storm flow run off increases.
2. Minimize increases to ambient water temperatures.
3. Minimize sediment loading.
4. Minimize pollutant loading (nutrient and toxic substances). Provide an integrated pest management plan.

**Monitoring:** The monitoring requirements that were specified in the Preliminary Water Quality Plan approval still apply. The monitoring requirements are as follows:

#### **Pre-Construction Monitoring**

- Provide one groundwater monitoring well (the existing well approved by DEP is acceptable).

#### **Construction Monitoring**

- Total suspended solids are to be sampled at the discharge into the sediment trap forebay, the outlet from the sediment trap forebay and at the outlet of the sediment trap. This sampling is to be done four times a year during storm events throughout the construction phase of this development.

#### **Post-Construction Monitoring**

- Water temperature monitoring of the outflow of the proposed water quantity control structure.
- Reports including photographic documentation on the success of the bioretention plantings.

Pre-construction monitoring (groundwater) is to begin one year prior to the start of construction and last for three years after construction is complete along with the post-construction monitoring. **One year of pre-construction monitoring must be completed prior to the issuance of a sediment control permit.**

Brian Lewandowski  
December 5, 2002  
Page 3

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

1. Provide all available geotechnical information (including boring, test pit and well monitoring).
2. Due to subsurface conditions, the one foot of stone (dead storage) for groundwater recharge is no longer required in surface sand filters #1 and #2. However, recharge storm drain (perforated HDPE) pipes will be required in rear lot storm drain runs as discussed.
3. Provide safe conveyance of all runoff to the proposed stormwater management structures. It appears that additional inlets will be necessary along the backs of the lots for the area draining to Little Bennett Creek (one additional inlet on each rear lot storm drain run).
4. Stormwater management must be addressed for any road widening of Clarksburg Road that is required for this development.
5. The pond requirements (needing to meet MD 378 or not) will be addressed at the detailed plan review stage.
6. The proposed forebays for the surface sand filters need to be dewatered.
7. Additional dewatering pipes (underdrains) will be required in pond #2 due to high groundwater in this area.
8. All stormwater management structures are to be sized and constructed as per the current County specifications.
9. 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.
10. Provide verification of a joint use agreement between Catawba Manor and Parkside for the quantity control structure in the Little Bennett Creek watershed. Also, provide computations to show that this structure is providing one inch of quality storage volume for Parkside's impervious area (redundant treatment).
11. 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 (the draft in the FWQP will be acceptable).

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.

Brian Lewandowski  
December 5, 2002  
Page 4

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:CN204351

cc: M. Shaneman  
S. Federline  
M. Pfefferle  
L. Galanko  
D. Marshall  
SM File # 204351

Qn on-site 10.96 ac  
Ql on-site 10.96 ac.



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

## MEMORANDUM

**TO:** WynnWittans, Development Review

**FROM:** Mark Pfefferle, Environmental Planning *mf*

**DATE:** January 9, 2002

**SUBJECT:** Final Water Quality Plan for Parkside, Site Plan # 8-03000

---

## STAFF RECOMMENDATION

Environmental Planning staff recommends approval of the Special Protection Area (SPA) final water quality plan subject to the following conditions:

- Off-site reforestation must occur in the Clarksburg SPA. If a reforestation site is unavailable in the Clarksburg SPA the applicant shall pay the in lieu fee to M-NCPPC prior to any clearing or grading.
- Conformance to the conditions as stated in the Montgomery County Department of Permitting Services (DPS) letter approving the elements of the SPA water quality plan under its purview (Attachment 1).

## DISCUSSION

This memorandum contains staff's review and recommendation on the final water quality plan for the Parkside development in Clarksburg, site plan number 8-03000.

**The Planning Board must act on the SPA water quality plan before taking action on the site plan application.**

### Site Description

The subject property is 11.65 acres located on the north side of Clarksburg Road (MD Rte. 121) and opposite Kings Park. The site includes 8.45 acres of forest and one single-family residence. Approximately 4.1-acres are within the Clarksburg Special Protection Area (SPA). The drainage area within the Clarksburg SPA drains to the Town Center tributary of Little Seneca Creek, which is classified as Use Class IV water. The non-SPA portion of the site drains to Little Bennett Creek, a Use Class III-P water.

## **Proposed Project**

The proposed onsite project work consists of constructing 34 single-family detached homes. The subject property is zoned R-200/RMX-2.

## **REVIEW FOR CONFORMANCE TO THE SPECIAL PROTECTION AREA REQUIREMENTS**

The Special Protection Area regulations require development applications to prepare and submit preliminary and final water quality plans to M-NCPPC and DPS for review. This review is for a preliminary/final water quality plan. Under the SPA law, DPS and the Planning Board have different responsibilities in the review of the water quality plan. DPS has reviewed and conditionally approved the elements of the preliminary and final water quality plan under their purview. The Planning Board's responsibility is to determine if the environmental buffer protection, SPA forest conservation and planting requirements, and applicable site imperviousness limits are satisfied.

### **Environmental Buffers**

There is less than 1,000 square feet of environmental buffer on the subject property. There is no encroachment or grading into the environmental buffer.

### **Forest Conservation**

A preliminary forest conservation plan has been prepared for the entire tract. The tract includes 8.45 acres of forest. The applicant is proposing to remove 7.58 acres of forest. All existing forest within the Clarksburg SPA drainage area is proposed for removal. The applicant is proposing to meet the forest planting requirements through a combination of onsite retention, onsite planting, and offsite planting. The applicant is proposing 3.39 acres of off-site reforestation. A five-year maintenance period for planted forest is required per the environmental guidelines. The applicant has indicated that if they are unable to find a suitable off-site reforestation location in the Clarksburg SPA that they would pursue the in lieu fee option.

### **Site Imperviousness**

There is no impervious limitation on this property. The impervious amount proposed for the entire 11.65-acre site is approximately 52 percent. This is consistent with other RMX-2 developments in the Clarksburg SPA. When A-305 is completed through the northern portion of the property, and if the roadway is connected through parcel 527 an off-site parcel between Parkside and Catawba Manor, the imperviousness on the 11.65-acre site will increase to approximately 56 percent.

### **Site Performance Goals**

As part of the pre-application water quality plan meeting, several site performance goals were established for the project. These include:

- Minimize storm flow runoff.
- Minimize increases in ambient water temperature.
- Minimize sediment loading.
- Minimize nutrient and toxic substance loadings to stormwater runoff by requiring an integrated pest management plan.

### **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). Water quantity control, in the SPA portion of the site, will be provided via two dry ponds. In the Little Bennett watershed, the proposed water quantity structure will cross property lines and be used by Catawba Manor and Parkside. Four surface sand filters will provide water quality control for the entire property.

### **Sediment and Erosion Control**

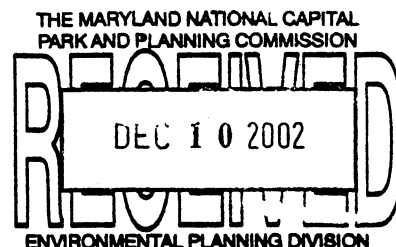
DPS is requiring the use of a super silt fence and temporary berms around the perimeter of the disturbed areas to prevent the off-site transport of untreated stormwater. The site grading is to be phased with emphasis on immediate stabilization.

### **Monitoring of Best Management Practices**

DPS requests total suspended solids monitoring during construction. The applicant is required to sample the large sediment trap during four storm events per year, throughout the construction phase, starting with the first storm event after breaking ground.



Attachment 1



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

December 5, 2002

Mr. Brian Lewandowski  
Gutschick, Little and Weber, P.A.  
3909 National Drive, Suite 250  
Burtonsville Office Park  
Burtonsville, Maryland 20866

Re: **Final Water Quality Plan for Parkside**  
SM File #: 204351  
Preliminary Plan No.: 1-02042  
Tract Size, Zone: 10.96 Ac., RMX-2/R-200  
Tax Plate: EW-32  
Watershed: Little Seneca Creek/Little Bennett  
Creek

**SPECIAL PROTECTION AREA**

Dear Mr. Lewandowski:

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

**Site Description:** The site consists of 10.96 acres located on the north side of Clarksburg Road (MD Rte. 121), opposite of Kings Park. The site is zoned RMX-2/R-200 and will consist of single-family detached units and the associated infrastructure. This site is located partially (4.1 acres) within the Clarksburg Special Protection Area (SPA) and partially (6.86 acres) within the Little Bennett Creek watershed (use III).

**Stormwater Management:** Water quantity control for the site will be provided via two dry ponds. These structures will provide control of the one-year storm per the new Maryland State standards. The proposed quantity control structure for the Little Bennett watershed will cross property lines and will be used by both Parkside and Catawba Manor subdivisions. In the SPA, quality control will be provided via a treatment train that consists of two surface sand filters in series (sized to treat one-half inch and one inch of runoff over the contributing impervious area respectively). In the area draining to the Little Bennett watershed, quality will also be provided by two surface sand filters in series that provide a total of one and one-half inches of water quality treatment. The increased sizing of the surface sand filters to provide a total of one and one-half inches of water quality treatment over the impervious areas will serve as pretreatment and as an offsetting benefit for the loss of open section roads. Areas that are intended for vehicular use are to provide additional pretreated via plunge pools or vegetated buffers prior to entering filtration and infiltration structures.

**Sediment Control:** Since the entire site is within a sensitive watershed (SPA or use III), 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, or when this is not feasible sediment traps with forebays will be acceptable. All sediment-trapping structures are to be equipped with dewatering devices. It is not totally clear on the concept plan as to how redundancy will be provided but this will be required on the detailed sediment control plan. The following features are to be incorporated into the sediment control concept for the final water quality plan:



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.
4. Provide an oversized dewatering device for pond #2 during the sediment control stage due to the high water table.

**Performance Goals:** The performance goals that were established at the pre-application meeting still apply. They are as follows:

1. Minimize storm flow run off increases.
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**Monitoring:** The monitoring requirements that were specified in the Preliminary Water Quality Plan approval still apply. The monitoring requirements are as follows:

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#### **Post-Construction Monitoring**

- Water temperature monitoring of the outflow of the proposed water quantity control structure.
- Reports including photographic documentation on the success of the bioretention plantings.

Pre-construction monitoring (groundwater) is to begin one year prior to the start of construction and last for three years after construction is complete along with the post-construction monitoring. **One year of pre-construction monitoring must be completed prior to the issuance of a sediment control permit.**

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

1. Provide all available geotechnical information (including boring, test pit and well monitoring).
2. Due to subsurface conditions, the one foot of stone (dead storage) for groundwater recharge is no longer required in surface sand filters #1 and #2. However, recharge storm drain (perforated HDPE) pipes will be required in rear lot storm drain runs as discussed.
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4. Stormwater management must be addressed for any road widening of Clarksburg Road that is required for this development.
5. The pond requirements (needing to meet MD 378 or not) will be addressed at the detailed plan review stage.
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8. All stormwater management structures are to be sized and constructed as per the current County specifications.
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10. Provide verification of a joint use agreement between Catawba Manor and Parkside for the quantity control structure in the Little Bennett Creek watershed. Also, provide computations to show that this structure is providing one inch of quality storage volume for Parkside's impervious area (redundant treatment).
11. 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 (the draft in the FWQP will be acceptable).

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.

Brian Lewandowski  
December 5, 2002  
Page 4

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

Sincerely,

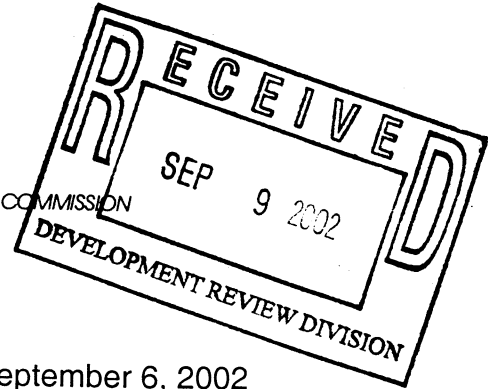
A handwritten signature in black ink, appearing to read "Richard R. Brush". The signature is fluid and cursive, with a large initial "R" and "B".

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

RRB:enm:CN204351

cc: M. Shaneman  
S. Federline  
M. Pfefferle  
L. Galanko  
D. Marshall  
SM File # 204351

Qn on-site 10.96 ac  
Ql on-site 10.96 ac.



September 6, 2002

## MEMORANDUM

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

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

SUBJECT: Parkside (Site Plan # 8-03000)

---

## STAFF RECOMMENDATION

Approval subject to the following condition:

- A small segment of additional sidewalk is needed along proposed Little Vineyard Lane to eventually connect to the future community known as Cawtaba Manor.

## RELATION TO THE 1994 CLARKSBURG MASTER PLAN

The subject property is zoned R-200/RMX-2 and is located north of MD 121 (Clarksburg Road) between Piedmont Road and MD 355. It is situated directly across from Kings Pond Local Park and is in the Town Center District of the Clarksburg Master Plan. The Master Plan proposes a transit-oriented, multi-use Town Center that is compatible with the scale and character of the Clarksburg Historic District located at MD 355 and MD 121.

The Master Plan recommends a transit-oriented land use pattern within the Town Center that links all portions of the Town Center with transitways, bus loops, bikeways, and pedestrian-oriented streets. The site plan achieves a transit-oriented pattern of development by fronting homes along streets. Unfortunately, the stormwater management requirements have resulted in a stormwater management pond located in front of the proposed neighborhood setting it back from MD 121. The pond has been designed and landscaped as an amenity to avoid it becoming an undesirable feature.

The Master Plan strongly encourages a network of streets to facilitate access for service and improve convenience within the community. The street connectivity envisioned in the Master Plan is limited by access restrictions to proposed A-305 (Midcounty Arterial) and by residential properties located directly west of the subject property. The proposed sidewalk and trail system achieves good connections to off site destinations. The proposed trail connects the community to the future bikeway along A-305. Internal sidewalks lead down to the sidewalks. However, a small segment of additional sidewalk is needed along proposed Little Vineyard Lane. This would eventually connect to the future community known as Cawtaba Manor.

Continuity of the streetscape and sidewalk system along MD 121 is very important to achieve with the approval of developments along this side of the roadway. Consideration should be given to possible off site streetscape improvements as project amenities in order to create a continuous sidewalk connection and curb line.

The Master Plan recommends a variety of open space features, such as, the greenway in the Town Center. While the greenway is the dominant open space feature, other smaller open space areas are also proposed. A park (Kings Pond Local Park) is already located in the Town Center that will provide active recreation opportunities.

At the time of project plan review approval, the Planning Board recommended that the applicant should provide the following off site amenity:

- Two (2) picnic shelters at the southwest corner of Kings Local Park property to include rustic features consistent with the traditional rural character of Clarksburg and shall incorporate landscaping features with some historical, environmental or cultural interpretive elements.

## **CONCLUSION**

Staff recommends approval of the proposed site plan with the condition stated above. With this condition, the site plan will comply with the policies and objectives recommended in the Clarksburg Master Plan.

NSM:tv g:\parkside.doc

**REVISED MEMORANDUM**

**October 4, 2002**

**TO:** Wynn Witthans, Development Review Division  
**FROM:** Doug Powell, Plan Review Coordinator, Countywide Planning Division  
**SUBJECT:** Parkside, Plan #8-03000

---

Park Planning and Resource Analysis staff has reviewed the above-referenced Plan and requests certain **CONDITIONS OF APPROVAL** as set forth below:

- Applicant to construct two (2) picnic shelters at Kings Local Park in a location to be determined in coordination with M-NCPPC staff. Shelters to include rustic features consistent with the traditional rural character of Clarksburg and must incorporate landscaping features with some historical, environmental or cultural interpretive elements. Final site plan and engineering drawings to be approved by M-NCPPC Park Planning and Resource Analysis staff.
  
- Applicant to provide adequate landscaping at the on site stormwater pond located adjacent to Route 121 to provide visual screening for users of Kings Local Park located across the road from the pond.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MONTGOMERY COUNTY PLANNING BOARD

OPINION

**DATE MAILED:** June 14, 2002  
**PROJECT PLAN REVIEW:** #9-02001  
**PROJECT NAME:** Parkside

---

*Action: Approval subject to conditions. A motion was made by Commissioner Bryant, seconded by Commissioner Robinson, with a vote of 4-0, Commissioners Bryant, Holmes, and Wellington voting for. Commissioner Perdue was necessarily absent.*

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The date of this written opinion is June 14, 2002 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before July 14, 2002 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this Project Plan shall remain valid until June 14, 2004 as provided in Section 59-D-2.7.

On May 23, 2002 Project Plan Review #9-02001 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 on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:



(a) As conditioned, the proposal complies with all of the intents and requirements of the zone.

**PROJECT DATA TABLE**

<u>Development Standard</u>	<u>Permitted/ Required</u>	<u>Proposed</u>
One Family Detached Dwellings are a permitted use.		
1. Site Area:		
RMX-2	8.48 acres	
<u>R-200</u>	<u>3.17 acres</u>	
Total	11.65 acres	
2. Yield (59C-10.3.4; 10.3.5; 10.3.7)		
Residential (8.48 ac. @4 du/ac=33 du + 3.17ac. @ 2 du/ac=6 du.)	39d.u.	34 d.u.
Commercial	600,00 gsf.	0 gsf.
3. RMX-2 Minimum Green Area:		
	50% or 4.24ac.	>50%; 4.61 ac 6.47 ac total green space
4. Minimum Number of Dwelling Units Required (59C-10.3.6)		
	If over 30 ac – 150 du req'd	n/a
5. Maximum Residential units (59-C-10.37)		
	30 du/ac	2.91 du/ac
6. Minimum Building Setbacks – Residential (59C-10.3.8):		
a. Adjacent R-200 zoning –	100'	50'*
b. Adjacent MXN Zoning -	30'	15'*
c. From Street – no minimum, waived by master plan		15'
d. Internal lot setbacks:		
1. Front	0	15' min.
2. Street Side Yard	0	15' min.
3. Side Yard	0	7' min. bldg separation
4. Rear	0	20' min.
(7) Parking	2/du	2/du (not including on street parking)

\*The Applicant requests 50% reduction in minimum setbacks lots as shown on plan and as allowed in Section 59-C-10.3.8 of the MC Zoning Ordinance. The conditions of the waiver required that the Planning Board find that “trees or other features on the site permit a lesser setback without adversely affecting development on an abutting property.”

For this site, waivers are requested along the western boundary of the site, specifically for lots 10, 17, 22 and 29. This allows for 4-corner lots to have 5 foot smaller rear yards and the lots adjacent to the recently added lots to have smaller side lot lines (15 feet). Grading schemes to the west are comparable to this proposal. The rear yard setbacks along the western boundary are approximately 25 feet and landscaping is proposed to create a buffer. No development exists to the east at this time – a possible fire station is proposed.

The proposed reduced setback waiver is consistent with other waivers granted within this vicinity does not adversely impact development on adjoining property.

(b) *As conditioned, the proposal conforms to the approved and adopted sector plan or an urban renewal plan approved under Chapter 56.*

The Clarksburg Master Plan and Hyattstown Special Study Area, approved June 1994, recommends the following for the site:

### **Create A Town Scale Of Development**

The Clarksburg Master Plan envisions a traditional, transit served community that is organized into a series of neighborhoods. The Town Center is to be the focus of community life with 80% of future development channeled into the area. The proposed Project Plan conforms to the master plan’s vision by proposing a traditional neighborhood designed with street facing residential units. Alleys are not proposed due to the narrow configuration of the parcel.

### **Master Plan Density And Mixed-Use Development**

The Master Plan recommends a density range of 2 to 4 units per acre and a range of unit types. The Project Plan conforms to the density range by providing 3.3 du/ac. The single family detached unit type proposed with this project provides a “stepping down” in density from the more intensely developed center to the “edge” of the Town Center District. This is consistent with the master plan’s intention to create a compact, densely developed center. Mixed uses are within walking distances located across MD 121 within Terrabrook’s Town Center development.

### **Develop Town Center as a Focal Point for Community Services**

The Town Center should function as the “civic” center of Clarksburg by locating community and governmental services such as a library, post office, and community within a walkable town center. The Project Plan does not propose any community services partly due to the small size of the parcel and its “edge” location to the Town Center. Such services are being planned for the Terrabrook’s Town Center development. The County has identified a potential fire station site to be located directly adjacent to the subject property further out along MD 121.

### **Create a Transit-Oriented Land Use Pattern**

The Master Plan envisions a traditional community that orients development along streets that encourage pedestrians to walk and allow “bus loops” to easily serve neighborhoods. The Project Plan achieves a transit-oriented pattern of development by fronting units along streets. Unfortunately, the requirements for storm water management have resulted in a SWM pond in front of the proposed neighborhood setting it back from Clarksburg Road. Since this is not the pattern established further to the west by the Clarksburg Ridge Site Plan, continued efforts should be made to consolidate the storm water management into the King Pond across MD 121. If such efforts fail, then the proposed SWM pond should be designed and landscaped as an amenity to avoid it becoming an undesirable feature.

### **Encourage an interconnected sidewalk, bikeway and street system**

The Master Plan strongly encourages a network of streets to facilitate access for transit service and improve convenience within the community. The Project Plan is a cul-de-sac with interconnection improved somewhat by a future street connection to the west. The street connectivity envisioned in the Master Plan is limited by access restrictions to Mid County Arterial and by existing residential properties directly to the west of the property.

The proposed sidewalk and trail system achieves good connections to off site destinations. The proposed trail connects the community to the future bikeway along Mid County Arterial. Internal sidewalks lead down to the sidewalks. However, a small segment of additional sidewalk onsite is needed along the Little Vineyard Lane to eventually connect to the future community known as Cawtaba Manor. This additional sidewalk could be addressed at site plan.

Continuity of the streetscape and sidewalk system along Clarksburg Road is very important to achieve with the approvals of development along this side of the roadway. This project proposes streetscape improvements along it’s frontage.

**Provide a variety of open space features**

The Town Center is to be developed with a variety of open spaces ranging from the Greenway to more civic-like space within the heart of Terrabrook's Town Center. Parkside does propose to provide amenity improvements to the King Pond Local Park across Clarksburg Road and within the site.

**Staging**

The proposed project plan is located within Stage 2 and is recommended for water and sewer service.

- (c) *As conditioned, because of its location, size, intensity, design, operational characteristics and staging, the proposal is compatible with and not detrimental to existing or potential development in the general neighborhood.*

The location and design of the proposed project plan is linked to the other neo-traditional communities proposed in the Clarksburg Town Center area with the traditional orientation of units to the street and the highly developed sidewalk environment. This type of unit proposed, the pattern of development and the proposed density of the community will replicate existing and proposed communities in the Clarksburg Planning Area. The proposed residential project will be compatible with the general neighborhood.

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

**Site Access and Circulation**

One access point to the site area is provided from Clarksburg Road (A-27). The applicant must construct its portion of the roadway along the property frontage with the following descriptions. Clarksburg Road (A-27) shall be a three-lane, 38-foot wide closed section roadway with a six-foot Class I bikepath on the south side and a sidewalk on the north side, offset within an 80-foot right-of-way. The exact location of the transition to a two-lane roadway toward Greenway shall be determined at the time of site plan review.

The internal pedestrian circulation system shown on the site plan is adequate. Sidewalks (5-foot wide) proposed on both sides of all internal tertiary roadways and future street connections to adjoining properties as shown on the site plan are adequate.

Alignment of A-305 shown on the site plan is consistent with A-305 approved on the Catawba Manor subdivision.

**Adequacy of Public Schools**

Montgomery County Public Schools have found there to be adequate space within the Damascus cluster to permit this subdivision approval. See memo attached, dated May 7, 2002.

Staff concludes that the subject project plan and preliminary plan satisfy the APFO requirements since the applicant is satisfying policy area review by paying the Development Approval Payment (DAP) under the FY 01 Annual Growth Policy staging ceiling capacity. No Local Area Review is required for the subject project plan and preliminary plan.

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

This small project will be more efficient and desirable than standard method of development because the reduced development standards allow the units to be clustered to create the highly defined streetscape edge, consistent with neotraditional development and the “sense of place” it can create. The provision of a centralized open space and the landscape areas developed with sitting areas, specialized building materials and detailed planting areas create higher quality pedestrian areas, enhancing the quality of life of the residents and the public within Clarksburg.

- (f) *The proposal will include moderately priced dwellings units in accordance with Chapter 25A of this code, if the requirements of that chapter apply.*

The project does not qualify for the provision of MPDU’s. This 34-unit project is under the required 50-unit threshold for provision of MPDU’s.

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

- A. *The Project will preserve an historic site, building, structure or area as shown on the Locational Atlas and Index of Historic Sites or the Master Plan for Historic; and/or*

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

Not applicable to this project.

- (h) *As conditioned, the proposal satisfies any applicable requirements for forest conservation under Chapter 22A.*

A preliminary forest conservation plan has been prepared for the entire tract. The tract includes 8.45 acres of forest. The applicant is proposing to remove 7.57 acres of forest. The forest planting requirements will be met through a combination of onsite retention, onsite plating, and offsite planting. A five-year maintenance period for planted forest is required per the environmental guidelines.

- (i) *As conditioned, the proposal satisfies any applicable requirements for water quality resource protection under Chapter 19.*

The subject property is 11.45 acres located on the north side of Clarksburg Road (MD Rte. 121) and opposite Kings Park. The proposed development is zoned RMX-2 and residential units are proposed for the entire site. Approximately 4.1-acres are within the Clarksburg Special Protection Area (SPA). The drainage area within the Clarksburg SPA drains to the Town Center tributary of Little Seneca Creek, which is classified as Use Class IV water. The non-SPA portion of the site drains to Little Bennett Creek, a Use Class III-P 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**

Performance goals were established at the pre-application meeting and are to be met in the preliminary water quality plan and further refined in the final water quality plan. The performance goals include:

- Minimize storm flow runoff.
- Minimize increases in ambient water temperature.

- Minimize sediment loading.
- Minimize the use of pesticides by requiring the Home Owners Association to adopt an Integrated Pest Management Plan to manage community lands.

### **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). Water quality control for this site will be provided via two dry ponds. These facilities will provide control for one-year storms with pre-developed release rates.

### **Site Imperviousness**

There is no impervious limit on this property. The impervious amount proposed for the entire 11.45-acre site is less than 25 percent. This is within the acceptable range for RMX-2 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 tract identified the environmental buffers. As part of the forest conservation plan, the applicant will place forest conservation easements on the sensitive areas including streams, springs, seeps, wetlands, floodplains, associated buffers, and steep slopes.

Therefore the Montgomery County Planning Board **APPROVES** Project Plan #9-02001, which consists of 34 single-family dwelling units on 11.65 acres of RMX-2 (8.48. ac) and R-200 (3.17 ac) zoned land; with no MPDU's or TDR's required with the following conditions:

#### **1. Light and Streetscaping Standards**

The Applicant commits to participate in a process with representatives from county agencies and private developers to review current light and streetscaping standards and develop new standards (fixtures) within the Clarksburg area.

## 2. Maintenance Organization

The Homeowners Association shall be set up to maintain the street trees within the public rights-of-way so to allow for tighter street tree spacing. The maintenance requirements shall also cover the sidewalk and path special paving where required.

## 3. Transportation

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

- a. Limit the preliminary plan to the following uses and density to 34 residential dwelling units
- b. Satisfy the APF test by paying the Development Approval Payment (DAP) under the Alternative Review Procedure for Limited Residential Development provision of the FY 01 Annual Growth Policy for the proposed residential development. The APF test includes:
  - i. Policy Area Review: Site-generated traffic has to be mitigated within the Clarksburg Policy Area, which is in a moratorium. There is no capacity available for employment and residential development as of April 30, 2002 in the Clarksburg Policy Area. The applicant is satisfying policy area review by paying the DAP under the *FY 01 Annual Growth Policy* staging ceiling capacity.
  - ii. Local Area Transportation Review: A traffic study (to analyze the traffic impact at nearby intersections) is not required since the proposed land use generates less than 50 total peak-hour trips during the weekday morning peak period (7:00 a.m. to 9:00 a.m.) and the evening peak period (4:00 p.m. to 6:00 p.m.).
- c. Reconstruct the northern half of Clarksburg Road along the property frontage in accordance with the description as provided in this memorandum for site access.



#### 4. Amenities

The Applicant shall provide the following amenities with the site plan:

##### On Site Amenities

- “Village Green” to include sidewalks with special pavers, sitting areas, a community structure and detailed planting.
- Enhanced landscaping for the Storm Water Management Pond – to be extensively planted with landscaping and wildflowers to create a wildlife habitat, and reflect the agricultural fields and pasturelands, which have historically been indicative of Clarksburg.
- Provision of Architectural elements such as cheek walls, brick piers, and fencing along the frontages of each lot as shown.
- For all garages that face the street, the garages shall be recessed behind the face of the units or porch to reduce the appearance of the garage from the street.
- Shade trees at approximately 40 feet on center within the right-of-way with the maintenance included via the HOA.

##### Off Site Amenities:

- Two (2) picnic shelters sized for two tables each at the southwest corner of Kings Local Park property to include rustic features consistent with the traditional rural character of Clarksburg and shall incorporate landscaping features with some historical, environmental or cultural interpretive elements.

#### 5. Waiver Request of Subdivision Standards

To fully implement the Master Plan vision of the property and to successfully implement a well designed and visually pleasing community, certain subdivision waivers are proposed. The Planning Board approves or concurs with all of these waivers, as necessary, with this Project Plan and subsequent approvals for this site:

##### (a) Special Protection Area – Request for Waiver to Open Section Roads. Section 49-35(l)(1)and (2)

Due to the narrow lot widths associated with this plan, the applicant requests a waiver of this requirement to provide open section roads. Most of the lot widths are approximately 50 feet in width making it difficult to use open section roads effectively. This request is consistent with other requests within the Clarksburg Town Center vicinity.

##### (b) Sect 50-26 (f) of the Montgomery County Subdivision Regulations.

The main Public Street “A” is a standard 50’ right-of-way residential tertiary street. A waiver of the minimum horizontal centerline radius is requested to provide for smaller roadway curves within the development. The reduced radius

curves will act as passive speed control devices and therefore reduce traffic speed and reinforce the concept of a pedestrian friendly neighborhood.

**(c) Front yard setbacks Zoning Ordinance 59-C-10.3.8** The zoning ordinance allows for reduced front yard setbacks when recommended by the Master Plan. In this case, the Master Plan has made the recommendation and this waiver is consistent with other neo-traditional subdivisions in the Clarksburg Planning Area.

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**Date Mailed: June 27, 2002**

**Action:** Approved Staff Recommendation

**Motion** of Comm. Robinson, seconded  
by Comm. Bryant with a vote of 4-0

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

Commissioner Perdue absent

## **MONTGOMERY COUNTY PLANNING BOARD**

### **OPINION**

Preliminary Plan 1-02042

NAME OF PLAN: PARKSIDE

On 10/02/01, Miller and Smith submitted an application for the approval of a preliminary plan of subdivision of property in the R-200/RMX-2 zone. The application proposed to create 34 lots on 10.92 acres of land. The application was designated Preliminary Plan 1-02042. On 05/23/02, Preliminary Plan 1-02042 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 1-02042 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-02042.

Approval, of Thirty-Four (34) Lots, Pursuant to the Alternative Review Procedures for Limited Residential Development (DAP) of the FY 2002 Annual Growth Policy and Approval of a Special Protection Area Final Water Quality Plan, Subject to the Following Conditions:

- 1) Approval of this preliminary plan is limited to thirty-four (34) single family residential dwelling units
- 2) Applicant to pay the Development Approval Payment under the Limited Residential Development provision of the FY 2002 Annual Growth Policy for the proposed residential development, prior to receipt of building permit
- 3) Reconstruct the northern half of Clarksburg Road along the property frontage in accordance with the site access description as provided for in the Transportation Planning Division memorandum dated May 9, 2002
- 4) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 5) Compliance with the conditions of MCDPS stormwater management approval for the Final Water Quality Plan dated, March 19, 2002
- 6) Compliance with the condition of approval of the Final Water Quality Plan as reflected in the Environmental Planning memorandum dated, May 9, 2002 as follows:

- Conformance to the conditions as stated in the Department of Permitting Services letter dated March 19, 2002
- 7) 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
  - 8) 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
  - 9) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
  - 10) Record plat to provide for dedication of eighty (80) feet of right-of-way for Clarksburg Road
  - 11) Record Plat to provide for eighty (80) feet of dedication for A-305 right-of-way as shown on the approved plan
  - 12) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
  - 13) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
  - 14) Final approval of the number and location of dwelling units, site circulation, sidewalks, and bikepaths will be determined at site plan
  - 15) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
  - 16) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
  - 17) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
  - 18) Other necessary easements