



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Items #6 & 8
MCPB
7/24/03

MEMORANDUM

DATE:

TO:

VIA:

FROM:

Montgomery County Planning Board
Joe R. Davis, Chief
Michael Ma, Supervisor
Development Review Division
Wynn E. Witthans, RLA, AICP
Planning Department Staff
(301) 495-4584

Handwritten signatures and initials: "AMS for JRD", "W", and "W"



REVIEW TYPE:

Final Water Quality Plan and Site Plan Review

APPLYING FOR:

Approval of 122 One-family detached, 64 Townhouses, 8 duplexes, including 29 MPDU's

PROJECT NAME:

Highlands of Clarksburg

CASE #:

8- 02022A

REVIEW BASIS:

Sec. 59-D-3, M. C. Zoning Ordinance for Site Plan
Section 19-64 for Final Water Quality Plan

ZONE:

RMX-2

LOCATION:

Southeast corner of Stringtown Road and MD Route 355.

MASTER PLAN:

Clarksburg Master Plan and Hyattstown Special Study Area, June 1994

APPLICANT:

Centax Homes

FILING DATE:

December 23, 2002

HEARING DATE:

July 24, 2003

FINAL WATER QUALITY APPROVAL FOR SPECIAL PROTECTION AREA

STAFF RECOMMENDATION: Approval of Final Water Quality Plan for Site Plan # 8-02022A with the following conditions:

Staff recommends approval of the Final Water Quality Plan subject to the following conditions:

1. Off-site reforestation must occur in the Clarksburg SPA.
2. Conformance to the conditions as stated in the Department of Permitting Services letter dated December 13, 2002 (see Attachment).

SITE PLAN

STAFF RECOMMENDATION: Approval of a total of 122 One-family detached, 64 Townhouses, 8 duplexes, including 29 MPDU's with the following conditions:

1. Earlier Approvals

This site plan will include all of the earlier approvals inclusive of the conditions of approval and site plan enforcement agreement and development program as approved with Site Plan 8-02022, Opinion attached.

2. Lighting and Landscaping Plan

- a. Foundation planting and sidewalk landscaping to be located outside of the right-of-way.
- b. Extend sidewalk along MD Route 355 for length of property, especially across Suncrest Road.

3. Environmental Planning

- a. The applicant shall provide certification from an acoustical engineer that the building shell of impacted buildings along MD Route 355 have been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. Certification shall be distributed to M-NCPPC technical staff for review prior to release of building permit.

Prior to occupancy, the builder must certify, via written notice to M-NCPPC staff, that the residential units are constructed in accordance with the acoustical design specifications as identified.

- b. 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).
- c. SWM waiver of open section streets within Special Protection Areas per DPS approval.
- d. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.

4. Division of Permitting Services

- a. SWM Memo - Conditions of DPS Final Water Quality Special Protection Area Stormwater Management Concept approval letter dated.
- a. Streets and Paving Memo (from Sarah Navid)

5. Transportation

Prior to release of signature set the applicant shall provide staff with exhibits confirming the intersection coordinates with the confronting project, Gateway Commons # 8- 03023.

6. Signature Set Documentation

- A. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for the entire Highlands of Clarksburg project for review and approval prior to release 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.
 - 8) Noise attenuation to be completed and accepted by M-NCPPC technical staff prior to release of building permits.
- B. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for M-NCPPC technical 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. 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 and Site Plan Opinion.
 - f. Conservation easement boundary.
 - g. Streets trees along all public streets.
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

SITE PLAN REVIEW ISSUES

1. ISSUE

SPECIAL PROTECTION AREA DISCUSSION

The subject property is 64.6 acres located at the southeast quadrant of MD 355 and Stringtown Road. The proposed development is zoned RMX-2 and R-200 and includes a commercial and residential component. The final water quality plan was revised to add an additional 10-acre tract within site plan 8-02022. The Planning Board previously approved the Final Water Quality Plan on May 9, 2002. The land area covered by this Final Water Quality Plan drains to the Town Center tributary of Little Seneca Creek, which is classified as a Use Class IV water. There are stream buffers within the project limits. The entire development is within the Clarksburg Special Protection area.

This final water quality plan includes both the Clarksburg Highlands (8-02027) and the Highlands and Clarksburg (8-02022). Water quality plans are required as part of the Special Protection Area regulations. Under the SPA 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 final water quality plan, several site performance goals were established for the project:

- Protect and maintain stream and aquatic habitat
- Maintain existing base flow by minimizing impervious area and providing infiltration structures if feasible.
- Protect seeps, springs, and wetlands.
- Minimize storm flow runoff and maintain stream channel geometry via the redundant stormwater management controls.
- Minimize increases in ambient water temperature by providing open section roads using an infiltration structure for groundwater recharge and provide shading for the proposed dry pond outfall
- 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). The water quality structures are sized to provide control for one and two year storms with pre-developed release rates.

SITE IMPERVIOUSNESS

There is no impervious limitation on this property. The impervious amount proposed for the entire 64-acre site is approximately 24 percent. This is within the impervious range for other R-200 developments in the County. It is also important to note that this impervious percentage includes the RMX-2 commercial areas which are not included in the R-200 developments used to determine the percentage impervious range.

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 64-acre tract identified the environmental buffers. As part of the forest conservation plan for the Highlands of Clarksburg, the applicant will place forest conservation easements on the sensitive areas including streams, springs, seeps, wetlands, floodplains, associated buffers, and steep slopes.

2. ISSUE

The Planning Board first approved the site plan on June 13, 2002 for 164 dwelling units. When the developer was able to acquire the adjacent Dallas-King parcels, 40 units were added to the application. The application allowed for an improvement to the entrance from MD Route 355 so it will form a full intersection with the proposed Gateway Commons subdivision. The addition also improved grading within the original site plan – extensive retaining walls along Timber Creek Lane have been reduced or removed.

Applicant Position /Staff Recommendation

The staff and applicant are in agreement and have no outstanding issues on the changes.

Staff has received one phone call regarding pedestrian connections along MD Route 355 to include Suncrest Avenue.

PROJECT DESCRIPTION: Site Description

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

The center of the site along MD Route 355 is farmland zoned R-200. Further south of the site is wooded areas with existing residential uses adjacent to Rte 355. East of the entire site is the Clarksburg Greenway trail, a wooded open space that extends north south through the Clarksburg vicinity. Beyond the Greenway Trail area is the proposed Clarksburg Village subdivision plan. The northern frontage of the site is along Stringtown Road, with the access point opposite Clarksburg Town Center's collector street. In addition to its location to major thoroughfares and the town center, the site is located within five miles of Little Bennett Regional Park, Blackhill Regional Park, and Ovid Hazen Wells Park.

PROJECT DESCRIPTION: Site Description

Natural Resources

A former farmstead is centrally located on the property. It consists of what appears to be the scattered remnants of a masonry cistern and foundations of a silo, large barn, and outbuilding. Quartz rock is the main building material in the foundation and probably came from on-site. The adjacent fields contain a very high amount of channery material primarily consisting of quartz along with some schist and phyllite. No massive rock outcrops were observed on-site. There are no springs, seeps, streams, or wetlands present on-site.

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

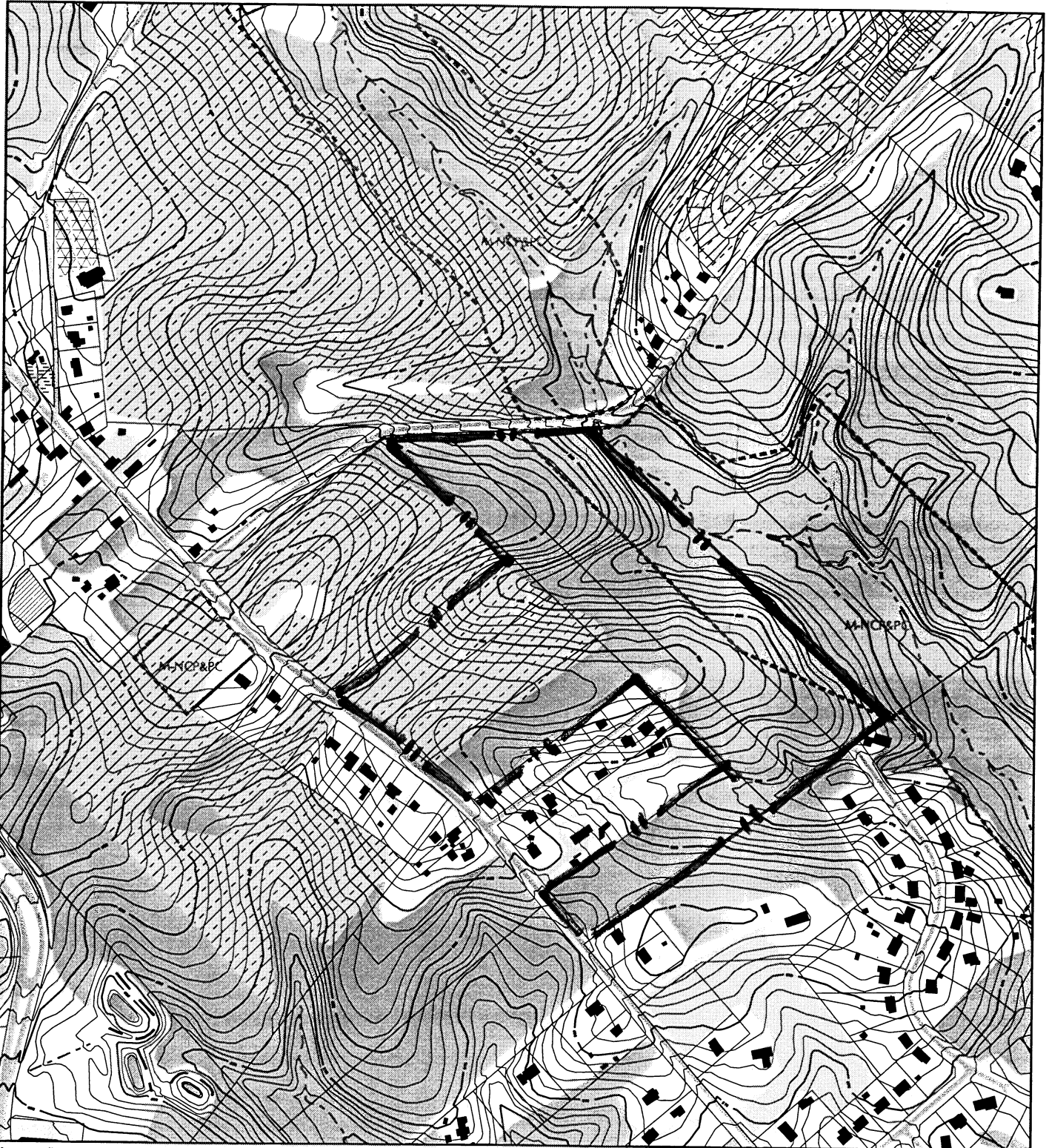
The forested area on-site is 1.54 acres. There is no mature forest present on-site nor any specimen trees present.

Historic Context

This site is located just outside the southern boundary of the Clarksburg Historic District and across Route 355 from Dowden's Ordinary site and marker. Dowden's Ordinary's , near the site, is rich in events from the French Indian war and it served as a gathering place for the earliest citizens of Clarksburg. The farmstead is listed in the Maryland National Capital Park & Planning Commission (M-NCPPC) Locational Atlas. Approximate locations of these foundations are shown on the Natural Resource Inventory/Forest Stand Delineation Map.

VICINITY MAP FOR

HIGHLANDS AT CLARKSBURG (8-02022)



Map compiled on January 07, 2002 at 4:34 PM | Site located on base sheet no - 232NW13

NOTICE

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

Key Map



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Research & Technology Center
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PROJECT DESCRIPTION: Proposal

The project preserves most of the original layout of the previously approved site plan. The new portion of the site introduces a row of single-family detached homes for the length of MD Route 355. Timber Creek Lane now extends to create a block that connects with the internal streets within the site plan (earlier it ended in a cul de sac). The plan now includes 8 duplex MPDU's within the center of the site and Saint Clair Road extends to MD Route 355 to create a full intersection with Wood Port Road, to the south.

Landscaping and lighting for the project includes street trees along all streets, planting as able within the stormwater management facilities and a landscape feature within the entry at St. Clair Road. Recreation is enhanced with the addition of an open space play field.

Vehicular circulation will be controlled by a traffic circle added at the entrance where four roads intersect at varied angles. Pedestrian circulation is provided along each street and an inter-block connection from MD Route 355 to the internal portions of the site.

SITE PLAN
8-02022

MD ET 352

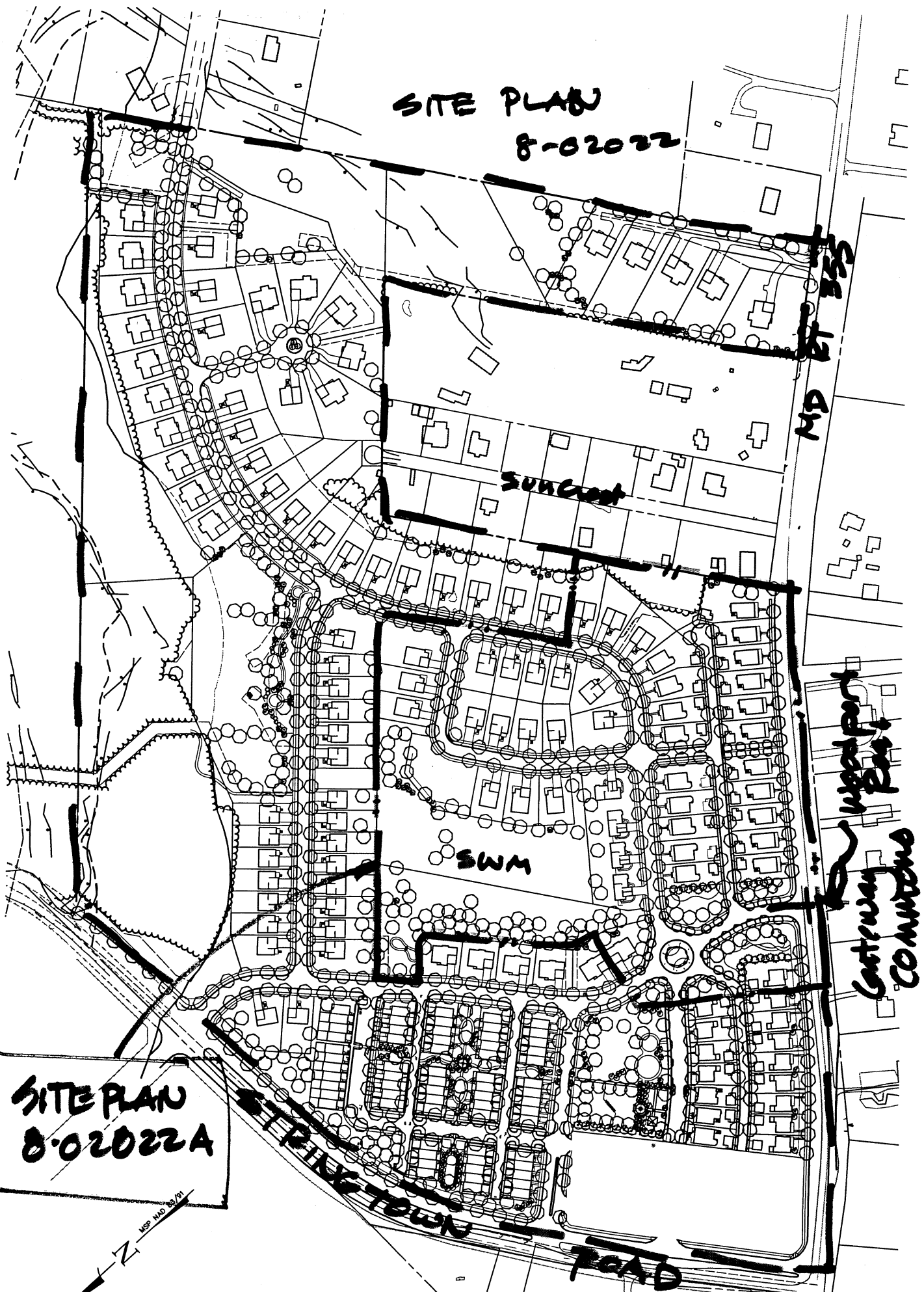
SUNCOAT

SWM

Westport
Gateway
Center
COMMENTS

SITE PLAN
8-02022A

MSP MD 8/21



PROJECT DESCRIPTION: Prior Approvals

Development History

The original Project Plan and Preliminary Plans were approved by the Planning Board on July 1, 1999 for the 16 acre portion of the property zoned RMX-2. On April 26, 2001, the applicant was granted a one-year extension of the Project Plan approval. The Preliminary Plan has been amended to include an additional 40.4 acres zoned R-200 in addition to the 16 acre parcel zoned RMX.. The Preliminary Plan amendment with this site plan will add units to the central portion of the site.

Background /Waiver Requests:

The Planning Board has approved the following waivers and phasing considerations with the approvals of the Project Plan and Preliminary Plan and earlier site plan hearings:

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

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

Section 50-26(h)(3) of the county Code a waiver of sidewalks. A waiver is granted on a six-unit cul-de-sac due to the small length of the street and to the opportunity to reduce paving within a Special Protection Area.

Additionally, the applicant has also asked that the sidewalk along Timber Creek Lane, west of Public Street “B” be phased in with the southern portion being installed with the construction of those units and the north side being constructed when that adjacent parcel is developed. Staff recommends the Planning Board approve this phasing as well.

ANALYSIS: Conformance to Development Standards R-200 MPDU standards

PROJECT DATA TABLE

Development Standard	Permitted/ Required	Proposed
Lot Area (ac.):		50.8 acres
	(balance of site 16.1 acres is in RMX zone)	
Density (dwelling/acre):	2.44 or 121 du's	2.38 or 119 du's In R-200 zoned land
Dwelling Units:		

Unit type for RMX and R-200 units	Original Approval	Amendment for additional units	Revised Totals
Single family detached	90	32	122
Townhouses	64 (of which 11 are MPDU's)	-	64
Duplex	-	8 MPDU's	8
Condo's over retail	10 (All MPDU's)	-	10

204 du's TOTAL

Net Lot Area	SFD – 6, 000 sf TH - 1,500 sf Semidetached(duplex) 3,500 sf	6,000 sf 1,500 sf 3,500 sf
Setback to street (SFD)	25 ft.	25 ft
Yard to non-MPDU adj. Development	20 ft	20 ft
Min Lot width at public street	25 ft	25 ft
Max Bldg Height	40 ft	40 ft
Green Space sf/du	2,000 per TH/attached du/or 3.3 acres	>24.5 acres
Parking:		
Total	2/du or 408	408 on individual lot

MPDU CALCULATIONS:

MPDUs required RMX: $85 \times 12.5\% = 10.6$ or 11 MPDU's (one unit provided on R-200 property)
 MPDUs required R-200: $118 \times 15\% = 17.7$ or 18 MPDU's (inclusive of provision of 20% for HOC Special Ceiling Allocation for affordable housing)

RECREATION CALCULATIONS:

	Tots	Children	Teens	Adults	Seniors
Demand Points					
For 204 units	29.6	43.2	43.3	245.5	22.54
Supply Points					
<u>On-Site Facilities:</u>					
Tot Lot (2)	18	4	0	8	2
Multi-age area (2)	18	22	6	14	2
Picnic/Sitting (8)	8	8	12	40	16
Open Play (I)	12	18	24	60	4
Open Play II (1)	3	4	4	10	1
Pedestrian System (1)	2.96	6.78	8.65	110.5	10.14
Nature Trails(1)	1.48	4.32	6.49	36.83	3.38
Total Supply Points	63.44	68.97	61.14	279.33	38.52
	(214%)	(160%)	(141%)	(114%)	(171%)

The proposed recreation plan satisfies the recreation facilities guidelines for the site.

ANALYSIS: Conformance to Master Plan

The subject property is located within the Transit Corridor District of the Clarksburg Master Plan Area. The Transit Corridor District includes properties fronting MD 355 which have developed over many decades in accord with traditional patterns found elsewhere in the “Up-County,” single-family detached lots fronting the road. As stated in the Master Plan, the most significant planning challenge in this District is to maintain and continue this residential character while addressing the need for increased traffic capacity along MD 355.

The key land use recommendations of the Master Plan that are relevant to the subject property are summarized below:

1. To encourage mix of use development near transit stops.
2. To improve east-west roadway connections.
3. To provide an open space system.

Staff believes that the proposed site plan achieves the Master Plan policy statements:

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

The proposed site plan achieves a town scale of development by providing a mixed-use development with commercial uses and residential including MPDU's. The proposed range in unit types (single-family detached, townhouses, and apartments) for the site will assure a mix of households and incomes.

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

No stream valleys, springs or wetlands are found within the subject property. The property, however, is included in the Special Protection Area and will be providing additional water quality measures in conformance to the guidelines.

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

The subject property does not directly abut the Little Seneca Creek Greenway. A series of bikeways and sidewalks, however, are proposed that provide access to the Greenway and thus improve connectivity. The sidewalk along the street frontage of MD 355 and Stringtown Road will ensure access to the Greenway Trail.

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

The Master Plan identifies bus routes along Stringtown and Frederick Roads that will serve the subject property. Proposed sidewalks internal to the development will accommodate access to the bus routes. The subject property is also within walking distance to the future Town Center Transitway Station. See Figure 1.

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

Stringtown Road and MD 355 border the subject property. The street layout provides a connection to the Town Center and into the Timber Creek community.

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

The proximity and density of the residential units supports the transit and pedestrian-oriented development by facing residential units along MD 355 and Stringtown Road. This establishes the traditional town planning pattern as seen from the surrounding roadways. The central town square with play area, sitting areas, open space, and sidewalks is highly visible and is sufficiently large enough to accommodate recreational activities and community gatherings.

Diversity of Housing Types – “This plan endorses a mix of unit types at the neighborhood level and avoids large concentration of any single type of housing within each neighborhood.”

The proposed density range is consistent with the previously approved preliminary plan.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved project plan for the optional method of development # 9-98001A as noted in Site Plan Staff Report # 8-02022..*
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 housing units provide a seamless continuation of the adjacent approved site plan. The units along MD Route 355 provide a unified frontage with the front porches facing MD Route 355. The extension of internal drives provide for better interconnection within the site and more efficient utilization of land. Duplex MPDU's introduce a desirable housing type to Clarksburg, offering a greater choice than townhouses. The expansion of the storm water management areas allow for a better way to finish the rear lots adjacent to the SWM facility area. The retaining walls proposed earlier are now removed.

b. Open Spaces

The open spaces are well distributed throughout the subdivision. There are multiple opportunities to view adjacent open spaces from the streets and home of the project.

Storm a water management is described in the Special Protection Area as described earlier.

c. Landscaping and Lighting

Landscaping provided on the site: street trees; foundation planting and alley landscaping; all provide an attractive setting for the units. The entry landscape features will accentuate the open spaces at MD Route 355 and St. Clair Road. The round-about landscaping will also create an attractive community-wide feature. The landscaping is adequate and attractive because of its design, size and type of plant material.

Landscaping has been added to the Stormwater Management Facility and to the areas surrounding it. Staff continues to seek additional landscaping to create more of an amenity because of the high visibility of the facility and the increase in size required to meet Special Protection Area requirements.

The proposed lighting plan will include streetlights that will be located within the public right-of-way and will be regulated by DPWT. The selected light fixture will be one selected by DPWT for Clarksburg and is used by developers in several other projects. No public spaces will be illuminated for evening use.

d. Recreation

Recreation demand is satisfied as shown in the recreation calculations table above. The recreation will provide for a variety of outdoor exercise and play opportunities by providing structured and open space play opportunities. These play areas are enhanced by their proximity to open spaces and with sufficient buffers to adjacent homes.

e. Vehicular and Pedestrian Circulation

The street connections to the site are in accordance with the approved Preliminary Plan. The vehicular circulation is adequate because the layout provides direct connections to Md Route 355 and creates a highly desirable full intersection with Woodport Road to the south. Also, the applicant will provide staff confirmation of the intersection location from developer's consultants on each side of MD Route 355. This improves inter-block connections within the Clarksburg community that will improve local traffic movement.

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

The proposed residential structures proposed are compatible with adjacent open space and residential development. The buffers provided to adjacent housing will reduce the visibility of the proposed project.

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

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

A final forest conservation plan has been revised to include the additional 10-acre tract. The additional land area will be developed using an optional method of development and therefore, the applicant must meet the minimum thresholds on-site for this 10-acre tract. Environmental Planning reviewed the amount of forest retained in the overall forest conservation plan and determined that the amount of forest preserved is greater than the amount necessary to meet the minimum thresholds for revised site plan 8-02022.

The undeveloped site includes 41.2 acres of forest and the applicant is proposing to remove 32.5 acres of forest. The total planting requirement for the revised forest

conservation plan is 12.42 acres. The forest conservation requirements shall be met by onsite forest retention, onsite forest plantings and landscaping credit, and planting off-site. Off-site reforestation must occur in the Clarksburg SPA. A five-year maintenance period is required for all forest planting per the environmental guidelines.

APPENDIX

- A. Special Protection Area and Final Water Quality Plan Approval DPS memo dated December 13, 2002.
- B. Right of Way and Permitting section DPS dated July 10, 2003.
- C. Waiver Request Letter July 14, 2003 – expands waiver request approved in earlier approvals.

MPDU CALCULATIONS:

MPDUs required RMX: $85 \times 12.5\% = 10.6$ or 11 MPDU's (one unit provided on R-200 property)

MPDUs required R-200: $118 \times 15\% = 17.7$ or 18 MPDU's (inclusive of provision of 20% for HOC Special Ceiling Allocation for affordable housing)

See attached Resolution Memo dated July 11, 2003.

RECREATION CALCULATIONS:

	Tots	Children	Teens	Adults	Seniors
Demand Points					
For 204 units	29.6	43.2	43.3	245.5	22.54
Supply Points					
<u>On-Site Facilities:</u>					
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THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

MEMORANDUM

TO: Wynn Witthans, Development Review

FROM: Mark Pfefferle, Planning Coordinator, Countywide Planning *MP*

DATE: July 16, 2003

SUBJECT: Revised Final Water Quality Plan for Highlands at Clarksburg

RECOMMENDATION

Staff recommends approval of the final water quality plan subject to the following conditions:

- Off-site reforestation must occur in the Clarksburg SPA.
- Conformance to the conditions as stated in the Department of Permitting Services letter dated December 13, 2002 (see attachment A).

DISCUSSION

The subject property is 64.6 acres located at the southeast quadrant of MD 355 and Stringtown Road. The proposed development is zoned RMX-2 and R-200 and includes a commercial and residential component. The final water quality plan was revised to add an additional 10-acre tract within site plan 8-02022. The Planning Board previously approved the Final Water Quality Plan on May 9, 2002. The land area covered by this Final Water Quality Plan drains to the Town Center tributary of Little Seneca Creek, which is classified as a Use Class IV water. There are stream buffers within the project limits. The entire development is within the Clarksburg Special Protection area.

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(1)

SITE PERFORMANCE GOALS

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

- Protect and maintain stream and aquatic habitat
- Maintain existing base flow by minimizing impervious area and providing infiltration structures if feasible.
- Protect seeps, springs, and wetlands.
- Minimize storm flow runoff and maintain stream channel geometry via the redundant stormwater management controls.
- Minimize increases in ambient water temperature by providing open section roads using an infiltration structure for groundwater recharge and provide shading for the proposed dry pond outfall
- 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.

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SITE IMPERVIOUSNESS

There is no impervious limitation on this property. The impervious amount proposed for the entire 64-acre site is approximately 24 percent. This is within the impervious range for other R-200 developments in the County. It is also important to note that this impervious percentage includes the RMX-2 commercial areas which are not included in the R-200 developments used to determine the percentage impervious range.

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 64-acre tract identified the environmental buffers. As part of the forest conservation plan for the Highlands of Clarksburg, the applicant will place forest conservation easements on the sensitive areas including streams, springs, seeps, wetlands, floodplains, associated buffers, and steep slopes.

FOREST CONSERVATION

A final forest conservation plan has been revised to include the additional 10-acre tract. The additional land area will be developed using an optional method of development and therefore, the applicant must meet the minimum thresholds on-site for this 10-acre tract. Environmental Planning reviewed the amount of forest retained in the overall forest conservation plan and

2

determined that the amount of forest preserved is greater than the amount necessary to meet the minimum thresholds for revised site plan 8-02022.

The undeveloped site includes 41.2 acres of forest and the applicant is proposing to remove 32.5 acres of forest. The total planting requirement for the revised forest conservation plan is 12.42 acres. The forest conservation requirements shall be met by onsite forest retention, onsite forest plantings and landscaping credit, and planting off-site. Off-site reforestation must occur in the Clarksburg SPA. A five-year maintenance period is required for all forest planting per the environmental guidelines.

3



A Hachment A

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

December 13, 2002

Robert C. Hubbard
Director

Mr. Steven L. Wilde
Macris, Hendricks & Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, Maryland 20886

Re: **Revised Final Water Quality Plan for
Highlands at Clarksburg
Preliminary Plan #: 1-98009A
SM File #: 202822
Tract Size/Zone: 64.6 Ac/RMX-2 and R-200
Tax Plate: EW 341
Montg. Co. Grid: 9D4 & E5
Watershed: Little Seneca Creek**

SPECIAL PROTECTION AREA

Dear Mr. Wilde:

Based on a review by the Department of Permitting Services Review Staff, the Revised Final Water Quality Plan (FWQP) for the above mentioned site is conditionally approved. All of the original conditions and requirements from the April 1, 2002 approval still apply except as noted in this letter.

Site Description: The site consists of 64.6 acres located at the southeast corner of the intersection of Stringtown Road and MD Route 355. The proposed development is zoned RMX-2/R-200 and will consist of commercial and office uses along with single family and townhouse residential lots. The property is located within the Clarksburg Special Protection Area (SPA).

Stormwater Management: Water quantity control will be provided via on-site dry ponds. The two main ponds (SWM #1 and #3) will provide control of the one-year and two-year storm with a predeveloped release rate as was originally required. Quantity control will also be provided in three combined quantity/quality control structures (SWM #4, #5 and #6) for the one-year and two-year storm. Quality control will be provided on-site via an extensive system of linked BMPs. The system will consist primarily of surface sand filters in series; however, biofiltration structures may be substituted for one cell in each series. Water quality inlets and vegetated swales/buffers will be used for pretreatment of vehicular use areas. The off-setting water quality measures that are to be provided for the loss of open section roads include providing an increase in sand filter surface area of approximately 20 percent, and one foot of dead storage below all of the sand filter underdrain pipes. The water quality structures will be sized to provide one-inch of treatment for their contributing impervious drainage areas.

Sediment Control: Redundant sediment controls are required. Sediment traps with forebays or upland sediment traps coupled with secondary sediment traps are to be used for redundant sediment control treatment. This is not shown for all of the proposed traps on the sediment control concept plan; however, it will be required in the detailed sediment control plan. All sediment trapping structures are to be equipped with dewatering devices. All of the previously required conditions still apply. Also, due to the sensitive nature of the watershed coupled with the large amount of proposed development in the watershed, additional measures (such flocculants and mulch berms) will be required in the detailed sediment control plan.



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Performance Goals: The following is the list of performance goals that were established at the pre-application meeting and still apply:

1. Protect and maintain stream and aquatic habitat.
2. Maintain base flow by minimizing impervious area and providing infiltration structures if infiltration is found to be feasible.
3. Protect seeps, springs and wetlands.
4. Minimize storm flow runoff and maintain stream channel geometry via the redundant stormwater management controls.
5. Minimize increases to ambient water temperature by providing open section roads, using an infiltration structure for groundwater recharge, and by providing shading for the proposed dry pond outfall.
6. Minimize sediment loading by providing redundant sediment controls.
7. Minimize the use of insecticides and fertilizers via an 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.

Monitoring: All of the previously required monitoring measures are still applicable with the exception of the post development monitoring requirements, which will be extended to last for five years after construction is complete. **This 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 submission 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. As required previously, stormwater management (SWM) must be provided for any new construction of Stringtown Road. The previously approved FWQP states that the developers of Clarksbug Town Center have agreed to treat the Stringtown Road improvements as well as a portion of site area (approximately 1.75 acres) in facilities on their site. Verification of this agreement must be provided along with the time frame for the proposed facility construction. Also, provide documentation that there is sufficient area on Clarksbug Town Center to control the off-site runoff.
2. Provide a formal dam breach analysis for Pond #1 (application, computations and fee). Also, show the 100-year overland flow path delineation in the event that the pond outlets would become blocked.
3. Provide safe conveyance of all runoff to the proposed stormwater management structures.
4. Address stormwater management quality control for the backs of lots 8, 9 and 10 on Timber Creek Lane unless you can clearly show that runoff will unquestionably drain to the proposed stormwater management structures. It appears that dry wells may be feasible for these lots.

(S)


Steven L. Wilde
December 13, 2002
Page 3

5. All stormwater management structures must provide a maintenance access easement from a public right-of-way.
6. Provide a rip-rap plunge pool (8 to 12 inches deep) at the outfall of Pond #3 to dissipate flow velocity.
7. The pond hazard classifications will be determined at the detailed plan review stage.
8. All impervious areas not draining to the SWM structures must be compensated for in the quantity control ponds.

This letter must appear on the original sediment control/stormwater management plan at its initial submittal. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements.

If 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:CN202822

cc: W. Witthans
S. Federline
M. Pfefferle
L. Galanko
D. Marshall

Qn on-site; Acres 64.4
Ql on-site; Acres 64.4

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MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: August 2, 2002
SITE PLAN REVIEW #: 8- 02022
PROJECT NAME: Highlands at Clarksburg

Action on Final Water Quality Plan: Approval subject to conditions. Motion was made by Commissioner Wellington and seconded by Commissioner Bryant, with a vote of 4-0, Commissioners Holmes, Bryant, Robinson, and Wellington voting for, with no Commissioners voting against. Commissioner Perdue was necessarily absent.

Action on Site Plan #8-02022: Approval subject to conditions. Motion was made by Commissioner Wellington, seconded by Commissioner Bryant, with a vote of 4-0, Commissioners Holmes, Bryant, Robinson, and Wellington voting for, with no Commissioners voting against. Commissioner Perdue was necessarily absent.

The date of this written opinion is August 2, 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 September 2, 2002 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed this Site Plan shall remain valid for as long as Preliminary Plan #1- 98009A is valid, as provided in Section 59-D-3.8

On June 13, 2002, Site Plan Review #8-02022 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and 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:

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1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required;*
2. *The Site Plan meets all of the requirement of the RMX-2 and R-200 zones, respectively, and is consistent with an urban renewal plan approved under Chapter 56;*
3. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure an use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*
6. *The Site Plan meets all applicable requirements of Chapter 19 regarding water resource protection*

SPECIAL PROTECTION AREA:

The Montgomery County Planning Board APPROVES the Final Water Quality Plan subject to the following conditions:

1. Conformance to the conditions as stated in the Department of Permitting Services letter dated April 1, 2002 (attached) and as amended on May 23, 2002 (attached).

SITE PLAN REVIEW:

The Montgomery County Planning Board APPROVES Site Plan #8-02022, which consists of 154 residential units - 90 SFD, 64 Town houses inclusive of 11 MPDU's - on 53.3 acres, subject to the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A.
2. No building permits shall be released for the site until the applicant can verify provision of adequate Storm Water Management for the construction of Stringtown Road (per DPS memo of April 1, 2002 and the May 23, 2002 amendment), attached.
3. Ten MPDU's from Site Plan #8-02027 (for a total of 21 MPDU's for the entire Highlands site as described in Preliminary Plan 1-98009A) are to be combined with this Site Plan, as the total number of MPDU's required with this Site Plan. They shall be included in the HOA for the entirety of the Highlands site as described in Preliminary Plan 1-98009A.
4. The Site Plan Enforcement Agreement shall provide consent to the Historic Preservation Section, M-NCPPC to perform a Phase I Archaeological Investigation of the property prior to construction. The investigation shall not delay the Applicant's construction schedule. The Applicant shall co-operate with M-NCPPC archeological staff regarding

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any reasonable requests to remove any artifacts found during this survey for use in future public displays.

5. Future review of Public Utility Plan to ensure preservation of planting areas required for landscape screening.
6. Conformance to DPS memo of May 3, 2002.
7. Timber Creek Lane is not to be open to traffic to the existing Clarkbrooke Estates Subdivision until the MCDPW&T has accepted the road for maintenance and thirty seven (37) of the single family dwelling units fronting Timber Creek Lane have been constructed. The existing road is to be barricaded and appropriately signed at its terminus to preclude access to the subject property. Also, construction access through Suncrest Avenue shall not be allowed.
8. Applicant to dedicate that portion of Street "C" from Frederick Road (MD Rte 355) to Street "BB", prior to the expiration of the preliminary plan, only if the property identified as Lot 4 and Lot 5 of Brickley's Subdivision has not received preliminary plan approval and dedicated an alternative access to Frederick Road. In the event that access is provided from Street "C" to Frederick Road, it will be constructed as a directional right-in and right-out only configuration.
9. Staff notes the Planning Board's approved waivers as established with the Project and Preliminary Plans provisions:
 - a. Chapter 50 – Subdivision Regulations - Lot Design -50-29(a)(2) to allow certain detached lots to be platted without public road frontage. This includes Lots 2-7 with frontage on Private Street "BB."
 - b. Chapter 50-Subdivision Regulations – Intersection Truncation -Section 50-26-(e)(3) to allow for a more compact and compatible lot arrangement within the housing section.
 - c. Reductions in the minimum setbacks adjoining R-200 one-family residential zoning.
 - d. Section 50-26(h)(3) of the county Code a waiver of sidewalks. Waiver granted on a six-unit cul-de-sac per preliminary plan consideration of sidewalks.
 - e. The sidewalk along Timber Creek Lane, west of Public Street "B" shall be phased in with the southern portion installed with the construction of those units and the north side constructed when that adjacent parcel is developed per preliminary plan consideration of sidewalks.

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10. Lighting and Landscaping Plan

- a. The landscape plan shall propose street tree species and proposed light fixtures to reflect the draft Clarksburg Streetscape Study and proposed lighting plan.
- b. Staff shall review the final landscape plan for stormwater management facilities in conjunction with DPS's review to develop functional and attractive landscaping schemes.

11. Park Issues

- a. The area labeled as "Proposed Greenway" on the northeast side of the property to be dedicated to M-NCPPC for park use as part of the master planned Clarksburg Greenway. This dedication does not include the stormwater pond facilities to be located on Parcel "B".
- b. Dedicated land to be conveyed free of trash and unnatural debris. Park boundaries to be marked with boundary markers to delineate between parkland and privately owned lots in the development.
- c. Applicant to establish a 15' wide Public Use Trail Easement adjacent to the southeast side of Lot 1 on Timber Creek Lane and adjacent to the southeast side of Lot 10 on Public Street "B" to the dedicated Clarksburg Greenway property. The easement shall be adequately signed and marked.

12. MPDU Phasing

Building permits for the off-site MPDU's (located within the mixed use building on Site Plan #8-02027) shall be provided concurrently with the release of the last 50% market rate building permits for Site Plan #8-02022. The final MPDU phasing program shall be reviewed by staff prior to signature set and shall be referenced in the SPEA.

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.

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- 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development. The town commons shall be constructed by completion of the first 50% of the residential units within the RMX-2 portion of the site. All streetscape and mews amenity areas associated with the RMX-2 portion of the site shall be built concurrently with the adjacent 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.
- b. Site Plan Enforcement Agreement to delineate transportation management program
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. Undisturbed stream buffers as shown.
 - b. Limits of disturbance.
 - c. Methods and locations of tree protection.
 - d. Forest Conservation areas.
 - e. Conditions of DPS Stormwater Management Concept approval letter dated April 1, 2002 and amended May 23, 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 feet on center along all public streets.
 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

MEMORANDUM

July 10, 2003

TO: Wynn Witthans
Development Review Division - MNCPPC

FROM: Sarah R. Navid
Right-of-Way Permitting and Plan Review Section

SUBJECT: Site Plan Review #8-02022A

We have reviewed the amended site plan and recommend approval based on the following comments:

- We are in concurrence with the conceptual design of the residential traffic circle at Timber Creek Lane and St. Clair Road. The circle should have at least one shade tree in the green space with other landscaping per MC-704.01, "Allowable Greenspace Plantings."
- We concur with the brick sidewalks in the right-of-way around the commons area (Parcel A).
- A Maintenance and Liability Agreement between the HOA and the County will be required for the brick sidewalks and the landscaping within the traffic circle.
- A Planning Board waiver for horizontal curvature less than required by code will be required for Commodore Lane.

Please let me know if you have any questions regarding these comments.

Highlands at clarksburg.doc

cc: Mike Watkins
Jeff Riese



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Allowable Greenspace Plantings

DRAFT

1. Plants installed on the County right-of-way cannot block vehicle operator sight distances along roadways or impede the use of public sidewalks.
2. Plantings must not cause erosion of the soil on the right-of-way. All exposed soil must be protected from erosion by mulch, erosion control fabric or other such means.
3. All resident or community installed plantings under this standard are the maintenance responsibility of the resident or community.
4. Weeds as defined in Chapter 58 of the County code, noxious or otherwise, are not permitted.
5. Invasive plants are not permitted. Invasives are plants which by their growth habits or origin:
 - are aggressive in their growth requiring repeated containment efforts through the growing season; examples include but are not limited to; English ivy, kudzu, porcelain berry, purple loosestrife, ailanthus
 - have no native or natural control mechanism,
 - suppress the growth of other plants, especially natives, by chemical, aggressive growth, shading, or other means,
 - spread rapidly,
 - are listed by the U. S. Department of Agriculture as invasive.
6. Acceptable plants may be ornamental grasses, flowers, herbaceous perennials or woody plants which at maturity will not exceed a height of 18" without the need for pruning.
7. No vegetable plantings are permitted.
8. Under Maryland State law, plantings allowed under these guidelines can not be located within 15' of fire hydrants, for other items appearing in the right-of-way such as; utility meters, sewer clean outs, etc., a minimum of 3' is to be kept free of plantings.
9. The planting design must provide for access across the right-of-way from the edge of pavement to the sidewalk where sidewalks are present. Access paths must be at least 36" wide and should occur at least every 25' and can be by flagstone, brick, mulched path or other suitable means.
10. On closed section roads, plant material should not be located so as to impede people from opening doors of vehicles parked at the edge of pavement or curb line.
11. Plantings must not impede drainage flows on open section roads. Plantings are allowed only on the house side of the drainage swale and a minimum 2' wide zone along the drainage path at the bottom of drainage swales must be kept clear of all plant material.
12. Any plant material installed on the County right-of-way by residents will not be replaced by the Department of Public Works and Transportation if damaged as a result of County maintenance activities. To minimize the potential for damage resulting from maintenance activities plantings should not be located within 1' of the edge of pavement on open section roads, the back edge of curb on closed section roads, or the sidewalk if present.
13. All parts of plants located on the right-of-way (other than trees) must be kept within the confines of the planting area.
14. Plantings must allow for natural drainage of surface water flows across the right-of-way and must not cause ponding of water on either the public sidewalk or adjacent properties.
15. The County assumes no liability for any adverse consequences resulting from privately installed plantings located on the public right-of-way.

<p>APPROVED _____</p> <p style="text-align: center;">DATE</p> <p>_____ DIRECTOR, DEPT. OF PUBLIC WORKS & TRANSPORTATION</p> <p>_____ CHIEF, DIV. OF ENG. SERVICES</p>	<p style="text-align: center;">REVISED</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	<p>MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION</p> <p>ALLOWABLE GREENSPACE PLANTINGS</p> <p>STANDARD NO. MC-704.01</p>
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REC'D JUL 14 2003

RECEIVED JUL 14 2003



**HOUSING
OPPORTUNITIES
COMMISSION**
OF MONTGOMERY COUNTY, MD

Real Estate Development Division
3980 Knowles Avenue, 1st Floor
Kensington, Maryland 20895-2484
(301) 929-6714
(301) 929-8525 FAX

July 11, 2003

Mr. Keith Tunell
Engineering and Entitlement Manager
Centex Homes
9007 Shady Grove Court
Gaithersburg, Md 20877

Re: Highlands at Clarksburg

Dear Mr. Tunell,

I am pleased to enclose herewith a certified copy of a Resolution of the Housing Opportunities Commission (HOC) adopted on July 9, 2003 that certifies the proposed for-sale residential development of Highlands at Clarksburg as affordable housing.

In accordance with the requirements of Montgomery County's Annual Growth Policy, our counsel, Kenneth Tecler, Esquire, is preparing a Regulatory Agreement which will be forwarded to you for execution as Sponsor of the development. By copy of this letter and copy of the Resolution, we are notifying the Department of Park and Planning of this action taken by HOC.

We look forward to a timely, successful development of Highlands at Clarksburg.

Sincerely,

Harold L. Kramer
Assistant Director, Real Estate Division

cc: Charles Locher, Director, Department of Park and Planning
Ken Tecler, Esquire
Peter Engel



Dev / harold / letter / ktunell071103

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RESOLUTION: 03-75

RE: Request for Certification as "Affordable Housing" Pursuant to the Annual Growth Policy - Highlands at Clarksburg

WHEREAS, the Montgomery County Annual Growth Policy provides a process for a proposed housing development in an area closed to new residential development to obtain a Special Ceiling Allocation in order to construct affordable housing; and

WHEREAS, such a development first must be certified as an affordable housing development by the Housing Opportunities Commission (HOC) in order to apply for a Special Ceiling Allocation; and

WHEREAS, Centex Homes has applied to HOC for certification of a proposed for sale residential development as affordable housing; and

WHEREAS, the proposed for sale residential development known as Highlands at Clarksburg will be located at the southeast corner of the intersection of Frederick Road (Md Route 355) and Stringtown Road and will contain eight affordable housing units for sale to households with incomes below 50 percent of the area median; and




WHEREAS, the proposed for sale residential development complies with the guidelines set forth in Montgomery County's Annual Growth Policy by requiring that occupancy be limited to households with incomes not exceeding 50 percent of the area median.

NOW, THEREFORE, BE IT RESOLVED that the Housing Opportunities Commission of Montgomery County certifies the proposed for sale residential development of Highlands at Clarksburg as affordable housing.

The foregoing resolution was adopted upon a motion by Commissioner Bennett and seconded by Commissioner Galloway. Affirmative votes were cast by Commissioners Nelson Galloway, Kator and Bennett. Vice-Chair Cohen and Commissioner Thompson were necessarily absent and did not participate in the vote.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Housing Opportunities Commission at a regular meeting conducted on July 9, 2003.

S
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Dana R. Miller
Special Assistant to the Commission

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 14, 2003

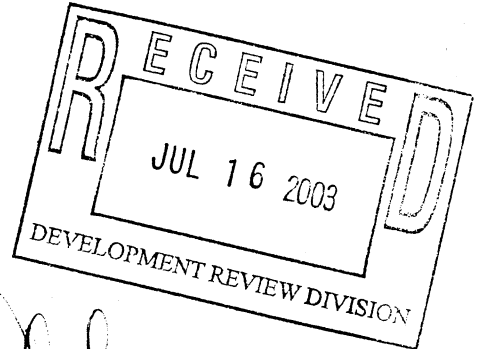
MEMORANDUM

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

VIA: Sue Edwards, I-270 Team Leader *sw*
Community-Based Planning Division

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

SUBJECT: Highlands of Clarksburg (Site Plan No. 8-02022 A)



STAFF RECOMMENDATION

Approval subject to the following condition:

- Provide extensive landscaping from the common property line with the Timber Creek community to improve compatibility.

RELATION TO THE 1994 CLARKSBURG MASTER PLAN

The subject property is located within the Transit Corridor District of the Clarksburg Master Plan Area. The Transit Corridor District includes properties fronting MD 355 which have developed over many decades in accord with traditional patterns found elsewhere in the "Up-County," single-family detached lots fronting the road. As stated in the Master Plan, the most significant planning challenge in this District is to maintain and continue this residential character while addressing the need for increased traffic capacity along MD 355.

The key land use recommendations of the Master Plan that are relevant to the subject property are summarized below:

1. To encourage mix of use development near transit stops.
2. To improve east-west roadway connections.
3. To provide an open space system.

Staff believes that the proposed site plan achieves the Master Plan policy statements:

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

The proposed site plan achieves a town scale of development by providing a mixed-use development with commercial uses and residential including MPDU's. The proposed range in unit types (single-family detached, townhouses, and apartments) for the site will assure a mix of households and incomes.

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

No stream valleys, springs or wetlands are found within the subject property. The property, however, is included in the Special Protection Area and will be providing additional water quality measures in conformance to the guidelines.

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

The subject property does not directly abut the Little Seneca Creek Greenway. A series of bikeways and sidewalks, however, are proposed that provide access to the Greenway and thus improve connectivity. The sidewalk along the street frontage of MD 355 and Stringtown Road will ensure access to the Greenway Trail.

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

The Master Plan identifies bus routes along Stringtown and Frederick Roads that will serve the subject property. Proposed sidewalks internal to the development will accommodate access to the bus routes. The subject property is also within walking distance to the future Town Center Transitway Station. See Figure 1.

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

Stringtown Road and MD 355 border the subject property. The street layout provides a connection to the Town Center and into the Timber Creek community.

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

The proximity and density of the residential units supports the transit and pedestrian-oriented development by facing residential units along MD 355 and Stringtown Road. This establishes the traditional town planning pattern as seen from the surrounding roadways. The central town square with play area, sitting areas, open space, and

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sidewalks is highly visible and is sufficiently large enough to accommodate recreational activities and community gatherings.

Diversity of Housing Types – “This plan endorses a mix of unit types at the neighborhood level and avoids large concentration of any single type of housing within each neighborhood.”

The proposed density range is consistent with the previously approved preliminary plan.

CONCLUSION

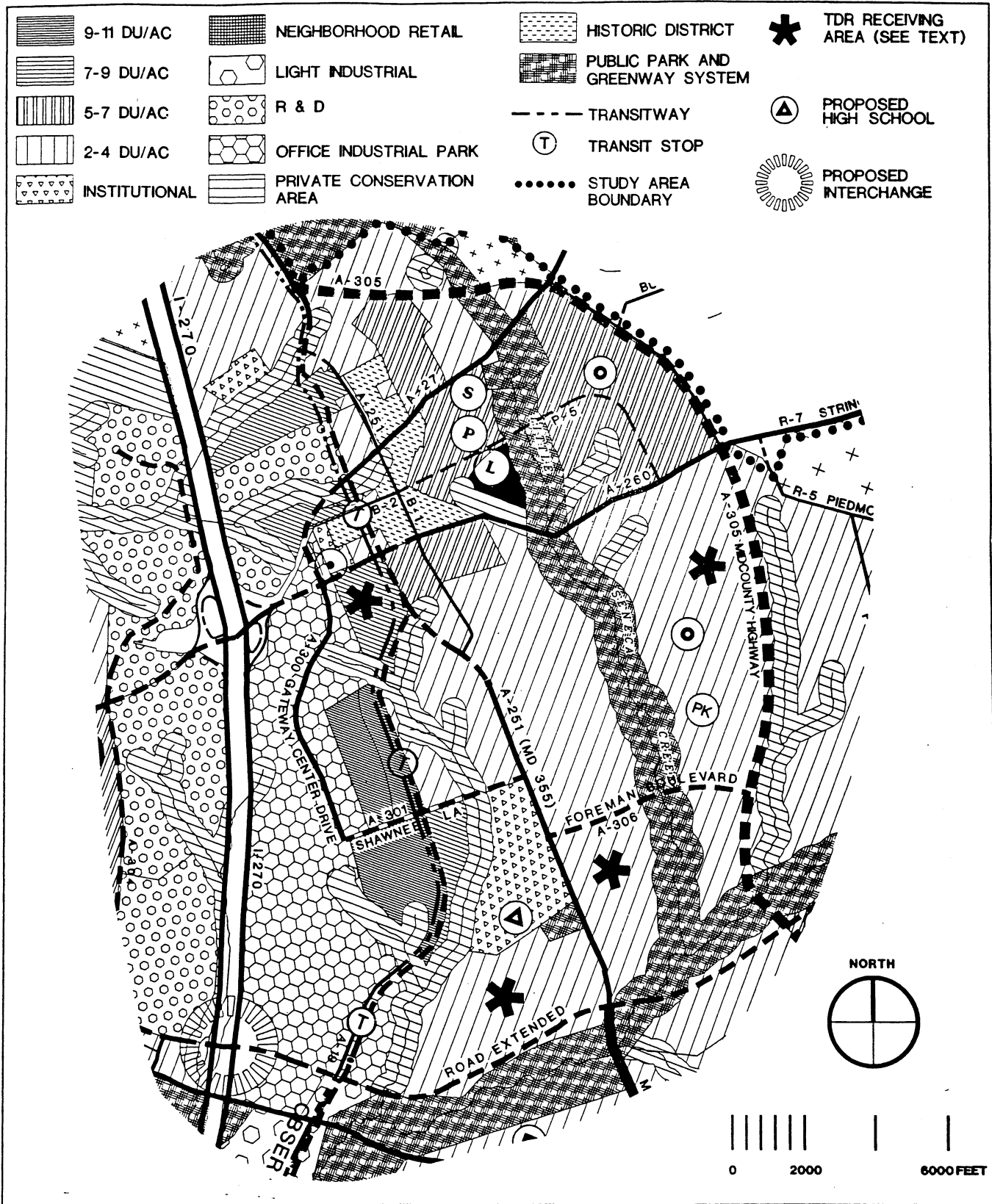
Staff recommends a 50-foot setback from the common property line of the Timber Creek community. During the preliminary review process, the Planning Board expressed an interest in seeing more than a 25-foot setback. If only a 25-foot setback is provided, then extensive landscaping from the common property should be provided in order to be compatible with the Timber Creek community.

NSM:tv: G:\maska\8-02022A.doc

Attachment

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Transit Corridor District Land Use Plan





July 10, 2003

Ms. Wynn Witthans, RLA, AICP
Maryland-National Capital
Park & Planning Commission
Development Review Division
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Highlands at Clarksburg
M-NCPPC # 8-02022A, 1-98009B
MHG Project No. 95-307

Dear Wynn:

The applicant of the referenced amended preliminary and site plans seeks review and approval for the following waivers. A waiver granted by Department of Permitting Services to construct curb and gutter in an environmentally sensitive watershed (§49-35(1)(2)). This additional request would allow construction of a closed section street for Timber Creek Lane and new Commodore Lane, both tertiary residential streets. This same waiver was previously granted with the original preliminary and site plans. A waiver granted by the Planning Board under §50-38(a)(1) for horizontal alignment of a tertiary street as required by §50-26(f). The request allows the designed alignment of Commodore Lane, a tertiary street, to be less than the required 100 foot radius. As discussed in numerous meetings, both waivers are necessary for cohesive design purposes and allow for safe pedestrian and vehicular movements.

Should you have any questions or require any further information, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Watkins", written over a horizontal line.

Michael J. Watkins

cc: Leo Galanko, MCDPS
Sarah Navid, MCDPS
Richard Weaver, MNCPPC
Keith Tunell, Centex Homes
Barbara Sears, Linowes & Blocher