



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: Final Water Quality Plan for Gateway Commons – Site Plan # 8-03023

RECOMMENDATION

Staff recommends approval of the final water quality plan for Site Plan # 8-03023 subject to the following conditions:

- Off-site reforestation must occur in the Clarksburg Special Protection Area (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 dated June 25, 2003 approving the elements of the SPA water quality plan under its purview (Attachment A).

DISCUSSION

The 46-acre property is located west of MD 355 and east of the Gateway 270 Business Center. To the north is the Clarksburg Elementary School and the Clarksburg Historic District. The site is a mix of hay fields and woodlands. There are no structures on the property however, Dowden's Ordinary, a historic site is located on the property adjacent to MD 355. The property is zoned R-200/TDR 7 and will consist of single-family detached units, townhouses, multi-family units, and associated infrastructure.

The site is located within the Little Seneca Creek and Ten Mile Creek watersheds, which are both designated as Use IV-P waterways. The majority of the site drains to the Little Seneca Creek watershed. The natural resource inventory delineated the onsite environmental buffers. The entire site is within the Clarksburg Special Protection area.

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:

- Maintain stream base flows.
- Minimize storm flow runoff increases.
- Minimize increases in ambient water temperatures.
- Minimize sediment loading.
- Minimize nutrient loading.
- Control insecticides, pesticides, and toxic substances.

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 will be provided via two existing off-site wet ponds and one new on-site extended detention dry pond. Quality control will be provided via a treatment train that consists of sand filters, biofiltration structures, and infiltration/recharge structures. Since open section roadways are not possible, additional water quality structures are incorporated into the water quality plan to compensate for the lost benefits that open section roadways provide.

SITE IMPERVIOUSNESS

There are no impervious limitations with the Clarksburg SPA. The impervious amount proposed for the entire 46-acre site is approximately 36 percent. Environmental Planning does not have impervious data from other sites zoned R200/TDR 7 to compare the data with. Environmental Planning looks for opportunities to reduce impervious surfaces on all plans reviewed. However, based on the density proposed for this site few opportunities exist.

ENVIRONMENTAL GUIDELINES

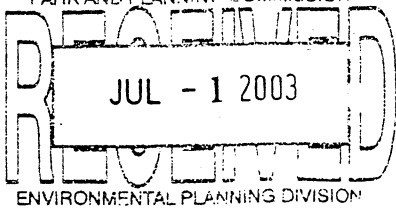
The environmental guidelines for SPAs require examination of many tools to maximize achievement of site performance goals. For instance, the goal of protecting seeps, springs, and wetlands is better achieved with naturalized buffers surrounding these areas. The natural resource inventory for the 46-acre tract identified the environmental buffers. As part of the forest conservation plan for the Gateway Commons, the applicant will place forest conservation easements on the environmental buffers and forests retained and planted onsite.

FOREST CONSERVATION

The applicant is proposing an optional method of development for this site. Under Section 22A-12(f) of the Montgomery County code, developments using an optional method of development

must meet the appropriate forest conservation threshold on-site. Environmental Planning compared the forest conservation threshold with the amount of forest retained on-site and determined that the amount of forest retained is greater than the amount necessary to meet the minimum threshold. Therefore, the final forest conservation plan submitted for this site meets the requirements for Section 22A-12(f) of the Montgomery County code.

The undeveloped site includes 20.2 acres of forest and the applicant is proposing to remove 12 acres of forest. The total planting requirement for the forest conservation plan is 11.4 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. If an off-site location is not available within the Clarksburg SPA, the applicant may use the fee-in-lieu option to meet the off-site planting requirements. A five-year maintenance period is required for all forest planting per the environmental guidelines.



Attachment A

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

June 25, 2003

Robert C. Hubbard
Director

Ms. Joanne Check
Dewberry and Davis
804 West Diamond Avenue, Suite 200
Gaithersburg, Maryland 20878

Re: **Final Water Quality Plan for Gateway Commons**
SM File #: 204507
Tract Size/Zone: 45.25 Ac/R-200/TDR-7
Tax Plate: EW 31
Liber/Folio: 5473/660
Montg. Co. Grid: 9C4&5
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Ms. Check:

Based on a review by the Department of Permitting Services, the Final Water Quality Plan (FWQP) for the above mentioned site is conditionally approved. This approval is for the elements of the Final Water Quality Plan of which DPS has lead agency responsibility, and does not include limits on imperviousness or stream buffer encroachments.

Site Description: The site consists of 45.25 acres located on the west side of MD Route 355 at the intersection with Hammer Hill Road. The proposed zoning of the site is R-200/TDR-7 and will consist of single-family detached units, townhouses and multi-family units with the associated infrastructure. This site is located in the Clarksburg Special Protection Area (SPA) of the Little Seneca Creek Watershed.

Stormwater Management: Water quantity control for this site will be provided via two existing off-site wet ponds and one new on-site extended detention dry pond. The existing ponds will have their release structures modified to provide as close to one-year control as possible for their entire drainage area while maintaining the required freeboard. The new pond will provide control of the one-year storm with a maximum detention time of 12 hours per the new state standards. Quality control will be provided via a treatment train that consists of a structural sand filter, a biofiltration structure and infiltration/recharge structures (where feasible) for small drainage areas and dual cell surface sand filters for larger drainage areas. Since open section roads will not be feasible, additional water quality measures are required to offset the lost benefits that open section roadways provide. These offsetting measures include the proposed water quality inlets, the upland recharge areas (dry wells), the porous bottom storm drain structures (recharge storm drains) that are proposed for some of the private storm drains, and by maximizing the sand surface area in the surface sand filters. Areas that are intended for vehicular use are to be pretreated prior to entering any water quality structures. The water quality structures must be sized to treat a minimum of one-inch over the proposed impervious area without subtracting the required recharge volume.



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Sediment Control: Redundant sediment control structures are to be used throughout the site. These are to include upland sediment traps that drain to secondary traps down grade, or when this is not feasible sediment traps with forebays will be acceptable. If the sediment traps with forebays are used, the total combined trapping volume is to be at least 125% of what is normally required. All sediment trapping structures are to be equipped with dewatering devices. Also, due to the sensitive nature of the watershed coupled with the large amount of proposed development in the watershed, the use of flocculants will be required in 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.

Performance Goals: The performance goals that were established at the pre-application meeting are to be met as specified in the Preliminary Water Quality Plan and further refined in the Final Water Quality Plan. They are as follows:

1. Minimize storm flow run off increases.
2. Minimize increases to ambient water temperatures.
3. Minimize sediment loading.
4. Maintain stream base flows.
5. Minimize nutrient loading.
6. Control insecticides, pesticides and toxic substances.

Monitoring: The monitoring must be in accordance with the BMP monitoring protocols which have been established by the Department of Permitting Services (DPS) and Department of Environmental Protection (DEP). The monitoring requirements that were established at the pre-application meeting and further described in the Final Water Quality Plan are still applicable. **The comments from DEPs monitoring memorandum dated June 28, 2002 have been incorporated with the submission of the Final Water Quality Plan. The exact structures and locations for construction monitoring and post construction monitoring will be determined at the detailed sediment control review stage and the as-built plan stage respectively.**

Prior to the start of any monitoring activity, a meeting is to be held on site with DEP, DPS and those responsible for conducting the monitoring to establish the monitoring parameters. **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 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. Provide verification of a joint use agreement with the owners of the off-site Ponds (existing Ponds #2 and #3) that indicates their agreement that the ponds may be modified as stated in the FWQP and shared for stormwater management.
2. Provide four inches of pea gravel on top of all of the proposed surface sand filters.
3. Provide clear access to all stormwater management and recharge structures from a public right-of-way.
4. 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.
5. At a minimum, one foot of stone (dead storage) is to be provided below the outlet pipe of all of the proposed surface sand filters to provide additional groundwater recharge.
6. 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.
7. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
8. Stormwater structures are not to be located on residential lots.
9. Additional pretreatment (other than vegetated buffers), such as water quality inlets, will be required for surface sand filters that are treating large drainage areas (greater than 5 acres).
10. Provide level spreaders and/or plunge pools at all of the outfalls of quantity pond "A" and surface sand filter "B". This may require additional stream valley buffer encroachment.
11. MCDPS reserves the right to require the developer to provide full-time, third-party, on-site, sediment control inspection if the department decides the goals of the Water Quality Plan are not being met.

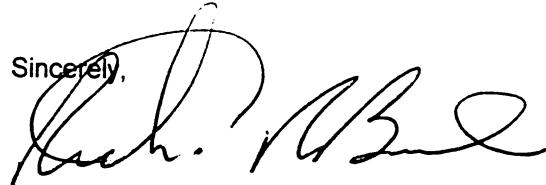
Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended Water Quality Plan requirements.

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Ms. Joanne Cheok
June 25, 2003
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:dm:CN204507

cc: W. Witthans (MNCPPPC)
M. Pfefferle (MNCPPPC)
D. Marshall (MCDEP)
L. Galanko
SM File # 204507

Qn: on-site 45.25 ac
Ql: on-site 45.25 ac.

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U.S. Home Corporation
A Lennar Company

July 2, 2003

Gateway 70
Business Center Association, Inc.
7165 Columbia Gateway Drive
Columbia, MD 21046-2539

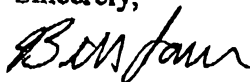
Gentlemen::

As you may be aware, U.S. Home Corporation is the owner of the land parcel knows as Gateway Commons located adjacent to Maryland Route 355 in Montgomery County. As it is our intention to develop this property subsequent to acquiring the requisite approvals. We would like to afford those landowners in proximity to our development the opportunity to receive answers to any questions pertaining to the development and timeline of the anticipated improvements.

Please direct your inquiries if any to Bill James at the following address or phone me at (301) 431-2400, ext. 124.

I look forward to the opportunity to provide any necessary clarification or information.

Sincerely,



Bill James

Shenandoah Valley Land Division

BJ/jr



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

MEMORANDUM

July 15, 2003

TO: Wynn Witthans
Development Review Division - MNCPPC

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

SUBJECT: Site Plan Review #8-03023 – Gateway Commons

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

- Based on DPWT policy, DPS will require that the single lanes being constructed on Roberts Tavern Drive and Observation Drive be 16 feet wide to allow for passing stopped or disabled vehicles and to provide an adequate clearance to the open section median to lessen rutting frequency, etc. A temporary U-turnaround in the median will be needed at the terminus of Roberts Tavern Drive.
- Due to the width, driveway spacing and curvature on Dowdens Ordinary Lane, No Parking will be posted on both sides. No Parking will be posted on one side of Woodport Road.
- Two handicapped ramps should be provided at each intersection corner where feasible.

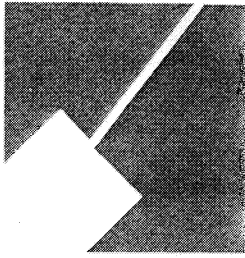
Please let me know if you have any questions regarding these comments.

gatewaycommons.doc

cc: James Crawford
Barbara Sears
Jeff Riess



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MEMORANDUM

July 16, 2003

TO: Wynn Withhans, Site Plan Review, Development Review Division

FROM: Doug Powell, Plan Review Coordinator, Park Planning and Resource
Analysis Unit, Countywide Planning Division
Gwen Wright, Supervisor, Historic Preservation Section, Countywide
Planning Division

SUBJECT: Gateway Commons Subdivision, Plan #8-03023

D. Powell
Gwen Wright

Park Planning and Resource Analysis and Historic Preservation staff have reviewed the above-referenced Plan and request the following **CONDITIONS OF APPROVAL:**

- Applicant to dedicate "Parcel B" consisting of about 2.84 acres and located at the corner of Route 355 and extended Stringtown Road to M-NCPPC. Said land not to include any retaining walls, except wall at the Route 355/Stringtown Road corner, and to be conveyed free of trash and unnatural debris and the boundaries staked and signed by Applicant to delineate between parkland and private properties.
- Applicant to construct on dedicated park property the following amenities:
 1. A "ghost structure" recreation of the historic Dowden's Ordinary including stone seating walls, flagstone flooring and interpretive panels. The structure to be approximately 16' x 30' and constructed of corten steel if reasonably feasible, or other non-wood material acceptable to M-NCPPC staff and Applicant.
 2. A simple, stone retaining wall entrance feature and park identification sign at the corner of Route 355 and Stringtown Road extended. Park sign name to be determined by M-NCPPC staff.
 3. An 8' wide, hard surface trail from Route 355 near the intersection with Stringtown to the Dowden's Ordinary structure. Trail to be

constructed of modified tar and chip such as that used at the Sandy Spring Museum and should meet ADA accessibility standards.

4. An historic replication of the original Dowden's Ordinary sign to be located along side the 8' wide entrance trail.
 5. A 6' wide, hard surface circuit trail that passes near the Dowden's Ordinary structure and continues around the open play areas and sitting areas. Trail to be constructed of modified tar and chip such as that used on the 8' wide trail with cobblestone circles separating portions of the trail.
 6. At least 4, six-foot long sitting benches to be placed at locations along the side of the circuit trail.
 7. Appropriate, sculptural recreational pieces in the open play area, acceptable to M-NCPPC staff and Applicant. The pieces must be historic in nature and consistent with the history surrounding the Dowden's Ordinary. They may include pieces such as an elephant play structure and a cannon or cannon replica.
 8. Simple tubular bicycle rack(s) near the park entrance off Route 355 or near the Dowden's Ordinary recreation structure.
 9. A natural surface trail leading from the hard surface trail to the historic Dowden's Ordinary marker. Trail to be marked with a sign acceptable to M-NCPPC staff and Applicant.
 10. Native trees in selected locations throughout the park site. Choice of tree locations and species to be determined in coordination with M-NCPPC staff.
- Grading of the park site to result in slopes of no greater than 3:1 and to avoid grading on or near any locations that M-NCPPC staff determines may contain archeological artifacts.
 - Construction of the necessary retaining wall adjacent to the southern corner of the park to be engineered to avoid wall height(s) of greater than 6', if possible, and said wall to match the design and structure of the wall being constructed along Route 355 in front of the park.
 - Reforestation required to be done by Applicant in this dedicated park to be located only along the southwest side of the park. Appropriate fencing and signage at the reforestation site to be included. If additional reforestation is required, Applicant may satisfy said additional planting requirement within other parkland in the watershed to be designated by M-NCPPC staff.
 - Final design of the park site, including facilities and plantings therein, to be coordinated with M-NCPPC staff and to be acceptable to staff and Applicant.
 - All park amenities to be constructed to park standards and specifications if available. Specifications for benches, stone walls, ghost structure, trails,

recreational pieces, bicycle racks, historic signage and all other features built within park to be submitted to M-NCPPC staff for approval.

Date Mailed: August 13, 2002

Action: Approved Staff Recommendation

Motion of Comm. Robinson, seconded
Comm. Perdue with a vote of 4-0;
Comms. Berlage, Perdue, Robinson
and Wellington voting in favor with
Commissioner Bryant absent

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-02048

NAME OF PLAN: GATEWAY COMMONS

On 12/12/01, US HOMES submitted an application for the approval of a preliminary plan of subdivision of property in the R-200 TDR zone. The application proposed to create 292 Units on 45.25 Acres of land. The application was designated Preliminary Plan 1-02048. On 07/18/02, Preliminary Plan 1-02048 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 1-02048 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-02048.

Approval, Including Waivers of Open-Section Roadways and Pursuant to Section 59-C-1.395, Waiver for the Minimum Percent of Single Family Detached Dwelling Units, and the Maximum Number of Allowed Multi-Family Units, Subject to the Following Conditions:

- (1) Limit approval under this preliminary plan to a maximum of 292 residential dwelling units
- (2) Satisfy the APF test by paying the Development Approval Payment (DAP) under the Alternative Review Procedure for Limited Residential Development provision of the FY 02 Annual Growth Policy for the proposed residential development. The APF test includes:
 - a. Policy Area Review: Site-generated traffic has to be mitigated within the Clarksburg Policy Area, which is in a moratorium. There is no capacity available for residential development as of June 30, 2002 (-8,717 units) in the Clarksburg Policy Area. The applicant is satisfying policy area review by paying the DAP under the FY 02 Annual Growth Policy staging ceiling capacity.
 - b. Local Area Transportation Review: A traffic study (to analyze the traffic impact at nearby intersections) is required since the proposed land use generates more than 50 total peak-hour trips during the weekday morning peak period (7:00 a.m. to 9:00 a.m.) and the evening peak period (4:00 p.m. to 6:00 p.m.).

- (3) As a condition of site access, construct the outside lanes of Stringtown Road (A-260 from Gateway Drive to intersection with Observation Drive as a two-lane arterial road including a five-foot sidewalk, an eight-foot bike path, street trees, and grading for a future four-lane divided roadway.
- (4) As a condition of site access, construct the outside lanes of Observation Drive (A-19) from Stringtown Road to the on-site intersection with relocated MD 355 by-pass as a two-lane arterial road with a future transit way in the median including a five-foot sidewalk, an eight-foot bike path, street trees, and grading for a future four-lane divided roadway.
- (5) For the first 200 building permits as a condition of site access, construct the outside lanes of MD 355 by-pass through the property as a two-lane arterial road including a five foot sidewalk, an eight foot bike path, street trees, and grading for a future four-lane divided roadway.
- (6) Prior to issuance of the 201st building permit, but not later than eighteen (18) months after approval of the Preliminary Plan, obtain two (2) appraisals of the fair market value of the right-of-way for the By-Pass ("ROW") and make a cash offer to the owners of this ROW of up to 110 percent of the highest appraised value ("maximum cost") via certified letter.
 - a. If the offer is not accepted by the owner(s), or no response is received, the County shall act to acquire the ROW. The applicant shall be responsible to reimburse the County the maximum cost and to construct a half-section of the roadway in accordance with County standards at their sole cost and expense.
 - b. In the event neither the applicant nor the County acquires the ROW within three years of preliminary plan approval of Gateway Commons, the applicant shall be free to proceed with full build-out of Gateway Commons and be issued all remaining building permits without obtaining the ROW or constructing the By-Pass.
- (7) As a condition of site access, construct Woodport Road from Public Road "B" to MD 355 (as a right-in/right-out at MD 355) as a tertiary residential street.
- (8) At the time of site plan address issues of transition and compatability of height of units along Stringtown Road with existing and proposed development to create the "gateway" to the Town Center. Maintain 25-foot building setbacks along Stringtown Road and 20 feet along Observation Drive to achieve an appropriate "gateway" transition from I-270 into Clarksburg's Town Center. Applicant to explore, with MCDPS, relocation of the proposed SWM pond located in the northeastern quadrant of the intersection with MD 355 and Observation Drive to better implement street oriented development as per Master Plan recommendations.
- (9) Applicant to dedicate "Parcel H" consisting of 2.84 acres and located at the corner of Route 355 and extended Stringtown Road to M-NCPPC. Said land to be conveyed free of trash and unnatural debris and the boundaries staked and signed by Applicant to delineate between parkland and private properties
- (10) Applicant and M-NCPPC staff to discuss possible use of portions of Parcel H for needed re-forestation requirements and passive recreation amenities compatible with the historic significance and use of the site.
- (11) Any agreed re-forestation or construction of passive recreational amenities being done by Applicant on Parcel H to be coordinated with M-NCPPC staff to prevent damage to historic areas and artifacts.
- (12) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)

- (13) Record plat to include note "No Driveway Access to MD 355"
- (14) Compliance with conditions of MCDPS approval of the Preliminary Special Protection Area Water Quality Plan
- (15) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- (16) Final approval of the number and location of dwelling units, parking, site circulation, sidewalks, and bikepaths will be determined at site plan
- (17) Record plat to identify all homeowners association parcels and stormwater management parcels and any common ingress/egress easements
- (18) Provide a minimum number of forty-four (44) MPDU's and one hundred and (127) TDR's dependent upon condition number 16 above
- (19) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- (20) Prior to recording of plat provide an affidavit to verify the availability of a TDR for each existing and proposed dwelling unit shown on the approved preliminary plan. Include a note referencing recorded covenant regarding the TDR's on record plat
- (21) 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
- (22) 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
- (23) Other necessary easements



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



July 14, 2003

MEMORANDUM

TO: Wynn Witthans, Site Plan Reviewer
Development Review Division

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

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

SUBJECT: Gateway Commons (Site Plan No. 8-03023)

Relationship to the Clarksburg Master Plan

Gateway Commons is located in the northern edge of the Transit Corridor District of the 1994 Clarksburg Master Plan Area. It directly adjoins the Clarksburg Historic District and is zoned R-200/TDR (7 units per acre) in accord with the Master Plan recommendation. The Master Plan recommends that the Corridor Cities Transitway bisect the subject property.

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. The most significant planning challenge here is to maintain and continue this residential character while addressing the need for increased traffic capacity along MD 355.

The Transit Corridor also includes properties traversed by the proposed transitway. The planning challenge here is to introduce housing into a predominantly employment area. The scale and intensity of residential uses must be compatible with neighboring subdivisions along MD 355, yet densities must be supportive of transit.

A mixed-use neighborhood is proposed at the northernmost transit stop (Shawnee Lane) where there is a 45-acre vacant site. Gateway 270, an office park approved for one million square feet, will be the major employment center. A mix of residential and local retail uses is proposed at the transit stop itself. The Land Use Plan for the Transit Corridor District is shown in Attachment 1.

The proposed site plan for 292 units complies with the Master Plan objectives as follows:

- **Continue the present residential character along MD 355.**

The proposed site plan achieves this objective by locating single-family detached units on small lots adjacent to larger lot, single-family residences. Due to the significant change in lot sizes, extensive landscaping should be provided in the rear of the smaller lots in order to provide compatibility with the existing residences.

- **Balance the need for increased carrying capacity along portions of MD 355 with the desire to retain a residential character along MD 355.**

The Master Plan recognizes that MD 355 through this part of Clarksburg cannot remain a two-lane roadway in the long term given its regional significance in the northern part of the County. At the same time, widening of MD 355 to six lanes would be in direct conflict with the Plan objective to retain the road's present residential character.

The Master Plan makes the following recommendations to achieve a balance between the need for increased carrying capacity and the desire to retain a pleasant residential character:

1. MD 355 should be reclassified from a major thoroughfare to an arterial street (maximum four lanes with a planted median).
2. An alternative north-south thoroughfare (Observation Drive) is recommended to help accommodate anticipated traffic.
3. MD 355 (Frederick Road) should be renamed Old Frederick Road.

The proposed site plan achieves this by providing the Bypass through the subject property.

- **Provide housing at designated areas along the transitway near significant employment uses.**

The proposed site plan cannot provide the Master Plan recommended density (up to 7 units per acre) due to environmental requirements to satisfy the Forest Conservation Law and to meet the Special Protection Areas guidelines. This plan represents an example of competing requirements that result in less than desirable density at a transit location.

- **Establish strong pedestrian and bicycle linkages to the greenway.**

The proposed site plan incorporates the Master Plan's recommended bikeways into the cross sections of Stringtown Road and Observation Drive. Both

roadways provide connections to the Greenway Park system and to transit stations.

- **Improve east-west roadway connections.**

One of the transportation challenges in this area is how to improve east-west access. While MD 355, Observation Drive, and Midcounty Arterial (A-305) will facilitate north/south movements through the area, east-west access is more difficult to provide because of environmental constraints (tributaries of Little Seneca Creek in particular) and existing development patterns.

The proposed plan improves east-west connections by dedicating the right-of-way for Stringtown Road.

- **Encourage an interconnected street system as typically found in older towns.**

It is essential that the character of the roadway network is supportive of the Master Plan's vision for the Town Center. The guideline below will help assure that streets and highways are built in a manner that is compatible with land use and urban design objectives for the Town Center.

Because the arterials of Stringtown Road and Clarksburg Road serve as entrance to the Town Center, extensive landscaping, including medians, bikeways, and bus transit access facilities, must be provided.

Staff also recommends a 25-foot setback along Stringtown Road and 20 feet along Observation Drive to achieve this Master Plan objective. This recommendation is based on the King Farm example and would achieve an appropriate "gateway" transition from I-270 into Clarksburg's Town Center.

- **Diversity of Housing Types**

The Master Plan endorses a mix of unit types at the neighborhood level. It avoids large concentrations of any single type of housing within each neighborhood. The proposed site plan conforms to the recommended range of units.

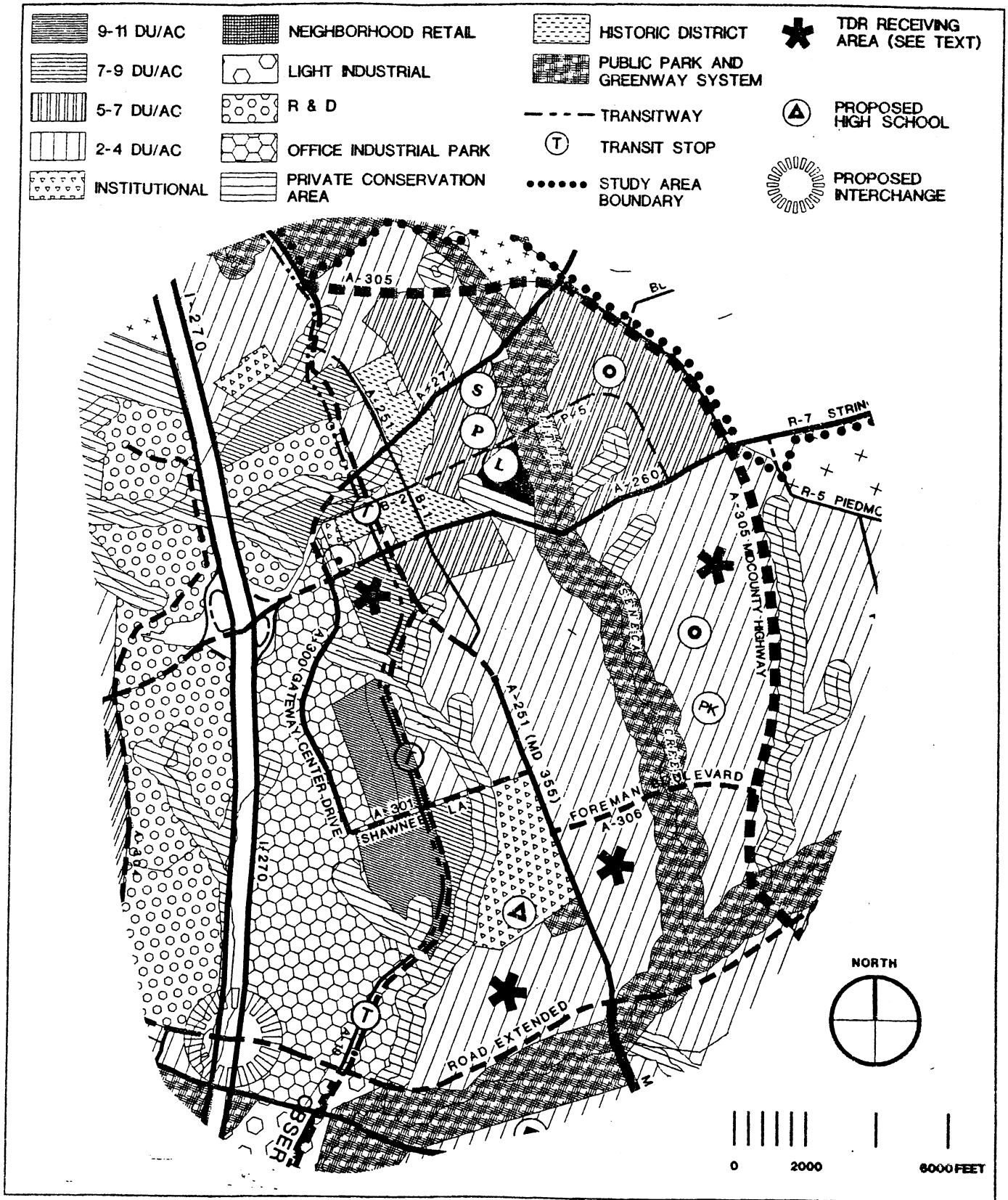
Conclusion

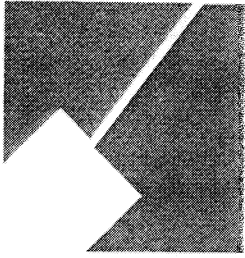
Staff recommends approval of the proposed site plan subject to the conditions mentioned above.

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Attachment

Transit Corridor District Land Use Plan





July 17, 2003

MEMORANDUM

TO: Wynn Witthans
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning *RW*

FROM: Ki H. Kim, Transportation Planner
Transportation Planning *KHK*

SUBJECT: Site Plan No. 8-03023
Gateway Commons
Clarksburg Policy Area

This memorandum is Transportation Planning staff's review of the subject site plan. The site is located on the west side of Frederick Road (MD 355) south of future Stringtown Road in Clarksburg. The site has an approved preliminary plan for 292 residential dwelling units under the Development Approval Payment (DAP) procedure.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the transportation requirements related to approval of this site plan:

1. Limit the site plan to the following uses and density:
292 residential dwelling units
2. As a condition of site access, construct a deceleration/acceleration lane on MD 355 at its intersection with Woodport Road per Maryland State Highway Administration (SHA) access permit requirements.
3. As a condition of site access, construct the outside lanes of Stringtown Road (A-260) through the property as a two-lane arterial road including a five-foot sidewalk,

an eight-foot bike path, street trees, and grading for a future four-lane divided roadway.

4. As a condition of site access, construct the outside lanes of Observation Drive (A-19) from Stringtown Road to MD 355 by-pass as a two-lane arterial road with a future transitway in the median including a five-foot sidewalk, an eight-foot bike path, street trees, and grading for a future four-lane divided roadway.
5. For the first 200 building permits as a condition of site access, construct the outside lanes of MD 355 by-pass through the property as a two-lane arterial road including a five-foot sidewalk, an eight-foot bike path, street trees, and grading for a future four-lane divided roadway.
- 6a. Prior to issuance of the 201st building permit, but not later than eighteen (18) months after approval of the Preliminary Plan, obtain two (2) appraisals of the fair market value of the right-of-way for the by-pass right-of-way and make a cash offer to the owners of this right-of-way up to 110 percent of the highest appraised value via certified letter.
- 6b. If the offer is not accepted by the owner(s), or no response is received, the County shall act to acquire the right-of-way. The applicant shall be responsible to reimburse the County a maximum price, and to construct a half-section of the roadway in accordance with County standards at their sole cost and expense.
- 6c. In the event neither the applicant nor the County acquires the right-of-way within three years of preliminary plan approval of Gateway Commons, the applicant shall be free to proceed with full build-out of Gateway Commons and be issued all remaining building permits without obtaining the right-of-way or constructing the by-pass.
7. As a condition of site access, construct Woodport Road from Public Road "B" to MD 355 as a tertiary residential street.

DISCUSSION

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

The Adequate Public Facilities test for the LATR and PATR of the subject site was adequately addressed at the time of preliminary plan review using the DAP procedure.

Site Access and Circulation

Two access points to the site from MD 355 (one from the extension of MD 355 by-pass and the other from Woodport Road) and one access point from Gateway Center Drive are proposed. As described in Recommendations 2 through 7 above, the applicant must construct Stringtown Road (A-260), Observation Drive (A-19), MD 355 by-pass, and

Woodport Road as their access points in order to provide safe and efficient access for the site.

Staff recommends that the applicant make every effort to construct the MD 355 by-pass as described earlier in this memorandum. SHA has reviewed the MD 355 by-pass and the roundabout alternative developed by the applicant's engineer and found that a single-lane roundabout using the geometric layout shown on the roundabout alternative would operate acceptably through or near the design year. Access to the first 200 dwelling units can be adequately served without connecting the MD 355 by-pass to existing MD 355. The applicant must construct the MD 355 by-pass to existing MD 355 beyond the initial 200 dwelling units if the right-of-way is available within three years. Staff supports a proposal submitted by the applicant regarding obtaining the right-of-way as described in the attached letter from Barbara Sears to Gayle Libby Curtiss.

The typical section of Stringtown Road from Observation Drive to MD 355 and an acceleration lane on MD 355 southbound from Stringtown Road are shown on the site plan in accordance with the Department of Public Works and Transportation's Stringtown CIP project. Staff does not believe that the eastbound right-turn lane on Stringtown Road or the acceleration lane will be needed once the "by-pass" connecting MD 355 to Stringtown Road via Observation Drive is constructed. A concept plan for a roundabout at the intersection of MD 355 and the "by-pass" has been prepared by the developer and reviewed and agreed to by SHA. As noted in the site plan, the cross section of Stringtown Road and an acceleration lane on MD 355 will be reviewed at the Mandatory Referral for the Stringtown Road CIP project this Fall.

The site plan includes Observation Drive (A-19) as a continuous roadway with the MD 355 by-pass as a T-intersection rather than the MD 355 by-pass as a continuous roadway with A-19 tied into MD 355 as recommended in the Clarksburg Master Plan. Staff finds that treatment of A-19 as a major through roadway satisfies the intent of the Clarksburg Master Plan since A-19 is projected to carry a higher traffic volume than MD 355 by-pass and a transitway is recommended in the median of A-19.

The site access points as recommended in this memorandum and internal pedestrian/bicycle circulation system shown on the site plan are adequate.

KK:ct

Attachment

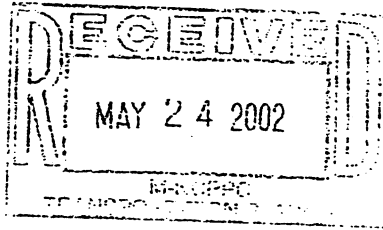
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ATTORNEYS AT LAW

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May 23, 2002



Barbara A. Sears
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Gayle Libby Curtiss, Esquire
Chief, Property Acquisition
Department of Public Works and Transportation
101 Monroe Street, 6th Floor
Rockville, Maryland 20850

Re: Gateway Commons, Clarksburg, Maryland; Preliminary Plan No. 1-02048

Dear Gayle:

Our firm represents U.S. Home Corporation ("U.S. Home"), applicant for approval of the above Preliminary Plan of Subdivision for Gateway Commons in Clarksburg, Maryland. The proposed community consists of approximately 300 dwelling units in the R200/TDR Zone and is consistent with the recommendations of the approved and adopted Clarksburg and Vicinity Master Plan ("Clarksburg Master Plan"). The subject property contains approximately 45.7 acres and is located generally at the southwest corner of Frederick Road (MD 355) and the proposed extension of Stringtown Road (A-260) ("Property"). The Property borders on or is traversed by three (3) master planned arterials which are critical to the Clarksburg Road network. These arterials include the proposed extension of Observation Drive, MD 355 alternate or by-pass ("By-Pass"), and a major portion of the right-of-way for Stringtown Road Extended between Frederick Road and Gateway Center Drive. Stringtown Road (A-260) is master planned as a 120-foot right-of-way; Observation Drive (A-19) as a 150-foot right-of-way, including a transitway; and the By-Pass (A-251) as a 120-foot right-of-way. Of the 45.7 acres of land comprising the Property, approximately 10.5 acres are needed for the rights-of-way of these planned arterial roadways.

As part of the Preliminary Plan review, U.S. Home representatives have had preliminary conversations with Park and Planning Staff ("Staff") regarding transportation improvements for the proposed development. Staff requested that U.S. Home pursue acquisition of the off-site right-of-way necessary to construct a half section of the By-Pass from MD 355 to Observation Drive (A-251). This area is shown on Attachment 1.

Staff has further proposed that as a condition of Preliminary Plan approval, U.S. Home agree to the following:

1. Building permits shall be issued for construction of the first 200 units in Gateway Commons prior to acquisition or construction of MD 355 Relocated.

Gayle Libby Curtiss

May 23, 2002

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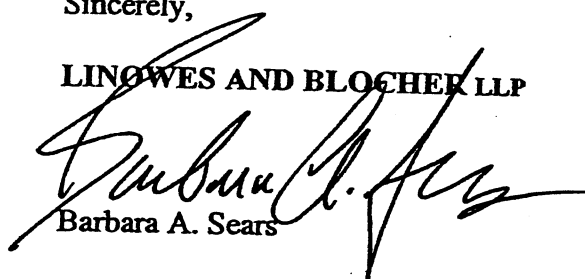
2. Prior to issuance of the 201st building permit, but not later than eighteen (18) months after approval of the Preliminary Plan, U.S. Home shall obtain two (2) appraisals of the fair market value of the right-of-way for the By-Pass ("ROW") and make a cash offer to the owners of this ROW of up to 110 percent of highest appraised value via certified letter.
3. If the offer is not accepted by the owner(s), or no response received, the County shall act to acquire the ROW. U.S. Home shall be responsible to reimburse the County a maximum of 110 percent of the appraised value of the ROW depending on the actual purchase price, and to construct a half-section of the roadway in accordance with County standards at U.S. Home's sole cost and expense.
4. In the event neither U.S. Home or the County acquires the ROW within 3 years of preliminary plan approval of Gateway Commons, U.S. Home shall be free to proceed with full build-out of Gateway Commons and be issued all remaining building permits without obtaining the ROW or constructing the By-Pass.

Since this proposal involves possible action by the County to acquire the ROW, Staff has suggested U.S. Home advise you of the proposal and obtain the County's consent as part of the Preliminary Plan review. It is hoped that the enclosed information adequately explains the proposed concept sufficient for your review. Please feel free to contact the undersigned or Ron Welke of the Transportation Staff if you have any questions.

Thank you for your attention to this matter.

Sincerely,

LINOWES AND BLOCHER LLP



Barbara A. Sears

cc: Mr. Ron Welke (w/ enclosure)
Mr. Jeff Riese (w/ enclosure)
Mr. Phil Barber
Mr. Moe Jaymand
Mr. David Little
Mr. Kevin Foster
Ms. Nancy Randall