

October 5, 2004

MEMORANDUM

TO: Elsabett Tesfaye, Senior Planner
Development Review Division

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

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

Karen Kumm Morris, Urban Designer *KKM*
Community-Based Planning Division

SUBJECT: Zoning Map Amendment No. G-824 (Eastside); Reclassification from R-200 Zone to PD-11 Zone; Located south of Shawnee Lane near Gateway Center Drive in Clarksburg

RECOMMENDATION: Approval. This application as modified is in conformance with the land use and zoning recommendations of the 1994 Clarksburg Master Plan.

MASTER PLAN CONFORMANCE

- Creates a viable neighborhood within the Transit Corridor District.
- Conforms to the recommended density of 11 dwelling units per acre with bonus MPDU's supporting transit.
- Improves east-west connections with dedicating and constructing Shawnee Lane.
- Creates an interconnected street system that encourages walking and transit ridership by providing street and pedestrian connections to adjacent properties.
- Provides an open space system that accommodates recreational needs and creates vistas to the stream valleys and stormwater management areas that will be treated as scenic features.
- Does not attain the range of unit types as called for in the Master Plan. A range of unit types can be achieved within the entire Transit Corridor District.

BACKGROUND

The subject 23.8-acre property is vacant and located south of Shawnee Lane and west of MD 355. It is located adjacent to the Montgomery County Public Schools Bus Depot. Gateway 270 Office Park and the LCOR (COMSAT) property are located nearby. See Figure 1. Also located in the neighborhood are Clarksburg Area High School (to open in September 2006), Clarksbrook Estates Subdivision, and several scattered homes.

This application is a request by Miller and Smith Land, Inc. (contract purchaser) to reclassify the subject property from the existing R-200 Zone to the PD-11 Zone to allow the parcel to develop with 290 townhouses.

RELATIONSHIP TO THE CLARKSBURG MASTER PLAN

Land Use Plan

The subject property is located within the Transit Corridor District of the 1994 Clarksburg Master Plan Area. See Figure 2. 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 in this District is to maintain and continue this residential character while addressing the need for increased traffic capacity along MD 355.

The District 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 high enough to be supportive of transit.

A mixed-use neighborhood is proposed at the north most 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 southern transit stop will be employment-oriented and serve the LCOR (COMSAT) property, a major office park only partially developed. A mix of residential uses at this stop will occur if vacant land on the LCOR (COMSAT) property is developed for residential uses other than office or research. The Land Use Plan for the Transit Corridor is shown in Figure 3.

The Master Plan objectives listed on pages 54 to 58 of the Plan are as follows:

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

- Continue the present employment uses along I-270.
- Provide housing at designated areas along the transitway near significant employment uses.
- Allow small amounts of office and retail uses at transit stop areas as part of a mixed-use development pattern.
- Establish strong pedestrian and bicycle linkages to the greenway.
- Improve east-west roadway connections.
- Provide an open space system, which includes small civic spaces at the transit stops.

The Master Plan states the recommended housing mix for this District as follows:

Multi-Family	Attached	Detached
30-50%	40-60%	5-10%

Conformance to Master Plan Land Use Objectives

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

The proposed development provides a significant amount of housing as recommended in the Master Plan with the PD-11 zoning recommendation. This level of residential density is appropriate given that it is within walking distance to a future transit station and to existing employment uses. Residential uses are the most appropriate uses for this site since mixed uses are more appropriately located adjacent to the transit station north of Shawnee Lane.

The Master Plan designates land adjoining the transit stops as residential and will result in approximately 1,000 units in close proximity to employment. There are a number of different residential parcels that comprise the Transit District and will give the opportunity to achieve a wide range of unit types.

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

One of the transportation challenges in this area is to improve east-west access, such as Shawnee Lane. The Master Plan recommends that Shawnee Lane be expanded to a divided arterial with a 120-foot right-of-way.

The proposed plan satisfies this requirement by achieving a 120-foot right-of-way along the lot frontage Shawnee Lane and proposing roadway improvements out to MD 355. (See Transportation Planning staff comments for further detail).

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

An interconnected street system is essential in achieving a walkable and transit serviceable community. The Plan achieves this by proposing five street connections to adjacent properties, two along Shawnee Lane, one to the LCOR (COMSAT) property, and two to the Montgomery County Public Schools Bus Depot property. In addition to the vehicular connections, a pedestrian sidewalk network also provides connectivity and encourages transit ridership.

- **Diversity of Housing Types**

The Master Plan endorses a mix of unit types at the neighborhood level. Throughout the Transit Corridor District a range of unit types must be achieved with 30-50 percent multi-family, 40-60 percent attached, and 5-10 percent single-family detached units. The proposed plan does not achieve a wide range of unit types within this property. The proposed range of units is limited to townhouses and stacked condominium units. The proposed plan provides a range of units within the single-family attached category. It will be important to ensure that adjacent properties within the Transit Corridor District achieve a more extensive range of unit types.

- **Neighborhood Recreation Areas and Civic Open Space**

The Master Plan calls for recreation opportunities for residents within individual neighborhoods, in addition to County operated parks (see page 162 of the Master Plan). These areas are to accommodate private recreation needs for tot lots and picnic areas, and provide usable open areas for gathering and social interaction.

The proposed plan achieves this type of open space by providing a significant, centrally located commons, which is sufficiently wide enough to accommodate recreation facilities, such as tot lots and picnic areas. In addition, the proposed plan provides several vistas of the proposed open space within the stream valley and fronts development around the storm water management pond. This area should be treated as a recreational amenity with pathways, seating and appropriate landscaping. Pedestrian access to the stream valleys also should be achieved to provide nature oriented recreation and walking.

ENSURING CONFORMANCE

At the time of preliminary subdivision or site plan review, the following items should be addressed in order to ensure conformance to the Master Plan.

- Achieve the proposed street connections as shown on the approved development plan to ensure street connectivity and improved access to transit.
- Provide recreation facilities within the neighborhood and not along Shawnee Lane in order to foster a sense of community and create a safer recreational setting.

- Maintain proposed vistas of adjacent open space to reinforce the natural scenic character of Clarksburg.
- Develop the stormwater management pond as an amenity with recreation features such as, a pathway, seating areas and landscaping.
- Provide pathway connections via the stream valley to adjacent properties to improve pedestrian access, increase nature-oriented recreation, and encourage walking.

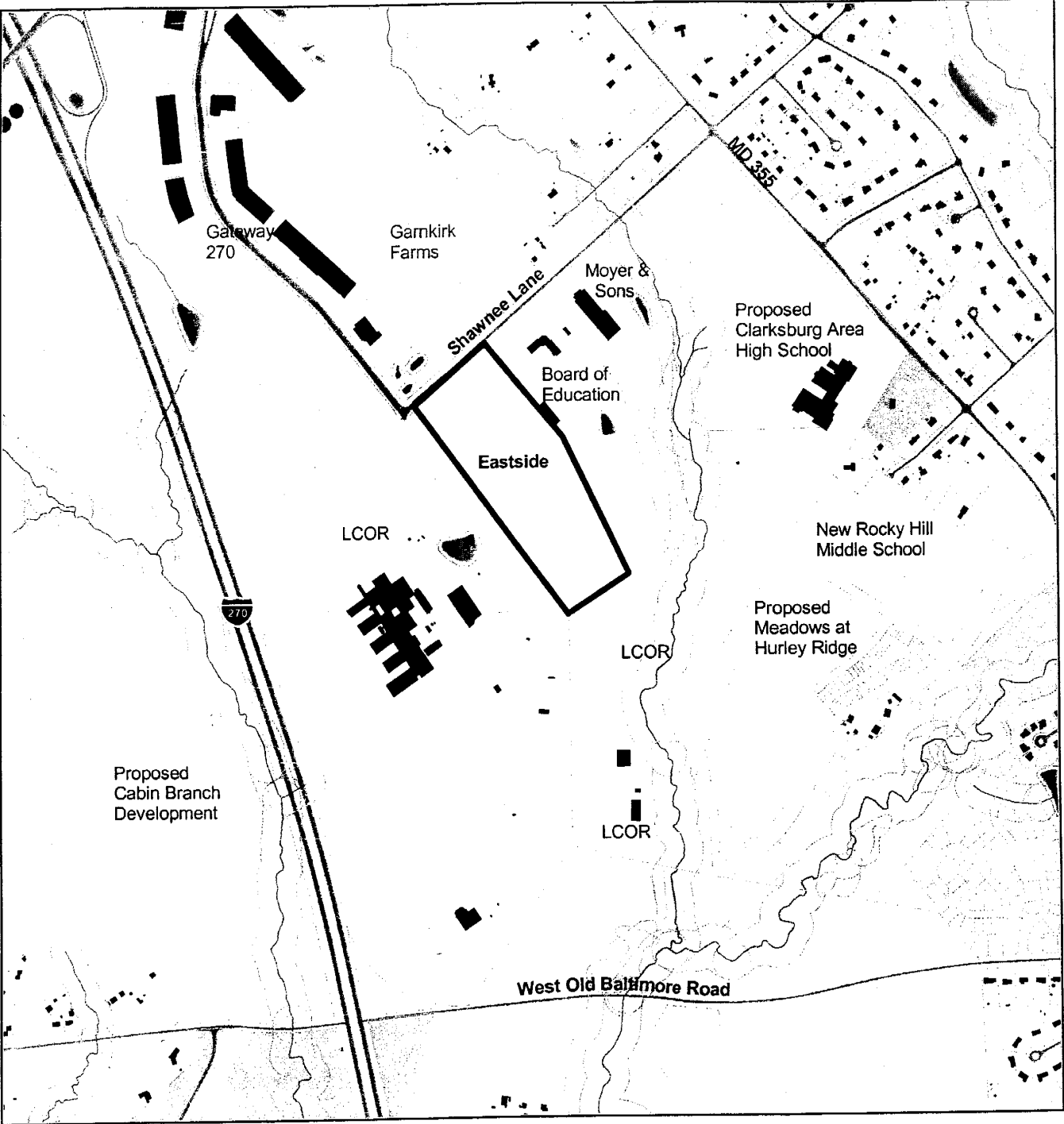
CONCLUSION

The proposed development plan conforms to the Master Plan recommendations by providing sufficient residential density adjacent to transit and employment areas. The mix of single-family attached units is acceptable given that there are more appropriate parcels to achieve a greater range of unit types. The arrangement of units, street system, and open spaces achieves the vision of the Master Plan in creating a transit-serviceable, traditional community. The proposed development, as reflected in the development plan, will be compatible with the surrounding area.

Finally, staff recommends approval of this application since it is in substantial compliance with the land use and zoning recommendations of the 1994 Clarksburg Master Plan and Hyattstown Special Study Area.

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G-824 Vicinity Map



Legend

- Property Lines
- Streams
- Ponds
- Sensitive Areas
- Buildings
- Roads
- Parks
- Existing
- Proposed



Figure 2

Analysis Areas

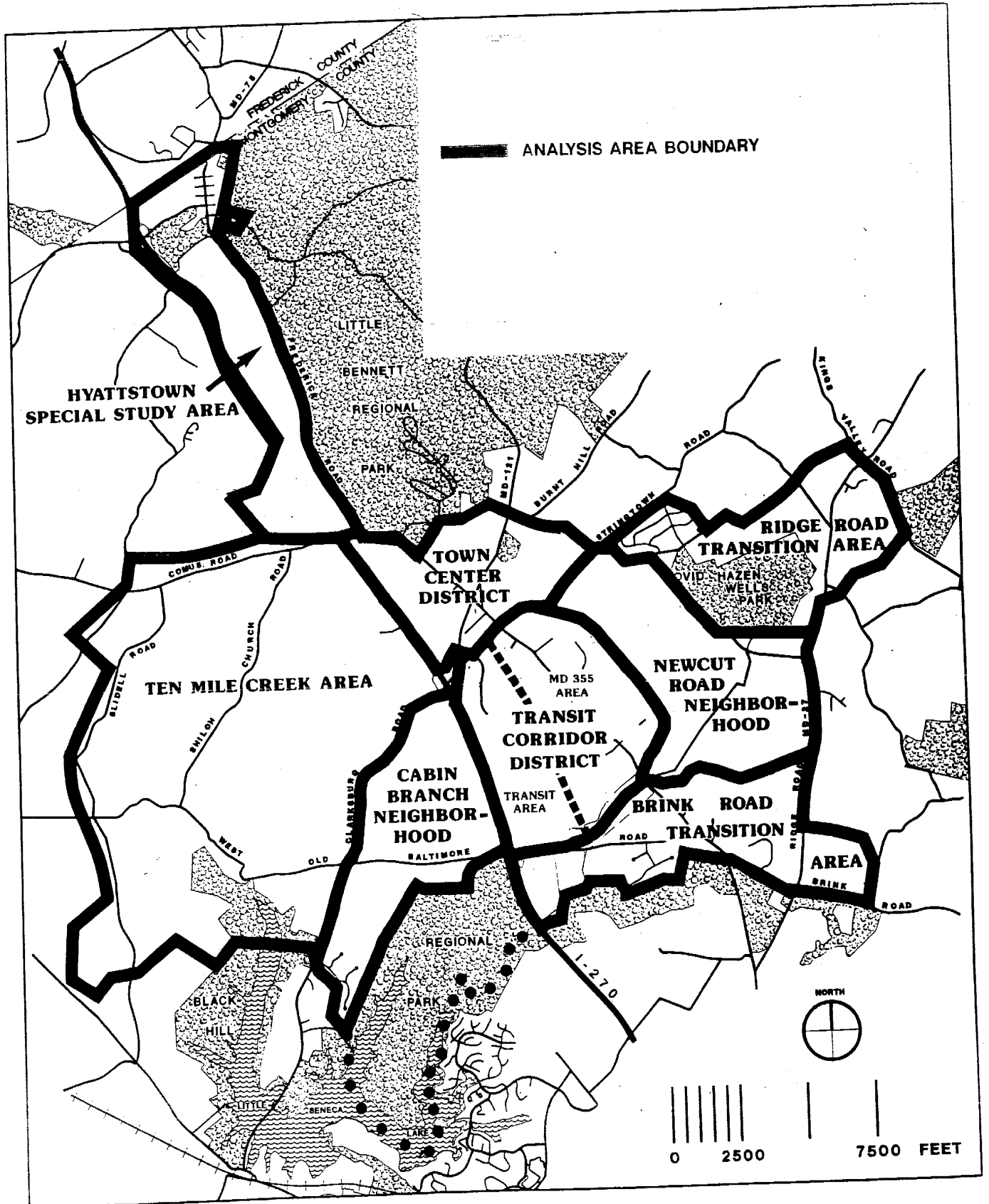
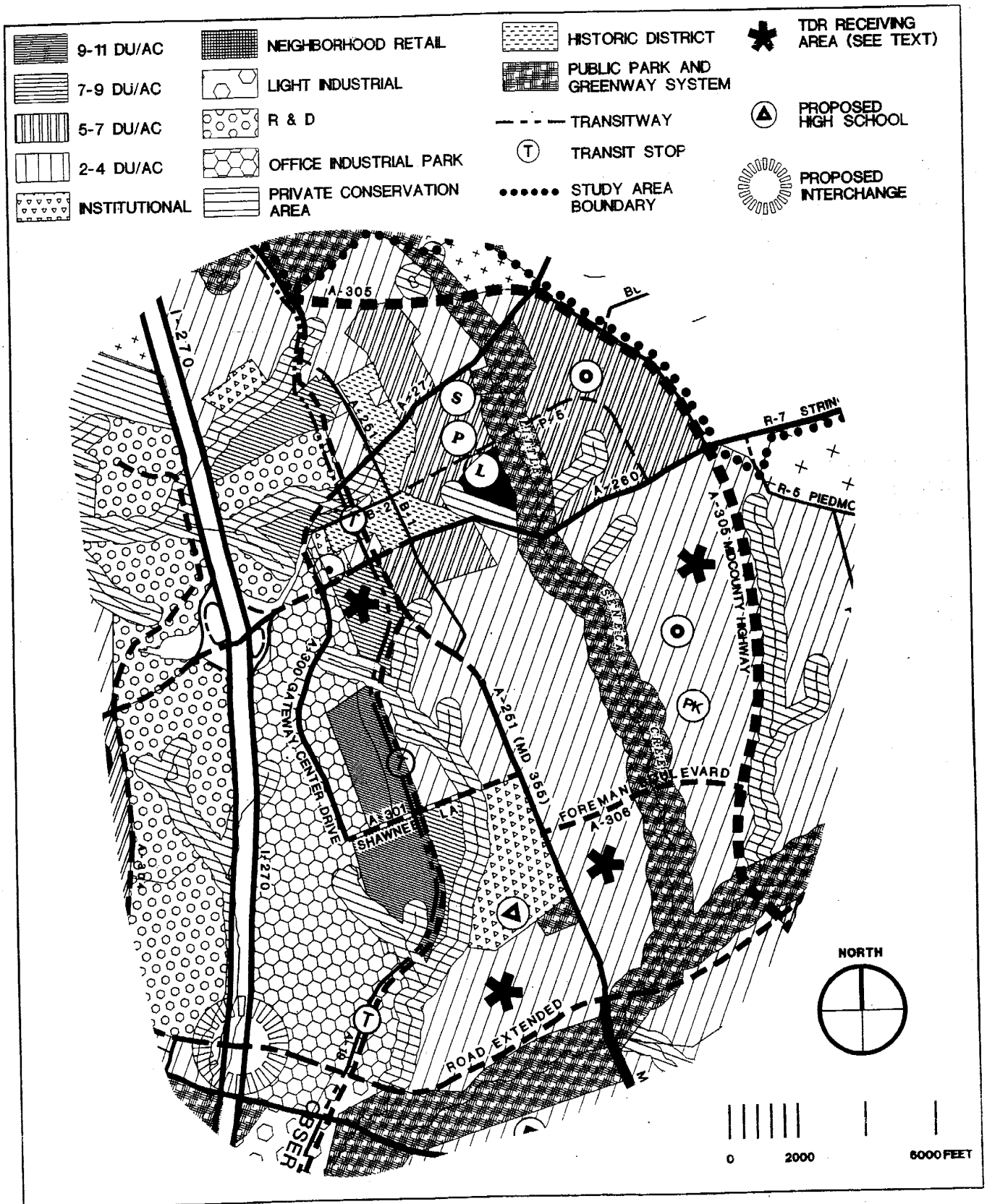
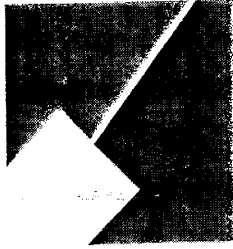


Figure 3

Transit Corridor District Land Use Plan



M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION


8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
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October 6, 2004

MEMORANDUM

TO: Elsabet Tefaye
Community-Based Planning Division

VIA: Shahriar Etemad
Transportation Planning

FROM:  Ki H. Kim
Transportation Planning

SUBJECT: Zoning Application No. G-824
The Eastside
Clarksburg

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject zoning application. The application includes 23+ acres of land located south of Shawnee Lane, immediately east of Gateway Center Drive in the Clarksburg Policy Area. The subject site is currently zoned R-200 and is proposed to be rezoned to PD-11 with a 290-townhouse residential community called The Eastside.

RECOMMENDATIONS

Based on our review of the submitted traffic analysis, Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of this zoning application.

1. Total development under the proposed zoning application is limited to 290 townhouses.
2. The applicant shall widen Shawnee Lane to a four-lane divided arterial roadway within 120 feet of right-of-way from Gateway Center Drive to Frederick Road (MD 355). Any additional right-of-way or associated easements necessary for improvements of Shawnee Lane will be acquired or funded by the applicant.

3. The applicant shall provide the following improvements at the intersection of Gateway Center Drive and Stringtown Road Extended.
 - a. Two exclusive left-turn lanes from northbound Gateway Center Drive to Westbound Stringtown Road Extended.
 - b. Two exclusive left-turn lanes from eastbound Stringtown Road Extended to northbound MD 121.
 - c. Two exclusive right-turn lanes from Southbound MD 121 to westbound Stringtown Road.
 - d. The applicant shall coordinate with the Montgomery County Department of Public Works & Transportation to incorporate these improvements with the Capital Improvements Program (CIP) project for Stringtown Road.

DISCUSSION

Site Access and Vehicular/Pedestrian Circulation

The proposed Eastside development will gain two access points from Shawnee Lane, one full access and one right-in/right-out only. The full access point is to be located on the eastern edge of the property. It is proposed as a three-lane driveway one entering and two exiting the site. This access will be reconstructed in the future to have four lanes, two egress and two ingress lanes when the adjoining school property is developed. The new driveway will be shared between this development and the adjoining school.

Staff finds the proposed access to the site as shown on the development plan to be safe and adequate. Staff also finds that the internal pedestrian circulation and walkways provide for a safe and adequate movements of pedestrian traffic.

Local Area Transportation Review

Four local intersections were identified as critical intersections for analysis to determine whether they meet the applicable congestion standard of 1,500 Critical Lane Volume (CLV) for the Clarksburg Policy Area. The proposed development's trips were added to the existing and the background traffic (trips generated from approved but unbuilt developments) to determine the total future traffic. The total future traffic was assigned to the critical intersections to determine the total future CLVs. The result of CLV calculation is shown in the following table.

Table I

Intersection Capacity Analysis with CLV Under Various Development Schemes During the Peak Hour								
	Existing		Background		Total*		Total**	
	AM	PM	AM	PM	AM	PM	AM	PM
MD 121/Gateway Center Drive	738	940	1,222	1,802	1,307	1,841	1,197	1,231
MD 355/Stringtown Road	1,255	1,032	1,313	1,374	1,313	1,374	1,313	1,374
MD 355/Shawnee Lane	1,216	1,048	1,285	1,200	1,330	1,255	1,206	1,159
Gateway Center Drive/Shawnee Lane	88	130	132	311	137	390	137	390

* Total development conditions without proposed roadway improvements

** Total development conditions with proposed roadway improvements

As shown in the above table, all existing intersections analyzed are currently operating at acceptable 1,500 CLVs. Under the background development condition, the intersection of Clarksburg Road (MD 121) and Gateway Center Drive (becomes Gateway Center Drive/Stringtown Road Extended under the background and total development conditions), exceeds the acceptable congestion standard of 1,500 CLV during the PM peak hour. Under the total development condition, the congestion at this intersection further deteriorates and must be improved. The applicant proposed to provide intersection improvements to mitigate the site-generated trips. Upon implementation of the roadway improvements conditioned in this memorandum, the Gateway Center Drive/Stringtown Road Extended (MD 121) intersection will operate within an acceptable level of congestion that is 1,500 CLV.

Policy Area Transportation Review

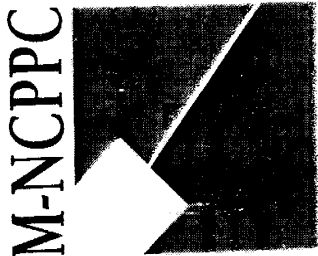
Based on the FY 2004 Annual Growth Policy staging ceiling capacity, there is insufficient capacity available for the housing development (-5,028 housing units as of May 31, 2004, the date this zoning application was filed) in the Clarksburg Policy Area. The applicant had proposed to widen Shawnee Lane to a four-lane divided arterial roadway from Gateway Center Drive to Frederick Road (MD 355). Staff finds that the proposed roadway improvements will provide sufficient staging ceiling capacity to accommodate the proposed development.

CONCLUSION

Staff concludes that the 290-townhouse residential development of the Eastside proposed under PD-11 with roadway improvements that are conditioned in this memorandum will not have an adverse impact on the surrounding roadway network.

KHK:gw

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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MEMORANDUM

TO: Elsabett Tesfaye, Community Based Planning

VIA: Mary Dolan, Environmental Planning *MD FOR M.D.*

FROM: Michael Zamore, Environmental Planning *MZ*

DATE: October 12, 2004

SUBJECT: 1. Preliminary Water Quality Plan: Zoning Application No. G-824
Eastside Parcel P 600, Clarksburg

2. Zoning Application No. G-824:
Eastside Parcel P 600, Clarksburg

Preliminary Water Quality Plan Recommendations

Staff recommends **approval** of the Preliminary Water Quality Plan with the following conditions:

1. Compliance with the conditions in Montgomery County Department of Permitting Services' (MCDPS) October 5, 2004 letter of approval for SPA stormwater management, and sediment and erosion control. Further resolution of other technical issues such as dam breach shall be resolved prior to submission of site plan.
2. No encroachments within stream valley buffers, including any grading, clearing, SWM and sediment control facilities, or impervious surfaces, except as determined by staff as unavoidable and necessary. The applicant must use all available planning options, including the use of retaining walls, reconfiguration of site layout, and loss of developable area outside of stream buffers, to achieve this objective. Additionally, stormwater pond embankments must not be less than 15 feet from the buffer per MD 378 regulations, which forbid trees and woody plants within 15' of the toe of slope of the dam.
3. The applicant shall eliminate or minimize forest and stream impacts in the southern portion of the property. In that regard, the applicant must revise the layout or demonstrate that the proposed sewer alignment shown on the Preliminary Water Quality Plan minimizes the impacts to priority forest and the stream buffers, and that these impacts are technically unavoidable.

Recommendations on Zoning Application No. G - 824

The Environmental Planning staff has reviewed the rezoning application. Staff recommends **approval** of the zoning request with the following comments:

- No encroachment into the stream valley buffers except for necessary and unavoidable SWM and sewer outfalls. The applicant must examine all available planning options, including the

use of retaining walls, reconfiguration of site layout, and loss of developable area outside of stream buffers, to achieve this objective.

- The concept Forest Conservation Plan is recommended for approval as part of the development plan. The applicant shall eliminate or minimize priority forest and stream impacts in the southern portion of the property. In that regard, the applicant must revise the layout or demonstrate that the proposed sewer alignment shown on the Preliminary Water Quality Plan minimizes the impacts to priority forest and the stream buffers, and that these impacts are technically unavoidable.

Discussion

The Eastside property is a 23.82-acre parcel at the intersection of Shawnee Lane and Gateway Center Drive, 2,000 feet west of Frederick Road (MD355) in Clarksburg, Maryland. The property is generally rectangular in shape and lies above the confluence of two first-order tributaries of the Little Seneca Creek stream system. Slopes on the property are fairly gentle at an average gradient of 5% for the area above the confluence. Slopes are steeper closer to the streams. The site is mostly open pastureland with scattered wooded areas except for the southern one-third (near the confluence of the two streams), which is forested. The proposal will be subject to approval of a Final Forest Conservation Plan and a Final Water Quality Plan. Forest conservation and common area access easements will also be required, and should be provided during the course of site plan review and recordation of property.

PRELIMINARY WATER QUALITY PLAN FOR THE EASTSIDE PROPERTY

Discussion

The proposed development is entirely within the Clarksburg Special Protection Area (SPA). Under the SPA law, MCDPS and the Planning Board have different responsibilities in the review of the water quality plan. MCDPS reviews and conditionally approves the elements of the final water quality plan under its purview, while the Planning Board determines whether the site imperviousness, environmental guidelines for special protection areas, and forest conservation requirements, have been satisfied. The Preliminary Water Quality Plan must be approved prior to approval of the rezoning of the property. The Final Water Quality Plan must be submitted prior to submission of the Site Plan.

Stormwater Management

Most of the site will drain to a single stormwater management facility that will be designed to provide the required 1-year control, with safe conveyance of larger storms to the 100-year storm event. This facility will also accommodate storm flow via the storm drain system, from the property across Shawnee Lane to the north. In keeping with SPA policy, the surface water quality features for the Eastside property will consist of adequately sized redundant sand filters, the storm drain will be appropriately configured, and infiltration facilities will be provided. The sediment control and stormwater management goals to maintain stream and watershed quality for the site were discussed at the Plan Pre-Submission Meeting on July 1, 2004. These included:

- Maintaining Stream Base Flows. The proposed plan addresses this through groundwater recharge in many areas throughout the site. The applicant has been advised to locate additional infiltration storage under the sand filters and to conduct percolation tests to determine infiltration rates.
- Protect Springs, Seeps and Wetlands. There will be no grading in the vicinity of springs, seeps, and wetlands. The Preliminary Water Quality Plan addresses this concern adequately.

- Maintain Integrity of the On-Site Stream Channel. The applicant and DPS staff will walk the stream channel to determine its condition and any required repairs or retrofits.
- Minimize Stormflow Runoff Increases. The 1-year control facilities proposed in the Preliminary Water Quality Plan addresses this issue.
- Minimize Increases to Ambient Water Temperatures. The Plan addresses this issue through infiltration and dry facilities that do not increase the temperature of the run-off to the receiving stream.
- Minimize Sediment Loading. SPA regulations require a redundant sediment controls and 25% larger sediment traps and basins. Additionally, a new policy that requires the developer to provide funding for an independent third party sediment control inspector to be onsite at all times, is being implemented at Eastside.
- Minimize Toxin and Nutrient Loading. The applicant is required to develop and distribute an integrated pest management plan to homeowners through inclusion in the Homeowners' Association documents.
- Water Quality Monitoring. Monitoring must be in accordance with the BMP monitoring protocols that have been established by MCDPS and Montgomery County Department of Environmental Protection (DEP). Prior to the start of monitoring activity, parties responsible for conducting the monitoring must meet onsite with and DPS staff to establish the monitoring parameters. The applicant must also implement additional, more specific BMP requirements as per MCDPS attachment SM# 214-128 of September 24, 2004.

Site Imperviousness

Although there are no imperviousness ceilings limitations within the Clarksburg SPA east of Interstate 270, the SPA law requires that all opportunities to reduce impervious surfaces be evaluated on the Eastside property. In that regard staff has advised the applicant to consider every opportunity including stacking housing units, so as to increase the amount of open space provided.

COMMENTS ON ZONING APPLICATION NO. G-824

Forest Conservation

This application has an approved Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) (#4-03337). Staff approved changes to the location of the stream valley buffer based on additional information regarding wetland delineation.

The minimum retention requirements for forest conservation must be met onsite, in accordance with Forest Conservation Law. The applicant has submitted a concept Forest Conservation Plan for review with the zoning change request. The concept shows retention of 5.68 acres of the site's 6.62 acres of forest. This indicates that the conservation threshold (i.e., the minimum retention threshold) will be met onsite as required. Beyond the minimum retention requirement, the "break even" point has been achieved, meaning that no reforestation or afforestation will be required. The concept FCP shows the site fully meeting the requirements of the Forest Conservation Law, and staff recommends conceptual approval of the submitted FCP.

Water Quality

The property is located in the Upper Little Seneca South subwatershed of the Little Seneca Creek watershed within the Clarksburg Special Protection Area. The *Countywide Stream Protection Strategy* (CSPS, 1998) rates subwatershed stream and habitat conditions, as ranging from 'good' to 'excellent'. That section of Little Seneca Creek is designated as a Use IV-P waterway indicating

its suitability for an adult trout "put-and-take" population. Future development of the site must implement the special protection requirements of the Environmental Guidelines, Forest Conservation Law, and Chapter 19.60, the County Special Protection Area legislation (including stormwater management and sediment control facilities) to maximize protection of stream quality. SPA-level stormwater management facilities have been addressed in the section on the Water Quality Plan.

Water and Sewer

Public water and sewer serve the general Shawnee Road area. The project site is eligible for sewer service. It is located in Sewer Service Area 'A' originally identified for service in Stages 2 and 3 of the Staging Plan. Funding for sewer service was provided in the FY 96 CIP.