

**MEMORANDUM**

**DATE:** March 24, 2005

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *RK*  
Development Review Division

**FROM:** Catherine Conlon, Acting Supervisor (301)495-4542  
Development Review Division *CC*

**REVIEW TYPE:** Preliminary Plan of Subdivision

**APPLYING FOR:** Preliminary Plan Approval for 253 one-family detached residential dwelling units

**PROJECT NAME:** Linthicum West Property  
**CASE NO.** 1-05003  
**REVIEW BASIS:** Pursuant to Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance

**ZONE:** RE-1/TDR2  
**LOCATION:** In the southwest quadrant of the intersection of Clarksburg Road (MD 121) and West Old Baltimore Road  
**MASTER PLAN:** Clarksburg

**APPLICANT:** Charles Linthicum  
**ENGINEER:** Rodgers Consulting, Inc.  
**ATTORNEYS:** Pasternak & Fidis, P.C.  
Miller, Miller & Canby

**HEARING DATE:** March 31, 2005

---

**Staff Recommendation:** Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 253 one-family detached residential dwelling units, including 28 Moderately Priced Dwelling Units (MPDUs) and the purchase of 60 Transfer Development Rights (TDRs).
- 2) No clearing, grading or recordation of plats prior to site plan signature set approval.
- 3) Final number of TDRs and MPDUs, number and location of dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at Site Plan.
- 4) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width shown in the Clarksburg Master Plan unless otherwise designated on the preliminary plan.
- 5) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Clarksburg Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By \_\_\_\_\_" are excluded from this condition.
- 6) The applicant shall participate in the following roadway improvements:
  - a) At MD 121/I-270 northbound on/off ramp:
    - add a northbound left-turn movement to provide dual left turn lanes;
    - add a separate westbound left-turn lane;
    - signalize the intersection; and
    - widen Clarksburg Road (MD 121) bridge over I-270 to accommodate one additional through-lane and a median island.
  - b) At MD 355/West Old Baltimore Road intersection:
    - widen eastbound approach of West Old Baltimore Road to provide a separate right-turn lane;
    - widen northbound approach to MD 355 to provide a separate left-turn lane (a three-lane section will be provided on MD 355 between West Old Baltimore Road and Brink Road); and
    - widen southbound approach of MD 355 to provide a separate right-turn lane.
  - c) Upgrade West Old Baltimore Road to two-lane arterial roadway standards acceptable to the Department of Public Works and Transportation (DPWT) and Transportation Planning staff between Newcut Road and MD 121.
- 7) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 8) No encroachment into stream buffers for stormwater management or sediment control facilities, except for necessary outfalls and temporary sediment control facilities in non-forested area, shall be permitted without prior Planning Board approval. If stormwater management facilities need to be enlarged as part of the site plan review, additional space shall be provided outside of stream buffers, and total dwelling units may be reduced.

- 9) Record plat to reflect a Category I conservation easement over all areas of forest conservation and stream valley buffers.
- 10) Record plat to reflect common ingress/egress and utility easements over all shared roadways and driveways.
- 11) Applicant to dedicate to M-NCPPC the proposed Parcel B, consisting of approximately 91.72 acres to be used for the Special Park pursuant to the Clarksburg Master Plan. Land to be transferred at time of record plat and be free of trash and unnatural debris. Park boundaries to be staked and adequately signed to delineate between parkland and private properties.
- 12) Record plat to reflect the serialized TDR's that have been purchased for this site.
- 13) Compliance with the conditions of the MCDPS stormwater management concept approval dated March 24, 2004.
- 14) Compliance with conditions of approval of MCDPWT letter dated February 25, 2005 unless otherwise amended.
- 15) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 16) Access and improvements along Clarksburg Road (MD 121) as required by the State Highway Administration.
- 17) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas.
- 18) Record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 19) 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.
- 20) Other necessary easements.

#### **SITE DESCRIPTION:**

The 165-acre Linthicum West property is located in the southwest quadrant of the intersection of Clarksburg Road (MD 121) and West Old Baltimore Road in Clarksburg (Attachment A). The property is zoned RE-1/TDR2. There is an existing farmhouse and associated outbuildings on the property. The property is actively farmed and most recently included corn and soybean crops and cattle pasturing. The property drains to Little Seneca Creek which is classified as a Use I-P stream. The site includes 30 acres of stream buffer and 31 acres of forest. Only 14 acres of the stream buffers are forested. The property is not located in the Clarksburg Special Protection Area.

#### **RELATIONSHIP TO THE CLARKSBURG MASTER PLAN**

The subject property is located within the Cabin Branch Neighborhood of the Clarksburg Master Plan Area. The Cabin Branch Neighborhood lies to the west of I-270

and is the only portion of the western side that is proposed for significant residential development. The neighborhood has the following characteristics:

- It is close to Black Hill Regional Park and offers an opportunity to establish a strong neighborhood-park relationship.
- It is less than a 10-minute drive from the Boyds commuter rail station.

The key Master Plan objective for the area south of West Old Baltimore Road and the subject 165-acre Linthicum West property is to maintain the present rural character so that a strong transition is provided between the Cabin Branch and Ten Mile Creek Neighborhoods and the rural community of Boyds.

To further the Master Plan objective regarding open space preservation along MD 121, the Master Plan recommends that density be clustered away from MD 121. As with the rest of the Cabin Branch Neighborhood north of West Old Baltimore Road, the use of TDR's is recommended to achieve higher density. The Master Plan states that the following guidelines will be applied at the time of subdivision review:

- 1) The number of dwelling units should not exceed 225.
- 2) The mix of housing types should include a minimum of 85 percent detached dwelling units.
- 3) The view from MD 121 should remain open and unobstructed. Housing should be clustered away from MD 121 and located in the area shown on the Land Use Plan so that it does not obstruct the vista from MD 121.
- 4) The open space pattern surrounding the residential cluster should be contiguous and not subdivided into residential lots. This would not preclude use as a farm with related farming activities.
- 5) A portion of the open space should be dedicated as a special park once both subdivision has occurred and farming has ceased on the open space as shown in Attachment B. The special park (25 to 100 acres) should include athletic fields, a playground, paved courts, parking, trails, and picnic and conservation areas.

Staff believes the preliminary plan complies with the objectives and guidelines of the Clarksburg Master Plan.

## **PROJECT DESCRIPTION**

The preliminary plan incorporates the Master Plan recommendations for a residential neighborhood clustered away from MD 121 with open space provided between residential lots and the roadway (Attachment B). The plan protects environmentally sensitive areas and provides 91.72 acres of parkland dedication for future construction of public recreation facilities. The plan provides an interconnected street system and emphasizes access to open space.

The Master Plan recommends 1,950 units for the entire Cabin Branch community and Linthicum West, plus 12.5 percent Moderately Priced Dwelling Units (MPDUs), for a maximum of 2,194 units. A total of 225 units plus 28 MPDUs are recommended for the Linthicum West community. The Master Plan specifies that a minimum of 85 percent of the total units for the Linthicum West property be one-family detached dwelling units. The proposed preliminary plan includes only one-family detached dwelling units. Site plan review pursuant to §59-D-3 is required for this project.

The proposed preliminary plan includes a total residential density of 253 units on the subject property. The current lot layout anticipates that two of these units would be located on larger lots with access directly to MD 121. These lots would be served by septic systems if necessary approvals are granted by the Department of Permitting Services (Health Dept.). Final determination on the feasibility of these lots and the overall lot layout will be made as part of site plan review. The plan includes purchase of 60 Transfer Development Rights (TDRs) to achieve part of the proposed density.

## **TRANSPORTATION:**

### Site Access and Circulation

Two access points to the site are proposed from West Old Baltimore Road. The site access and internal vehicular circulation system shown on the preliminary plan are safe and adequate. The following is a general description of the master plan roadway network in the vicinity of the site.

1. Clarksburg Road (MD 121): Classified as an arterial roadway with six lanes from I-270 to A-304, four lanes from A-302 to A-304, two lanes from A-302 to West Old Baltimore road on master plan right-of-ways of 150, 120, and 80 feet, respectively. This roadway provides access from the I-270 interchange to the site and western boundary of the site.
2. West Old Baltimore Road: Classified as an arterial roadway with the total of two lanes and a master plan right-of-way of 80 feet. This roadway provides access from MD 355 to the northern boundary of the site.

### Local Area Transportation Review

Four local intersections were identified as critical intersections to be affected by the development of the subject site and were examined to determine whether they meet the applicable congestion standard of 1,450 Critical Lane Volume (CLV) for the Clarksburg Policy Area. The CLV impacts of the proposed development on these intersections were analyzed and are summarized in Table I.

**Table I**

| <b>Intersection Capacity Analysis with CLV<br/>Under Various Development Schemes During the Peak Hour</b> |                 |           |                   |           |                               |           |                                     |           |
|---|-----------------|-----------|-------------------|-----------|-------------------------------|-----------|-------------------------------------|-----------|
| <b>Intersections<br/>Analyzed</b>   | <b>Existing</b> |           | <b>Background</b> |           | <b>Total – No<br/>Improv.</b> |           | <b>Total –<br/>With<br/>Improv.</b> |           |
|   | <b>AM</b>       | <b>PM</b> | <b>AM</b>         | <b>PM</b> | <b>AM</b>                     | <b>PM</b> | <b>AM</b>                           | <b>PM</b> |
| MD 121/I-270 NB off-ramp  | 473             | 440       | 1744              | 1630      | 1764                          | 1693      | 1449                                | 1442      |
| MD 121/I-270 SB off-ramp  | 321             | 217       | 1307              | 931       | 1327                          | 994       | 1327                                | 994       |
| MD 121/West Old Baltimore Road  | 208             | 359       | 435               | 469       | 583                           | 765       | 583                                 | 765       |
| MD 355/West Old Baltimore Road  | 1525            | 1475      | 2493              | 1953      | 2509                          | 2663      | 2080                                | 1862      |

As shown in the above table, all existing intersections analyzed are currently operating at acceptable CLVs (CLV standard is 1,450) except the MD 355/West Old Baltimore Road intersection. Under the background development traffic condition (traffic generated from approved but unbuilt developments), the MD 121/I-270 northbound ramp and MD 355/West Old Baltimore Road intersections exceed the acceptable congestion standard. Under the total future development traffic conditions (background development traffic plus site generated traffic) without any roadway improvements, the traffic conditions at the MD 121/I-270 northbound ramp and MD 355/West Old Baltimore Road intersections will further deteriorate. Under the total future development traffic conditions with the roadway improvements provided by the applicant's participation, the MD 121/ I-270 northbound ramp and MD 355/West Old Baltimore Road intersections will operate at either acceptable CLVs or at a better level of congestion than the background condition during both peak hours. The roadway improvements to be participated in by the applicant were conditioned upon approval of the Cabin Branch Phase 1 preliminary plan application.

Staff concludes that the subject preliminary plan satisfies the APF since all nearby intersections are anticipated to operate within the acceptable congestion standard or at a better level than the background traffic condition. Thus, the roadway improvements to be provided by the applicant's participation meet the Local Area Transportation Review requirements.

## **ENVIRONMENTAL:**

### Forest Conservation

There are 30.91 acres of existing forest on the property. The developer is proposing an optional method of development and therefore must comply with Section 22A-12(f) of the Montgomery County code. This section of the code requires developments utilizing an optional method of development to retain or plant a certain percentage of forest onsite. For this particular plan, the appropriate threshold is the conservation threshold. The plan is proposing the removal of 0.13 acres of forest. The forest removal is associated with the construction of a sewer line. The applicant must plant forest onsite to meet the conservation threshold onsite. The preliminary forest conservation plan indicates that not all areas of the stream buffers will be planted. The applicant is encouraged to plant all stream buffers and bank the surplus forest planting, or the applicant could make these areas available for forest planting by others

### Environmental Guidelines

The site includes stream buffers, floodplains, and wetlands. These areas will be protected by Category I forest conservation easements. The plan does not identify any permanent encroachments into the environmental buffers.

## **PARKS:**

The Clarksburg Master Plan calls for a Special Park (referred to in the Plan as Clarksburg Road Special Park) at this location that is adequate in size and layout to accommodate considerable active and passive recreational facilities for the area's needs. Since the adjacent Black Hill Regional Park does not provide athletic fields and paved courts, the parkland being dedicated as part of this subdivision is being relied upon for providing these amenities to the area residents.

The Applicant proposes dedication of approximately 91.72 acres along the western, southern, and northeast portions of the subject property for the Special Park pursuant to the Clarksburg Master Plan. Although reasonably large in size, the proposed parkland has topographical and environmental limitations that make it relatively unusable for athletic fields or hard surface courts without significant grading and possibly some fill being required in the areas outside of the stream and wetland buffers. In addition, the current preliminary plan provides for a finger of development directly adjacent to the planned Special Park's active recreation area. Although the Applicant plans to continue farming operations on the property in the near future, it will be important when the property proceeds to Site Plan for the developer to sufficiently establish the active recreation portions of the park prior to construction of the adjacent homes. This should include a secondary park entrance and parking area off of the loop road, and sufficient active recreational facilities to firmly establish the nature of this park. This would prevent issues involving the residents' expectations about the park and will provide substantial recreational benefits to the residents living in this proposed development.

In addition, the Black Hill Regional Park Master Plan provides for hard and natural surface trail connections between the west and east portions of Black Hill Regional Park to facilitate hiker/biker and equestrian travel between the trails and facilities throughout the park areas. The subject property lies between the east and west portions of the Park and therefore must accommodate the trails to create usable links between parkland. These trails should also be established at the time of Site Plan to provide access to surrounding parkland for the new residents and prevent problems with locating the trails once residents have purchased the new homes.

These same topographical and environmental limitations provide very limited options for a primary park entrance off MD 121. The best option for an entrance from staff's standpoint may be through proposed Outlot A. This would also put the park entrance across from the proposed entrance road to the Eaton Property being developed across Route 121, and is a logical location for a road crossing of the master planned trails to access the western portion of Black Hill Regional Park through the proposed Eaton subdivision. The addition of Outlot A to the park dedication would provide this park access off Route 121. Staff believes the relocation of Outlot A to provide park access could likely be done without economic loss to the Applicant.

Park Planning and Resource Analysis staff believe the property identified as Outlot A, consisting of approximately 2.9 acres, may be needed to be used as part of the master planned Special Park. If it is determined by M-NCPPC staff that the primary entrance to the park is best located through Outlot A, and if it is determined by staff that other potential locations for the park entrance off of Route 121 would not be practical without adversely impacting the recreational development potential of the park or environmental features on the site, additional dedication may be requested at the time of Site Plan review.

Applicant and M-NCPPC staff will also need to determine at time of Site Plan, issues regarding grading by Applicant for the park site and construction of park recreational facilities, trails, and park amenities that would adequately establish the active recreation portions of the park and serve the recreation needs of the subject development.

## **CONCLUSION:**

Staff's review of Preliminary Plan #1-05003, Linthicum West Property, indicates that the plan conforms to the recommendations of the Clarksburg Master Plan. The proposed preliminary plan is consistent with the master plan goal to maintain the area's rural character and provide a transition to the more densely zoned Cabin Branch Neighborhood. The proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the area of the proposed subdivision. Staff further believes that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision. As such, Staff recommends approval of the preliminary plan with the specified conditions.