

Date Mailed: November 7, 2002

Action: Approved Staff Recommendation

Motion of Comm. Wellington, seconded by
Comm. Robinson with a vote of 3-0;

Comms Berlage, Robinson, and
Wellington voting in favor with
Comms. Bryant absent and Perdue
temporarily absent

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-02033A

NAME OF PLAN: GREENWAY VILLAGE AT CLARKSBURG

On 09/20/2002, CLARKSBURG SKYLARK, L.L.C. submitted an amendment to the previously approved preliminary plan application in the PD-4 zone. The previous application proposed to create 1330 units (600 single family detached, 386 single family attached, 344 multi-family units and 89,000 square feet of retail) on 374.08 acres of land. The application was designated Preliminary Plan 1-02033A. On 10/10/02, Preliminary Plan 1-02033A 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 1-02033A to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-02033A

Approval of Preliminary Plan, Pursuant to the FY 2002 Annual Growth Policy for Ceiling Flexibility for Developer Participation Projects, and Including a Preliminary Water Quality Plan, and Waiver of Street Frontage Pursuant to Section 50-29(a)(2), and Waiver of Minimum Radii Pursuant to Section 50-26(f), Subject to the Following Conditions:

- 1) Compliance with the conditions of approval of the January 31, 2002, Transportation Planning memorandum which includes the following conditions:
 - I. Total development under this preliminary plan application is limited to the following uses and density:
 - 1,330 dwelling units
 - 89,000 square feet of retail space
 - 2,000 square feet of community space
 - II. To satisfy Policy Area Transportation Review (PATR)
 - a. The applicant shall participate in widening MD 27; (1) to six through travel lanes from Observation Drive in Germantown through the Brink Road intersection, (2) to six through travel lanes through the A-305 intersection; and including dedication of 120' right-of-way, 60' from the centerline, along the site frontage.

This improvement along MD 27 is consistent with the master plan recommendation. If, after master dedication along the west side of MD 27, sufficient right-of-way is not available for the proposed widening, the applicant has to either acquire additional right-of-way on the east side of MD 27 or dedicate additional right-of-way and widen MD 27 on their development side.

- b. The applicant shall dedicate on-site portions and participate in construction Relocated Newcut Road (A-302) as a two lane divided arterial or business district roadway between MD 27 and the A-305 intersection and as a four lane divided arterial roadway between A-305 and MD 355.
 - c. The applicant shall participate in constructing A-305 as a four lane divided arterial roadway between MD 27 and Stringtown Road.
 - d. The applicant shall dedicate and participate in constructing Foreman Boulevard as a two lane arterial roadway from its current terminus at Timber Creek Lane to A-305.
- III. To satisfy Local Area Transportation Review (LATR)
- a. The applicant shall participate in construction a second left-turn lane from northbound MD 355 to westbound MD 27.
 - b. The applicant shall participate in constructing additional turn/approach on MD 27 and Brink Road at the intersection of MD 27/Brink Road.
 - c. The applicant shall participate in providing a separate left-turn lane from southbound MD 355 to eastbound Brink Road as a separate left-turn lane from westbound Brink Road to southbound MD 355.
 - d. The applicant shall widen existing Skylark Road by four to six feet, for a total roadway width of 24 feet, from Piedmont Road to the Greenway and construct Relocate Skylark Road from the Greenway to MD 27, including a five-foot sidewalk on the south side.
- IV. The applicant shall agree that the roadway improvement listed as conditions of approval are under construction in accordance with the phasing of road improvements for Clarksburg/DiMaio development as described in David D. Berward Rafferty's letter dated August 05, 2002 and confirmed in Transportation Planning's letter date August 22, 2002. The locations of the above roadway improvements (except for condition 3d_ are shown in the attached Exhibit 1.
- V. The applicant shall construct a roundabout on A-302 at Street "P3-Q".
- VI. The applicant shall construct A-302 as a business district street between A-305 and the roundabout in accordance with DPWT Standard No. MC-219.02, and as a two lane arterial street between the roundabout and MD 27 in accordance with DPWT Standard No. MC-213.04."
- VII. The issuance of building permits is predicated on the applicant participating with Preliminary Plan No. 1-01030 Clarksburg Village. The total number of building permits that may be granted for the combined projects shall be limited as follows:
- a) MD27-Observation Drive to MD 355 plus turn lane on MD 355 to westbound MD 27- 700 Dwelling units

- b) MD 27- MD 355 to Brink Road plus turn at MD 27/Brink Road – 700 Dwelling units
- c) MD 27-Brink Road to A-305 plus turn Lanes at MD 355/Brink – 600 dwelling units

On-Site Improvements

- a) -305: Stringtown Road to Forman Boulevard, Forman Boulevard: MD 355 to A-305 - 500 Dwelling units
- b) A-305: Forman Boulevard to A-302
- c) A-302: MD 27 to A-305 - 500 Dwelling units
- d) A-305: MD 27to A-302 - 500 Dwelling units
- e) A-302: A-305 to MD 355 - Remaining Residential/Retail/Commercial

- 2) Prior to Planning Board review of a Site Plan applicant shall submit an “Infrastructure Plan” for Planning Board review. The plan shall include the following:
 - a. Location and types of stormwater management facilities for quality and quantity controls that comply with the conditions of MCDPS’ preliminary water quality plan
 - b. Delineate bike and pedestrian access pathways including all at grade and below grade crossings along all road rights of way and at stream crossings
 - c. All roadway networks including both private and public connections, streetscape, lighting, sidewalks and paving materials
 - d. Delineation of “Greenway” and other open space areas including all environmental buffers
 - e. School sites and Park dedication sites
 - f. Recreation guideline concept plan
 - g. Proposed schedule for clearing and grading of site
- 3) No clearing, grading, unless designated on the “Infrastructure Plan” and no recording of plats prior to site plan enforcement agreement approval
- 4) Compliance with the conditions of the Revised Preliminary Water Quality Plan approval letter, dated, January 30, 2002, from the Montgomery County Department of Permitting Service
- 5) Compliance with the conditions of the Preliminary Forest Conservation Plan. Conditions must be satisfied prior to recordation of plat(s) or MCDPS issuance of sediment and erosion control permits
- 6) Access and improvement as outlined in MCDPWT letter dated January 31, 2002
- 7) Access and improvements as outlined in MDSHA letter dated, November 6, 2001
- 8) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Clarksburg Master Plan unless otherwise designated on the preliminary plan
- 9) 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 or as approved by MCDPWT
- 10) Abandonment of unused portion of Skylark Road to be approved, by appropriate agency, subsequent to construction and release of relocated Skylark Road to Montgomery County
- 11) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation

- 12) Record plat to provide for dedication of local road network as outlined in conditions #1, #6 and #7 above and depicted on the approved preliminary plan
- 13) Record plat to reflect common ingress/egress easements over all shared access locations
- 14) Record plat to reflect note limiting uses of dedicated school site to school construction or park use only
- 15) Prior to record plat, dedication to M-NCPPC, the following areas as outlined in January 31, 2002 Park Planning and Resource Analysis Unit memo:
 - Area identified as "Park 6" as shown on plan, to be an area with a minimum 600 ft. width with adequate area outside of stream buffer to accommodate the needed Greenway trails
 - Land north of relocated Skylark Road and Street P3-A adjacent to Ovid Hazen Wells. Not to include stormwater ponds of swimming pool facility areas.
 - Areas identified "Park 1" and "Park 9" and "Park 12" as shown on plan
- 16) Construction of two (2) full size baseball fields, one (1) full size basketball court, one (1) multi-age playground and an adequately sized parking lot by applicant within "park 12". Facilities to be constructed to park standards and layout to be coordinated with M-NCPPC staff at Site Plan. It is noted that this park is part of a pending application for the Clarksburg/Skylark Development District
- 17) Dedication of the proposed Middle School site west of Ridge Rd. (MD 27) to Montgomery County Public Schools
- 18) The school site will be graded, surfaced with topsoil, fine graded to a maximum of +/- 6" over 100', and seeded as appropriate in accordance with Montgomery County Public School standards
- 19) Phasing of dedication of the school site and park sites shall be incorporated as part of the phasing schedule included with Site Plan approval
- 20) Applicant to construct eight (8) foot wide master plan paved, mixed use trail within the Clarksburg Greenway as approved by the Site Plan
- 21) Final approval of the number and location of buildings, including location of multi-family dwelling units and design of commercial center to be determined at Site Plan
- 22) Final alignment, design and landscaping of trails, greenway trails and entrance features to be determined at Site Plan
- 23) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 24) Final number of MPDU's to be determined at the time of site plan dependent on Condition # 20 above
- 25) Waiver of over length cul-de-sac and appropriate sidewalk waivers to be reviewed and approved at Site Plan
- 26) This preliminary plan will remain valid until February 7, 2014 and shall be phased for recordation of lots as follows:
 1. Phase One: 350 lots by February 7, 2005
 2. Phase Two: 700 lots by February 7, 2008
 3. Phase Three: 1050 lots by February 7, 2011
 4. Phase Four: All remaining lots by February 7, 2014Prior to the expiration period, the final record plat for all remaining lots within each phase must be recorded, or a request for an extension must be filed
- 27) Other necessary easements