# 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 301-495-4500, www.mncppc.org Items 16+17 3/30/2006

## **MEMORANDUM**

DATE:

March 17, 2006

TO:

Montgomery County Planning Board

VIA:

Rose Krasnow, Chief Robert Kronenberg, Acting Supervisor

Development Review Division

FROM:

Frederick Vernon Boyd

Community-Based Planning Division

(301) 495-4654

**REVIEW TYPE:** 

**Major Amendments to Site Plans** 

CASE #:

82002036B and 82004022A

PROJECT NAME:

82002036B: Greenway Village at Clarksburg—Phases 1 and 2 82004022A: Greenway Village at Clarksburg—Phases 3, 4, 5

APPLYING FOR:

82002036B: Approval to add development standards for building heights and setbacks; modify street designs to respond to Fire and Rescue Service requirements; revise conditions of approval for construction of the pool complex; relocate a mailbox cluster; shift the placement and width of a bike path; modify grading for a stormwater management outfall; add a retaining wall to a single lot; and revise conditions of approval for the bike path along Skylark Road; revise the types of playground equipment provided at a single multi-age play area; modification of grading for a stormwater management facility in Block A.

82004022A: Approval to add development standards for building heights and setbacks; modify street designs to respond to Fire and Rescue Service requirements; revise the design of Park 19 to reflect changes requested by MNCPPC Parks staff; revise street grades, intersection designs and street operations to reflect modifications requested by the Montgomery County Department of Public Works and Transportation; revise the design of storm drains, stormwater management facilities and streets to reflect modifications requested by the Montgomery County Department of Permitting Services

**REVIEW BASIS:** 

Div. 59-D-3 of Montgomery County Zoning Ordinance

ZONE:

PD-4

LOCATION:

In the vicinity of the intersection of Skylark and Newcut roads, west of Ridge

Road

MASTER PLAN: APPLICANT:

Clarksburg Master Plan Clarksburg Skylark LLC

FILING DATE:

July 15, 2005

HEARING DATE:

March 30, 2006

# **BACKGROUND**

This technical staff report makes two sets of recommendations for separate approval by the Planning Board. The first consists of recommendations to amend Site Plan 82002036B, for phases 1 and 2 of Greenway Village at Clarksburg. The second includes recommendations to amend Site Plan 82004022A, for phases 3, 4 and 5 of Greenway Village.

STAFF RECOMMENDATION to amend Site Plan 82002036B: Approve the addition of development standards, as modified in this memorandum, for building heights and setbacks; the revision of conditions of approval for construction of the pool complex; the relocation of a mailbox cluster; the realignment and change in width of a bike path; modification of grading for a stormwater management outfall; construction of a retaining wall on an individual lot; the revision of conditions of approval for the bike path along Skylark Road; and the revision of multi-age playground equipment types; and the modification of grading for a stormwater management facility in Block A. All site development elements shown on plans for Greenway Village at Clarksburg—Phases 1 and 2 that were stamped by the M-NCPPC on June 16, 2003 shall be required except as modified by the proposed amendments and the following conditions:

# 1. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan 12002033A for Greenway Village at Clarksburg listed in the Planning Board opinion dated November 7, 2002; and conformance with subsequent preliminary plan amendments. (Appendix A)

## 2. Site Plan Conformance

The proposed development shall comply with the conditions of approval for Site Plan 820020360 that are listed in the Planning Board opinion dated October 16, 2002, unless modified by the subject amendment; and conformance with conditions of approval in subsequent amendments. (Appendix B)

# 3. Future Amendments

The review and approval procedure for future amendments shall adhere to Section 59-D-2.6.

## 4. Fire and Rescue Services

The development shall conform to changes mandated by the Montgomery County Fire and Rescue Service, in accordance with the memorandum dated December 27, 2005. (Appendix C)

# 5. <u>Development Program</u>

The applicant shall construct the development in accordance with the Development Program and the approved Site Plan Enforcement Agreement. The Development Program and Site Plan Enforcement Agreement shall be amended, reviewed and approved by staff prior to approval of the Certified Site Plan. The amended Development Program shall include the following:

- a. The proposed pool house and community center complex in Park 3 shall be completed within nine months of the issuing of a building permit for the complex by the Department of Permitting Services;
- b. The bike path required along the south side of Skylark Road must be completed concurrently with improvements to Skylark Road undertaken by the Department of Public Works and Transportation.

# 6. Certified Site Plan

- a. Provide for the Certified Site Plan a data table setting out the approved development standards for the proposed development, including the area under development; the number of dwelling units; the minimum lot areas for each housing type; setbacks from and private public streets, rear yards and side yards; lot coverage; and building heights, which must be delineated in feet;
- b. Provide the size of each lot for the Certified Site Plan;
- c. Amended Development Program, inspection schedule, amended Site Plan Enforcement Agreement and Site Plan Opinion;
- d. Limits of disturbance;
- e. Methods and locations of tree protection;
- f. Note stating that MNCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
- g. Location of outfalls away from tree preservation areas.

STAFF RECOMMENDATION to amend Site Plan 82004022A: Approve the addition of development standards, as modified in this memorandum, for building heights and setbacks; design revisions to Park 19 requested by Parks staff; street grade and street operation modifications requested by the Department of Public Works and Transportation; and design revisions to stormwater management facilities and streets requested by the Department of Permitting Services. All site development elements shown on plans for Greenway Village at Clarksburg—Phases 3, 4, 5 that were stamped by the M-NCPPC on February 2, 2006 shall be required except as modified by the proposed amendments and the following conditions:

## 1. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan 12002033A for Greenway Village at Clarksburg listed in the Planning Board opinion dated November 7, 2002; and conformance with subsequent preliminary plan amendments. (Appendix A)

# 2. Site Plan Conformance

The proposed development shall comply with the conditions of approval for Site Plan 82004022 that are listed in the Planning Board opinion dated September 28, 2004, unless modified by the subject amendment; and conformance with conditions of approval in subsequent amendments. (Appendix B)

## 3. Future Amendments

The review and approval procedure for future amendments shall adhere to Section 59-D-2.6.

# 4. Fire and Rescue Services

The development shall conform to changes mandated by the Montgomery County Fire and Rescue Service, in accordance with the memorandum dated December 30, 2005. (Appendix C)

# 5. <u>Development Program</u>

The applicant shall construct the development in accordance with the Development Program and the approved Site Plan Enforcement Agreement. The Development Program and Site Plan Enforcement Agreement shall be amended, reviewed and approved by staff prior to approval of the Certified Site Plan.

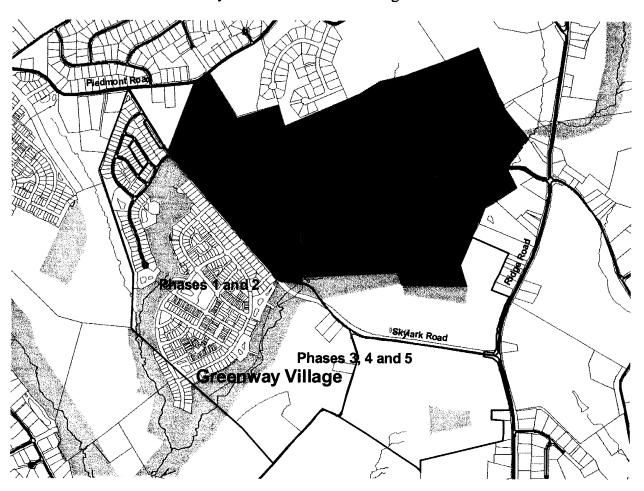
# 6. Certified Site Plan

- a. Provide for the Certified Site Plan a data table setting out the approved development standards for the proposed development, including the area under development; the number of dwelling units; the minimum lot areas for each housing type; setbacks from public streets, rear yards and side yards; lot coverage; and building heights, which must be delineated in feet;
- b. Provide the size of each lot for the Certified Site Plan;
- c. Development program, inspection schedule, amended Site Plan Enforcement Agreement and Site Plan Opinion;
- d. Limits of disturbance;
- e. Methods and locations of tree protection;
- f. Note stating that MNCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
- g. Location of outfalls away from tree preservation areas.

# **PROJECT DESCRIPTION:** Site Description

Greenway Village at Clarksburg is a 374-acre neighborhood just east of the Clarksburg Town Center. It is bounded roughly by Skylark Road and Ovid Hazen Wells Recreational Park to the north and Ridge Road to the east. Immediately to the south and southwest is Clarksburg Village, a residential neighborhood. The area is best characterized as an emerging suburban residential district. Greenway Village and Clarksburg Village lie on land that had previously been farmed, and are part of what the Clarksburg Master Plan described as the Newcut Road Neighborhood.

Site Plan 82002036B revises earlier approved plans for Phases 1 and 2 of Greenway Village. The two phases total 164 acres and lie generally west of Little Seneca Creek, south of Skylark Road and north of Clarksburg Village. Site Plan 82004022A revises a previously approved plan for Phases 3, 4, and 5. This portion of the community totals about 210 acres and lies east of Little Seneca Creek, south of Skylark Road and west of Ridge Road.



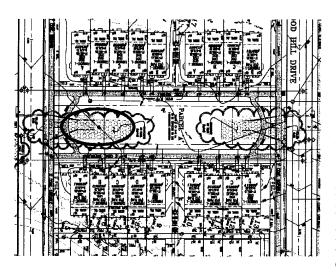
# **PROJECT DESCRIPTION:** Proposals

Site Plan 82002036B proposes to 1) add standards for building heights and setbacks; 2) modify street designs to respond to Fire and Rescue Service requirements; 3) revise conditions of approval for construction of the pool complex; 4) relocate a mailbox; 5) shift the placement of a bike path and decrease its width; 6) modify grading for a stormwater management outfall; 6) add an optional retaining wall to a specific lot; 8) revise conditions of approval for the bike path along Skylark Road: and 9) revise the types of playground equipment provided at a single multiage play area.

Site Plan 82004022A proposes to 1) add standards for building heights and setbacks; 2) modify street designs to respond to Fire and Rescue Service requirements; 3) revise the design of Park 19 to reflect changes requested by the Department's Parks staff; 4) revise street grades, intersection designs and street operations to reflect modifications requested by the Department of Public Works and Transportation; 5) revise the design of storm drains, stormwater management facilities and streets to reflect modifications requested by the Department of Permitting Services.

# SITE PLAN AMENDMENTS

#### Fire and Rescue Services



Montgomery County's Fire and Rescue undertaken Service has review a subdivision and site plans in Clarksburg, in response to issues raised regarding access for emergency vehicles in the Clarksburg Town Center. The service has reviewed the site plans for Greenway Village and has mandated certain changes that will improve access for emergency vehicles. This memorandum recommends a condition of approval requiring the Signature Set plans to include all modifications required by the Fire and Rescue Service. The accompanying drawing, offers example an of the required

modifications. In it, grasscrete pavers have been added to the open space in front of two groups of attached houses so that emergency vehicles can have improved access. Where needed, lots will be modified to accommodate these proposals.

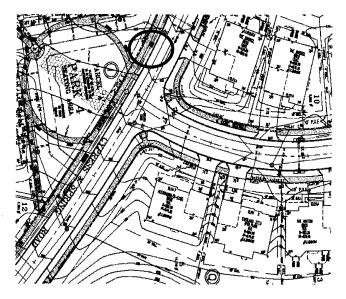
#### Site Plan 82002036B

## Pool Complex

A previous amendment to this site plan (82002036A) revised the design of a planned pool house to include 2,000 square feet of community space. The approval conditions included a requirement that the pool house be completed before the earlier of two events: the achievement

of 85 percent occupancy in phases 1 and 2, or June 1, 2006. Delays in approving the opinion for the site plan amendment and the subsequent certified site plan have made the June 1, 2006 deadline impossible to meet. In addition, the applicant reports that more than 90 percent of building permits in phases 1 and 2 have already been issued. This amendment recommends that the applicant be required to complete the pool house within nine months of the issuance of a building permit for the project by the Department of Permitting Services.

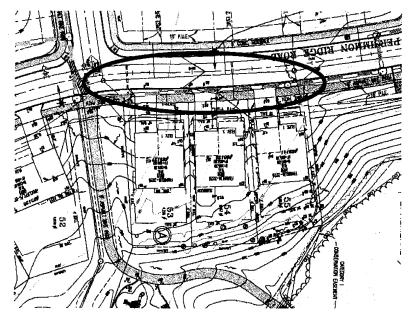
#### Mailbox Relocation



The original site plan for Greenway Village included locations for mailbox clusters that would serve small groups of homes throughout the community. One such cluster was planned to be located on Walnut Haven Drive, in front of the home occupying Lot 2 of Block Q. The applicant, in response to a request from the buyer of that home, and with the agreement of the US Postal Service, has agreed to relocate the mailbox to an area along Cypress Spring Road that is designated as open space managed by the homeowners' association.

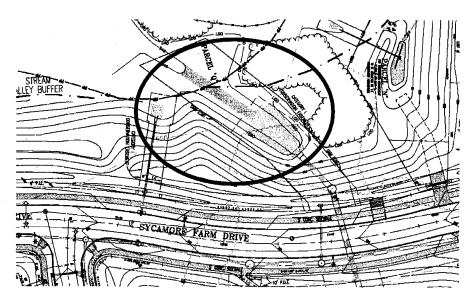
Bikepath Realignment

Greenway Village's circulation system includes bikepaths that will connect the neighborhood to the Clarksburg Greenway and to Ovid nearby Hazen Wells Recreational Park, as well as to other Clarksburg neighborhoods. One such trail connects Ovid Hazen Wells park to Clarksburg Village, using Cherry Branch Drive and Persimmon Ridge Road. The applicant proposing to shift the alignment of a portion of the bikepath in front of three houses along Persimmon Ridge Road, so that it is located completely within



the public right-of-way. This shift will reduce the width of the path from eight feet to seven feet in this area only.

# Modified Stormwater Management Outfall

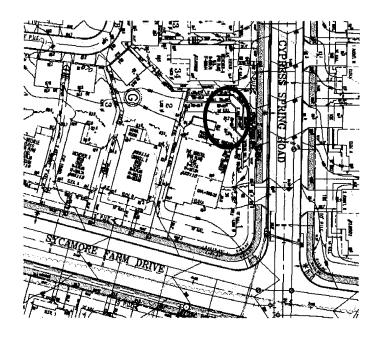


Detailed design of the stormwater management system adjacent to the pool complex requires extending the length of the outfall that will convey water to the stream that will accept the filtered stormwater. Extending the length of the outfall requires revised land grading in the area of the outfall. The applicant proposes to alter the grading as part of this amendment.

Environmental Planning staff has reviewed this proposal and recommends its approval.

# Addition of Retaining Wall

During field grading of Lot 1, Block G at the corner of Cypress Spring Road and Sycamore Farm Drive, the house's basement was located at a lower elevation than originally planned. The applicant proposes to allow correction of the difference in by elevation constructing retaining wall, if desired by a future homeowner, in the portion of the lot nearest Lot 34, Block G, which immediately is adjacent on Cypress **Spring** Road.



# Skylark Road Bikepath

Plans for Greenway Village include provision of a bike path along the south side of Skylark Road that will, among other attributes, allow residents of neighborhoods along Piedmont Road to reach Ovid Hazen Wells Recreational Park. The Site Plan Enforcement Agreement for the project includes bike paths as part of the project's local recreational facilities and generally requires that such facilities be completed and conveyed to a homeowners' association when 70 percent of the units in a specified phase have closed on title. The applicant is unable to meet this requirement because the Department of Public Works and Transportation will not complete improvements to the western portion of Skylark Road, which will allow the applicant to construct this portion of the bike path, until the middle of 2006. The applicant proposes that its obligation to construct, complete and convey the bike path be tied to completion of improvements to Skylark Road, rather than to closing dates on units. Technical staff recommends approval of a condition reflecting this proposal.

# Multi-Age Playground Equipment

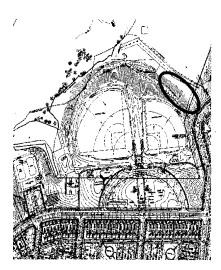
Several of the parks that are part of the Greenway Village community contain multi-age playground equipment. The approved landscape plan includes detailed information on the types of equipment to be installed. The applicant proposes changes in several specific pieces of equipment at park 1A and has revised the landscape plan to show the new pieces. The new pieces can be considered the equivalent of the approved equipment. Detailed specifications of the new playground equipment will be included in the certified site plan.

# Modification of Grading for a Stormwater Management Facility

Site grading done by a home builder for an individual lot in Block A resulted in a change to the grading for a sand filter on a common parcel directly adjacent to three lots. To bring the area in back into compliance with the approved site plan, grading will be revised in the rear of lots 69-71, Block A. A retaining wall may be necessary to address the drainage issues that resulted from the initial site grading.

## Site Plan 82004022A

#### Park 19



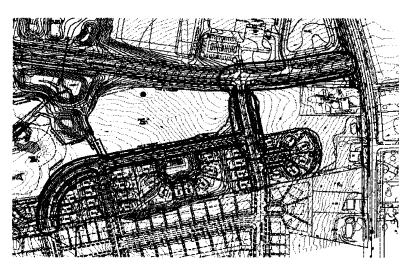
Greenway Village includes a local park that is located north of Skylark Road and west of Ridge Road, adjacent to Ovid Hazen Wells Recreational Park. As part of the overall project, the developer of Greenway Village will construct the park's facilities, which include baseball fields, basketball courts, picnic shelters and other play areas. This amendment revises the location of the baseball fields and revises the design of the semi-circular driveway that marks the entrance to the local park. These revisions, made at the request of Park Development staff, will protect a forested stream valley buffer by limiting encroachment of the baseball fields.

# Street Design and Operational Improvements

To meet the requirements of the Montgomery County Department of Public Works and Transportation, the applicant has revised street grades in several areas of the community. In some areas, for example, grading modifications are needed to keep water and sewer pipes at acceptable depths. The applicant has also revised the location of sidewalk ramps and modified turning radii in some intersections. Two streets—Sweet Flag Circle and a portion of Arora Hills Drive—will be one way, and the design of Little Seneca Parkway (A-302) has been modified to redirect storm drainage in some areas to one side of the road and to include median breaks at its intersections with Spicebush and Sweetspire drives.

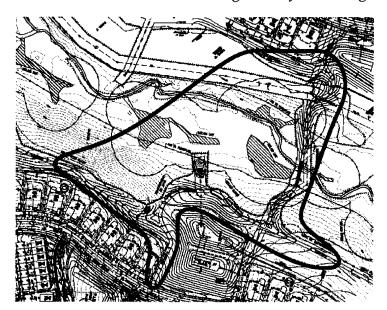
The Department of Permitting Services (DPS) has also required redesign of roads and streets in the vicinity of Little Seneca Parkway and Ridge Road. To improve circulation at the intersection

of Little Seneca Parkway and Ridge Road and at entrance to the middle school planned for this area, a portion of the parkway that is now designed with an open section will be redesigned with a closed section. The overall design of parkway remains in substantial compliance with requirements outlined Preliminary Plan 12002033A. Improvements to MD 27 that were required by the State Highway Administration as part



of the Preliminary Plan review have been incorporated into the proposed site plan for this portion of the community. Also at the request of DPS, portions of Peppervine and Muscatine drives have been redesigned with closed sections and the pavement width on a segment Peppervine Drive has been increased from 26 feet to 36 feet. These revisions comply with requirements outlined in the preliminary plan.

Storm Drain and Stormwater Management System Design Modifications



The applicant has also made modifications to the design of the storm drain system along Newcut Road in the vicinity of Cliffrose Drive, in response to requests made by DPWT and by the Department of Permitting Services in the course of their review. These revisions are a necessary response to modifications to

stormwater management systems. In addition, detailed stormwater management designs necessitate revision of grading, outfall locations and access points for several stormwater management facilities in the community. Modifications of this type, a sample of which is shown, respond to field conditions uncovered during detailed design of the systems and can minimize the amount of grading and/or tree clearing needed to construct them.

# Bikepaths

Greenway Village contains a number of bikepaths that will provide significant recreational opportunities for both neighborhood residents and regional users. Phases 3, 4 and 5 of the project include construction of the Clarksburg Greenway, an important contribution to the area's recreational facilities, and several bikepaths designed to connect Greenway Village's residential blocks with the Greenway. The original Site Plan Enforcement Agreements for all five phases of the project had designated the connecting bikepaths as local recreational facilities and generally required them to be completed and conveyed to a homeowners' association when 70 percent of the units in the phase had closed on title. The applicant encountered obstacles to the timely completion of the Skylark Road bikepath in phases 1 and 2 and, as detailed above, has requested an amendment to that site plan to revise the building schedule for that bikepath.

Two bikepaths in the later phases of Greenway Village, along Little Seneca Parkway and Arora Hills Drive, are likely to serve subregional riders in addition to neighborhood residents. Little Seneca Parkway is an arterial route that connects MD 27 and Mid-County Highway and Arora Hills Drive provides access to a new local park, described in this staff report as Park 19. The applicant proposes to re-designate these bikepaths as community-wide recreational facilities, which would be completed and conveyed according to the schedules set in the Site Plan Enforcement Agreement.

#### PROJECT DESCRIPTION:

**Prior Approvals** 

## Local Map Amendment G-735

The property was originally reclassified from the R-200 Zone to the Planned Development (PD) Zone in 2001. The PD Zone was determined to be in accord with the recommendations of the Clarksburg Master Plan and the development proposed was compatible with neighboring development. The Local Map Amendment included a Development Plan that would guide subsequent development of the property.

## Preliminary Plan 12002033 and Preliminary Plan 12002033A

The Planning Board approved a preliminary plan for the property and a subsequent amendment in 2002. The preliminary plan limited development on the property to 1,330 dwelling units (in a total of five phases), 89,000 square feet of retail space and 2,000 square feet of community space. The preliminary plan included 600 single-family detached houses, 386 single-family attached houses and 344 multifamily units.

#### Site Plan 82002036

The Planning Board approved a site plan for phases 1 and 2 of Greenway Village in 2002 as well. The two phases contained 486 dwelling units on 164 acres, including 328 single-family detached houses and 158 single-family attached houses. Forty-nine of the single-family attached houses were Moderately Priced Dwelling Units.

# Development Plan Amendment 04-3

In 2004, the County Council approved an amendment to the Development Plan for Greenway Village. The developer of the community wanted to add 2,000 square feet of indoor community space to the 2,000 square feet of outdoor space shown in the original Development Plan as part of the commercial district that would serve the entire Newcut Road neighborhood. Provision of such space within Greenway Village would create needed community space as the neighborhood developed, rather than providing it at the time the commercial center developed, which was not scheduled to occur for a number of years.

# Site Plan 82004022

Also in 2004, the Planning Board approved a site plan for phases 3, 4 and 5 of Greenway Village. These three phases contained 277 single family detached houses; 371 single-family attached houses and 196 multi-family units, of which 118 were Moderately Priced Dwelling Units.

# Site Plan 82002036A

The Planning Board last year approved an amendment to the Site Plan for phases 1 and 2. This amendment, following the decision to add community space within the residential portion of Greenway Village, proposed to relocate a planned pool house and redesign it to include the approved community space as a second floor.

## **ANALYSIS:**

## Conformance to Master Plan

As noted earlier in this memorandum, Greenway Village is located in the Newcut Road Neighborhood. The 1994 Clarksburg Master Plan outlined three objectives for this new community: creation of a mixed-use neighborhood with a "transit-oriented land use pattern;" provision of pedestrian and bicycle connections to nearby Ovid Hazen Wells Recreational Park; and development of an "interconnected street pattern" that featured an extended Newcut Road as its Main Street.

Greenway Village has developed in accordance with these objectives. It will feature a broad mix of housing types and will be adjacent to a neighborhood retail center that will be built under its original Development Plan. A proposed amendment to that Development Plan would add an institutional use—housing for the elderly—to the uses in the retail district. Phases 3, 4 and 5 of Greenway Village place multi-family housing nearer Newcut Road extended and provide them

access down the neighborhood's Main Street to the Corridor Cities Transitway. As part of the ongoing development of the community, a portion of the main Clarksburg Greenway connecting to Ovid Hazen Wells park will be built, and the already-developed parts of the neighborhood include trails that will connect to the Greenway. The community features housing blocks that are tightly spaced, with rear garages and central open spaces. There are sidewalks and street trees along each street. This "neo-traditional" design allows the integration of blocks recommended by the master plan.

The proposed revisions do not affect the overall development pattern of Greenway Village or its relationship to the Clarksburg Master Plan.

#### OUTREACH

Local residents have had three opportunities to discuss Greenway Village's ongoing development with Department staff. The Clarksburg Civic Association sponsored community meetings in December 2005 and January 2006, at which Community-Based Planning staff offered local residents an overview and status report of all regulatory matters for Greenway Village. Department staff attended an earlier community meeting, in November 2005, and discussed aspects of Greenway Village's development with interested individual residents. Greenway Village does not yet have a homeowners' association that is run by its residents, but Community-Based Planning staff continues to work directly with representatives of the community.

## Attachments

Findings for Site Plan Review
Proposed Site Plan
Memorandum from Fire and Rescue Service
Opinions--Site Plan 82002036 and Site Plan 82002036A

# **FINDINGS:** For Site Plan Review

1. The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.

The proposed revisions do not affect or alter the natural resources inventory or the land use plan depicted in the Development Plan approved with Local Map Amendment G-735. This Site Plan remains consistent with that Development Plan.

2. The Site Plan meets all of the requirements of the zone in which it is located.

The proposed revisions do not affect flexibility of design, integration of compatible uses or encouragement of community interaction, all stated purposes of the PD Zone. Nor do they affect approved densities or the approved mix of housing types. Requirements for compatibility and green space are unaffected as well.

3. The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.

Revisions proposed by this amendment do not affect the locations of buildings or structures and do not affect open spaces. Proposed revisions to bikepaths do not have a significant impact on the quality or amount of recreational facilities and do not diminish the adequacy, safety or efficiency of pedestrian or circulation systems. The addition of standards for lot size, building height and setbacks will enhance the adequacy and efficiency of the development.

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

The revisions proposed by this amendment do not affect existing or proposed adjacent development. The development remains compatible with other uses and site plans.

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

The proposed revisions do not affect forest conservation. The Amendment continues to meet applicable requirements of Chapter 22A.

