



JUN 15 2010

MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 10-59
Site Plan No. 82007022A
Project Name: Clarksburg Town Center
Hearing Date: May 27, 2010

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on December, 2008 (Resolution dated July 16, 2009), Site Plan No. 820070220, Clarksburg Town Center was approved for 194,720 square feet of commercial, which includes up to 69,720 square feet of specialty retail; and 1,213 residential dwelling units, including 152 MPDUs, and a waiver to permit a reduction in the parking spaces, and reconfirmation of the previously approved reduction in setbacks from adjacent residentially zoned properties, on approximately 270 gross acres in the RMX-2 and RDT zones;

WHEREAS, on May 27, 2010, the Planning Board held a hearing on Site Plan 82007022A for the correction and clarification of the unit mix and unit count, corrections to the data table

WHEREAS, on May 27, 2010, the Planning Board approved Site Plan Amendment No. 82007022A approved modifications to the original site plan in accordance with the original Site Plan and Plan of Compliance, which was approved July 27, 2006; and

WHEREAS, on April 7, 2010, NNPII Clarksburg LLC ("Applicant"), filed a site plan amendment application designated Site Plan Amendment No. 82007022A for approval of the following modifications:

1. To correct and clarify the unit mix and unit count in the approval and data table to indicate the following modifications. The data table only includes the modified sections as a result of the inconsistencies:

Zoning	Ordinance	Original Approval with	Development
Development Standard		Site Plan 820070220	Standards Approved by the Planning Board and Binding on the

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Suite 200, Clarksburg, MD 20841 Chairman's Office: 301.495.4605 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

		Applicant
Area of Dedication (ac.):		
Public Streets	34.67	42.73
Park (dedicated to M-NCPPC)	95.99	80.14
Total Dedication provided:	140.17	132.42 ¹
Net Site Area (ac.):	129.83	137.08
Density:		
Residential	6.90 d.u./ac. based upon 175.00 acres 1,213 dwelling units	6.86 d.u./ac. based upon 175.73 acres 1,206 dwelling units
Number of Dwelling Units:		
RMX-2 Zone (59-C-10.3.7)		
One-family detached	219	219
One-family attached (live/work units included)	656	700
Multi-family	338	287
Total number of units in the RMX-2 Zone	1,213	1,206
Green Area (%):²		
Commercial portion	50%	47.2%
Residential portion	49%	52.1%
Parking (Section 59-E)		
Total East Side Parking	1,456	1,495
West Side		
One-family attached (townhouse)	510 (255 d.u.'s @ 2 spaces/unit including garage)	504 (252 d.u.'s @ 2 spaces/unit including garage)
Multi-family	185 (110 du's @ 1.5	165 (110 du's @ 1.5

¹ Total dedication includes 1.92 acres for School site for MCPS and 7.24 acres of school site for M-NCPPC.

² The Green Area was modified as a result of the dedications.

	spaces/unit	spaces/unit
Live/Work	100 51 du's @ 2 spaces/unit	94 47 du's @ 2 spaces/unit
Retail ³	695 139,700 sf @ 5 sp./1000 sf	746 149,180 sf @ 5 sp/1000 sf
Live/Work Retail	240 48,000 @ 5 sp/1000 sf	228 45,540 @ 5 sp/1000 sf
Total West Side Parking	1,789	1,775
Total Parking for Overall Development	3,284	3,270
Total Parking Provided	3,672	3,757
Min. Unit Type Distribution (%):		
One-family detached	18% (10-20 % Master Plan conformance)	18
One-family attached townhouses & Live/Work included	54% (30-50% Master Plan conformance)	58%
Multi-family	28% (25-45% Master Plan conformance)	24%

- a. Revise the approved resolution to replace 1,213 residential dwelling units and 152 MPDUs with 1,206 and 151, respectively;

Staff also requests the removal of or relocation of a trash can on Public House Road directly in front of 23622 Public House Road at the request of the property owner and homeowner's association.

WHEREAS, following review and analysis of the Amendment by Planning Board Staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated May 14, 2010 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on May 27, 2010, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts

³ The commercial square footage is reallocated but remains at 194,720 sf.

the Staff's recommendation and analysis set forth in the Staff Report and hereby approves the Site Plan No. 82007022A Clarksburg Town Center for 194,720 square feet of commercial, which includes up to 69,720 square feet of specialty retail; and 1,206 residential dwelling units, including 151 MPDUs, and a waiver to permit a reduction in the parking spaces, and reconfirmation of the previously approved reduction in setbacks from adjacent residentially zoned properties, on approximately 270 gross acres in the RMX-2 and RDT zones. The modifications to the data table are consistent with the actions by the Board. The recommendation includes the removal of a trash can on Public House Road; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

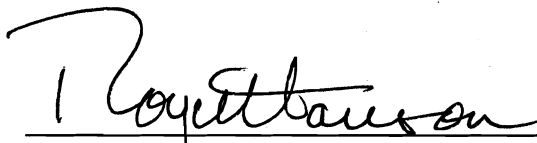
BE IT FURTHER RESOLVED, that the date of this written resolution is JUN 15 2010 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Wells-Harley, seconded by Dreyfuss, with Commissioners Hanson, Wells-Harley, and Dreyfuss voting in favor of the motion, and with Commissioners Alfandre and Presley absent, at its regular meeting held on Thursday, May 27, 2010, in Silver Spring, Maryland.



Royce Hanson, Chairman
Montgomery County Planning Board