

Attachment 1

August 16, 2004

The Honorable Derick Berlage  
Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

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Re: Proposed Changes to Project Plan for Clarksburg Town Center

OFFICE OF THE CHAIRMAN  
THE MARYLAND REGIONAL CAPITAL  
PLANNING AND PLANNING COMMISSION

Dear Mr. Berlage:

As Co-Chairs of the Clarksburg Town Center (CTC) Advisory Committee, we are writing as the collective voice of the community to express our strong opposition to the deviations (as contained within the Site Plan proposed by the developer, Newland Communities) from the approved Project Plan #9-94004. These deviations concern the commercial and other sections of the development as reflected in the Site Plan presented by Newland Communities during the July 27, 2004 meeting with CTC residents.

As proposed by the original applicants and developer, Clarksburg Town Center Venture and Terrabrook, and approved by the Planning Board, Clarksburg Town Center is a neo-traditional community reflecting the "New Urbanism" school of community planning and design. Accordingly, it is designed and intended to provide a unique pedestrian-oriented neighborhood that allows residents to walk to the recreational, retail, civic and other facilities dictated in the Master and Project Plans previously approved by the Board. Specifically, the Town Square was designed and intended to serve as the focus of public life, with retail and commercial establishments located on the East side of the development's Main Street and Town Square. The Master Plan also gave careful consideration to protecting the character of Clarksburg's Historical District, the Gateway to the Town Square.

Clarksburg Town Center is in the RMX-2 Zone, which allows for both "standard" and "optional" methods of development. Under the "standard" method, office and retail uses are not allowed at all. Accordingly, the developer submitted and the Board approved an "optional" method of development that allowed for high-density residential units mixed with commercial uses if in accordance with the guidelines of the Master Plan, and that explicitly required certain public amenities and facilities. It appears that the developer thus could not have gotten approval for this high-density residential project without including in its application the community-oriented and pedestrian-friendly plans for the Town Center's retail and commercial development that the Commission ultimately approved.

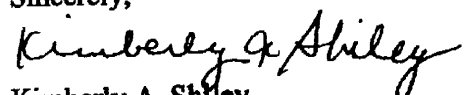
Newland Communities (who purchased the development from Terrabrook late last year) is now proposing a radical change to the retail and commercial areas of the Town Center. Under this proposal, the retail and commercial establishments to be located along Main Street and the Town Square will be replaced with four-story condominium buildings and other multi-family residential units, thus increasing the residential density of what is already a high-density development. The retail and office square footage has been reduced by 53.2% of the approved square footage and the proposed plan consists of a huge square parking lot bordered by a 58,800-square foot grocery superstore (reportedly Giant) with retail establishments adjoining on each side, a proposed drive-thru bank, one freestanding restaurant and a combination office/retail building located along the south side of the parking lot.

Although its configuration is in the shape of a square, Newland Communities' proposed change is the very antithesis of the "Town Square" concept that is a defining characteristic of neo-traditional communities, and that was at the heart of the Clarksburg Town Center plan that the Board approved. It simply replaces the pedestrian-friendly, community-oriented Town Center concept with a regional strip mall, but with one important difference—Newland Communities' proposed regional strip mall will be located in the heart of a high-density residential community. Indeed, one of the two principal thoroughfares for automobile ingress to and egress from the shopping center will be through and/or adjacent to the Town Square, departing even further from the pedestrian-friendly approach that both the Master and Project Plans define as the main characteristic of Clarksburg Town Center.

As you can well imagine, Newland Communities' proposal is inconsistent with the Planning Board's Master Plan and subsequent Project Plan and is not reflective of the community marketed by the builders of CTC nor is it in keeping with the concept that was solicited at the Visitor's Center when my neighbors and I were making our decisions to purchase homes in Clarksburg Town Center. Many others in the vicinity of CTC are opposed to Newland Communities' proposed changes as well. At the July 27, 2004 meeting with Newland Communities to discuss their proposal, the room was filled to capacity with concerned Clarksburg residents from the Town Center and from the general community, while additional concerned residents stood in the hall. The following week, a meeting held by residents of CTC regarding the same issue attracted over 100 residents and the CTC Advisory Committee was established to address these issues. The Clarksburg Civic Association, which has been instrumental in the planning and implementation process for Clarksburg Town Center for over a decade is also opposed to Newland Communities' deviation from the Project and Master Plans.

Based on these issues, we respectfully request that the Board not approve Newland Communities' proposed site plan, and require Newland Communities to abide by the original terms of the Project Plan. We would ask that the Board not take any action on the proposed site plan, requests for amendments, or requests for zoning variances pertaining to a reduction in the RDT Zones until it has studied the proposal thoroughly and received the input of the residents of the Clarksburg Town Center, the Clarksburg Civic Association and all other interested parties. Thank you for your consideration.

Sincerely,

  
Kimberly A. Shiley  
Co-chair, CTC Advisory Committee

  
Carol L. Smith  
Co-chair, CTC Advisory Committee

cc: Sue Edwards, Team Leader I270 Corridor Area, M-NCPPC  
John Carter, Chief, Community Based Planning Division, M-NCPPC  
Wynn Witthans, Development Review, Planning Department, M-NCPPC  
Clarksburg Civic Association  
Clarksburg Historical Society  
Montgomery County Historical Society  
Doug Duncan, County Executive, Montgomery County  
Kathy Matthews, Director of Upcounty Regional Services  
Nancy Hislop, Assistant Director of Upcounty Regional Services  
Mike Knapp, County Council, Montgomery County  
Brian Long, Aide to Council Member Mike Knapp  
Kimberly Ambrose, Vice President of Operations, Newland Communities  
Taylor Chess, Vice President Investments, Regency Centers  
Susan Singer-Bart, The Gazette