



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # 13  
MCPB  
6/13/02



Planning

## MEMORANDUM

**DATE:**  
**TO:** Montgomery County Planning Board  
**VIA:** Joe R. Davis, Chief  
Development Review Division  
**FROM:** Wynn E. Witthans, RLA, AICP  
Department Staff  
(301) 495-4584

**REVIEW TYPE:** Site Plan Review  
**APPLYING FOR:** Approval of 154 residential units (90 SFD, 64 Town houses inclusive of 11 MPDU's on 56.4 acres  
**PROJECT NAME:** The Highlands of Clarksburg  
**CASE #:** 8-02022  
**REVIEW BASIS:** Sec. 59-D-3, M. C. Zoning Ordinance

**ZONE:** RMX-2  
**LOCATION:** Southeast corner of Stringtown Road and MD Route 355.  
**MASTER PLAN:** Clarksburg Master Plan and Hyattstown Special Study Area, June 1994  
**APPLICANT:** Centax Homes  
**FILING DATE:** January 7, 2002  
**HEARING DATE:** June 13, 2002

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### **SPECIAL PROTECTION AREA:**

### **STAFF RECOMMENDATION FOR SPECIAL PROTECTION AREA:**

Staff recommends approval of the Final Water Quality Plan subject to the following conditions:

1. Conformance to the conditions as stated in the Department of Permitting Services letter dated April 1, 2002 (attached) and as amended on May 23, 2002 (attached).

## SITE PLAN

**STAFF RECOMMENDATION:** Approval of 154 residential units - 90 SFD, 64 Town houses inclusive of 11 MPDU's - on 56.4 acres with the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A
2. No building permits shall be released for the site until the applicant can verify provision of adequate Storm Water Management for the construction of Stringtown Road (per DPS memo of April 1, 2002 and the May 23, 2002 amendment), attached.
3. The HOA for the proposed MPDU's shall be to be tied to the future residential portion of Highlands at Clarksburg, combining the projects.
4. The Site Plan Enforcement Agreement shall provide consent to the Historic Preservation Section, M-NCPPC to perform a Phase I Archaeological Investigation of the property prior to construction. The investigation shall not delay the Applicant's construction schedule. The Applicant shall co-operate with M-NCPPC archeological staff regarding any reasonable requests to remove any artifacts found during this survey for use in future public displays.
5. Future review of Public Utility Plan to ensure preservation of planting areas required for landscape screening.
6. Conformance to DPS memo of May 3, 2002.
7. Timber Creek Lane is not to be connected to the existing Clarkbrooke Estates Subdivision until the MCDPW&T has accepted the road for maintenance and thirty seven (37) of the single family dwelling units fronting Timber Creek Lane have been constructed. The existing road is to be barricaded and appropriately signed at its terminus to preclude access to the subject property.
8. Applicant to dedicate that portion of Street "C" from Frederick Road (MD Rte 355) to Street "BB", prior to the expiration of the preliminary plan, only if the property identified as Lot 4 and Lot 5 of Brickley's Subdivision has not received preliminary plan approval and dedicated an alternative access to Frederick Road. In the event that access is provided from Street "C" to Frederick Road, it will be constructed as a directional right-in and right-out only configuration.
9. The Site Plan Enforcement Agreement shall provide consent to the Historic Preservation Section, M-NCPPC to perform a Phase I Archaeological Investigation of the property prior to construction. The investigation shall not delay the Applicant's construction schedule. The Applicant shall co-operate with M-NCPPC archeological staff regarding any reasonable requests to remove any artifacts found during this survey for use in future public displays.

10. Staff notes the Planning Board's approved waivers as established with the Project and Preliminary Plans provisions:

- a. Chapter 50 – Subdivision Regulations - Lot Design -50-29(a)(2) to allow certain detached lots to be platted without public road frontage. This includes Lots 9-14 with frontage on Private Street “B.”
- b. Chapter 50-Subdivision Regulations – Intersection Truncation -Section 50-26-(e)(3) to allow for a more compact and compatible lot arrangement within the housing section.
- c. Reductions in the minimum setbacks adjoining R-200 one-family residential zoning.
- d. Section 50-26(h)(3) of the county Code a waiver of sidewalks. Waiver granted on a six unit cul-de-sac per preliminary plan consideration of sidewalks.
- e. The sidewalk along Timber Creek Lane, west of Public Street “B” be phased in with the southern portion installed with the construction of those units and the north side constructed when that adjacent parcel is developed per preliminary plan consideration of sidewalks.

11. Lighting and landscaping Plan

- a. The landscape plan shall propose street tree species and proposed light fixtures to reflect the draft Clarksburg Streetscape Study and proposed lighting plan.
- b. Staff to review the final landscape plan for stormwater management facilities in conjunction with DPS's review to develop functional and attractive landscaping schemes.

12. Park Issues

- a. The area designated as “Proposed 300' Greenway” on the northeast side of the property to be dedicated to M-NCPPC for park use as part of the master planned Clarksburg Greenway. This dedication is not to include any stormwater pond facilities.
- b. Dedicated land to be conveyed free of trash and unnatural debris. Park boundaries to be marked with boundary markers to delineate between parkland and privately owned lots in the development.
- c. Applicant to establish a 15' wide Public Use Trail Easement along the southeast side of Lot 1 from Timber Creek Lane and from Lot 10 on Public Street “B” to the dedicated Clarksburg Greenway property. The easement shall be adequately signed and marked.

## 12. Off site MPDU's

The release of market rate building permits shall be released in coordination with the 10 MPDU's provided off site so the market rate units are not allowed to be built prior to provision of MPDU's. Details of the building permit release shall be made available to the Planning Board for the hearing.

## ISSUES RESOLVED IN THE COURSE OF TH SITE PLAN REVIEW PROCESS

The applicant has addressed many of the issues identified in the earlier approvals as follows:

### 1. Special Protection Area

The Planning Board approved the Special Protection Area for this site on May 9, 2002 with the approval of "The Highlands" Site Plan #8-02027. The Applicant made several unit changes to the residential portion of the site since their earlier submittal to DPS and DEP. They submitted a request for approval of minor modifications to their original Final Water Quality Plan that was approved on May 23, 2002 by DPS. Staff will include the original Final Water Quality Plan and it's amendment for the Planning Board's reaffirmation and approval.

### 2. Construction Traffic and Buffer Areas

The citizens of the adjacent Clarkebrooke Estates Subdivision, to the south of the site, have highlighted their concerns regarding the possibility of construction traffic traveling through their subdivision to the proposed site plan area. The applicant has developed a plan consistent with the Preliminary Plan approval and presented it to the citizen's representative, Nancy Villadsen. The citizens support the proposed construction plan as proposed by the applicant with the added provision of a traffic barrier at the subdivision boundary. Her letter is attached.

Mr. Moses has requested a landscaped buffer between his house and the SWM Facility 25 ft from his property. The area is partially forested but will appear more open once clearing and grading occurs adjacent to the site. His letter is attached. The applicant has included a solid evergreen buffer planting in the area he references. Staff believes that this adequately addresses his concerns.

### 3. Historic Character of the MD Route 355 Frontage

The historic character of MD Route 355 along this frontage has been part of the consideration of this site since the original project plan approval. The applicant has prepared a plan with a low stone wall and steps to each unit within the lead walk. This design will be embellished with street trees and street lights to add to the historic character of the plans. The preliminary plan provided for the necessary lane improvements to the MD Route 355 and Stringtown Road intersection and historic character Preservation of the Dowden's Ordinary historic resource

3. Access to MD Route 355 from Street "C."

As discussed in the Preliminary Plan, the applicant is seeking approval of one unit in the same location of Public Street "C". The rationale for this is that if, and now more likely when, the applicant secures the adjacent lots for development, the point of access to MD Route 355 can be relocated to create a full intersection with proposed development on the opposite side of the street.

## **SPECIAL PROTECTION AREA REVIEW**

### ***DISCUSSION***

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The subject property is 56 acres located at the southeast quadrant of MD 355 and Stringtown Road. The proposed development is zoned RMX-2 and R- 200 and includes a commercial and residential component. The Final Water Quality Plan for this site comprises two site plans. The first is the 16-acre Clarksburg Highlands (8-02027) for the commercial component. The second site plan is the Highlands of Clarksburg (8-02022) the residential component, covers the remaining 40 acres on the site. The entire 56-acre tract is included in one preliminary plan (1-98009A) and is covered by one forest conservation plan. The area covered by this Final Water Quality Plan drains to the Town Center tributary of Little Seneca Creek, which is classified as a Use Class IV water. There are stream buffers within the project limits. The entire development is within the Clarksburg Special Protection area.

This review includes final water quality plans for both the Clarksburg Highlands and the Highlands and Clarksburg, which is required as part of the Special Protection Area regulations. Under the SPA law, Montgomery County Department of Permitting Services (MCDPS) and the Planning Board have different responsibilities in the review of the water quality plan. MCDPS has reviewed and conditionally approved the elements of the final water quality plan under their purview. The Planning Board responsibility is to determine if the site imperviousness, environmental guidelines for special protection areas, and forest conservation requirements have been satisfied.

### ***SITE PERFORMANCE GOALS***

As part of the final water quality plan, several site performance goals were established for the project:

- Protect and maintain stream and aquatic habitat
- Maintain existing base flow by minimizing impervious area and providing infiltration structures if feasible.
- Protect seeps, springs, and wetlands.
- Minimize storm flow runoff and maintain stream channel geometry via the redundant stormwater management controls.
- Minimize increases in ambient water temperature by providing open section roads using an infiltration structure for groundwater recharge and provide shading for the proposed dry pond outfall
- Minimize sediment loading.
- Minimize the use of pesticides by requiring the Home Owners Association to adopt an Integrated Pest Management Plan to manage community lands.

## ***STORMWATER MANAGEMENT***

To help meet these performance goals, the stormwater management plan requires water quality control and quantity control to be provided through an extensive system of linked best management practices (BMPs). The water quality structures are sized to provide control for one and two year storms with pre-developed release rates.

## ***SITE IMPERVIOUSNESS***

There is no impervious limitation on this property. The impervious amount proposed for the entire 56-acre site is 26.9 percent. This is within the impervious for other R-200 developments in the County. It is also important to note that this impervious percentage includes the RMX – 2 commercial areas which are not included in the R-200 developments used to determine the percentage impervious range.

## ***ENVIRONMENTAL GUIDELINES***

The environmental guidelines for SPA's require examination of many tools to maximize achievement of site performance goals. For instance, the goal of protecting seeps, springs, and wetlands is better achieved with naturalized buffers surrounding these areas. The natural resource inventory for the 56-acre tract identified the environmental buffers. As part of the forest conservation plan for the Highlands of Clarksburg, the applicant will place forest conservation easements on the sensitive areas including streams, springs, seeps, wetlands, floodplains, associated buffers, and steep slopes.

**PROJECT DESCRIPTION:** Surrounding Vicinity

The Highlands at Clarksburg located on the southeast corner of the intersection of Frederick Road (MD Route 355) and Stringtown Road (Route A-260) across from the Clarksburg Historic District (zoned R-200) and the proposed Clarksburg Town Center Property (zoned RMX-2). Stringtown Road is scheduled for an upgrade to a 4 lane divided road, which will connect with I-270 about one mile to the west.

The center of the site along MD Route 355 is farmland zoned R-200. Further south of the site is wooded areas with existing residential uses adjacent to Rte 355. East of the entire site is the Clarksburg Greenway trail, a wooded open space that extends north south through the Clarksburg vicinity. Beyond the Greenway Trail area is the proposed Clarksburg Village subdivision plan. The northern frontage of the site is along Stringtown Road, with the access point opposite Clarksburg Town Center's collector street. In addition to its location to major thoroughfares and the town center, the site is located within five miles of Little Bennett Regional Park, Blackhill Regional Park, and Ovid Hazen Wells Park.

**PROJECT DESCRIPTION:** Site Description

**Natural Resources**

A former farmstead is centrally located on the property. It consists of what appears to be the scattered remnants of a masonry cistern and foundations of a silo, large barn, and outbuilding. Quartz rock is the main building material in the foundation and probably came from on-site. The adjacent fields contain a very high amount of channery material primarily consisting of quartz along with some schist and phyllite. No massive rock outcrops were observed on-site. There are no springs, seeps, streams, or wetlands present on-site.

The site contains a rolling topography with the site elevations ranging between 620 and 680 feet. Drainage is generally to the east or northeast towards an unnamed tributary of Little Seneca Creek. This portion of the Potomac River Watershed has been designated as Class IV Waters by the State of Maryland.

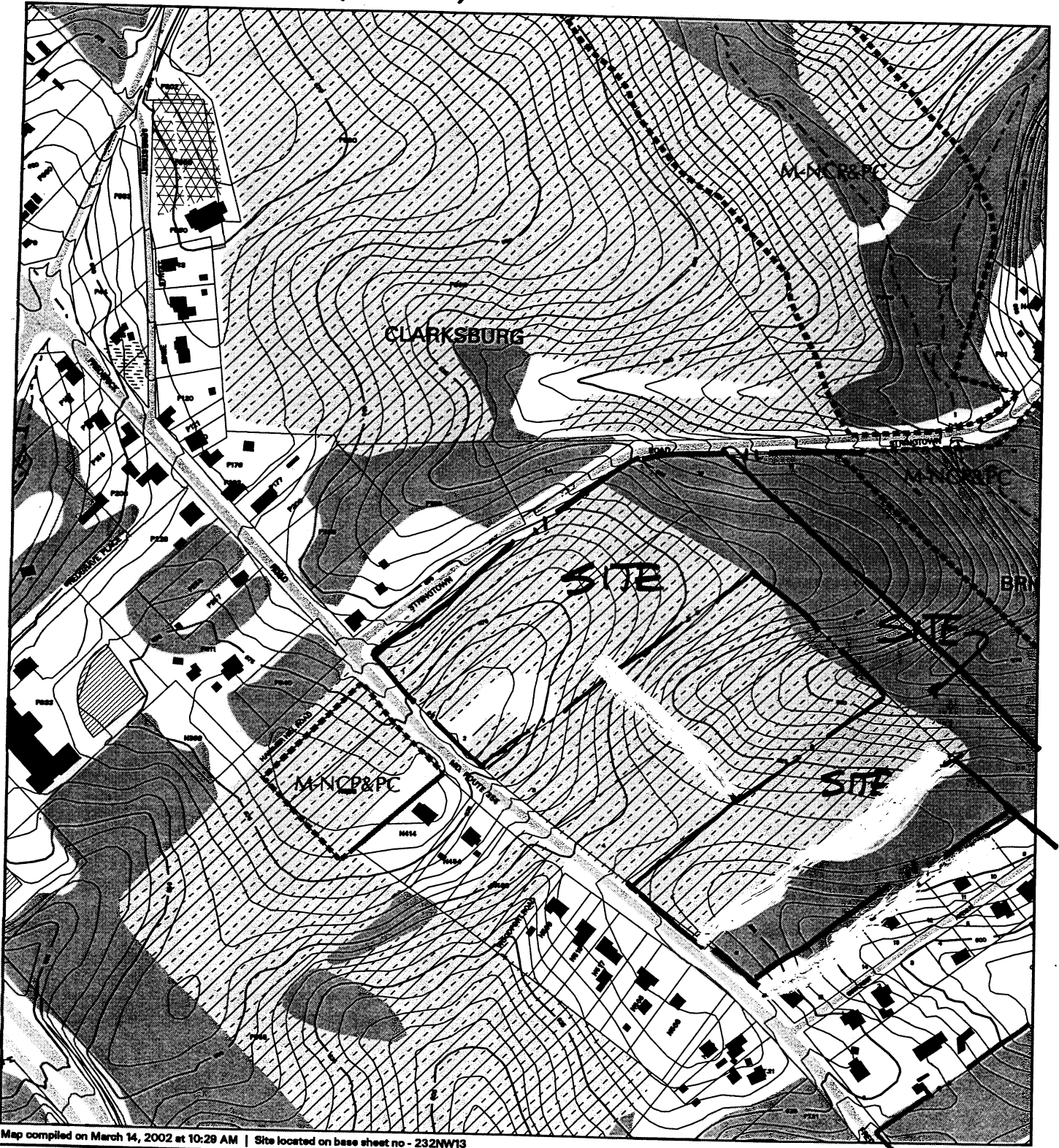
The forested area on-site is 1.54 acres. There is no mature forest present on-site nor any specimen trees present.

**Historic Context**

This site is located just outside the southern boundary of the Clarksburg Historic District and across Route 355 from Dowden's Ordinary site and marker. Dowden's Ordinary's , near the site, is rich in events from the French Indian war and it served as a gathering place for the earliest citizens of Clarksburg. The farmstead is listed in the Maryland National Capital Park & Planning Commission (M-NCPPC) Locational Atlas. Approximate locations of these foundations are shown on the Natural Resource Inventory/Forest Stand Delineation Map.



VICINITY MAP FOR  
**THE HIGHLANDS (8-02027)**



Map compiled on March 14, 2002 at 10:29 AM | Site located on base sheet no - 232NW13

**NOTICE**

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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Key Map



Research & Technology Center



1 : 4800







**PROJECT DESCRIPTION:** Proposal

The proposal includes two areas with two different zones: the RMX-2 and R-200 portions of the site. The RMX-2 was approved as a project plan and the R-200 has only been approved as a Preliminary Plan. Now the two projects are joined here in one site plan. The Planning Board has approved the previously approved "The Highlands" Site Plan for mixed use and it will contain 10 of the MPDU's that are required for this site.

The RMX-2 portion of the site includes neo-traditionally design blocks of townhouses and single-family detached housing. The town square with a play area, sitting areas, open spaces, and brick sidewalks, is centrally located between the mixed-use area of the site plan (previously approved) and this proposal, with equal access to all residents.

The frontage of the property along MD Route 355 is developed with houses facing the street. The units within the RMX-2 property include a low stonewall integrated with the front lead walk and the streetscape planting, giving the site a historic character. The alleys here include freestanding garages and shade trees.

Adjacent to Stringtown Road, the townhouses face the town square area and create mews with adjacent units with the front yards developed as interlocking sitting areas and walkways. The garages are integral with the first floor of each unit. These townhouses on the RMX-2 property merge with the townhouses on the R-200 property. A row of single-family detached units aligns the edge of the SWM facilities to the south.

The R-200 portion of the property is designed to fit an awkwardly configured parcel that contains several environmentally sensitive areas. The streets connect to the Clarksburg Town Center and to the adjacent Clarkebrooke Estates Subdivision. The layout maintains continuity with the neotraditional theme of the community by orienting the units to the streets, by recessing the garages from the front unit face and by continuing the street tree and sidewalk patterns. The units face MD Route 355, with lot access from the internal streets to the rear. Where the proposed units adjoin existing neighborhoods, buffers and setbacks have been created. The cul-de-sacs have been planted with trees in islands.

Sidewalks are continuous along both sides of all the street frontages save for the six-unit cul-de-sac where a waiver has been requested. Path connections are proposed from the project in to the open spaces in the Clarksburg Greenway Trial location. The applicant will include a bike path connection and intersection landing along the Stringtown Road frontage towards the Greenway Trail. Vehicular access to the site is from two points along Stringtown Road, one from Timber Creek Lane and possibly one on MD Route 355. The exact location of the MD Route 355 access point is dependent upon the future inclusion of Lots 4 and 5 of the Brinkley's subdivision where there is a better access point.

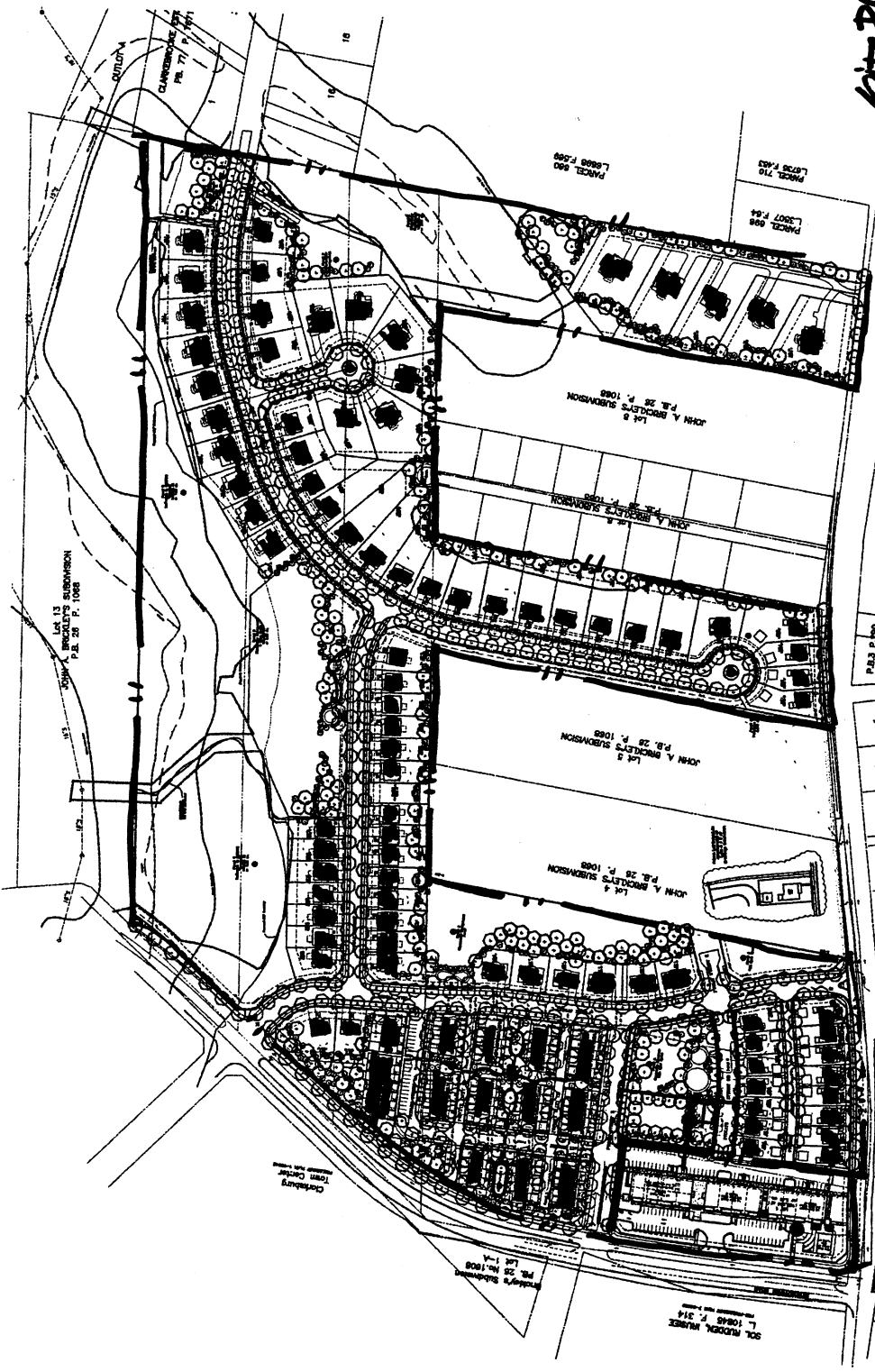
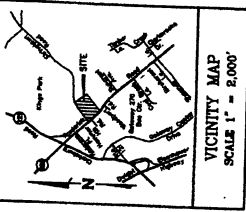
Landscaping along the frontages of the property include street trees and sidewalks, along Stringtown Road, the ends of the units are screened from views of the road by buffer plantings. The sitting and play areas include landscaping and special paving to highlight the pedestrian

environment. Lighting includes the proposed light fixture (at this time) for the Clarksburg area and will undergo further review by staff and MCDPWT.

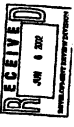
Recreation areas are merged with the open spaces and well distributed throughout the project. The town house mews include play and sitting areas with interesting paving designs and landscaping. The Town commons includes a play area with a tricycle court and other play structures. Overlooking the stormwater management facilities is a circular sitting and play area planted to enhance views to the Greenway Trail area beyond. A play area is located next to the open space to the south of the RMX-2 area as well.

# HIGHLANDS AT CLARKSBURG

Site Plan 8-02027



10	10	HOTTAM	100 P. 000
9	9		
8	8		
7	7	HAMMER	HILL P. 3 P. 206
6	6		
5	5		
4	4		
3	3		
2	2		
1	1		
20	20	PART OF 10	
21	21	"GARDEN PARK"	PLAT P. 1082



PREPARED FOR  
CENTEX HOMES  
9007 SHADY GROVE COURT  
FARMERS BRANCH, MD 20747  
PHONE: 301-987-2200  
FAX: 301-987-2734  
MR. BOB LARKIN

DATE MAP REV 541

DATE REV 10

LANDSCAPE PLAN  
COVER SHEET  
**HIGHLANDS AT CLARKSBURG**  
Lots & Parcels & Blocks  
2ND ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

Drawn	Checked	Date	Scale	Sheet
W. J. ...	...	...	...	...

Macoris, Hendricks & Glascock, P.A.  
Engineers & Planners & Surveyors  
1401 W. ...  
3325 ...  
3300 ...

NO.	DATE	DESCRIPTION	BY

**PROJECT DESCRIPTION:** Prior Approvals

**Development History**

The original Project Plan and Preliminary Plans were approved by the Planning Board on July 1, 1999 for the 16 acre portion of the property zoned RMX-2. On April 26, 2001, the applicant was granted a one-year extension of the Project Plan approval to allow for the proposed redevelopment now proposed. The Preliminary Plan has been amended to include an additional 40.4 acres zoned R-200 in addition to the 16 acre parcel zoned RMX. The proposed units increased from 75 to 164 for the entire site.

**Waiver Requests:**

The Planning Board has approved the following waivers and phasing considerations with the approvals of the Project Plan and Preliminary Plan hearing:

Chapter 50 – Subdivision Regulations - Lot Design -50-29(a)(2) to allow certain detached lots to be platted without public road frontage. This includes Lots 9-14 with frontage on Private Street “BB”

Chapter 50-Subdivision Regulations – Intersection Truncation -Section 50-26-(e)(3) to allow for a more compact and compatible lot arrangement within the housing section.

Section 50-26(h)(3) of the county Code a waiver of sidewalks. A waiver is granted on a six-unit cul-de-sac due to the small length of the street and to the opportunity to reduce paving within a Special Protection Area.

Additionally, the applicant has also asked that the sidewalk along Timber Creek Lane, west of Public Street “B” be phased in with the southern portion being installed with the construction of those units and the north side being constructed when that adjacent parcel is developed. Staff recommends the Planning Board approve this phasing as well.



**Earlier Approvals – Project Plan**  
 Project Plan #9-98001A

Site Plan # 8-02022

1. Development Ceiling : 18,590 sf office, 12,870 retail, 97 residential	87 residential (remainder of units in adjacent section)
2. Transportation Improvements	Per approval with Prelim Plan
3. Dedicate Stringtown Road	Per approval with Prelim Plan
4. Construction of Improvements to MD Route 355	Per approval with Prelim Plan
5. Provision of Amenities and Facilities: Rural-Historic Architecture/The Commons/Commercial area Plaza/Site Features	The commons includes sitting areas, landscaping and specialty paving, site features include specialty lighting, paving and seating areas
6. Staging of amenities	Commons to be installed with 50% of units, remainder with construction with adjacent units
7. Maintenance	The maintenance for the commercial property to be joined or coordinated with the residential area
8. Subdivision waivers granted:	With Prelim Plan
9. Reductions in setback	With Project plan for residential areas
10. Historic Preservation	MD Rte 355 frontage to include historically designed community and SPEA to allow for Phase I archeological survey
11. Site Plan Issues: construction access; 355 frontage details; light standards; Maintenance organization; extra unit if access is different; 2 off-site mpdu's in non-project plan but common preliminary plan adjacent site.	Site Plan conforms

The proposed site plan conforms to the Project Plan.

**Earlier Approvals - Conformance to Preliminary Plan conditions:**

Preliminary Plan # 1-98009A

Site Plan # 8-02022

1. Development Limits	Site Plan Conforms 154 this plan (10 on commercial plan)
2. Preliminary FCP	Site Plan Conforms
3. Timber Creek Lane Construction Traffic Plan	Resolved with residential site plan
4. MD Route 355 access	Resolved with residential site plan
5. ROW constructed by applicant	Site Plan conforms
6. ROW to conform to Master Plan	Site Plan conforms
7. Record Plat to show FCP	To be shown on site plan
8. Full ded. On MD Route 355	Site Plan conforms
9. Comply with MCDPS SWM memo of 9/14/01	Site Plan conforms
10. Access per MDSHA	Site Plan conforms
11. No clearing or grading prior to SP Review	Site Plan conforms
12. Final # dwelling units, on-site pkg, site circ, sw and bike paths at site plan	Site Plan conforms
13. Landscape and lighting plan	Site Plan conforms
14. Record plat to list common ingress/egress	To be resolved with record plat
15. Validation period – 36 months from 10/18/01	Site Plan conforms
16. APF validity 6 months from 10.18.01	Site Plan conforms
17. Necessary easements	To be resolved with record plat

The proposed site plan conforms to the Preliminary Plan.

**ANALYSIS: Conformance to Master Plan**

**RELATION TO THE 1994 CLARKSBURG MASTER PLAN**

The subject property is located within the Transit Corridor District of the Clarksburg Master Plan Area. The Transit Corridor District includes properties fronting MD 355 which have developed over many decades in accord with traditional patterns found elsewhere in the "Up-County": single-family detached lots fronting the road. As stated in the Master Plan, the most significant planning challenge in this District is to maintain and continue this residential character while addressing the need for increased traffic capacity along MD 355. See attached memorandum dated October 3, 2001, that summarizes the Master Plan objectives in more detail.

The key land use recommendations of the Master Plan are summarized below:

1. To encourage a mix of uses at the proposed Shawnee Lane transit stop area.
2. To continue the employment zoning on the Comsat and Gateway -I-270 properties and to provide the future opportunity for a mix of housing.
3. To retain the residential character of MD 355.

The proposed plan supports the Master Plan recommendations.

DEVELOPMENT STANDARDS (RMA-2)

	Required/Permitted	Provided <sup>1</sup>
Offices (59-C-10.3.2):		
- Professional, and Business:	20,000 s.f. max.	0 s.f.
- General:	20,000 s.f. max.	18,590 s.f.
Green Area or Outside Amenity Area (59-C-10.3.3):		
- (a) w/in commercial portion ( 2.718 ac.):	15% min.	15%
- (b) w/in residential portion (12.155 ac.):	50% min.	50%
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.23 FAR (31,460 s.f. GFA)
Floor Area Ratio (Mixed Use Area) * Non-residential FAR	0.5 FAR max.	0.23 FAR (31,460 s.f. GFA)
Gross Leasable Area (59-C-10.3.5):	600,000 s.f. max.	31,460 s.f.
Residential Densities (59-C-10.3.7):		
<u>Residential Density without MPDUs</u>		
* D.U.s in commercial mixed use area	40 d.u./ac. max 5 - 7 d.u./ac. (M.P.) <sup>2,3</sup>	00 d.u.'s / 3.2 ac (0.0 d.u./ac.)
* Dwelling units in residential area	30 d.u./ac. max 5 - 7 d.u./ac. (M.P.)	74 d.u.'s / 12.9 ac (5.7 d.u./ac.)
* Total residential density without MPDUs	5-7 d.u./ac. max	74 d.u.'s / 16.1 ac (5.0 d.u./ac.)
<u>Residential Density with MPDUs</u> <sup>4</sup>		
* D.U.s in commercial mixed use area	N/A	10 d.u.'s / 3.2 ac (3.1 d.u./ac.)
* Dwelling units in residential area	N/A	74 d.u.'s / 12.9 ac (5.7 d.u./ac.)
* Total residential density with MPDUs	N/A	84 d.u.'s / 16.1 ac (5.2 d.u./ac.)
Number of Dwelling Units (59-C-10.3.6):	N/A (<30 ac.)	84 d.u.'s (Including MPDUs)
Number of MPDUs (Chapter 25A):	84 d.u.s x 12.5% =	11 MPDUs <sup>4</sup>
Building Setbacks (59-C-10.3.8):		
- from adj. R-200 properties:		
Commercial buildings:	100 ft. min. <sup>5</sup>	100 ft.
Residential buildings:	100 ft. min. <sup>5</sup>	50 ft.
- from Frederick & Stringtown Roads:		
Commercial buildings:	0 ft. min. (Code) 0 ft. min. (M.P.)	25 ft.
Residential buildings:	0 ft. min. (Code) 0 ft. min. (M.P.)	20 ft.

1 Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-D-3) not to exceed the amounts required/permitted.

2 The abbreviation M.P. refers to standards recommended in the 1994 Clarksburg Master Plan

3 59-C-10.3.7(b) "...the number of units permitted may be increased by a number equal to the number of moderately priced dwelling units included in the development plan in accordance with Chapter 25 of this Code, as amended, provided that the total number of units does not exceed 22 percent of the total number of units recommended on the Master Plan."

4 The additional 1 MPDU will be provided on the land to be developed adjacent to the Project Plan area as part of a "combined MPDU" development.

5 The Planning Board may reduce the minimum setbacks no greater than 50% OF 100'.

DEVELOPMENT STANDARDS (R-200, Developments including MPDU's)  
(Chapter 59-C-1.6)

	Required/Permitted	Proposed
Density of development per Usable Acre (59-C-1.622)	2.44 d.u./ac. (69 d.u.s)	2.0 d.u./ac. (79 d.u. @ 39.5
Net Lot Area (59-C-1.625(a)):	(1) SFD 6,000 s.f. min. (3) TH 1,500 s.f. min.	6,700 s.f. min. 1,500 s.f. min.
Lot Width (59-C-1.625(b)): -At Street Line:	25 ft. min.	25 ft. min.
Setback From Street * (59-C-1.534):	25 ft. min.	25 ft. min.
Setback From Adjoining Lot: (59-C-1.624)		
-side adjoining subdivision boundary:	See adjoining zone	13 ft. min. **
-Rear adjoining subdivision boundary:	20 ft. min.	20 ft. min.
Building Height (59-C-1.626(a)):	40 ft. max.	40 ft. max.
Number of MPDUs (Chapter 25A):	79 d.u.s x 12.5%	= 10 MPDUs

\* If designated as a MPDU, setback from a public street must not be less than 15'  
\*\* If adjacent lot not developed under section 59-C-1.6, side or rear setback must be equal to that yard required for the abutting lot.

AREA TABULATION

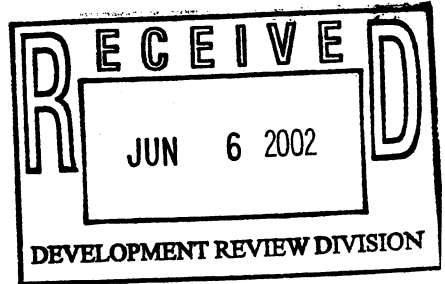
Area RMX-2	= 16.1 ac.
(Commercial Component)	= 3.2 ac. (139,392 sf)
(Residential Component)	= 12.9 ac. (561,924 sf)
Area R-200	= 40.4 ac.
<u>Areas of previous public use dedication</u>	= undeterminable
Total Gross Tract Area (GTA)	= 56.4 ac.

Area to be dedicated to public use	
Stringtown Road dedication (R/W=105'-120')	
* RMX-2	= 1.0 ac.
* R-200	= 0.9 ac.
Subtotal	= 1.9 ac.

Frederick Road (MD Route 355) (R/W=50')	
* RMX-2	= 0.2 ac.
* R-200	= 0.0 ac.
Subtotal	= 0.2 ac.
Total dedication to Public Use	= 2.1 ac.

Useable Area (59-C-1.628)	
- Gross Tract Area	= 40.4 ac.
- Road Dedication	(-)= 0.9 ac.
Total Usable Area R-200	= 39.5 ac.

Net Tract Area RMX-2	
- Gross Tract Area	= 16.1 ac.
- Road Dedication	(-)= 1.2 ac.
Net Tract Area RMX-2	= 14.9 ac.



18

TAX MAP EW 341

SITE DEVELOPMENT PLAN  
COVER SHEET

**RECREATION CALCULATIONS:**

	Tots	Children	Teens	Adults	Seniors
Demand Points					
For 154 units	23.6	33.92	33.34	194.76	17.7
Supply Points					
<u>On-Site Facilities:</u>					
Tot Lot (1)	9	2	0	4	1
Multi-age area (1)	9	11	3	7	1
Picnic/Sitting (6)	6	6	9	30	12
Open Play II (1)	3	4	4	10	1
Pedestrian System (1)	2.36	6.78	6.67	87.64	7.97
On-Site Total	29.36 (124%)	29.78 (88%)	22.67 (68%)	138.64 (71%)	22.97 (130%)
<u>Off-Site Facilities: At Kings Pond Local Park</u>					
Multi-age area (1)	9	11	3	7	1
Picnic/Sitting (6)	1	1	1.5	5	2
Softball Regulation (1)	2	15	20	40	2
Football Regulation (1)	2	15	20	40	2
Nature Trails (1)	0	1.7	3.33	19.48	.89
Off-Site Total	14	43.7	47.83	111.48	7.89
Credit (Max. 35%)	4.9	15.2	16.7	39.01	2.76
Total Supply Points	43.36 <b>159%</b>	73.48 <b>123%</b>	70.50 <b>103%</b>	250.12 <b>106%</b>	30.85 <b>165%</b>

The proposed recreation plan satisfies the recreation facilities guidelines for the site.

**FINDINGS: For Site Plan Review**

1. *The Site Plan is consistent with the approved project plan Highlands of Clarksburg # 9-98001A for the optional method of development as required.*
2. *The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.*
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.*

a. **Buildings**

The residential units are arranged in blocks and along streets to provide attractive orientation to the project from the streets and to enhance the street's appearance and function for both pedestrian and vehicular use. The buildings are arranged to provide open spaces for common use and to allow for views to adjoining open spaces. The proximity of the units to the streets enhances the opportunities to use mass transit and to utilize the pedestrian amenities on site and in nearby areas of Clarksburg.

b. **Open Spaces**

See Special Protection Area Discussion, above.

c. **Landscaping and Lighting**

Landscaping on the site is well designed with street trees that will create attractive frontages to the property and attractive internal streets that are pedestrian friendly. The open space areas for sitting and recreation are designed to enhance the pedestrian experience with shade trees and other varieties of plants to provide seasonal interest. The planting along the edges of the town commons will create an attractive edge to the parking areas associated with the adjacent mixed-use project. Buffers are provided for with evergreen plant material and will create a sense of separation between this project and it's surroundings where necessary.

d. **Recreation**

Recreation demand is satisfied as shown in the recreation calculations table above.

e. **Vehicular and Pedestrian Circulation**

The street connections to the site are in accordance with the approved Preliminary Plan, and the layout provides a grid pattern of intersecting streets in the town

square area with multiple opportunities to connect to adjacent streets and all parts of the proposed neighborhood. The alleys provide direct access to lots and allow for an enhanced streetscape without driveways for the unit frontages.

Pedestrian paths are created to make desirable connections to the adjacent Greenway Trail through the open spaces. A bike path is provided along the Stringtown Road frontage from Public Street "C" towards the Greenway Trail and adjacent to Clarkebrooke Estates Subdivision. Path connections are provided between the units to provide multiple access points to recreation facilities both on and off site.

Public sidewalks are provided on all street except as waived in the short cul-de-sac and phased in with the construction of sidewalks on the lots to be developed later Timber Creek Lane.

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

The buildings are located to maintain a desirable relationship to the streets and surrounding uses. The building locations create open spaces for on site enjoyment and off site views and recreational access. The garages are sited to create desirable rear yard environments.

Buffers have been created to screen side and rear yard views from adjacent streets and to screen views of parked cars from adjacent sites. Additional review of the Stormwater Management Facilities planting plan may be needed to ensure adequate buffers for views of the facilities.

The activity associated with the proposed residential uses will not cause any negative effect on adjacent residential, commercial and park uses.

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

A final forest conservation plan has been prepared for the entire 56-acre tract. The undeveloped site includes 41.2 acres of forest and the applicant is proposing to remove 32.5 acres of forest. There is a planting requirement of 10.4 acres. The forest conservation shall be met by maximizing onsite retention and planting off-site with first priority within the Clarksburg SPA, Little Seneca watershed, or other SPA's. A five-year maintenance period for planted forest is required per the environmental guidelines.



## **APPENDIX**

- A. Standard conditions dated October 10, 1995
- B. Correspondence referenced in report
- C. Minutes from project plan hearing are available in the staff file and available to the public.

### **APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:**

- 1. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:
  - a. Development Program to include a phasing schedule as follows:
    - 1) Streets tree planting must progress, as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
    - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development. The town commons shall be constructed by completion of the first 50% of the residential units within the RMX-2 portion of the site. All streetscape and mews amenity areas associated with the RMX-2 portion of the site shall be built concurrently with the adjacent development.
    - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
    - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
    - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
    - 6) Coordination of each section of the development and roads.
    - 7) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
  - b. Site Plan Enforcement Agreement to delineate transportation management program
- 2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):

- a. Undisturbed stream buffers as shown.
  - b. Limits of disturbance.
  - c. Methods and locations of tree protection.
  - d. Forest Conservation areas.
  - e. Conditions of DPS Stormwater Management Concept approval letter dated April 1, 2002 and amended May 23, 2002.
  - f. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
  - g. The development program inspection schedule.
  - h. Conservation easement boundary.
  - i. Streets trees 40 feet on center along all public streets.
3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
  4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

June 6, 2002

Ms. Wynn Witthans  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Reference: Highlands at Clarksburg

Dear Ms. Witthans:

Thank you for your time today discussing my concerns regarding the impact of the new development to my property. My specific concern is the transition between my property and the proposed forest clear-cutting/drainage pond. I have discussed this matter with the developer and County officials at least 4-5 times during the Site Plan phase and written at least three letters to the Planning Board.

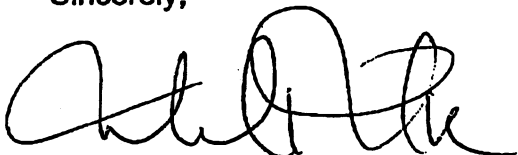
What I believe is absolutely necessary for both appearance sake and to maintain my property value is a transition of multi-level greenery, shrubs and trees that will divide the two developments. The transition should also block the view from my property of the proposed drainage pond. Due to the grading of my lot and the position of my home, the corner of my house is only 20-30 feet from the property line. Additionally, there are minimal trees within the proposed 20-25 foot transition of the Highlands development, with actual "greening" not starting until about 30-40 feet off the ground. If the builder clear-cuts within 20-25 feet of the property line, there will be almost no landscaping between my home and the new development.

What I am asking the builder to provide is a proper landscaped transition consisting of regular trees, pine trees and shrubbery within the remaining 25-foot of property that is not clear cut. This transition should start at the street (Timber Creek Lane) and continue to the back of the property. I understand that a few existing trees will be left standing which will make this project easier.

I have discussed this with my neighbor Nancy Villadsen many times over the past two years. She has assured me that all other homeowners in the community are in favor of this request.

Thank you again for your time spent on this matter.

Sincerely,



Michael W. Moses  
23029 Timber Creek Lane  
Clarksburg, MD 20871  
Home: (301) 540-4615  
Cell: (301) 704-7998

23016 Timber Creek Lane  
Clarksburg, MD 20871  
(301)540-2088  
June 3, 2002

Wynn Witthans  
Md. National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

re: Highlands of Clarksburg

Dear Ms. Witthans:

Thank you for supporting our community's request for a construction barricade for Highlands of Clarksburg. We are very pleased to know our streets will be protected from construction traffic.

**I would like to ask what the status is on our request to leave 50 feet of old-growth trees between the Moses property and the proposed drainage pond in the Highlands.**

**Also, I would like to request that the hearing for the Site Plan for the Highlands of Clarksburg be scheduled for the evening of June 13. That would enable more of the people in our community to attend.**

Will you please give me a call at the above number, and let me know what the status is on these issues? Thank you!

Sincerely,



Nancy Villadsen

cc: Karen Kumm, MNCPPC  
Martin Klauber, Office of the People's Council



RECEIVED

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

April 1, 2002

Mr. Steven L. Wilde  
Macris, Hendricks & Glascock, P.A.  
9220 Wightman Road, Suite 120  
Montgomery Village, Maryland 20886

Re: **Final Water Quality Plan** for Highlands at  
Clarksburg  
Preliminary Plan #: 1-98009A  
SM File #: 204621  
Tract Size/Zone: 56 Ac/RMX-2 & R-200  
Tax Plate: EW 341  
Montg. Co. Grid: 9D4 & E5  
Watershed: Little Seneca Creek

**SPECIAL PROTECTION AREA**

Dear Mr. Wilde:

Based on a review by the Department of Permitting Services Review Staff, the Final Water Quality Plan (FWQP) for the above mentioned site is conditionally approved.

**Site Description:** The site consists of 56 acres located at the southeast corner of the intersection of Stringtown Road and MD Route 355. The proposed development is zoned RMX-2/R-200 and will consist of commercial and office uses along with single family and townhouse residential lots. The property is located within the Clarksburg Special Protection Area (SPA).

**Stormwater Management:** Water quantity control will be provided via on-site dry ponds. The two main ponds (SWM # 1 and # 3) will provide control of the one-year and two-year storm with a predeveloped release rate. Quantity control will also be provided in three combined quantity/quality control structures (SWM # 4, # 5 and # 6) for the one-year storm. Quality control will be provided on-site via an extensive system of linked BMPs. The system will consist of recharge/infiltration trenches (if feasible), and surface sand filters for primary treatment. Water quality inlets and vegetated swales/buffers will be used for pretreatment of vehicular use areas. The water quality structures will be sized to provide one-inch of treatment for their contributing impervious drainage areas.

**Sediment Control:** Redundant sediment controls are required. Sediment traps with forebays or upland sediment traps coupled with secondary sediment traps are to be used for redundant sediment control treatment. All sediment trapping structures are to be equipped with dewatering devices. The following features are to be incorporated into the detailed sediment control plan:

1. The earth dikes that feed the sediment traps are to be constructed using trapezoidal channels to reduce flow rates.



2. The site grading shall be phased to limit disturbance with immediate stabilization emphasized. A phasing sequence is to be submitted with the initial submittal of the sediment control plan.
3. Silt fence alone will not be allowed as a perimeter control. The use of super silt fence will be acceptable for small areas of disturbance.
4. Minimize the drainage area to the proposed trap at the end of Timber Creek Lane (trap #2) until the storm drain system is in place and functioning. The outfall of trap #2 must be a minimum of 20 feet from the property adjacent property line. Additional measures, such as increasing the trap and forebay storage area, will be considered at the detailed plan review stage due to concerns with the traps outflow impacting downstream properties.

**Performance Goals:** The following is the list of performance goals that were established at the pre-application meeting:

1. Protect and maintain stream and aquatic habitat.
2. Maintain base flow by minimizing impervious area and providing infiltration structures if infiltration is found to be feasible.
3. Protect seeps, springs and wetlands.
4. Minimize storm flow runoff and maintain stream channel geometry via the redundant stormwater management controls.
5. Minimize increases to ambient water temperature by providing open section roads, using an infiltration structure for groundwater recharge, and by providing shading for the proposed dry pond outfall.
6. Minimize sediment loading by providing redundant sediment controls.
7. Minimize the use of insecticides and fertilizers via an Integrated Pest Management Plan as part of the Homeowners Association (HOA) documents. A draft of this plan/document is to be submitted at the detailed sediment control plan stage, and the final document is to be submitted prior to bond release.

**Monitoring:** The monitoring must be in accordance with the BMP monitoring protocols which have been established by the Department of Permitting Services (DPS) and Department of Environmental Protection (DEP). Prior to the start of any monitoring activity, a meeting is to be held on site with DEP, DPS and those responsible for conducting the monitoring to establish the monitoring parameters. The following is a list of the monitoring requirements for this development:

1. Water temperature will be monitored above and below the proposed outfall of Pond #3.
2. Total suspended solids are to be sampled at the sediment trap/basin with the largest drainage area that will remain throughout the construction phase.
3. Photographic monitoring will be done between the outfall of Pond #3 and the receiving stream
4. A stream channel embeddedness station is to be established downstream of the outfall for Pond #3.

5. Chemical and nutrient monitoring will be done on one linked BMP system.
6. Five groundwater monitoring wells are to be installed on the property.

Monitoring as specified in items 1 (one temperature station), 3, 4 and 6 are to begin one year prior to the start of construction. **This pre-construction monitoring must be completed prior to the issuance of a sediment control permit.** All of the monitoring requirements are to last through the construction phase of the development, and for three years after construction is complete (five years for the groundwater wells). See the DEP attachment to the Final Water Quality Plan, Description of Monitoring Requirements, for further details.

**Conditions of Approval:** The following conditions must be addressed in the initial submission of the detailed sediment control/stormwater management plan. This list may not be all inclusive and may change based on available information at the time of the review:

1. Stormwater management (SWM) must be provided for any new construction of Stringtown Road. The FWQP states that the developers of Clarksbug Town Center have agreed to treat the Stringtown Road improvements as well as a portion of site area (approximately 1.75 acres) in facilities on their site. Verification of this agreement must be provided along with the time frame for the proposed facility construction. Also, provide documentation that there is sufficient area on Clarksbug Town Center to control the off-site runoff.
2. Provide a formal dam breach analysis for Pond #1 (application, computations and fee). Also, if there is to be an emergency spillway, you must show the 100-year overflow flow path delineation.
3. Provide safe conveyance of all runoff to the proposed stormwater management structures. It appears that storm drain inlets will be needed between lots 9 and 10 on street "B" and to pick up the drainage from the backs of lot 1 through 7 on Timber Creek Lane.
4. Address stormwater management for the uncontrolled lots on Timber Creek Lane (lots 2, 3 and parts of lots 4 and 5) due to potential impacts on downstream properties. It appears that dry wells may be feasible for these lots.
5. Since infiltration is not feasible, the surface sand filters are to be designed with a minimum of one foot of stone (dead storage) below the outlet pipe to provide groundwater recharge.
6. Show maintenance access easement for SWM structure #6.
7. Provide a rip-rap plunge pool (8 to 12 inches deep) at the outfall of Pond #3 to dissipate flow velocity.
8. All impervious areas not draining to the SWM structures must be compensated for in the quantity control ponds.

This letter must appear on the original sediment control/stormwater management plan at its initial submittal. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements.

Steven L. Wilde  
April 1, 2002  
Page 4

If you have any questions regarding these actions, please feel free to contact Leo Galanko at (240) 777-6242.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard R. Brush". The signature is fluid and cursive, with a large initial "R" and "B".

Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:enm:CN204621

Attachment

cc: W. Witthans  
S. Federline  
M. Pfefferle  
L. Galanko  
D. Marshall

Qn on-site; Acres 56  
Ql on-site; Acres 56





## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Douglas M. Duncan  
*County Executive*

James A. Caldwell  
*Director*

### **Attachment to the Final Water Quality Plan for Highlands at Clarksburg Description of Monitoring Requirements**

Preliminary Plan #: 1-98009A  
SM File #: 204621  
Tract Size/Zone: 56 Ac/RMX-2 and R-200  
Tax Plate: EW 341  
Montg. Co. Grid: 9D4&E5  
Watershed: Little Seneca Creek

The purpose of this attachment is to add specificity to the standard monitoring requirements and procedures contained in the BMP monitoring protocols. Some supplemental QA/QC, data analysis, reporting and record keeping tasks will be explained in this attachment.

This BMP monitoring is being done to address whether the site performance goals were met or not. The purpose of the data analysis and reporting is to describe quantitatively how the performance goal was met. Monitoring efforts and reports must employ scientific methods in an attempt to determine effectiveness of BMPs. Monitoring is to be done according to DEP BMP Monitoring Protocols. However, these monitoring protocols are intended to provide a framework only. Some supplemental requirements are provided in this attachment. Prior to initiation of monitoring, consultants must contact DEP to review procedures and requirements. Thorough and careful analysis of data is required. Data analysis methods employed may vary depending on the results obtained. Methods and assumptions should be detailed. DEP BMP Monitoring Protocols are available at <http://www.co.mo.md.us/services/dep/Publications/pdf%20files/bmpprotocols.pdf>

#### **Specific Monitoring Requirements**

1. BMP monitoring reports must include a table with dates of all major construction activities which take place on the site. (Groundbreaking, clearing, grading, BMP construction, BMP conversion, pond maintenance, etc.)
2. Stream water temperatures will be monitored above and below the proposed outfall of Pond #3. This monitoring will occur from June 1 through September 30 each year. Equipment accuracy is to be checked prior to use in spring. An accuracy check after retrieval in fall may be necessary depending on results obtained. Consult with equipment manufacturer or DEP for appropriate procedures. All accuracy checks are to be submitted with data analysis and reports. Temperature loggers should be set to take



**Watershed Management Division**

readings as frequently as possible. Consult with DEP if readings will be taken less frequently than every 30 minutes. Data from the loggers is to be closely compared to identify any patterns indicating temperature impacts of the pond outfall. A third logger in the outfall would aid in that analysis but is not required. Rainfall, air temperature and flow data should be considered in the analysis if possible. Temperature data collected during the pre-construction period should be compared to temperatures collected in succeeding years to establish the effect of the project on stream temperatures. Analysis should be presented with illustrative graphs and conclusions regarding BMP effectiveness.

3. A minimum of three TSS grab samples will be collected from the sediment trap/basin with the largest drainage area that will remain throughout the construction phase. Exact sampling locations will be determined by DEP when the BMP is in place. This sampling is to be done quarterly during storm events throughout the construction phase. Storms should have at least one half inch of rainfall in a 24 hour period to be counted towards this requirement. Samples should be collected within 24 hours after the storm. The storms during which the data was collected should also be characterized for duration and total rainfall. Storm frequency (return interval) should be reported as described in Technical Paper #40 of USDOC Weather Bureau. Results should be examined to determine the efficiency of the structure and percent removal of pollutants. Data should be compared to past periods and graphs should be provided to support conclusions.
4. Monitoring of the area between the outfall of Pond #3 and the receiving stream will require a photographic monitoring station with reports submitted quarterly to determine the stability of the area below the outfall. Photos should be taken from the same location, height, etc. to facilitate comparison. An object of known size should be included with each shot to provide a frame of reference.
5. A stream channel embeddedness station is to be established downstream of the outfall for Pond #3. Photos of the stream bottom should be taken concurrently with embeddedness readings. Results should compare pre-construction data with data collected during subsequent periods to evaluate the effect of the project on the stream. Graphs should be presented along with conclusions.
6. Flow weighted composite chemical and nutrient monitoring will be done on one linked BMP system. Samples should be collected of water entering SWM3EA, SWM3EB and water leaving SWM3EB. This sampling is to be done quarterly during storm events. Storms should have at least one inch of rainfall in a 24 hour period to be counted towards this requirement. Samples should be collected within 24 hours after the storm. The storms during which the data was collected should also be characterized for duration and total rainfall. Storm frequency (return interval) should be reported as described in Technical Paper #40 of USDOC Weather Bureau. The monitoring parameters will include Nitrate, Nitrite, TKN, Ortho Phosphorus, Total Phosphorus, TSS, Cadmium, Lead, Zinc and Copper. Concentration and total load should be reported. Results should

be examined to determine the effectiveness of the BMP in minimizing the amount of pollutants leaving the site. Results should also be analyzed to determine the benefit of redundant stormwater management structures. Graphs should be provided to support conclusions.

7. Five groundwater monitoring wells are to be installed on the property. Well installation logs should be provided. Levels should be read quarterly. Actual elevation of the groundwater should be reported as well as the depth it lies below the ground surface. Data should be analyzed to determine the effectiveness of site design and stormwater management in maintaining groundwater levels. Data from the pre-construction period should be compared to results obtained in subsequent periods. Graphs should be provided to support conclusions.

One year of baseline data on water temperatures, embeddedness, and groundwater levels must be collected as specified above before construction begins. Photos as specified in item 4 will also be required. DEP must be notified prior to commencement of pre-construction monitoring. A report on these pre-construction conditions must be deemed acceptable by DEP prior to the issuance of a sediment control permit. For subsequent periods an annual report on BMP monitoring is due to DEP by December 1 of each year. County code requires that reports be submitted quarterly. These quarterly reports may be incorporated in the annual report. This should be reflected in the title of the document. BMP monitoring reports are to be delivered with data in an electronic format to Mark Sommerfield at Montgomery County DEP and also to Leo Galanko at Montgomery County DPS. All of the above monitoring requirements will be in effect throughout the construction phase of the project. After the development is completed the wells must be monitored for an additional five years. The other monitoring requirements will be in effect for three years after the development is completed. Questions on the monitoring requirements and procedures may be directed to the following personnel.

Mark Sommerfield  
(240) 777-7737  
[mark.sommerfield@co.mo.md.us](mailto:mark.sommerfield@co.mo.md.us)

Doug Marshall  
(240) 777-7740  
[douglas.marshall@co.mo.md.us](mailto:douglas.marshall@co.mo.md.us)

Leo Galanko  
(240) 777-6242  
[leo.galanko@co.mo.md.us](mailto:leo.galanko@co.mo.md.us)



**Macris, Hendricks and Glascock, P.A.**  
Engineers • Planners • Surveyors • Landscape Architects

9220 Wightman Road, Suite 120  
Montgomery Village, Maryland  
20886-1279  
Phone 301.670.0840  
Fax 301.948.0693  
www.mhgpa.com

May 14, 2002

Mr. Leo Galanko  
Department of Permitting Services  
Water Resources Section  
255 Rockville Pike, Station 8  
Rockville, MD 20850

Re: Highlands at Clarksburg  
MHG Project No. 1995.307  
MCDPS File No. 204621

Dear Mr. Galanko:

On behalf of our client, Centex Homes, we hereby request your concurrence that the minor modifications in the proposed layout for this project do not require re-approval of the Final Water Quality Plan and, by your signature below, re-affirm the Final Water Quality Plan approval. Ms. Wynn Withans of the MNCPPC staff has requested that we obtain this confirmation before she can proceed with her review. The changes in the plan include:

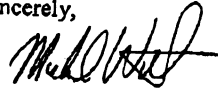
- Change in unit types along Public Streets "A", "B", Timber Creek Lane at the connection to the existing street and at the Timber Creek Lane cul-de-sac.
- Re-grading of lots along Public Street "B" to direct runoff to the street and eliminate the storm drain behind these lots.
- Addition of two lots at Timber Creek Lane cul-de-sac.
- Elimination of two panhandle lots off Timber Creek Lane (at end of Suncrest Ave.).
- 8 foot hiker-biker path along southern side of Stringtown Road from Street C to the limits of the subject property. This was shown as a 5 foot sidewalk in the past.
- Addition of two stairways from Route 355 for pedestrian access.

For your use, we have included copies of the revised Final Water Quality Plan and the approved Final Water Quality Plan for your review. If you agree that the approved Final Water

Mr. Leo Galanko  
Department of Permitting Services  
Water Resources Section  
Re: Highlands at Clarksburg  
April 18, 2002  
Page 2 of 2

Quality Plan is still applicable, please indicate by signing below. If you have any questions or require any additional information, please give us a call.

Sincerely,



Michael Watkins

Re-Affirmation approved by the Division of Permitting Services.

Signed: Leo Galanko Date: 5/23/02

Title: Special Protection Area Coordinator

- All original conditions still apply
- Condition #4 now must address lots 3, 4, 5  
6 and part of 7 on Timber Creek Lane.

Enclosures

L032SLW



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

TELECOPIER TRANSMITTAL

Robert C. Hubbard  
Director

DATE: 5/23/02

TO:

	NAME:	COMPANY:	FAX NUMBER:
1.	<i>Marty Mamacki</i>		
2.			
3.			
4.			
5.			

FROM: *Robert C. Hubbard*  
Department of Permitting Services  
Division of Land Development Services  
255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, Maryland 20850  
Telecopier Phone Number: 240-777-6339

Operator's Name: \_\_\_\_\_

Operator's Phone Number: \_\_\_\_\_

Number of Pages Sent Including Cover Sheet: 3

DESCRIPTION/COMMENTS/SPECIAL INSTRUCTION:

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FAXMEMO.12/00.doc.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
June 4, 2002

## MEMORANDUM

TO: Wynn E. Witthans, Urban Designer  
Development Review Division

VIA: Sue Edwards, I-270 Team Leader *Sue*  
Community-Based Planning Division

FROM: Nellie Shields Maskal, Community Planner *Nell*  
Community-Based Planning Division

SUBJECT: Highlands of Clarksburg (Site Plan No. 8-02022)

---

## STAFF RECOMMENDATION

Approval subject to the following condition:

- Provide extensive landscaping from the common property line with the Timber Creek community to improve compatibility.

## RELATION TO THE 1994 CLARKSBURG MASTER PLAN

The subject property is located within the Transit Corridor District of the Clarksburg Master Plan Area. The Transit Corridor District includes properties fronting MD 355 which have developed over many decades in accord with traditional patterns found elsewhere in the "Up-County": single-family detached lots fronting the road. As stated in the Master Plan, the most significant planning challenge in this District is to maintain and continue this residential character while addressing the need for increased traffic capacity along MD 355. See attached memorandum dated October 3, 2001, that summarizes the Master Plan objectives in more detail.

The key land use recommendations of the Master Plan are summarized below:

1. To encourage a mix of uses at the proposed Shawnee Lane transit stop area.
2. To continue the employment zoning on the Comsat and Gateway -I-270 properties and to provide the future opportunity for a mix of housing.
3. To retain the residential character of MD 355.

During the preliminary plan review process, the Timber Creek community requested that there be a 50-foot setback from the common property line with their community. The Planning Board expressed an interest in seeing more than a 25-foot setback. If only a 25-foot setback is provided, then extensive landscaping from the common property should be provided in order to be compatible with the Timber Creek community.

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Attachment



October 3, 2001

## Memorandum

To: Wynn Witthans, Site Plan Coordinator  
Development Review Division  
Via: Sue Edwards, I-270 Corridor Team Leader  
From: Karen Kumm Morris, Clarksburg Planner *CKM*  
Community Based Planning Division  
Subject: Highlands of Clarksburg, 9-98001A, Project Plan Amendment

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The subject site falls within the Transit Corridor District of the Clarksburg Master Plan. It is also strategically located at the gateway to the Historic District and within walking distance to the Town Center and the future Transitway Town Center Station. Therefore, development of the site needs to strongly reflect the policies and recommendations of the Master Plan given its highly visible corner location and proximity to the Historic District.

The subject site is zoned RMX-2 and has previously received a project plan approval under the optional method of development.

### Master Plan Policy Statements

**Town Scale of Development** – *“This plan envisions Clarksburg as a town at a larger scale than proposed in the 1968 Clarksburg Master Plan but smaller than a corridor city such as Germantown.”*

The proposed Project Plan achieves a town scale of development by providing a mixed use development with 32, 460 sf. of commercial uses and 94 residential units including MPDU's. Overall residential density for the project is 5.8 units per acre. The Master Plan recommends a residential density of 5 – 7 units per acre. The proposed range in unit types, 21 sf detached, 20 apartments, and 53 townhouses, will assure a mix of households and incomes.

**Natural Environment** – *“This plan recommends that Clarksburg's natural features, particularly stream valleys, be protected and recommends that Ten Mile Creek and Little Seneca Creek be afforded special protection as development proceeds”.*

No stream valleys, springs or wetlands are found within the subject property of the Project Plan. However, the site is included in the Special Protection Area and will be providing additional water quality measures in conformance to the guidelines. At the time of site plan review, extensive landscaping of the stormwater management facilities should be provided in order to create an attractive open space within the community.

**Greenway Network** – *“This plan recommends a multi-purpose greenway system along stream valleys.”*

The subject site does not directly abut the Clarksburg Greenway. However, a series of bikeways and sidewalks are proposed that provide access to the Greenway and thus improve connectivity. An 8 foot wide bikeway will be provided along the north side of Stringtown Road by developers of Town Center. The Highlands of Clarksburg developer is providing a sidewalk along street frontage of Stringtown Road and Frederick Road. Internally, sidewalks will be provided along both sides of all streets. This will ensure access to the Greenway Trail that is located just to the east of the Project Plan site. A Class III bikeway will be provided within the ROW of Frederick Road along this eastern side.

**Transit System** – *“This plan proposes a comprehensive transit system that will reduce dependence on the automobile.”*

The Master Plan identifies bus routes along Stringtown Road and Frederick Road which will serve the subject site. Access to these future bus routes will be accommodated by proposed sidewalks internal to the development. The subject site is also within walking distance to the future Town Center Transitway Station located to the east of Frederick Road.

**Hierarchy of Roads & Streets** – *“This plan proposes a street network which clearly differentiates between highways needed to accommodate regional through traffic and roads which provide sub-regional and local access.”*

The subject site is bordered by Stringtown Road, an arterial that accommodates both regional and local traffic, and by Frederick Road which is classified by the Master Plan as a local business district street. On site, the project plan achieves a hierarchy streets through a variety of local residential streets to accommodate traffic circulation. Most importantly, the street layout provides a connection to the Town Center via Street C and a direct entrance into the community via Frederick Road.

The direct street entrance from Frederick Road is important to the connectivity of the community by providing a convenient and direct point of access. However, the location of the entrance is constrained by the limits of the property. Ideally, an access point along Frederick Road would be better located further to the south through property that is not yet assembled for development. This possible southern access would line up with other development, proposed by US Homes, which is currently under a pre-preliminary plan review. Staff supports a direct access to the Highlands of Clarksburg on site since the southern access cannot be assured at this time. However, in the future, should the southern property be proposed for development, the southern access point to Frederick Road should be considered for Highlands of Clarksburg.

**Transit and Pedestrian-Oriented Neighborhoods** – *“ This plan clusters development into a series of transit and pedestrian oriented neighborhoods.”*

The project locates a mixed of commercial and multifamily uses at the northwest corner of the site thus clustering the most intensely developed portion of the site towards the future transit station and the Historic District. The proximity and density of the residential portion of the site also supports the transit and pedestrian-orientation by facing residential units along Frederick and Stringtown Road. This establishes the traditional town planning pattern as seen from the surrounding roadways. Internally, the proposed layout also establishes a grid of interconnected streets lined with front facing units, street trees and sidewalks. The central open space is highly visible, forms a town commons and is sufficiently large enough to accommodate recreational activities and community gathering. Other open space is provided as town house courtyards in the front of units. The location and size of the open space will encourage pedestrian access and social gathering.

**Employment** – *“Additional limited employment uses re recommended at transit stops, at the town center and in neighborhoods as part of a mixed-use land use pattern...”*

The project plan includes 31,460 sf of office and retail uses within walking distance to the future transit station and the town center. Such uses will also provide convenient services to residents within the general vicinity.

**Staging** – *“This plan recommends that development be staged to address fiscal concerns and to be responsive to community building and environmental protection objectives.”*

The subject site falls within Stage 2 of the Clarksburg Master Plan. The proposed project will be served by public sewer and water.

### **Master Plan Land Use Recommendations**

The Transit Corridor District recommends a density of 5 –7 units per acre with a range of unit types as follows:

Multi-family	10 – 20%
SF attached	30 - 40%
SF Detached	50 – 50%

The proposal contains a higher percentage of attached units than the general guidelines of the master plan. Given the strategic location of the site, close to transit and the town center, a higher percentage of attached units can be considered appropriate. The proposed density range is consistent with the previously approved project plan.

The plan objectives that are relevant to the subject site are as follows:

1. Continuation of the residential character along Frederick Road, MD 355.

2. Encourage mixed use development near transit stops as an integrated use within residential neighborhoods.
3. Establish strong pedestrian and bicycle linkages to the Greenway.
4. Improve east-west roadway connections.
5. Provide an open space system which includes small civic spaces at transit stops.

The proposed project plan meets the land use objectives in the following ways.

1. Residential character along Frederick Road is established by proposing front facing residential lots along the roadway.
2. Mixed uses are provided within mixed use buildings, apartments over retail. These uses will provide convenient services to the greater community.
3. Pedestrian and bicycle linkages to the Greenway are provided via the network of connecting sidewalks and adjacent bikeways.
4. East-west roadway connections are provided by the Street C, creating a street connection from Frederick Road to the Greenway Road within the Town Center. This is an important connection for the existing community improving the circulation options for getting in and out of their community.
5. Open space is provided internally in a manner which strengthens a sense of community by its central location. Additional pedestrian space is provide at the corner of Stringtown Road and Frederick Road where there will be future bus stops.

### **Community Concerns**

Throughout the review process, the Timber Creek Citizens Association and the Clarksburg Civic Association have expressed concerns over the proposed Project Plan as well as the proposed R-200 Cluster development, Preliminary Plan, 1-98009A, a larger parcel of R-200 zoned and RMX zoned land which includes the subject Project Plan. Their concerns are as follows:

1. Support a direct access to the new community from Frederick Road to help alleviate cut-through traffic along Timber Creek Lane and improve east-west connections.
2. Desire control of construction traffic to avoid use of Timber Creek Lane eliminating conflicts with children and residents. Request a temporary physical barrier at the end of Timber Creek Lane.

The community has other concerns that deal with the Preliminary Plan, 1-98009A that include adequate setback and preservation of wood land along the common property line with Mr. Moses property, adequate views of the Greenway, and extension of an asphalt pathway along Timber Creek Lane connecting off site to Foreman Boulevard. These additional concerns should be addressed in the context of the Preliminary Plan.

### **Conclusion**

Staff recommends Approval of the proposed Project Plan as amended, 9-98001A. The proposed mixed use development represents a desirable addition to the traditional town planning in Clarksburg. It meets the policies and objectives of the Master Plan thus helping to create a unique and distinctive new community.

At the time of site plan review, the applicant should provide the following:

1. Cross sections of all adjoining and internal streets to include adequate space for street trees, sidewalks, parking (where appropriate), and master plan bikeways.
2. Architectural plans and elevations of the proposed mixed use commercial buildings to ensure architectural compatibility with the Historic District.
3. Architectural elevations of front facing residential units along Stringtown Road and Frederick Road and sidewalk access to street sidewalk systems with appropriate landscaping and lighting plans that will establish the residential character along the street.



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

MEMORANDUM

May 3, 2002

TO: Wynn Witthans  
Development Review Division - MNCPPC

FROM: Sarah R. Navid *S. Navid*  
Right-of-Way Permitting and Plan Review Section

SUBJECT: Site Plan Review #8-02027- Highlands at Clarksburg

We have reviewed the subject site plan and have the following comments:

- The access points proposed are acceptable for location and basic design. We anticipate that any large trucks will use the access from Stringtown Road. The access points along Public Street D will accommodate single unit trucks.
- The median on Public Street D should be extended southward to Private Street AA and should be designed with mountable curb.
- The sidewalk on Public Street D may extend into a PIE, but the pedestrian crossings and curb ramps at the driveways should remain parallel and as close to the street as possible at the northern driveway. The curb ramps at the southern driveway should be designed to provide for crossing to Street AA.
- We anticipate that the waiver for using a closed section street design will be approved with the overall residential site plan.

We appreciate the opportunity to comment on this plan.

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cc: Bob Larkin  
Mike Watkins  
Jeff Riese

