



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #
01/04/07

MEMORANDUM

DATE: November 18, 2006
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief, Development Review Division *RK*
Ralph Wilson, Development Review Division *RW*
FROM: Dan Janousek, AICP (301-495-4564) *DJ*
REVIEW TYPE: Development Plan Amendment
CASE NUMBER: DPA-05-01
APPLICANT: Clarksburg Skylark, LLC and Clarksburg Village Investments
APPLYING FOR: Amendment to the approved development plan for a 100-unit elderly housing proposal
LOCATION: Located at Clarksburg; bounded by Newcut Road, Skylark Road and Ridge Road (MD 27); 373.77 acres
ZONE: PD-4
MASTER PLAN: Clarksburg Master Plan
FILING DATE: April 20, 2004
PUBLIC HEARING: January 18, 2006

I. STAFF RECOMMENDATION:

DENIAL of the Development Plan Amendment for the following reasons:

1. The proposal is not well integrated into the mixed-use neighborhood center as it is shown on the development plan. The placement of the elderly housing is not optimal and will not help to create a walkable interconnected system of streets and retail uses with integrated housing. For this reason, staff recommends denial of DPA-05-01.

II. SUMMARY

The applicants are requesting approval for a development plan amendment that would add 100 elderly housing units containing 150 beds to the Newcut Road Neighborhood's "mixed use neighborhood center". The mixed-use neighborhood center is

recommended in the Clarksburg Master Plan. This center is located at the northeast corner of the intersection of Snowden Farm parkway and Little Seneca Parkway in Clarksburg. Both the residential request and the commercial improvements contained in the development plan amendment are within the density limits set by the Clarksburg Master Plan. However, staff recommends denial of the proposal because the proposed design of the mixed-use neighborhood center does not fully integrate the elderly housing through the incorporation of interconnected streets with a street-oriented mixed-use building style as described in the Master Plan and as recommended by staff.

III. Background Facts

Prior Zoning Cases

The mixed-use neighborhood center is governed by two separate development plans from two separate zoning cases, numbered G-735 (Greenway Village) and G-784 (Clarksburg Village). The line between the two development plans runs diagonally through the southern end of the subject property (see Attachment 2). On the south side of the line is 20,000 square feet of commercial use approved in Case No. G-784. On the north side of the line is 89,000 square feet of commercial development approved in Case No. G-735. This amendment is for the northern half of the property.

These two development plans total 109,000 square feet of commercial use as recommended in the Clarksburg Master Plan. The total commercial square footage proposed in this amendment does not differ from prior approvals for 109,000 sq. ft. gained by the applicants of Zoning Cases G-735 (89,000 square feet) and G-784 (20,000 square feet).

Prior Binding Elements

There are two prior binding elements that will carry forward with this proposal. The first requires that the mixed-use neighborhood center, which will contain 109,000 sq. ft. of commercial use, cannot be constructed until after the Clarksburg Village town center reaches 90,000 sq. ft. of development.

A second binding element was placed on the development plan during zoning Case No. G-735 and over the mixed-use neighborhood center. The binding element states: **“Subject to a revision in order to create a framework of internal streets and achieve a street-oriented retail development.”** At that time, staff worked with the developer in the zoning case to place this binding element on the plan because staff was concerned with the design of the mixed-use neighborhood center. Staff was concerned that the design then was not really “mixed-use” if it did not contain interconnected streets with building retail building frontage and the proper mix of land uses. Staff continues to feel that any request to add the 100-unit elderly housing to the northern half of the commercial center should also consider mixed-use design ideas.

Ownership and Transfer of the Mixed-use neighborhood Center from Greenway Village to Clarksburg Village

Clarksburg Village Investments will own the entire property, and this amendment request for 100 elderly housing units, if approved, will require the owners of Clarksburg Village to include the northern portion of the mixed-use neighborhood commercial center on the preliminary plan for Clarksburg Village to reflect the proposed elderly housing amendment on the northern half of the property and the transfer of the mixed-use neighborhood center's 89,000 square feet of commercial use to Clarksburg Village.

IV. DESCRIPTION

A. Description of Property, Neighborhood Description Site Area

The mixed-use neighborhood center property is within the Newcut Road Neighborhood in Clarksburg that was classified in 2001 as PD-4 Zone. As described above, the northern part of the mixed-use neighborhood center is part of the Greenway Village subdivision, and the southern portion of the mixed-use neighborhood center is part of the Clarksburg Village subdivision.

Greenway Village is approximately 374 acres in size. The Greenway Village application proposed a mixed-use community with a maximum of 1,330 residential units, 89,000 sq. ft. of commercial land use and a 2,000 sq. ft. community center. Approximately 86 acres of land are dedicated to public and private parks and a site is dedicated for a future middle school. Greenway Village is bounded by Newcut Road, Skylark Road and Ridge Road (MD 27). The property is accessed from Newcut Road Extended and Skylark Road, which border the northern portion of the property. The site is currently under construction.

V. ANALYSIS

1) Land Use and Development Plan Amendment

The development plan amendment meets the minimum requirements of the PD-4 Zone. The applicant seeks to incorporate 100 elderly dwelling units containing 150 beds into the commercial portion of the Newcut Road Neighborhood commercial area in Clarksburg. The proposed amendment will increase the total number of residential units in Greenway Village from 1330 units to 1430 units. Right-of-way dedications will be provided. A site plan or site plans consistent with an approved development plan must be submitted and approved in accordance with the provisions of Section 59-D-3 pursuant to Section 59-D-1.8. If the amendment is granted, key elements such as the final locations of buildings, open space location, access points, uses and ultimately, the final density resulting from building placement will be determined during the Planning Board's site plan review process. The physical descriptions provided in this report are considered illustrative.

Building Location & Uses, Design Issues, Access and Parking

The proposed elderly housing will be contained in one building at the north end of the mixed-use neighborhood center near the intersection of Arora Hills Drive and Little Seneca parkway (Attachment 1). This location is north of a proposed grocery store and shops. This proposal is located along local bus routes and near commercial uses. The proposed location will provide views of the greenway to the west. The applicant maintains that this location fulfills Master Plan goals and is optimal for the building. Elderly housing at this location will fulfill the goals of the Clarksburg Master Plan to locate higher density housing along Newcut Road as part of the “mixed-use neighborhood center” (page 62) and to locate elderly housing near local bus routes leading to transit, shopping and public facilities (page 167).

Staff feels that the elderly housing will fulfill certain goals of the Master Plan by orienting a higher density development along Newcut Road. However, the proposal is not well integrated into the mixed-use neighborhood center as it is shown on the development plan. The proposal does not address important “*Transit and Pedestrian Oriented Neighborhood*” goals of the Master Plan (page 28-29). The placement of the elderly housing is not optimal and will not help to create a walkable interconnected system of streets and retail uses with integrated housing. The proposed land use arrangement fails to integrate uses in a manner that promotes pedestrian travel and reduces dependency on the automobile. The placement of the elderly housing does not achieve a vertical mix of retail and housing, or contribute to a system of intersected streets anticipated for the Newcut Road Neighborhood. Therefore, the elderly housing is not well integrated into the commercial center. An interconnected system of streets is not achieved and the design cannot be characterized as “mixed-use”.

The Clarksburg Master Plan does provide guidance for the design of “Transit-and Pedestrian Oriented Neighborhoods (Pages 28-29 – Attached). This guidance includes a diagram on page 29.¹

Staff was concerned about the ultimate layout of the mixed-use commercial center during the original zoning case in this matter (Case No. G-735, see Attachment 3). At that time, a note was placed on the development plan at the behest of staff and with the agreement of the applicant which states: “**Subject to a revision in order to create a framework of internal streets and achieve a street-oriented retail development.**” The applicant has placed this note on the subject amendment. But staff feels that this note, while providing some assurance that a re-designed mixed-use neighborhood center will be forwarded to the Board with a preliminary plan application, does not ensure that a high quality mixed-use neighborhood center would be constructed. The mixing of uses should occur in the same building where possible, or at a minimum, in interconnected buildings.

¹ While staff relies heavily on guidance from the Clarksburg Master Plan for land use, zoning and design issues, as described above, staff feels that the principles which should guide mixed-use development are not utilized in this proposal.

Density

The Master Plan recommends that the Newcut Road Neighborhood be limited to 4,660 dwelling units and 109,000 square feet of commercial use. This proposal would increase the total number of residential units in the Newcut Road Neighborhood to 4,103 dwelling units, which is within the guidelines established in the Master Plan. However, the density proposed in this application will not be compatible with the existing neighborhood in terms of the nature and the appropriateness of the use as described previously in this analysis.

The additional residential use under the development plan amendment will serve the Newcut Road Neighborhood and Clarksburg in general. The proposed amendment will increase the total number of residential units in the Greenway Village subdivision from 1330 units to 1430 units. The 100 units will eventually be part of the Clarksburg Village Subdivision through a land ownership change.

Both properties (Greenway Village and Clarksburg Village) combined are subject to a range of units limitation provided in the Master Plan, and the density proposed in this application is in compliance in terms of the total number of units recommended in the Master Plan and the percentage of multi-family units that is recommended in the Master Plan.

The amount of residential use and commercial use proposed is consistent with the recommended density in the Clarksburg Master Plan for the Newcut Road Neighborhood. The additional 100-unit building will include 150 beds and increase the total number of dwelling units to 1,430 units in Greenway Village. This represents 3.802 dwelling units per acre for the entire 376.1-acre gross tract area, which is not an unreasonable amount of density for the site. The amendment would include at least the minimum number of moderately priced dwelling units ("MPDUs") required under Chapter 25A of the County Code. The minimum required number of MPDUs proposed is 179, or 12.5 percent of the total number of dwelling units. The preliminary mix of units is provided. The Applicant has not committed to constructing the MPDUs on site.

The Clarksburg Master Plan affects this proposal in terms of percentage of multi-family units (Page 62) allowed in the Newcut Road Neighborhood. The Master Plan contains a recommendation to limit the amount of multi-family housing in the neighborhood to no more than 20 percent of the total number of dwelling units. This proposal would increase the percent of multi-family housing units in the Newcut Road Neighborhood to 19.8 percent. This is in compliance with the Master Plan.

The amount of commercial use is consistent with the prior approval for Greenway Village (case No G-735). Greenway Village was previously approved for 89,000 square feet of commercial development. Currently, there is 20,000 square feet of approved commercial development on the Clarksburg Village side of the subject development plan amendment area (case No. G-784). Combined, they total 109,000 square feet of approved commercial use.

The development plan amendment shows 118 parking spaces for the elderly housing building. This total is based on 150 beds (1 space per each 1-bedroom unit and 1.35 space per each 2-bedroom unit).

2) Neighborhood Guidance

Technical staff is aware of the concerns expressed by the community (Attachment 5). The Clarksburg Town Center Advisory Committee is in opposition to the development plan amendment because they maintain that the proposal does not fulfill the vision of the Master Plan or the requirements of the PD Zone.

3) Environmental Issues

The amendment has not changed significantly in terms of the requirements of the PD-4 Zone. The proposed amendment would satisfy the requirements of the zoning ordinance by designating 57 percent of the total area of the entire Greenway Village development to green space (approximately 213 acres in Greenway Village). The changes proposed will not affect the currently approved Forest Conservation Plan or stormwater concept approvals already gained by the applicant (Source: Environmental Planning Division). The final locations of all stormwater management facilities will be determined during site plan review and approval.

4) Additional Review Requirements

The applicant must revise the Clarksburg Village Preliminary Plan and Site Plans to reflect the addition of the proposed 89,000 square feet of development into Clarksburg Village. As stated previously, there is 20,000 square feet of approved commercial development in the subject mixed-use neighborhood center that is in Clarksburg Village. Also, the applicant is required to submit an amendment to reflect the addition of the 100-unit elderly housing building, and other improvements to integrate the elderly housing into the commercial center. When combined with the 20,000 sq. ft. of commercial that was already approved for Clarksburg Village (Case No.G-784), the total commercial development approved for Clarksburg Village will be 109,000 sq. ft.

VI. CONCLUSION

Upon review of the DPA, staff concludes that the development plan amendment generally conforms to the density recommendations of the Master Plan. But the amendment is not consistent with the mixed-use design recommendations of the Clarksburg Master Plan or the recommendations of staff to achieve a vertical mix of retail and housing and interconnected streets. Therefore, the proposal is not in the public interest. For this reason, staff recommends denial of DPA-05-01.

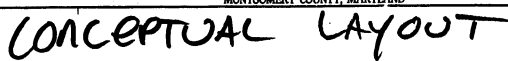
Attachments:

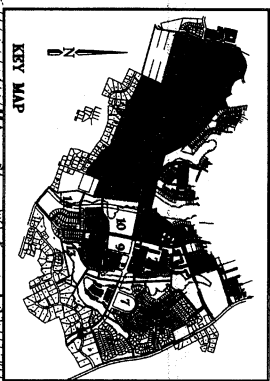
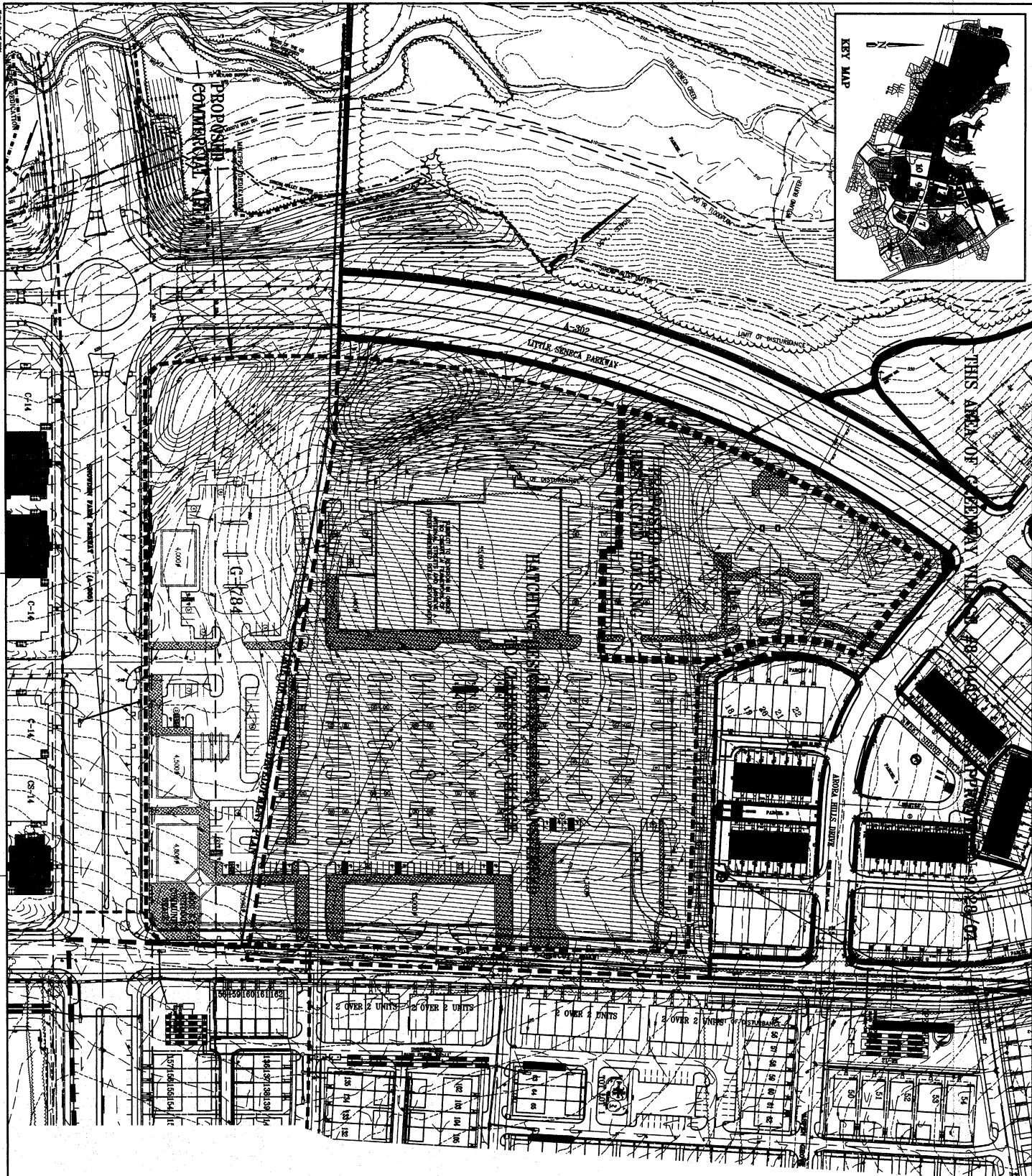
Development Plan Amendment Conceptual Layout	Attachment 1
Revised Development Plan Amendment (closeup based on layout)	Attachment 2
Greenway Village Development Plan Amendment (entire property)	Attachment 3

Memo from M-NCPPC Community Based Planning Division
Clarksburg Town Center Advisory Committee Letter
Prior approval (Case No G-735)

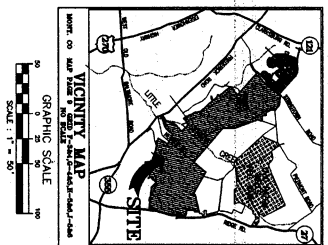
Attachment 4
Attachment 5
Attachment 6

ATTACHMENT 1





DPA-05-01



ARORA HILLS

REVISED DEVELOPMENT PLAN - ELDERLY HOUSING AREA
 GREENWAY VILLAGE AT CLARKSBURG
 CLARKSBURG (2nd) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

UPDATES/REVISIONS:	
4/18/05 ASK RESTRICTED HOUSING SUBMISSION - N/A	
NO.	DATE
1	3
2	3

DESIGN	BY	DATE
CLARKSBURG/CLARKSBURG	CLARKSBURG/CLARKSBURG	CLARKSBURG/CLARKSBURG
DATE	DATE	DATE
DATE	DATE	DATE
DATE	DATE	DATE

CPI Charles F. Johnson & Associates, Inc.
 PLANNERS - DESIGNERS - LANDSCAPE ARCHITECTS - SURVEYORS
 10000 GREENWAY VILLAGE, CLARKSBURG, MARYLAND 20746
 PHONE: 410-326-1000 FAX: 410-326-1001
 WWW.CFJA.COM

December 8, 2006

MEMORANDUM

TO: Daniel Janousek, Zoning Analyst
Development Review Division

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

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

SUBJECT: Development Plan Amendment No. 05-01 (Request to Develop 100 units of Age Restricted Housing in the Proposed Commercial Center of Clarksburg Village), Clarksburg Master Plan and Hyattstown Special Study Area.

STAFF FINDINGS

This application is in substantial compliance with the mixture of uses and overall density indicated by the Master Plan. Flexibility to integrate this Elderly Housing project into the adjacent retail center should be provided before the Development Plan Amendment is approved.

BACKGROUND

Zoning Application No. DPA-05-01 is a request by Elm Street Development to add Elderly Housing to the proposed Clarksburg Village Commercial Center. In April 2001, the original Development Plan was approved as part of Zoning Map Amendment No. G-735 for Greenway Village (Arora Hills). In December 2004, the Montgomery County District Council granted an amendment to the Development Plan (DPA-04-3) to change the location of the 2,000 square feet of indoor community space from the Clarksburg Village Commercial Center to the upper level of the Greenway Village clubhouse. This application would add 100 additional multi-family dwelling units to the Greenway Village in order to develop the Elderly Housing project.

Clarksburg Village and Greenway Village are located in the Newcut Road Neighborhood District of the 1994 Clarksburg Master Plan Area containing two major roadways: A-305

(Snowden Farm Parkway) and A-302 (Little Seneca Parkway). They are located south of Stringtown and Piedmont Roads, west of Ridge Road (MD 27), and east of MD 355. The Clarksburg Town Center is located to the north directly adjacent to the Clarksburg Historic District.

The Newcut Road Neighborhood District includes approximately 1,060 acres, most of which have been approved for development. Stringtown Road and Little Seneca Greenway separate it from the Clarksburg Town Center and Transit Corridor Districts, and it will be traversed by Snowden Farm Parkway (when the road is completed).

The Planning Board has approved preliminary plans for 1,330 units for Greenway Village and 2,653 units for Clarksburg Village. The first two sections of Greenway Village are near completion. The Phase 1 for Clarksburg Village is under construction. The Phase 2 Site Plan for Clarksburg Village is pending staff review and Planning Board approval. The Phase 3 Site Plan for the Clarksburg Village Commercial Center has not been submitted.

RELATIONSHIP TO THE CLARKSBURG MASTER PLAN

One land use objective of the Clarksburg Master Plan for the Newcut Road Neighborhood is to create a mixed-use neighborhood with a transit-oriented land use pattern. The mix of uses proposed for this neighborhood as stated on page 62 of the Master Plan is as follows:

- Residential* - 4,660 dwelling units
- Retail* - 109,000 square feet
- Office* - Some office uses are envisioned as part of the retail center development
- Civic/Public Uses* - Local park, schools, greenway, places of worship, day care, community center

Higher density residential uses, retail services, offices, and civic uses are clustered in the neighborhood center. To promote visual identity for the center, a vertical mix of three- to four-story buildings would be appropriate.

As shown in Figure 1, the land use recommendations for the Newcut Road Neighborhood proposes a mixed-use center on Newcut Road (Little Seneca Parkway), approximately midway between Snowden Farm Parkway and Skylark Road. This will provide a concentration of activity and density in the middle of the neighborhood while promoting lower densities at the edges. This concept also clusters development near the greenway system and enhances public access to the 290-acre Ovid Hazen Wells Recreational Park.

The Clarksburg Master Plan recommends a mixed-use neighborhood with transit oriented land use patterns for this District. Clarksburg Village and Greenway Village

(the major two large projects in the Neighborhood) will provide approximately 4,000 residential units and 109,000 square feet of commercial space.

The land use objectives of the Master Plan listed on pages 58 to 63 of the Plan are as follows:

- Create a mixed-use neighborhood with a transit-oriented land use pattern.
- Provide strong pedestrian and bicycle linkages to Ovid Hazen Wells Park and create a development pattern, which encourages access to the greenway network.
- Create an interconnected street pattern, which includes Newcut Road Extended (named Little Seneca Parkway) as “Main Street.”

The Master Plan recommends that the design of the neighborhood should implement the following transit supportive principles:

- Locate the core within one-quarter mile of as many residential units as possible (i.e., near the center of the higher density residential area).
- Provide an interconnected system of streets.
- Encourage street-oriented buildings throughout the neighborhood. Retail and office uses in the core should face streets with parking behind.
- Higher density residential uses, retail services, office, and civic uses are clustered in the neighborhood center. To promote visual identity for the center, a vertical mix of three- to four- story buildings would be appropriate.
- Higher density housing is oriented along Newcut Road as part of the mixed-use neighborhood center.

The proposed Development Plan Amendment (DPA) is consistent with the Master Plan land use and community facilities recommendations as follows:

- Provide a Range of Units

The Master Plan (page 39) emphasizes 45-55 percent one-family detached, 35-45 percent one-family attached, and 10-20 percent multi-family dwelling units to allow a diversity of housing types. The Master Plan also recommends a mix of unit types to avoid a large concentration of any single type of housing within each neighborhood.

The proposed DPA provides a 100-unit Elderly Housing project in the commercial center. This would increase the total percentage of all multi-family units to 19.8 percent in the Newcut Road Neighborhood. This satisfies the Master Plan recommendation for the Newcut Road Neighborhood that no more than 20 percent of the units be multi-family as shown in the table below:

Newcut Road Neighborhood Development

	Total Units	Multi-Family Unit Type	
Greenway Village	1,330	248	
Clarksburg Village	2,653	466	
Other Properties	100	0	
Proposed DPA	100	100	
Total	4,103	814	19.8 percent

- **Provide Elderly Housing**

The Master Plan recommends on page 167 of the Plan general location guidelines for community facilities. The Master Plan recommends that Elderly Housing be located near transit, local bus routes, shopping, and public facilities. The Plan does not identify specific locations for Elderly Housing, but it directs that Elderly Housing be dispersed throughout the Study Area with concentration near public facilities. Up to 500 units for independent living for Senior Adults was approved in 2003 on the Development Plan for the Cabin Branch development. The Cabin Branch development is located west of I-270 and east of Clarksburg Road and north of West Old Baltimore Road.

Staff finds that the proposed Elderly Housing is in compliance with the general guidelines since the project is located near the proposed Little Seneca Creek Greenway. Additional flexibility should be provided to locate the housing within the retail area.

ENSURING CONFORMANCE

At the time of site plan review, the following items should be addressed in order to achieve the vision of the Master Plan for Clarksburg on pages 28 and 29 as a transit-serviceable, traditional community:

- Arrange the buildings to create usable community outdoor space in the form of an urban park for community gathering and social interaction near the commercial center.
- Provide landscaped woodland along the hillside for screening along Little Seneca Parkway.

- Create an architectural residential roofline character with varied façade. The building height may be four (4) floors to achieve more open space.
- Relocate parking to the rear and provide adequate parking without requiring a parking waiver.
- Provide pathway connections along the street and not through the parking lots to improve pedestrian access, increase nature-oriented recreation, and encourage walking.
- Provide landscape and lighting plan that achieves a high level of landscaping and amenity given the close proximity of units and the need to soften the view. Streetscape along Little Seneca Parkway will be required in accordance with the Clarksburg Streetscape Plan.
- Redesign the commercial area to be more “Main Street” in nature and not simply a series of freestanding individual pads with drive-through facilities. The Town Center is a good model to emulate. The commercial center, also, needs to be developed with streets not just parking lot aisles as recommended in the Clarksburg Streetscape Plan.

CONCLUSION

The proposed project is consistent with the overall number of housing units in the Newcut Road Neighborhood and with the distribution of unit types within the Neighborhood. Staff believes that the proposed Elderly Housing conforms to the Master Plan recommendations by providing mixed uses and unit types with higher densities close to and within walking distance to the proposed commercial center of the Newcut Road Neighborhood. Because of the Master Plan staging element of the Clarksburg Town Center retail/commercial center, the Elderly Housing may not be built before 2010 (estimated).

As noted on page 196 of the Clarksburg Master Plan, the commercial center for the Newcut Road Neighborhood should be deferred until 90,000 square feet of retail uses have been established in the Clarksburg Town Center area. According to the developer of the Clarksburg Village Center, it will be approximately seven years before the retail center will be approved.

Staff recommends that flexibility be provided to integrate the Elderly Housing project into the adjacent retail center before the Development Plan Amendment is approved. It should be noted that the original Development Plan has the following note:

- “Subject to revision in order to create a framework of internal streets and achieve a street-oriented retail development”

The design guidelines provided by Community-Based Planning staff noted previously helps in achieving the vision of the Master Plan for Clarksburg as a transit-serviceable, traditional community.

Attachment

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Clarksburg Town Center Advisory Committee
P.O. Box 934
Clarksburg, MD 20871

December 12, 2006

Rose Krasnow, Chief, Development Review
Dan Janousek, Staff
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Rose and Dan:

The CTCAC is writing in opposition to the Greenway Village (Arora Hills) Revised Development Plan Amendment and Site Plan Amendment for the following reasons:

The proposed plan does not fulfill the vision of the Master Plan or the requirements of the PD zone. Specifically, in addition to the Policies (#1, #4, #5, #7 #8) of the MP, the land use recommendations for the Newcut Road Neighborhood retail objectives were to

Encourage street-oriented buildings throughout the neighborhood. Retail and office uses in the core should face streets with parking behind (pg. 59)

Higher density residential uses, retail services, offices and civic uses are clustered in the neighborhood center. To promote visual identity for the center, a vertical mix of three- to four-story buildings would be appropriate

In order to implement the Mixed-use neighborhoods and the goals of the MP, zones which allow the developer more flexibility in terms of layout were designated for certain parcels of land. The MP recognized (page 98) that these types of objectives are best implemented through PD and MXPD zones, yet provide **for more rigorous design review by the Planning Board and/or County Council under these zones.**

The proposed plan falls woefully short of not only the vision of the MP, but also the requirements of the PD zone. We maintain that this design does NOT meet the purpose clauses of the PD zone:

-The proposed development does **not** implement the master plan "...to a degree more closely compatible" with the master plan "than may be possible under other zoning categories."

-The proposed development does **not** provide "...a maximum of social and community interaction and activity among those who live and work within an area."

-The proposed development does **not** have "...a distinctive visual character and identity."

-The proposed development does **not** "...provide for open space not only for use as setbacks and yards surrounding structures and related walkways, but also conveniently located with respect to points of residential and commercial concentration so as to functions for the general benefit of the community and public at large as places for relaxation, recreation and social activity;..."

-The proposed development does **not** provide open space "...so situated as part of the plan and design...to achieve the physical and aesthetic integration of the uses and activities within each development."

-The proposed development does **not** provide "...comprehensive, pedestrian circulation networks, separated from vehicular roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities..."

-The proposed development does **not** result in "compatibility and coordination" of the "development with existing and proposed surrounding land uses."

The position of the community has consistently favored mixed-use development characteristic and typical of small towns (as described in attachment A.)

The plan as proposed neither carries out the community vision that became the 1994 Clarksburg Master Plan nor executes the level of placemaking detail and consideration citizens rightfully expected when the land was zoned PD in recognition of and for the realization of that community vision.

Clarksburg is rapidly developing as a new town. As it develops, each piece is integral to the vision, and no piece must be left unaddressed. The community vision aligns substantially with the principles of the PD Zone, and the fulfillment of these principles will bring to life the small town character that was intended by the Clarksburg Master Plan. When presenting this plan to the Board, staff is obligated to: demonstrate this plan's fulfillment of the purposes of the PD zone; recommend appropriate changes to bring the plan into compliance; or recommend disapproval. In earlier reviews, although Staff states that the plan complies with the PD zone, Staff fails to demonstrate how the plan complies with the PD zone. The Board has both the authority and the obligation, under law, to disapprove any plan that does not meet the purposes of the PD zone.

On behalf of the Clarksburg community at large, we respectfully urge the Staff and the Board to carefully examine and consider the proposed plan for compliance with the principles and vision outlined by the PD zone and long anticipated by the citizens of Clarksburg.

Thank you for your consideration,

Lynn Fantle, 1st Vice President
On behalf of CTCAC

cc:

Chairman Hanson
Commissioner Bryant
Commissioner Purdue
Commissioner Robinson
Commissioner Wellington

Janousek, Daniel

From: Greg Fioravanti [gregfioravanti@yahoo.com]
Sent: Wednesday, December 13, 2006 9:07 AM
To: Lfantle@aol.com; Janousek, Daniel; Krasnow, Rose; Jennifer.Russel@montgomerycountymd.gov
Cc: Synergiesinc@aol.com; Shileykim@aol.com; timdearros@comcast.net; smithcar@comcast.net; Lfantle@aol.com
Subject: Re: Please disregard earlier email--Greenway Village

Hi everyone -

Is this in relation to the senior housing project that Elm Street is proposing for Arora Hills? What are the obligations of the builder to notify the community? I do not believe we, residents of Arora Hills, received notices in the mail as we had in the past. For this to go through over the holidays is not going to encourage participation of the community, and gives the appearance that amendments are once again being slipped past the community. I think that Park and Planning should ensure a better job is done to solicit community reaction before this comes to the Board for consideration.

I had been vocal last year that the developers should not be rewarded with additional units over and above the agreed approx 1300 units - has any study been done to ensure that our insufficient infrastructure can support additional residents? If this were to be built, can provisions be put in place that infrastructure exists prior to construction? The developer has a history of delaying deployment of infrastructure - how can we be assured that we will have roads in place?

If the Elm Street and Artery want to build senior housing, they should use land dedicated to residential use and not increase the density that we had been promised. This additional density has no benefit to the residents of the community - it is simply an attempt to boost the developer's bottom line. The residential addition certainly shouldn't be at the expense of the retail we were promised.

----- Original Message -----

From: "Lfantle@aol.com" <Lfantle@aol.com>
 To: daniel.janousek@mncppc-mc.org; rose.krasnow@mncppc-mc.org;
 Jennifer.Russel@montgomerycountymd.gov
 Cc: Synergiesinc@aol.com; Shileykim@aol.com; timdearros@comcast.net; smithcar@comcast.net;
 Lfantle@aol.com; gregfioravanti@yahoo.com
 Sent: Wednesday, December 13, 2006 12:27:53 AM
 Subject: Please disregard earlier email--Greenway Village

Formatting of the first letter did not come through appropriately. Please disregard the first transmission of our letter, apparently there was a formatting problem. Attached below is a copy of our email message and a reformatted version of the letter.

Thank you,
 Lynn Fantle

Dear Rose and Dan,

Attached please find CTCAC's comments relative to Greenway Village proposed development and site plan

12/13/2006

amendments. Please ensure the Board members receive a copy of our letter for the record.

Many thanks,
Lynn Fantle

Need a quick answer? Get one in minutes from people who know. Ask your question on [Yahoo! Answers](#).

The Clarkburg Master Plan specifies that Clarkburg is to have a small town atmosphere, be pedestrian and bicycle friendly, transit oriented, and adhere to the Special Protection Area (SPA) environmental restrictions. The Clarkburg Master Plan emphasizes that Clarkburg be designed to reduce the dependency on automobiles. These are the themes in the Clarkburg Master Plan. [Proposed Concept for Clarkburg page 6, Policy 1 page 16, Policy 2 page 18, and Policy 4 page 22]

The CCA would like the following principles which enhance the Clarkburg Master Plan themes be made requirements for development within Clarkburg:

1. Buildings are to be adjacent to and front the streets with all parking to the rear of the buildings. [Policy 7 page 28] There must be a sidewalk between the street and the buildings. The access to the parking area from the streets must be limited. This provides the pedestrian oriented street scene atmosphere. The businesses are presented to the community and the unsightly parking is hidden behind the buildings. Access to the commercial establishments is safer for pedestrians.
2. Village centers need to be pedestrian friendly. [Policy 7 page 28] Citizens need to be comfortable in walking between businesses. We do not want "box-like" scores with their own separate large parking facilities. Green spaces need to be provided for the enjoyment and relaxation of the citizens.
3. Parking lots need to be designed so as not to be a barrier to the pedestrian. [Policy 7 page 28] The parking lots need to be designed to minimize conflicts between automobiles and pedestrians who are walking between establishments which may be on opposite sides of the village center. This may be accomplished by creating a pedestrian avenue with shops and offices on both sides with small parking areas tucked behind the commercial property.
4. The streets within a neighborhood need to form a grid pattern. [Policy 5 page 24 and Policy 7 page 15] This helps prevent a single road from becoming a bottleneck. The streets need to be of varying widths. There will exist quiet streets that allow access to all areas of the neighborhood which increases pedestrian and bicycle safety.
5. All roads must have sidewalks. [Policy 5 page 24] Sidewalks provide safe pedestrian access throughout a neighborhood.
6. All roads need to be safe for bicycling. By law, bicycles are legal vehicles on all roads provided the speed limit does not exceed 50 mph. Therefore, all roads must be designed to accommodate bicycles. All arterial roads need bicycle lanes on each side. Given an adequate road system, bicycles can provide a means to cut traffic congestion. In Portland, Oregon, bicycle trips make up 17% of all trips.
7. Bicycle parking facilities must be provided at each commercial building. Some bicycle parking facilities are required by law. This, again, encourages citizens to use alternatives to automobile transportation.

8. All outdoor lighting must be full cutoff and be glare free. The light intensity is to be limited to one foot-candle in residential areas and 5 foot-candles in commercial areas. If done well, this is the best type of security lighting since the lighting can be localized to reflect off the property evenly and without shadows. The light should not shine directly upwards or out of the commercial property. Currently, Clarkburg has some of the darkest skies that I have seen. We do not need to lose the beautiful night skies. Astronomers regularly visit the area due to some of the best observing conditions in the area.

9. Village centers need to provide both office and retail space. [Policy 8 page 30] The types of retail must meet the needs of the neighboring residential areas. Office space for various small businesses would also give the opportunity for some people to live near their work.

10. Provide residential apartments or condominiums above the commercial property. This concentrates density in the Village Center where density should be highest. This also helps provide the small town atmosphere.

11. The types of commercial and residential properties must be varied. [Policy 7 page 28] One reason for PD zoning is to provide a variety of architectural styles. The Kamlands is a good example of this principle. In a group of town homes, the widths of adjacent homes should vary as well as the styling. For example, three town homes in a row may have widths of 18 feet, 22 feet, and 16 feet. Similarly, there need to be a mixture of lot sizes for single family homes.

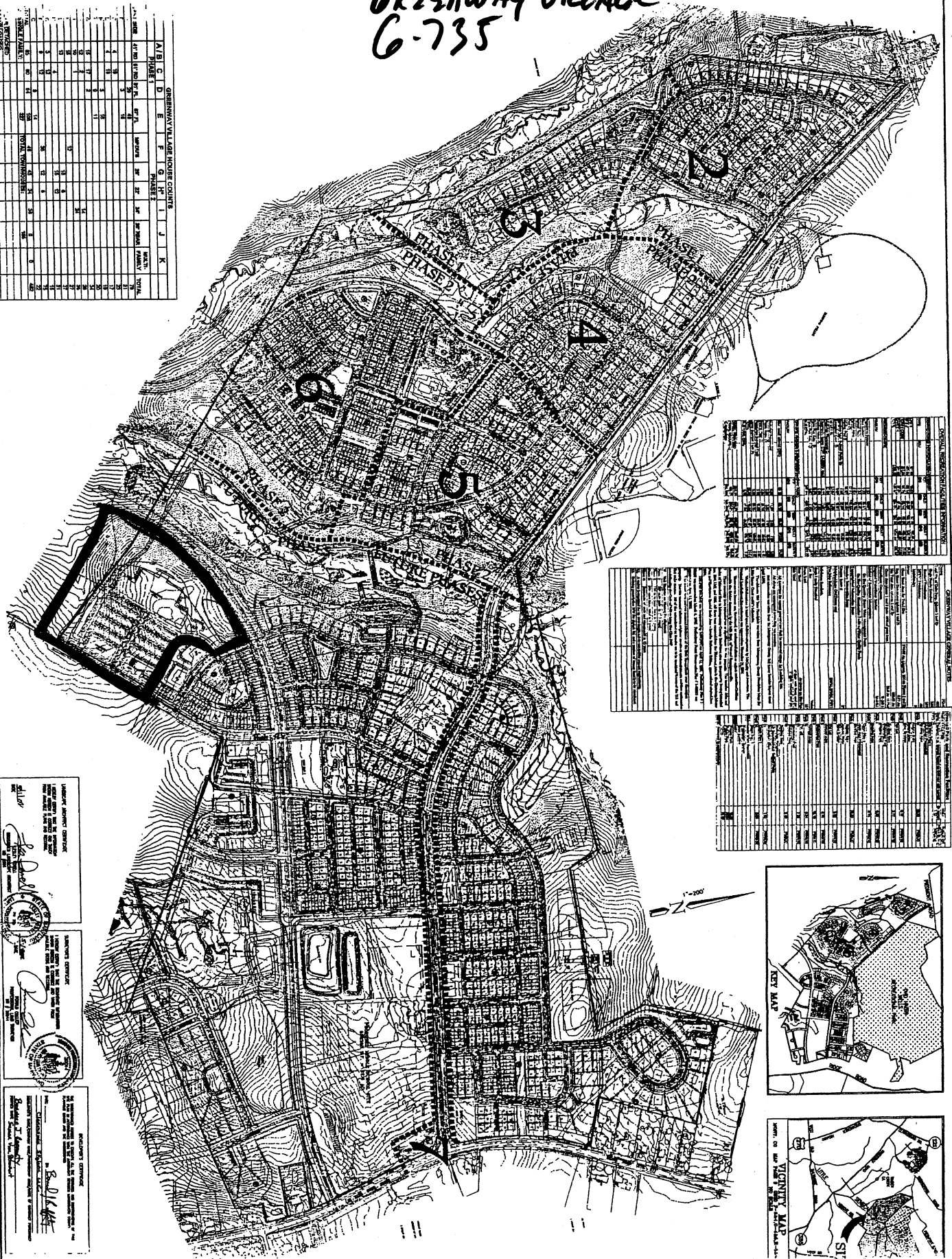
12. Near existing single family dwellings, the increase in density must be gradual. There should only be single family homes surrounding existing dwellings with an orderly increase in density to town homes then multifamily housing (if appropriate).

13. Integrate neighboring properties to maximize transparency between developments. [Policy 7 page 28] The Elm Street property and the DiMalo property are good examples where this is being attempted. A little more work is needed in integrating the two developments in the Clarkburg Village Center.

14. Park and Ride lots need to be provided. [Transit Plan page 111] These lots can be kept on the smaller lots and be strategically located in commercial areas and near regional transit stops. This will encourage citizens to both car pool and take transit. A good example of this is in the shopping center in Hyattstown on the Frederick/Montgomery County border. The portion of the parking lot in Montgomery County is used by people taking the bus and joining car pools.

15. Use a charrette to receive citizen input while developing each site plan. This helps to ensure that the local citizens buy into the final site plan and guides the developer in the direction the community would like to proceed. This has been successfully used for the future improvement of the street scape along MD 355 in Gaithersburg and will be used by the Transportation Policy Repon Task Force.

We need to encourage the placing for transit within the built-out Clarkburg and from Clarkburg to other communities such as Damascus, Germantown, and Frederick. Ovid Hazen Wells Recreational Park needs bus service on a regular basis both during the week, in the evenings, and on weekends. Small buses should provide service between the residential area of Clarkburg, the retail area, and the park area. This would truly make Clarkburg transit oriented. [Policy 4 page 22 and Transit Plan pages 109 - 112]

[illegible]

DEVIL OF THE DEATH

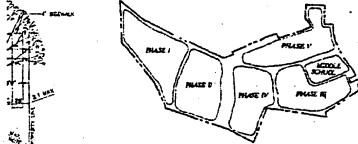
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FREDERICK, MD PARSIPpany, NJ

development is not dependent on any road project contained within the county's CIP. widening of MD 27 to four lanes may be necessary, funded as a developer team project, prior to full development of the property, dependent upon background as at the time of subdivision approval.

note: most of this property will be processed by the construction of the following CIP which are not yet under construction:

- State Senate WYTS Expansion FM, Part 3, S-84.41
- Yostel Rock WTS, S-84.59
- Turkburg Heights Outfall Sewer, Part 1, S-84.24
- Knightsbridge Acres Outfall Sewer, Part 1, S-84.44
- Turkburg Area Stage 2 Trunk Sewer, S-84.48
- Turkburg Trunk Center Outfall Sewer, S-84.51
- Turkburg Area Stage 3, S-84.53



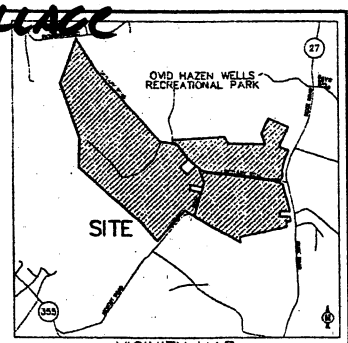
PHASING PLAN

This Phasing Plan indicates the order of residential development shown in the Turkey Creek Sewerage Collection Study. Phasing areas are indicated by the numbers and letters on the structures, open spaces, vehicular and pedestrian ways, utility easements and necessary easements. Facilities within this Phasing area. The development of a subsequent Phasing area may be initiated prior to the start of construction of the first Phasing area.

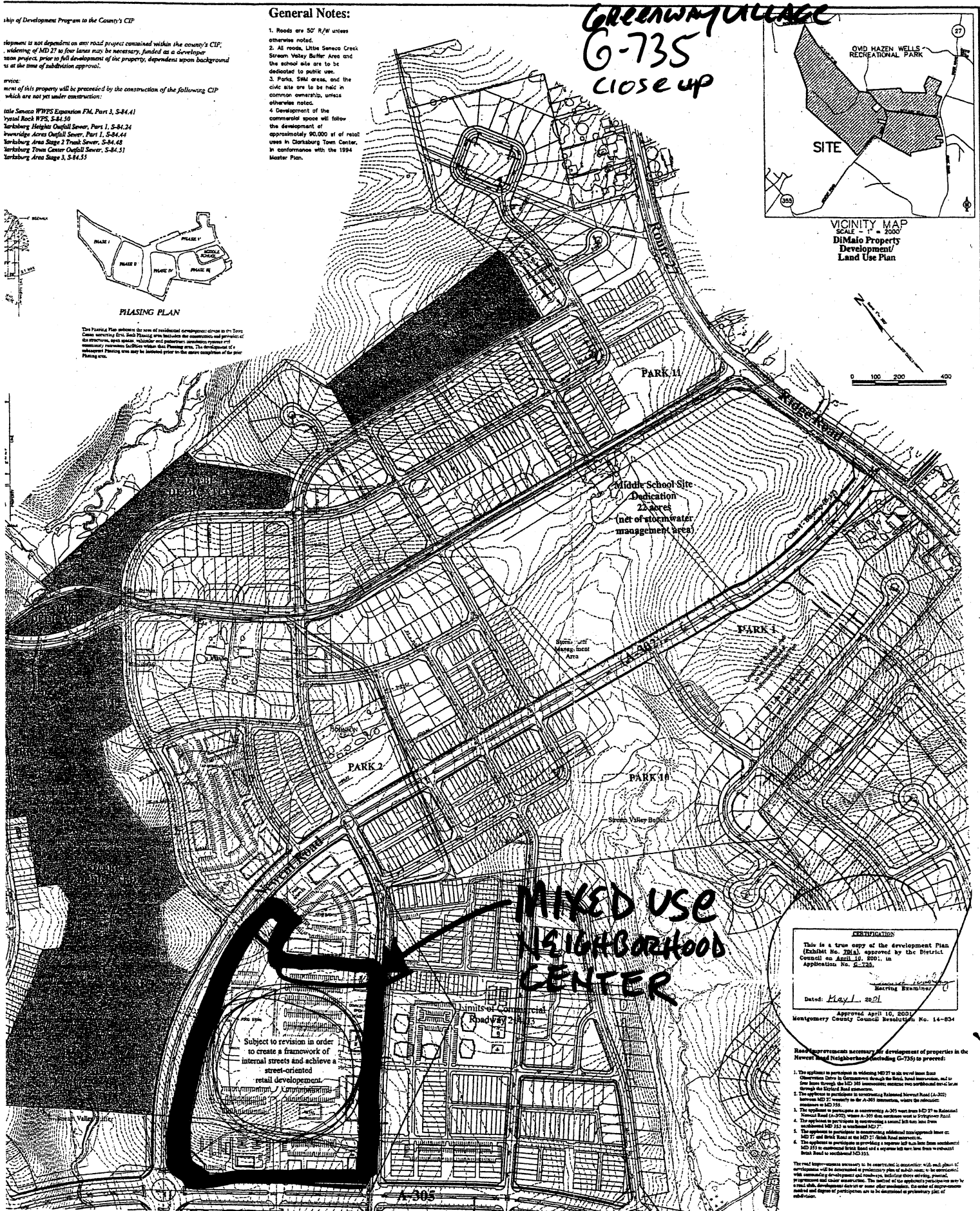
General Notes:

1. Roads are 50' R/W unless otherwise noted.
2. All existing Little Seneca Creek Stream Valley Buffer Area and the school site are to be dedicated to public use.
3. Parks, Stail areas, and the civic site are to be held in common ownership, unless otherwise noted.
4. Development of the commercial space will follow the development of approximately 90,000 sq ft of retail uses in Clarksburg Town Center, in conformance with the 1994 Master Plan.

GREENWAY VILLAGE
G-735
close up



VICINITY MAP
SCALE - 1" = 2000'
DiMaio Property
Development/
Land Use Plan



CERTIFICATION
This is a true copy of the development plan (Exhibit No. 721A), approved by the District Council on April 19, 2001, in Application No. G-735.
Dated: May 1, 2001
Montgomery County Council Resolution No. 14-034

- Revisions necessary for development of properties in the Newland Road Neighborhood including G-735 to proceed:
1. The applicant to participate in widening MD 27 to six travel lanes from three travel lanes to six travel lanes through the Newland Road intersection, and to four lanes through the MD 302 intersection, and to four lanes through the MD 302 intersection, and to four lanes through the MD 302 intersection.
 2. The applicant to participate in constructing a roundabout at the intersection of MD 27 and MD 302.
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Policy 7 Transit- and Pedestrian-Oriented Neighborhoods

This Plan clusters development into a series of transit- and pedestrian- oriented neighborhoods.

One of the major Plan challenges is how to channel and direct future development in a way that will allow future residents to feel part of a larger community. The neighborhood is the basic building block in establishing that sense of community. This Plan proposes a number of neighborhoods which are characterized by similar elements as illustrated in Figure 13:

Mix of Uses

- Establishes a mix of uses in each neighborhood to encourage pedestrian travel and reduce dependency on the automobile.
- Discourages separation of uses.
- Provides a pattern of development that provides for retail uses, employment opportunities, open spaces, schools, and housing units.
- Proposes retail and employment uses at a pedestrian scale and oriented to the needs of residents.

Interconnected Streets

- Provides more direct access for pedestrians, bicyclists, and vehicles to all areas of the neighborhood, including transit stations, retail stores, civic space, and residences.
- Encourages the use of a wide variety of road sections available in Montgomery County, which range from tree-lined boulevards (divided primary streets) to the more narrow residential streets (secondary streets) that are found in many of the older neighborhoods.
- Provides sidewalks along both sides of the streets and encourages on-street parking.

Diversity of Housing Types

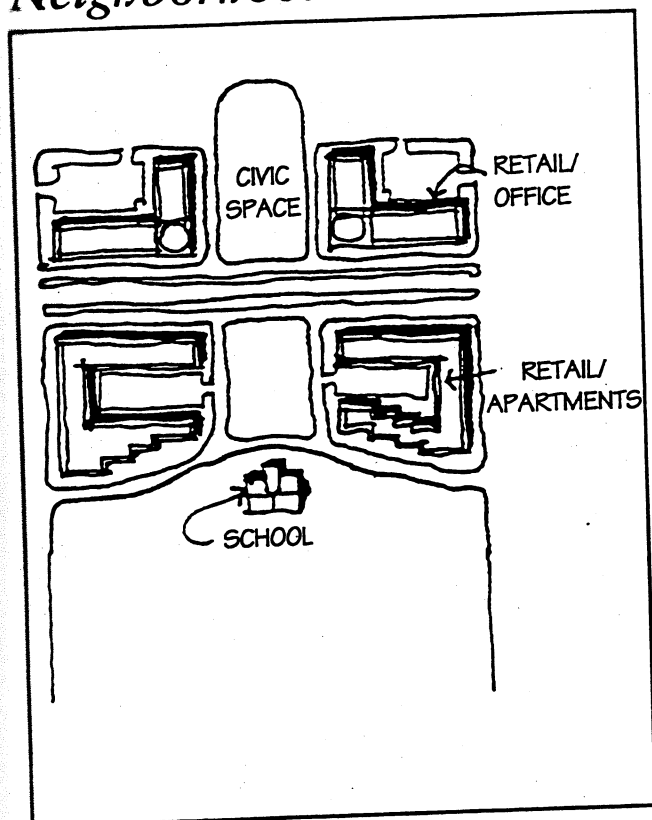
- Endorses a mix of unit types at the neighborhood level.
- Avoids large concentrations of any single type of housing within each neighborhood.

Street-Oriented Buildings

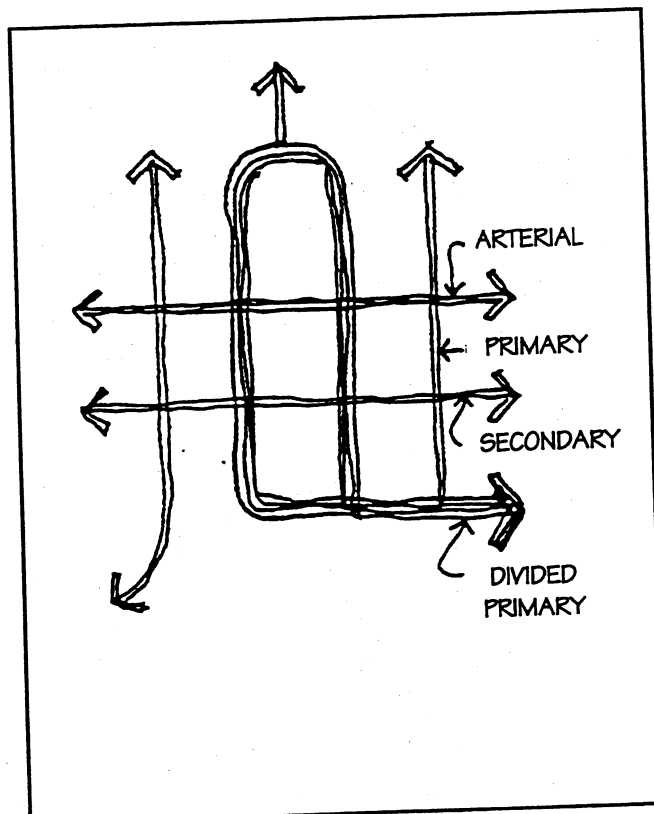
- Fosters the creation of transit- and pedestrian-oriented neighborhoods by proposing that buildings be clustered along streets.

Transit- and Pedestrian-Oriented Neighborhoods

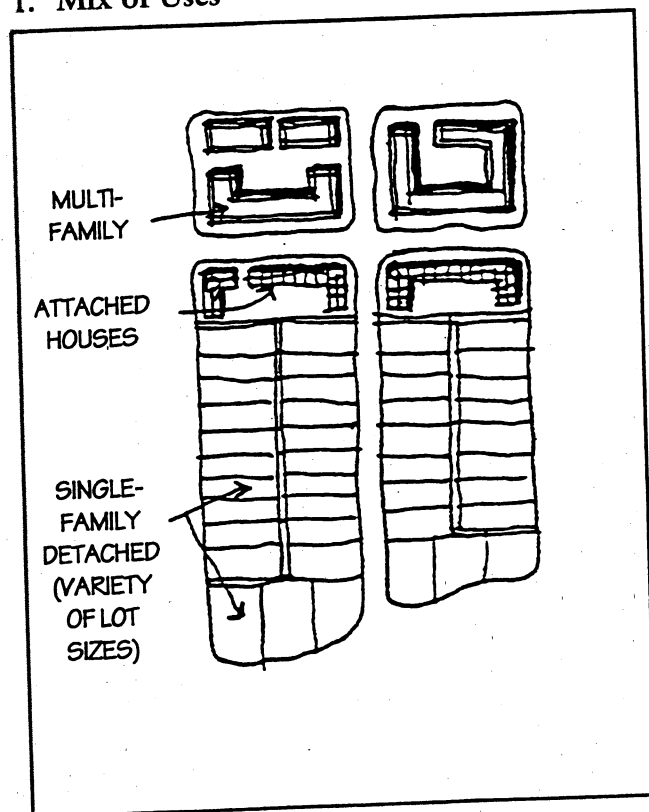
Figure 13



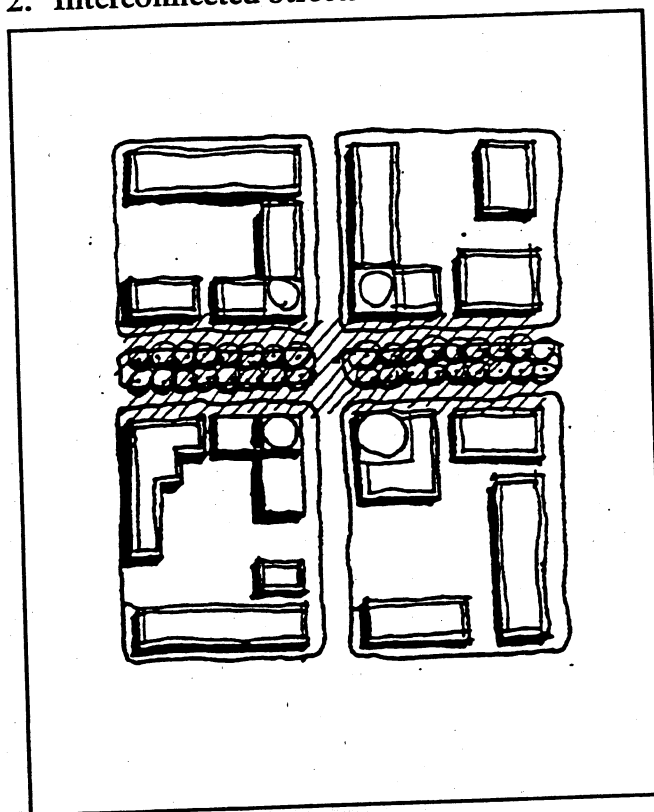
1. Mix of Uses



2. Interconnected Streets



3. Diversity of Housing Types



4. Streets Oriented Buildings