



MCPB

Item No. 10

Date: 06-17-21

Clarksburg Elementary School #9, Final Forest Conservation Plan Amendment, 820050150 and Preliminary/Final Water Quality Plan, MR2021006



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Description

Request to build new elementary school at 22215 Dunlin Street, Clarksburg, Maryland.

Staff Recommendation: *Approval with conditions*
Final Forest Conservation Amendment 82005015G
Preliminary/Final Water Quality Plan MR2021006

Location: Intersection of Clarksburg Road (State Route 121) and Dunlin Street

Acreage: 9.87 acres

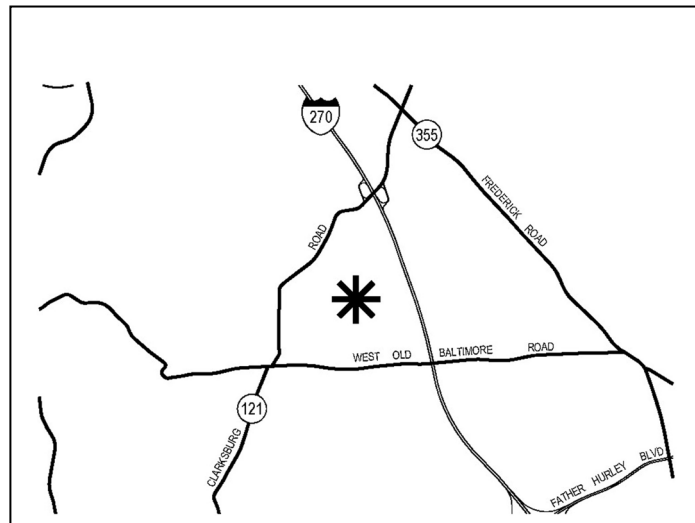
Zone: CRT-0.5, C-0.25, R-0.25, H-65T

Master Plan: 1994 Clarksburg Area Master Plan

Applicant: Montgomery County Public Schools

Accepted Date: April 21, 2021

Review Basis: Chapter 19 and 22A



Summary

- There are three items for Planning Board review for this project: The Final Forest Conservation Plan Amendment, the Preliminary/Final Water Quality Plan for the Clarksburg Special Protection Area (SPA), and the Mandatory Referral.
- This memorandum covers Staff review and recommendations for the Forest Conservation Plan and the SPA Water Quality Plan. The Planning Board's actions on the Forest Conservation Plan and Water Quality Plan are regulatory and binding. The review and recommendations for the Mandatory Referral are covered in a separate memorandum.
- Staff recommends **approval with conditions** of the Final Forest Conservation Amendment 82005015G
- Staff recommends **approval with conditions** of the Preliminary/Final Water Quality Plan MR2021006
- Meets requirements of Chapter 22A, Forest Conservation Law.
- Meets requirements of Chapter 19, Sediment and Erosion Control.
- Staff has not received community correspondence on this application.

Recommendation: **Approval with conditions** of the Final Forest Conservation Plan Amendment #82005015G

1. The Final Sediment Control Plan must depict the limits of disturbance (LOD) consistent with the LOD on the approved Final Forest Conservation Plan.
2. The Applicant must schedule the required site inspections with M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.

Recommendation: **Approval with conditions** of the Preliminary/Final Water Quality Plan MR2021006

1. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its Combined Preliminary/Final Water Quality Plan letter dated August 27, 2020 and hereby incorporates them as conditions of the Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Plan approval.
2. Impervious surfaces are limited to no more than 43.4% of the Application within the Clarksburg Special Protection Area as shown on the Impervious Surface Plan dated May 28, 2021.
3. Prior to the start of any demolition, clearing, grading, or construction on the Subject Property, the owner of the Subject Property must enter into an agreement with the Planning Board to limit impervious surfaces to no more than 43.4% of the Application within the Clarksburg Special Protection Area and as shown on the Impervious Surface Plan dated May 28, 2021. The agreement must be in a form approved by the M-NCPPC Office of the General Counsel and recorded by deed in the Montgomery County Office of Land Records.

SITE DESCRIPTION

The Clarksburg Elementary School #9 Site consists of 9.87 acres, Parcel A, on Plat 24911 at 22215 Dunlin Street, Clarksburg ("Site") and zoned CRT. The Site is generally flat. The Site contains some individual street trees, but no forest or other environmental features. The Site was mass graded with the development of the Cabin Branch Neighborhood under Site Plan #820050150. The neighboring properties are residential. The Site is bounded on the northwest by Clarksburg Road (MD 121), to the northeast by Byrne Park Drive, and southwest by Dunlin Street. The Site is within the boundaries of the 1994 Clarksburg Master Plan.

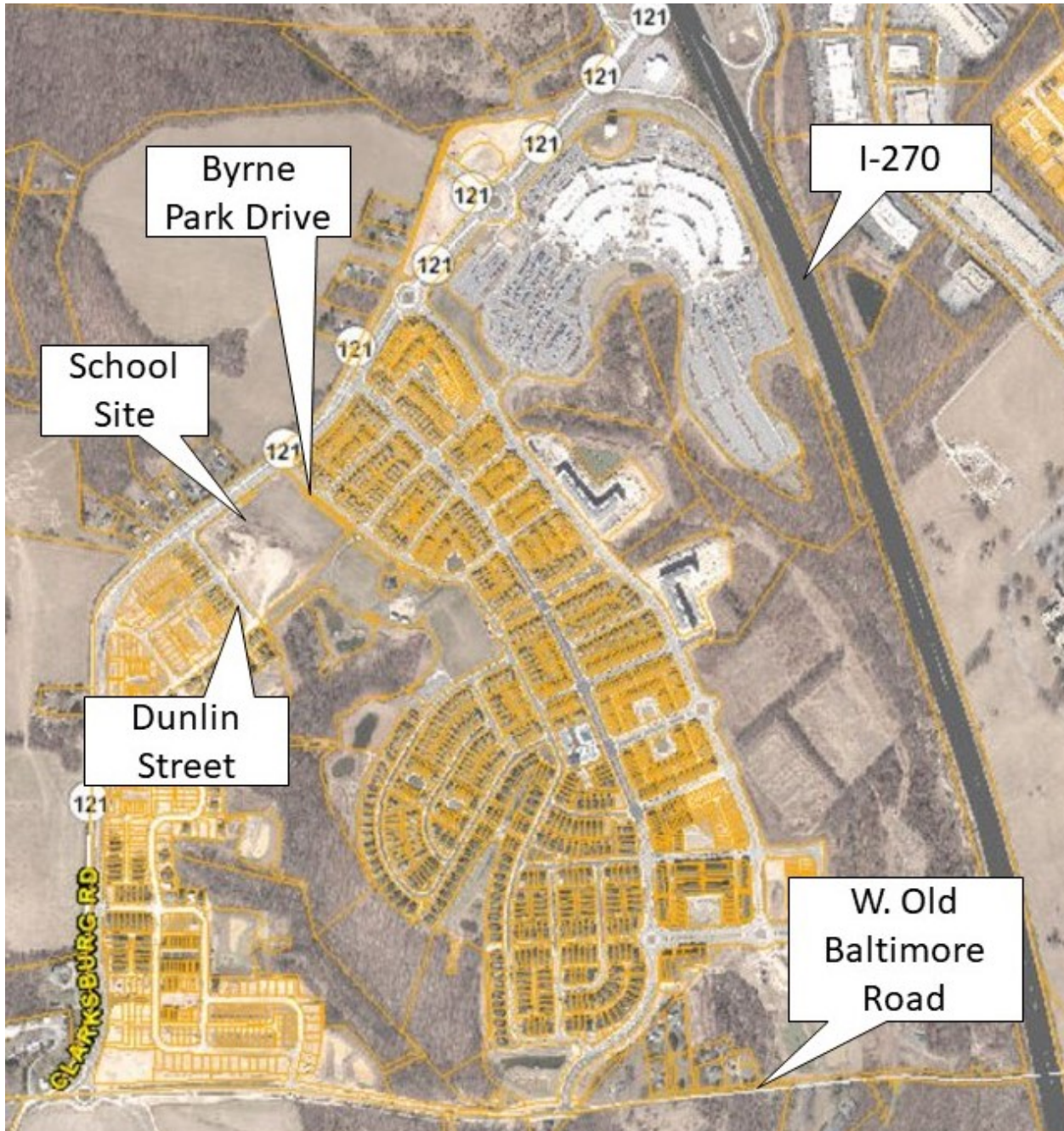


Figure 1: Aerial Photograph of the Vicinity



Figure 2: Aerial Photograph of the Site

PROJECT DESCRIPTION

Montgomery County Public School (“Applicant”) is proposing to build the new Clarksburg Cluster Elementary School #9. The project is proposed to be completed in August of 2023. The school will provide program spaces for Pre-Kindergarten, Kindergarten, and Grades 1 through 5 when completed. The proposed building plan is a repeat design of the prototype elementary school that was utilized for Great Seneca, Little Bennett, William B. Gibbs, Wilson Wims, and Snowden Farm Elementary Schools.

The proposed site plan situates the new building near the center of the site, the parking, bus loop and student drop-off loop are located on the western side of the site along Dunlin Street, and the ballfields and play areas are located on the eastern portion of the site along Byrne Park Drive.

All vehicular entry and exit is proposed from Dunlin Street. On-site vehicular traffic circulation is designed to provide safe access to the school for pedestrians while providing approximately 90 parking spaces. Parking is also available along the surrounding streets. The student drop-off and the separate bus loop are designed to provide maximum queuing spaces on site to minimize the traffic backup on to the streets.

A new stormwater management system will be provided for quality control measures on site. Stormwater quantity control will be provided by the existing storm water management pond located to the south east of the site. Micro-scale water quality practices will be provided to comply with the environmental site design regulations. The proposed storm water management will include the use of a full vegetated roof and environmental site design elements required by the State of Maryland and Montgomery County.

New utilities, including water, sewer, gas, and electric services will support the needs of the new facility.

A. FOREST CONSERVATION PLAN AMENDMENT ANALYSIS AND FINDINGS

The Application meets all applicable requirements of Chapter 22A of the Montgomery County Forest Conservation Law.

Review for Conformance to the Forest Conservation Law

The Application is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) under Section 22A-4(d) as a project by *“a government entity subject to a mandatory referral on a tract of land 40,000 square feet or larger...”* and is subject to the previous Final Forest Conservation Plan #820050150 for Cabin Branch Neighborhood and must be amended with this Application.

Final Forest Conservation Plan

A Final Forest Conservation Plan (FFCP) for the Property was approved on May 2, 2013 as part of Site Plan Application 820050150 Cabin Branch. An Application to amend the FFCP was submitted as part of this Mandatory Referral (Attachment A). The proposed amendment addresses the new Limits of Disturbance (LOD) and proposed construction in accordance with 22A.00.01.09 of the Forest Conservation Regulations.

There are no additional requirements that are generated by this amendment. The amended FFCP varies from the approved FFCP in that the new plan proposes the construction of an elementary school and the previous approval was for mass grading only.

B. SPA WATER QUALITY PLAN AMENDMENT ANALYSIS AND FINDINGS

The Application meets the Water Quality Plan requirements of Chapter 19 of the Montgomery County Code and the requirements of the Clarksburg Special Protection Area. The property included in the WQP Application is 9.62 acres in size and includes Parcel A.

Review for Conformance to the Special Protection Area Requirements

This project is located within the Clarksburg SPA and on publicly owned property, so it is required to obtain approval of a water quality plan under Section 19-62(c) of the Montgomery County Code. This section of the code states:

“(c) Publicly owned property. Before engaging in any land-disturbing activity on publicly owned property in an area designated as a special protection area, the applying agency or department should prepare a combined preliminary and final water quality plan.”

As part of the requirements of the Special Protection Area law, a SPA Water Quality Plan should be reviewed in conjunction with a Mandatory Referral. Under Section 19-65, the provision of the law, the Montgomery County Department of Permitting Services (MCDPS) and the Planning Board have different responsibilities in the review of a Water Quality Plan. MCDPS has reviewed and conditionally approved the elements of the Water Quality Plan under its purview. The Planning Board’s responsibility is to determine if environmental buffer protection, SPA forest conservation and planting requirements, and limits on impervious surfaces have been satisfied.

MCDPS Special Protection Area Review Elements

In a letter dated August 27, 2020, MCDPS has conditionally approved the elements of the SPA Preliminary/Final Water Quality Plan under its purview with a synopsis provided below (Attachment B).

Stormwater Management Concept

Stormwater management goals will be provided onsite via micro-bioretenion, a vegetated roof, and a bio-swale.

Sediment Control

An engineered sediment control plan must be submitted with this project must be submitted at time of the detailed sediment control/stormwater management stage.

Planning Board Special Protection Area Review Elements

Staff recommends Planning Board approval of the elements of the SPA Water Quality Plan Amendment under its purview.

Environmental Buffer Protection

The Site is located in the Little Seneca Creek watershed (Use Class I-P waters). There are no streams, floodplains, wetlands, or environmental buffers on or affecting the Site.

The Application meets all applicable requirements of the Environmental Guidelines and the Clarksburg SPA.

Impervious Surfaces

There are no impervious limitations within this portion of the Clarksburg SPA; however, the Clarksburg SPA Regulations allow the M-NCPPC to review imperviousness and to work with the Applicant to reduce imperviousness. As part of the Preliminary Water Quality Plan for the Cabin Branch Development under

the Cabin Branch – Infrastructure Site Plan (Plan No. 820050150), an overall goal of less than 45% imperviousness was established by the Planning Board (MCPB Resolution No. 07-131).

The Application will result in approximately 181,518 square feet, or 4.16 acres of impervious surfaces, which translates to 43.4 percent of the 9.62-acre area included in the impervious surface calculations, thereby demonstrating conformance with the Clarksburg SPA.

CONCLUSION

Staff recommends the Planning Board approve the Amended Final Forest Conservation Plan and the Amended Preliminary/Final Water Quality Plan with conditions specified above.

ATTACHMENTS

- A. Final FCP Amendment Plan
- B. MCDPS Preliminary/Final Water Quality Plan approval letter dated August 27, 2020.
- C. Impervious Surface Area Plan