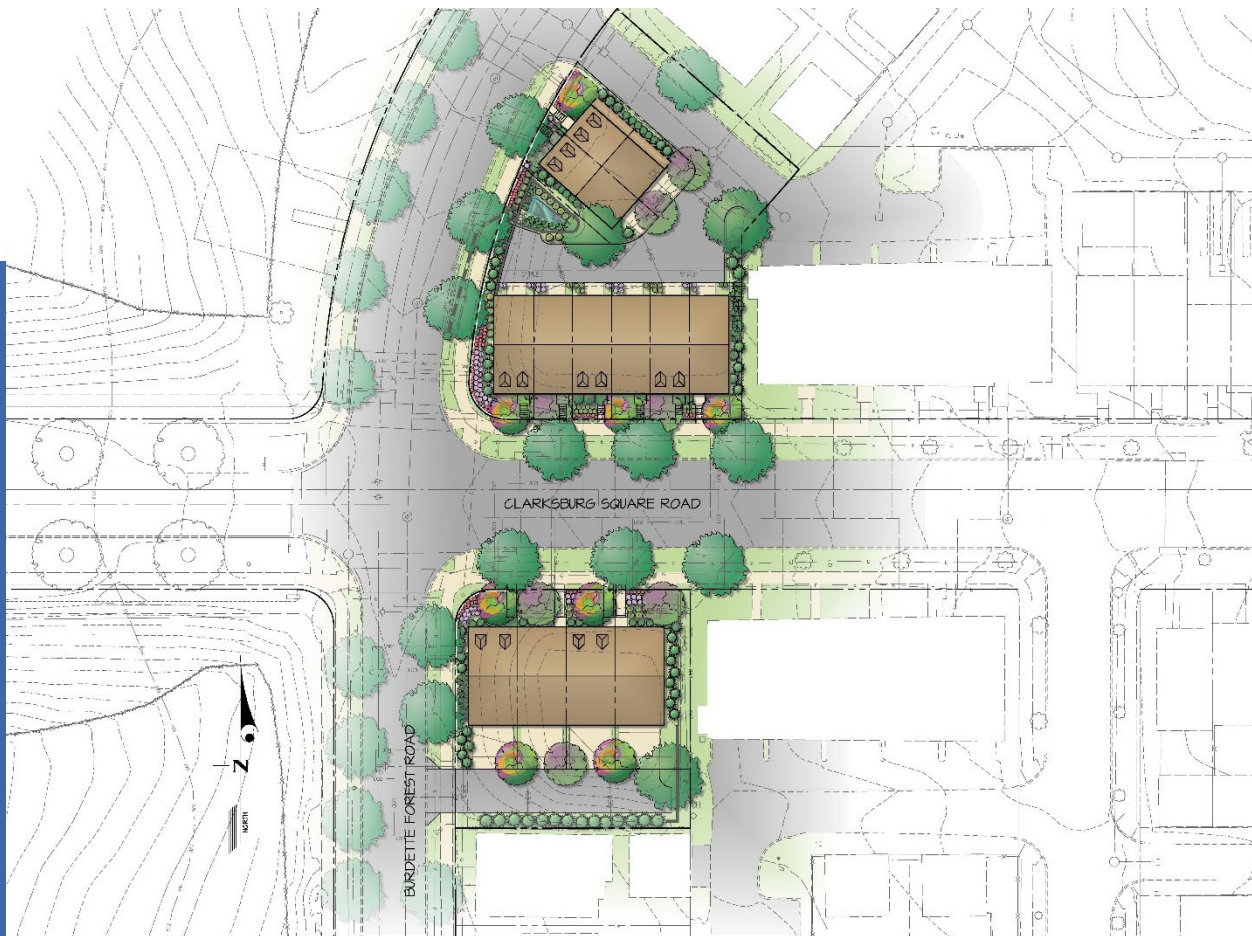


CLARKSBURG TOWN CENTER

PRELIMINARY PLAN NO. 11995042D

SITE PLAN NO. 82007022H



Description

Amendments to convert the originally approved 24 manor home condominium units, including 8 MPDUs within two buildings, on Block M, Parcel A and Block S, Parcel C to 12 rear-loaded townhouse dwelling units, including 7 MPDUs.

NO. 11995042D & 82007022H

COMPLETED: 12-23-2021

MCPB

Item No. 3

2425 Reddie Drive

Floor 14

Wheaton, MD 20902



Jeffrey Server, Planner Coordinator, Upcounty Planning, jeffrey.server@montgomeryplanning.org, 301-495-4513

Sandra Pereira, Supervisor, Upcounty Planning, sandra.pereira@montgomeryplanning.org, 301-495-2186

Patrick Butler, Chief, Upcounty Planning, patrick.butler@montgomeryplanning.org, 301-495-4561

LOCATION

Located at the northeast and southeast quadrants of the intersection of Cabin Branch Avenue and Burdette Forest Road

MASTER PLAN / ZONE

1994 Clarksburg Master Plan & Hyattstown Special

Study Area / Reviewed under the RMX-2 zone

PROPERTY SIZE

0.56 acres

APPLICANT

CTC Development Inc.

ACCEPTANCE DATE

April 21, 2021

REVIEW BASIS

Chapters 50, 59, and 22A



Summary

- Staff recommends approval of the Preliminary Plan, Site Plan, including the Final Forest Conservation Plan, and a Final Water Quality Plan.
- The Application proposes to convert 24 manor home dwelling units, including 8 MPDUs, to 12 rear-loaded townhouse dwelling units, including 7 MPDUs. This change in unit type is supported by DHCA due to the higher demand for townhouse MPDUs as compared to multi-family MPDUs.
- Under the FY22 Annual School Test, this Application is subject to a Tier 2 Utilization Premium Payment (UPP) for development approved within the Clarksburg High School service area. No additional UPPs or partial payments at multiple tiers are required based on the estimated number of students generated by the Amendment.
- No community correspondence has been received for this amendment.

SECTION 1

RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN NO. 11995042D: Staff recommends approval with conditions of the Preliminary Plan amendment. All conditions of approval of Preliminary Plan No. 119950420, as amended, remain in full force and effect except for the modified and additional conditions below. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions: ¹

Modified Condition

General Approval

Overall Density

1. This Preliminary Plan is limited to a maximum of ~~1,118~~ **1,106** residential dwelling units including 12.5% MPDUs, 129,545 square feet of retail, 45,280 square feet of medical office, and 31,360 square feet of office on 270.92 acres.

New Conditions

Outside Agencies

2. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated November 5, 2021, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
3. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
4. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated November 4, 2021, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA"), in its letter dated December 15, 2021, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

¹ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

Other Approvals

Concurrent Site Plan Approval

6. Before approval of a record plat or any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of Site Plan No. 82007022H. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks and bikepaths are determined through site plan review and approval.
7. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.

Record Plats

8. There shall be no clearing or grading of the site, except removing the stockpiles (subject to the necessary permits and inspections), prior to recordation of plat(s).

Easements

9. The record plat must show necessary easements.
10. The record plat must reflect common ingress/egress and utility easements over all shared driveways.

Notes and Labels

11. The record plat must reflect all areas under common ownership.

Schools

12. Prior to issuance of each building permit for a residential dwelling unit, the Applicant must obtain an assessment from MCDPS for Utilization Premium Payments (UPPs) consistent with the Growth and Infrastructure Policy, as follows:
 - a) no elementary school UPP required;
 - b) no middle school UPP required;
 - c) a Tier 2 high school UPP per market unit.

MPDUs

14. The final number of MPDUs as required by Condition 1 above will be determined at the time of site plan approval.

Certified Preliminary Plan

15. The Applicant must include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
16. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

SITE PLAN AMENDMENT NO. 82007022H: Staff recommends approval with conditions of the Site Plan amendment. All conditions of approval of Site Plan No. 820070220, as amended, remain in full force and effect with the additional conditions below. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

Density, Height & Housing

1. Density

The Site Plan is limited to up to 12 townhouse dwelling units, including 12.5% MPDUs, on the Subject Property of 0.56 acres.

2. Height

The development is limited to a maximum height of 45 feet, as measured from the building height measuring points, as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

- a) The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (MCDHCA) in its letter dated December 15, 2021, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) The development must provide a minimum of 12.5 percent MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan.
- c) Before issuance of any building permit for any residential unit(s) on the Subject Property, the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

Environment

4. Water Quality

The development must comply with the conditions of the MCDPS/Final Water Quality Plan approval letter dated June 29, 2021, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS if the amendment does not conflict with any other conditions of the Site Plan approval.

Transportation & Circulation

5. Transportation

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated June 24, 2021, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

Site Plan

6. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.
- b) The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.

7. Lighting

- a) Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

8. Site Plan Surety and Maintenance Agreement

Prior to issuance of any above grade building permit (excluding retaining walls), the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private utilities, associated improvements of development, including bikeways, storm drainage facilities, street trees and streetlights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

9. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

10. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, other agency approval letters, including Fire Access Plan, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
- c) Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.

SECTION 2

SITE LOCATION AND DESCRIPTION

Site Location and Vicinity

The Clarksburg Town Center development is located northeast of Frederick Road (MD 355) between Clarksburg Road and Stringtown Road in the Clarksburg Planning Area. The Subject Property, identified with a star on Figure 1, is located on the east side of the Clarksburg Town Center development at the northeast and southeast intersections of Burdette Forest Road and Clarksburg Square Road. Surrounding the Property to the north, south, and east are existing single family attached townhouse dwelling units and single family detached dwelling units. To the west, off Burdette Forest Road, is Kings Local Park, the Kings Pond Trail trailhead, and the Stringtown Trail trailhead. To the north, also off Burdette Forest Road, is Little Bennett Elementary School. To the southwest is the future Clarksburg Town Center and amphitheater. The Subject Property is zoned CRT 0.75, C-0.25, R-0.5, H-65T, but reviewed under the prior RMX-2 zone.

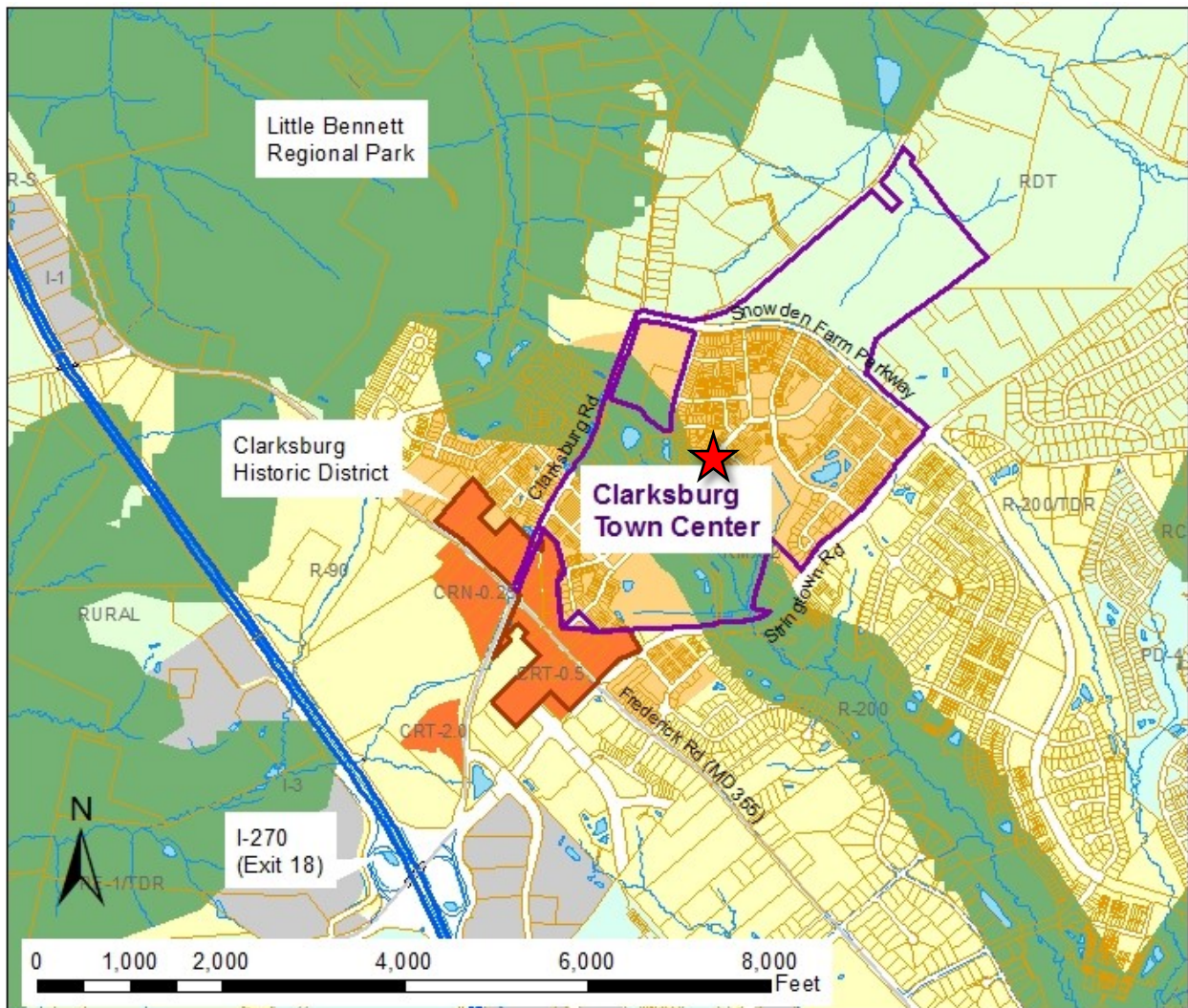


Figure 1 – Vicinity Map, Clarksburg Town Center project outlined and Subject Property noted with a Star

Site Analysis

The Amendment is limited to two areas located on the north and south sides of Clarksburg Square Road and totaling 0.56-acres, which are owned and controlled by the Applicant, within Blocks M and S of the larger Clarksburg Town Center project. Currently, both sites are vacant, mostly flat, and contain no noteworthy environmental features. Figure 2 outlines the limits of the Amendment.

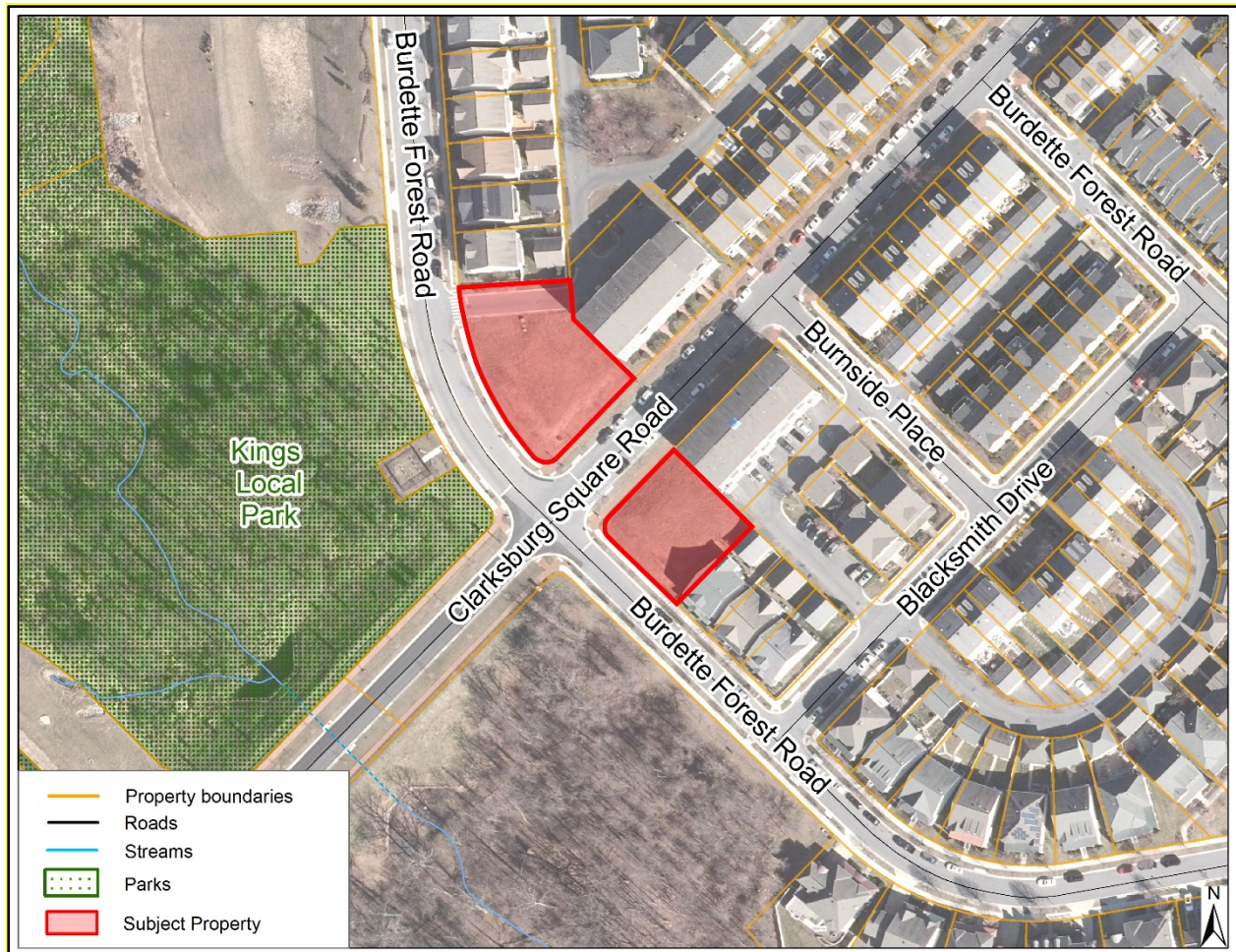


Figure 2 – Aerial Map, Subject Property outlined in red

SECTION 3

APPLICATIONS AND PROPOSAL

Previous Approvals

919940040 AND 119950420

In December 1994, both a Project Plan (#919940040) and a Preliminary Plan (#119950420) were submitted for a neo-traditional community to be constructed in phases with a maximum of 1,300 residential units, 100,000 square feet of office, and 150,000 square feet of retail by applying the optional method of development under RMX-2 zoning. The Project Plan was approved in June of 1995 and the Preliminary Plan was approved in March of 1996.

819980010, 820020140, AND 820040340

In 1998, Phase I Site Plan (#819980010), primarily covering the East Side of the Town Center, was approved for 768 dwelling units including 96 MPDUs. The Phase II Site Plan (#820020140) for 487 dwelling units including 46 MPDUs was approved in 2002. By June 2006, approximately 725 units of the approved 1,300 dwelling units had been built or were under construction in Phases I and II of the project. A Phase III Site Plan (#820040340) that included the retail portion was submitted but never approved.

COMPLIANCE PLAN (ALSO REFERRED TO AS THE PLAN OF COMPLIANCE OR COMPLIANCE PROGRAM)

On June 15, 2006, the Planning Board approved the Compliance Plan, an agreement between Newlands (Developer) and Clarksburg Town Center Advisory Committee (CTCAC). This agreement was captured in large part in an amended site plan (#82007020) for the entire site correcting discrepancies of the approved development standards to existing and proposed structures, and it called for significant improvements to the Town Center.

91994004B, 11995042A, AND 820070220

In July 2009, the Planning Board approved a Project Plan amendment, Preliminary Plan amendment, and Site Plan encompassing the following: 1) a total of 194,720 square feet of commercial uses, including up to 69,720 square feet of specialty retail; 2) 1,213 residential dwelling units, including 12.5% MPDUs; 3) a waiver to permit a reduction in the number of parking spaces; and 4) a reconfirmation of the reduction in setbacks from adjacent residentially-zone properties [MCPB Nos. 08-163, 09-15, and 09-16]. Although many elements of the Compliance Plan were incorporated into the approval of these plans, the Board did not require all elements of the Compliance Plan, such as certain parking structures in the retail core.

91994004C AND 82007022A

In June 2010, the Planning Board approved an Amendment to Project Plan (#91994004C) and Site Plan (#82007022A) to correct the unit mix and unit count from 1,213 residential dwelling units and 701 one-family attached units to 1,206 and 700, respectively [MCPB Nos. 10-58 and 10-59].

82007022B

On July 16, 2013, the Planning Board approved an Amendment to Site Plan (#82007022B) to reinstate accessory structure setbacks on certain lots and confirm that based on the existing approved lot standards, either single-family detached houses with garages or the previously shown “Courtyard” houses could be built on certain lots [MCPB No. 13-125].

82007022C, 120140060, 820140050, AND MANDATORY REFERRAL 2015008

In September 2013, Third Try LLC, the successor in interest to Newlands, in partnership with the Montgomery County Department of Transportation for the extension of Clarksburg Square Road to the west through the Clarksburg Historic District, opposite to Redgrave Place, and the relocation of the historic Horace Willson House, as recommended in the Master Plan [MCPB Nos. 15-79, 15-80, and 15-81].

91994004D, 11995042B, AND 82007022D

In September 2015, the Planning Board approved an Amendment to the Clarksburg Town Center Site Plan to reduce the total number of residential units to 1,120; increase overall commercial density to 206,185 SF including the addition of office and medical uses; revise the design and layout of the Commercial Core; add a new Community Building to the Residents’ Club; add a parking area on Sinequa Square; redesign Block H; revise Kings Pond Local Park and Piedmont Woods Local Park [MCPB Nos. 15-85, 15-86, and 15-92].

11995042C AND 82007022E

In March 2016, the Planning Board approved Amendments to the Clarksburg Town Center Site Plan and Preliminary Plan to replace 11 multi-family units (with 3 MPDUs) with 9 one-family attached units (including 3 MPDUs) and 1 HOA parcel on approximately 0.36 acres [MCPB Nos. 16-34 and 16-36].

82007022F

On May 30, 2019, the Planning Board approved an Amendment to Site Plan (#82007022F) to change 36'-0" deep townhouse units to 40'-0" units, adjustments to site elements, including lead walkways, retaining walls, sidewalks, and landscaping on approximately 1.22 acres [MCPB No. 19-054].

82007022G

On December 15, 2020, the Planning Director approved an Amendment to Site Plan (#82007022G) to rename General Store Drive to Saint Clair Road; the addition of a handicap access sidewalk and viewing area at the stage and amphitheater; adjustments to street tree locations; adjustments to the cemetery location and associated Forest Conservation revisions; adjustments to the St. Clair Road retaining wall, sewer alignment, and easements; reconfiguration of stormwater management facilities on Blocks BB, CC, and GG; revisions to the Block CC retail streetscape; revisions to the Civic Building parking lot; conversion of sections of sidewalk in Block BB and the Greenway Trail to pervious paving; addition of Parcel AA, DD, and M to Martz Street, the north private alley, and pedestrian access to the condominium parcel; adjustments to public utility easements and the addition of a public improvements easement along Public House Road within Block BB; additional notes added to plans referencing park permit numbers King’s Local Park and Piedmont Woods Park, and a note referencing final approved park permit plans; relocation of a light pole from the mews within Lot 48 to the other side of the

sidewalk in front of Lot 46; and modified fire access at Condominium Buildings A and B on Block BB [Memo dated 11-30-2020].

Proposal

On April 21, 2021, the Applicant filed Preliminary Plan Amendment No. 11995042D and Site Plan Amendment No. 82007022H (“Application” or “Amendment”) proposing to convert the originally approved 24 manor home condominium units, including 8 MDPUs within two buildings, (Site Plan No. 82007022A) on Block M, Parcel A and Block S, Parcel C to 12 rear-loaded townhouse dwelling units, including 7 MDPUs. While the number of MDPUs would be decreased by 1 unit in this conversion due to a reduction in density, Clarksburg Town Center would have a final cumulative total of 1,106 residential dwelling units, 139 of which are MDPUs, and 206,186 square feet of commercial space.



Figure 3 – Rendered Site Plan No. 82007022H



Figure 4 – Rendered Character Elevations for Townhouses

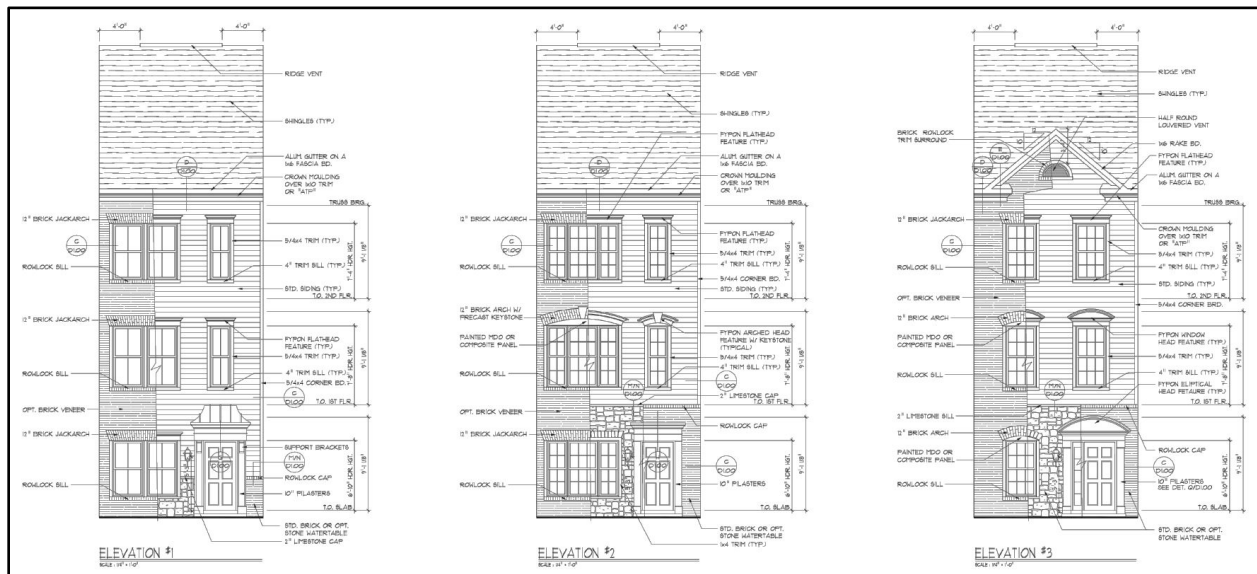


Figure 5 – Partial Elevations showing Materials for Townhouses

SECTION 4

ANALYSIS AND FINDINGS – PRELIMINARY PLAN NO. 11995042D

All findings of approval of Preliminary Plan No. 119950420, as amended, remain in full force and effect except as modified by the findings below.

1. *the layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59;*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections. The proposed lot sizes, widths,

shapes, and orientation are appropriate for the location of the subdivision, taking into account the recommendations of the Master Plan, the existing lot pattern of surrounding properties, and for the One-family Attached units contemplated for the Property.

The lots were reviewed for compliance with the dimensional requirements for the RMX-2 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in Table 3, found below under Section 5. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

2. *the preliminary plan substantially conforms to the master plan;*

The Subject Property is located in the 1994 Approved and Adopted Clarksburg Master Plan & Hyattstown Special Study Area and the 2011 Limited Amendment to the Approved and Adopted Clarksburg Master Plan & Hyattstown Special Study Area to Allow an Exception to the Retail Staging Provisions (collectively referred to as “Master Plan”²), within the Town Center District as identified in the Master Plan (p. 42).

The Application is consistent with and is in substantial conformance with the recommendations adopted in the Master Plan. The modifications proposed by this Amendment do not have an impact on the Master Plan conformance findings of previous approvals. The Amendment still meets the eight policy objectives of the Master Plan for the Town Center (p. 15-30). In terms of land use objectives (p. 44), the Amendment substantially conforms to the recommendations in the Master Plan for housing mix.

3. *public facilities will be adequate to support and service the area of the subdivision;*

Roads and Transportation Facilities

Access is adequate to serve the proposed development. The Subject Property fronts the eastern side of Burdett Forest Road, a secondary street with a 60 ft. right-of-way (ROW), immediately above and below Clarksburg Square Road, a primary residential street with a 70 ft. ROW. Vehicular access to the proposed dwellings will be provided via three shared driveways to Burdette Forest Road serving the rear garages of all dwellings. Existing sidewalks on both roads will accommodate pedestrian access to all units. There are no existing or planned bicycle improvements along the frontage, and no improvements are required. The Amendment does not exceed the APF development standards as approved by the Preliminary Plan and no additional LATR review is required.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the proposed lots. The Subject Property is located within the W-1 and S-1 water and sewer categories which permit use of public water and sewer connections. The Application has been reviewed by the Washington Suburban Sanitarian Commission who have determined that the existing mains are adequately sized and can be extended as proposed.

² The Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area does not include the Subject Property.

The Preliminary Plan has been evaluated by M-NCPPC Staff (“Staff”) and the Montgomery County Department of Transportation, who support the transportation elements of the Preliminary Plan as indicated in their letter dated November 5, 2021 (Attachment F). The proposed access to the Subject Property and the individual lots, as shown on the Preliminary Plan, is adequate to serve the development.

The Application has been reviewed by the MCDPS Fire Department Access and Water Supply Section, who determined that the Subject Property has adequate access for fire and rescue vehicles as indicated by their approval dated November 4, 2021 (Attachment E).

Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Growth and Infrastructure Policy currently in effect.

School Adequacy Test

The Application is served by Little Bennett ES, Rocky Hill MS, and Clarksburg HS. Based on the FY2022 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 1 - Applicable FY2022 School Adequacy

School	Projected School Totals, 2025				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus / Deficit		Tier 1	Tier 2	Tier 3
Little Bennett ES	634	661	104.3%	-27	No UPP	58	100	195
Rocky Hill MS	1,020	1,048	102.7%	-28	No UPP	98	176	329
Clarksburg HS	2,034	2,468	121.3%	-434	Tier 2 UPP			278

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (“UPP”) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY22 Annual School Test, Little Bennett ES and Rocky Hill MS do not require any UPP. However, development approved within the Clarksburg HS service area for this Application is subject to a Tier 2 UPP as identified in Table 1. If the amendment is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the proposed plan, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit. With 12 single-family attached units that are not age-restricted replacing 24 previously approved multi-family low-rise units, the Application is estimated to generate the following number of students based on the Subject Property’s location within a Turnover Impact Area:

Table 2 – Estimated Student Enrollment Impacts

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.185	0.000	0.108	0.000	0.154	0.000
SF Attached	12	0.225	2.700	0.123	1.476	0.159	1.908
MF Low-rise	-24	0.107	-2.568	0.058	-1.392	0.070	-1.680
MF High-rise	0	0.051	0.000	0.024	0.000	0.030	0.000
TOTALS	-12		0.132		0.084		0.228

As shown in Table 2, on average, this Application is estimated to generate a net of less than 1 elementary school student, less than 1 middle school student, and less than 1 high school student. The estimated number of students generated does not exceed the adequacy ceilings identified for each school in Table 1. Therefore, no additional UPPs beyond those identified by the annual school adequacy test above are required and neither are partial payments across multiple UPP tiers.

Therefore, as conditioned, prior to issuance of each building permit for the 12 single-family attached units included in this Amendment, the Applicant must obtain an assessment from MCDPS for UPPs consistent with the Growth and Infrastructure Policy, as follows:

- a. no elementary school UPP required;
- b. no middle school UPP required; and
- c. a Tier 2 high school UPP per unit.

4. *all Forest Conservation Law, Chapter 22A requirements are satisfied;*

Environmental Guidelines

The proposed Amendments include two parcels: Parcel A and Parcel C. Both of these parcels were included in the previous Preliminary Plan and Site Plan approvals. The Preliminary Plan included a Preliminary Forest Conservation Plan and a Preliminary Water Quality Plan. The Site Plan included a Final Forest Conservation Plan and a Final Water Quality Plan.

Forest Conservation

The Amendment does not contemplate any modifications to the approved Final Forest Conservation Plan 82007022D.

5. *all stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied;*

The Final Water Quality Plan is being amended with this Application, as further discussed below under Site Plan finding no. 5.

6. *any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and location within the subdivision boundary is approved under Subsection other applicable provision specific to the property and necessary for approval of the subdivision is satisfied.*

This finding is not applicable.

7. *any other applicable provision specific to the property and necessary for approval of the subdivision is satisfied.*

This finding is not applicable.

SECTION 5

ANALYSIS AND FINDINGS – SITE PLAN NO. 82007022H

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

Neither a development plan, diagrammatic plan, nor schematic development plans were required for the subject site. The Site Plan Amendment is consistent with Project Plan Amendment No. 91994004D for the Clarksburg Town Center in terms of land uses and maximum densities, design layout, development standards, and conditions of approval.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Subject Property is zoned RMX-2 per the Zoning Map in effect prior to October 30, 2014. The Amendment was reviewed under the Zoning Ordinance in effect prior to October 30, 2014, which is allowed under the grandfathering provisions for applications approved before October 30, 2014 in Section 59.7.7.1.B.3. The Amendment proposes to convert the originally approved 24 manor home condominium units, including 8 MDPU's within two buildings, to 12 rear-loaded townhouse dwelling units, including 7 MPDU's. This change in unit type is supported by DHCA due to the high demand of townhouse MPDU units. As demonstrated in Table 3 below, the Amendment meets the general requirements and development standards of the RMX-2 zone, under the optional method of development. Table 3 below lists only those development standards that are being modified by the Subject Amendment. All other development standards remain in full force and effect as approved.

Table 3, Data Table for the RMX-2 Zone, Optional Method of Development

Development Standard	Zoning Ordinance Permitted / Required	Previously Approved with Site Plan 82007022E	Proposed for Approval with 82007022H
Density & Land Use			
Residential D.U.s (> 30 acres site area) [59-C-10.3.6]	150 min.	1,118	1,106
Max. Residential Density (d.u. / acre) [59-C-10.3.7]	7 d.u./acre ³ (1,428 d.u.)	6.26 ⁴	6.19

³ Max residential density established by the 1994 Clarksburg Master Plan, p.43.

⁴ Calculated by dividing the total number of units by 178.63 acres, which is the area covered by residential uses in the RMX-2 Zone.

Unit Mix ⁵			
One-family detached	10 - 20%	219 (19.6%)	219 (19.6%)
One-family attached	30 - 50%	674 (60.3%)	686 (60.3%) ⁶
Multi-family	25 - 45%	225 (20.1%)	201 (20.1%) ⁶
MPDUs [Chapter 25A]	12.5%	12.5% (140 MPDUs)	12.5% (139 MPDUs) ⁷
Min. Individual Lot Setbacks			
One-family attached (Block M) Lots 71 - 78			
Main Structure Setbacks	To be Determined at Site Plan	N/A	
Public Street (Front)			10 feet
Public Street (Front / Side)			5 feet
Side yard (Interior Unit)			0 feet
Side yard (End Unit)			5 feet
Rear yard			5 feet
One-family attached (Block S) Lots 6 - 9			
Main Structure Setbacks	To be Determined at Site Plan	N/A	
Public Street (Front)			10 feet
Public Street (Front/Side)			5 feet
Side yard (Interior Unit)			0 feet
Side yard (End Unit)			5 feet
Rear yard			5 feet
Max. Building Height			
Residential	To be Determined at Site Plan	N/A	
One-family attached Block M, Lots 71 - 78			45 feet
Block S, Lots 6 - 9			45 feet
Vehicle Parking Spaces [Section 7.7.1.B.3.b]			
East Side Residential			
One-family attached (12 units)	24 (2 spaces/unit)	N/A	24 spaces

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

Locations of Buildings and Structures

The locations of buildings and structures are adequate, safe, and efficient. The Amendment replaces 24 multi-family dwelling units (including 8 MPDUs) with 12 one-family attached dwellings units (including 7 MPDUs). The attached units are adequately oriented towards Clarksburg Square Road and Burdette Forest Road, and rear loaded from private alleys off Burdette Forest Road. This orientation combined with

⁵ Mix of units allocated by the 1994 Clarksburg Master Plan, p.44.

⁶ The proposed conversion of the 24 manor houses to 12 townhouses increases the cumulative total of one-family attached by 12 units to 686 dwelling units and reduces the cumulative total of multi-family units by 24 units to 201 dwelling units.

⁷ This Application proposes to provide the minimum 12.5% MPDUs which reduces the previously approved number of MPDUs from 8 units to 7 units, resulting in a cumulative total of 139 MPDUs.

minimum or no setbacks from the road is consistent with other built units on Clarksburg Square Road, which will allow for a seamless continuation of the streetscape treatment and pedestrian experience.

Open Spaces

The Amendment does not contemplate any modifications to the approved open space network.

Landscaping and Lighting

The landscaping is adequate, safe, and efficient. The Amendment is not making any revisions to any existing landscaping. The landscape plan includes street trees, which will replace existing street trees as necessary, if disturbed during construction. It includes ornamental trees in front yards and in between rear driveways, which adequately scale down the buildings while providing shade and aesthetic value. Evergreen trees at the entrances to the alleyway efficiently screen a portion of the alleyway and narrow its perceived width.

Recreation Facilities

The Amendment does not contemplate any modifications to the approved recreation facilities. The change in unit type from multi-family to one-family attached units, combined with a decrease in the overall number of units, has decreased the recreation demand points for the project. As a result, the approved recreation facilities continue to be adequate, safe, and efficient at meeting the recreation demand for the total of 1,106 units within the Clarksburg Town Center.

Pedestrian and Vehicular circulation systems

The pedestrian and vehicular circulation systems are adequate, safe, and efficient. Both Clarksburg Square Road and Burdette Forest Road have existing sidewalks that will service the new one-family attached dwelling units. The existing 5-foot accessible sidewalk adequately and safely accommodates pedestrian circulation within the site and to the fronts of the units. Vehicular circulation is accommodated via two new driveways that are accessed off Burdette Forest Road. The new driveway, located on Block M, connects with the existing alley system also located within Block M. The new driveway, located on Block S, does not connect to any existing alley systems due to a proposed retaining wall that is necessary to address substantial grade change between parcels. The new driveways provide adequate and safe access to the rears of each unit while improving connectivity within Block M.

4. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

The 12 one-family attached dwellings units (including 7 MPDUs) are compatible with the surrounding existing development in terms of unit type, massing, and orientation. The unit type in the immediate vicinity of the new units, including Block M and Block S, is predominantly one-family attached with some one-family detached. Both existing and proposed units are consistently oriented towards the street and rear-loaded from alleys.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.*

[Environmental Guidelines](#)

The proposed Amendment include two parcels: Parcel A and Parcel C. Both of these parcels were included in the previous Preliminary Plan and Site Plan approvals. The Preliminary Plan included a Preliminary Forest Conservation Plan and a Preliminary Water Quality Plan. The Site Plan included a Final Forest Conservation Plan and a Final Water Quality Plan.

[Forest Conservation](#)

The Amendment does not contemplate any modifications to the approved Final Forest Conservation Plan 82007022D.

[Stormwater Management](#)

The Final Water Quality Plan has been amended with this Application. The Montgomery County Department of Permitting Services has approved their portion of the Final Water Quality Plan by amending the previous Combined Preliminary / Final Water Quality Plan approval in a letter dated June 29, 2021 (Attachment H). The revised Final Water Quality Plan proposes to meet the required stormwater management goals via a reduction in impervious surfaces, micro bioretention, and existing structural measures including a surface sand filter and extended detention dry pond that were previously designed to include this area.

The elements of the Final Water Quality Plan under the M-NCPPC's Planning Board's purview include forest conservation, environmental guidelines, and impervious surface limits. The Amendment does not propose any modifications that alter the previous findings related to forest conservation and the environmental guidelines. The Amendment is in compliance with the Montgomery County Environmental Guidelines and the Forest Conservation Law, Chapter 22A. The Clarksburg SPA does not include a numerical limit on impervious surfaces; however, impervious surfaces should be minimized as much as possible. The Applicant provided a revised Impervious Surface exhibit that demonstrates that the proposed modifications result in a decrease in the impervious area proposed on Parcel A and Parcel C, for a net reduction of 550 square feet, or 0.013 acres from the previously approved Site Plan (Attachment J).

SECTION 6

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. As of the date of this Staff Report, Staff has not received any correspondence from the community regarding this Application.

SECTION 7

CONCLUSION

The Amendments meet all development standards and findings established in the Zoning Ordinance for the RMX-2 zone. The locations of the units are safe, adequate, and efficient. Access and public facilities will be adequate to serve the proposed lots, the use continues to conform with the Master Plan, and the general requirements of Chapter 59. Staff recommends approval of the Preliminary Plan and Site Plan Amendments, with the conditions as enumerated in the staff report.

Attachments

Attachment A - MCPB Resolution No. 16-034
Attachment B - MCPB Resolution No. 16-036
Attachment C - Preliminary Plan Composite
Attachment D - Site Plan Composite
Attachment E - MC Fire and Rescue Approval
Attachment F - MCDOT Approval Letter
Attachment G - MCDPS ROW Permitting Approval
Attachment H - SWM and WQP Approval Letter Approval
Attachment I - DHCA Approval Letter
Attachment J - Impervious Surface Exhibit
Attachment K - Statement of Justification



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

MCPB No. 16-034
Site Plan No. 82007022E
Clarksburg Town Center
Date of Hearing: March 24, 2016

MAR 30 2016

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on July 16, 2009, the Planning Board, by Resolution MCPB No. 09-15, approved Site Plan No. 820070220 for 194,720 square feet of commercial uses, which includes up to 69,720 square feet of specialty retail; 1,213 residential dwelling units, including 152 MPDUs; a waiver to permit a reduction in the number of parking spaces; and reconfirmation of the previously approved reduction in setbacks from adjacent residentially-zone properties, on approximately 270 acres in the RMX-2 and RDT zones, located at the northeast quadrant of Stringtown Rd and Frederick Rd (MD 355), in the Clarksburg Policy Area, 1994 Clarksburg Master Plan & Hyattstown Special Study Area and as amended in 2011 ("Master Plan") area; and

WHEREAS, on June 15, 2010, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan Amendment 82007022A (MCPB No. 10-59), to correct the unit count from 1,213 to 1,206 residential dwelling units including 151 MPDUs; and

WHEREAS, on July 11, 2013, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan Amendment 82007022B (MCPB No. 13-125), to reinstate accessory structure setbacks on certain lots, and confirm that based on the existing approved lot standards, either single-family detached houses with garages or the previously shown "Courtyard" houses could be built on certain lots; and

WHEREAS, on July 23, 2015, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan Amendment 82007022C (MCPB No. 15-81), for construction of a driveway approach onto Clarksridge Road,

Approved as to
Legal Sufficiency

[Signature] 3/17/16

6787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320

M-NCPPC Legal Department
www.montgomerycountypc.org E-Mail: mcp-chair@mncppc-mc.org

approximately 3.5 parking spaces, landscaping, lighting, and stormwater management facilities on Parcel A, Block HH in support of Site Plan #820140050; and

WHEREAS, on September 21 2015, the Planning Board approved an amendment to the previously approved site plan, designated Site Plan Amendment 82007022D (MCPB No. 15-86), to reduce the total number of residential units to 1,120; increase overall commercial density to 206,185 SF including the addition of office and medical uses; revise the design and layout of the Commercial Core; add a new Community Building to the Residents' Club; add a parking area on Sinequa Square; redesign Block H; revise Kings Pond Local Park and Piedmont Woods Local Park; and

WHEREAS, on August 28, 2015, Miller and Smith at Clarksburg, LLC, ("Applicant") filed an application for approval of an amendment to the previously approved site plan to replace 11 multi-family units (including 3 MPDUs) with 9 one-family attached units (including 3 MPDUs) and 1 HOA parcel on approximately 0.36 acres in the RMX-2 zone, located on Block N in the northwest quadrant of the intersection of Catawba Hill Road and Sugarloaf Chapel Drive ("Subject Property") within the Clarksburg Town Center development; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82007022E, Clarksburg Town Center ("Site Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated March 10, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 24, 2016, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82007022E for 9 one-family attached units (including 3 MPDUs) with the following conditions:¹

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

1. Project Plan Conformance
The development must comply with the conditions of approval for Project Plan No. 91994004D, or as amended.
2. Preliminary Plan Conformance
The development must comply with the conditions of approval for Preliminary Plan No. 11995042C, or as amended.
3. Fire and Rescue
The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (MCFRS) Fire Code Enforcement Section in its correspondence dated December 29, 2015, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCFRS may amend if the amendments do not conflict with other conditions of Site Plan approval. This letter does not supersede all previous MCFRS letters referenced in other approvals and covering other areas.
4. Density
The development is limited to a maximum of 206,185 SF of commercial uses (including office and retail), and a maximum of 1,118 dwelling units (including 12.5% MPDUs), on 270.92 acres.
5. Moderately Priced Dwelling Units (MPDUs)
 - a) The Planning Board accepts the recommendations of Department of Housing and Community Affairs (DHCA) in its correspondence dated October 7, 2015, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
 - b) The development must provide 12.5 percent MPDUs on-site as shown on the certified site plan and consistent with the requirements of Chapter 25A and the Master Plan.
 - c) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and the DHCA must be executed.
6. Architectural Design/Compatibility
 - a) The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.
 - b) The Applicant must enhance high visibility end unit facades (Lots 78 and 86) by providing at least two architectural treatments from the following list: box or bay window, minimum of two windows, shutters, fireplace, brick water table,

trim and headers on exposed side consistent with front elevation. The details of the architectural treatments must be shown on the Certified Site Plan.

7. Site Plan Surety and Maintenance Agreement

Before issuance of the 1st building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board for that Block or Phase. The Agreement must include a performance bond(s) or other form of surety as required by Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, mailbox pad sites, fences, railings, private roads and alleys, curbs and gutters along all private roads and alleys, paths and associated improvements within the relevant phase of development. The surety must be posted before issuance of any building permit within each relevant Block or Phase of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each Block or Phase of development will be followed by inspection and potential reduction of the surety.
- d) The bond or surety for each phase shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific CSP sheets depicting the limits of each Block or Phase.

8. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the final forest conservation approval letter, stormwater management concept approval letter, development program, and Resolution on the approval or cover sheet(s).
- b) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- c) Modify data table to reflect development standards approved by the Planning Board.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect, except as modified by the conditions above; and

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of the Clarksburg Town Center No. 82007022E, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

- 1. Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings not specifically addressed remain in effect.*
- 2. The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

The Site plan is not subject to a development plan, diagrammatic plan, or schematic development plan. The Site Plan Amendment is consistent with Project Plan Amendment No. 91994004D for the Clarksburg Town Center in terms of land uses and maximum densities, design layout, development standards, and conditions of approval.

- 3. The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Subject Property is zoned RMX-2 per the Zoning Map in effect prior to October 30, 2014, applicable in this case under the grandfathering provision in Section 59.7.7.1.B.3 of the current Zoning Ordinance. As demonstrated in the Data Table below, the Amendment meets the general requirements and development standards of the RMX-2 zone, under the optional method of development.

The Amendment slightly modifies the housing mix for the overall project. As a result, the ratio of multi-family units continues to be below the Master Plan recommended ratio, and the ratio of one-family attached units continues to be above the recommended ratio. As previously approved, the Planning Board found that the project substantially conformed to the Master Plan by providing a mix of residential and non-residential uses that enables the creation of a lively and diverse place as

envisioned by the Master Plan, despite the fact that the housing mix provided was slightly outside the ratios recommended. Because the new housing mix provided is not significantly different from the current approved plans and maintains the general goals of the Master Plan while responding to market demand, the Planning Board finds that the Amendment substantially conformed to the Master Plan. Lastly, DHCA strongly supports replacing the approved multi-family units with one-family attached.

The Data Table below lists only those development standards that are being modified by this Amendment. All other development standards remain in full force and effect as previously approved.

Data Table

Development Standard	Zoning Ordinance Permitted/ Required	Previously Approved with Site Plan 82007022D	Approved with this Amendment (82007022E)
Density & Land Use			
Residential D.U.s (> 30 acres site area) [59-C-10.3.6]	150 min.	1,120	1,118
Max. Residential Density (du/acre) [59-C-10.3.7]	7 d.u./acre ² (1,428 d.u.)	6.27 ³	6.26
Unit Mix ⁴			
One-family detached	10-20%	219 (19.6%)	219 (19.6%)
One-family attached	30-50%	665 (59.3%)	674 (60.3%)
Multi-family	25-45%	236 (21.1%)	225 (20.1%)
MPDUs [Chapter 25A]	12.5%	12.5%	12.5% (140 MPDUs)
Min. Individual Lot Setbacks			
One-family attached (Block N) Lots 78-86			
Main Structure Setbacks	To be determined at Site Plan	n/a	
Public Street (Front/Side)			5
Sideyard (Interior Unit)			0
Sideyard (End Unit)			3
Rearyard			5
Accessory Structure Setbacks			

² Max residential density established by the 1994 Clarksburg Master Plan, p.43.

³ Calculated by dividing the total number of units by 178.63 acres, which is the area covered by residential uses in the RMX-2 Zone.

⁴ Mix of units allocated by the 1994 Clarksburg Master Plan, p.44.

Frontyard			50
Sideyard (End Unit/Street)			3
Sideyard (Interior Unit)			0
Rearyard			0
Max. Building Height (ft)			
Residential	To be determined at Site Plan		
One-family attached			
Lots 78-86, Block N			40
Accessory structures			25
Vehicle Parking Spaces [Section 7.7.1.B.3.b]			
East Side Residential			
One-family attached (9 units)	18 (2 spaces/unit)	n/a	18

4. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a) Locations of buildings and structures

The locations of buildings and structures are adequate, safe, and efficient. The Amendment replaces 11 multi-family dwelling units (including 3 MPDUs) with 9 one-family attached dwellings units (including 3 MPDUs). The attached units are adequately oriented towards Catawba Hill Road, which abuts the Residents' Club, and rear loaded from a private alley off Sugarloaf Chapel Drive. This orientation combined with minimum or no setbacks from the road is consistent with other built units on Catawba Hill Road, which will allow for a seamless continuation of the streetscape treatment and pedestrian experience.

b) Open Spaces

The Amendment does not contemplate any modifications to the approved open space network.

c) Landscaping and Lighting

The landscaping is adequate, safe, and efficient. The Amendment makes revisions to the landscape in Lot N in order to accommodate the new unit types and layout revisions. The landscape plan includes street trees, which will replace existing street trees as necessary if they are disturbed during construction. It includes ornamental trees in front yards and in between rear driveways, which adequately scale down the buildings while providing shade and aesthetic value. Evergreen trees at the entrance to the alleyway efficiently screen a portion of the alleyway and narrow its perceived width.

The Amendment does not contemplate any modifications to the approved lighting.

d) Recreation Facilities

The Amendment does not contemplate any modifications to the approved recreation facilities. The change in unit type from multi-family to one-family detached units combined with a decrease in the overall number of units has decreased the recreation demand points for the project. As a result, the approved recreation facilities continue to be adequate, safe, and efficient at meeting the recreation demand for the total of 1,118 units.

e) Pedestrian and Vehicular circulation systems

The pedestrian and vehicular circulation systems are adequate, safe, and efficient. The Amendment continues the existing sidewalk along Catawba Hill Road and wraps it around the corner to Sugarloaf Chapel Drive. The 5-foot accessible sidewalk adequately and safely accommodates pedestrian circulation within the site and to the front of the units. Vehicular circulation is accommodated via a new one-way private alley that is accessed off Sugarloaf Chapel Drive and connects to the alley system in Block N. In coordination with MCDOT, the alley will be used as a right-in only off Sugarloaf Chapel Drive and the curb in front of Lot 9 on Sugarloaf Chapel Drive will be modified to provide one-way channelization. The new alley provides adequate and safe access to the rear of each unit while improving connectivity in Block N.

5. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

The 9 one-family attached dwellings units (including 3 MPDUs) are compatible with the surrounding existing development in terms of unit type, massing, and orientation. The unit type in the immediate vicinity of the new units, including Block N and Block L, is predominantly one-family attached with some two-over-two's. Both existing and proposed units are consistently oriented towards the street and rear-loaded from alleys.

6. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.*

The Amendment does not contemplate any modifications to the approved Final Forest Conservation Plan and SPA Final Water Quality Plan.

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

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

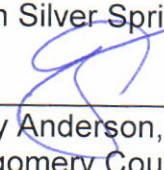
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAR 30 2016 (which is the date that this resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Presley and Fani-González voting in favor, and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, March 24, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AENUE
4TH FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON
MPDU MANAGER, DHCA
100 MAYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

CHUCK ELLISON
MILLER & SITH, LLC
8401 GREENSBORO DRIVE
SUITE #300
MCLEAN, VA 22102

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GAITHERSBURG, MD 20878

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
355 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDDEP-WATER & WASTEWATER POLICY
255 ROCKVILLE PIKE
SUITE 120
ROCKVILLE, MD 20850

KEVIN FOSTER
GUTSCHICK, LITTLE & WEBER, P.A.
3909 NATIONAL DRIVE
SUITE #250
BURTONSVILLE, MD 20866

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ESHAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

WILLIAM GRUENINGER
GUTSCHICK, LITTLE & WEBER, P.A.
3909 NATIONAL DRIVE
SUITE #250
BURTONSVILLE, MD 20866

TIM LONGFELLOW
GUTSCHICK, LITTLE & WEBER, P.A.
3909 NATIONAL DRIVE
SUITE #250
BURTONSVILLE, MD 20866



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

MAR 30 2016

MCPB No. 16-036
Preliminary Plan No. 11995042C
Clarksburg Town Center
Date of Hearing: March 24, 2016

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, by a Revised Opinion dated March 26, 1996, the Planning Board approved Preliminary Plan No. 119950420, for 1,300 residential dwelling units, 150,000 square feet of retail uses, and 100,000 square feet of office uses on approximately 267 acres in the RMX-2 and RDT zones, located at the northeast quadrant of Stringtown Road and Frederick Road (MD 355), in the Clarksburg Policy Area, 1994 Clarksburg Master Plan & Hyattstown Special Study Area, as amended in 2011¹ ("Master Plan") area; and

WHEREAS, on August 14, 2001, the Planning Board approved Preliminary Plan No. 11995042R to include a Grading Plan and Borrow Plan (Off-site stockpile); and

WHEREAS, on July 16, 2009, by Resolution MCPB No. 08-163, the Planning Board, approved Preliminary Plan No. 11995042A, for 194,720 square feet of commercial uses, including up to 69,720 square feet of specialty retail, and 1,213 residential dwelling units, including 12.5 percent moderately priced dwelling units ("MPDUs"); and

WHEREAS, on September 21 2015, the Planning Board approved Preliminary Plan Amendment 11995042B (MCPB No. 15-92) to reduce the total number of residential units to 1,120; increase overall commercial density to 206,185 SF including the addition of office and medical uses; revise the design and layout of the Commercial Core; add a new Community Building to the Residents' Club; add a parking area on Sinequa Square; redesign Block H; and revise Kings Pond Local Park and Piedmont Woods Local Park; and

¹ In 2014, a Limited Amendment to the 1994 Clarksburg Master Plan & Hyattstown Special Study Area Master Plan was adopted as the Ten Mile Creek Area Limited Amendment. The Subject Property was not included within the area that was subject to the 2014 Amendment.

Approved as to
Legal Sufficiency:

[Signature] 3/17/16

WHEREAS, on August 28, 2015, Miller and Smith at Clarksburg, LLC, ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan to replace 11 multi-family units (including 3 MPDUs) with 9 one-family attached units (including 3 MPDUs) and 1 HOA parcel on approximately 0.36 acres in the RMX-2 zone, located on Block N in the northwest quadrant of the intersection of Catawba Hill Road and Sugarloaf Chapel Drive ("Subject Property") within the Clarksburg Town Center development; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 11995042C, Clarksburg Town Center ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board dated March 10, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 24, 2016, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 11995042C for 9 one-family attached units (including 3 MPDUs) with the following conditions:²

1. This Preliminary Plan is limited to a maximum of 1,118 residential dwelling units including 12.5% MPDUs, 129,545 square feet of retail, 45,280 square feet of medical office, and 31,360 square feet of office.
2. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated February 10, 2016 for the Subject Application, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval. This letter does not supersede all previous MCDOT letters referenced in other approvals and covering other areas.
3. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.

² For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

4. Prior to recordation of any plat, Site Plan No. 82007022E must be certified by Staff.

BE IT FURTHER RESOLVED that all other preliminary plan conditions of approval for this project remain valid, unchanged and in full force and effect, except as modified by the conditions above; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan as revised by previous amendments, and all findings not specifically addressed remain in effect.*
2. *The Preliminary Plan Amendment substantially conforms to the Master Plan.*

The Amendment is consistent with and is in substantial conformance to the 1994 Approved and Adopted Clarksburg Master Plan & Hyattstown Special Study Area and the 2011 Limited Amendment to the Approved and Adopted Clarksburg Master Plan & Hyattstown Special Study Area to Allow an Exception to the Retail Staging Provisions (collectively referred to as "Master Plan"³). The Subject Property is located within the Town Center District identified on page 42 of the Master Plan.

The Amendment slightly modifies the housing mix for the overall project. As a result, the ratio of multi-family units continues to be below the Master Plan recommended ratio, and the ratio of one-family attached units continues to be above the recommended ratio (see Table below). As previously approved, the Planning Board found that the project substantially conformed to the Master Plan by providing a mix of residential and non-residential uses that enables the creation of a lively and diverse place as envisioned by the Master Plan, despite the fact that the housing mix provided was slightly outside the ratios recommended. Because the new housing mix provided is not significantly different from the current approved plans and maintains the general goals of the Master Plan while responding to market demand, the Planning Board finds that the Amendment substantially conformed to the Master Plan. Lastly, DHCA strongly supports replacing the approved multi-family units with one-family attached.

³ The Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area does not include the Subject Property.

Housing Mix	Master Plan (p.44)	Approved 11995042B	with Proposed
Multi-family	25 to 45%	21.1%	20.1%
Attached	30 to 50%	59.3%	60.3%
Detached	10 to 20%	19.6%	19.6%

*Please note: these percentages are based on the entire Town Center housing mix (both built houses outside the scope of this Application and remaining homes to be constructed as part of this Application).

3. Public facilities will be adequate to support and service the area of the approved subdivision.

As a result of several APF validity extensions granted by the County Council, the Preliminary Plan has an APF approval through March 26, 2022. The modifications associated with the Amendment will not have an adverse impact beyond the previously approved development because the amended development density is within the limits previously approved through Preliminary Plan 11995042B.

Site Access, Vehicular/Pedestrian Circulation and Rights-of-way

Access to the Subject Property is provided off Sugarloaf Chapel Drive via a one-way private alley, which connects to the alleyway system internal to Block N. The alley will be used as a right-in only off Sugarloaf Chapel Drive and the curb in front of Lot 9 on Sugarloaf Chapel Drive will be modified to provide one-way channelization. Pedestrian access is provided off Catawba Hill Drive to the front of the lots and via the private alley to the rear of the lots.

As previously approved, access to the Subject Property was provided off Catawba Hill Drive via a private alley. The modification described above will create a more continuous street wall along Catawba Hill Drive, which abuts the Resident's Club and associated amenity areas, while maintaining safe, adequate and efficient vehicular access and circulation to the new townhouse units.

Local Area Transportation Review (LATR)

The overall Clarksburg Town Center site, which this application is part of, has a valid APF approval for transportation facilities. The transportation impact of the revised development program does not exceed the impacts of the previously approved development.

Policy Area Review

The Amendment does not impact Policy Area Review findings as approved by the Planning Board most recently with Amendment No. 11995042B.

Other Public Facilities

Public facilities and services continue to be available and will be adequate to serve the development. The Subject Property is served by adequate public water and

sewer systems. The Amendment has been reviewed and approved by the Montgomery County Fire and Rescue Service, which has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as, police stations, firehouses, and health services are operating according to the Growth Policy resolution in effect when the APF approval was granted and will be adequate to serve the development. No additional residential units are proposed with this Amendment; therefore, the development is not subject to a School Facility Payment review.

4. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

The size, width, shape and orientation of the lots are appropriate for the location of the subdivision, given the recommendations of the Master Plan. The lot pattern is comparable to other lots approved and built out as part of the Town Center. The size, shape, width and orientation of lots on the Amendment is appropriate and will provide a seamless continuation of the existing development.

5. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Amendment does not contemplate any modifications to the approved Final Forest Conservation Plan.

6. *The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site.*

The Amendment does not contemplate any modifications to the approved SPA Final Water Quality Plan.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAR 30 2016 (which is the date that this Resolution is mailed to all parties of record); and

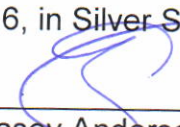
BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this

Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Presley and Fani-González voting in favor, and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, March 24, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AENUE
4TH FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON
MPDU MANAGER, DHCA
100 MAYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

CHUCK ELLISON
MILLER & SITH, LLC
8401 GREENSBORO DRIVE
SUITE #300
MCLEAN, VA 22102

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GAITHERSBURG, MD 20878

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
355 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDDEP-WATER & WASTEWATER POLICY
255 ROCKVILLE PIKE
SUITE 120
ROCKVILLE, MD 20850

KEVIN FOSTER
GUTSCHICK, LITTLE & WEBER, P.A.
3909 NATIONAL DRIVE
SUITE #250
BURTONSVILLE, MD 20866

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ESHAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

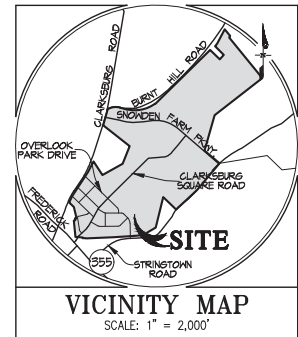
WILLIAM GRUENINGER
GUTSCHICK, LITTLE & WEBER, P.A.
3909 NATIONAL DRIVE
SUITE #250
BURTONSVILLE, MD 20866

TIM LONGFELLOW
GUTSCHICK, LITTLE & WEBER, P.A.
3909 NATIONAL DRIVE
SUITE #250
BURTONSVILLE, MD 20866

CLARKSBURG TOWN CENTER

PRELIMINARY PLAN AMENDMENT

No. 11995042D



Density & Land Use Analysis

RMX-2 ZONE: 204.92 Acres - Commercial Area: 26.24 Acres, Residential Area: 178.63 Acres

	Required/Allowed per Master Plan	Approved with Amendment No. 11945042B	Previously Approved with Amendment 11945042C	Proposed with this Amendment 11995042D
Maximum Residential Density	1428 Dwelling Units (1 DU/Acre)	1120 Dwelling Units (6.21 DU/Ac. X 178.63 Ac.)	1118 Dwelling Units (6.26 DU/Ac. X 178.63 Ac.)	12 Dwelling Units/ Lots & 2 Parcels (106 Dwelling Units Total) (6.14 DU/Ac. X 178.63 Ac.)
Residential Land Use				
Single-Family Detached	10%-20%	214 DU. (14.6%)	214 DU. (14.6%)	214 DU. (14.6%)
Single-Family Attached	30%-50%	665 DU. (54.3%) (No Live-work)	614 DU. (60.3%) (No Live-work)	686 DU. (60.3%) (No Live-work)
Multi-Family	25%-45%	236 DU. (21.8%)	225 DU. (20.1%)	201 DU. (18.5%)
Maximum Commercial Density				
Commercial Land Use				
Retail	300,000 S.F. Total (0.5 FAR - Zoning Code)	206,185 S.F. (0.18 FAR) (26.24 Ac Mixed Use/Retail Core)	206,185 S.F. (0.18 FAR) (26.24 Ac Mixed Use/Retail Core)	206,185 S.F. (0.18 FAR) (26.24 Ac Mixed Use/Retail Core)
Office	±50,000 Retail Center	124,545 S.F.*	124,545 S.F.*	124,545 S.F.*
Office	10,000-105,000 S.F.	76,640 S.F.*	76,640 S.F.*	76,640 S.F.*
Other Land Use				
Civic	Undetermined	Regional Center/Library & Parking (1.0 Ac)	Regional Center/Library & Parking (1.0 Ac)	Regional Center/Library & Parking (1.0 Ac)
Public Park	N/A	Piedmont Woods & S.V. Park (83.02 Ac.)	Piedmont Woods & S.V. Park (83.02 Ac.)	Piedmont Woods & S.V. Park (83.02 Ac.)
School (MCPFS)	N/A	142 Ac.	142 Ac.	142 Ac.
School (MNGPPC)	N/A	1.24 Ac.	1.24 Ac.	1.24 Ac.

* Final Non-residential Land Uses, Densities, and FAR shall be established at time of Site Plan, and may vary from quantities shown.

MPDUs (Moderately Priced Dwelling Units)

	Required/Allowed per Master Plan	Approved with Amendment No. 11945042B	Previously Approved with Amendment 11945042C	Proposed with this Amendment 11995042D
Residential Density - MPDUs	Min. 12.5% of total unit count	140 MPDUs (Min. 12.5% of total (1120 DU x 12.5 = 140))	140 MPDUs (Min. 12.5% of total (1118 DU x 12.5 = 140))	191 MPDUs (Min. 12.5% of total (106 DU x 12.5 = 132))

Note: The location of Moderately Priced Dwelling Units (MPDUs) will be limited to land area designated as Single Family attached/detached, Multi-Family or Mixed Use areas. Final location of MPDUs will be determined at Site Plan.

Parking Analysis

	Zoning Ordinance Permitted/ Required	Approved with Amendment No. 11945042B	Previously Approved with Amendment 11945042C	Proposed with this Amendment 11995042D
East Side Residential (Vehicle Parking Spaces)				
Single-Family Detached:	2 Spaces / DU.	N/A	N/A	N/A
Single-Family Attached:	2 Spaces / DU.	72 Spaces (36 DU. X 2 Sp / DU.)	18 Spaces (9 DU. X 2 Sp / DU.)	24 Spaces (For A & C) (12 DU. X 2 Spaces / DU.)
Multi-Family	1.5 Spaces / DU.	N/A	N/A	N/A
Multi-Family, 2-Over-2:	2 Spaces / DU.	N/A	N/A	N/A
Visitor Spaces (Block H):	N/A	13 Spaces	N/A	N/A
Residents club	N/A	50 Spaces	N/A	N/A

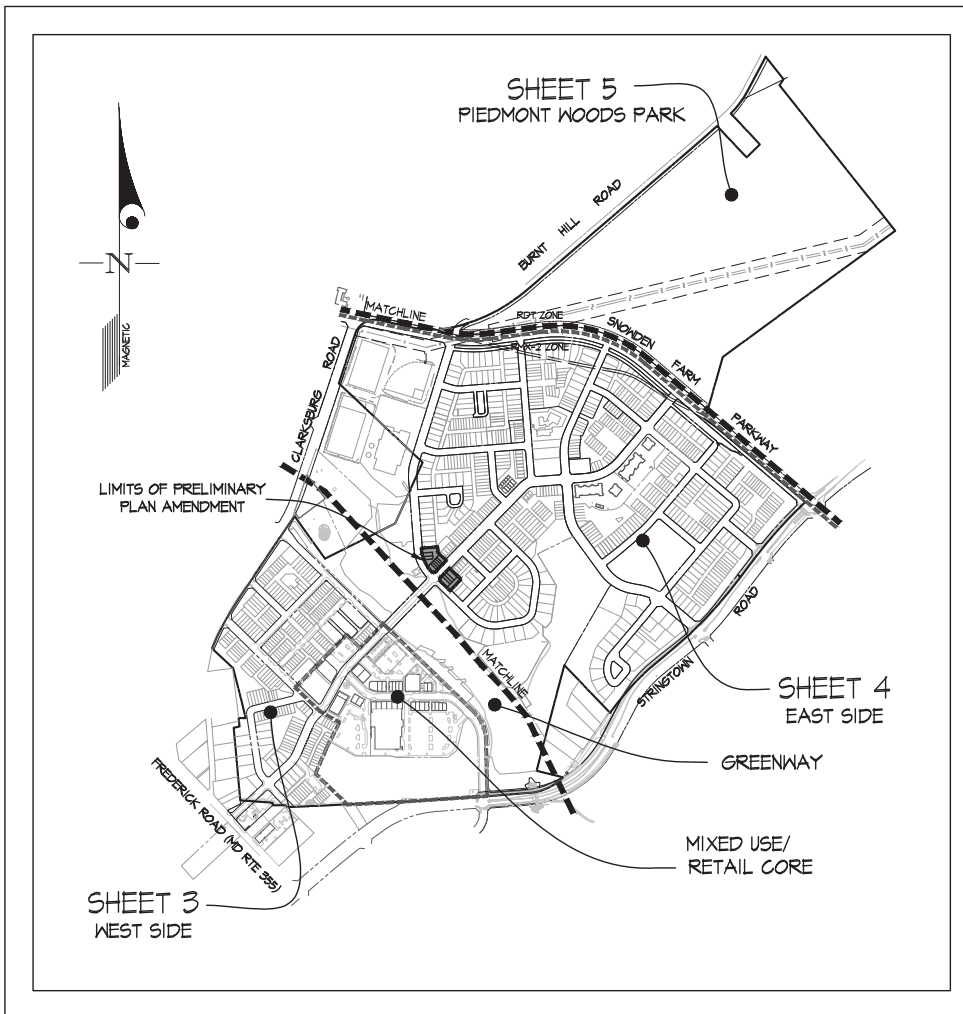
West Side Residential (Vehicle Parking Spaces)

Single-Family Detached:	2 Spaces / DU.	N/A	N/A	N/A
Single-Family Attached:	2 Spaces / DU.	266 Spaces (133 DU. X 2 Sp / DU.)	N/A	N/A
Multi-Family	1.5 Spaces / DU.	N/A	N/A	N/A
Multi-Family, 2-Over-2	2 Spaces / DU.	116 Spaces (58 DU. X 2 Sp / DU.)	N/A	N/A
Live-Work:	2 Spaces / DU.	N/A	N/A	N/A
Live-Work Retail:	5 spaces / 1,000 GLA	N/A	N/A	N/A
Visitor Spaces:				
Block GG:	N/A	10 Spaces	N/A	N/A
On Street Private:	N/A	30 Spaces	N/A	N/A
On Street Public:	N/A	72 Spaces	N/A	N/A

West Side Mixed-Use Commercial (Vehicle Parking Spaces)*

Retail:	Minimum 3.5 / Maximum 6 per 1,000 SF GLA	558 Spaces* (11545 SF GLA X 5 Spaces / 1000 SF)	N/A	N/A
Restaurant:	Minimum 4 / Maximum 12 per 1,000 SF GLA	88 Spaces* (22,000 SF X 4 Spaces / 1000 SF)	N/A	N/A
Office - General	Minimum 1 / Maximum 4 per 1,000 SF GLA	41 Spaces* (3,360 SF X 3 Spaces / 1000 SF)	N/A	N/A
Office - Medical	Minimum 1 / Maximum 4 per 1,000 SF GLA	40 Spaces* (45,280 SF X 2 Spaces / 1,000 SF)	N/A	N/A
Civic - Cultural	Minimum 0.5 / Maximum 2 per 1,000 SF GLA	57 Spaces* (2 spaces / 1,000 SF)	N/A	N/A

* Parking calculated pursuant to Section 7.11.B.3.b of the Zoning Ordinance in effect after October 30, 2014, which allows grand-fathered plans to reduce parking requirements of a previously approved plan in a manner that satisfies the parking requirements of the current Zoning Ordinance.



KEY MAP

SCALE: 1" = 500'

Minimum Building Setbacks (Adjacent Properties and Streets)

(per Section 54-C-10.3.8 of the Zoning Ordinance)

	REQUIRED*	Residential Buildings	PROPOSED***	Residential Buildings
(a) From one-family residential zoning	100'	100'	100'	100'
(b) From residential zoning other than one-family	50'	30'	50'	15'
(c) From any street**	25'	30'	25'	12'
(d) From abutting commercial or industrial zoning	25'	30'	25'	12'

* The Planning Board may reduce the minimum setbacks shown in (a) through (d) above, no greater than 50%, upon a finding that trees or other features on the site permit a lesser setback without adversely affecting development on an abutting property.

** No minimum setback is required if in accordance with the Master Plan.

*** This Preliminary Plan reduces the minimum setbacks for commercial and residential buildings from other than one family residential zoning and commercial zoning by up to 50% per Section 54-C-10.3.8 and establishes that no minimum setback from any street right-of-way is required, all other development standards and building setbacks shall be established at time of final site plan.

Preliminary Plan Amendment No. 11945042D Summary:

△ Convert the previously approved 24-manor home condominiums to 12 townhouses.

△ The required 8 MPDUs to be converted to 7 MPDUs per the density reduction.

Site Data

Gross Site Acreage: 270.92 Acres
Original Tract Area: 270.00 Acres
Land Acquired from Parks Department: 0.92 Acres

Existing Zoning: 204.92 Acres
Area in RMX-2 = 66.00 Acres
Area in RDT = 210.92 Acres
Total Area = 270.92 Acres

Land to be dedicated for public use:
Land for Civic Building: 1.10 Acres
School Land to Montgomery County Public Schools: 1.52 Acres
School Land to MNGPPC: 1.24 Acres
Park Land to MNGPPC: 82.06 Acres
RDM for Public Streets: 31.11 Acres
Total Area = 124.94 Acres

Net Development Area of Site: 270.92 Acres

General Notes

- Title Information:
Parcel 440
L. 8825 / F. T34, L. 8825 / F. T41,
L. 8825 / F. T48, L. 8825 / F. T55
Parcel 600
L. 6T16 / F. 836
Parcel 200
L. 6T16 / F. 836
- The site will be served by existing public water and sewer mains located within the vicinity of the property.
- The entire portion of the site within the RMX-2 zone is located in the Little Seneca Creek watershed and a portion of the site within the RDT zone is in the Little Bennett Creek watershed.
- Refer to the Natural Resources Inventory Map & Forest Stand Delineation (No. 4-44162 approved 4/28/1994) for additional information.
- The boundary shown hereon is based on GFI provided CADD, recorded Plats of Subdivision, and computation sheets by other surveyors. The topographic information was prepared by Loiderman Associates, Inc. from survey information by KMM Corporation dated April 1989; Fowler Associates, Inc. dated April 1989, and topographic data from Air Survey Corporation.
- Previously approved waivers per MGPB Resolution No. 08-163:
 - Section 50-26(c)(2): Roads & Streets Design Standards- Permits certain road intersections to be less than 600 feet.
 - Section 50-26(c)(3): Roads & Streets Design Standards- Permits less than the 25' corner truncations at certain intersections.
 - Section 50-26(d): Roads & Streets Design Standards- Permits streets with less than the minimum permitted centerline radii.
 - Section 50-26(e)(2): Roads & Streets Design Standards- Permits certain road intersections to be less than 600 feet.
 - Section 50-24(a)(2): Lot Design- Permits Lots without frontage on a public street.
 - Section 50-38: Waivers From This Chapter- Authorizes the planning board to grant waivers of any part of the Subdivision Regulations based upon a finding that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements.

Previous Preliminary Plan Approvals

March 1996	Montgomery County Planning Board issued an Opinion for Preliminary Plan of Subdivision 1-45042 for Clarkburg Town Center that approved the Preliminary Plan, subject to 11 conditions.
August 2001	Montgomery County Planning Board approved Preliminary Plan of Subdivision 1-45042R to revise Preliminary Plan 1-45042.
July 2004	Montgomery County Planning Board approved Preliminary Plan of Subdivision 1-45042A to amend Preliminary Plan 1-45042.
December 2015	Montgomery County Planning Board approved Preliminary Plan of Subdivision 1-45042B to amend Preliminary Plan 1-45042.
May 2016	Montgomery County Planning Board approved Preliminary Plan of Subdivision 1-45042C to amend Preliminary Plan 1-45042.

Site Development Standards

RMX-2 Zone: The proposed site development standards for this project, developed under the optional method, shall be in accordance with the provisions of section 54-C-10.3 and where specified in accordance with the applicable Master Plan. The final development standards shall be established at the time of site plan.

Green Area Analysis (54-C-10.3.3)

Site within the RMX-2 Zone = 204.92 Acres
Residential portion of the site = 178.63 Acres
Commercial portion of the site = 26.24 Acres

	Required/Allowed per Zoning Code	Approved with Amendment 11945042B	Previously Approved with Amendment 11945042C	Proposed with this Amendment 11995042D
Minimum Green Area				
Residential portion of the site:	50%	93.22 Ac. (53.2%) (178.63 Ac. Resd. Area)	93.22 Ac. (53.2%) (178.63 Ac. Resd. Area)	93.22 (53.22%) (178.63 Ac. Resd. Area)
Commercial portion of the site	15%	12.61 Ac. (47.9%) (26.24 Ac. Com. Area)	12.61 Ac. (47.9%) (26.24 Ac. Com. Area)	12.61 Ac. (47.9%) (26.24 Ac. Com. Area)

Note: Piedmont Woods Park is in the RDT zone and is not part of these calculations. Final green space quantities shall be determined at site plan, and may vary from quantities shown.

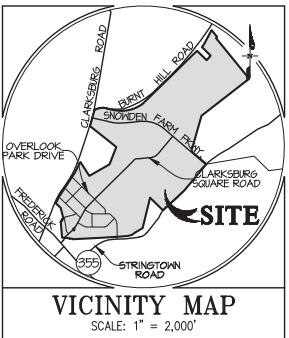
SHEET SCHEDULE

SHEET No.	TITLE
** 1	COVER SHEET
2	APPROVAL SHEET
** 2A	APPROVAL SHEET
3	WEST SIDE & GREENWAY
** 4	EAST SIDE & GREENWAY
5	PIEDMONT WOODS PARK
** 6	ROAD SECTIONS
(**) = SHEETS REVISED PER PRELIMINARY PLAN AMENDMENT No. 11945042D	

CLARKSBURG TOWN CENTER EAST SIDE

SITE PLAN AMENDMENT 82007022H

- △ LOTS 6-9 PARCEL D BLOCK "S"
△ LOTS 71-78 PARCEL H BLOCK "M"



EXISTING UTILITY NOTES

- For marking locations of existing utilities, notify "MISS UTILITY" at 1-800-257-7777, 48 hours prior to any excavation or construction.
- Information concerning underground utilities was obtained from available records. The contractor must determine the exact locations and elevations of the utilities by digging test pits by hand at all utility crossings well in advance of trenching. If clearances are less than specified on this plan or less than 12 inches when not specified, contact the Engineer, and the owner of the other involved utility before proceeding with construction.
- For field location of gas line services, notify Washington Gas Light Co., 703-750-1000, 48 hours prior to the start of any excavation or construction.
- Omissions and/or additions of utilities found during construction shall be the sole responsibility of any contractor engaged in excavation at this site. Gutschick, Little & Weber, P.A., shall be notified immediately of any and all utility information, omissions and additions found by any contractor.
- Due to the proximity of live underground and overhead utilities, we are not responsible for any damage or injury sustained during construction by any persons, trucks, trailers, or equipment used on or adjacent to the site.

LEGEND

- SINGLE FIXTURE LIGHT, 12' POLE TYP. UNLESS NOTED OTHERWISE.
- MPO
- HIGH VISIBILITY LOT (SEE INDEX SHEET 1-04)
- PROPOSED CURB & GUTTER
- EXISTING LIGHT
- PROPOSED LIGHT
- PROPOSED MAILBOXES
- PROPOSED SPOT GRADE
- PROPOSED STORM DRAIN, SEWER & WATER
- STEEP SLOPES
- EXISTING TOPOGRAPHY
- PROPOSED TOPOGRAPHY
- EXISTING TREE LINE
- PROPOSED TREE LINE
- EXISTING STRUCTURES
- PROPOSED SIDEWALKS
- FLOOD PLAIN
- STREAM VALLEY BUFFER
- LIMIT OF DISTURBANCE
- WETLANDS/WETLANDS BUFFER
- PROPOSED STRUCTURE

PAVING LEGEND

- SPECIAL SIDEWALK TREATMENT
 - CONCRETE UNIT PAVERS
 - ASPHALT PAVING
 - CONCRETE
 - SPM ACCESS
 - CROSSWALK TREATMENT
 - EXISTING BRICK
- IF A SPECIFIC DETAIL FOR A PAVING SURFACE IS NOT SHOWN ON THE 10 SCALE PLANS, THE 30 SCALE PLANS CONTROL.

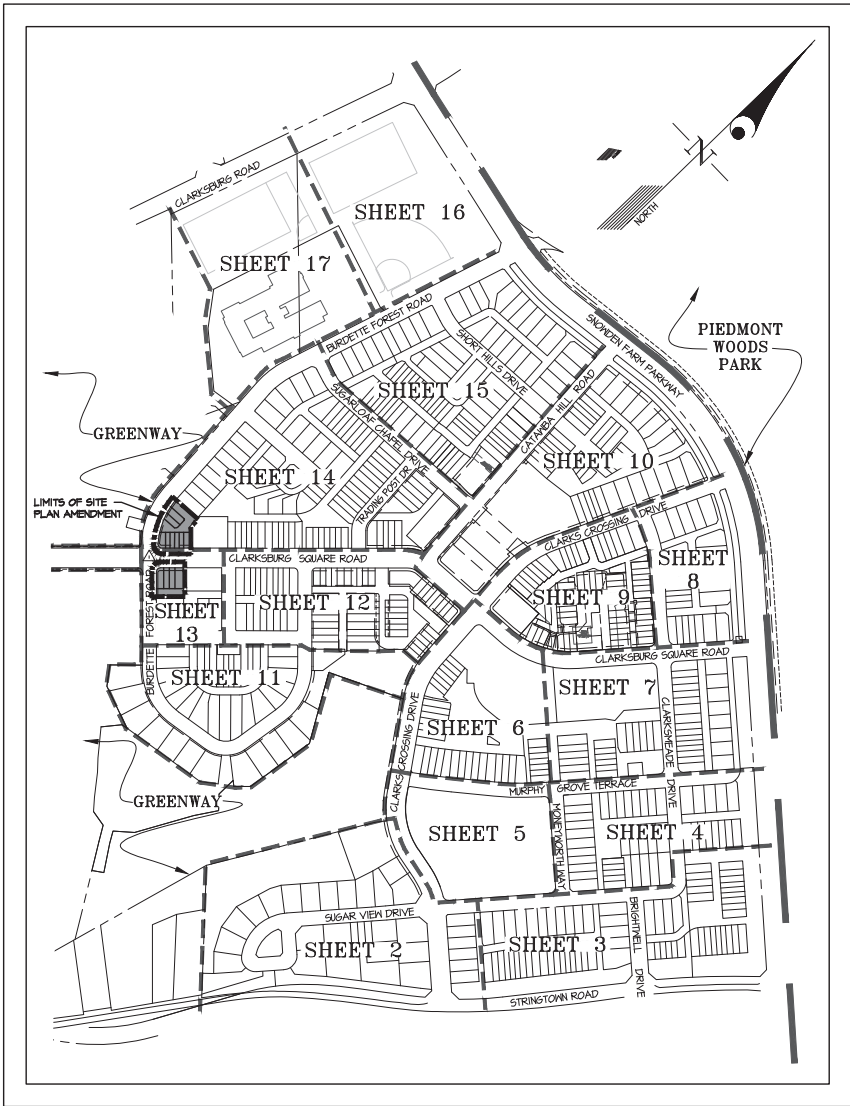
GENERAL NOTES

- FOR ALL DEVELOPMENT STANDARDS GENERAL NOTE, AND OVERALL PROJECT INFORMATION SEE INDEX SHEETS.
- AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED TO BE SET UP WITH THE DEPARTMENT OF PERMITTING SERVICES (DPS), ZONING & SITE PLAN ENFORCEMENT DIVISION BEFORE ANY BUILDING CONSTRUCTION ACTIVITY OCCURS ON-SITE. THE OWNER OR HIS DESIGNEE WHO HAS SIGNATURE AUTHORITY, AND GENERAL CONTRACTOR MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE DPS SITE PLAN ENFORCEMENT INSPECTOR. A COPY OF THE CERTIFIED SITE PLAN IS REQUIRED TO BE ON-SITE AT ALL TIMES. TO SCHEDULE A SITE PLAN INSPECTION WITH DPS, ZONING & SITE PLAN ENFORCEMENT DIVISION, PLEASE CONTACT BRIAN KEELER, 240-581-4485.

SITE PLAN SHEET SCHEDULE

The following plans together comprise The Clarksburg Town Center Amendment Site Plan Set. (For all plans that comprise Site Plan Amendment No. 82007022H, see the Index Cover Sheet).

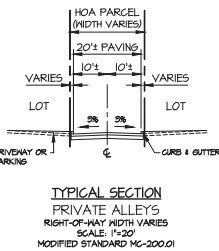
TITLE	SHEET NO.
INDEX PLANS	
Approvals, Site Data, Development Standards & Exhibits	I-01 to I-04
Residents Club Architectural Plans	A101, A201-205
West Side Streetscape Elevations	SD-1 to SD-7
WEST SIDE	
Site Plans	WS-01 to WS-10
Landscape Plans	ML-01 to ML-26
Lighting Plans	MLT-01 to MLT-07
EAST SIDE	
Site Plans	ES-01 to ES-17
Landscape Plans	EL-01 to EL-21
Lighting Plans	ELT-01 to ELT-04
GREENWAY	
Site Plans	GH-01 to GH-07
Landscape Plans	GL-01 to GL-11
PIEDMONT WOODS PARK	
Site Plans	PWS-01 to PWS-04
Landscape Plans	PWL-01 to PWL-14



KEY MAP
SCALE: 1" = 250'

PROJECT TEAM

- DEVELOPER:**
CTC DEVELOPMENT, INC.
c/o ELM STREET DEVELOPMENT
1355 BEVERLY ROAD, SUITE 240
MCLEAN, VIRGINIA 22101
- CIVIL ENGINEER:**
GUTSCHICK, LITTLE AND WEBER, P.A.
3909 NATIONAL DRIVE, SUITE 250
BURTONSVILLE, MARYLAND 20866
- UTILITY CONSULTANTS:**
RICHTER & ASSOCIATES
15865 CRABBS BRANCH WAY
ROCKVILLE, MARYLAND 20855
- LANDSCAPE ARCHITECTS:**
GUTSCHICK, LITTLE AND WEBER, P.A.
3909 NATIONAL DRIVE, SUITE 250
BURTONSVILLE, MARYLAND 20866



SHEET SCHEDULE

SHEET No.	TITLE
ES-01	COVER SHEET
ES-02 to ES-17	SITE PLANS

PROFESSIONAL ENGINEER'S CERTIFICATION

THE UNDERSIGNED LICENSED PROFESSIONAL ENGINEER CERTIFIES THAT THE SITE PLANS HEREIN CONFORM TO THE STANDARDS OF THE ZONE AND THE PLANNING BOARD SITE PLAN OPINION. IN ADDITION, THE SITE PLANS ARE CONSISTENT WITH THE DATA TABLE PROVIDED ON THE COVER SHEET. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DAILY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 24914. EXPIRATION DATE: January 20, 2022.

Date Tim M. Longfellow, P.E.

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Site Plan Approval No. 82007022H, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: CTC DEVELOPMENT, INC. Kathryn L. Kubit
Contact Person
Address: 1355 Beverly Road, Suite 240
McLean, Virginia 22101
Phone: 703-734-9730
Signature: Kathryn L. Kubit, Manager

COVER SHEET

CLARKSBURG TOWN CENTER
EAST SIDE

G. L. W. File No.

20148

SHEET

ES-01 OF 17

CLARKSBURG ELECTION DISTRICT No. 02

MONTGOMERY COUNTY, MARYLAND

GLWGUTSCHICK LITTLE & WEBER, P.A.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
3909 NATIONAL DRIVE - SUITE 250 - BURTONSVILLE OFFICE PARK
BURTONSVILLE, MARYLAND 20866
TEL: 301-421-4024 FAX: 410-880-1820 DC/VA: 301-889-2524 FAX: 301-421-4186



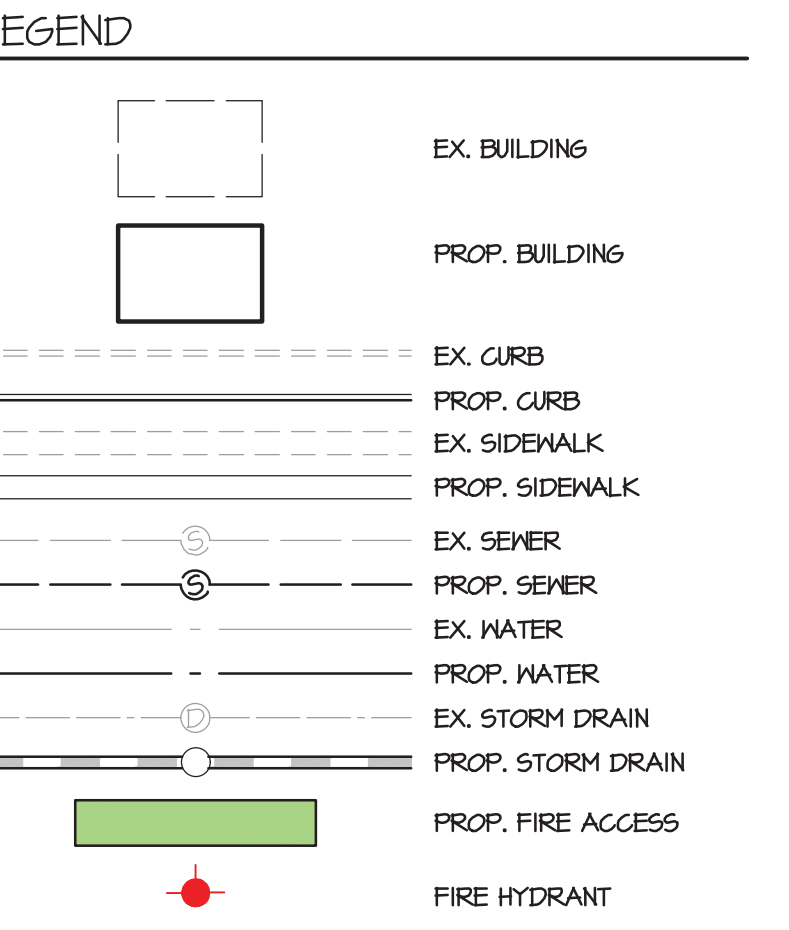
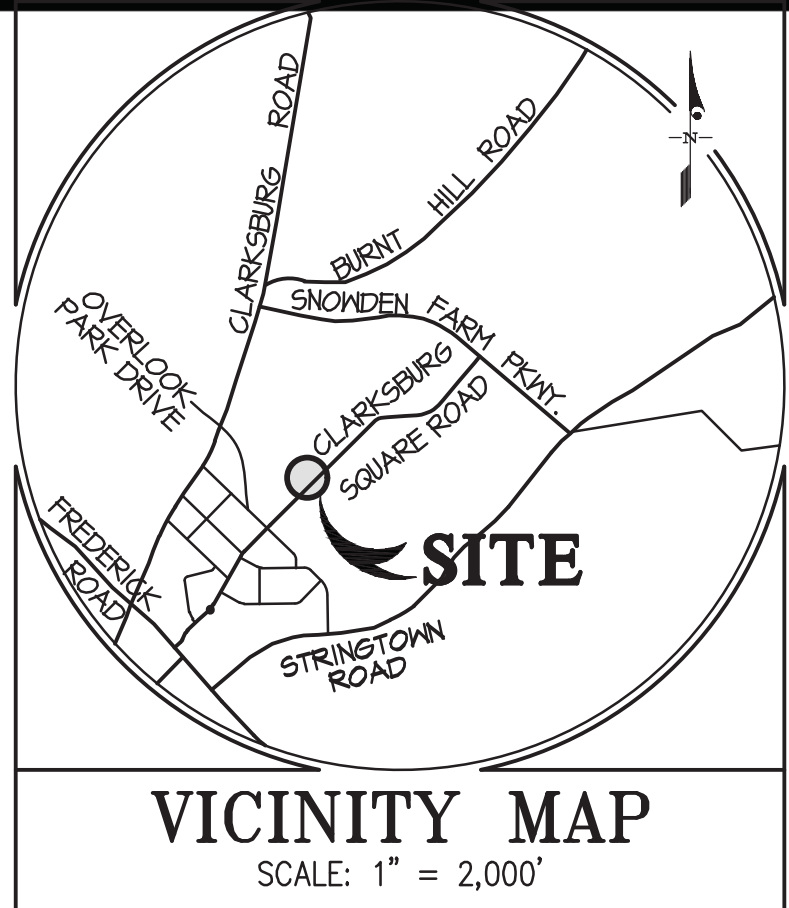
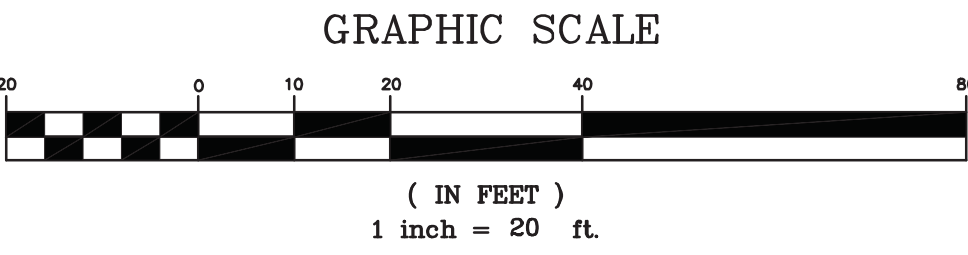
Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 04-Nov-21
TO: Tim Longfellow
Gutschick Little & Weber, PA
FROM: Marie LaBaw
RE: Clarksburg Town Center - East Side Parcels A & C
82007022H

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **03-Nov-21**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

L:\CADD\DRAWINGS\2014\8\PLANS BY GLW\SITE PLAN\2014-SP FIRE ACCESS 01.dwg
PLOTTED: 11/3/2021 11:55 AM, LAST SAVED: 11/2/2021 11:52 AM, PLOTTED BY: Will E. Newman

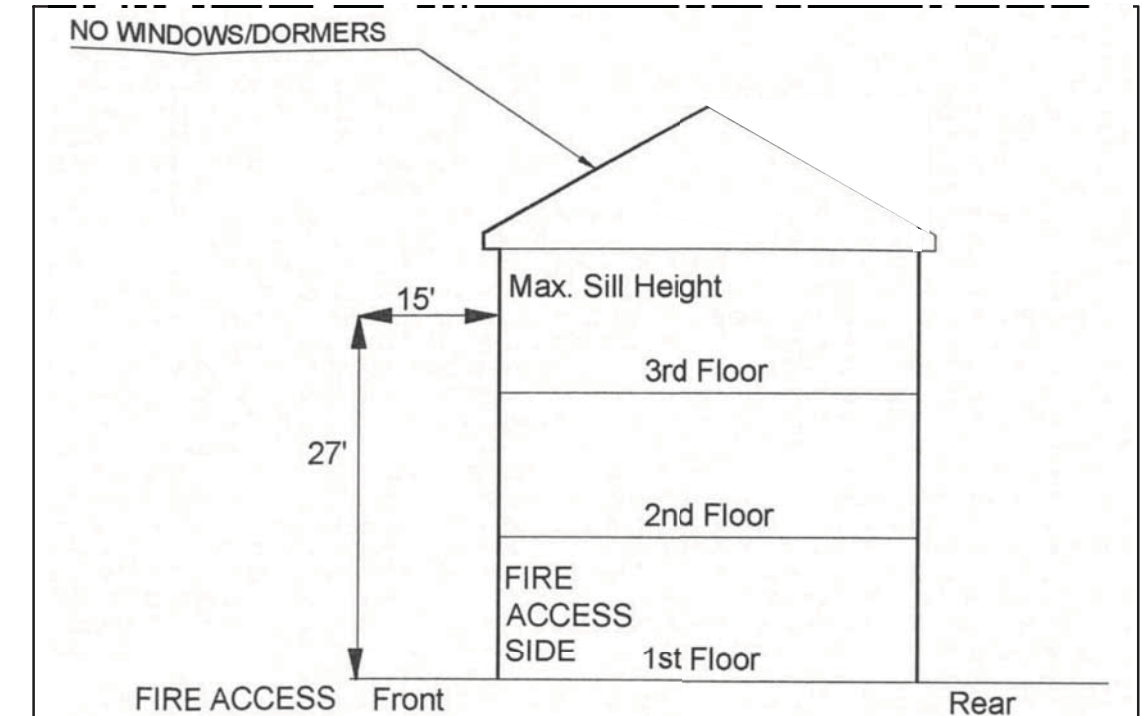


FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

BY: SAC PM: 43 DATE: 11/4/2021



Townhouse Unit Building Height Detail -
* FIRE HEIGHT RESTRICTED UNIT

General Notes:

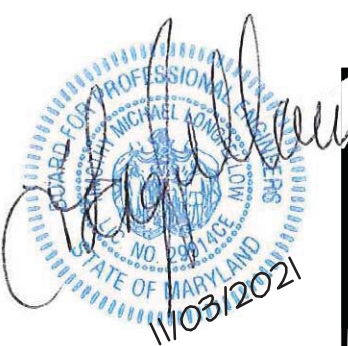
- One and two-family dwellings of three (3) stories (27' to highest sill, including false dormers) or less must provide access to the occupied interior through a main, side-hinge door within 150 feet of a fire department access route. For units of three (3) stories or more, access must be within fifty (50) feet of access route.

HEIGHT RESTRICTIONS

NOTE: All units onsite will be less than 4 stories.

NOTE: all units in this subdivision are single family townhouse units (no 2 over 2's). FDC's are not applicable and existing Fire Hydrants meet all coverage requirements.

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 29914
EXPIRATION DATE: JANUARY 20, 2022



PREPARED FOR:
CTC DEVELOPMENT, INC.
1355 BEVERLY ROAD
SUITE 240
MCLEAN, VA. 22101
ATTN: KATHRYN L. KUBIT
TEL: (703) 734-9730

SCALE	ZONING
1"=20'	RMX-2
DATE	TAX MAP - GRID
NOV., 2021	EW-42

FIRE ACCESS PLAN

CLARKSBURG TOWN CENTER

EAST SIDE - PARCELS A & C

CLARKSBURG ELECTION DISTRICT No. 2

MONTGOMERY COUNTY, MARYLAND

G. L. W. FILE No.	20148
SHEET	1 OF 1



3909 NATIONAL DRIVE | SUITE 250 | BURTONSVILLE, MD 20866 | GLWPA.COM
PHONE: 301-421-4024 | BAL: 410-880-1820 | DC&VA: 301-989-2524 | FAX: 301-421-4186



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

November 5, 2021

Mr. Jeffrey Server, Senior Planner
Upcounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive, 13th floor,
Wheaton, MD 20902

RE: Preliminary Plan Letter
Preliminary Plan No. 11995042D
Clarksburg Town Center

Dear Mr. Server:

We have completed our review of the preliminary plan uploaded to eplans on October 15, 2021. A previous plan was reviewed by the Development Review Committee at its May 11, 2021, meeting. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County Department of Permitting Services (MCDPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

Significant Preliminary Pan Comments:

1. Design all access points and alleys to be at-grade with the sidewalk, dropping down to street level between the sidewalk and roadway.
2. Provide a minimum 6 ft continuous clear pathway (no grates) along all public streets.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

3. Upgrade pedestrian facilities at intersections along the site frontage & at adjacent intersections to comply with current ADA standards.
4. Ensure adequate corner truncation. Truncation is important for ensuring adequate intersection design for signal
5. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
6. **Storm Drain Analysis:** The storm drain analysis has been accepted, and the applicant is not responsible for any existing downstream storm drain outfall improvements.
7. **Sight Distance:** The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form (Attachment # 1) is enclosed for your information and reference.
8. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with MCDPS Right-of-Way Plan Review Section.
9. Posting of the ROW permit bond is a prerequisite to MCDPS approval of the record plat. The right-of-way permit will include, but not necessarily be limited to, the following improvements:
 - a. Handicap ramps, sidewalk, and street trees along Burdette Forest Road and Clarksburg Square Road.
 - b. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
 - c. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - d. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the MCDPS and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the MCDPS.
 - e. Developer shall ensure final and proper completion and installation of all utility lines underground along their site frontage.
 - f. Developer shall provide streetlights in accordance with the specifications, requirements,

Mr. Jeffrey Server
Preliminary Plan No. 11995042D
November 5, 2021
Page 3

and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Engineer for this project at deepak.somarajan@montgomerycountymd.gov or at (240) 777-2194.

Sincerely,

Deepak Somarajan

Deepak Somarajan, Engineer III
Development Review Team
Office to Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\11995042D-Clarksburg Town Center
\Letter\11995042D-Clarksburg Town Center Ltr

Enclosures: Attachment # 1: Sight Distance

cc: SharePoint Correspondence FY 21

cc-e:	Kevin Foster	GLW
	Tim Longfellow	GLW
	Chris Van Alstyne	MNCPPC
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Rebecca Torma	MCDOT OTP



MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Clarksburg - East Side Parcel C Preliminary Plan Number: 1-1995042

Street Name: Burdette Forest Road Master Plan Road Classification: Residential - Tertiary

Posted Speed Limit: 25 mph

Street/Driveway #1 (Prop. Alley (Lots 6-9)) Street/Driveway #2 (_____)

Sight Distance (feet) OK?
Right 275'+ YES
Left 275'+ YES

Sight Distance (feet) OK?
Right _____
Left _____

Comments: _____

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

 3.18.2021
Signature Date

29914 02/20/2022

PLS (P.E.) MD Reg. No. Expiration Date

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.

Montgomery County Review:

☒ Approved

☐ Disapproved:

By: Deepak Somarajan

Date: 11/5/2021



MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Clarksburg - East Side Parcel A Preliminary Plan Number: 1-1995042

Street Name: Burdette Forest Road

Master Plan Road
Classification: Residential - Tertiary

Posted Speed Limit: 25 mph

Street/Driveway #1 (Ex. Alley (to Lots 71-78))

Street/Driveway #2 (_____)

Sight Distance (feet) OK?
Right 235' YES
Left 200' YES

Sight Distance (feet) OK?
Right _____
Left _____

Comments: _____

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

*Source: AASHTO

ENGINEER/SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature _____

Date _____

29914

02/20/2022

PLS(P.E) MD Reg. No. _____ Expiration Date _____

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.

Montgomery County Review:

☐ Approved
☐ Disapproved:

By: _____

Date: _____

Form Reformatted:
March, 2000

DPS-ROW CONDITIONS OF APPROVAL**June 24, 2021****82007022H Clarksburg Town Center**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-BSITE-I-82007022H-004.pdf V3” uploaded on/ dated **“6/15/2021”**.

The followings need to be addressed prior to the certification of site plan:

1. Access points on public roads:
 - a. Label the driveway standard.
 - b. Ensure truck turning movements for the proposed driveways are safe, otherwise driveways may need to be adjusted.
2. Ensure and label the existing sidewalk/ ramps minimum five feet wide and ADA compliant.
3. Replace (and label accordingly) the impacted street trees per approved major species list at the designated spacing.
4. Ensure of adequate PUE along the site frontages.

And, the followings need to be conditions of the certified of site plan:

1. Private streets to be built to the corresponding public road classification standards per County Code 50.4.3.E.4.c. Please label accordingly.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

June 29, 2021

Mr. Will Newman
Gutschick, Little & Weber, P.A.
3909 National Drive, Suite 250
Burtonsville, Maryland 20886

Re: **REVISED COMBINED FINAL WATER
QUALITY PLAN/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Clarksburg Town Center-East Side
Preliminary Plan #: 11995042D
SM File #: 204464
Tract Size/Zone: 0.56 (Revised)/RMX-2
Total Concept Area: 0.56 acres
Lots/Block: 6-9/M and 71-78/S
Parcel(s): A and C
Watershed: Little Seneca Cr./Clarksburg SPA

Dear Mr. Newman:

Based on a review by the Department of Permitting Services Review Staff, the Revised Final Water Quality Plan for the above-mentioned site is **acceptable**. The Revised Final Water Quality Plan proposes to meet required stormwater management goals via a reduction in impervious area, micro bioretention and existing structural measures including a surface sand filter and extended detention dry pond that were previously designed to include this area.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The Revised Final Water Quality Plan approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a



2425 Reddie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingervices

Mr. Will Newman
June 29, 2021
Page 2 of 2

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. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

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

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: lmg

cc: N. Braunstein
SM File # 204464

ESD: Required/Provided 2,240 cf / 790 cf
PE: Target/Achieved: 1.8"/0.35"
STRUCTURAL: 1,450 cf
WAIVED: 0 ac.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Aseem K. Nigam
Director

December 15, 2021

Jeffrey Server, Planning Coordinator
Upcounty Planning Division
Montgomery County Planning Department
2425 Reedie Drive
Wheaton, Maryland 20902

Re: Clarksburg Town Center
Site Plan No. 82007022H & Preliminary Plan No. 11995042D

Dear Mr. Server:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plans and recommends Approval. DHCA does have the following additional comments regarding the next steps of the MPDU process:

- The Agreement to Build for the development will need to be amended after a certified site plan is approved.
- The MPDU townhouses must be designed and constructed in accordance with the requirements of Chapter 25A of the Code and related regulations.
- All MPDUs must be priced to remain affordable to MPDU certificate holders.

Sincerely,

Somer Cross, Program Manager
Affordable Housing Programs Section

Division of Housing

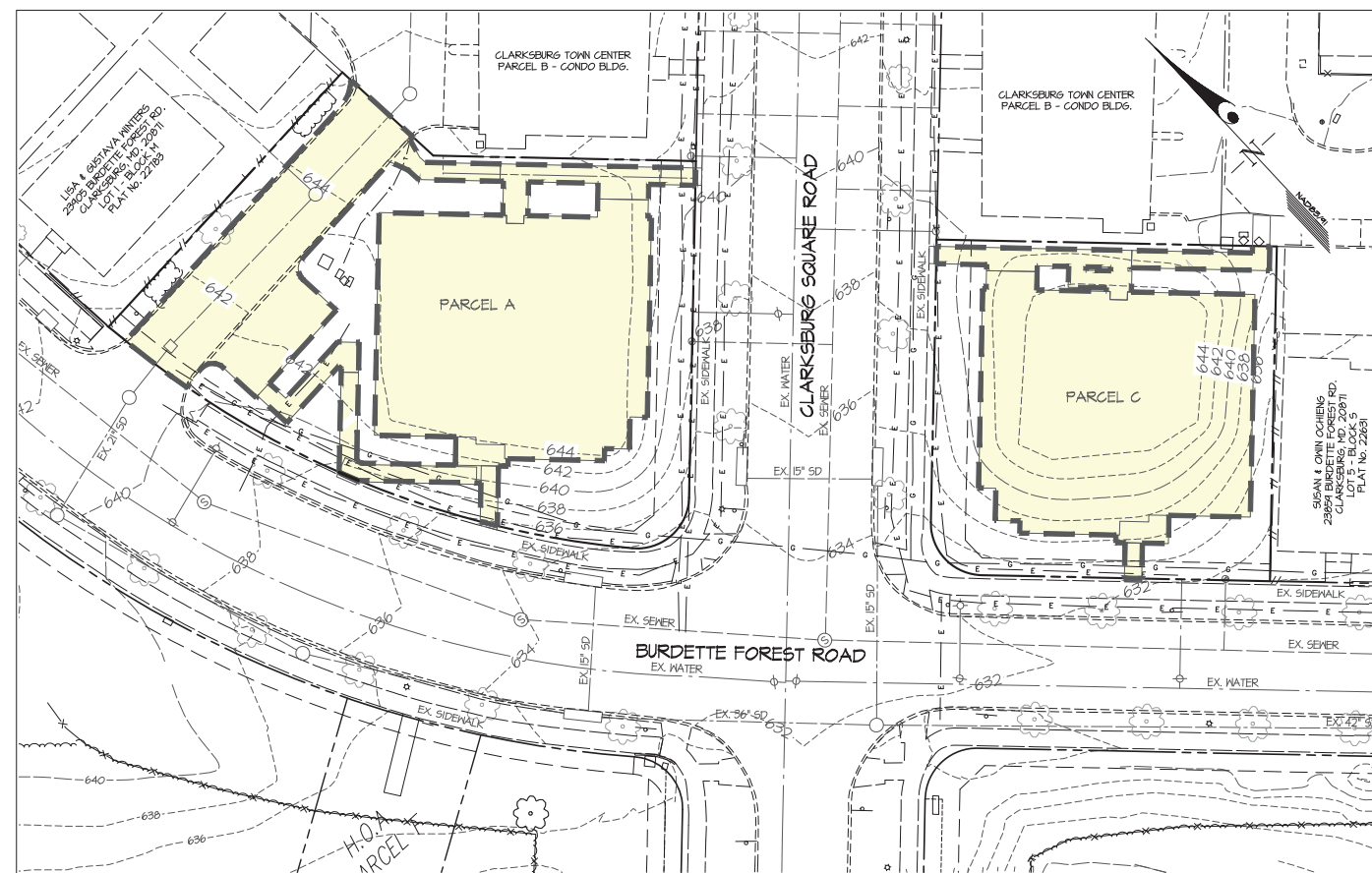
Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

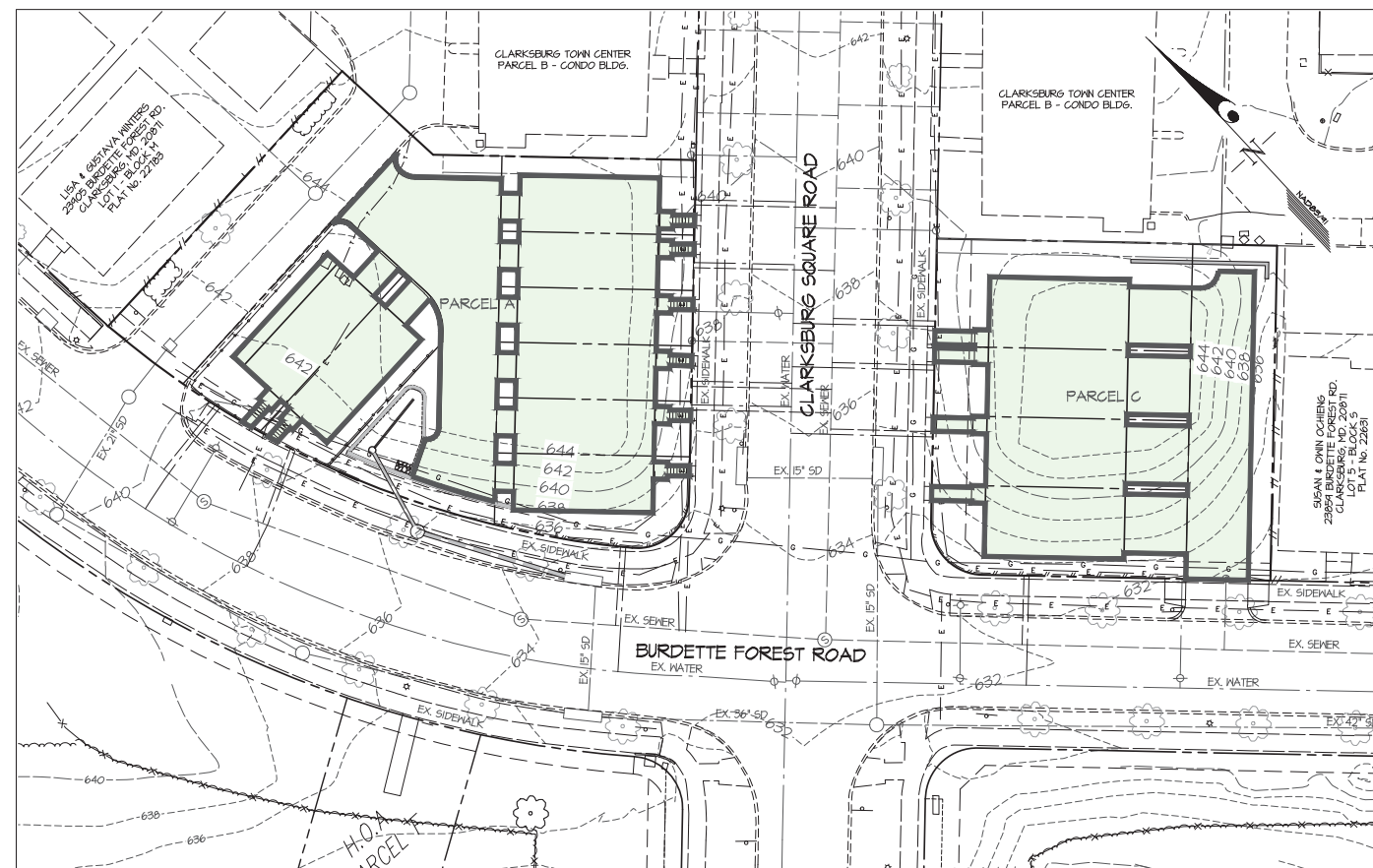
Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • www.montgomerycountymd.gov/dhca



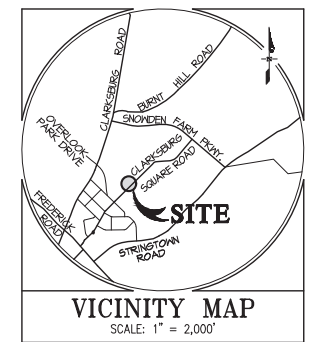
PREVIOUSLY APPROVED IMPERVIOUS AREA MAP

SCALE: 1" = 20'



PROPOSED IMPERVIOUS AREA MAP

SCALE: 1" = 20'



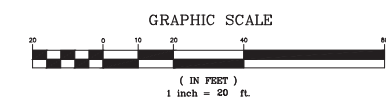
LEGEND

-
- Diagram illustrating the components of a wetland delineation map:
- EXISTING CONTOURS
 - PROPOSED CONTOURS
 - EXISTING TREE LINE
 - PROPOSED TREE LINE
 - EXISTING STRUCTURE
 - PROPOSED STRUCTURE
 - STREAM BUFFER
 - WETLAND BUFFER
 - WETLANDS
 - WATERS OF THE US
 - EX. GAS LINES
 - LIMIT OF DISTURBANCE
 - PROPOSED STORM-DRAIN
 - PREVIOUSLY APPROVED INTERFERIOUS AREA
 - PROP. INTERFERIOUS AREA

SITE/PROPERTY INFO:

PROPERTY SITE AREA (PARCEL A & C): 24,442 S.F. 0.51 AC.
 PARCEL A: 15,040 S.F. 0.35 AC.
 PARCEL C: 9,452 S.F. 0.22 AC.
 TOTAL SITE INTERFEROUS AREA PER PREVIOUSLY APPROVED SITE PLAN: 15,341 S.F. 0.35 AC.
 *PARCEL A: 10,393 S.F. 0.21 AC.
 *PARCEL C: 6,308 S.F. 0.14 AC.
 PROP. TOTAL SITE INTERFEROUS AREA: 14,631 S.F. 0.34 AC.
 *PARCEL A: 8,121 S.F. 0.20 AC.
 *PARCEL C: 6,010 S.F. 0.14 AC.
 TOTAL OVERALL REDUCTION IN INTERFEROUS AREA: 550 S.F. 0.013 AC.
 *PARCEL A: 312 S.F. 0.0071 AC.
 *PARCEL C: 238 S.F. 0.005 AC.

*INCLUDES OPTIONAL WIDER UNIT.



SITE PLAN No. 82007022H

<div style="text-align: center;"> IMPERVIOUS AREA EXHIBIT CLARKSBURG TOWN CENTER EAST SIDE - PARCELS A & C </div>		G. L. W. FILE No. 20148
RID 2	CLARKSBURG ELECTION DISTRICT No. 2	SHEET 1 OF 1
MONTGOMERY COUNTY, MARYLAND		

[illegible]

PREPARED FOR:
CTC DEVELOPMENT
c/o ELMSTREET DEVELOPMENT
1355 BEVERLY ROAD, SUITE 240
MCLEAN, VIRGINIA 22101
ATTN: KATHRYN KUBIT
PHONE: 703-734-9730

SCALE	ZONING
1"=20'	RMX-2
DATE	TAX MAP - G
MAY 2021	EW - 4

Clarksburg Town Center
Statement of Justification
Site Plan Amendment No. 82007022H
Preliminary Plan Amendment No. 11995042D

Overview

Clarksburg Town Center is a mixed-use planned development originally approved in 1996 (preliminary plan) and 1999 (site plan). These approvals procured the right to construct 1,300 homes and 250,000 square feet of commercial space. By 2005, the community was partially completed but development stalled. After the previous developer was accused of alleged site plan violations in 2005 and the 2008 financial crisis, the community experienced several years of stagnation and the project remained on hold for many years with streets unpaved, building pads unfinished, etc. A 2010 amendment attempted to encourage the completion of the community, however, the 2010-approved plans for commercial area design was not financially viable and were rejected by retail developers and grocers. Moreover, residential building permits were not approved without progress on the commercial portions of the site. Given no progress, the previous developer decided to sell the site.

In 2011, an Elm Street Development entity purchased the undeveloped areas in Clarksburg Town Center from the previous developer. In 2015, after collaboration among the Clarksburg Town Center community, Montgomery County, and Elm Street, the Montgomery County Planning Board approved amendments to the preliminary and site plans. These amendments updated the design of specific areas of original plans including residential Block H, Block BB, Block GG and the retail areas. Development to carry out the vision of the 2015 amendments has been ongoing and most of the residential areas in the 2015 amendment is completed and homes built. The retail area site work and utility work are complete and St. Clair Road, connecting Stringtown Road to Clarksburg Square Road, is built and in use (among many other completed improvements).

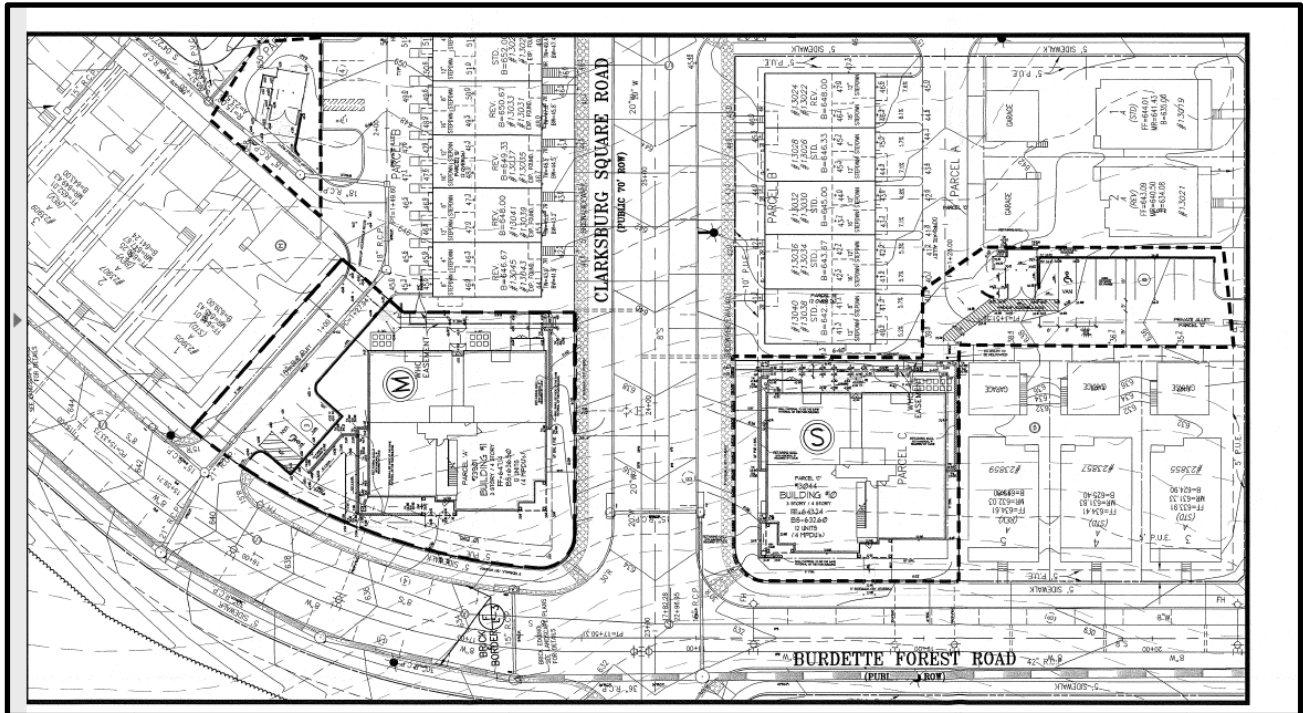
Current Status of the Clarksburg Town Center Community

Clarksburg Town Center is a thriving community. Several key plan elements of the 2015 amendments have been built and enjoyed by the community. These include significant Stringtown Road improvements for all modes of transportation, Kings Local Park improvements, the Clark Family Memorial, the Land Bridge (a vital community link), the Residents Club addition, Piedmont Woods Park construction, the Greenway Trail installation, the Clarksburg Square Road connection to the Historic District, the utility and site work of Clarksburg Town Center's retail core and St. Clair Road connection from Stringtown Road to Clarksburg Square Road. Moreover, the planned Amphitheater is completed and being used by the community. Finally, Piedmont Woods is under construction (to be completed this year) and the Town Center Library was funded in the 2020 CIP (construction is currently planned for approximately 2026). At the end of 2021, 1,094 homes will be built and occupied in Clarksburg Town Center, nearly completing the residential area community.

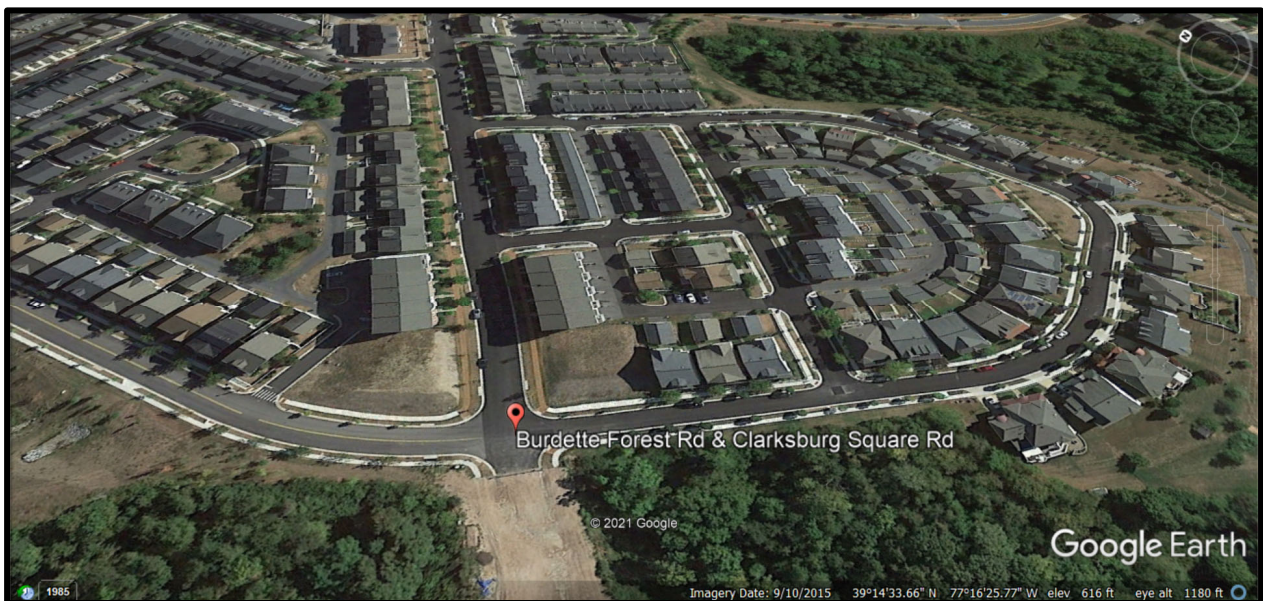
Two Remaining Unbuilt Residential Parcels – Previous Approval

Parcel C, Block S and Parcel A, Block M are located on the east side of Clarksburg Town Center, immediately adjacent to the Land Bridge. The Land Bridge provides a vital connection between the residential east side of the community to the mixed-use west side of the community. Without the Land Bridge, there is no connection internal to Clarksburg Town Center that connects the east side and west

side of the community. Currently, Block C, Parcel S and Block M, Parcel A are building pads and are often referred to as “an eyesore” by the community. These parcels were sold by a previous developer to Bozzuto homes in 2004 and 2005, respectively. The original plan for these two parcels called for two manor home condominium building with 24 units. Per the 2010 site plan approval, eight of the 24 units were identified as MPDUs.



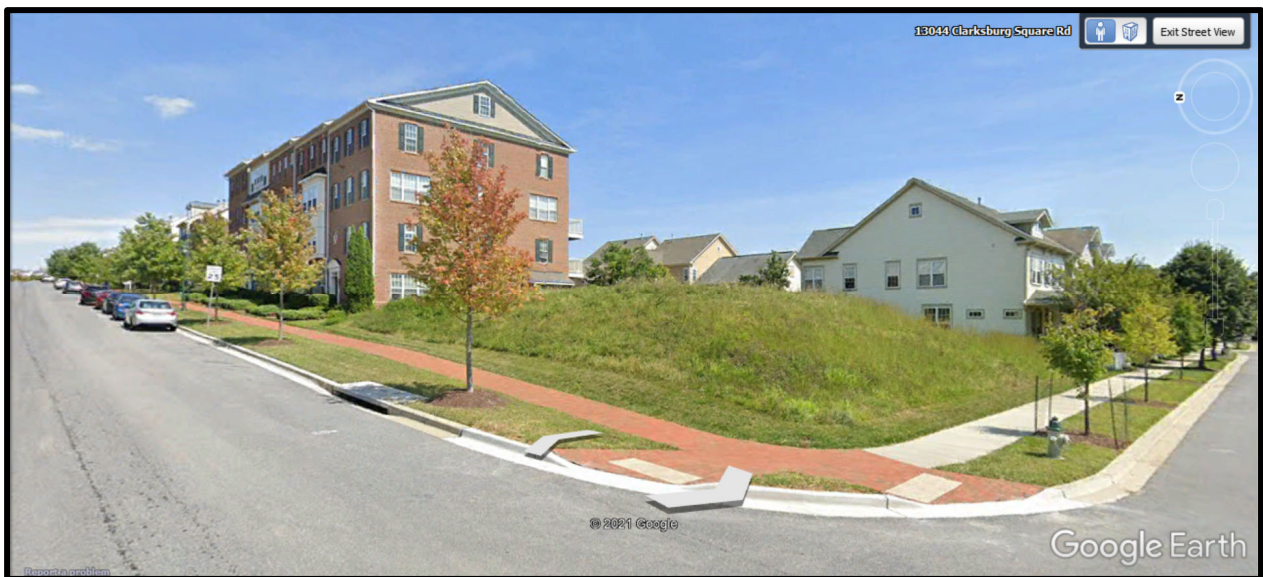
Site Plan approved layout, 2010



Parcel A, Block M and Parcel C, Block S building pads in the foreground surrounded by completed community. Source: Google Earth, 2015.



Block M, Parcel A. Source: Google Earth, 2019.

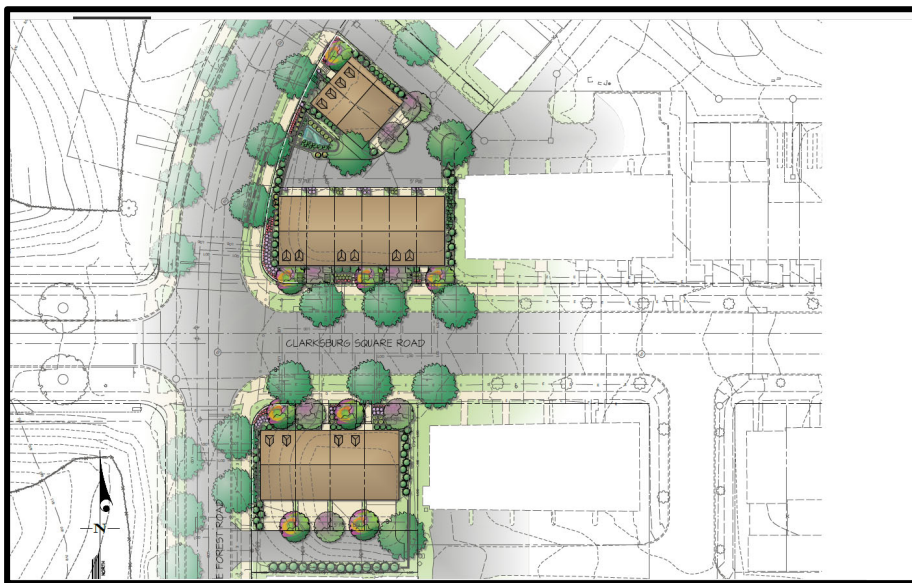


Block S, Parcel C. Source: Google Earth, 2019.

These manor homes were never constructed by Bozzuto and Bozzuto does not have plans to build these condominiums. Bozzuto has contracted to sell the parcels to Elm Street Development, who is actively developing in the community and can finish them and complete the residential neighborhood. With this in mind, Bozzuto and Elm Street are working to ensure that all current remaining residential areas of the community are finished as soon as possible. These two parcels would remain unfinished and “an eyesore” for the indefinite future without approval of the proposed amendment.

Proposed 2021 Amendment

This preliminary and site plan amendment proposes a new layout for Parcel, Block M and Parcel C, Block S. Specifically, the amendment proposes that the 24 condominium units are removed. In the place of these 24 condos, the amendments propose 12 townhomes, seven of which are MPDUs. Note that eight MPDUs were previously approved, however the reduction in density requires one less MPDU. Once built, Clarksburg Town Center will consist of 1,106 residential units (139 of which are MPDUs), and 206,186 SF of commercial space, less than what was originally approved for the community.



Proposed townhome layout, 2021 Amendment

The proposed amendment consisting of 12 townhomes significantly conforms to the 1994 Clarksburg Master Plan. The amendment does not change the current and approved block layout, street network, or proposed open spaces it merely completes two unfinished building pads that have been stagnant for 16 years. The pattern of small blocks and interconnected streets called for in the Master Plan remains the same. The mixed-use identity of Clarksburg Town Center remains, as the retail and civic components remain the same. The Town Center's identity as a community focal point is also consistent as the library site has been developed and the library building has been funded by the CIP. The library is scheduled to be built in approximately five years. Moreover, the amphitheater, which has been constructed, is ready for informal and formal community activities. Currently, it is used on an impromptu basis by community members and will be scheduled for more formal uses this summer by the Clarksburg Town Center HOA. The amendment maintains a pedestrian focus, with sidewalks and easy access to Clarksburg's Greenway Trail, which is built, and future retail. Finally, the amended plans also maintain the variety of open space features visualized by the Master Plan as is located directly across the street from the Clarksburg Greenway.

Specifically, the amended plans adhere to block design requirements in the community with respect to width, shape, orientation, and building locations. The eight townhomes located on Block M front both Clarksburg Square Road and Burdette Forest Road, adhering to the established pattern of the existing townhomes and single family detached homes on this street. Block S will be the location of four townhomes that front Clarksburg Square Road, just as the adjacent townhome stick fronts this street.

All townhomes proposed in the amendment will be alley served, as the other homes in this area. The Block M alley will connect to the existing alley that serves the townhomes along Clarksburg Square Road and the single-family homes along Burdette Forest Road. Previously approved plans never proposed that the Block S alley connects to the existing alley in Block S. This is due to the grading. The proposed amendment is no different: Block S alley will serve the four townhomes with a landscaping screen. It should be noted that this alley connection requires a Design Exception for a driveway location along a public street with less than 100 feet of tangent length between the alley connection and the public street. There is 67 feet between the alley connection and Clarksburg Square Road. Due to the nature of this parcel location at the intersection of Clarksburg Square Road and Burdette Forest Road, its size which limits possible locations for the alley and the limited number of vehicles accessing the alley, we believe the Design Exception is warranted in this case.

Townhome sticks on both parcels are also massed to seamlessly blend with all existing adjacent homes, not only the townhomes, but also the single-family homes. Lot width, shape, and orientation are appropriate for the subdivision. For example, one stick consisting of two townhomes is situated so that they integrate with the adjacent single-family homes. To do this, the amendment requests some minor changes to lot size and setbacks to best integrate to the existing built environment. For example, the two townhomes that front on Burdette Forest Road have been pulled a few feet closer to the street to better align to the other homes on that that street. This requires a 5' setback, which is the current platted PUE width along Burdette Forest Road. 5' is also the proposed setback for these buildings. Building treatments, fencing and landscaping will also closely relate to the single-family buildings, with a picket fence proposed in front of these townhomes to match the picket fence proposed along Burdette Forest Road.

Great care has been taken to integrate these homes into the existing community. Building treatments will match the building treatments of the townhomes of the west side of the land bridge and the hardscape brick used on the land bridge. Moreover, fencing and retaining wall treatments were also carefully selected to coordinate with the current environment. In addition to the picket fencing in front of the two-unit townhome, the same aluminum picket fencing used on the land bridge will be used on the corner lots for these units to relate to the land bridge. Finally, landscaping will be installed to also help integrate the forested area across the street with these proposed units.



Aluminum picket fencing at building corners at Burdette Forest and Clarksburg Square Road and for retaining walls. Brick color of buildings to match brick of monuments and/or sidewalk.



Proposed fencing in front of proposed 2-unit townhome stick to match existing picket fencing along Burdette Forest Road.

The proposed amended layout provides safe and integrated parking, circulation, and exterior lighting. Parking is proposed in garages and/or driveways for the units. Parking in an existing alley serving existing units that was originally proposed for the building on Parcel C, Block S is no longer necessary. Circulation through streets, alleys and sidewalks is safe and adequate. Exterior lighting has been studied and will be provided for the units.

All appropriate infrastructure, including storm drain, water and sewer, stormwater management, dry utilities, streetlights, etc., will be provided, and required easements to serve these units will also be granted.

Forest conservation requirements outlined in Chapter 22A were addressed by previous preliminary and site plan approvals. Sediment Control requirements per Chapter 18 will be satisfied in the amended sediment control/stormwater management plans. There are no floodplains on these parcels and there are no burial sites on these parcels.

The impact of this amended development is less than the previous approval (24 units in the prior approval versus 12 in this approval). To that end, a new APF is not required and the APF for these parcels remains valid through March 26, 2024. An updated traffic statement has been submitted with the amended plans. The number of trips generated under the current and previous trip/person generation methodologies is fewer than the previous amendment. Moreover, the amendment generates fewer than 49 weekday peak hour person trips. Per MNCPPC's requirements, an updated traffic study is not required for this amendment.

Conclusion

The amendment to Block M and Block S will enable the completion of the final two residential areas on the east side of the community. The proposed amendment reduces the number of units from 24 condominiums to 12 townhomes in this area. Seven of the townhomes will be MPDUs. These new townhomes were carefully planned in terms of block layout, massing, and siting and with building treatments, hardscape, and landscape so that they seamlessly integrate into the existing built community. These lots compliment lot and block pattern established previously in the community and will eliminated an eyesore of the community that has existed for 16 years. No new APF is required and the proposed amendment complies with Chapter 22A and Chapter 18.