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**Statement of Justification in Support of Preliminary Plan Application**  
**Miles Coppola Property, Clarksburg, Maryland**

**TO:** Maryland National-Capital Park and Planning Commission, Planning Staff

**FROM:** Robert R. Harris

**SUBJECT:** Miles Coppola Property - (Preliminary Plan No. 120220010 )

1. Parcel P033
2. Parcel P303
3. Parcel P570
4. Parcel P484

**DATE:** February 23, 2022

**I. INTRODUCTION AND PROPERTY DESCRIPTION**

This Statement of Justification is being submitted with the Preliminary Plan of Submission. Our client, Brookfield Washington, LLC, is the contract purchaser of approximately 98 acres (gross tract area) (the "Property"), located to the northeast of Interstate I-270, northwest of MD 121 and to the west of MD 355, in Clarksburg, MD. The Property includes of four parcels, identified as Parcel A (P033, on tax map EW21) totaling 17.91 acres, Parcel B (P303) totaling 63.41 acres, Parcel C (P570) totaling 15.82 acres and Parcel D (P484) totaling 1.21 acres. The existing conditions include a mix of woodlands and farm fields, with forest covering much of the stream valleys. The Property is split zoned R-90, R-200 and CRT 2.0, C 2.0, R-2.0, H-120. The Property is also located with the Clarksburg East Environmental Overlay Zone (CEE Zone), which was created via Montgomery County Zoning Ordinance No. 18-28 (§4.9.5 of the Ordinance), the Ten Mile Creek Area Limited Amendment Master Plan ("Ten Mile Creek Plan"), which was adopted and approved in July 2014, as well as the Ten Mile Creek special protection area (SPA). There are no FEMA mapped floodplains on or within 100' of the site; however, M-NCPPC floodplains are present. There are no historical resources on the site.

The Project was the subject of a Pre-Preliminary Plan review (No. 720210010 – Miles Coppola) in June 2020. This application is consistent with the Pre-Preliminary Plan. (See pp 28-29 below for further discussion). This application is for Preliminary Plan approval such that detailed design issues are not fully specified and will be addressed at Site Plan.

## **II. MASTER PLAN/GROWTH POLICY**

The 1994 Clarksburg Master Plan (“the 1994 Plan”) amended the 1968 Clarksburg and Vicinity Master Plan. The 1968 Master Plan had provided initial policy guidance for the growth of Clarksburg from its rural character. The 1994 Plan called for a “small town” rather than a corridor city as originally envisioned in the Wedges & Corridors Plan. The 1994 Plan also addressed the absence of public services, such as schools, parks, and roads. It discussed policy concerns that had emerged since 1968 such as the critical importance of protecting environmental and historic resources, preserving farmland, prioritizing transit-oriented land use patterns, as well as considering land use pattern mixes. It included the subject Property in the Town Center District of Clarksburg.

In October 2012, the Montgomery County Council directed the Planning Board to undertake a Limited Amendment of the 1994 Plan because environmental analyses showed continued uncertainty about the ability to protect sensitive resources in Ten Mile Creek if full development occurred under the 1994 Plan recommendations. That Amendment included the area within the watershed of Ten Mile Creek, including the Property.

The 2014 Approved and Adopted Ten Mile Creek Area Limited Amendment recommended the Property for residential or mixed-use development, with a number of guidelines for environmental protection and housing unit mix. It noted that the proximity to I-270 and its location in the Town Center District offered opportunities for residential development (up to 356 units with MPDUs) to complement the rest of the Town Center District and to help support enhanced transit, while strengthening protection

of environmental resources. More specifically, at pages 37-38, the Ten Mile Creek Plan recommended the following for the Miles Coppola property:

- Including the Miles Coppola properties in a proposed Clarksburg East Environmental Overlay Zone with a 15% imperviousness limit and an 80% open space requirement.
- Directing development to two potential development areas. The southern area, located near Clarksburg Road, benefits from access to Clarksburg Road and the Town Center and, therefore, is appropriate for more intense development. The Plan Amendment recommends CRT zoning (CRT 2.0, C2.0, R2.0, H120) for this area with a residential zone (R-90) on the remainder of the Miles Coppola property to concentrate density and imperviousness on the southern developable area near major roads and within proximity to the Historic District and Town Center.
- Allowing housing or commercial uses on the southern developable area that complement, but do not compete with, the core Town Center. High density residential housing, lodging or office development would support the Town Center.
- Orienting residential development on the northern developable area toward the MD 355 bypass to take advantage of proximity to future transit and to enable residents to reach businesses or activities in the Town Center using an integrated network of roads, trails, and sidewalks.
- Concentrating and integrating development to allow more of the existing forest and natural terrain to remain undisturbed, reduce imperviousness, and contribute to improved water quality.
- Permitting varied unit types via the overlay zone, including single-family attached, single-family detached and multi-family, with flexibility regarding building heights.
- Permitting a maximum density of three units per acre (approximately a 279 unit limit), or 3.66 units per acre with an MPDU density bonus on the portion of the property to be zoned R-90, and additional units on the CRT portion.

At pages 26-30, the Ten Mile Creek Plan also modified previous plans for the extension of Gateway Center Drive through the property as a Maryland Route 355 bypass. More specifically, it showed various possible routes for the bypass in order to better avoid stream and forest impacts.

In order to implement the revised land use recommendations, the Ten Mile Creek Plan recommended an overlay zone incorporating the 15% impervious cover restriction, the 80% open space objective and certain flexibility for use of the R-90 zone to accommodate a variety of housing types.

Most recently, the County adopted a new Growth and Infrastructure Policy and is in the process of adopting a new Countywide master plan. As part of these processes, and based on an earlier Metropolitan Washington Council of Governments study, the County reaffirmed the importance of adding new housing throughout the County.

### III. OVERVIEW OF PROJECT AND DESCRIPTION OF PROPOSED DEVELOPMENT

#### Development Proposal

In accordance with the Ten Mile Creek Plan and Zoning Ordinance, the Applicant proposes to develop the Property with a walkable, pedestrian-friendly, environmentally sensitive residential community totaling 336 dwelling units, including 51 MPDUs, associated amenities and parking. The Preliminary Plan displays a clustered residential community with an interconnected grid of streets and greenways. The Plan presents a combined townhouse/triplex residential neighborhood that embraces both the guidelines for environmental protection and for housing unit mix. Responding to market demands, a mix of 3-story and 4-story townhouses provide for a land use compatible with other adjoining and nearby properties.

Fifteen percent MPDUs ( $336 \times 15\% = 51$  MPDUs) are proposed, to be co-located within the townhouse and triplex units. The Project concept proposes processing the plan through Optional Method MPDU Development for the R-90 portion and Standard Method for the CRT portion. The overall organization of the plan is established upon the main entrance of the community from Clarksburg Road.

In order to provide a clear understanding of conformance with the Ten Mile Creek Limited Area Master Plan Amendment, the Montgomery County Zoning Ordinance, and the CEE Overlay Zone, various illustrative exhibits are included in addition to this explanation. These include the Preliminary Plan, the Rural Open Space Exhibit, and the Fire Access Exhibit.

**The Preliminary Plan** is in accordance with the intent of the CEE Zone §4.9.5, to “...protect the water quality...of the Ten Mile Creek watershed,” “regulate amount and location of impervious surfaces,” and “implement the recommendations of the 2014 Ten Mile Creek” Plan. The residences are clustered away from environmentally sensitive resources, and provide a variety of unit types and lot sizes. The Plan illustrates existing environmental features, overall density, open space/forest preservation, amenities, and the proposed network of private roads.

**The Rural Open Space Exhibit** clarifies how open space will be provided within the Project in terms of area and percentage. A minimum of 80% of the Property area will be protected as Rural Open Space. This will include forest preservation and afforestation areas, and other environmentally sensitive features. Recommendations from the Ten Mile Creek Plan, Zoning Ordinance, and the CEE Overlay Zone have been taken into careful consideration with this exhibit and its content. Specific recommendations from all of the above-mentioned ordinances and regulations can be found in sections IV, V and VI below.

**The Fire Access Exhibit** illustrates compliance with the Department of Permitting Services' Fire Code. This Exhibit also shows a second point of access necessary when more than 100 dwelling units are built on the R-90 portion of the property.

**The Stormwater Management Concept Plan** indicates how the project will meet stormwater requirements and the **Preliminary Forest Conservation Plan** does so with respect to forest conservation requirements. Stormwater management for the Project will be achieved through a variety of environmentally sensitive design ("ESD") devices. The project proposes to incorporate Micro-bioretenention and Micro-bioretenention planter boxes into the developed areas in order to treat roof top, sidewalk, driveway and street run-off. Placement of these devices was carefully considered to ensure minimal environmental impacts caused by both the device themselves and their associated outfalls.

**Pre-Preliminary Plan.** The project was the subject of a pre-preliminary plan application review with respect to the alignment for a future MD 355 Bypass. This application reflects the conclusions reached by the Planning Board with respect to that bypass in that matter.

#### **IV. PROJECT'S CONFORMANCE WITH THE MASTER PLAN**

The proposed development directly implements the recommendations from the Ten Mile Creek Plan. Set forth below in italics are the specific Plan recommendations for the Property followed by an explanation of how the proposed development conforms with each recommendation. The Project also conforms with the general recommendations of the Plan.

### **Ten Mile Creek Limited Amendment Master Plan Recommendations**

#### **Environmental Recommendations**

- *Including the Miles Coppola Properties in the proposed Clarksburg East Environmental Overlay zone with a 15% impervious limit and an 80% open space requirement. (p. 37).*

**Response:** The impervious cover will be limited to 15% and 80% of the site will be preserved as open space.

- *Concentrating and integrating development to allow more of the existing forest and natural terrain to remain undisturbed, reduce imperviousness and contribute to improved water quality.*

**Response:** The plan clusters development in a central portion of the site that is primarily an open field, as well as in a separate area to the south which is also open field. Existing forest and natural areas are preserved elsewhere (p. 37).

#### **Land Use & Zoning Recommendations**

##### **Dedication**

Applicant will be dedicating public right of way extending from Maryland Route 121 to Maryland Route 355 for the County's future construction of the by-pass, the applicant will construct an interim access road within this dedication that can be incorporated into the future by-pass. Area also will be dedicated along Maryland Route 121 and Maryland Route 355 for public right of way. Based on the Planning Board's and Mc-DOT's preference for the "Option 2" bypass alignment and its connection to Gateway Center Drive rather than Observation Drive, no dedication is required on the east side of Clarksburg Road for an Observation Drive connection.

As mentioned above, the Project's concept provides a walkable, pedestrian-friendly, environmentally sensitive residential community totaling 336 dwelling units (including MPDUs), associated amenities, and parking. The Project has not achieved maximum density for the site under the existing zoning and master plan recommendations due to the requirement to preserve environmental areas and the dedication of right of way for a potential future bypass. The number and mix of unit types proposed allows a cluster

development footprint to more precisely respond to the Project's environmental features, minimize terra forming and is consistent with the intent of the master plan. Page 37 of the Ten Mile Creek Limited Amendment provides the following recommendations with which this project conforms:

- *Including Miles Coppola Properties in the Clarksburg East Environmental Overlay Zone with a 15% impervious limit and an 80% open space requirement.*

**Response:** This application meets each of these requirements.

- *Directing development to two potential development areas. The southern area, located near Clarksburg Road, benefits from access to Clarksburg Road and the Town Center and, therefore, is appropriate for more intense development. The Plan Amendment recommends CRT zoning (CRT 2.0, C 2.0, R 2.0, H 120) for this area, with a residential zone (R-90) on the remainder of the Miles-Coppola property, to concentrate density and imperviousness on the southern developable area near major roads and within proximity of the Historic District and Town Center. (p.37).*

**Response:** The proposed plan has been organized in this manner with triplex units in a denser development form located on this southern parcel, and a lower density mix of townhomes and triplex units on the remainder of the property.

- *Allowing housing or commercial uses on the southern developable area that compliments, but do not compete with the width, core Town Center. High density residential housing, lodging, or office development would support the Town Center. (p.37).*

**Response:** As recognized in the Ten Mile Creek Plan, "there are significant amounts of available and yet to be developed land to the south [of the Miles-Coppola properties] in Germantown and the Life Sciences Center. This land, combined with a weakened regional office market and a more attractive and available locations elsewhere, suggests that a zone that would focus exclusively on employment for the Miles Coppola Properties would mean significantly delaying development of these properties." Applicant concurs after having witnessed the demand for housing compared to employment space. Housing demands in the region and in Montgomery

County are severe and this property provides an excellent opportunity to address the housing need. Given that housing is a permitted use under the zoning and under the Master Plan, this application is in compliance.

- *Orienting development on the northern development area toward the Maryland 355 bypass to take advantage of proximity to future transit and to enable residents to reach businesses or activities in the Town Center using an integrated network of roads, trails and sidewalks (p.37).*

**Response:** Although no bypass is currently funded or even planned, this project will dedicate the land necessary for its potential future construction. In the meantime, Applicant will provide access to the subject property along the future bypass alignment achieving the same purposes on an interim basis. This will facilitate an important supply of new housing units close to I-270 and the Clarksburg Town Center.

- *Concentrating and integrating development to allow more of the existing forest and natural terrain to remain undisturbed, reduce imperviousness and contribute to improved water quality.*

**Response:** This application does so by locating the proposed development primarily in the existing field areas in the center of the site and along Maryland Route 121 which also are the areas with less grade. In order to accommodate a connected/grid street system, however, and the type/orientation of units including rear load townhomes, grading will be required but will be limited to the extent necessary.

- *Permitting varied unit types via the overlay zone, including single-family attached, single-family detached and multi-family, with flexibility regarding building heights (p.37).*

**Response:** Based on market conditions, Applicant believes the most appropriate response for new housing in the Clarksburg area is in the form of townhomes and triplex units. The triplex units themselves will be unique to the area and provide a more affordable housing option while providing a diversity of housing types and prices.



- *Permitting a maximum density of three units per acre (approximately a 279 unit limit), or 3.66 units per acre with an MPDU bonus density on the portion of the property to be zoned R-90 (p.37).*

**Response:** Applicant is attempting to achieve as close to this density as possible given the demand for housing. Requirements for open space and amenities, as well as right of way dedication for a potential bypass limit the number to that which is being proposed.

- *Recognizing that maximum development may only be realized with unit types that achieve higher densities within the smaller developable areas created by impervious limit and open space requirement.*

**Response:** Applicant is doing so by creating a unique mix of rear load and front load townhomes and triplex units which are significantly more dense than the underlying R-90 Zone normally would permit. Higher density residential is not feasible at this location and this mix of unit types best meets market demand.

#### Legacy Open Space Recommendations

Montgomery County preserves its most significant undeveloped open space through its Legacy Open Space program. The 2001 Legacy Open Space Functional Master Plan identifies natural resources, open space, farmland, and historic places that can be conserved through a variety of protection tools, including easements, protection through the regulatory process and, when appropriate, acquisition. The Ten Mile Creek Plan includes the Special Protection Area of the Ten Mile Creek Watershed as a Natural Resource site that meets Legacy Open Space criteria, although it does not designate the property for Legacy Open Space purchase, leaving it to the developer to preserve the sensitive areas (p. 48). Applicant is doing so.

- *Protect the designated Natural Resource on an individual property basis using a variety of tools, which may include easements, dedication through the development review process, and fee simple acquisition. (Page 48)*

**Response:** The Project does comply with the protection of designated natural resources by including privately owned conservation areas to be governed by varying protective easements.

*Parks & Trails Recommendations*

The 1994 Plan created a park and open space system that designated general locations for new local parks serving Clarksburg's developing neighborhoods. Importantly, the 1994 Plan also made provisions for connections between these local parks and the greenway network as prominent components of its overall vision. No local park was included on the Miles Coppola property in either the 1994 or Ten Mile Creek Plan.

**Response:** The Project provides access to rural open space within the site area. There is also potential for connections to adjacent property open space.

*Future Water Quality Plan Requirements*

*Water Quality Plans for development in the Ten Mile Creek Watershed must comply with the most current water quality regulations that include ESD outfall and overflow management strategies, such as:*

- *Avoiding overflow discharges onto steep slopes.*
- *Ensuring that any overflow occurs as sheet flow to the floodplain and/or receiving streams.*
- *Managing discharges from stormwater outfalls using step-pool storm drainage conveyance systems or comparable designs, as appropriate.*
- *Minimizing environmental buffer impacts associated with ESD overflow outfalls.*
- *Minimizing the need to convey stormwater across steep slopes and forested areas, and ensuring such conveyance is done in a non-erosive manner.*

*In addition to current SPA requirements, Water Quality Plans for development in the Ten Mile Creek Watershed must demonstrate the application of the following principles and strategies:*

- *Minimize disturbance of natural resources throughout the Ten Mile Creek Watershed, especially forest over in the headwater areas.*
- *Minimize direct impacts associated with new infrastructure, such as the MD 355 bypass and the sanitary sewer extension on natural resources.*

- *Minimize grading the thin and rocky soils in Ten Mile Creek, which helps sustain groundwater flows to the many springs and seeps.*
- *Indicate the importance of limiting grading and soil compaction as much as possible through creative site design and development staging.*
- *New development must employ planning and zoning options and design techniques that minimize impervious cover, including;*
  - *Cluster development with smaller building footprints on smaller lots with shorter driveways;*
  - *Place houses near the front of a building envelope to reduce driveway length, and provide shared driveways, where feasible;*
  - *Design narrower streets with limited sidewalks;*
  - *Use vegetated swales to guide runoff toward ESD facilities or pervious areas instead of curbs and gutters on secondary streets unless they conflict with other requirements;*
  - *Limit impervious cover for cul-de-sacs by reducing curve radii and having a green space in the turn-around area;*
  - *Preserve land with a high infiltration capacity to be used for storm water infiltration or natural recharge area.*
  - *Maintain natural drainage patterns, especially around zero order streams by:*
    - *Preserving and designing around ephemeral streams within the limits of disturbance, as much as possible;*
    - *Maintaining existing natural topography and vegetation within 50 feet of ephemeral streams;*
    - *De-compacting and amending soils within the limits of disturbance (LODs) with organic matter to a greater depth than currently required (this measure would be determined by the Department of Permitting Services as part of development plan approvals).*

- *Environmental Site Design (ESD)*
  - *As a first step, apply appropriate ESD site planning techniques within proposed development areas to maximize environmental benefits;*
  - *Site planning and design must be guided by and integrated with the selection and appropriate location of ESD practices to achieve the greatest watershed benefits based on an evaluation of specific site and subwatershed considerations;*
  - *To the extent feasible, ESD practices should minimize the concentration of flows through sheet flow and dispersion and must ensure any such conveyance is done in a non-erosive manner.*
- *Require restoration of streams and wetlands adversely affected by existing uses after all development is completed in the drainage area so as to allow the hydrology to adjust to the new landscape.*

**Response: The areas outside of the development envelope will be allowed to either remain as forest/stream valley buffers or, where they have been impacted in the past by farming, will return to their natural state.**

#### Transportation Recommendations

The primary transportation recommendation related to this project is the potential Maryland Route 355 bypass. After review of the Pre-Application, Staff, the Board and MCDOT recommended an alignment that would extend through the site from Maryland Route 121 (at Gateway Center Drive) to Maryland Route 355 on the northern edge of the property. The right of way for this alignment is being dedicated to enable this road to be built at some point in the future if the County so desires. In the meantime, an interim access road is being constructed, first, to the area within the R-90 Zone that is being developed with housing, and, later, all the way to Maryland Route 355. Applicant is also providing sidewalks, sidepaths, and bicycle improvements through and along the property frontage.

Corridor Cities Transitway/Clarksburg BRT

*Although the 1994 Clarksburg Master Plan envisioned a possible transitway through the subject site, that thought no longer applies. In 2017, the State of Maryland conducted an environmental assessment for transit services in the I-270 corridor. None of the alternatives considered at that time included a transitway of any sort through the Miles Coppola property and no such studies have been done since then. Most recently, the Planning Board draft of the "Corridor Forward – I-270 Transit Plan" also eliminates any such alignment. As reflected in the Plan at page 38 and described elsewhere in that document, any proposed corridor connector in the Clarksburg area would only extend to Stringtown Road. Therefore, there is no point now to begin constructing or even designing a transitway through the Miles Coppola property. Nevertheless, applicant is prepared to dedicate the right-of-way should the plan ever be resurrected.*

**V. PROJECT'S CONFORMANCE WITH ZONING ORDINANCE**

Townhouses and triplex units are proposed for the Project and are permitted uses in the Zones. The R-90 Zone also allows development under optional method MPDU Development, and the Project's concept will be applying for development under this method. This *"optional method of development is permitted where moderately priced dwelling units (MPDUs) are included in a development above the minimum required by Chapter 25A, to facilitate the construction of those units. Optional method MPDU development allows an increase in density above the total number of dwelling units allowed by the standard method of development; allows additional building types; and provides more flexibility for certain dimensional standards."* The CRT Zone also allows the triplex (multi-family) units included on that portion of the Property under standard method.

### Section 3.1.6. Use Table

The following Use Table identifies uses allowed in each zone. Uses may be modified in Overlay zones under Division 4.9.

USE OR USE GROUP	Definitions and Standards	Ag	Rural Residential		Residential														Commercial/ Residential			Employment				Industrial		
					Residential Detached								Residential Townhouse		Residential Multi-Unit													
			AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10	CRN	CRT	CR	GR	NR	LSC	EOF	IL	IM
AGRICULTURAL																												
Agricultural Auction Facility	3.2.1	C																										
Agricultural Processing	3.2.2	C	C	C																						P	P	P
Community Garden	3.2.3	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	
Equestrian Facility	3.2.4	L/C	L/C	L/C	L/C	C	C	C	C																			
Farm Supply, Machinery Sales, Storage, and Service	3.2.5	C		L/C																		P	L				P	
Farming	3.2.6	P	P	P	P	P	P	P	P	P	P	P																
NURSERY	3.2.7																											
Nursery (Retail)	3.2.7.A	C	C	C	C	C	C	C	C										P	P		P	P			L	L	
Nursery (Wholesale)	3.2.7.B	C	C	C	C	C	C	C	C																	P	P	
Slaughterhouse	3.2.8	C	C	C																								
Urban Farming	3.2.9												L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
ACCESSORY AGRICULTURAL USES	3.2.10																											
Farm Airstrip, Helistop	3.2.10.A	C		C																								
Farm Alcohol Production	3.2.10.B	L/C	L/C	L/C	L/C	L/C		L/C																				
Farm Market, On-site	3.2.10.C	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	
TEMPORARY AGRICULTURAL USES	3.2.11																											
Agricultural Vending	3.2.11.A					L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	
Seasonal Outdoor Sales	3.2.11.B	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	

### B. Vehicle Parking Spaces

		AGRICULTURAL, RURAL RESIDENTIAL, RESIDENTIAL, AND INDUSTRIAL ZONES	COMMERCIAL/RESIDENTIAL AND EMPLOYMENT ZONES		
USE OR USE GROUP	Metric		Within a Parking Lot District or Reduced Parking Area		Outside a Parking Lot District or Reduced Parking Area
			Baseline Minimum	Baseline Maximum	Baseline Minimum
<b>AGRICULTURAL</b>					
Agricultural Auction Facility	1,000 SF of GFA	5.00	---	---	---
Agricultural Processing	1,000 SF of GFA	1.50	---	---	---
Farm Supply, Machinery Sales, Storage, and Service	1,000 SF of GFA, excluding storage area	5.00	1.00	2.00	2.00
<b>NURSERY</b>					
Nursery (Retail)	1,000 SF of Sales Area	6.00	3.00	6.00	6.00
Nursery (Wholesale)	1,000 SF of Total Floor Area	1.50	---	---	---
Slaughterhouse	1,000 SF of GFA	1.50	---	---	---
Winery	1,000 SF of GFA, and	1.50	---	---	---
	If the winery conducts public tours	10.00			
<b>ACCESSORY AGRICULTURAL USES</b>					
Farm Market, On-site	Market	3.00	0.00	0.00	3.00
<b>RESIDENTIAL</b>					
<b>HOUSEHOLD LIVING</b>					
Single-Unit Living	Dwelling Unit	2.00	1.00	2.00	2.00
Two-Unit Living					
Townhouse Living	Efficiency Dwelling Unit	1.00	1.00	1.00	1.00
Multi-Unit Living	1 Bedroom Dwelling Unit	1.25	1.00	1.25	1.25
	2 Bedroom Dwelling Unit	1.50	1.00	1.50	1.50
	3+ Bedroom Dwelling Unit	2.00	1.00	2.00	2.00
<b>GROUP LIVING</b>					
Dormitory	Bed	0.25	0.25	0.25	0.25
Independent Living Facility for Seniors or Persons with Disabilities	OR: Dwelling Unit or PLQ	1.00	0.50	1.00	1.00
Personal Living Quarters					
Residential Care Facility	plus, Employee	0.50	0.50	0.50	0.50
<b>ACCESSORY RESIDENTIAL USES</b>					
Attached Accessory Apartment	Accessory Dwelling Unit (in addition to residential spaces)	1.00	---	---	---
Detached Accessory Apartment					
Dwellings for Caretakers/Watchkeepers	Accessory Dwelling Unit	1.00	1.00	1.00	1.00
Farm Labor Housing Unit	Dwelling Unit	1.00	---	---	---
Home Occupation (Low Impact)	Non-Resident Employee	1.00	1.00	1.00	1.00
	plus, Each Client Allowed per Hour	1.00	1.00	1.00	1.00
Home Occupation (Major Impact )	(in addition to residential spaces)				

- The Optional Development Method under 4.4.8. of the Zoning Ordinance provides the preferred approach to the development of the R-90 portion of the site. The Clarksburg East Overlay Zone allows triplex units under a “multi-unit” description. Optional Method Development facilitates the provision of open space for active or passive recreation as well as the preservation and enhancement of natural resources. It allows flexibility in lot layout for a variety of types of residential buildings. The development approval procedure requires a site plan and the development must substantially conform with recommendations of the applicable Master Plan. Cluster development also requires connectivity to community water and sewage system. The subject development meets all of these requirements.
- Division 4.5 of the Zoning Ordinance provides for Commercial Residential Town (CRT) development. This applies to the southern portion of the property. In this case, the mapped CRT zoning on the property allows for residential development at a density up to 2.0 FAR. Applicant has concluded that triplex units in the R-90 and CRT zoned areas of the property will best achieve the diverse housing goals for Clarksburg. To Applicant’s knowledge, there are no other triplex units in Clarksburg. As noted above, such units provide increased affordability while, at the same time, maximizing the number of homes available for residents to purchase. The CRT Zone seeks to implement the recommendations of the Master Plan, to encourage development that integrates a combination of housing types, allows a flexible mix of densities and building heights and otherwise achieves County development policies. The subject development does so.
- The CRT Zone allows a standard method density of 1.0 FAR (and an Optional Method density of 2.0 FAR). The following table contains the provisions for development under the standard method in the CRT Zone. The subject development conforms with these requirements to the extent not superseded by the CEE Zone.

**The following tables reflect the project’s compliance with the zoning standards.**

<b>MILES COPPOLA PRELIMINARY PLAN DEVELOPMENT DATA TABLE</b>		
<b>Existing / Proposed Zoning: R-90, R-200, CRT 2.0, C-2.0, R-2.0, H-120, Clarksburg East Overlay (CEE)</b>		
<b>Gross Tract Area for Density Calculation</b>	<b>SF</b>	<b>AC</b>
P033	780,261	17.912
P303 (Tract 1 & Tract 2)	2,762,299	63.414
P570	689,327	15.825
P484 (Wright Parcel)	52,494	1.205
<b>Total</b>	<b>4,284,381</b>	<b>98.356</b>
<b>Dedications</b>	<b>SF</b>	<b>AC</b>
I-270 Dedication	46,498	1.07
Frederick Road Dedication	20,599	0.47
Redgrave Place Dedication	34,566	0.79
Proposed MD-355 Bypass Dedication	217,587	5.00
Clarksburg Road Dedication (for MD-355 Bypass)	18,142	0.42
<b>Total</b>	<b>337,392</b>	<b>7.75</b>
<b>Net Tract Area for Open Space Calculation</b>	<b>SF</b>	<b>AC</b>
Gross Tract Area	4,284,381	98.36
Proposed Dedications	337,392	7.75
<b>Total</b>	<b>3,946,989</b>	<b>90.61</b>
<b>Gross Tract Area for Impervious Calculation</b>	<b>SF</b>	<b>AC</b>
Gross Tract Area	4,284,381	98.36
Offsite Improvement Area	55,720	1.28
<b>Total</b>	<b>4,340,101</b>	<b>99.64</b>
<b>Net Tract Area for FCP Calculation</b>	<b>SF</b>	<b>AC</b>
Gross Tract Area	4,284,381	98.36
Proposed Dedications	337,392	7.75
Offsite Improvement Area	55,720	1.28
<b>Total</b>	<b>4,002,710</b>	<b>91.89</b>
<b>Overall Development Program</b>	<b>Qty</b>	<b>Metric</b>
Multi-Unit Living/Apartment (Tri-Plex) - 34'x42' Market Rate	163	DU
Multi-Unit Living/Apartment (Tri-Plex) - 34'x42' MPDU	29	DU
Townhouse - 22'x40' Market Rate	83	DU
Townhouse - 20'x42' Market Rate	39	DU
Townhouse - 16'x40' MPDU	22	DU
<b>Total Units</b>	<b>336</b>	<b>DU</b>
<b>MPDU Percentage</b>	<b>15.18</b>	<b>%</b>
<b>Open Space (Sect. 59.4.9.5)</b>	<b>Min. Required</b>	<b>Proposed</b>
Rural Open Space	72.49 AC (80%)	80% or greater
Open Space for Recreation Amenities	n/a	1.86 AC
<b>Impervious Surface (Sect. 59.4.9.5)</b>	<b>Max. Allowed</b>	<b>Proposed</b>
CEE Overlay Zone	14.95 AC (15%)	UP TO 14.95 AC (15%)



<b>CRT 2.0, C-2.0, R-2.0, H-120 ZONE</b>			
<b>Development Standards</b>	<b>Required by CRT Zone Standard Method Development (Sect. 59.4.5.3)</b>	<b>Clarksburg East Environmental Overlay Zone (Sect. 59.4.9.5)</b>	<b>Proposed for Approval</b>
Gross Tract Area	n/a	n/a	± 6.29 acres
Proposed Lots	n/a	n/a	30
Proposed Parcels	n/a	n/a	7
Density	1.0 FAR (273,992 sf)	n/a	0.56 FAR (152,664 sf)
<b>Development Program</b>			
22' Townhouse - Market Rate	n/a	n/a	25
Multi-Unit Living/Apartment (Tri-Plex) - Market Rate	n/a	n/a	53
Multi-Unit Living/Apartment (Tri-Plex) - MPDU	n/a	n/a	10
Total Units	n/a	n/a	88
<b>Unit Type Percentage</b>			
Townhouse Development	n/a	n/a	28%
Multi-Unit Living/Apartment	n/a	n/a	72%
MPDUs	12.5%	n/a	15% (overall)
<b>Open Space</b>			
Rural Open Space	n/a	80% (for total application area)	80%
Common Open Space	10%	n/a	0% <sup>1</sup>
Public Open Space	10%	n/a	0% <sup>1</sup>
<b>Lot Dimensions (min)</b>			
Lot Area			
Townhouse Development	800 sf	n/a	1,100 sf
Multi-Unit Living/Apartment	n/a	n/a	n/a
Lot width at front building line			
Townhouse Development	12'	n/a	16'
Multi-Unit Living/Apartment	n/a	n/a	n/a
Lot width at front lot line			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment	n/a	n/a	n/a
<b>Lot Coverage</b>			
n/a	n/a	n/a	n/a
<b>Principal Building Setbacks (min)</b>			
Front setback			
Townhouse Development	5'	n/a	20'
Multi-Unit Living/Apartment	0'	n/a	0'
Side street setback			
Townhouse Development	5'	n/a	n/a
Multi-Unit Living/Apartment	0'	n/a	0'
Side setback, abutting CRT Zone			
Townhouse Development	2'	n/a	2'
Multi-Unit Living/Apartment	n/a	n/a	2'
Side setback, end unit			
Townhouse Development	2'	n/a	2'
Multi-Unit Living/Apartment	n/a	n/a	2'
Side setback between lot and site boundary			
Townhouse Development	4'	n/a	20'
Multi-Unit Living/Apartment	n/a	n/a	n/a
Rear setback, abutting CRT Zone			
Townhouse Development	10'	n/a	18'
Multi-Unit Living/Apartment	0'	n/a	n/a
Rear setback, alley			
Townhouse Development	4'	n/a	4'
Multi-Unit Living/Apartment	4'	n/a	4'
Rear setback between lot and site boundary			
Townhouse Development	5'	n/a	5'
Multi-Unit Living/Apartment	n/a	n/a	n/a
<b>Accessory Structure Setbacks (min)</b>			
Front setback, behind front building line			
Townhouse Development	5'	n/a	n/a <sup>2</sup>
Multi-Unit Living/Apartment	0'	n/a	n/a <sup>2</sup>
Side street setback			
Townhouse Development	5'	n/a	n/a <sup>2</sup>
Multi-Unit Living/Apartment	0'	n/a	n/a <sup>2</sup>
Side setback			
Townhouse Development	4'	n/a	n/a <sup>2</sup>
Multi-Unit Living/Apartment	Equal to principal building setback	n/a	n/a <sup>2</sup>
Rear setback			
Townhouse Development	4'	n/a	n/a <sup>2</sup>
Multi-Unit Living/Apartment	Equal to principal building setback	n/a	n/a <sup>2</sup>
Rear setback, alley			
Townhouse Development	4'	n/a	n/a <sup>2</sup>
Multi-Unit Living/Apartment	4'	n/a	n/a <sup>2</sup>

<b>Build-to Area (max setback and min. % of façade)</b>			
Front setback			
Townhouse Development	15'	n/a	Determined by site plan <sup>3</sup>
Multi-Unit Living/Apartment	30'	n/a	Determined by site plan <sup>3</sup>
Building in front street BTA			
Townhouse Development	70%	n/a	Determined by site plan <sup>3</sup>
Multi-Unit Living/Apartment	70%	n/a	Determined by site plan <sup>3</sup>
Side street setback			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment	30'	n/a	Determined by site plan <sup>3</sup>
Building in front street BTA			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment	35%	n/a	Determined by site plan <sup>3</sup>
<b>Height (max)</b>			
Principal Building Height			
Townhouse Development	120'	n/a	50'
Multi-Unit Living/Apartment	120'	n/a	65'
Accessory Structure Height			
Townhouse Development	25'	n/a	25'
Multi-Unit Living/Apartment	120'	n/a	n/a
<b>Massing</b>			
Units permitted in one row			
Townhouse Development	12	n/a	7
Multi-Unit Living/Apartment	n/a	n/a	18
<b>Building Orientation</b>			
Entrance facing street or open space			
Townhouse Development	Required	n/a	Provided
Multi-Unit Living/Apartment	Required	n/a	Provided
Entrance spacing (max)			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment	100'	n/a	Provided
<b>Transparency, for Walls Facing a Street or Open Space</b>			
Ground story, front (min)			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment	20%	n/a	Determined by site plan
Ground story, side/rear (min)			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment	20%	n/a	Determined by site plan
Upper story (min)			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment	20%	n/a	Determined by site plan
Blank wall, front (max)			
Townhouse Development	35'	n/a	Determined by site plan
Multi-Unit Living/Apartment	35'	n/a	Determined by site plan
Blank wall, side/rear (max)			
Townhouse Development	35'	n/a	Determined by site plan
Multi-Unit Living/Apartment	35'	n/a	Determined by site plan
<b>Parking Requirement (Sect. 59.6.2.4)</b>			
Vehicle Parking Spaces			
22' Townhouse - Market Rate	2.00 spaces per unit = 50	n/a	100
Multi-Unit Living/Apartment (Tri-Plex) - Market Rate	1.50 spaces per unit = 80	n/a	106
Multi-Unit Living/Apartment (Tri-Plex) - MPDU	0.75 spaces per unit = 8	n/a	20
On-Street Visitor Parking	n/a	n/a	9
<b>Total Vehicle Parking Spaces</b>	<b>138</b>	<b>n/a</b>	<b>235</b>
Bicycle Parking Spaces			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment (Tri-Plex)	0.35 spaces per unit = 23	n/a	23
Long Term Spaces	95% = 22	n/a	22
Short Term Spaces	5% = 1	n/a	1
<b>Total Bicycle Parking Spaces</b>	<b>23</b>	<b>n/a</b>	<b>23</b>

Note: MPDUS - Chapter 25A of the County Code requires the calculation for MPDUs to be based on "the total number of dwelling units at that location...", irrespective of zoning. Section 59.4.4.2.A.2 similarly notes that the number of units may be located without regard to the underlying zone. Therefore, applicant has combined all of the land included in the project for the MPDU calculation. The application also respects the requirement for allocating the units proportionately between single-family and multi-family units.

R-90 ZONE			
Development Standards	Required by R-90 Zone Optional Method MPDU Development (Sect. 59.4.4.8)	Clarksburg East Environmental Overlay Zone (Sect. 59.4.9.5)	Proposed for Approval
Gross Tract Area	n/a	n/a	± 86.47 acres
Proposed Lots	n/a	n/a	129
Proposed Parcels	n/a	n/a	31
Usable Area <sup>1</sup>	5 acres	n/a	± 86.47 acres
Density	5.90 units/acre with 15% MPDUs 510 units	3.66 units/acre with 15% MPDUs 316 units	2.89 units/acre 248 units
<b>Development Program</b>			
22' Townhouse - Market Rate	n/a	n/a	58
20' Townhouse - Market Rate	n/a	n/a	39
16' Townhouse - MPDU	n/a	n/a	22
Multi-Unit Living/Apartment (Tri-Plex) - Market Rate	n/a	n/a	110
Multi-Unit Living/Apartment (Tri-Plex) - MPDU	n/a	n/a	19
Total Units	n/a	n/a	248
<b>Unit Type Percentage</b>			
Townhouse Development	n/a	n/a	48%
Multi-Unit Living/Apartment	n/a	n/a	52%
MPDUs	15%	15%	15% (overall)
<b>Open Space</b>			
Rural Open Space	n/a	80% (for total application area)	80%
Common Open Space	15%	n/a	0% <sup>2</sup>
<b>Site Coverage</b>			
Townhouse Development	40%	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	n/a	n/a
<b>Lot Dimensions</b>			
<b>Minimum Lot Area</b>			
Townhouse Development	1,000 sf	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
Lot width at front building line	Determined by site plan	Determined by site plan	Determined by site plan
<b>Lot width at front lot line</b>			
Townhouse Development	14'	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Frontage on street or open space</b>			
Townhouse Development	Required	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Lot Coverage</b>			
Townhouse Development	n/a	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Principal Building Setbacks</b>			
<b>Front setback from public street</b>			
Townhouse Development	25'	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Front setback from private street or open space</b>			
Townhouse Development	10'	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone</b>			
Townhouse Development	25'	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone</b>			
Townhouse Development	15'	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Side or rear setback</b>			
Townhouse Development	Determined by site plan	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Rear setback, alley</b>			
Townhouse Development	4'	Determined by site plan	Determined by site plan
Multi-Unit Living/Apartment	n/a	Determined by site plan	Determined by site plan
<b>Accessory Structure Setbacks</b>			
<b>Front setback</b>			
Townhouse Development	5' behind front building line	Determined by site plan	n/a <sup>3</sup>
Multi-Unit Living/Apartment	n/a	Determined by site plan	n/a <sup>3</sup>
<b>Side street setback</b>			
Townhouse Development	Side street setback of principal building	Determined by site plan	n/a <sup>3</sup>
Multi-Unit Living/Apartment	n/a	Determined by site plan	n/a <sup>3</sup>
<b>Side or rear setback</b>			
Townhouse Development	Determined by site plan	Determined by site plan	n/a <sup>3</sup>
Multi-Unit Living/Apartment	n/a	Determined by site plan	n/a <sup>3</sup>
<b>Rear setback, alley</b>			
Townhouse Development	4'	Determined by site plan	n/a <sup>3</sup>
Multi-Unit Living/Apartment	n/a	Determined by site plan	n/a <sup>3</sup>

<b>Height (max)</b>			
Principal Building Height			
Townhouse Development	40'	50'	50'
Multi-Unit Living/Apartment	n/a	65'	65'
Accessory Structure Height			
Townhouse Development	25'	n/a	25'
Multi-Unit Living/Apartment	n/a	n/a	n/a
<b>Parking Requirement (Sect. 59.6.2.4)</b>			
Vehicle Parking Spaces			
22' Townhouse - Market Rate	2.00 spaces per unit = 116	n/a	232
20' Townhouse - Market Rate	2.00 spaces per unit = 78	n/a	112
16' Townhouse - MPDU	1.00 spaces per unit = 22	n/a	29
Multi-Unit Living/Apartment (Tri-Plex) - Market Rate	1.50 spaces per unit = 165	n/a	220
Multi-Unit Living/Apartment (Tri-Plex) - MPDU	0.75 spaces per unit = 15	n/a	38
On-Street Visitor Parking	n/a	n/a	52
<b>Total Vehicle Parking Spaces</b>	<b>396</b>	<b>n/a</b>	<b>683</b>
Bicycle Parking Spaces			
Townhouse Development	n/a	n/a	n/a
Multi-Unit Living/Apartment (Tri-Plex)	0.35 spaces per unit = 46	n/a	46
Long Term Spaces	95% = 44	n/a	44
Short Term Spaces	5% = 2	n/a	2
<b>Total Bicycle Parking Spaces</b>	<b>46</b>	<b>n/a</b>	<b>46</b>

Note: MPDUS - Chapter 25A of the County Code requires the calculation for MPDUs to be based on "the total number of dwelling units at that location...", irrespective of zoning. Section 59.4.4.2.A.2 similarly notes that the number of units may be located without regard to the underlying zone. Therefore, applicant has combined all of the land included in the project for the MPDU calculation. The application also respects the requirement for allocating the units proportionately between single-family and multi-family units.

<b>R-200 ZONE</b>			
Development Standards	Required by R-200 Zone Standard Method Development (Sect. 59.4.4.7)	Clarksburg East Environmental Overlay Zone (Sect. 59.4.9.5)	Proposed for Approval
Gross Tract Area	n/a	n/a	± 5.60 acres
Proposed Parcels	n/a	n/a	1
Density	2.18 units/acre	n/a	0 units <sup>1</sup>
MPDUs	12.5%	n/a	n/a <sup>1</sup>
Open Space			
Rural Open Space	n/a	80% (for total application area)	80%
Site Coverage	25%	n/a	n/a <sup>1</sup>
Lot Dimensions			
Minimum Lot Area	20,000 sf	n/a	n/a <sup>1</sup>
Lot width at front building line	100'	n/a	n/a <sup>1</sup>
Lot width at front lot line	25'	n/a	n/a <sup>1</sup>
Frontage on street or open space	Required	n/a	n/a <sup>1</sup>
Lot Coverage	25%	n/a	n/a <sup>1</sup>
Principal Building Setbacks			
Front setback	40'	n/a	n/a <sup>1</sup>
Side setback	12'	n/a	n/a <sup>1</sup>
Sum of side setbacks	25'	n/a	n/a <sup>1</sup>
Rear setback	30'	n/a	n/a <sup>1</sup>
Height (max)	50'	n/a	n/a <sup>1</sup>

<sup>1</sup> Development is not proposed in R-200 Zone portion of the Subject Property.

Note: MPDUS - Chapter 25A of the County Code requires the calculation for MPDUs to be based on "the total number of dwelling units at that location...", irrespective of zoning. Section 59.4.4.2.A.2 similarly notes that the number of units may be located without regard to the underlying zone. Therefore, applicant has combined all of the land included in the project for the MPDU calculation. The application also respects the requirement for allocating the units proportionately between single-family and multi-family units.

IMPERVIOUS CALCULATION	
<i>Site Under Application (SF)</i>	
P033	780,261
P303 (Tract 1 & Tract 2)	2,762,299
P570	689,327
P484 (Wright Parcel)	52,494
<i>Offsite Improvement Area (SF)</i>	
Areas of Offsite LOD	55,720
<i>Total</i>	
Gross Tract Area for Impervious (SF)	4,340,101
<b>Impervious Cap (%)</b>	<b>15.00%</b>
Impervious Cap (SF)	651,015
Impervious Cap (AC)	14.95
<b>Proposed Impervious Area - Onsite</b>	
<i>Units</i>	
22' TH (22' W x 40' L) - <b>83 units</b>	73040.00
20' TH (20' W x 42' L) - <b>39 units</b>	32760.00
16' TH (16' W x 40' L) - <b>22 units</b>	14080.00
Tri-Plex (34' W x 42' L) - <b>192 units</b>	91392.00
Tri-Plex Utility Closets (4' W x 27' L) - 20 closets	2160.00
<i>Driveways</i>	
22' TH Driveways (typ. 16.5' W x 26.33' L)	37757.39
20' TH Driveways (typ. 16.5' W x 18' L or 16.5' W x 10' L)	10288.64
16' TH Driveways (typ. 9' W x 12' L)	3489.45
Tri-Plex Driveways (typ. 27' W x 9.33' L)	19908.33
Onsite Roadway	162121.67
Onsite Sidewalk	33774.57
Fire Lane & Operational Bay	3076.34
<i>Stoops</i>	
22' TH (4' x 5')	1660.00
20' TH (4' x 5')	780.00
16' TH (4' x 5')	440.00
Tri-Plex	10880.00
<i>Leadwalks</i>	
22' TH	1328.00
20' TH	2081.79
16' TH	1201.71
Tri-Plex	9586.51
Stairs	391.19
Retaining Wall	2887.60
Footbridge	375.00
<i>Within Existing Potomac Edison Easement</i>	
Gravel Path	1113.07
Wall	101.28

<i>Armor Block</i>	332.28
Proposed Recreational Amenities Estimate	9447.55
<b>Onsite Proposed Subtotal (SF)</b>	<b>526,454</b>
<b>Onsite Proposed Subtotal (AC)</b>	<b>12.09</b>
<b>Proposed Impervious Area - Within Proposed Dedications</b>	
Bypass Dedication	
<i>Proposed Roadway</i>	55242.33
<i>Proposed 11' Sidepath</i>	18398.93
<i>Proposed Sidewalk Connections</i>	126.09
<i>Proposed Leadwalk Connections (Tri-Plex)</i>	840.00
<i>Proposed Retaining Wall / Culvert</i>	813.97
Frederick Road	
<i>Existing Roadway to Remain</i>	340.94
<i>Proposed Roadway</i>	4440.43
<i>Proposed 11' Sidepath</i>	358.86
<i>Proposed Sidewalk</i>	1328.53
Redgrave Place	
<i>Existing Roadway</i>	8185.39
<b>Dedication Area Proposed Subtotal (SF)</b>	<b>90,075</b>
<b>Dedication Area Proposed Subtotal (AC)</b>	<b>2.07</b>
<b>Proposed Impervious Area - Offsite (within ROW)</b>	
Clarksburg Road	
<i>Existing Roadway to Remain</i>	5508.91
<i>Proposed Roadway</i>	5747.36
<i>Proposed 11' Sidepath</i>	15773.68
<i>Proposed Sidewalk Connections</i>	112.12
<i>Proposed Leadwalk Connections (Tri-Plex)</i>	180.10
<i>Proposed Retaining Wall</i>	119.04
<i>Removed roadway on west frontage</i>	-2495.25
Frederick Road	
<i>Existing Roadway to Remain</i>	1566.92
<i>Proposed Roadway</i>	1170.05
Redgrave Place	
<i>Existing Roadway</i>	1409.93
<i>Proposed Sidepath</i>	5392.53
<b>Offsite Proposed Subtotal (SF)</b>	<b>34,485</b>
<b>Offsite Proposed Subtotal (AC)</b>	<b>0.79</b>
<b>Total Proposed Preliminary Plan Impervious Area</b>	
<b>Proposed Impervious Total (%)</b>	<b>15.00%</b>
Proposed Impervious Total (SF)	651,015
Proposed Impervious Total (AC)	14.95

RURAL OPEN SPACE CALCULATION		
Tract Area Calculation	SF	Acres
<i>Additions (Gross Tract Area)</i>		
P033	780,261	17.91
P303 (Tract 1 & Tract 2)	2,762,299	63.41
P570	689,327	15.82
P484 (Wright Parcel)	52,494	1.21
<i>Deductions (Dedications)</i>		
I-270 ROW Dedication (Ultimate 250' ROW)	46,498	1.07
Frederick Road Dedication (Ultimate 60' ROW)	20,599	0.47
Redgrave Place Dedication (35' ROW Dedication)	34,566	0.79
Proposed MD-355 Bypass (Ultimate 130' ROW)	217,587	5.00
Clarksburg Road for Future Bypass	18,142	0.42
<i>Total</i>		
Net Tract Area for Open Space (SF)	3,946,989	90.61
<b>Rural Open Space Required (%)</b>	<b>80%</b>	
Rural Open Space Required	3,157,591	72.49
<b>Rural Open Space Proposed (%)</b>	<b>80.22%</b>	
Rural Open Space Proposed	3,166,407	72.69
Open Space for Recreational Amenities	80,840	1.86

Rural Open Space Design Requirements

Rural open space means land that is managed as farmland or in a natural state as allowed under Section 6.3.4.B.1.

**Response:** 80% of the site area is delineated as Rural Open Space. Some of these open space recommendations include forest preservation and afforestation, stream restoration area, neighborhood park, and conservation management plan area(s).

- *In addition to any other requirements of Division 6.3 and Chapter 50 (Section 50-39), rural open space must:*

- *Limit the disturbance of the area to become rural open space to the maximum extent possible during construction of residential lots and associated infrastructure; and*

**Response:** Disturbances along the edge of the development footprint will be minimized and limited to ancillary development activities which are allowed within the Rural Open Space area. Such ancillary uses could include non-structural and ESD related stormwater management facilities and associated utilities. Additionally, certain recreation facilities such as the trail heads and natural surface trail will also be placed within the Rural Open Space area per specific Master Plan recommendations.

- *Be recorded within a separate lot or parcel with a protective easement or covenant recorded in the land records.*

**Response:** The limits of subdivision and protective covenants within the Rural Open Space area shall be established during the Site Plan process.

- *Rural open space may be managed by:*

- *reforestation;*
- *woodland, meadow, wetland, or agricultural management;*
- *streambank or floodplain protection; or*
- *non-structural stormwater management; however, in the RNC zone, the Planning Board may allow a structural stormwater management facility in the rural open space if the location and appearance of the facility is consistent with the general intent of the RNC zone, and substantially conforms with the recommendations of the applicable master plan for use of the open space.*

**Response:** Refer to Rural Open Space Exhibit for further proposed details and demonstrated compliance.



Rural Open Space Allocation

- *Before adding other types of land areas in rural open space, rural open space must include:*
  - a. floodplain;*
  - b. stream buffer area;*
  - c. jurisdictional wetland under federal law (Section 404) as defined by the Army Corps of Engineers;*
  - d. habitat for state- or federally-listed endangered or threatened species;*
  - e. historic, archaeological and cultural site, cemetery and burial ground;*
  - f. agricultural land containing prime farmland soil or other soil of statewide importance;*
  - g. an area containing existing healthy trees greater than 12 inches DBH;*
  - h. an area that connects the site to neighboring rural open space, trails, or greenways;*
  - i. areas containing highly erodible soils or soils with severe limitations for development due to drainage problems;*
  - j. forest areas not included in the environmental buffer; and*
  - k. viewsheds recommended for preservation by the applicable master plan.*

**Response:** The Project complies with all Master Plan recommendations which are consistent with this portion of the Zoning Ordinance.

Configuration of Rural Open Space

- *The minimum width for any rural open space is 75 feet unless the Planning Board grants an exception for items such as a trail easement or linear park when their purpose meets the intent of Section 6.3.4.*

**Response:** The Project does comply with the minimum width for Rural Open Space.

- *A minimum of 60% of the rural open space must be contiguous or separated only by a residential street.*

**Response:** The Project does comply.

*Building Height*

The Project does comply with the height requirement of 50' for townhomes and 65' for triplexes as established in the CEE Overlay Zone for R-90 properties and the 120 foot height limit as mapped in the CRT zone.

*Parking Requirements*

As detailed in the Data Table above, the project meets all parking requirements in Section 59.6.2.4 with a minimum baseline of 2.0 parking spaces for each market-rate townhouse and 1.5 for each market-rate triplex unit. MPDU units have an adjustment factor of 0.5.

*Clarksburg East Environmental Overlay Zone*

Section 59.4.9.5 provides development standards for the Clarksburg East Environmental Overlay Zone. This application meets all of them. First, the maximum total impervious surface is limited to 15% of the total area under application for development. Second, all environmental buffer areas for natural resources recommended for protection in the Ten Mile Creek area must be regulated. Consistent with this requirement, this application does this with the exception of the anticipated bypass through a stream valley buffer as recommended by the Pre-Application for this project. Environmentally sensitive areas are included in the required open space area, again with the exception of the bypass right of way. As noted above, the area devoted to open space is 80%. Finally, the density of the portion of this project within the R-90 Zone is less than 3.66 dwelling units per acre and the maximum building height for townhomes is fifty (50) feet and sixty five (65) feet for any triplex units. (The Data Table shows compliance with the CEE overlay zone standards.)

*Build to Area*

The standard method of development for the CRT Zone (the southeastern pod, along MD Route 121) normally requires a BTA for apartment buildings and townhouses. Section 4.5.3.C.3, however, allows the Planning Board to modify these standards. The BTA standards are not really appropriate here given the

unit type and site layout. More specifically, a modification is required to enable the location of public utilities and to accommodate a driveway length of 20 feet for frontload townhouses as required by MC-DOT. Applicant will be seeking a modification of these standards as part of its Site Plan approval based on the need to accommodate utilities and required driveway depths of 20 feet.

## **VI. PROJECT'S CONFORMANCE WITH SUBDIVISION REGULATIONS**

### Technical Requirements

The project as proposed meets the requirements for block design in Section 4.3.B. The project also meets the lot design requirements including lots butting public or private roads, side lines and other requirements. It also provides public sites and open space as called for under Section 50.4.3.D as discussed above. Finally, the plan includes all master plan roads, while the public roads meet public road standards and private roads meet the requirements under Section 50.4.3.E. Water supply and sewage is consistent with applicable requirements as are public utilities and the project meets adequate public facility ordinance requirements as discussed above.

A 1940 agreement at one time provided for a private a right of way to Maryland Route 355, to connect to an old road known as "Bone Mill Road." The right-of-way was contemplated as a means of access to a property to the south of the subject site, where I-270 now runs. No road exists there today and the right-of-way became unnecessary with the construction of I-270 and the Potomac Edison substation which has a driveway directly to Maryland Route 355, connecting at Snowden Farm Parkway. The area where that right-of-way was located is now forest and will remain so.

### Pre-Preliminary Plan

Applicant submitted a pre-preliminary plan/application in June, 2021 requesting a binding decision by the Planning Board on the proposed alignment of the future Maryland Route 355 bypass through the subject property (Pre-Preliminary Plan No. 720210010-Miles Coppola). Applicant had initially

contemplated seeking official confirmation of other issues including site layout, open space and other issues but, pursuant to advice from Planning Commission Staff, revised the application to solely address the issue of the bypass. On the issue of the bypass alignment, the Planning Board concluded that it supports what was known as "Option 2" that would facilitate an alignment extending from Gateway Center Drive, along Clarksburg Road, through the subject property to intersect with Maryland Route 355 approximately 1,200 feet to the northwest of the existing Clarksburg Road/Frederick Road intersection. The Board concluded that although this option had greater environmental impacts, it provided greater intersection spacing and was the preferred option. It also approved "Option 1" as an alternative with the connection to 355 being located adjacent to the Clarksburg Fire Station. Since the Planning Board decision of Resolution of July 20, 2021, Applicant has worked extensively with staff on multiple issues. In terms of the bypass, Applicant has agreed to provide the right of way for the Option 2 alignment. In addition, it has worked extensively with staff in terms of drawing unit configuration, site layout, open space and other site issues.

The Pre-Preliminary Plan review process is a voluntary process for applicants seeking advice from the Planning Board prior to submitting a Preliminary Plan. The applicant may include information on a variety of issues but there is no specific requirement. As noted, applicant may choose the issues on which to seek Planning Board action and, in this case, ultimately sought only the Board's action on the alignment through the subject property (i.e. the Option 1 or Option 2 connection to Maryland 355). Section 50.5.2.C.3.b.ii precludes the Planning Staff from recommending changes or modifications to the Planning Board's determination on the requested issue or issues but allows the applicant to seek changes as part of the Preliminary Plan. In this case, the Planning Board decided that the Option 2 connection to Maryland 355 was preferred and applicant has agreed to that. Any other discussion at the time of the Pre-Preliminary Plan was for guidance only and not binding on applicant. The Plan now being submitted best accommodates the Option 2 alignment through the subject property and connection of any future bypass

to a bypass segment located further to the south and east of the subject property (i.e., on the opposite side of Maryland Route 121). As noted in the Pre-Preliminary Plan Resolution at pages 1 – 2, the Option 2 alignment "extends from Gateway Center Drive at Stringtown Road, along Clarksburg Road, through the Subject Property and intersects Frederick Road approximately 1200 feet to the northwest of the existing Clarksburg Road/Frederick Road intersection." Applicant is dedicating the right-of-way for this configuration, which does not require dedication of right-of-way for an alternative alignment to connect with Observation Drive. Should the County change its plans and select an Observation Drive connection, that portion of the subject property will be available because no development is planned there.

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

**Response:** The R-90 zone and the CRT Zone provide for broad flexibility in lot design under the optional method of development for the R-90 portion and the standard method of development for the CRT portion. As noted above, the Project meets all of the requirements including those in the Zoning Ordinance. The Project has a usable area greater than 10 acres, is within the density recommended by the Master Plan and the CEE Overlay Zone, and includes a minimum of 80% rural open space. The lot sizes and coverage, as well as height and setbacks, meet all applicable requirements. The location and design of roads are being reviewed concurrently by M-NCPPC Staff, MCDOT staff and Fire and Rescue Services for compliance.

- *Preliminary Plan substantially conforms to the Master Plan standards.*

**Response:** Compliance with the Master Plan is noted in Section IV above.

- *Public facilities will be adequate to support and service the area of the subdivision.*

**Response:** Included with the submittal is a Transportation Impact Statement performed by Lenhart. The Statement documents existing conditions, background conditions and total future conditions including trip generation from the proposed Project. The operational analysis indicates that all relevant intersections will operate within applicable standards. The analysis also describes the adequacy of pedestrian, bicycle and transit services.

Based on the most recent Growth and Infrastructure Policy Annual School Test (FY 2022), the Property is within the Turnover Impact Area and is subject to a Tier 2 Utilization Premium Payment (UPP), equivalent to 26.67% of the impact tax, for Clarksburg High School. Neither Clarksburg Elementary School nor Rocky Hill Middle School are currently subject to a UPP.

Public Water and sewer will be provided to the Property under the approved water and sewer category change. The on-site components will connect to existing water and sewer services in the area which are adequate to accommodate the Project.

- *All forest conservation law requirements are satisfied.*

**Response:** The plan satisfies all forest conservation requirements including the extensive provisions set forth in the Ten Mile Creek Limited Master Plan Amendment.

- *All storm water management, water quality plan and floodplain requirements of Chapter 19 are satisfied.*

**Response:** Submitted with the Application are the necessary documents demonstrating compliance with these requirements.

## **VII. CONCLUSION**

In summary, this Preliminary Plan seeks to transform the subject Properties in a manner that fulfills the vision of the Ten Mile Plan for this prominent location within the Clarksburg East Overlay Zone. The proposed Project will provide a community that blends townhomes and triplex homes, along with related site amenities, in a rich and enhanced environmental setting providing desirable new housing options in the R-90 and CRT zone and Clarksburg region. At the same time, the Project will "...preserve

open land, environmentally sensitive natural resources, and rural character through clustering of residential neighborhoods...”, as well as, “...implement the recommendations of the applicable master plan...”