

CLARKSBURG TOWN CENTER- WEIS FILLING STATION

PRELIMINARY PLAN NO. 11995042F, SITE PLAN NO. 82007022J
& FCP2023038B



Description

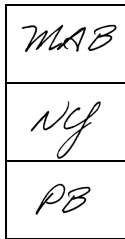
Amendments to include the Filling Station use in the Weis Markets parking lot, which was previously approved by the Hearing Examiner as part of a Conditional Use.

COMPLETED: 10/11/2024

PLANNING BOARD HEARING DATE: 11/6/2025

MCPB ITEM NO. 13

Planning Staff



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LOCATION/ADDRESS

Parcel K on Plat 25584, Clarksburg 20871

MASTER PLAN

1994 Clarksburg Master Plan and Hyattstown
Special Study Area, 2011 Clarksburg Limited
Master Plan Amendment

ZONE

CRT-0.75, C-0.25, R-0.5, H-65T

PROPERTY SIZE

12,000 Square Feet

APPLICANT

CTC Retail, L.C. c/o Elmstreet Development

ACCEPTANCE DATE

July 9, 2025

REVIEW BASIS

Chapters 50, 59, & 22A

Summary:

- Staff recommends approval of the Preliminary Plan, Site Plan, and Forest Conservation Plan amendments to allow for the Filling Station.
- The Hearing Examiner approved the Filling Station use on May 20, 2025, by Conditional Use No. CU202502
- The Subject Site is an existing, undeveloped portion of Clarksburg Town Center. The Proposal would allow a Filling Station with up to three (3) pumps.
- The previous Preliminary Plan, Site Plan, and Forest Conservation Plan amendments were approved on March 25, 2024.
- The applications represent the Filling Station use and the area surrounding and supporting the use. All previous approvals for the overall site will remain in effect.

The Applicant is requesting that the updated Annual Schools Test (AST) be applied to this amendment, which would remove the condition of approval requiring the Utilization Premium Payment. Staff does not support this request, as it is inconsistent with the AST and Chapter 52.

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SECTION 1: EXECUTIVE SUMMARY

In 1994, the County Council approved the 1994 *Clarksburg Master Plan and Hyattstown Special Study Area* (“Master Plan”). The Master Plan called for the creation of a town center alongside the Clarksburg Historic District, surrounded by residential, office, and retail uses. The Master Plan envisioned up to 2,600 residences and 300,000 sq. ft. of commercial space.

In 1995, the Planning Board approved Project Plan No. 919940040 and Preliminary Plan No. 119950420. These approvals envisioned a neo-traditional community with up to 1,300 residences, 100,000 square feet of office, and 150,000 square feet of retail.

In June 2023, the Applicant filed Preliminary Plan Amendment 11995042I and Site Plan Amendment 82007022E to complete the commercial core. After more than a decade, the Applicant had secured a major grocery store anchor. With this anchor’s commitment, the Applicant was able to attract additional commercial tenants and new residents to complete the final phase of the Clarksburg Town Center. On March 25, 2024, the Planning Board approved the Project Plan, Preliminary Plan, and Site Plan amendments.

On May 20, 2025, the Applicant received approval of Conditional Use No. CU202502 from the Hearing Examiner for the Filling Station use. The Conditional Use approval allowed for the Filling Station to be added to the parking lot for the proposed Weis Market.

These Applications are to implement the Filling Station use (Figure 1).

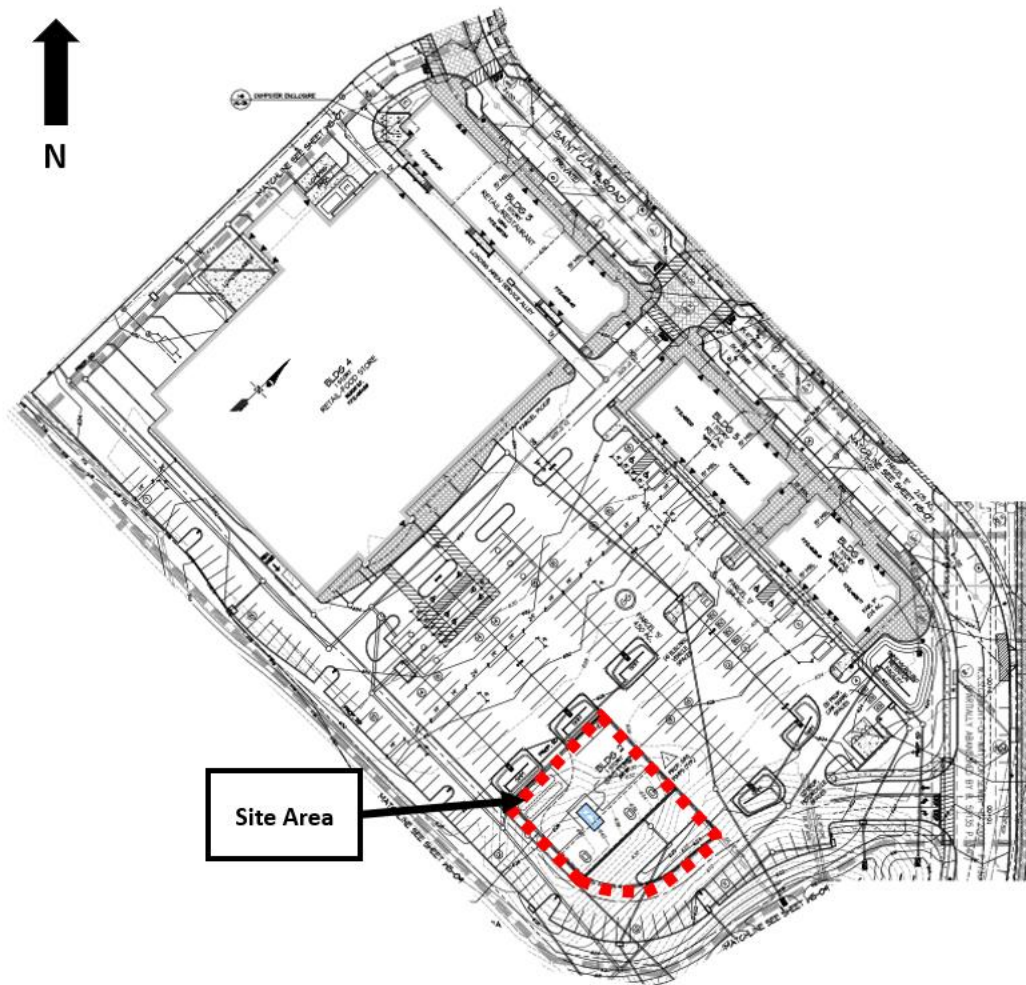


Figure 1 – Site Area

SECTION 2: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN 11995042F

Staff recommends approval with conditions of the Preliminary Plan Amendment to add the Filling Station use in the parking lot of the proposed Weis Market. All site development elements shown on the latest electronic version of the Preliminary Plan Amendment No. 11995042F, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following

Clarksburg Town Center- Weis Filling Station,
Preliminary Plan No. 119959042F, Site Plan No.
82007022J, Forest Conservation Plan No. F2023038B

conditions.¹ Except for the following modifications, all previous conditions of approval of Preliminary Plan Amendment No. 11995042E relating to the Overall Property, as defined therein and consisting of approximately 26.3 acres, remain in full force and effect.

GENERAL APPROVAL

1. This Preliminary Plan Amendment is limited to lots and parcels for 219 detached houses, 686 townhouses, 390 multi-family dwelling units², a minimum of 12.5% Moderately Priced Dwelling Units (MPDU), 106,920 square feet of commercial uses³, including a Filling Station use in the proposed retail/Weis Market parking lot, changes to the mix of uses, minor revisions to the site layout and stormwater management, and the reconfiguration of eight (8) parcels into seven (7) parcels on the Overall Property.

OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated ~~February 27, 2024~~ October 23, 2025, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each recommendation in the letter, which may be amended by MCDOT, provided the amendment does not conflict with any other conditions of the Preliminary Plan approval.

Right-of-Way Permitting

- a. All existing brick sidewalks are subject to maintenance and liability covenants.
- b. Private streets to be built to tertiary roadway structural standards.
- c. All pavement/parking markings are subject to MCDOT review and approval at the time of permit.

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.

² 390 multi-family units includes 189 new multi-family units proposed on the Subject Property.

³ If there is no adverse impact on the Site Plan and the APF findings, and it is approved by Staff, the commercial square footage may change to other allowed commercial uses, including office or medical office.

SITE PLAN 82007022J

Staff recommends approval of Site Plan Amendment No. 82007022J, for the construction of the Filling Station in the proposed Weis Market parking lot on the 26.3 acres of undeveloped land in the commercial core of the Clarksburg Town Center (“Overall Property”). All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions. Except for the following modifications, all prior conditions of approval of Site Plan Amendment No. 82007022I remain in full force and effect:

DENSITY, HEIGHT & HOUSING

2. Height

The development on the Subject Property is limited to a maximum height as measured from the building height measuring point, as illustrated on the Certified Site Plan, and as follows:

- a. Building 1: 65 feet
- b. Building 3: 35 feet
- c. Building 4: 70 feet
- d. Building 5: 35 feet
- e. Building 6: 35 feet
- f. Building 7: 35 feet
- g. Building 8: 35 feet
- h. Building 9: 65 feet
- i. Kiosk: 14 feet
- j. Canopy: 21 feet

FOREST CONSERVATION PLAN F2023038B

Staff recommends approval of Final Forest Conservation Plan Amendment No. F2023038B (“FFCP”) for the installation of a filling station within the parking lot of the Weis grocery store. All site development elements shown on the latest electronic version of the Final Forest Conservation Plan Amendment No. F2023038B, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required. All previously approved conditions under Final Forest Conservation Plan Amendment F20230380 remain in full force and effect.

SECTION 2: SITE DESCRIPTION

VICINITY

The Subject Property is outlined with the yellow dotted line in Figure 1 below and is located at Parcel K on Plat 25584 in Clarksburg Town Center, Clarksburg, Maryland. The Property is subject to the 1994 *Clarksburg Master Plan*.



Figure 2 – Vicinity Map

Clarksburg Town Center- Weis Filling Station,
Preliminary Plan No. 119959042F, Site Plan No.
82007022J, Forest Conservation Plan No. F2023038B

PROPERTY DESCRIPTION

The Subject Property (outlined in red dashed line in Figure 2) consists of six acres known as Parcel K on recorded Plat No. 25584 (future Parcel G, Block GG and 4.5 acres). The Property is located on St. Clair Road, approximately 270 feet north of Stringtown Road in Clarksburg. The Property is an unimproved, rough graded parcel with no buildings or environmental features. The Property is part of the 14.5-acre retail and mixed-use core for the Clarksburg Town Center. The Property slopes gradually from west to east. The Property will be accessed from St. Clair Road north of the Stringtown Road intersection (Figure 3).

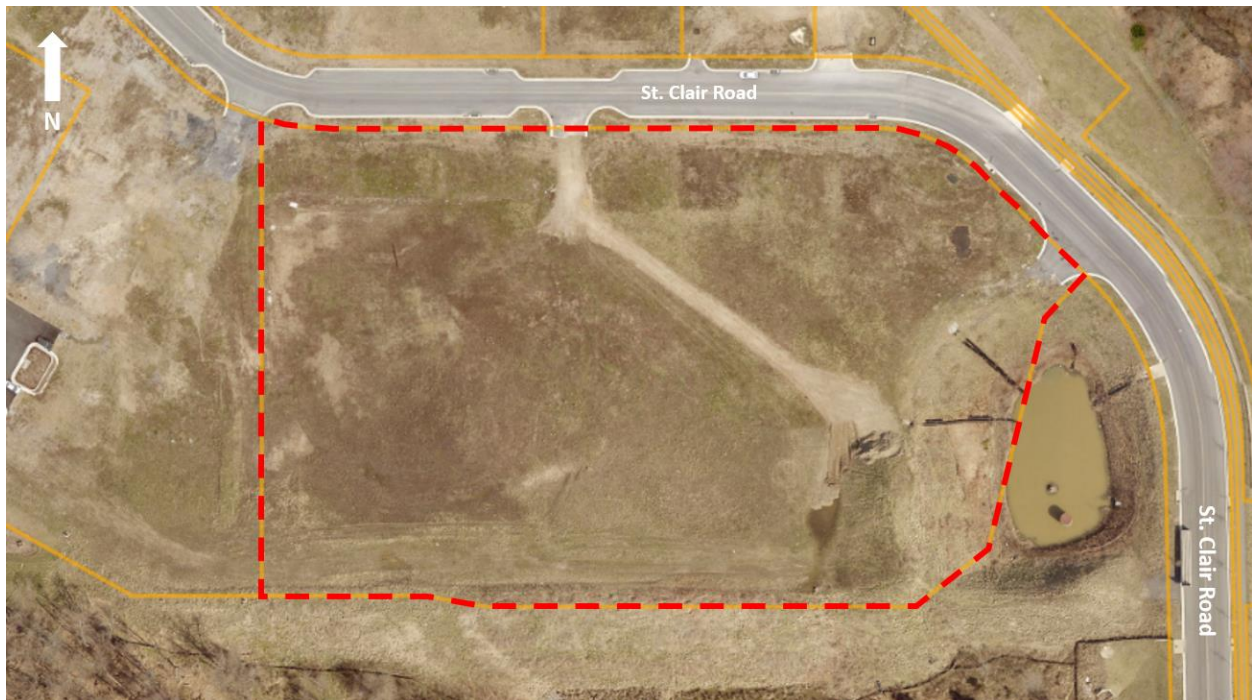


Figure 3 – Subject Property

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

The Applicant has received multiple approvals over the last 30 years for Clarksburg Town Center (Attachment C).

Clarksburg Town Center- Weis Filling Station,
Preliminary Plan No. 119959042F, Site Plan No.
82007022J, Forest Conservation Plan No. F2023038B

PROPOSAL

The Applicant proposes a Filling Station in the proposed parking lot of the future Weis grocery store. The Filling Station will be accessed from the shared driveway for the Weis grocery store from St. Clair Road (Figure 4). The Applicant is proposing three gas pumps (six fueling positions), a 500-square-foot kiosk, and a canopy with this Application (Figures 5-8). The pumps will operate from 7 a.m. to 11 p.m., seven days a week, and will be monitored by one employee at the kiosk. Typical retail sales from the kiosk include motor oil, transmission fluid, and similar automotive products, soft drinks, cigarettes, lottery tickets, and snack items, etc.

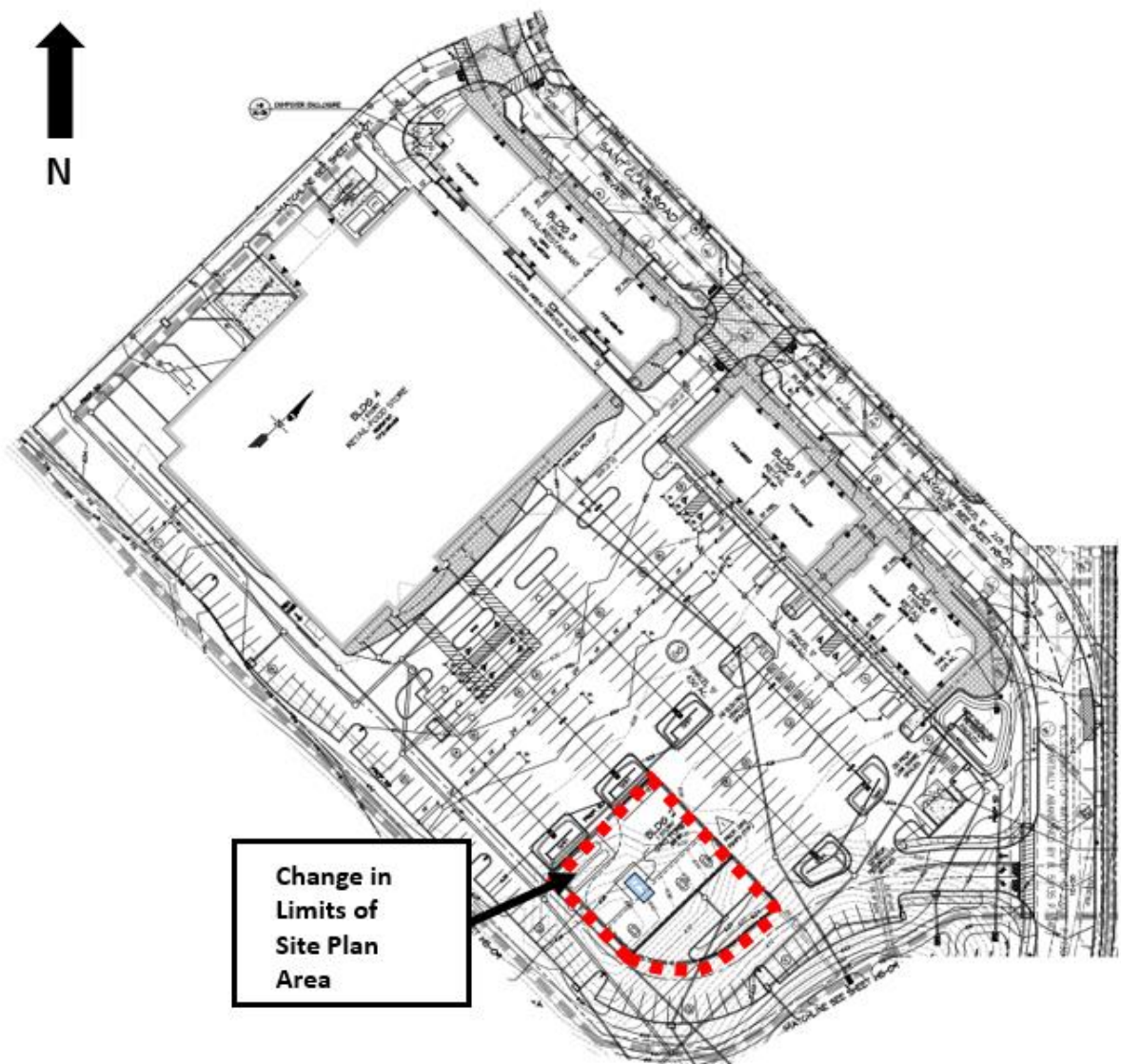


Figure 4 – Site Plan

Clarksburg Town Center- Weis Filling Station,
Preliminary Plan No. 119959042F, Site Plan No.
82007022J, Forest Conservation Plan No. F2023038B



Figure 5- Gas Canopy, north elevation



Figure 6- Gas Canopy, south elevation



Figure 71 - Gas Canopy, east elevation



Figure 8 - Gas Canopy, west elevation

OPEN SPACE

The Open Space was approved under the previous Preliminary Plan 11995042I and Site Plan 82007022E amendments and will not change with this application.

TRANSPORTATION

Planning Staff supports the proposed filling station and has no additional conditions beyond the existing, previously approved, conditions on Preliminary Plan 11995042E and Conditional Use CU202502.

SCHOOLS

The applicant has requested modification of Condition No. 14 of Preliminary Plan Amendment No. 11995042E, within Planning Board Resolution MCPB No. 24-026, which requires a Tier 2 high school Utilization Premium Payment (UPP) per the Annual Schools Test Guidelines and the 2020-2024 Growth and Infrastructure Policy. Since that approval, both the Version 2.0 Annual School Test Guidelines and the 2024-2028 Growth and Infrastructure Policy have been approved. Staff recommends denial of the request to modify Condition No. 14, as the Annual Schools Test Guidelines provide the following guidance related to plan amendments on page 19:

- “The school adequacy analysis results of the previous approval remain in effect for any units considered to be part of the previous approval.”
- “All units that were included in the school adequacy analysis of the original application will be subject to any UPP requirements that were assessed as a condition of the previous approval.”

Additionally, Section 52-29 specifically states, “an applicant for a building permit must pay to the Department of Finance a Utilization Premium Payment if such payment was required under the Annual School Test in effect at the time the building was approved.” While the per unit UPP rates may be adjusted biannually, both Condition No. 14, as written, and Chapter 52 Taxation require a UPP per the Annual School Test in effect at the time the building was originally approved.

Therefore, staff recommends that the Planning Board deny the request to amend Condition No. 14, as doing so would be inconsistent with Version 2.0 of the Annual Schools Test Guidelines, the 2024-2028 Growth and Infrastructure Policy, and Chapter 52.

SECTION 4: COMMUNITY OUTREACH

The Applicant has complied with all submittals and noticing requirements. The Applicant is not required to hold a pre-submittal public meeting for an amendment.

Staff has received one email expressing concern that this application was further reducing the commercial square footage from the previous amendments. Staff clarified that this amendment will not further reduce the commercial square footage.

SECTION 5: PRELIMINARY PLAN 11995042F FINDINGS AND ANALYSIS

Preliminary Plan Amendment 11995042F requests to construct a Filling Station in the parking lot of the proposed Weis Market. The proposed Preliminary Plan Amendment does not alter the previous findings, except as modified 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 parcel sizes, widths, shapes, and orientation are appropriate for the subdivision's location, taking into account the recommendations of the Master Plan, the existing lot patterns of surrounding properties, and the commercial uses and residential buildings contemplated for the Subject Property.

On the Subject Property, the Applicant proposes the Filling Station in the proposed Weis Market parking lot, which is located on a previously recorded parcel (Parcel K) approved under the Preliminary Plan 11995042 E and Site Plan 82007022I amendments. The Filling Station location will not impact the regular flow around the proposed parking lot. The proposed Filling Station will meet applicable setbacks and building height requirements.

A summary of conformance with applicable provisions of Chapters 50 and 59 is included in Table 1. The Application has been reviewed by other applicable county and state agencies, all of whom have recommended approval of the plan.

2. *The Preliminary Plan substantially conforms to the Master Plan.*

The proposed additional use is in substantial conformance with the recommendations adopted in both the 1994 *Clarksburg Master Plan* and the 2011 *Limited Amendment*. The Filling Station use, and location were conceptually shown in relation to the uses and location approved in the previous amendment. The Filling Station use was not officially approved until the applicant received the Hearing Examiner's approval of the Conditional Use for the Filling Station. The Applicant has since received approval from the Hearing Examiner for the Filling Station use, and this use is now being added to the approved plan sheets and officially incorporated into the site layout and circulation, as previously approved. Thus, the modifications proposed by this Amendment are consistent with the master plan conformance findings of previous approvals.

3. *Public Facilities will be adequate to support and service the area of the subdivision.*

Conditional Use No. CU202502 was reviewed according to the Local Area Transportation Review Guidelines. The addition of the fueling stations resulted in a reduction in trips generated compared to the transportation Adequate Public Facilities analysis conducted as part of Plan Amendment 11995042A. Amendment E accounted for any anticipated trips generated by the ancillary use to the grocery store. Thus, there is no change in trip generation resulting from this amendment and the approved Conditional Use. The 2024-2028 Growth and Infrastructure Policy requires a transportation impact study for any project estimated to generate a new increase of 30 or more vehicle trips in either the morning or evening peak hours. As the subject Application is not generating 30 new vehicle trips, , the LATR review remains satisfied.

SECTION 6: SITE PLAN 82007022J FINDINGS AND ANALYSIS

Pursuant to Sec. 59.7.7.1.B.3 (Exemptions), the Applicant has elected to amend the Applications under the RMX-2 development standards of the 2004 Zoning Ordinance, which allows a modification to any previously approved plan to be reviewed under the development standards of the property's zoning on October 29, 2014. The proposed Application does not alter the intent of previous findings except as modified below.

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;*

Clarksburg Town Center- Weis Filling Station,
Preliminary Plan No. 119959042F, Site Plan No.
82007022J, Forest Conservation Plan No. F2023038B

Pursuant to Sec. 59.7.7.1.B.3 (Exemptions), the Applicant has elected to amend the Site Plan using the RMX-2 development standards, which were effective on October 29, 2014. The proposed development satisfies all applicable development standards for the RMX-2 zone. A summary of this review is included in Table 5. All development standards remain in full force and effect as previously approved.

The Application proposes a Filling Station, approved by OZAH through Conditional Use CU202502.

As shown in Table 1 and pursuant to Sec. 7.7.1.B.3.b, the previously approved parking satisfies Sec. 6.2.3 and Sec. 6.2.4.

The Application has been reviewed by other applicable county and state agencies, all of whom have recommended approval.

Table 1 RMX-2 zone, Optional Method, Section 59-C-10.3.1

RMX-2 Zone	Allowed/Required by Zone or Master Plan	Approved by Site Plan No. 82007022H	Approved Site Plan 82007022I	Proposed Site Plan 82007022J
Gross Area	N/A	270.92 acres	No change	No change
Net Area	N/A	141.43 acres	No change	No change
Maximum Residential Density	7 dwelling units/acre (1,428 dwelling units)	6.19 dwelling units/acre (1,106 dwelling units)	6.32 dwelling units/acre (1,295 dwelling units)	No change
Single-family detached	10-20%	218 units (19.6%)	219 units (17%)	No change
Single-family attached	30-50%	686 (60.3%)	686 (53.3%)	No change
Multi-family Units	25-45%	201 (18.1%)	390 (29.5%)	No change
MPDUs	12.5% minimum	12.5% (139 units)	12.5% (162 units)	No change
Maximum Commercial Density	0.5 FAR (300,000 SF)	0.18 FAR (206,185 SF)	0.01 FAR (106,920 SF)	No change
Maximum Total FAR	1.25 FAR (2,986,085 sq. ft.)	0.97 FAR (2,326,279 sq. ft.)	0.97 FAR (2,326,279 sq. ft.)	No change

RMX-2 Zone	Allowed/Required by Zone or Master Plan	Approved by Site Plan No. 82007022H	Approved Site Plan 82007022I	Proposed Site Plan 82007022J
Minimum Number of Dwelling Units	150 minimum units for sites over 30 acres	1,106 dwelling units	1,295 dwelling units	No change
Green Space (59-C-10.3.3)				No change
Residential	50% of 178.63 acres	93.22 acres (53.2%)	No change	No change
Commercial	15% of 26.29 acres	12.61 acres (47.96%)	No change	No change
Minimum Lot Area	N/A	N/A	N/A	N/A
Minimum Building Setbacks ⁴	-	-	-	-
From one-family residential zoning	Commercial: 100 ft. Residential: 100 ft.	Commercial: 100 ft. Residential: 100 ft.	No change	No change
From residential zoning other than one-family	Commercial: 50 ft. Residential: 30 ft.	Commercial: 50 ft. Residential: 15 ft.	No change	No change
From any street ⁵	Commercial: 25 ft. Residential: 30 ft.	Commercial: 0 ft. Residential: 0 ft.	No change	No change
From any abutting commercial or industrial zone	Commercial: 25 ft. Residential: 30 ft.	Commercial: 25 ft. Residential: 15 ft.	No change	No change
Max. Building Height	Determined at Site Plan	Retail/Comm.: 40 ft. Office: 70 ft. Mixed-use, Office/Retail: 60 ft. Grocery: 70 feet	Building 1: 65 feet Building 3: 35 feet Building 4: 70 feet Building 5: 35 feet Building 6: 35 feet Building 7: 35 feet Building 8: 35 feet	Minor change

⁴ Pursuant to Sec. 59-C-10.3.8, Site Plan No. 82007022H reduced the minimum setbacks for commercial and residential buildings from other than one-family residential zoning and commercial zoning by up to 50% and established no minimum setback from any street right-of-way; all other development standards and building setbacks established at final site plan.

⁵ In accordance with the Master Plan, no minimum setback is required.

RMX-2 Zone	Allowed/Required by Zone or Master Plan	Approved by Site Plan No. 82007022H	Approved Site Plan 82007022I	Proposed Site Plan 82007022J
			Building 9: 65 feet <u>Kiosk: 14 feet</u> <u>Canopy: 21 feet</u>	
West Side, Mixed Use Commercial Parking ⁶	-	-	720 total spaces	No change
Retail (78,700 SF)	3.5 spaces/1,000SF min. to 12 spaces/1,000 SF max.	558 spaces	276 to 473 spaces	No change
Restaurant (20,000 SF)	4 spaces/1,000SF min. to 6 spaces/1,000 SF max.	88 spaces	80 to 240 spaces	No change
Apartment, 1 bedroom (83 units)	1 space min. to 1.25 spaces max.	N/A	83 to 104 spaces	No change
Apartment, 2 bedrooms (84 units)	1 space min. to 1.5 spaces max.	N/A	84 to 126 spaces	No change
Apartment, 3 bedrooms (12 units)	1 space min. to 2 spaces max.	N/A	12 to 245 spaces	No change
Total Apartment Spaces	179 to 254 spaces	N/A	254 spaces	No change
Motorcycle Parking	2% of total, up to 10 spaces max.	N/A	10 spaces	No change
Bicycle Parking, Retail	Short-term: 1 sp./10,000 SF; Long-term: 15% SF	N/A	9 spaces, total 7 spaces, short-term 2 spaces, long-term	No change

⁶ Pursuant to Sec. 7.7.1.B.3.b, the previously approved parking requirements are amended in a manner that satisfies Sec. 6.2.3 and Sec. 6.2.4.

RMX-2 Zone	Allowed/Required by Zone or Master Plan	Approved by Site Plan No. 82007022H	Approved Site Plan 82007022I	Proposed Site Plan 82007022J
Bicycle Parking, Restaurant	Short-term: 1 sp./10,000 SF; Long-term: 15% SF	N/A	2 spaces, total 1 space, short-term 1 space, long-term	No change
Bicycle Parking, Multi-Family (189 units)	0.5 space/dwelling unit; 95% of spaces long-term; 100 sp. max.	N/A	95 spaces, total 4 spaces, short-term 91 spaces, long-term	No change
Car Share Spaces	1 sp. for 50-149 spaces; 1 sp. per 100 spaces above 149; maximum of 5 required	N/A	7 spaces	No change
Electric Vehicle Parking	1 space/100 parking spaces	N/A	8 spaces	No change
Handicapped Parking	2% of total parking; 1 van space per 4 HC spaces		22 spaces 9 van accessible spaces	No change
Site Plan Required	Yes	Yes	Yes	Yes

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 pumps, canopy, and kiosk will be located in the proposed Weis Market parking lot, away from the grocery store and the other commercial buildings facing Saint Clair Road. This location will not affect the other businesses and uses in the Town Center.

OPEN SPACES

The Application does not propose modifications to the approved open space network, which remains adequate, safe, and efficient.

LANDSCAPING

The landscaping associated with the previously approved Site Plan 82007022I has not changed with this application.

RECREATION FACILITIES

The Application does not propose changes to the previously approved recreation facilities under Site Plan 82007022I.

PEDESTRIAN AND VEHICULAR CIRCULATION SYSTEMS

Clarksburg Square Road has existing sidewalks that will serve the development. The existing 5-foot accessible sidewalk adequately and safely accommodates pedestrian circulation within and around the Site. Sidewalks along Saint Clair Road will be completed with this Project. The Filling Station use was considered within the pedestrian and circulation systems of the previous approval. They were considered as part of the approved conditional use, and the use does not negatively impact the circulation systems, as approved by the previous amendment. Thus, the pedestrian and vehicular circulation systems are adequate, safe, and efficient.

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

The proposed Filling Station pumps, canopy, and kiosk will be located in the proposed parking lot for the Weis Market. The location will not impact the flow of the parking lot. The Filling Station will be behind the buildings fronting on Saint Clair Road and therefore should be screened from the Town Center main streets. With the previous amendments, the Applicant provides a mix of residential and retail/service, which are compatible with the adjacent and confronting residential uses.

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

The Site Plan Amendment meets all applicable requirements of Chapter 22A regarding forest conservation as described in the Final Forest Conservation Plan Amendment No. F20230380 findings section of this report. There are no changes associated with Chapter 19.

SECTION 7: FINAL FOREST CONSERVATION PLAN AMENDMENT F2023038B FINDINGS AND ANALYSIS

All Forest Conservation Law, Chapter 22A requirements are satisfied.

A Final Forest Conservation Plan Amendment F20230380 was approved by the Planning Board on March 25, 2024. As required by Section 22A-4 of the Montgomery County Code, this Application includes an amendment to the Final Forest Conservation Plan. A Final Forest Conservation Plan Amendment No. F2023038B (“FFCP”) was submitted for review to show the most recent revisions to the Subject Property with Site Plan Amendment No. 82007022J.

On July 2, 2025, CTC Retail L.C. (“Applicant”) submitted FFCP Amendment No. F2023038B for concurrent review with the Site Plan Amendment No. 82007022J for revisions to the Clarksburg Town Center Commercial area to show the proposed installation of a filling station in the parking lot of the Weis grocery store and within the approved limits of disturbance of Final Forest Conservation Plan Amendment F20230380. The Application satisfies the applicable requirements of the Forest Conservation Law, Chapter 22A of the Montgomery County Code, and complies with the Montgomery County Planning Department’s approved *Environmental Guidelines*. This FFCP was submitted to address the requirements under Sec. 22A.00.01.09.B of the Forest Conservation Regulations to update the FFCP by showing all proposed building locations and footprints, retaining walls, road and parking layout, sidewalks and pathways, and location of recreation facilities.

The FFCP does not alter any of the recorded Forest Conservation Easements on the Subject Property or any of the reforestation requirements previously approved with the FFCP Amendment No. F20230380. The Applicant is continuing to retain 41.32 acres of forest for the overall Clarksburg Town Center development and providing a total of 25.64 acres of reforestation.

SECTION 8: CONCLUSION

As conditioned, the Preliminary Plan and Site Plan applications each satisfy the applicable standards of the Zoning Ordinance (Chapter 59) and Subdivision Regulations (Chapter 50) and substantially conform to the recommendations of the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* and 2011 *Limited Amendment to the Clarksburg Master Plan*. Therefore, Staff recommends approval of the Preliminary Plan and Site Plan amendments with the conditions specified at the beginning of this report.

The Final Forest Conservation Plan Amendment satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A, and complies with the Montgomery County Planning Department's Environmental Guidelines. Therefore, Staff recommends approval of the Final Forest Conservation Plan Amendment F2023038B with the conditions as cited in this Staff Report.

ATTACHMENTS

Attachment A: Preliminary and Site Plan

Attachment B: Agency Letters

Attachment C: Previous Approvals