

Montgomery Planning

MILES COPPOLA

PRELIMINARY PLAN AMENDMENT NO. 12022001B

SITE PLAN NO. 820250120 FOR PHASE I AND

FINAL FOREST CONSERVATION PLAN NO. F20250800



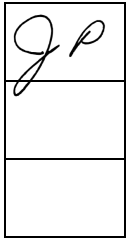
A request to extend the Preliminary Plan and APF validity periods and to approve the Phase 1 Site Plan for up to 83 dwelling units (37 townhouses and 46 multi-family units.)

COMPLETED: 11/24/2025

PLANNING BOARD HEARING DATE: 12/4/2025

MCPB ITEM NO. 6

Planning Staff



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LOCATION/ADDRESS

Along Clarksburg Road and Frederick Road,
north of Interstate 270

MASTER PLAN

1994 *Clarksburg Master Plan & Hyattstown Special
Study Area & 2014 Ten Mile Creek Area Limited
Amendment*

ZONE

R-90, R-200, CRT-2.0, C-2.0, R-2.0, H-120, and
Clarksburg East Environmental Overlay Zone

PROPERTY SIZE

+/- 98.35 acres

APPLICANT

Dream Finders Home, LLC

ACCEPTANCE DATE

August 8, 2025

REVIEW BASIS

Chapters 19, 22A, 50, and
59

Summary:

- Staff recommends **approval** of Preliminary Plan Amendment No. 12022001B with conditions.
- Staff recommends **approval** of Site Plan No. 820250120 with conditions.
- Staff recommends **approval** of the Final Forest Conservation Plan No. F20250800 with conditions.
- Staff recommends **approval** of a Final Special Protection Area Water Quality Plan.
- The Preliminary Plan Amendment includes requests for Preliminary Plan Validity extension of 3 years per phase, APF extension of 3 years per phase, and subdivision waiver under Section 50-9.1
- The Project includes 40 lots and 6 parcels, with 37 townhouse units and 46 multi-family units, for a total of 83 dwelling units, including 12.5% percent MPDUs.
- Impervious surfaces are limited to no more than 15% of the total area under the application for development within the Clarksburg East Overlay Zone.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN AMENDMENT 12022001B

Staff recommends approval with conditions of the Preliminary Plan Amendment to extend the Preliminary Plan validity period, the Adequate Public Facilities (APF) validity period, and the phasing, on 98 acres identified as Miles Coppola Property. All site development elements shown on the latest electronic version of the Preliminary Plan No. 12022001B submitted via ePlans to the M-NCPPC, as of the date of this Staff Report, are required except as modified by the following conditions.¹ All previously approved Preliminary Plan conditions remain in effect, except as revised in the following modified conditions:

Modified Conditions

2. The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for ~~eight~~ **eleven (811)** years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5). The phasing schedule is as follows:

Phase A - Within ~~58~~ **years (September 10, 2030)** up to a cumulative total of 70 dwellings across Development Area 2 (CRT zone) and Development Area 1 (R-90 zone)

Phase B - Within ~~69~~ **years (September 10, 2031)** up to a cumulative total of 188 dwelling units, with a maximum of 100 dwelling units in Development Area 1 (R-90 zone)

Phase C - Within ~~811~~ **years (September 10, 2033)** all remaining development

3. The Preliminary Plan will remain valid for ~~eight~~ **eleven (811)** years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan and Miles Coppola, 12022001A pursuant to the below phasing plan must be recorded in the Montgomery County Land Records or a request for an extension filed. The following phasing schedule shall apply:

Phase I - ~~58~~ **years (September 9, 202730)** – 60 lots

Phase II - ~~69~~ **years (September 9, 202831)** – 100 lots

Phase III - ~~811~~ **years (September 9, 203033)** – remaining lots

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.

17. The Applicant must submit and obtain Planning Board approval of a Final Stream and Wetland Restoration Plan at the time of Phase 2 Site Plan submittal, and the final plan must be reviewed by the MCDEP, ~~the M-NCPPC Department of Parks~~ and the M-NCPPC Montgomery Planning Department.

31. Prior to issuance of each building permit for a residential dwelling unit, the Applicant must obtain an assessment from Montgomery County Department of Permitting Services (MCDPS) for Utilization Premium Payments (UPPs) consistent with the County Code 2020-2024 and Growth and Infrastructure Policy, as follows:

~~a) 1.00 of a Tier 2 high school UPP per unit.~~

a. 0.340 of Tier 1 and 0.245 of Tier 2 elementary school UPP required

b. No middle school UPP per unit

c. No high school UPP per unit

Montgomery County may modify the per-UPP rates prior to payment of any required UPPs. The Applicant must pay the above UPPs to the Montgomery County Department of Finance based on the rates in effect at the time of payment.

SITE PLAN 820250120 – PHASE 1

Staff recommends approval of Site Plan No. 820250120 – Phase 1, for the construction of 83 dwelling units consisting of 37 townhouse units and 46 multi-family units, including 12.5% MPDUs in Phase 1 on the CRT-zoned land consisting of 29.3 acres. The development must comply with the conditions of approval for Preliminary No. 120220010 as listed in the MCPB Resolution No. 22-078, dated August 10, 2022, as amended. 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.²

DENSITY, HEIGHT & HOUSING

1. Density

The Site Plan is limited to a maximum of 37 townhouse units and 46 multi-family units for a total of 83 dwelling units

2. Height

The development is limited to a maximum height of 65 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

² 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.

- a) The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated November 18, 2025, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend, provided that any amendments do not conflict with other conditions of the Site Plan approval.
- b) The development must provide 12.5% MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan.
- c) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

OPEN SPACE, FACILITIES, AND AMENITIES

4. Open Space, Facilities, and Amenities

Before the issuance of the final use and occupancy certificate, all public open, common, and amenity space areas on the Site Plan 1 (820250120) Property must be completed.

5. Common Open Space Covenant

The record plat must reference the Common Open Space Covenant recorded at Book 28045 Page 578 (Covenant).

6. Recreation Facilities

The Applicant must provide the required recreation facilities as shown on the Certified Site Plan (CSP) prior to the final Use an Occupancy permit.

7. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities.

ENVIRONMENT

8. Noise Attenuation

- a) Before the issuance of the first building permit, the Applicant/developer/builder must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that:
 - i. The building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn, Lots 1-2 and Lots 52-71, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- b) Before the final inspection for any residential unit on Lots 1-2 and Lots 52-71, the Applicant /developer/builder must certify to M-NCPPC Staff that the noise-impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.
- c) If any changes occur to the Site Plan that affect the validity of the noise analysis dated October 3, 2025, acoustical certifications, and/or noise attenuation features, a new noise

analysis will be required to reflect the changes, and new noise attenuation features may be required.

9. Water Quality

- a) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its Final Water Quality Plan/Site Development Stormwater Management Plan for Miles Coppola, Phase 1 and its Revised Preliminary Water Quality Plan/Site Development Stormwater Management Plan for Miles Coppola, Phase 2 letter dated October 21, 2025, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section, provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) Impervious surfaces are limited to no more than 14.05% or as otherwise approved at Site Plan for Phase 2, but in no case will impervious cover exceed 15% of the entire Subject Property, both Phases 1 and 2, within the Clarksburg East Overlay Zone as shown on the Impervious Surface Plan dated October 31, 2025.
- c) Before the start of any demolition, clearing, grading, or construction on the Subject Property, the owner of the Subject Property must enter into an agreement with the Planning Board to limit impervious surfaces to no more than to the amount conditioned in 19 b). The agreement must be in a form approved by the M-NCPPC Office of the General Counsel and recorded by deed in the Montgomery County Office of Land Records.

8. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated October 21, 2025, and incorporates them as conditions of approval. The Applicant must comply with each recommendation in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

9. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated October 6, 2025, and incorporates them as conditions of approval. The Applicant must comply with each recommendation in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

10. Private Roads

The Applicant must provide Private Street A, and Private Alleys 1 and 2, including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems, and other necessary improvements within the delineated private road area (collectively, the “Private Road”), subject to the following requirements:

- a) The record plat must show the Private Road in a separate parcel.

- d) The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions in the Montgomery County Code § 50-4.3.E et seq regarding private roads. The Covenant includes, but is not limited to the following conditions:
- i. The Applicant, at its expense, shall design, construct, and maintain the Private Road.
 - ii. The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Road and all improvements located within the Private Road, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Road). The reserves must be adequate to cover the costs of needed repairs.
 - iii. The Applicant must post and retain signage to notify the public that the Private Road is not publicly maintained and to provide contact information to handle complaints, concerns or questions regarding the Private Road.
 - iv. Approved sub-grade for private roads to be six-inch Graded Aggregate Base (GAB).
- e) Before issuance of the first building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
- f) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department and MCDPS inspector certification by a professional engineer licensed in the State of Maryland that the Private Road has been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Site Plan, including in-place density testing of the roadway soil sub-grade, aggregate base, and asphalt, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all

necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshall.

11. Pedestrian & Bicycle Circulation

- g) The Applicant must provide the following master planned pedestrian and bicycle facilities, the exact location, design, and construction of which must comply with requirements of the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations, before release of the 88th building permit for Phase A or release of the first building permit for Phase B
- v. Clarksburg Road: an eleven-foot-wide (11 ft) sidepath with a minimum seven-foot-wide (7 ft) tree panel.
- vi. Clarksburg Road: a six-foot-wide (6 ft) striped bike lane on the west side of the street.

AGENCY COORDINATION

12. Fire and Rescue

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section, in its letter dated October 22, 2025, and hereby incorporates them as conditions of approval. The Applicant must comply with each recommendation in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the fire access improvements have been constructed and installed per the recommendations from the Fire Department Access and Water Supply Section, and as shown in the approved MCDPS fire access plan, or as amended.

SITE PLAN

13. Site Design

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

14. Landscape

The Applicant must provide a landscape plan showing plantings in the space between the driveways in private Alleys 1 and 2, prior to the Certified Set.

15. Lighting

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

16. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

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

17. Development Program

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

18. Certified Site Plan

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

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- o) Add the following notes:
 - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
 - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
 - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times during construction.”
- p) Include approved Fire Department Access Plan.
- q) Modify data table to reflect development standards approved by the Planning Board.
- r) Ensure consistency of all details and layout between Site and Landscape plans.
- s) Show noise-impacted units.
- t) Show all private road sections/profiles, including curb & gutter, apron, and handicap ramp details.
- u) Include a Recreation Plan delineating location and detail of the recreation facilities, where appropriate, in a manner that is clear and corresponds to the posted surety and maintenance agreement.
- v) Demonstrate that each recreational element proposed in the Recreation Plan satisfies the relevant specifications in the M-NCPPC Recreation Guidelines.

FINAL FOREST CONSERVATION PLAN F20250800

Staff recommends approval of Final Forest Conservation Plan No. F20250800 (“FFCP”). All site development elements shown on the latest electronic version of the Final Forest Conservation Plan No. F20250800, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions³:

1. Before recordation of the plat and the start of any demolition, clearing, grading, or construction, whichever comes first, for the development shown on the accompanying Site Plan No. 820250120 the Applicant must:
 - a) Record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers on the entire Miles Coppola property of 98.35 acres as shown on the approved Final Forest Conservation Plan. The Category I Conservation Easement recorded over the existing forest and stream buffer impacted by the Final Stream and Wetland Restoration Plan (“SWR”) will allow the proposed work shown on the SWR to occur within the boundaries of the conservation easement. The Conservation Easement Agreement will be modified to allow this stream restoration work. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
 - b) Install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FFCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
 - c) Execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for all forest planting areas and mitigation tree plantings, including variance tree mitigation plantings. The MMA includes invasive species management control measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff. All proposed measures should be chosen with consideration of the proximity to the on-site stream and wetlands and the sensitive nature of this watershed. The use of herbicides should be avoided where possible.

³ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner, or any successor in interest to the terms of this approval.

- d) Submit a cost estimate for the reforestation/afforestation and other FFCP requirements on the entire Miles Coppola property of 98.35 acres as shown on the FFCP, which includes but is not limited to pollinator meadow installation, trees and shrubs, variance mitigation trees, five years of maintenance including invasive species management controls, permanent easement posts and signage, natural surface trails, split rail fencing, mulching, staking, tree protection, and tree protection removal credited toward meeting the requirements as shown on the FFCP. This cost estimate must be reviewed and approved by the M-NCPPC Planning Department Inspection Staff prior to the submission of financial surety to determine the amount of the financial surety.
 - e) Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department Inspection Supervisor for the 4.31 acres of new forest planting, 3.19 acres of new pollinator meadow creation, variance mitigation trees and maintenance, including invasive species management controls, credited toward meeting the requirements of the FFCP for the entire Miles Coppola property to include Phases 1 and 2 as shown on the FFCP.
- 2. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Code of Montgomery County Regulations (“COMCOR”), Forest Conservation Regulations.
 - 3. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. The M-NCPPC Forest Conservation Inspection Staff may require tree save measures not specified on the Final Forest Conservation Plan.
 - 4. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
 - 5. Within the first planting season following the stabilization of the applicable disturbed areas for Phase 1, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the Afforestation/Reforestation plantings, the variance mitigation plantings and the pollinator meadow plantings for Phase 1, as shown on the approved FFCP.
 - 6. At the time of Phase 2 Site Plan submittal, the Applicant must amend the FFCP to accurately show the required work within the stream valley buffer proposed on the Final Stream and Wetland Restoration Plan. The Planning Board will approve the Final Stream and Wetland Restoration Plan in conjunction with the Phase 2 Site Plan and FFCP Amendment.

7. At the time of Phase 2 Site Plan submittal, the Applicant must amend the FFCP to accurately show the variance tree removal and variance mitigation plantings on the property owned by the Montgomery County Public Schools (“MCPS”) for the removal of the variance trees on their property.
8. At the time of Phase 2 Site Plan submittal, the Applicant must provide documentation that MCPS approves of the variance tree removal and the installation of the variance mitigation trees on their property.
9. At the time of Certified FFCP set submittal, the Applicant must revise the FFCP Worksheets to accurately reflect the tract sizes and amount of existing forest on the FFCP.

SECTION 2: EXECUTIVE SUMMARY

The Miles Coppola property has an approved Preliminary Plan No. 120220010, and amended as 12022001A, and approved Preliminary Forest Conservation Plan No. F20250800 these approvals cover the entire +/- 98-acre property.

This Application is for a Preliminary Plan Amendment, Site Plan, and Final Forest Conservation Plan. The Preliminary Plan amendment and Final Forest Conservation Plan are on the entire +/- 98-acre property (“Property” or “Subject Property”) and the Site Plan. The Site Plan covers +/- 29.3 acres of the Subject Property and will be referred to as (“Site Plan 1”).

The Preliminary Plan Amendment focuses on the Preliminary Plan and APF Validity periods. This extension, as discussed below, is primarily due changes in developers from the original application until now. The original developer, Brookfield Washington, LLC, had its contract expire and the property owners needed to find a new developer for the project. The process of finding a new developer took longer than expected, but after a three year search the owners contracted Dream Finder Homes, LLC as the new developer.

With this Application, the Applicant is proceeding with Phase I of the project and seeking new validity periods to offset the loss of the 3 years it took to find a new developer.

SECTION 3: SITE DESCRIPTION

VICINITY

Miles Coppola
12022001B, 820250120, F20250800

The Subject Property consists of four (4) parcels identified as Parcel P033 (“Parcel A”), totaling 17.9 acres, Parcel P303 (“Parcel B”) totaling 63.4 acres, and Parcel 570 (“Parcel C”) totaling 15.82 acres on Tax Map EW21, and Parcel P484 (“Parcel D”) on Tax Map EW31 totaling 1.2 acres (“Subject Property”). The Subject Property totals 98.35 acres and is bisected by Clarksburg Road (MD 121) as shown in Figure 1. The Subject Property is located on Clarksburg Road (MD 121) and north of Interstate 270 (I-270). The Property is zoned R-90, R-200, and CRT-2.0 (C-2.0, R-2.0, H-120). It is located within the Clarksburg East Environmental Overlay Zone, as shown in Figure 2. The Subject Property is within the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* and the 2014 *Ten Mile Creek Area Limited Amendment* master plan area (“Master Plan”).

Single-family detached residential dwelling units, vacant land, a service station, an institutional facility, and the future Firehouse #35 are located to the northeast of the Property in the CRN-0.25, C-0.25, R-0.25, H-35, and CRT-0.5 (C-0.5, R-0.5, H-45 zones). Vacant land, open space, and an institutional facility are located to the southeast in the R-200 and CRT-0.5 (C-0.5, R-0.5, H-45 zones). The Property is bounded by I-270 on the southwest. The Montgomery County Correctional Facility, in the EOF-0.75 H-100T zone, is on the west side of I-270. The Clarksburg Historic District, which includes the Clarksburg Elementary School, is directly southeast of the site.

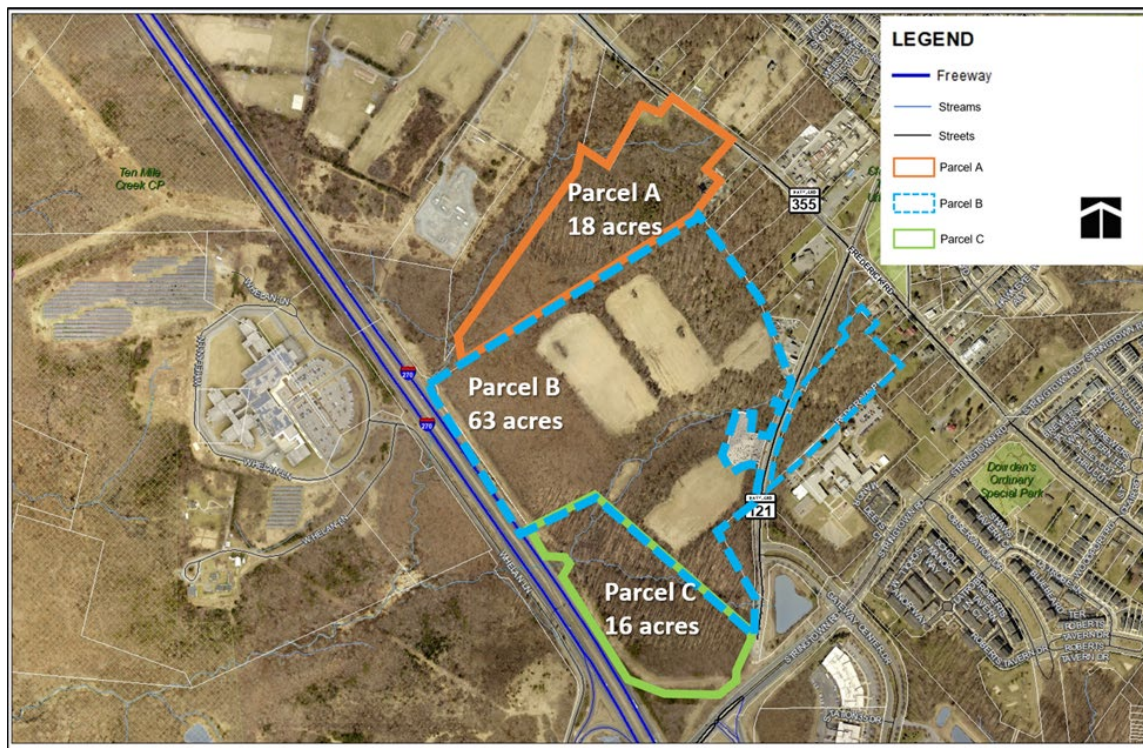


Figure 1: Vicinity Map

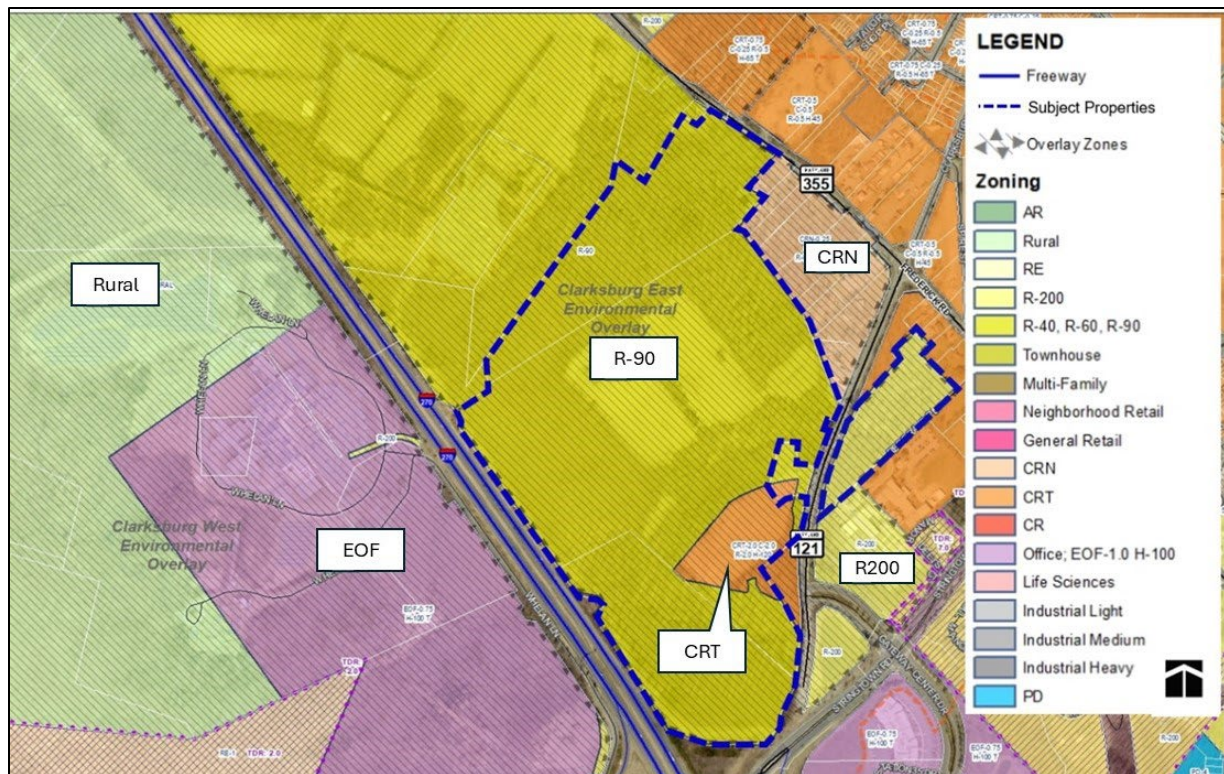


Figure 2: Zoning Map

PROPERTY DESCRIPTION

The Subject Property is undeveloped with approximately 74 acres of forest and the remaining land in agricultural production. The Property is within the Little Seneca Creek --Ten Mile Creek Watershed, which is classified by the State of Maryland as Use Class I-P waters. It is located within the LSTM 206 subwatershed, as identified in the *Ten Mile Creek Area Limited Amendment*, and within the Ten Mile Creek Special Protection Area. There are streams, wetlands, and areas of 100-year floodplain within the environmental buffers, and areas with slopes that are 15% or greater. There are no mapped highly erodible soils on the Property.

Site Plan I includes portions of Parcel P303 (12.269 Ac), Parcel P570 (15.825 Ac), and Parcel P484 (1.205 Ac) for a total site plan area of 29.299 acres. This roughly equates to the east side of the Subject Property. This area is a mixture of forest and open fields.

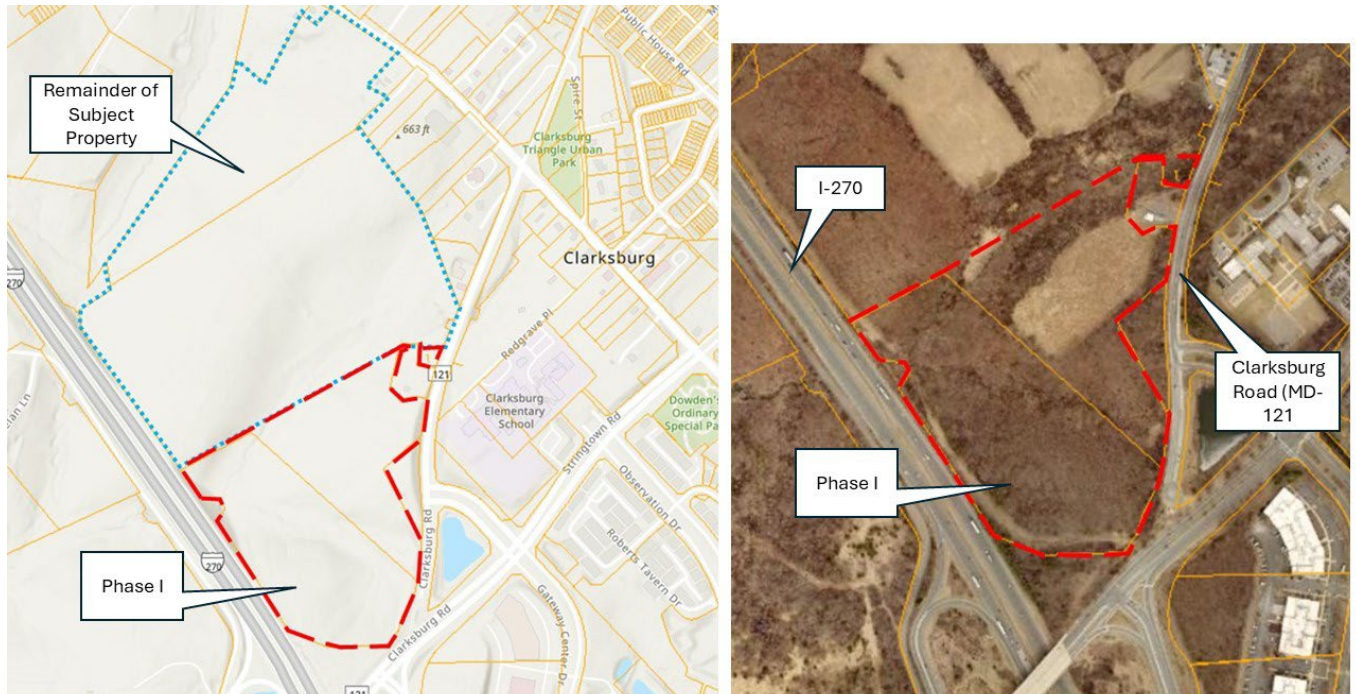


Figure 3: Site Plan 820250120 Area

SECTION 4: PROJECT DESCRIPTION

PREVIOUS APPROVALS

Pre-Preliminary Plan No. 720210010

On July 20, 2021, the Planning Board, by Resolution MCPB No. 21-051 (Attachment B), approved Pre-Preliminary Plan No. 720210010 with a binding decision on the issue of the alignment of the portion of the future MD 355 Bypass through the Subject Property.

Preliminary Plan No. 120220010

On August 10, 2022, the Planning Board, by Resolution MCPB No. 22-078 (Attachment B), approved Preliminary Plan No. 120220010 to create 159 lots for a residential development consisting of 144 townhouse units and 192 multi-family units, including 12.5% MPDUs, for a total of 336 dwelling units on the Subject Property.

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Preliminary Plan Amendment No. 12022001A

On March 3, 2025, the Planning Director approved Preliminary Plan No. 12022001A to modify Condition No. 3 to adjust the preliminary plan validity phasing schedule by combining Phases I and II, without extending the length of the preliminary plan validity period, as follows:

Phase I – ~~3 years – 10 lots~~ **5 years (September 9, 2027) – 60 lots**

Phase II – ~~5 years – 50 lots~~ **6 years (September 9, 2028) – 100 lots**

Phase III – ~~6 years – 100 lots~~ **8 years (September 9, 2030) – remaining lots**

~~Phase IV – 8 years – remaining lots~~

This amendment only changed the phasing plan and did not provide any extension to the previous Validity period.

PROPOSAL

Preliminary Plan Amendment

The Applicant is seeking a three-year extension to each of the designated APF phases and each of the Preliminary Plan validity phases.

Phase I – ~~5~~ **8** years (September 9, 2027~~30~~) – 60 lots

Phase II – ~~6~~ **9** years (September 9, 2028~~31~~) – 100 lots

Phase III – ~~8~~ **11** years (September 9, 2030~~33~~) – remaining lots

The Applicant requests that the APF period in Condition No. 2 of the original Preliminary Plan be revised to add three (3) years to each Phase, reflecting the three-year period that has passed since approval and the recent sale of the Property to Dream Finders Homes.

The Applicant also requests that the Preliminary Plan validity period in Condition No. 3 be revised to extend the validity period by three years per phase.

The Applicant has also requested modification of Condition No. 31, 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*.

Site Plan for Phase I

The proposed development, comprising 83 units, is clustered in the CRT portion of the larger property and adjacent to Clarksburg Road. It is served by a two-way private street (Private Street A), with direct

access to Clarksburg Road at two separate locations, and a private alley that serves an internal block of rear-loaded units fronting on a centrally located open space. Four-story bi-plex units front Clarksburg Road with a private street located within the site's internal block. Rear-loaded units will face the central open space, and front-loaded townhouse units will ring the perimeter of the development.

Parallel on-street parking will be provided along the internal block, and front-in parking spaces will be provided on the southern-most portion of the private street and in the alley of the internal block between Alley 1 and Alley 2. The development includes an eleven-foot wide (11 ft) sidepath on Clarksburg Road, a six-foot wide (6 ft) sidewalk on the internal block that connects to the sidepath, and a proposed natural surface trail that will circle Phase I of the development and connect to the community open spaces, including the multi-age playground and the central open space.

The Applicant requests modification of the build-to area requirements in Section 59-4.5.3.C.2 to reflect the specific design features of the units in the CRT area of the Property. These deviations are necessary to accommodate the physical constraints of the site, including the need for driveways for the proposed units and the proposed unit design, while incorporating design elements that engage the surrounding publicly accessible spaces, including streets, sidewalks, and parks. The specific modifications are reflected in the development standards table.

OPEN SPACE

Over the entire Property, there is a large rural open space area encompassing approximately 73.99 acres or 80.10% of the Property, surrounding Phases I and II of the proposed development⁴. A trail system will ring Phase 1 and ultimately link the two phases. The Site Plan includes several small open spaces with recreational amenities and site furnishings interspersed throughout the site. A central open space will be located within the internal block. A multi-age playground and seating area will be located on the south side of the private street, near the southern intersection of the private street and Clarksburg Road. Smaller open spaces will be located between the front-loaded townhouse building strings along the perimeter of the site.

⁴ 2014 *Ten Mile Creek Area Limited Amendment* ("Master Plan") *Including the Miles-Coppola properties in the proposed Clarksburg East Environmental Overlay zone with a 15 percent imperviousness limit and an 80 percent open space requirement.*



Figure 4: Rural Open Space in Dark Green

TRANSPORTATION

The proposed development will have two (2) access points to Clarkburg Road from an internal private street (Street A). There will also be two (2) alleys that connect to the private street, providing access to rear-loaded units. The west side of Clarkburg Road will be improved to include an eleven-foot (11 ft) sidepath and a six-foot (6 ft) separated bike lane. There will be a six-foot (6 ft) sidewalk along Private Street A that connects to the sidepath on Clarkburg Road. Additionally, the site will have 28 visitor parking spaces, including parallel and head-in parking along portions of the private street and alley.



Figure 5: Street Layout

ENVIRONMENT AND SUSTAINABILITY

The Miles Coppola property is located in the headwaters of the Ten Mile Creek watershed. The Subject Property has three streams that flow across the site from generally the northeast to the south and then enter drainage pipes beneath I-270 and flow into Ten Mile Creek. The Applicant is retaining and protecting all forested stream buffers, saving almost 60 acres of forest, and planting another 4.31 acres. In areas where some forest is being removed in the stream buffers, such as for SWM outfalls, the Applicant is also proposing to install pollinator meadows in these areas where SWM easements preclude the installation of forest. Overall, the Final Forest Conservation Plan will protect these headwater streams and assist in maintaining water quality in the Ten Mile Creek watershed.

BUILDING/ARCHITECTURE

The Applicant has provided elevations, which will consist of bi-plex, rear-loaded townhouse, and front-loaded townhouse units.

Biplex-Units

The three bi-plex building strings will be located within the only internal block of the proposed development, and the bi-plex building strings will front Clarksburg Road and the private street. The bi-plex building strings will be four-stories. The first floor of each unit in a building string will have paired doors centered within each unit. The windows on the second, third and fourth floors will be centered and aligned and have trim work between floors that emphasizes the verticality of the units. Some units will have front gables.

The Applicant has provided a palette of materials and colors that works well together as a typical conceptual elevation string. The typical bi-plex building string will use a simplified color palette consistently to provide visual interest. A brick base extends across the entirety of the front elevation of the building to either the second story or the full four-stories of a unit. When the brick stops at the second floor, horizontal siding will be used for cladding.



Figure 6: Typical Bi-plex Building String

Rear-Loaded Townhouses

The two rear-loaded townhouse building strings will also be located within the internal block of the proposed development and will front the central open space. Each building string will have six units. There are four different front elevation alternatives for the 20-foot wide rear-loaded units, and two different front elevation alternatives for the 16-foot wide rear-loaded units. Lots 72-77 will be composed of five different front elevations, including the two 16-foot-wide units, and Lots 78-83 will be composed of four different front elevations with all 20-foot wide rear-loaded townhouse units.

Both front elevation strings seamlessly use materials, architectural embellishments, and color to create cohesive building strings while providing visual interest along the triangular open space. The front elevations for the rear-loaded townhouse building string will feature two hues of brick that are placed at either the water table level of the first floor, at different heights between the first and second floor windows, or between the second and third floors. Additionally, the building strings will have up to three hues of complementary horizontal siding. Some front unit elevations will have bay or dormer windows, and other unit elevations will have heavier trim around windows to emphasize the verticality of the units.



Figure 7: Typical Rear-Loaded Townhouse Building String

Front-Loaded Townhouse Units

The five front-loaded townhouse building strings will be located along the outer perimeter of Private Street A, and all units within these buildings will be 22 feet in width and three-stories in height. The Applicant provided typical front elevation renderings for the three- and seven-unit front-loaded building strings, because of their high visibility from Clarksburg Road. There are three different front elevation alternatives for the front-loaded units. As with the rear-loaded and bi-plex unit types, the front-loaded units will have two hues of brick and potentially three hues of horizontal siding depending on the number of units within a composed building string. The brick will extend to either midway between the first or second floors, or the full front facade, depending on the elevation alternative. The front-loaded units feature a combination of trim banding between the second and third floors, heavier trim around windows, shed roofs, or front gables for architectural embellishments.



Figure 8: Typical Front-Loaded Townhouse Building String

SECTION 5: COMMUNITY OUTREACH

The Applicant has complied with all submittal and noticing requirements, and a pre-submittal public meeting was held on May 8, 2025. The main discussion points from the meeting are listed below with Applicant responses in parentheses.

- Timing of the proposal (as soon as possible).
- Type of units in the first phase off of Clarksburg Road (front load townhomes and rear load townhomes).
- Timing of Phase 2 (approximately one year from now).
- Status of the WSSC pump station and power for the fire house (pending).
- Nature of trails through the open space (natural surface).

As of the date of this Staff Report, no correspondence has been received.

SECTION 6: PRELIMINARY PLAN AMENDMENT 12022001B FINDINGS AND ANALYSIS

The Planning Board approved Preliminary Plan No. 120220010, MCPB No. 22-078, to create 159 lots for a residential development consisting of 144 townhouse units and 192 multi-family units, including 15% MPDUs, for a total of 336 dwelling units on the Subject Property with conditions. Preliminary Plan Amendment No. 12022001A was administratively approved to modify the phasing schedule to create three phases instead of four as follows:

Phase I – ~~3 years – 10 lots~~ **5 years (September 9, 2027) – 60 lots**

Phase II – ~~5 years – 50 lots~~ **6 years (September 9, 2028) – 100 lots**

Miles Coppola
12022001B, 820250120, F20250800

Phase III – ~~6 years – 100 lots~~ **8 years (September 9, 2030) – remaining lots**

Phase IV – ~~8 years – remaining lots~~

This Application is being reviewed under Section 50-4.3.J.7, which allows the Planning Board to extend a preliminary plan APF and validity period, respectively, pursuant to a series of findings.

Preliminary Plan Amendment 12022001B requests that the APF period in Condition No. 2 be revised to add three (3) years to each Phase to reflect the three-year period that has passed since approval and the current transfer to Dream Finders Homes. The Applicant also requests that the Preliminary Plan validity period in Condition No. 3 be revised to have three phases rather than four, and to have Phase I cover a period of five years with at least 60 lots total, Phase II cover six years and at least 100 lots total, and Phase III cover eight years and all remaining lots, with all time periods running from the time the Preliminary Plan Amendment is approved.

Except as modified below, the proposed Preliminary Plan Amendment does not alter the intent of the previous findings, which remain applicable.

PRELIMINARY PLAN VALIDITY AND APF VALIDITY EXTENSION

PRELIMINARY PLAN VALIDITY EXTENSION

According to Section 50-4 of the County Code, the validity period associated with a preliminary plan requires that all approved lots and parcels be recorded by Record Plat within the preliminary plan validity period established in the Planning Board Resolution. Resolution No. 22-078 established an overall eight-year validity period for the Preliminary Plan, with three phases, with a final expiration date of August 10, 2030.

Section 50-4.2.H.1 of the Montgomery County Code authorizes the Board to approve a preliminary plan validity period extension, subject to the following criteria:

1. Extension request

- a) Only the Board is authorized to extend the validity period. The applicant must submit a request to extend the validity period of an approved preliminary plan in writing before the previously established validity period expires.***

The Applicant filed a timely preliminary plan validity extension request with the Planning Department on August 8, 2025, before the Preliminary Plan validity expired on August 10, 2030.

- b) The Director may approve a request to amend the validity period phasing schedule of an approved preliminary plan if the length of the total validity period of the preliminary plan is not extended. The applicant must submit the request in writing before the previously established validity period of the phase expires.***

Not Applicable.

- c) The written request must detail all reasons to support the extension request and include the anticipated date by which the plan will be validated. The applicant must certify that the requested extension is the minimum additional time required to record all plats for the preliminary plan.***

As discussed in the Applicant's Statement of Justification (SOJ), additional time is requested because of the unanticipated change of ownership, where the sales agreement with Brookfield Homes was terminated, and it took three years to find a new owner, Dream Finders Homes (Attachment G).

The request for a three-year extension of each phase of the validity period will allow the Applicant additional time to file record plats that validate the Preliminary Plan. This three-year extension of each phase would compensate for the three years lost due to the change in ownership of the property.

Approved Phasing by prior Preliminary Plan No. 12022001A (Condition No. 3) for 366 dwelling units

Phase I –5 years (September 9, 2027) – 60 lots

Phase II –6 years (September 9, 2028) – 100 lots

Phase III –8 years (September 9, 2030) – remaining lots

Proposed Phasing for 366 dwelling units

Phase I –8 years (September 9, 2030) – a minimum of 60 lots

Phase II –9 years (September 9, 2031) – a minimum of 100 lots

Phase III –11 years (September 9, 2033) – remaining lots

By these deadlines, the Applicant must record a plat for the minimum number of lots noted for each phase. The Applicant may record more lots at any time, subject to satisfying any other phasing or timing conditions.

2. Effect of failure to submit a timely extension request.

The request was received in a timely manner; therefore, the sub-sections herein do not apply.

3. Grounds for Preliminary Plan Extension

- a. *The Board may only grant a request to extend the validity period of a preliminary plan if the Board finds that:*
- i. *delays by the government or some other party after the plan approval have prevented the applicant from meeting terms or conditions of the plan approval and validating the plan, provided such delays are not caused by the applicant; or*
 - ii. *the occurrence of significant, unusual and unanticipated events, beyond the applicant's control and not caused by the applicant, have substantially impaired the applicant's ability to validate the plan, and exceptional or undue hardship (as evidenced, in part, by the efforts undertaken by the applicant to implement the terms and conditions of the plan approval in order to validate the plan) would result to the applicant if the plan were not extended.*
- b. *The applicant bears the burden of establishing the grounds in support of the requested extension.*

As explained in the Applicant's SOJ and generally summarized below, the Applicant's ability to validate the Preliminary Plan has been impaired due to significant, unanticipated events beyond the Applicant's control. Despite the impediments, the Applicant has continuously worked to move this Project forward.

Due to the passage of time between the approval granted to Brookfield Homes and the current purchase and sale agreement involving Dream Finders Homes, the plan validity and APF periods require adjustment.

Several things occurred following the Preliminary Plan approval that now require a revision to the validity period. As noted, the purchase and sale agreement with Brookfield Washington terminated, and the property owners have been searching for a homebuilder to implement the vision. Given the variety of issues involved, this has taken a reasonable amount of time.

Dream Finders Homes has now been selected. Equally important, one of the conditions for approval recommended by Park and Planning staff and incorporated by the Planning Board into the Preliminary Plan was a roadway connection from the Property to Maryland 355. At the time, Brookfield Washington noted that the Subject Property lacked the necessary frontage on Maryland 355 to build the connection. Accordingly, the approval envisioned public condemnation of a strip of land between the Miles Coppola property and Maryland 355, next to the new Clarksburg fire station, to provide the desired access without impacting environmentally sensitive areas to the west. This took considerable time to complete. Following approval of the Preliminary Plan, both Brookfield Washington and the property owner worked with Montgomery County to condemn the property

necessary for this roadway connection. Given the lack of clarity regarding ownership of the necessary parcel and the intricacies of the condemnation process, that effort took longer than expected. Finally, earlier this year, the County and the property owner completed the condemnation, and the property owner posted funds with the Maryland District Court in an amount consistent with the estimated property value.

Dream Finders is ready to proceed with Site Plan approval and construction of the project, but requires a revision to the validity period to justify its purchase contract and the significant costs involved in obtaining Site Plan approval and recording the plats.

The Applicant has shown their continued commitment to the Project by seeking new ownership. As stated above, the necessary condemnation action as well as the change in ownership played major roles in the delays and necessitated extending the Preliminary Plan's validity.

4. Planning Board considerations for extension.

- a. *The Board may condition the grant of an extension on a requirement that the applicant revise the plan to conform with changes to the requirements of this Chapter since the plan was approved.*

No significant changes have been made to the Subdivision Regulations since the last amendment was approved.

- b. *The Board may deny the extension request if it finds that the project, as approved and conditioned, is no longer viable. The Board must consider whether the project is capable of being financed, constructed, and marketed within a reasonable time frame. The Applicant must demonstrate the project's viability upon request by the Board or the Director.*

The Applicant requests a reasonable extension to complete the documents necessary to record the plat. The viability of the Project is largely reliant on favorable market conditions, which the Applicant cannot predict. However, given the Applicant's experience with this type of development, the Applicant's efforts to maintain the existing entitlements and the requested extensions are evidence that the Applicant believes the development remains viable.

5. Planning Board Action

- b. If voting to approve an extension, the Board must only grant the minimum time it deems necessary for the applicant to validate the plan.

The Applicant is requesting a 3-year extension for each phase, which accounts for the time lost due to ownership changes. This brings the time back into alignment with the original approval intent and is the minimum time needed for the Applicant to validate the plan.

c. The Board may only grant an extension to a preliminary plan within the plan's APF validity period, unless a further extension is allowed by law.

The Applicant is also requesting an extension to the APF. If that extension is granted, the Application will be within the APF's Validity period.

ADEQUATE PUBLIC FACILITIES (APF) VALIDITY EXTENSION

Section 50-4.3.J.7 of the Montgomery County Code authorizes the Board to extend the validity period for a determination of APF, subject to the following findings:

7. Extensions.

a. Application. *Only the Board may extend the validity period for a determination of adequate public facilities; however, a request to amend any validity period phasing schedule may be approved by the Director if the length of the total validity period is not extended.*

i. The applicant must file an application for extension of an adequate public facilities determination or amendment of a phasing schedule before the applicable validity period or validity period phase expires.

The Applicant filed the request to extend the current APF validity period on August 8, 2025, before August 10, 2030, the current expiration date.

ii. The applicant must submit a new development schedule or phasing plan for completion of the project for approval.

The Applicant has submitted a new phasing plan for completing the project.

Approved APF phasing (Condition No. 2 (dwelling units)):

The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for eight (8) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5). The phasing schedule is as follows:

Phase A - Within 5 years, up to a cumulative total of 70 dwellings across Development Area 2 (CRT zone) and Development Area 1 (R-90 zone)

Phase B - Within 6 years, up to a cumulative total of 188 dwelling units, with a maximum of 100 dwelling units in Development Area 1 (R-90 zone)

Phase C - Within 8 years, all remaining development.

Proposed APF phasing (Condition #2 (dwelling units)):

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The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for three (3) more years from the original initiation date (as defined in Montgomery County Code Section 50.4.3.J.5). The phasing schedule is as follows:

Phase A - Within 8 years (September 10, 2030), up to a cumulative total of 70 dwellings across

Development Area 2 (CRT zone) and Development Area 1 (R-90 zone)

Phase B - Within 9 years (September 10, 2031), up to a cumulative total of 188 dwelling units,

with a maximum of 100 dwelling units in Development Area 1 (R-90 zone)

Phase C - Within 11 years (September 10, 2033), all remaining development.

iii. For each extension of an adequate public facilities determination:

- (a) the applicant must not propose any additional development above the amount approved in the original determination;*

No additional development is proposed.

- (b) the Board must not require any additional public improvements or other conditions beyond those required for the original preliminary plan;*

No additional conditions are proposed.

- (c) the Board may require the applicant to submit a traffic study to demonstrate how the extension would not be adverse to the public interest;*

From the previous Local Area Transportation Review (LATR) study conducted in November 2020 and updated in July 2021 for the original preliminary plan approval, the proposed development with 336 units is estimated to generate 150 total peak hour vehicle trips in the morning and 173 total peak hour vehicle trips in the evening. The previous LATR study remains valid, as the number of units is not changing with this amendment.

- (d) an application may be made to extend an adequate public facilities period for a lot within a subdivision covered by a previous adequate public facilities determination if the applicant provides sufficient evidence for the Board to determine the amount of previously approved development attributed to the lot; and*

Not Applicable because the lot is not part of a subdivision covered by a previous APF determination.

- (e) *if the remaining unbuilt units would generate more than 10 students at any school serving the development, the Board must make a new adequate public facilities determination for school adequacy for the remaining unbuilt units under the school test in effect at the time of Board review.*

As described more fully below, the Project will generate 53 elementary students, 28 middle school students and 30 high school students. Therefore, a new APF test is required for schools using the current Annual Schools Test.

School Impact Area Classification

The subject property is located within the Clarksburg Town Center Policy Area, which is categorized as a Turnover Impact Area by the 2024-2028 Growth and Infrastructure Policy.

Annual School Test Results

The Application is scheduled for review on December 4, 2025. Therefore, the results of the FY2026 Annual School Test, approved by the Planning Board on June 26, 2025, and effective since July 1, 2025, are applicable.

The property is served by Clarksburg Elementary School, Rocky Hill Middle School, and Clarksburg High School. The enrollment and capacity projections of these schools are reflected in the FY2026 Annual School Test, which evaluates for the 2029-2030 school year, and the default Utilization Premium Payment (UPP) tier placements are shown in Table 1.

Table 1. FY2026 Annual School Test Projections (2029-2030 School Year) & UPP Tier Placements

	Program Capacity	Enrollment	Utilization Rate	Seat Surplus or Deficit	UPP Tier Placement
Clarksburg ES	365	417	114.2%	-52	No UPP
Rocky Hill MS	1,020	1,043	102.3%	-23	No UPP
Clarksburg HS ⁵	2,020	1,881	93.1%	+139	No UPP

Based on the FY2026 Annual School Test results above, the Property is not subject to any UPP by default. However, if the project's enrollment impact estimate exceeds the adequacy ceiling for a school in subsequent UPP tiers shown in Table 2, a partial payment will be required.

⁵ Projected enrollment is modified to estimate the impact of Crown HS (CIP P651909), reflecting the scope of the boundary study approved by the Board of Education on March 19, 2024. Due to the delay of the Damascus HS Major Capital Project (CIP P652102), some of the boundary changes can be implemented in phases.

Table 2. FY2026 Annual School Test Adequacy Ceilings

	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Clarksburg ES	22	40	76
Rocky Hill MS	97	181	334
Clarksburg HS	299	543	846

Enrollment Impact Estimate

Table 3 shows the project's enrollment impact estimate, calculation based on the School Impact Area classification and the proposed net residential units, using the FY2026-2027 Student Generation Rates.

Table 3. Student Enrollment Impact Estimate (reflects FY2026-2027 Student Generation Rates)

Type of Unit	Net Number of Units	Turnover Error! Reference source not found.Error! Reference source not found.Error! Reference source not found. ES Student Generation Rate	ES Student Estimate	Turnover MS Student Generation Rate	MS Student Estimate	Turnover HS Student Generation Rate	HS Student Estimate
SF Attached	144	x 0.207	= 29.808	x 0.113	= 16.272	x 0.166	= 23.904
MF Low-rise	192	x 0.123	= 23.616	x 0.064	= 12.288	x 0.083	= 15.936
TOTAL (rounded down)			53		28		39

The enrollment impact of the proposed units during an average year throughout the life of this project is estimated at 53 elementary school students, 28 middle school students, and 39 high school students. This does not exceed the adequacy ceilings identified in Table 2 at the middle school and high school levels. However, the estimated enrollment impact at the elementary school level exceeds the Tier 1 and Tier 2 adequacy ceilings.

Table 4. Enrollment Impact Estimate Allocation and Partial UPP Tier Rate Calculation

School	Enrollment Impact Estimate	No UPP Seats	Tier 1 Seats	Tier 2 Seats	Tier 3 Seats	Tier 1 Ratio	Tier 2 Ratio	Tier 3 Ratio
Clarksburg ES	53	22	18	13	0	0.340	0.245	0.000
Rocky Hill MS	28	28	0	0	0	0.000	0.000	0.000
Clarksburg HS	39	39	0	0	0	0.000	0.000	0.000

As seen in Table 4, of the 53 elementary school seats estimated, 22 do not trigger any payment. Of the remaining seats that exceed the Tier 1 adequacy ceiling, 18 are within the Tier 2 adequacy ceiling, and 13 are even beyond the Tier 2 adequacy ceiling. Therefore, a partial UPP is triggered in proportion, at 0.340 (18/53) of the elementary school Tier 1 UPP rate and 0.245 (13/53) of the elementary school Tier 2 UPP rate.

Section 50-4.3.J.7.c of the Subdivision Regulations sets forth the specific criteria below that must be satisfied for approval of the extension of the APF determination for residential subdivisions, as follows:

c. Exclusively residential subdivisions. The Board may extend a determination of adequate public facilities for an exclusively residential subdivision beyond the otherwise applicable validity period if the Department of Permitting Services has issued building permits for at least 50 percent of the entire subdivision before the application for extension is filed. The Board may approve one or more extensions if the aggregate length of all extensions for the development does not exceed:

- i. 2.5 years for a subdivision with an original validity period of 7 years or less; or*
- ii. 6 years for a subdivision with an original validity period longer than 7 years.*

The Preliminary Plan's validity was originally 8 years and has not been validated; therefore, the Applicant has not obtained any building permits or commenced construction. Therefore, the Applicant is requesting a waiver from the findings delineated under 50-4.3.J.7.c.

SUBDIVISION WAIVER – SECTION 50-9.1

Section 50-9.1 of the Subdivision Regulations authorizes the Board to modify or waive any portion of the Subdivision Regulations. In granting a waiver, the Planning Board must make certain findings, set forth in Section 50-9.3.A.

Per Section 50-9.3., to grant a waiver, the Planning Board must find that:

1. *due to practical difficulty or unusual circumstances of a plan, the application of a specific requirement of the Chapter is not needed to ensure the public health, safety, and general welfare;*

As noted above, since Preliminary Plan 120220010 was approved, practical difficulties from the unanticipated change of ownership prevented the Applicant from validating the Preliminary Plan. The Applicant has been unable to satisfy the requirements of 50.4.3.J.7.c. because the Preliminary Plan must be validated before obtaining building permits, occupancy permits and constructing infrastructure, the primary criteria in 50.4.3.J.7.c.. In this case, the strict application of this section is not needed to ensure public health, safety and general welfare. However, if this Application is approved and implemented, the required improvements associated with this Project will improve elements of public safety by upgrading existing pedestrian and bicycle connections, and the project will add to a more complete community with much needed housing in Clarksburg.

2. *the intent of the requirement is still met; and*

The intent of the APF review findings is to determine if the public facilities and services, including roads, other transportation facilities, water and sewer service, schools, police stations, firehouses, and health clinics are adequate to support proposed development, according to the latest Growth and Infrastructure Policy. Similarly, the findings for extending APF validity are intended to determine if a new APF review is required and if the Applicant is progressing forward on a development or negatively impacting other projects. The Applicant is requesting a three-year extension of the APF validity period, which is reasonable.

3. *the waiver is:*

- a. *the minimum necessary to provide relief from the requirements; and*
- b. *consistent with the purposes and objectives of the General Plan.*

The Applicant requests that the Planning Board waive the requirement, under Section 50-4.3.J.7.c., that 50 percent of building permits have been issued prior to granting an extension of the APF validity period. This is because the plans have not yet proceeded to the Site Plan stage, and no permits have been issued at this point. This is the minimum necessary relief to keep this Project viable and moving forward.

The Plan itself, as approved and with the requested extensions to validity and APF, is still consistent with the purposes and objectives of Thrive 2050, the county's General Plan. This project will provide much needed housing in the County and the Clarksburg area, which is a main objective of the general plan.

SECTION 7: SITE PLAN 820250120 FINDINGS AND ANALYSIS

- 1. When reviewing an application, the approval findings apply only to the site covered by the application.**

The findings herein apply only to the Subject Property.

- 2. To approve a Site Plan, the Planning Board must find that the proposed development:**

- a) satisfies any previous approval that applies to the site;**

The Site Plan satisfies all previous approvals with the changes noted within this report.

- b) satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;**

This section is not applicable as there is no development plan or binding elements.

- c) satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014, was the result of a Local Map Amendment;**

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d) satisfies applicable use standards, development standards, and general requirements under this Chapter;**

- i. Division 4.5 CRT Zone**

Table 1: Miles Coppola Site Plan Data Table for CRT Zone, Standard Method, Section 59.4.5.3

**MILES COPPOLA SITE PLAN
DEVELOPMENT DATA TABLE,
PHASE I**

Existing / Proposed Zoning: R-90, CRT 2.0, C-2.0, R-2.0, H-120, Clarksburg East Overlay (CEE)		
Gross Tract Area	SF	AC
Portion of P303 ²	534,453	12.269
P570	689,327	15.825
P484 (Wright Parcel)	52,494	1.205
Total	1,276,274	29.299
Dedications³		
Net Tract Area for Open Space Calculation³		
Gross Tract Area for Impervious Calculation³		
Net Tract Area for FCP Calculation³		
Proposed Lots	Qty	Metric
	40	n/a
Proposed Parcels	6	n/a
Development Program	Qty	Metric
Multi-Unit Living/Apartment (Bi-Plex) -Market Rate	38	DU
Multi-Unit Living/Apartment (Bi-Plex) -MPDU ¹	8	DU
Townhouse - 22' Frontload -Market Rate	25	DU
Townhouse - 20' Rearload -Market Rate	10	DU
Townhouse - 16' Rearload -MPDU ¹	2	DU
Total Units	83	DU
MPDU Units	10	DU
MPDU Percentage	12.5%	%
Unit Type Percentage		
Townhouse		
Development	37	44.58%

Multi-Unit Living/Apartment (Bi-Plex)	46	55.42%
Density	Max. 1.0 FAR (272,542.6 sf)	Prop. 0.46 FAR (130,608 sf)
Open Space (Sect. 59-4.9.5)³		3,222,720 SF (80.09%)
Impervious Surface (Sect. 59.4.9.5)³		615,227 SF (14.1%)
Lot Dimensions (min.)	Req.	Prop.
Lot Area		
Townhouse Development	800 SF	1160 SF
Multi-Unit Living/Apartment	n/a	n/a
Lot width at front building line		
Townhouse Development	12 ft	16 ft
Multi-Unit Living/Apartment	n/a	n/a
Principal Building Setbacks (min.)	Req.	Prop.
Front setback		
Townhouse Development	5'	8'
Multi-Unit Living/Apartment	0'	8'
Side street setback		
Townhouse Development	5'	5'
Multi-Unit Living/Apartment	0'	3'
Side setback, abutting residential zone		
Townhouse Development	4'	3'
Multi-Unit Living/Apartment	9'	3'
Side setback, abutting all other zones		

Townhouse Development	n/a	3'
Multi-Unit Living/Apartment	0'	3'
Side setback, end unit		
Townhouse Development	2'	3'
Multi-Unit Living/Apartment	n/a	3'
Side street between lot and site boundary		
Townhouse Development	4'	4'
Multi-Unit Living/Apartment	n/a	n/a
Rear setback, abutting residential zone		
Townhouse Development	10'	10'
Multi-Unit Living/Apartment	22.5'	8'
Rear setback, abutting all other zones		
Townhouse Development	10'	10'
Multi-Unit Living/Apartment	0'	n/a
Rear setback, alley		
Townhouse Development	4'	10'
Multi-Unit Living/Apartment	4'	6'
Rear setback between lot and site boundary		
Townhouse Development	5'	5'
Multi-Unit Living/Apartment	n/a	n/a
Build-to-Area (max. setback and min. % of façade)⁶	Req.	Prop.
Front setback		
Townhouse Development	15'	n/a ⁶

Multi-Unit Living/Apartment	30'	n/a ⁶
Building in front street BTA		
Townhouse Development	70%	n/a ⁶
Multi-Unit Living/Apartment	70%	n/a ⁶
Height (max.)	Req.	Prop.
Principal Building Height		
Townhouse Development	120'	50'
Multi-Unit Living/Apartment	120'	65'
Massing	Req.	Prop.
Units permitted in one row		
Townhouse Development	12	8
Multi-Unit Living/Apartment	n/a	18
Building Orientation	Req.	Prop.
Entrance facing street or open space		
Townhouse Development	Required	Provided
Multi-Unit Living/Apartment	Required	Provided
Transparency, for Walls Facing a Street or Open Space	Req.	Prop.
Ground story, front (min.)		
Townhouse Development	n/a	n/a
Multi-Unit Living/Apartment	20%	20%
Ground story, side/rear (min.)		
Townhouse Development	n/a	n/a

Multi-Unit Living/Apartment	20%	20%
Upper story (min.) Townhouse Development	n/a	n/a
Multi-Unit Living/Apartment	20%	20%
Blank wall, front (max.) Townhouse Development	35'	n/a
Multi-Unit Living/Apartment	35'	n/a
Blank wall, side/rear (max.) Townhouse Development	35'	n/a
Multi-Unit Living/Apartment	25'	n/a
Parking Requirement (Sect. 59.6.2.4)	Req. by CRT Zone (min)	Prop.
Vehicle Parking Spaces Multi-Unit Living/Apartment (Bi-Plex) -Market Rate	2/ unit=76 spaces	76
Multi-Unit Living/Apartment (Bi-Plex) -MPDU	1.5 / unit=12	16
Townhouse - 22' Frontload -Market Rate	2 / unit=50	100
Townhouse - 20' Rearload -Market Rate	2/ unit=20	40
Townhouse - 16' Rearload -MPDU	1.5/ unit=3	4
Total Vehicle Parking Spaces		236
Bicycle Parking Spaces Multi-Unit Living/Apartment (Bi-Plex) -Market Rate ⁷	n/a	n/a
Long Term Spaces	n/a	n/a
Short Term Spaces	n/a	6
Total Bicycle Parking Spaces		6

² See Preliminary Plan Amendment Lot and Parcel Plan for the division line of P303.

⁴ The Clarksburg East Environmental Overlay Zone under Sect. 4.9.5.D.4 supersedes the common open space and public open space specifications of the CRT Zone under Sect. 4.5.3.C.

⁵ Accessory structures will not be permitted for this Project.

⁶ A modification of the Build-to Area is requested and detailed below.

⁷ Bicycle parking requirement only applies when a multifamily building has 10 or more units.

BUILD-TO-AREA

The Build-to-Area requirements may be modified by the Planning Board during site plan review under Section 7.3.4. In approving a site plan submitted under this subsection, the Planning Board must find that the plan:

Deviates from the Build-to Area requirements only to the extent necessary to accommodate the physical constraints of the site or the proposed land use; and (2) incorporates design elements that engage the surrounding publicly accessible spaces such as streets, sidewalks, and parks.

The Applicant is requesting modification of the Build-to Area requirements in Section 59.4.5.3.C.2 to reflect the specific design features of the units in this CRT area of the property. These deviations are necessary to accommodate the site's physical constraints, including the need for driveways for the proposed units and the proposed unit design, while incorporating design elements that engage the surrounding publicly accessible spaces, including streets, sidewalks, and parks. The specific modifications are reflected in the development standards table.

ii. ***Division 59-6 General Development Standards***

(1) Division 6.1 Site Access

This development will have two (2) access points from a new private street (Street A) along Clarksburg Road, one (1) access point is located at the intersection of Clarksburg Road and Gateway Center Drive, creating a fourth leg of the intersection, and the other is located to the north between Clarksburg Road and Gateway Center Drive.

(2) Division 6.2 Parking, Queuing and Loading

In addition to the parking for each unit, which consists of one (1) or two (2) car garages and driveway space, 28 on-street parking spaces are proposed for visitors or residents. As shown in the development data table, the minimum parking required for this development is 161 spaces, and 236 spaces are proposed. The LATR study conducted in November 2020 consisted of a queueing analysis that was found to be satisfactory for the development. On-street loading is adequate for this development as off-street loading is not required for single-family attached housing or for multi-unit living that is under 50 dwelling units.

(3) Division 6.3 Open Space and Recreation

Open Space

The Site Plan adequately meets the Open Space requirements as detailed in the Open Space Applicability section of the Zoning Ordinance, including Section 59.4.9.6D as discussed above. Approximately 80.10 percent of the Subject Property will be devoted to rural open space, exceeding the minimum 80 percent of rural open space required. Rural open space will be managed by the future Homeowners Association and designated as part of the Conservation Management Plan (Figure 11). The Applicant is providing an additional 0.78 percent of open space for recreation and amenities in phase I, or about 2.88 percent over phases I and II.

The designated rural open space includes natural surface trails accessed from the residential development that will link the two development areas together, connect to the trail network that was recently approved as part of the Ashford Woods development (Preliminary Plan No. 120200110) on the adjacent Property to the north, which collectively link to Little Bennett Regional Park and Black Hill Regional Park beyond this Property, and connect to Clarksburg Road/MD 121 as well as the MD 355 Bypass.

Recreation

The Site Plan complies with the 2017 Recreation Guidelines by providing a variety of recreation facilities onsite. Future residents and their visitors of all age groups will be adequately served by a variety of active and passive recreation facilities, as shown in the Table No.5 below, which are safe and accessible.

Table 5: Onsite Recreation Facilities

Proposed Onsite Recreation Facilities and their Supply Points

Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
Pedestrian Connection - Trail System	1	0%	1.25	3.74	2.13	7.84	7.36	0.78
Bikeways	1	10%	0.69	2.06	2.34	8.62	8.1	0.85
Natural Area	1	0%	0.63	0.94	1.42	5.23	4.91	0.39
Playground (Age 2-12) [Multi-age Play]	1	0%	9	11	3	2	4	2
Terraced Garden Area	1	0%	2	2	2	2	2	2
Grilling Area	1	0%	0	0	2	6	6	5
Bicycle Support Station	1	0%	0	0	3	3	3	3
Total Onsite Supply Points=			13.57	19.74	15.89	34.69	35.37	14.02

The applicant will be providing pedestrian trails, bikeways, natural areas, a multiage playground, and seating areas in conformance with the Recreation Guidelines.

Therefore, as described above, the Site Plan adequately meets the open space and recreation requirements.

Division 6.4 General Landscaping and Outdoor lighting

Landscaping

The Site Plan meets the standards for the provision of landscaping and outdoor lighting as required by Division 6.4. The landscaping provided is appropriate for this residential development by achieving several objectives. It provides canopy coverage and shade on all the roads and open spaces. A variety of large deciduous and ornamental trees, including Sugar Maple, White Oak, Red Oak, Pin Oak, Ginko, Sweet Gum, Tulip, Sycamore, Eastern Redbud, Redbud, Fringe Tree, Flowering Dogwood, and Crape Myrtle line up all the main private streets. Streets and open spaces have been designed to maximize the number of canopy trees provided.

Smaller plant materials, including understory trees and shrubs, are used to delineate spaces, such as play areas and sitting areas, and to highlight specific features, such as entrance signs. Additionally, the landscaping efficiently provides

screening and buffering at key locations within the community, specifically in areas between the development and the main access road. As conditioned, landscaping provided in the alleys between driveways at the rear of units will also help screen and soften the utilitarian functions occurring within the alley system.

Additionally, all stormwater management facilities, which are dispersed throughout the development, will be heavily planted with a variety of plant material to achieve Environmental Site Design (ESD) goals. These facilities and associated landscaping are reviewed and approved by DPS-SWM. Ultimately, the landscaping provided will strengthen community character and improve water and air quality.

Lighting

The on-site lighting is typical street lighting found along most internal residential developments. The photometric plan shows lighting that meets the illumination requirements and avoids light exceeding 0.5 footcandles from spilling over the Subject Property line. The proposed lighting will adequately illuminate the site, creating a safe environment without creating light spillage or excessive glare on adjacent properties or the rights-of-way. The proposed lighting will provide sufficient visibility for safety, but not so much as to cause glare on adjacent roads or properties. Private street lighting consists of pole-mounted light fixtures located on all public roads, alleys, and major open spaces. Internal site lighting will consist of wall packs installed on the residential structures and bollard lighting installed in the open areas. The Applicant will also coordinate with the MCDOT Division of Traffic Engineering and Operations to locate streetlights in the public rights-of-way.

(4) Division 6.5 Screening

C. Residential Townhouse, Residential Multi-Unit, Commercial/ Residential, Employment, and Industrial Zones

In the Residential Townhouse, Residential Multi-Unit, Commercial/Residential, Employment, and Industrial zones:

2. Any use in a townhouse, apartment, multi-use, or general building type must provide screening under Section [6.5.3](#) as indicated in the following table if the subject lot abuts property in an Agricultural, Rural Residential, or Residential zone that is vacant or improved with an agricultural or residential use.

While the requirements of section 6.5 are applicable, strict compliance with the requirements is not appropriate in this instance . The Application for the Phase I Site Plan is surrounded by commonly owned land and is separated from any abutting parcels by existing forest cover, which works as an alternative compliance for screening. The existing forest is more dense and greater in size than the requirements under Section 6.5.3.

No additional screening is necessary comply with the intent of the screening requirements.

e) Satisfies the applicable requirements of:

iii. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

DPS approved a Final Water Quality Plan/Site Development Stormwater Management Plan for Phase 1 and a Revised Preliminary Water Quality Plan/Site Development Stormwater Management Plan for Phase 2 on October 21, 2022.

TEN MILE CREEK SPECIAL PROTECTION AREA WATER QUALITY PLAN

The Application meets the Final Water Plan requirements under Chapter 19 of the Montgomery County Code and the requirements of the Clarksburg East Environmental Overlay Zone.

Review for Conformance to the Special Protection Area Water Quality Plan Requirements

The Property is located within the Ten Mile Creek Special Protection Area, on privately-owned property where land disturbance is proposed, and therefore requires approval of a Water Quality Plan under Chapter 19-62(b) of the Montgomery County Code. A Preliminary Water Quality Plan was approved with Preliminary Plan No. 120220010. A Final Water Quality Plan for Phase 1 and a Revised Preliminary/Final Water Quality Plan for Phase 2 were submitted with Site Plan No. 820250120. A revised Final Water Quality Plan for Phase 2 must be approved prior to the submittal of the Phase 2 Site Plan.

Under Section 19-65 of the Code, the Montgomery County Department of Permitting Services (“MCDPS”), the Montgomery County Department of Environmental Protection (“MCDEP”), and the Planning Board have different responsibilities in the review of the Water Quality Plan. MCDPS and MCDEP have reviewed and conditionally approved the elements of the Final Water Quality Plan for Phase 1 and

the Revised Preliminary/Final Water Quality Plan for Phase 2 under their purview. The Planning Board's responsibility is to determine if environmental buffer protection, SPA forest conservation and planting requirements, and limits on impervious surfaces have been satisfied.

MCDPS and MCDEP Water Quality Plan Review Elements

In a letter dated October 21, 2025, MCDPS has conditionally approved the elements of the SPA Final Water Quality Plan/Site Development Stormwater Management Plan for Phase 1 and the Revised Preliminary Water Quality Plan/Site Development Stormwater Management Plan for Phase 2 under their purview with conditions to be addressed with the Final Water Quality Plan review for Phase 2 with the Site Plan application for Phase 2. The Applicant will pay a stream monitoring fee to MCDPS, due at the time of submittal of the detailed sediment and erosion control plan.

Planning Board Water Quality Plan Review Elements

As required by the SPA Law, a Water Quality Plan should be reviewed in conjunction with a Preliminary Plan and Site Plan. Under Section 19-65 of the Montgomery County Code, the Montgomery County Department of Permitting Services ("MCDPS") and the Planning Board have different responsibilities in the review of a Water Quality Plan. MCDPS has reviewed and conditionally approved the elements of the Final Water Quality Plan under its purview. Under Chapter 19, the Planning Board's responsibilities are to determine conformity with all policies in the Environmental Guidelines that apply to Special Protection Areas, SPA forest conservation and planting requirements, and limits on impervious surfaces.

A Preliminary Water Quality Plan was approved by Planning Board Resolution MCPB No. 22-078 dated August 10, 2022, during the review and approval of Preliminary Plan No. 120220010. The Final Water Quality Plan for Phase 1 and the Revised Preliminary Water Quality Plan for Phase 2 were submitted as part of this current Application and are consistent with the approved Preliminary Water Quality Plan.

Environmental Buffer Protection

NRI/FSD No. 420210650 for this Property was approved by Staff on April 13, 2021. The approved NRI/FSD incorporates the expanded environmental buffer requirements outlined in the Master Plan. There are some existing encroachments into the environmental buffers on the Property that will remain. These include areas in existing easements for a gas line that runs adjacent and parallel to I-270, as well as utility easements held by Potomac Edison along I-270. The Application includes some proposed impacts to the environmental buffers.

Miles Coppola
12022001B, 820250120, F20250800

The Application includes impacts to the environmental buffer for the construction of the proposed MD 355 Bypass where it intersects with Clarksburg Road/MD 121. There is an existing stream and associated wetland that flows under MD 121. There are no available alternatives to make this road connection since the stream and wetlands are located just inside the Property boundary, the Property contains limited frontage along Clarksburg Road, and locating the intersection further north would put the connection on an off-site, adjacent, already developed property. Required right-of-way improvements, including shoulder widening, sidewalk installation, and an extension of the existing culvert to accommodate the improvements along Frederick Road/MD 355 will result in some impacts to the environmental buffer.

There are some other minor encroachments proposed within the environmental buffers for storm drain outfalls necessary to allow for safe conveyance of stormwater, some grading/grade tie-outs, natural surface trails, and a pedestrian bridge that will provide a pedestrian connection between the two development areas of Phase 1 and Phase 2. The Environmental Guidelines (page 18) allow for “minimized buffer intrusions for construction of non-erosive storm drain outfalls”. The Application proposes to replant the environmental buffer with forest or native meadow habitat and restore sections of the stream channel that have been adversely affected by the past land use. The proposed environmental benefits will mitigate the effects of encroachments into the stream valley buffer. Where not encumbered by existing or proposed easements (i.e., utilities, stormwater management), the environmental buffers will be protected in Category I Conservation Easements.

Forest Conservation

The Applicant submitted a Final Forest Conservation Plan, which covers the entire property for review with the Phase 1 Site Plan Application. The Application meets all applicable requirements of Chapter 22A of the Montgomery Forest Conservation Law and the Environmental Guidelines as discussed in the Final Forest Conservation Plan findings section of this report.

Impervious Surfaces

Impervious surface restrictions for development projects in this portion of the Ten Mile Creek SPA are set forth in the Clarksburg East Environmental Overlay Zone under Chapter 59, Section 4.9.5. The requirements of the Overlay Zone include limits on impervious surfaces for the total area under application for development. The amount of proposed impervious surfaces as illustrated on the Impervious Surface

Plan (Attachment A), is consistent with the approved Impervious Surface Plan under Preliminary Plan No 120220010. The Preliminary Plan application included a total of 596,327 square feet of impervious surface, resulting in 13.69 percent of the overall Application area. The Impervious Surface Plan submitted with the Phase 1 Site Plan No. 820250120 application proposes 614,314 square feet of impervious surface, resulting in a slight increase to 14.05 percent. This is still below the established impervious surface limit of 15 percent.

The development area on the Subject Property drains to the southwest toward I-270 with a significant drop in elevation across the property from MD 355 to I-270. The Water Quality Plan (Attachment A) proposes maintaining natural flow patterns by adjusting the developed drainage to mimic the existing drainage as much as possible. As a condition of the Water Quality Plan approval, DPS required enhanced soil preparation and topsoiling above and beyond the MDE requirements for all disturbed areas of more than 1,000 square feet. This will consist of soil loosening , fertilizing the top 6-8 inches of soil and providing a minimum 8-inch layer of topsoil. This will serve to promote infiltration and groundwater recharge. Additionally, approximately 36 Environmental Site Design (ESD) facilities are proposed to treat site wide stormwater runoff. The ESD facilities will provide treatment volumes that exceed the required treatment volumes by roughly twenty-five percent.

At the detailed plan review stage, DPS will review stormwater management plans to ensure that the ESD facilities are non-erosive and safely conveyed to a stable outfall. The ESD facilities are not designed to overflow in an uncontrolled manner. Flows that exceed the design storm will be conveyed to the storm drain system. The storm drain outfalls will be required to meet DPS standards for velocity and downstream conditions. Additionally, at this stage DPS will review the plans to minimize disturbed areas.

iv. ***Chapter 22A, Forest Conservation***

The Application 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 as further discussed in the findings for Forest Conservation Plan F20250800.

f. Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The proposed development provides safe, well-integrated parking, circulation patterns,

building massing, and, where required, open spaces and site amenities. The development is adjacent to Clarksburg Road and clustered around a two-way private street (Private Street A) that connects to two access points off Clarksburg Road. The layout includes an internal block of rear-loaded units that front on a centrally located open space. The taller, four-story bi-plex units front Clarksburg Road and the private street and are located within the site's internal block. The lower rear-loaded units will face the central open space, and front-loaded townhouse units will ring the perimeter of the development.

Parallel on-street parking will be provided along the internal block, and front-in parking spaces will be provided on the southern-most portion of the private street and in the alley of the internal block between Alley 1 and Alley 2. The development safely integrates pedestrian and bicycle circulation with an 11-foot wide sidepath on Clarksburg Road, a six-foot wide sidewalk on the internal block that connects to the sidepath, and a proposed natural surface trail that will circle Phase I of the development and connect to the community open spaces, including the multi-age playground and the central open space.

g) Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

Final Stream and Wetland Restoration Plan

The *10 Mile Creek Limited Amendment to the Master Plan* requires properties to restore streams and wetlands adversely affected by the previous land uses as part of the SPA Water Quality Plan requirements (pg. 22). A Preliminary Stream and Wetland Restoration Plan was approved with Preliminary Plan 120220010. The Preliminary Stream and Wetland Restoration Plan identified a stretch of stream channel in the southern portion of the property adjacent to the CRT zoned area in Phase 1 that is in need of restoration. A Final Stream and Wetland Restoration Plan will be submitted with the Phase 2 Site Plan application. The Final Stream and Wetland Restoration Plan will be reviewed by the Montgomery Department of Environmental Protection ("DEP"), Planning Staff, and approved by the Planning Board.

Noise Guidelines

The *1983 Staff Guidelines for the Consideration of Transportation Noise* ("Noise Guidelines") contain strategies for mitigating the impact of transportation noise on new residential development. The Noise Guidelines Map 2-1 (Figure 7) indicates that approximately three-quarters of the Subject Property closest to I-270 is within the 60 dBA L_{dn} guideline and the remaining area within the 55 dBA L_{dn} guideline area. Table 2-1 on page 8 of the Noise Guidelines provides additional guidance for determining the appropriate thresholds for

exterior noise (Table 1 below). This guidance suggests that areas that are urban, adjacent to freeways, major highways or corridor areas are more appropriately reviewed with a 65 dBA Ldn noise guideline.

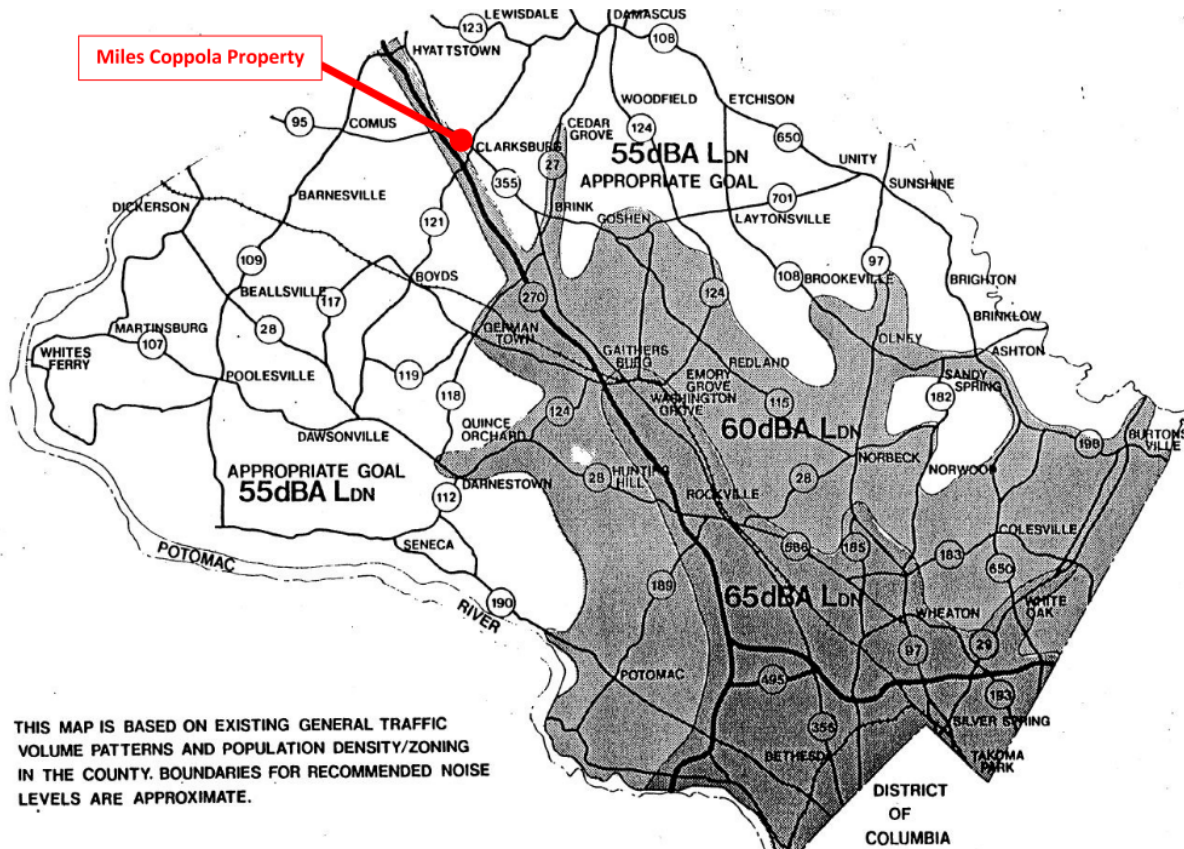


Figure 9: Map 2-1 from the Noise Guidelines showing location of Miles Coppola Property Site

Table 7 - Table 2-1 Maximum Levels for Exterior Noise at the Building Line for Noise Sensitive Land Uses from the Noise Guidelines

Guideline Value ¹	Area of Application
L _{dn} = 55 dBA	This guideline is suggested as an appropriate goal in the permanent rural areas of the County where residential zoning is for five or more acres per dwelling unit and background levels are low enough to allow maintenance of a 55 dBA level. This guideline is consistent with Federal, State and County goals.

Guideline Value¹	Area of Application
$L_{dn} = 60$ dBA	This is the basic residential noise guideline which will be applied in most areas of the County where suburban densities predominate. Maintenance of this level will protect health and substantially prevent activity interference both indoors and outdoors. Noise attenuation measures will be recommended to attain this level.
$L_{dn} = 65$ dBA	This guideline will generally apply in the urban ring, freeway, and major highway corridor areas, where ambient levels are such that application of a stricter guideline would be infeasible or inequitable. Significant activity interference will occur outdoors and interiors if windows are partially opened, but available evidence indicates hearing is adequately protected. Noise attenuation measures will be strongly recommended to attain this level.

¹The areas where these exterior guideline values would apply are shown on Map 2-1. This Map should be used for general reference purposes only. Recommended exterior noise levels shown for specific areas in subsequent sector and master plans may differ from Map 2-1 due to updated, more detailed traffic information for existing and future conditions and due to the consideration of other land use planning objectives. The specific recommendations found in the subsequent master of sector plans supersede Map 2-1 and could be use to determine specific guidelines for noise levels in specific areas of the County.

The Applicant has submitted a noise analysis, performed by Phoenix Noise and Vibrations, LLC, dated October 3, 2025, and has requested that the Site Plan be reviewed using the 65 dBA L_{dn} guidance as the baseline because the Property is adjacent to I-270, a major commuter highway and located adjacent to Clarksburg Road, a commuter connection carrying over 9,000 ADT. As conditioned, the 65 dBA L_{dn} is a more realistic value for maximum exterior noise levels given the location of this project and the changes that have occurred in the Washington Metropolitan Area and the Clarksburg area since 1983.

The noise analysis shows the proposed development will be exposed to noise levels between 60 dBA L_{dn} and 65 dBA L_{dn} , with a small area along Clarksburg Road between 65 dBA L_{dn} and 70 dBA L_{dn} (Figure 10). In Phase 1 of this development the noise levels generated by I-270 will exceed 60 dBA L_{dn} at the ground level of the nearest sticks of townhomes and the townhomes closest to Clarksburg Road will be exposed to noise levels between 65 to 70 dBA L_{dn} . For these townhomes along Clarksburg Road, this correlates to interior noise levels exceeding Montgomery County's residential 45 dBA L_{dn} indoor noise level requirement since it is assumed that standard construction methodologies will only mitigate exterior noise levels by 20 dBA. As a result, these townhome units along Clarksburg Road will need enhanced architectural treatments to reduce interior noise

levels to below 45 dBA L_{dn} , as outlined in Section 2.2.3 of the Noise Guidelines (Figure 9). In Phase 2 of the Miles Coppola development, the townhomes closest to I-270 will be exposed to noise levels in excess of 60 dBA L_{dn} with the balance of the homes exposed to noise levels 55 dBA L_{dn} or less. Since no outdoor area within either Phase 1 or Phase 2 of the Miles Coppola development will be exposed to noise levels of 65 dBA L_{dn} or greater, no noise mitigation measures are required.

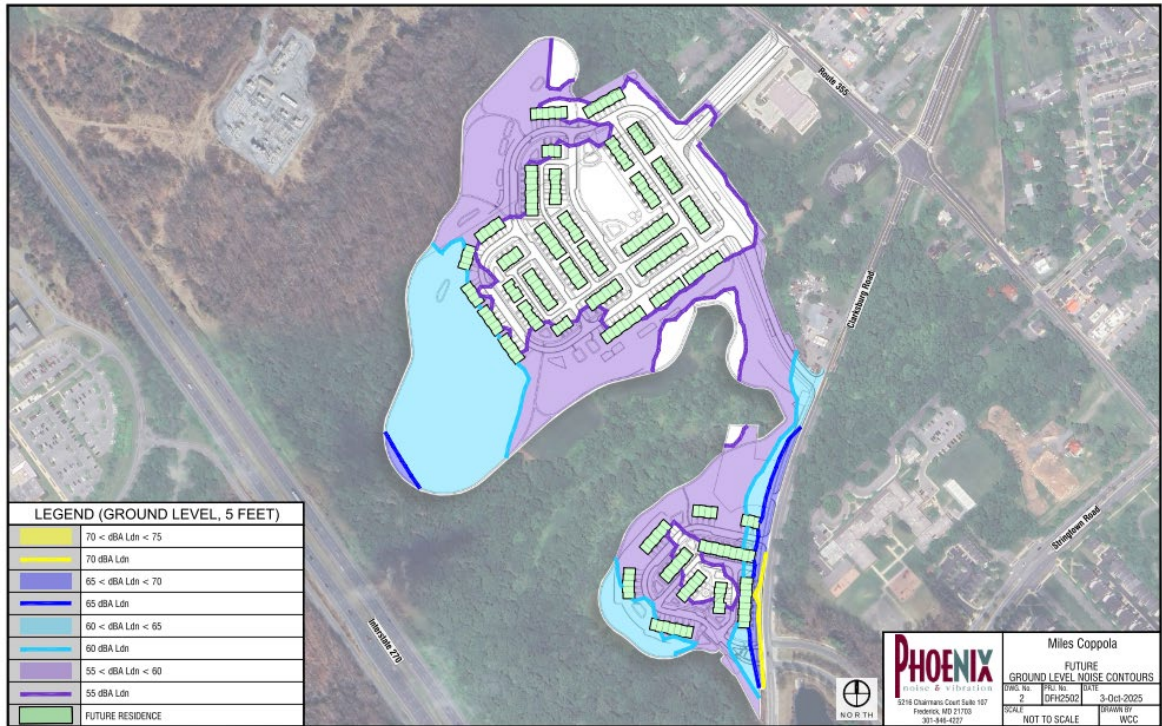


Figure 10: 20 year Projected Ground Level Noise Impacts

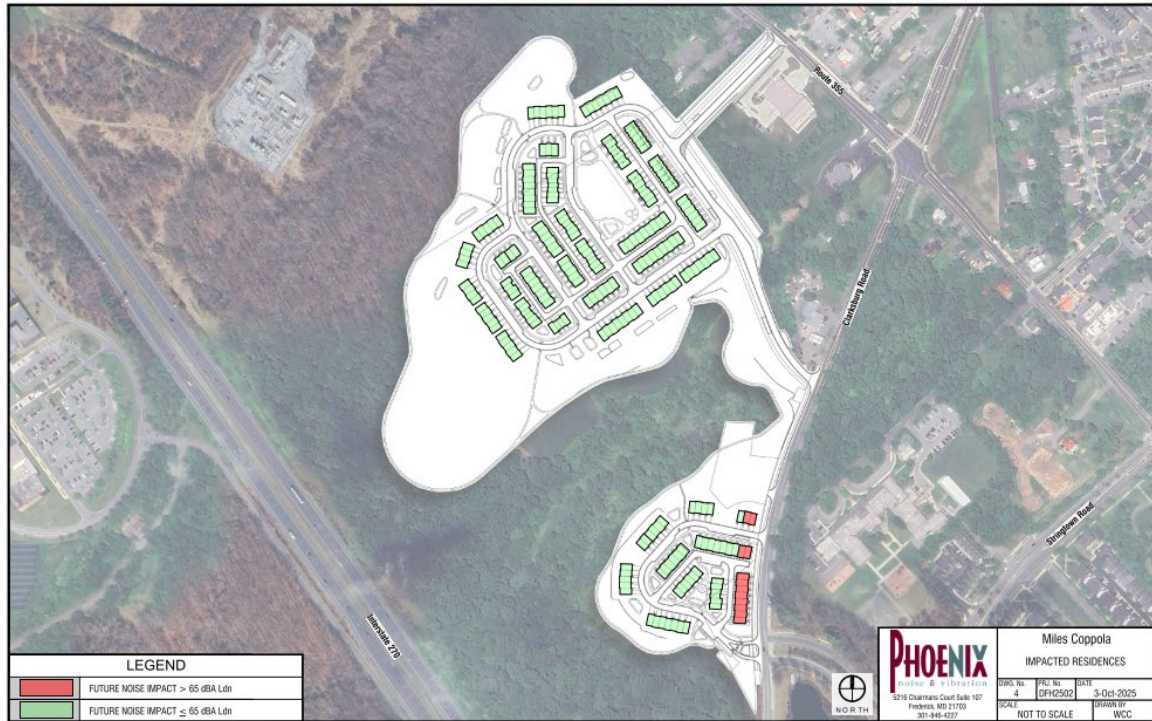


Figure 11: Noise Impacted Units

h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;

The Planning Board approved Preliminary Plan No. 120200110, MCPB Resolution No. 22-078 dated August 10, 2022, and found that the Application will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities (Attachment B). The impact of the Application is equal to or less than that approved as part of the Preliminary Plan and the Site Plan will have adequate public facilities.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and***

The Property is in the R-90 and CRT Zone and is compatible with the character of the residential neighborhood. The development is clustered in such a way that is compatible with the existing development. The development also utilizes materials found in adjacent and nearby development and is therefore compatible with the character of the residential neighborhood.

J. on a property in all other zones, is compatible with existing, approved, or pending adjacent development.

The Site Plan is compatible with existing and approved, adjacent development in terms of density, building types, massing, orientation, and architectural treatment.

The surrounding area includes a single-family detached residential dwelling unit and vacant land in the R-90 zone are located to the northwest of the Property. A catering facility is also located northwest of the Property that was recently approved for a residential townhouse and multi-family development known as Ashford Woods (Preliminary Plan No. 120210110). Single-family detached residential dwelling units, vacant land, a service station, an institutional facility, and the future Firehouse #35 are located to the northeast of the Property in the CRN-0.25, C-0.25, R-0.25, H-35, and CRT-0.5, C-0.5, R-0.5, H-45 zones. Vacant land, open space, and an institutional facility are located to the southeast in the R-200 and CRT-0.5, C-0.5, R-0.5, H-45 zones. I-270 bounds the Property on the southwest side of the Property and Montgomery County owned parkland and the Montgomery County Correctional Facility, in the EOF-0.75 H-100T zone, are located across and on the west side of I-270. Northeast of the Property includes several properties located within the Clarksburg Historic District, including the Clarksburg School, which is an historic site.

Specifically with the approved Ashford Woods (Preliminary Plan No. 120210110) will be complementary in nature and include pathway interconnectivity between the sites.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.***

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.**

Not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

SECTION 8: FINAL FOREST CONSERVATION PLAN F20250800 FINDINGS AND ANALYSIS

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

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. The Final Forest Conservation Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as further described and conditioned below. Included with the Final Forest Conservation Plan is a request for a tree variance for impacts to subject trees greater than 30-inches in diameter breast height (DBH) per Section 22A-12(b)(3)(C).

Natural Resource Inventory/Forest Stand Delineation Plan

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) No. 420210650 for this Property was approved on April 13, 2021. The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The Master Plan outlines additional requirements for protecting environmental resources, which have recently been incorporated into the *Guidelines for Environmental Management of Development in Montgomery County* (“Environmental Guidelines”). The guidance in the Master Plan requires a minimum of 200-foot buffers for all intermittent and perennial streams, springs and seeps and expansion of these buffers to include ephemeral streams and their 50-foot buffers, wetlands with a minimum 50-foot buffer (which may be larger based on the SPA wetland buffer guidance in the Environmental Guidelines), erodible soils as defined in the Environmental Guidelines, and ≥15 percent slopes that begin within the buffers. The NRI/FSD for this Property was prepared, reviewed, and approved using the guidance outlined in the Environmental Guidelines, and where necessary, superseded by the guidance outlined in the Master Plan.

The Subject Property is undeveloped with approximately 78.32 acres of forest and the remaining 20.91 acres as open field, having been used for prior agricultural production. The Property is within the Little Seneca Creek - Ten Mile Creek Watershed, which is classified by the State of Maryland as Use Class I-P waters, and within the LSTM 206 subwatershed as identified on Map 4 of the Master Plan. It is located within the Ten Mile Creek Special Protection Area. There are streams, wetlands, and areas of

100-year floodplain within the environmental buffers, and areas with slopes that are fifteen percent and greater. There are no mapped highly erodible soils on the Property.

The Subject Property includes three main tributary streams that flank the proposed development areas within both Phases 1 and 2. Stream 1 is located in the northeastern corner of the Property, where it enters the Property through a culvert under Frederick Road and quickly transitions to an expansive stream/wetland complex before it channelizes and exits the Property to the north, continues in a western direction off-site, adjacent to the northern boundary of the Property, before exiting under I-270. The environmental buffer associated with this stream extends onto the Subject Property and is located to the north and west of the Phase 2 Development Area. The other two streams enter the Property under Clarksburg Road and flank the Phase 1 Development Area. Stream 2 north and west Phase 1 of the development and will be impacted by the construction of the MD 355 Bypass where it intersects Clarksburg Road. This stream enters the Property through a culvert under Clarksburg Road and includes a narrow area of riparian wetlands on either side of the stream, before ultimately transitioning to include more expansive wetland areas as it flows west, ultimately joining the third tributary stream before exiting under I-270. Stream 3 is located south of Phase 1 Development Area and includes stream channels and wetlands for its entire length before joining Stream 2 and exiting under I-270 (Figure 10).

The Property contains approximately 78 acres of existing forest, 4 acres of wetlands, and 46 acres of environmental buffer. Slopes in excess of 15%, including slopes in excess of 25 percent, are present. No highly erodible soils as listed in the Environmental Guidelines have been identified on the Property. There are no FEMA mapped floodplains on or immediately adjacent to the Property, but there is M-NCPPC mapped floodplain that has been incorporated into the environmental buffer. Seeps, springs, and ephemeral streams were identified and included within the Master Plan recommended environmental buffer. The NRI/FSD also identified numerous significant and specimen trees.

Final Forest Conservation Plan

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law (“FCL”) and the Montgomery County Planning Department’s Environmental Guidelines. As required by Chapter 22A, an FFCP (Attachment A) was submitted to be reviewed in conjunction with Site Plan Application No. 820250120. A Preliminary Forest Conservation Plan (“PFCP”) was reviewed with the Preliminary Plan No. 120220010 and approved on December 21, 2023. The FFCP is in substantial conformance with the PFCP. The Subject Property spans across four zones: CRT, CRN, R-90 and R-200. The total net tract area for forest conservation purposes across the four zones is 100.34 acres, which includes the Subject Property of 99.23 acres, plus off-site work of 1.53 acres for offsite work and a right-of-way deduction of 0.42 acres, as shown on the FFCP.

The Subject Property contains 78.32 acres of existing forest. The Applicant proposes to remove 18.72 acres and retain 59.60 acres of forest. This results in a total reforestation requirement of 3.46 acres within the same Watershed or Priority Area, or 4.84 acres outside the same Watershed or Priority Area. The Applicant proposes to meet the 3.46 acre requirement by reforesting 4.31 acres onsite. The Applicant is also proposing to install approximately 3.19 acres of pollinator meadows in SWM Management easements within stream valley buffers, and also in areas outside, but adjacent to stream valley buffers. All forest retained and planted, as well as all stream valley buffers, will be protected by a Category I Conservation Easement, except for minor areas of stormwater management.



Figure 12: Final Forest Conservation Plan

Variance Request

Section 22A-12(b)(3) of the Forest Conservation Law identifies trees, shrubs, and plants (“Protected Trees”) as a priority for retention and protection. Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree’s critical root zone (“CRZ”), requires a variance under Section 22A-21 (“Variance”). Otherwise, such resources as defined under Section 22A-12(b)(3) which includes 1” caliper and greater trees on a historic site, must be left in an undisturbed condition.

The Applicant has submitted a variance request dated October 31, 2025 (Attachment D) for the removal of 23 Protected Trees and to impact, but not remove, six others that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Tables 8 through 10). Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made for a Variance to be granted. The impacts to these Protected Trees are due to the construction of the residential development, including homes, facilities and amenities, and to road and other infrastructure requirements.

[Phase 1 Variance Trees](#)

Table 8– Impacted or Removed Protected Trees

Tree ID	Common Name	Scientific Name	DBH inches	CRZ Impact	Status
415	Chestnut Oak	<i>Quercus prinus</i>	34.4	100%	Remove tree
1048	Chestnut Oak	<i>Quercus prinus</i>	32.0	100%	Remove tree
1052	Tulip Tree	<i>Liriodendron tulipifera</i>	32.0	100%	Remove tree
1059	Southern Catalpa	<i>Liriodendron tulipifera</i>	30.0	100%	Remove tree
1064	Northern Red Oak	<i>Quercus rubra</i>	31.0	19.5%	Save Tree; impacts only
1100	Bitternut Hickory	<i>Carya cordiformis</i>	38.0	1.9%	Save Tree; impacts only

[Phase 2 Variance Trees](#)

Table 9– Impacted or Removed Protected Trees

Tree ID	Common Name	Scientific Name	DBH inches	CRZ Impacts	Status
302	Silver Maple	<i>Acer saccharinum</i>	31.0	100%	Remove tree
303	Silver Maple	<i>Acer Saddharinum</i>	33.0	100%	Remove tree
308	Red Maple	<i>Acer rubrum</i>	31.0	100%	Remove tree
1118	Northern Red Oak	<i>Quercus rubra</i>	34.4	100%	Remove tree
1119	Northern Red Oak	<i>Quercus rubra</i>	43.0	100%	Remove tree
1132	Tulip Tree	<i>Liriodendron tulipifera</i>	31.7	100%	Remove tree
1139	Tulip Tree	<i>Liriodendron tulipifera</i>	49.6	90%	Remove tree
1140	Chestnut Oak	<i>Quercus prinus</i>	30.2	94.4%	Remove tree
1141	White Oak	<i>Quercus alba</i>	38.3	72.8%	Remove tree

Miles Coppola
12022001B, 820250120, F20250800

Tree ID	Common Name	Scientific Name	DBH inches	CRZ Impacts	Status
1143	Northern Red Oak	<i>Quercus rubra</i>	36.0	28%	Save Tree; impacts only
1147	American Elm	<i>Ulmus americana</i>	30.0	100%	Remove tree

[Historic District Variance Trees](#)

Table 10 – Impacted or Removed Protected Trees

Tree ID	Common Name	Scientific Name	DBH inches	CRZ Impacts	Status
1	Norway Maple	<i>Acer platanoides</i>	14.0	20%	Save Tree; impacts only
2	Tree of Heaven	<i>Ailanthus altissima</i>	15.0	100%	Remove Tree
3	Tree of Heaven	<i>Ailanthus altissima</i>	10.0	100%	Remove Tree
4	Norway Maple	<i>Acer plantanoides</i>	14.0	100%	Remove Tree
5	Norway Maple	<i>Acer plantanoides</i>	11.0	100%	Remove Tree
6	Japanese Cherry	<i>Prunus serrulata</i>	14.0	27%	Remove Tree; Structural Root Zone impacts
7	Japanese Cherry	<i>Prunus serrulate</i>	23.0	23%	Remove Tree; Structural Root Zone impacts
8	Japanese Zelkova	<i>Zelkova serrata</i>	24.0	100%	Remove Tree
9	Norway Spruce	<i>Picea glauca</i>	17.0	10%	Save Tree; impacts only
10	White Spruce	<i>Picea glauca</i>	9.0	9%	Save Tree; impacts only
11	Japanese Zelkova	<i>Zelkova serrata</i>	27.0	33%	Remove Tree
12	Japanese Zelkova	<i>Zelkova serrata</i>	14.0	100%	Remove Tree

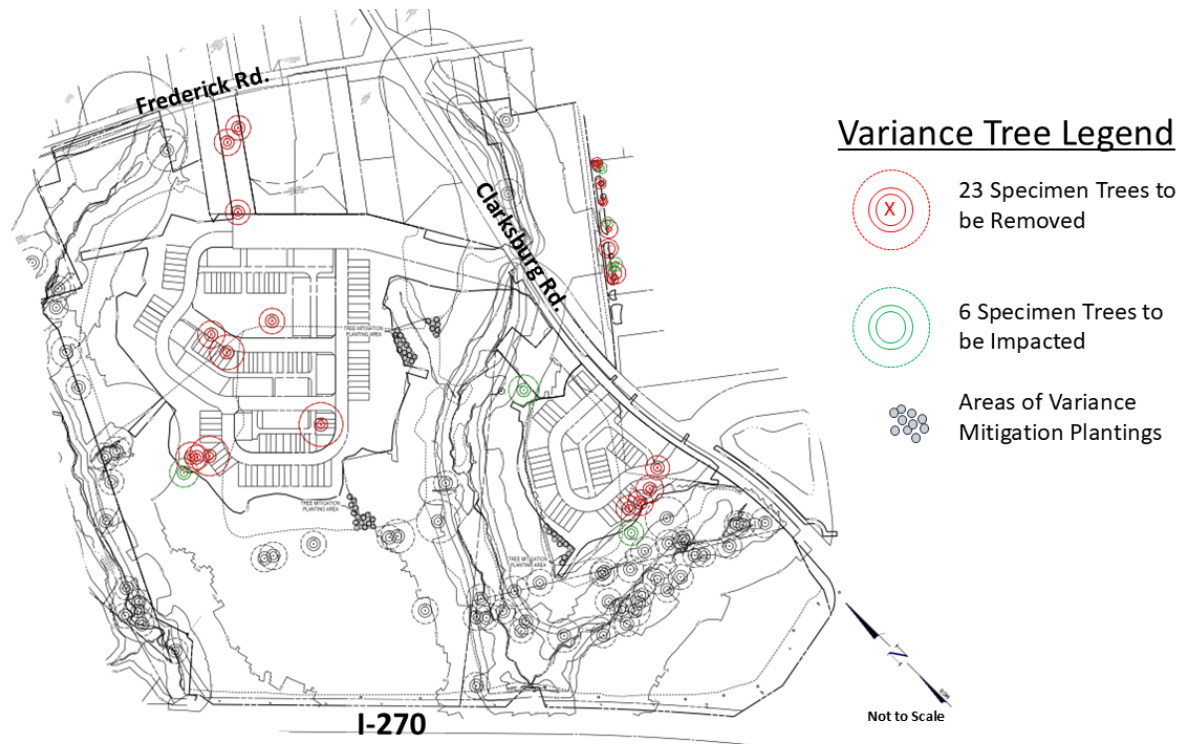


Figure 13: Variance Trees

Unwarranted Hardship

In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Staff agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance. The Applicant has demonstrated that the denial of the Variance request would cause an unwarranted hardship because it would prevent the reasonable and expected development of this property as specified in the Ten Mile Creek Limited Amendment with residential development in both the CRT and R-90 zones. As per this variance request, 23 Protected Trees are proposed for removal and six trees will have their CRZs impacted. The trees proposed to be removed are located within the limits-of-disturbance (“LOD”) of the active construction zone of the development. The trees to be impacted are located outside, but in proximity of the LOD. The property is constrained by the location of stream valley buffers (Figure 10). In addition, the Master Plan requires that 80% of the Subject Property be dedicated to open space. The stream valley buffers and the open space requirement further constrain the Applicant’s ability to avoid impacting or removing the Protected Trees listed in the Variance Request Letter. The Applicant is keeping development outside of the buffers, but cannot avoid the Protected Trees within the existing forest on the property.

In Phases 1 and 2, the Protected Trees to be removed or impacted are located within the existing forest cover. The development has been condensed and localized as much as possible, yet still achieves the appropriate density for the zones, but impacts to the Protected Trees are unavoidable. The Protected Trees to be removed or impacted in the Historic District and the R-200 zone are all located within the LOD for the sidewalk replacement and these impacts could not be reduced while still providing the required upgrades to the elementary school property.

Variance Findings

The following determinations are based on the required findings for granting of the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant, as the removal and disturbance to the specified trees are due to the development of the Property as anticipated in the Master Plan and Zoning Ordinance. The Property contains numerous large trees located within the existing forest to be removed, but outside of the stream valley buffers on the site. Granting a variance request to allow land disturbance within the developable portion of the site and still meet the objectives of the applicable Master Plan is not unique to this Applicant. The granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The need for the variance is not based on conditions or circumstances resulting from the Applicant's actions. The requested variance is based upon existing site conditions, Master Plan recommendations for environmental protection, and the development standards of the zone.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The need for a variance is a result of the existing conditions and the proposed site design and layout on the Subject Property, and not a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The FCP proposes to reforest or plant native meadow species within the currently unforested stream buffers, as well as provide additional mitigation for the removal of Protected Trees in the form of tree planting on the Property. These trees will replace any water quality functions that may be lost by their removal.

Mitigation for Trees Subject to the Variance Provisions

Section 22A-21(e) of the FCL states that an applicant is required to provide mitigation tree plantings for the removal of Protected Trees, whether those trees are within or outside of a forest area. There are 23 trees proposed for removal in this Variance request, totaling 632.2 inches of DBH being removed. The FFCP includes mitigation at a rate that approximates the form and function of the trees removed. These trees will be replaced at a ratio of approximately 1-inch caliper for every 4 inches removed, using trees with a minimum of 3 caliper in size. This results in a total mitigation of 158.05 inches with an installation of fifty-three (53) 3-inch caliper trees.

Although these trees will not be as large as the trees lost, they will provide some immediate benefit and ultimately replace the canopy lost by overstory trees native to the Piedmont Region of Maryland, and must be installed on both the Subject Property and on MCPS the removal of these trees. These mitigation trees must be located outside of any rights-of-way or utility easements.

County Arborist's Recommendation

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist as part of the ePlans review process. As of the date of this Staff Report, the County Arborist has recommended approval, but did advise that all comments and revisions requested by the Planning Department's environmental reviewer be addressed.

Recommendation on the Variance

Staff recommends approval of the variance request with individual tree mitigation plantings as conditioned to address the removal of twenty-three (23) Protected Trees.

SECTION 9: CONCLUSION

As conditioned, the Preliminary Plan Amendment, the Site plan, and Forest Conservation Plan applications each satisfy the applicable standards of the *Subdivision Regulations, Zoning Ordinance, Forest Conservation Law*, and substantially conform to the recommendations of the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Ten Mile Creek Area Limited Amendment*. Therefore, Staff recommends approval of Preliminary Plan Amendment No.12022001B, Site Plan No. 820250120, and Forest Conservation Plan No. F20250800 with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Preliminary/Site/FCP Plan/Impervious Surface Plan

Attachment B: Prior Approvals

Attachment C: Agency Letters

Attachment D: Variance Request Letter

Attachment E: Community Correspondence

Attachment F: Affidavit Regarding Community Meeting and Meeting Minutes

Attachment A: Plan Sets

(2nd) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND



MISS UTILITY NOTE

OWNER / DEVELOPER / APPLICANT

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAN SHOWN HEREON CONFORMS WITH THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS AS ADOPTED OCTOBER 1981 AND AS AMENDED THEREAFTER. SUCH INFORMATION WAS OBTAINED FROM THE LAND RECORDS OF MONTGOMERY COUNTY, BALTIMORE AND TOPOGRAPHIC DATA HAS BEEN OBTAINED FROM THE B.R.C. & C.

SIGNATURE: _____ DATE: 05/06/2025

PRINTED NAME: KYLE J. WALKER TITLE: PROJECT MANAGER

MS REG. NO. 33901

- NOTE: LOTS CAN BE RECORDED SOONER THAN THIS, PROVIDED THAT IMPROVEMENTS REQUIRED BY CONDITIONS 24-26 ARE MET.



¹For Condition of 4) the final number and location of MPDAs will be determined at a later date.

1. For Section 19.14.2, because the 6.6% portion of the lot is not encumbered by more than 25% with environmental buffers, the cascaded usable area has no deductions from the gross tract area.

¹ This study is an exploratory study and the results should not be used to make any generalizations about the prevalence of the PPTA.

Development is not proposed in A-200 Zone portion of the Subject Property.

5. UPDATE SCHOOL ADEQUACY TEST AND LPP CONDITION AS NEEDED.

PLANNING DEPARTMENT USE ONLY (E-PLANS)



ROCKVILLE OFFICE
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Rockville, MD 20850
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Engineering
Surveying
Planning
Environmental Sciences

[illegible]

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(204)-888-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS
OF THE STATE OF MARYLAND.
LICENSE NO. 33901 EXPIRATION DATE: _____

APPROVAL SHEET

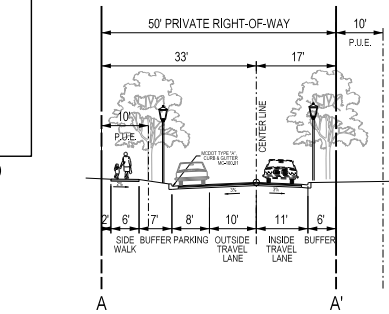
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MILES COPPOLA
#12022001B

CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

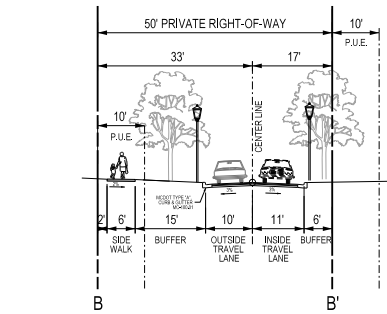
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 1" = 300'	DATE: 10/3/2025 DESIGNED: SC TECHNICIAN: NC / SC CHECKED: KAW CAD STD. S. VERSION: ORD / NCS
SHEET <u>2</u> OF <u>12</u>	
PROJECT NO. 4203-03-00	

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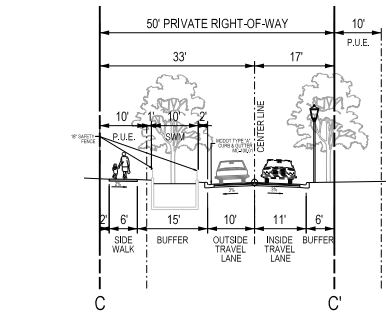
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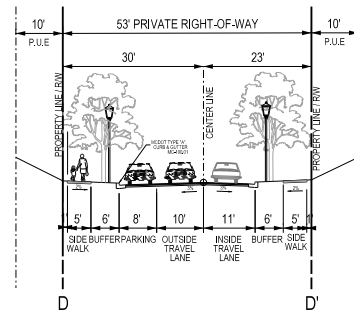
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MOD. MC-2002.02
(SIDEWALK ON ONE SIDE, PARKING ON ONE SIDE)
STREET A - MODIFICATION 1
STA.



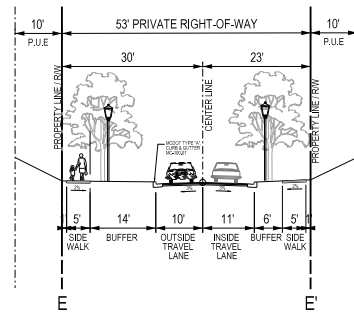
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STA.



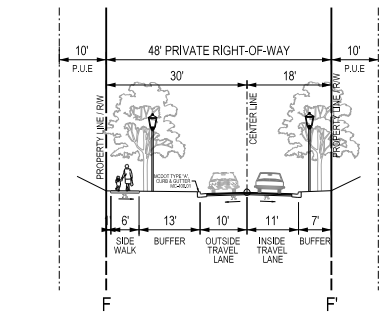
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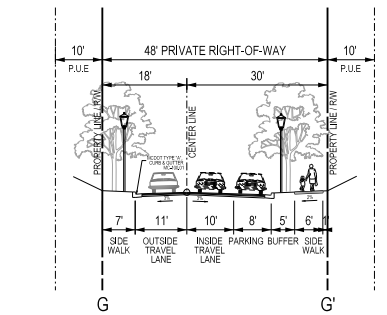
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STREET C STA.
STREET D STA.



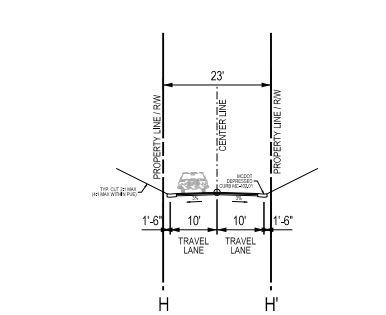
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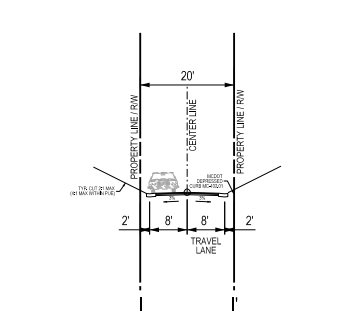
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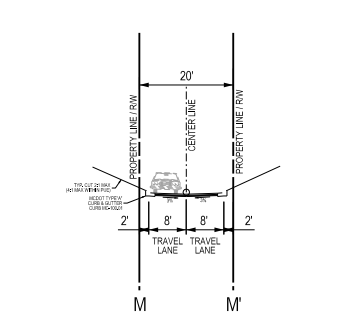
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STREET D STA.



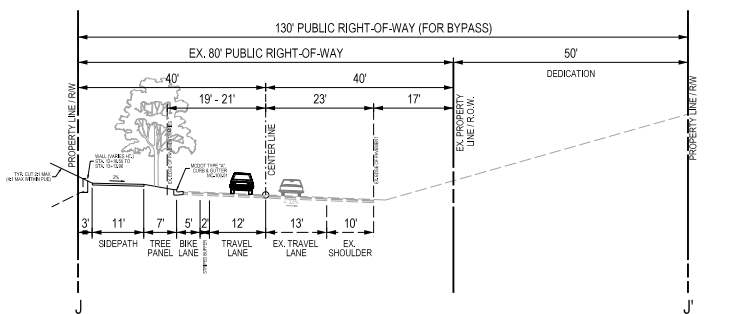
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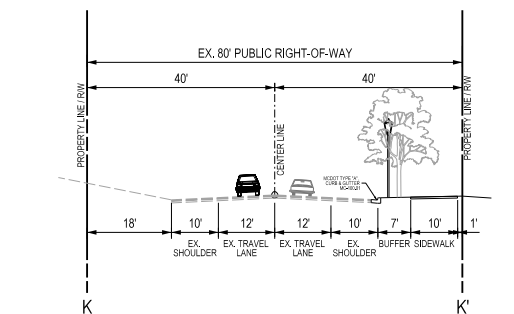
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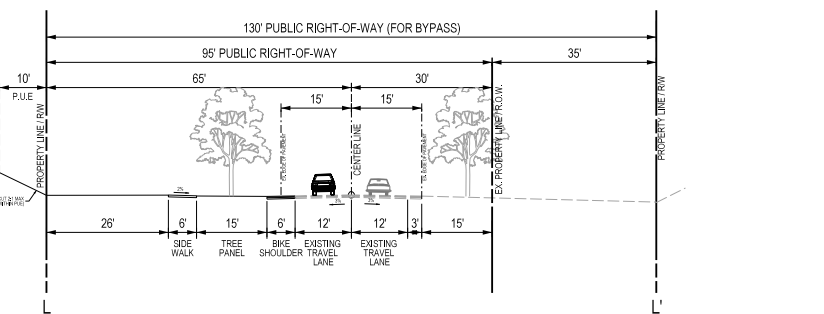
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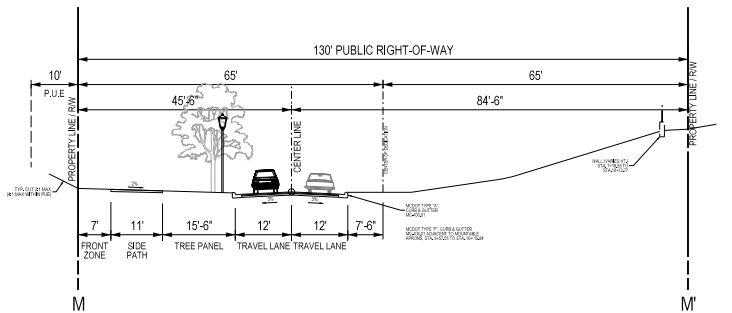
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50' DEDICATION FOR TOTAL 130'-0" RIGHT-OF-WAY (FOR BYPASS)
STA. 4+28.48 TO STA. 14+91.08



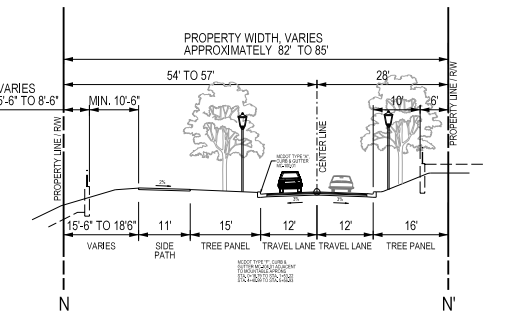
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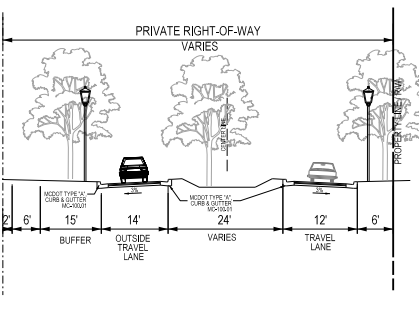
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PROPOSED DEDICATION 35'-0" RIGHT-OF-WAY



PRIMARY ACCESS ROAD
PUBLIC 130'-0" RIGHT-OF-WAY



SECONDARY ACCESS ROAD
PUBLIC 130'-0" RIGHT-OF-WAY



PRIVATE VARIABLE WIDTH RIGHT-OF-WAY, STREET A
STA. XX+XX TO STA. XX+XX

AMENDMENT #12022001B DESCRIPTION:

- CHANGE SOME UNIT TYPES IN EACH PHASE OF THE PLAN.
- REMOVE ONE VEHICULAR ACCESS TO OLD CLARKSBURG ROAD (PHASE 1), SUBJECT TO FURTHER COORDINATION WITH STAFF.
- REVISE ROAD SECTIONS, CHANGE THE LOCATION OF PUE, REMOVE CURBS FROM ALLEYS, SUBJECT TO FURTHER STAFF COORDINATION.
- EXTEND APP AND PRELIMINARY PLAN VALIDITY.
- UPDATE SCHOOL ADEQUACY TEST AND UPP CONDITION AS NEEDED.



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MISS UTILITY NOTE

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OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703) 488-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 33661 EXPIRATION DATE:

PROPOSED STREET SECTIONS
PRELIMINARY PLAN
MILES COPPOLA
#12022001B
CLARKSBURG 2ND ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

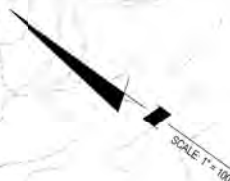
TAX MAP EW21	ZONING CATEGORY: R-90 / CRT / R-200
WISCONSIN SHEET 223NW13, 233NW14, 233NW15, 233NW16	
DATE: HORIZONTAL: NAD 83 VERTICAL: NAD 83	DATE: 10/3/2025 DESIGNED: SC TECHNICAL: NC / SC CHECKED: KJW CAD STG: ORO / NCS
SHEET OF 12	PROJECT NO. 4203403-00

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 - 3 REVISE ROAD SECTIONS, CHANGE THE LOCATION OF PUE, REMOVE CURBS FROM ALLEYS, SUBJECT TO FURTHER STAFF COORDINATION.
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 - 5 UPDATE SCHOOL ADEQUACY TEST AND UPP CONDITION AS NEEDED.



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MISS UTILITY NOTE

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OWNER / DEVELOPER / APPLICANT

DREAM FINDER HOMES, LLC
4508 DAILY DRIVE
SUITE 200
CHANTILLY, VA 20151
(703) 888-7200
ANDY GARRICH

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NO. 33881 EXPIRATION DATE: 12/31/2025

OVERALL APPLICATION AREA 100 SCALE

PRELIMINARY PLAN

MILES COPPOLA

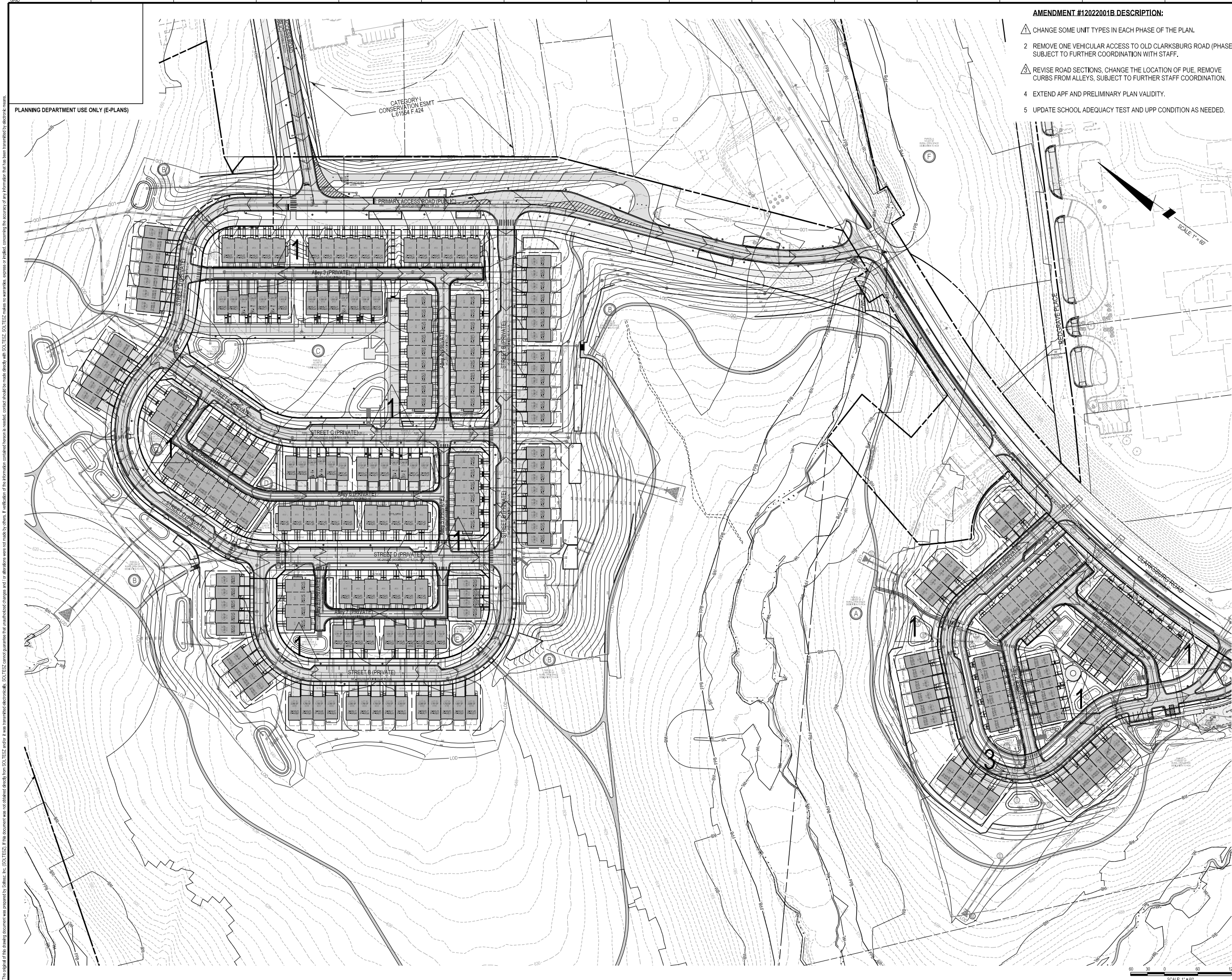
#12022001B

13 CLARKSBURG (AND ELECTION DISTRICT) MONTGOMERY COUNTY, MARYLAND

TRV MAP	ZONING CATEGORY
EW21	R-50 / CRT / R-30
TRV MAP	
229W13, 230W14, 230W15, 230W16	
CITY OF ROCKVILLE, MD 83	
UNAPPROVED	NAVD83
DATE	09/30/2025
1" = 100'	REVISIONS
	SC / NC / DC
	KAV
	ORD / NC
4	
12	
PROJECT NO.	
4205-03-00	

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PLANNING DEPARTMENT USE ONLY (E-PLANS)



AMENDMENT #12022001B DESCRIPTION:

- CHANGE SOME UNIT TYPES IN EACH PHASE OF THE PLAN.
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- UPDATE SCHOOL ADEQUACY TEST AND UPP CONDITION AS NEEDED.

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OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703) 488-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

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LICENSE NO. 33061 EXPIRATION DATE:

OVERALL PRELIMINARY PLAN 60 SCALE

PRELIMINARY PLAN
MILES COPPOLA
#12022001B

CLARKSBURG (2ND ELECTION DISTRICT) MONTGOMERY COUNTY, MARYLAND

TAX MAP EW21	ZONING CATEGORY: R-40 / CRT / R-200
WISD OFF SHEET 223NW13, 223NW14, 223NW13, 223NW14	
DATE DATED HORIZONTAL: NAD 83 VERTICAL: NAD 83	
1" = 60'	DATE: 10/30/2025 DESIGNED: SC TECHNICAL: NC / SC CHECKED: KJW CAD STD'S: ORD / NCS
SHEET OF 5 12	PROJECT NO. 4203-03-00



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SUITE 300
CHANTILLY, VA 20151
(704)-888-7320
ANDY GARRICH

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OF THE STATE OF MARYLAND.
LICENSE NO. 10000 EXPIRATION DATE: 12/31/2010

PRELIMINARY PLAN 30 SCALE

PRELIMINARY PLAN
MILES COPPOLA
#12022001B

[illegible]

PLANNING DEPARTMENT USE ONLY (E-PLANS)

MATCHLINE - SHEET 10

MATCHLINE - SHEET 7

CATEGORY I
CONSERVATION ESMT
L.61554 F.424

PRIMARY ACCESS ROAD (PUBLIC)
MC-217.03 (MODIFIED) TSD 1-00

STREET D (PRIVATE)
MC-200.02 (MODIFIED) 20

Alley 3 (PRIVATE)
MC-200.04 (MODIFIED) 20

Alley 4 (PRIVATE)
MC-200.05 (MODIFIED) 20

STREET B (PRIVATE)
MC-200.06 (MODIFIED) 45-46-47-48

STREET C (PRIVATE)
MC-200.02 (MODIFIED) 53 R.O.W.

STREET C (PRIVATE)
MC-200.02 (MODIFIED) 53 R.O.W.

MATCHLINE - SHEET 10

- AMENDMENT #12022001B DESCRIPTION:**
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OWNER / DEVELOPER / APPLICANT	
DREAM FINDER HOMES, LLC 4508 DAILY DRIVE SUITE 200 CHARITTY, VA 20151 (804) 888-7320 ANDY GARRICH	
PROFESSIONAL CERTIFICATION	
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.	
LICENSE NO. 51887	EXPIRATION DATE: 12/31/2025

PRELIMINARY PLAN 30 SCALE

PRELIMINARY PLAN
MILES COPPOLA
#12022001B

CLARKSBURG (AND ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND)

Project No.	4205-03-00
Scale	1" = 30'
Sheet No.	12
Project Name	229W113, 230W114, 230W115, 230W116
Project Location	CLARKSBURG, MONTGOMERY COUNTY, MARYLAND
Project Date	10/20/2023
Project Status	PRELIMINARY
Project Owner	DREAM FINDER HOMES, LLC
Project Engineer	ANDY GARRICH
Project Designer	ANDY GARRICH
Project Checker	ANDY GARRICH
Project Approver	ANDY GARRICH

This is a preliminary plan and should not be used for construction. It is for informational purposes only. The information contained herein is not to be used for any other purpose. The information is not to be used for any other purpose. The information is not to be used for any other purpose.

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PLANNING DEPARTMENT USE ONLY (E-PLANS)



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OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703) 488-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION
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LICENSE NO. 33061 EXPIRATION DATE:

PRELIMINARY PLAN 30 SCALE
PRELIMINARY PLAN
MILES COPPOLA
#12022001B

CLARKSBURG (2ND ELECTION DISTRICT) MONTGOMERY COUNTY, MARYLAND

TAX MAP EW21	ZONING CATEGORY: R-40 / CRT / R-200
WISD: 223NW13, 223NW14, 223NW15, 223NW16	
DATE DATED HORIZONTAL: NAD 83 VERTICAL: NAVD 88	
DATE: 10/30/2025 DESIGNED: SC TECHNICAL: NC / SC CHECKED: KJW CAD STD'S: ORD / NCS	
SHEET OF 8 12	PROJECT NO. 4203-03-00

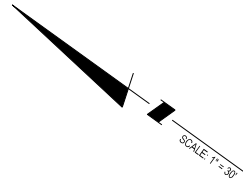


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[illegible]

NO.	REVISIONS	BY	DATE
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OWNER / DEVELOPER / APPLICANT:

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(204)-888-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

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LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS
OF THE STATE OF MARYLAND.
LICENSE NO. 33901 EXPIRATION DATE: _____

PRELIMINARY PLAN 30 SCALE

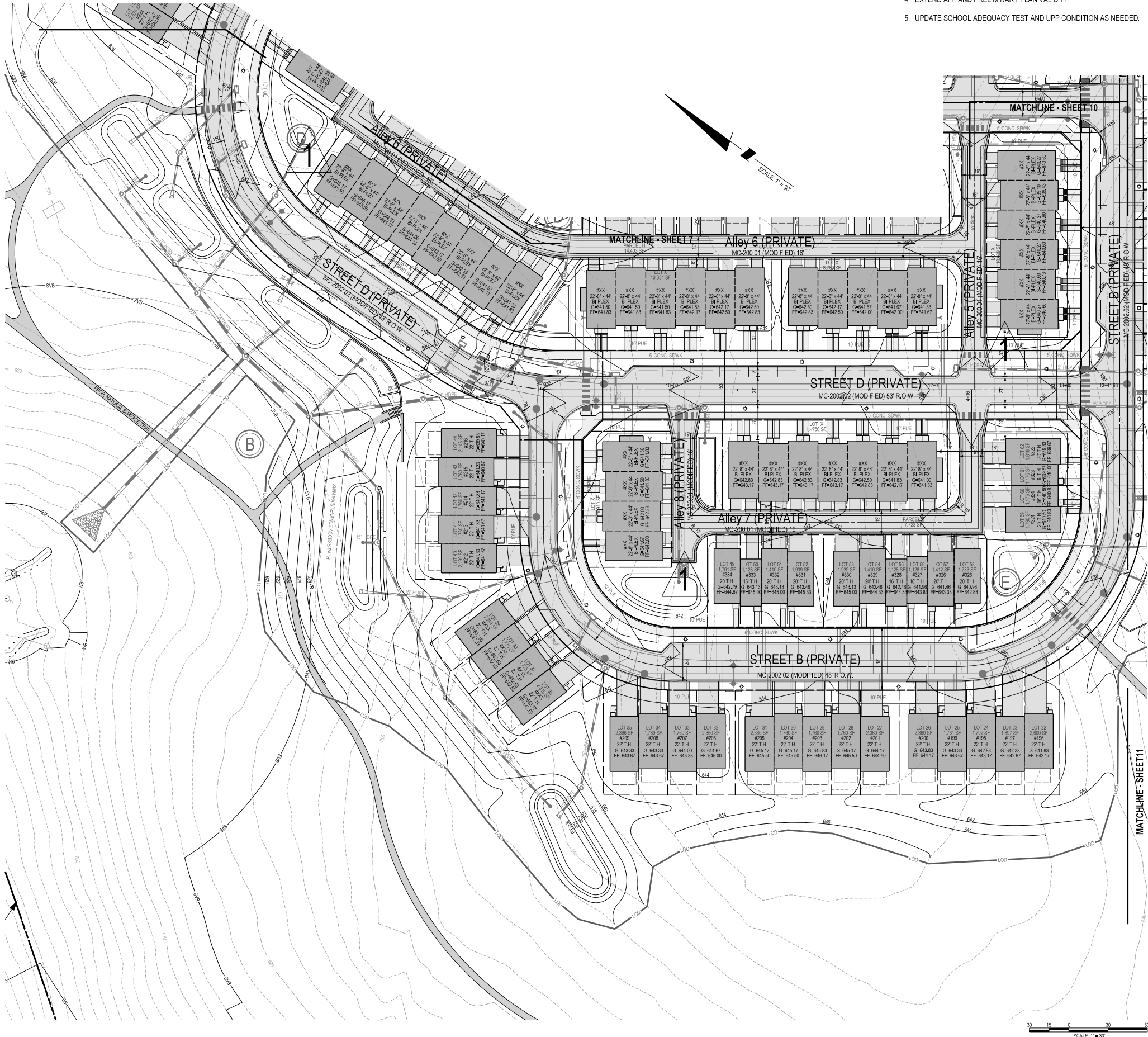
PRELIMINARY PLAN
MILES COPPOLA
#12022001B

CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

TAX MAP E2021	ZONING CATEGORY: R-60 / CRT / R-200
RSSC 2200 SHEET 223NW13, 223NW14, 223NW13, 223NW14	
SITE DATUM HORIZONTAL: <u>NAD 83</u> VERTICAL: <u>NAVD 88</u>	
 1" = 30'	DATE: 10/30/2025 DESIGNED: SC TECHNICIAN: NC / SC CHECKED: KJW CADD STG.: VERSION: ORD / NCS
SHEET <u>9</u> OF <u>12</u>	
PROJECT NO. 4203-03-00	

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OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703) 488-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. EXPIRATION DATE: 12/31/2025

PRELIMINARY PLAN 30 SCALE
PRELIMINARY PLAN
MILES COPPOLA
#12022001B

TAX MAP
EW21

ZONING CATEGORY:
R-40 / CRT / R-200

W302-00P SHEET
223NW13, 233NW14,
232NW13, 232NW14

BTE DATUM
HORIZONTAL: NAD 83
VERTICAL: NAD 83

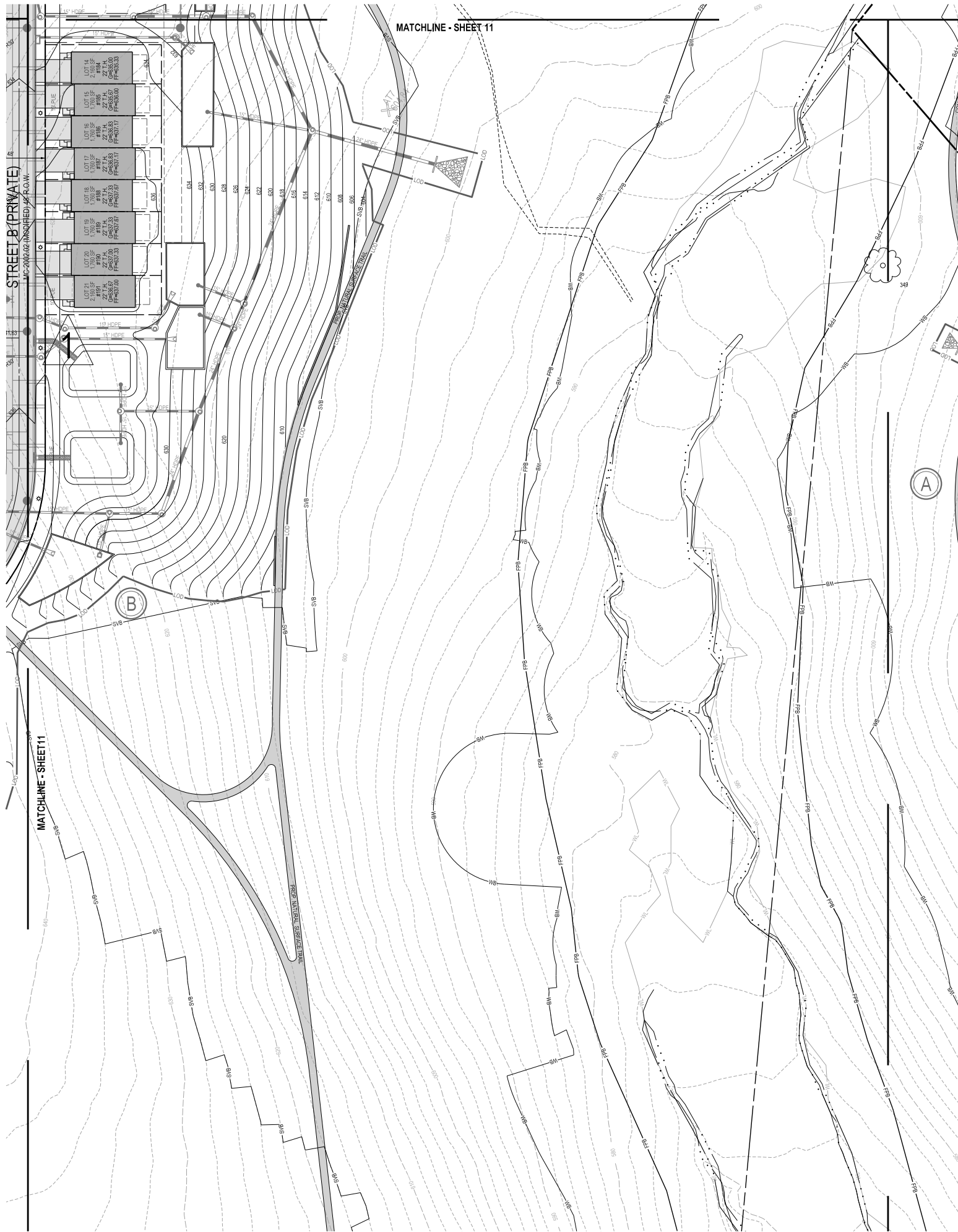
DATE: 10/30/2025
DESIGNED: SC
TECHNICAL: NC / SC

CHECKED: KJW
CAD STD'S: ORD / NCS

SHEET 10
OF 12

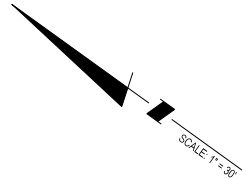
PROJECT NO.
4203-03-00





AMENDMENT #12022001B DESCRIPTION:

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NO	REVISIONS	BY	DATE
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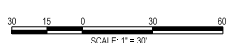
PRELIMINARY PLAN 30 SCALE

PRELIMINARY PLAN
MILES COPPOLA
#120222001B

TAX MAP EW21		ZONING CATEGORY: R-80 / CRT / R-200	
RECD 2ND SHEET 223NW13, 223NW14, 223NW15, 223NW14			
DATE DATUM HORIZONTAL: <u>NAD 83</u> VERTICAL: <u>NAVD 88</u>			
 1" = 30'		DATE: 10/30/2025 DESIGNED: SC TECHNICIAN: NC / SC CHECKED: KJW C.A.S. STG.: VERIFIED: ORD / NCS	
SHEET <u>11</u> OF <u>12</u>			
PROJECT NO. 4203-03-00			

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PLANNING DEPARTMENT USE ONLY (E-PLANS)



AMENDMENT #12022001B DESCRIPTION:

- CHANGE SOME UNIT TYPES IN EACH PHASE OF THE PLAN.
- REMOVE ONE VEHICULAR ACCESS TO OLD CLARKSBURG ROAD (PHASE 1), SUBJECT TO FURTHER COORDINATION WITH STAFF.
- REVISE ROAD SECTIONS, CHANGE THE LOCATION OF PUE, REMOVE CURBS FROM ALLEYS, SUBJECT TO FURTHER STAFF COORDINATION.
- EXTEND APF AND PRELIMINARY PLAN VALIDITY.
- UPDATE SCHOOL ADEQUACY TEST AND UPP CONDITION AS NEEDED.

SOLTESZ, INC.
ROCKVILLE OFFICE
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Rockville, MD 20850
P. 301.948.2750 F. 301.948.9067
www.solteszco.com

Engineering
Surveying
Planning
Environmental Sciences

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY CROWING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT TIMES UTILITY AT 1400-247777. 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REDWORK TO THE PLAN.

OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703) 488-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 33061 EXPIRATION DATE:

PRELIMINARY PLAN 30 SCALE
PRELIMINARY PLAN
MILES COPPOLA
#12022001B
CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

TAX MAP EW21	ZONING CATEGORY: R-40 / CRT / R-200
W302-00P SHEET 223NW13, 233NW14, 232NW13, 232NW14	
DATE DATUM HORIZONTAL: NAD 83 VERTICAL: NAVD 88	
DATE: 10/30/2025 DESIGNED: SC TECHNICAL: NC / SC CHECKED: KJW CAD STD'S: ORD / NCS	
SHEET 12 OF 12	
PROJECT NO. 4203-03-00	

- 1 THE EXISTING ZONES ARE R-1, R-200, AND CRT-2.0, C2.0, H-120. THE ENTIRE SITE FALLS UNDER THE CLARKSBURG EAST
- 2 ENVIRONMENTAL OVERLAY ZONE (CEE).
- 3 BOUNDARY INFORMATION IS FROM A SURVEY PREPARED BY SOLTESE, INC.
- 4 THE PROJECT LIES WITHIN THE CLARKSBURG TEN MILE CREEK LIMITED AMENDMENT MASTER PLAN (2014).
- 5 THE ENTIRETY OF THE SITE LIES WITHIN THE LITTLE SENECA CREEK - TEN MILE CREEK WATERSHED. THIS PROPERTY IS WITHIN THE
- 6 TEN MILE CREEK SPECIAL PROTECTION AREA.
- 7 FLOODPLAIN AREAS ARE PRESENT ON THE SITE AS INDICATED ON THE APPROVED NRI/FSD.
- 8 THERE ARE NO DESIGNATED HISTORIC SITES ASSOCIATED WITH THESE PARCELS.
- 9 THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES OCCURRING ON THIS PROPERTY.
- 10 THE EXISTING WATER AND SEWER SERVICE CATEGORIES ARE W-3/3.
- 11 ANY AND ALL EXISTING FEATURES LOCATED ON THE PROPERTY THAT ARE NOT PART OF THE PROPOSED DEVELOPMENT WILL BE
- 12 REMOVED.
- 13 RURAL OPEN SPACE SHALL BE GOVERNED BY TERMS DETAILED ON THE PLAT AND AS ENTERED IN THE LAND RECORDS. FINAL RURAL
- 14 OPEN SPACE EASEMENT LOCATIONS TO BE DETERMINED AT SITE PLAN.
- 15 AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED TO BE SET UP WITH THE MNCPPC INSPECTION STAFF BEFORE ANY GENERAL
- 16 CONTRACTOR MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE MNCPPC INSPECTOR. A COPY OF THE APPROVED
- 17 CERTIFIED PRELIMINARY PLAN IS REQUIRED TO BE ON-SITE AT ALL TIMES. TO SCHEDULE AN INSPECTION WITH MNCPPC STAFF,
- 18 PLEASE CONTACT JOSE KAYE 301.485.4722.
- 19 AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED TO BE SET UP WITH THE DEPARTMENT OF PERMITTING SERVICES (DPS),
- 20 ZONING & SITE PLAN ENFORCEMENT DIVISION BEFORE ANY BUILDING CONSTRUCTION ACTIVITY OCCURS ON-SITE. THE OWNER OR
- 21 HIS DESIGNEE WHO HAS SIGNATURE AUTHORITY, AND GENERAL CONTRACTOR MUST ATTEND THE PRE-CONSTRUCTION MEETING
- 22 WITH THE DPS SITE PLAN ENFORCEMENT INSPECTOR. A COPY OF THE CERTIFIED SITE PLAN IS REQUIRED TO BE ON-SITE AT ALL
- 23 TIMES. TO SCHEDULE A SITE PLAN INSPECTION WITH DPS, ZONING AND CODE COMPLIANCE SECTION (ZCCS), PLEASE CONTACT
- 24 BRIAN KEELER, 240.581.4485.
- 25 ALL TRAILS CONTAINED WITHIN ANY RURAL OPEN SPACE EASEMENT, AS SHOWN ON THE OPEN SPACE EXHIBIT OF THE CERTIFIED
- 26 SITE PLAN, SHALL BE OPEN TO PUBLIC FOR RECREATIONAL USE AND ALLOW FOR INTER-PARCEL CONNECTIVITY. THE TRAILS SYSTEM
- 27 SHOWN IS CONCEPTUAL LAYOUT. FINAL TRAIL LOCATIONS ON WILL BE DETERMINED IN FIELD TO AVOID TREES AND STEEP SLOPES.

	EXISTING GRADE
	PROPOSED GRADE
	EXISTING BUILDING
	PROPOSED RIGHT OF WAY
	PROPOSED WATER LINE
	EXISTING 12" WATER LINE
	PROPOSED SEWER
	PROPOSED PRESSURE SEWER
	EXISTING SEWER
	PROPOSED PUE
	PROPOSED STORM PIPE
	EXISTING STORM PIPE
	PROPOSED WSSC EASEMENT
	PROPOSED SWM MAINTENANCE ACCESS PATH
	EXISTING STREAM
	STREAM VALLEY BUFFER (SVB)
	WETLAND BUFFER
	FLOOD PLAIN
	WETLAND
	SIGNIFICANT TREE
	SPECIMEN TREE
	SWM FACILITY RIP RAP INFLOW PROTECTION
	BIKE LANE CROSSING

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
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FAX: 301-948-9067

LEARCH, EARLY & BREWER CHTD.
7600 WISCONSIN AVENUE, SUITE 700
BETHESDA, MD 20814
TELEPHONE: 301-936-1300

A100	BI-FLEX ELEVATIONS
A101	BI-FLEX SECTIONS
A102	BI-FLEX BURIED ELEVATIONS
A103	BI-FLEX BURIED SECTIONS
A104	BI-FLEX BURIED SECTIONS
A105	BI-FLEX FLOORPLAN
A106	BI-FLEX BURIED FLOORPLAN
A107	BI-FLEX ELEVATION
A108	BI-FLEX ELEVATION
A109	BI-FLEX ELEVATION
A110	BI-FLEX ELEVATION
A111	BI-FLEX ELEVATION
B100	16' TOWNHOME ELEVATIONS
B101	16' TOWNHOME SECTIONS
B102	16' TOWNHOME FLOORPLANS
B103	16' TOWNHOME FLOORPLANS
B104	16' TOWNHOME FLOORPLANS
C100	20' TOWNHOME ELEVATIONS STRIP
C101	20' TOWNHOME ELEVATIONS
C102	20' TOWNHOME ELEVATIONS
C103	20' TOWNHOME FLOORPLANS
C104	20' TOWNHOME ELEVATIONS
C105	20' TOWNHOME ELEVATIONS
C106	20' TOWNHOME FLOORPLANS
C107	20' TOWNHOME FLOORPLANS
C108	20' TOWNHOME ELEVATIONS
C109	20' TOWNHOME ELEVATIONS
C110	20' TOWNHOME ELEVATIONS
C111	20' TOWNHOME ELEVATIONS
C112	20' TOWNHOME ELEVATIONS
C113	20' TOWNHOME ELEVATIONS
D100	22' TOWNHOME ELEVATIONS
D101	22' TOWNHOME ELEVATIONS
D102	22' TOWNHOME ELEVATIONS
D103	22' TOWNHOME ELEVATIONS
D104	22' TOWNHOME ELEVATIONS
D105	22' TOWNHOME FLOORPLANS
D106	22' TOWNHOME FLOORPLANS
D107	22' TOWNHOME ELEVATIONS
D108	22' TOWNHOME ELEVATIONS
D109	22' TOWNHOME ELEVATIONS
D110	22' TOWNHOME ELEVATIONS
D111	22' TOWNHOME ELEVATIONS
D112	22' TOWNHOME SECTIONS
D113	22' TOWNHOME FLOORPLANS
D114	22' TOWNHOME FLOORPLANS
D115	22' TOWNHOME FLOORPLANS
D116	22' TOWNHOME ELEVATIONS
D117	22' TOWNHOME ELEVATIONS
D118	22' TOWNHOME ELEVATIONS
D119	22' TOWNHOME ELEVATIONS
D120	22' TOWNHOME ELEVATIONS
D121	22' TOWNHOME ELEVATIONS

MILES COPOLTA SITE PLAN DEVELOPMENT DATA TABLE, PHASE I					
Existing (Proposed Existing - E) (P) 2.0, 2.1, 0.2, 0.3 (L) 2.4 (U) 2.5 (D) 2.6 (S) 2.7 (M) 2.8 (H) 2.9 (A) 3.0 (B) 3.1 (C) 3.2 (F) 3.3 (G) 3.4 (I) 3.5 (J) 3.6 (K) 3.7 (L) 3.8 (M) 3.9 (N) 4.0 (O) 4.1 (P) 4.2 (Q) 4.3 (R) 4.4 (S) 4.5 (T) 4.6 (U) 4.7 (V) 4.8 (W) 4.9 (X) 5.0 (Y) 5.1 (Z) 5.2 (AA) 5.3 (AB) 5.4 (AC) 5.5 (AD) 5.6 (AE) 5.7 (AF) 5.8 (AG) 5.9 (AH) 6.0 (AI) 6.1 (AJ) 6.2 (AK) 6.3 (AL) 6.4 (AM) 6.5 (AN) 6.6 (AO) 6.7 (AP) 6.8 (AQ) 6.9 (AR) 7.0 (AS) 7.1 (AT) 7.2 (AU) 7.3 (AV) 7.4 (AW) 7.5 (AX) 7.6 (AY) 7.7 (AZ) 7.8 (BA) 7.9 (BB) 8.0 (BC) 8.1 (BD) 8.2 (BE) 8.3 (BF) 8.4 (BG) 8.5 (BH) 8.6 (BI) 8.7 (BJ) 8.8 (BK) 8.9 (BL) 9.0 (BM) 9.1 (BN) 9.2 (BO) 9.3 (BP) 9.4 (BQ) 9.5 (BR) 9.6 (BS) 9.7 (BT) 9.8 (BU) 9.9 (BV) 10.0 (BW) 10.1 (BX) 10.2 (BY) 10.3 (BZ) 10.4 (CA) 10.5 (CB) 10.6 (CC) 10.7 (CD) 10.8 (CE) 10.9 (CF) 11.0 (CG) 11.1 (CH) 11.2 (CI) 11.3 (CJ) 11.4 (CK) 11.5 (CL) 11.6 (CM) 11.7 (CN) 11.8 (CO) 11.9 (CP) 12.0 (CQ) 12.1 (CR) 12.2 (CS) 12.3 (CT) 12.4 (CU) 12.5 (CV) 12.6 (CW) 12.7 (CX) 12.8 (CY) 12.9 (CZ) 13.0 (DA) 13.1 (DB) 13.2 (DC) 13.3 (DD) 13.4 (DE) 13.5 (DF) 13.6 (DG) 13.7 (DH) 13.8 (DI) 13.9 (DJ) 14.0 (DK) 14.1 (DL) 14.2 (DM) 14.3 (DN) 14.4 (DO) 14.5 (DP) 14.6 (DQ) 14.7 (DR) 14.8 (DS) 14.9 (DT) 15.0 (DU) 15.1 (DV) 15.2 (DW) 15.3 (DX) 15.4 (DY) 15.5 (DZ) 15.6 (EA) 15.7 (EB) 15.8 (EC) 15.9 (ED) 16.0 (EE) 16.1 (EF) 16.2 (EG) 16.3 (EH) 16.4 (EI) 16.5 (EJ) 16.6 (EK) 16.7 (EL) 16.8 (EM) 16.9 (EN) 17.0 (EO) 17.1 (EP) 17.2 (EQ) 17.3 (ER) 17.4 (ES) 17.5 (ET) 17.6 (EU) 17.7 (EV) 17.8 (EW) 17.9 (EX) 18.0 (EY) 18.1 (EZ) 18.2 (FA) 18.3 (FB) 18.4 (FC) 18.5 (FD) 18.6 (FE) 18.7 (FF) 18.8 (FG) 18.9 (FH) 19.0 (FI) 19.1 (FJ) 19.2 (FK) 19.3 (FL) 19.4 (FM) 19.5 (FN) 19.6 (FO) 19.7 (FP) 19.8 (FQ) 19.9 (FR) 20.0 (FS) 20.1 (FT) 20.2 (FU) 20.3 (FV) 20.4 (FW) 20.5 (FX) 20.6 (FY) 20.7 (FZ) 20.8 (GA) 20.9 (GB) 21.0 (GC) 21.1 (GD) 21.2 (GE) 21.3 (GF) 21.4 (GG) 21.5 (GH) 21.6 (GI) 21.7 (GJ) 21.8 (GK) 21.9 (GL) 22.0 (GM) 22.1 (GN) 22.2 (GO) 22.3 (GP) 22.4 (GQ) 22.5 (GR) 22.6 (GS) 22.7 (GT) 22.8 (GU) 22.9 (GV) 23.0 (GW) 23.1 (GX) 23.2 (GY) 23.3 (GZ) 23.4 (HA) 23.5 (HB) 23.6 (HC) 23.7 (HD) 23.8 (HE) 23.9 (HF) 24.0 (HG) 24.1 (HH) 24.2 (HI) 24.3 (HJ) 24.4 (HK) 24.5 (HL) 24.6 (HM) 24.7 (HN) 24.8 (HO) 24.9 (HP) 25.0 (HQ) 25.1 (HR) 25.2 (HS) 25.3 (HT) 25.4 (HU) 25.5 (HV) 25.6 (HW) 25.7 (HX) 25.8 (HY) 25.9 (HZ) 26.0 (IA) 26.1 (IB) 26.2 (IC) 26.3 (ID) 26.4 (IE) 26.5 (IF) 26.6 (IG) 26.7 (IH) 26.8 (II) 26.9 (IJ) 27.0 (IK) 27.1 (IL) 27.2 (IM) 27.3 (IN) 27.4 (IO) 27.5 (IP) 27.6 (IQ) 27.7 (IR) 27.8 (IS) 27.9 (IT) 28.0 (IU) 28.1 (IV) 28.2 (IW) 28.3 (IX) 28.4 (IY) 28.5 (IZ) 28.6 (JA) 28.7 (JB) 28.8 (JC) 28.9 (JD) 29.0 (JE) 29.1 (JF) 29.2 (JG) 29.3 (JH) 29.4 (JI) 29.5 (JJ) 29.6 (JK) 29.7 (JL) 29.8 (JM) 29.9 (JN) 30.0 (JO) 30.1 (JP) 30.2 (JQ) 30.3 (JR) 30.4 (JS) 30.5 (JT) 30.6 (JU) 30.7 (JV) 30.8 (JW) 30.9 (JX) 31.0 (JY) 31.1 (JZ) 31.2 (KA) 31.3 (KB) 31.4 (KC) 31.5 (KD) 31.6 (KE) 31.7 (KF) 31.8 (KG) 31.9 (KH) 32.0 (KI) 32.1 (KL) 32.2 (KM) 32.3 (KN) 32.4 (KO) 32.5 (KP) 32.6 (KQ) 32.7 (KR) 32.8 (KS) 32.9 (KT) 33.0 (KU) 33.1 (KV) 33.2 (KW) 33.3 (KX) 33.4 (KY) 33.5 (KZ) 33.6 (LA) 33.7 (LB) 33.8 (LC) 33.9 (LD) 34.0 (LE) 34.1 (LF) 34.2 (LG) 34.3 (LH) 34.4 (LI) 34.5 (LJ) 34.6 (LK) 34.7 (LL) 34.8 (LM) 34.9 (LN) 35.0 (LO) 35.1 (LP) 35.2 (LQ) 35.3 (LR) 35.4 (LS) 35.5 (LT) 35.6 (LU) 35.7 (LV) 35.8 (LW) 35.9 (LX) 36.0 (LY) 36.1 (LZ) 36.2 (MA) 36.3 (MB) 36.4 (MC) 36.5 (MD) 36.6 (ME) 36.7 (MF) 36.8 (MG) 36.9 (MH) 37.0 (MI) 37.1 (MJ) 37.2 (MK) 37.3 (ML) 37.4 (MM) 37.5 (MN) 37.6 (MO) 37.7 (MP) 37.8 (MQ) 37.9 (MR) 38.0 (MS) 38.1 (MT) 38.2 (MU) 38.3 (MV) 38.4 (MW) 38.5 (MX) 38.6 (MY) 38.7 (MZ) 38.8 (NA) 38.9 (NB) 39.0 (NC) 39.1 (ND) 39.2 (NE) 39.3 (NF) 39.4 (NG) 39.5 (NH) 39.6 (NI) 39.7 (NJ) 39.8 (NK) 39.9 (NL) 40.0 (NM) 40.1 (NO) 40.2 (NP) 40.3 (NQ) 40.4 (NR) 40.5 (NS) 40.6 (NT) 40.7 (NU) 40.8 (NV) 40.9 (NW) 41.0 (NX) 41.1 (NY) 41.2 (NZ) 41.3 (OA) 41.4 (OB) 41.5 (OC) 41.6 (OD) 41.7 (OE) 41.8 (OF) 41.9 (OG) 42.0 (OH) 42.1 (OI) 42.2 (OJ) 42.3 (OK) 42.4 (OL) 42.5 (OM) 42.6 (ON) 42.7 (OO) 42.8 (OP) 42.9 (OQ) 43.0 (OR) 43.1 (OS) 43.2 (OT) 43.3 (OU) 43.4 (OV) 43.5 (OW) 43.6 (OX) 43.7 (OY) 43.8 (OZ) 43.9 (PA) 44.0 (PB) 44.1 (PC) 44.2 (PD) 44.3 (PE) 44.4 (PF) 44.5 (PG) 44.6 (PH) 44.7 (PI) 44.8 (PJ) 44.9 (PK) 45.0 (PL) 45.1 (PM) 45.2 (PN) 45.3 (PO) 45.4 (PP) 45.5 (PQ) 45.6 (PR) 45.7 (PS) 45.8 (PT) 45.9 (PU) 46.0 (PV) 46.1 (PW) 46.2 (PX) 46.3 (PY) 46.4 (PZ) 46.5 (QA) 46.6 (QB) 46.7 (QC) 46.8 (QD) 46.9 (QE) 47.0 (QF) 47.1 (QG) 47.2 (QH) 47.3 (QI) 47.4 (QJ) 47.5 (QK) 47.6 (QL) 47.7 (QM) 47.8 (QN) 47.9 (QO) 48.0 (QP) 48.1 (QR) 48.2 (QS) 48.3 (QT) 48.4 (QU) 48.5 (QV) 48.6 (QW) 48.7 (QX) 48.8 (QY) 48.9 (QZ) 49.0 (RA) 49.1 (RB) 49.2 (RC) 49.3 (RD) 49.4 (RE) 49.5 (RF) 49.6 (RG) 49.7 (RH) 49.8 (RI) 49.9 (RJ) 50.0 (RK) 50.1 (RL) 50.2 (RM) 50.3 (RN) 50.4 (RO) 50.5 (RP) 50.6 (RQ) 50.7 (RR) 50.8 (RS) 50.9 (RT) 51.0 (RU) 51.1 (RV) 51.2 (RW) 51.3 (RX) 51.4 (RY) 51.5 (RZ) 51.6 (SA) 51.7 (SB) 51.8 (SC) 51.9 (SD) 52.0 (SE) 52.1 (SF) 52.2 (SG) 52.3 (SH) 52.4 (SI) 52.5 (SJ) 52.6 (SK) 52.7 (SL) 52.8 (SM) 52.9 (					

[illegible]

DEVELOPER'S CERTIFICATE
The Undersigned agrees to waive all the features of the Site Plan Approval No. 200209120, including Approval Conditions, Development Program, and Certified Site Plan:
Developer's Name: DREAMFINDERS HOMES, LLC ANDY GARRICH
Company Contact Person
Address: 4500 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151
Phone: (703) 868-7320



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
 PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
 LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS
 OF THE STATE OF MARYLAND.
 LICENSE NO. 10000 EXPIRATION DATE: 12/31/2010

SITE PLAN
MILES COPPOLA
#820250120

5

P:\42030300\Planning\Site_Entitlement_Sheet\Sheet_Plan_Sheet.dgn Mode= Approvals Sheet [Sheet] Scale= 0.06333333 /in. User= MAJUNG PLTovs SPDF_Special_151.plt 10/3/2025 11:38:18 PM

MISS UTILITY NOTE

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(204)-888-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS
OF THE STATE OF MARYLAND.
LICENSE NO. 33901 EXPIRATION DATE:

	EXISTING GRADE
	PROPOSED GRADE
	EXISTING BUILDING
	PROPOSED RIGHT OF WAY
	PROPOSED WATER LINE
	EXISTING 12" WATER LINE
	PROPOSED SEWER
	PROPOSED PRESSURE SEWER
	EXISTING SEWER
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	PROPOSED STORM PIPE
	EXISTING STORM PIPE
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	PROPOSED SWM MAINTENANCE ACCESS PATH
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	WETLAND BUFFER
	FLOOD PLAIN
	WETLAND
	SIGNIFICANT TREE
	SPECIMEN TREE
	SWM FACILITY RIP RAP INFLOW PROTECTION
	BIKE LANE CROSSING

OVERALL SITE PLAN

SITE PLAN

MILES COPPOLA

#820250120

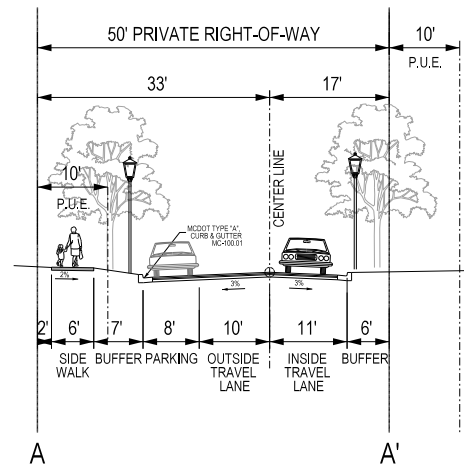
CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

TAX MAP EW21	ZONING CATEGORY: R-90 / CRT / R-200
WSSC 200' SHEET 223NW13, 233NW14, 232NW13, 233NW14	
SITE DATA HORIZONTAL: NAD 83 VERTICAL: NAVD 88	
 1" = 60'	DATE: 10/31/2025 DESIGNER: SC TECHNICIAN: AH / SC CHECKED: KJW DAD STD L: VERSION: ORD / NCS
SHEET 3 OF 5	
PROJECT NO. 4203-03-00	

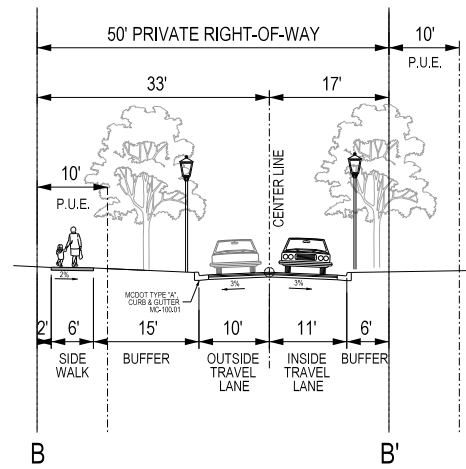
DEVELOPER'S CERTIFICATE	
The undersigned agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.	
Developer's Name: DREAM FINDERS HOMES, LLC	ANDY GARRICH
Company	Contact Person
Address: 4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151	
Phone: (240) 888-7320	
Signature: _____	



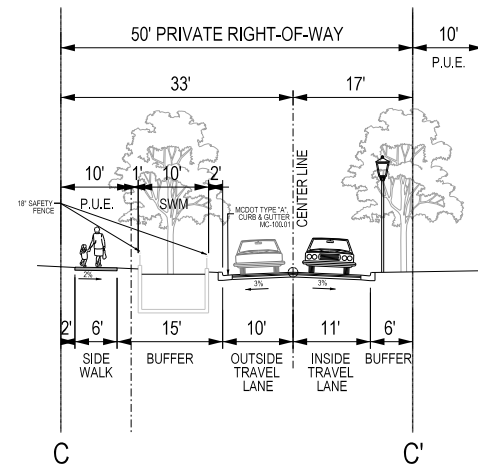
 SOLTESZ, INC.																																																																																			
ROCKVILLE OFFICE 2 Research Place, Suite 100 Rockville, MD 20850 P. 301.948.2750 F. 301.948.9067 www.solteszco.com																																																																																			
Engineering Surveying Planning Environmental Sciences																																																																																			
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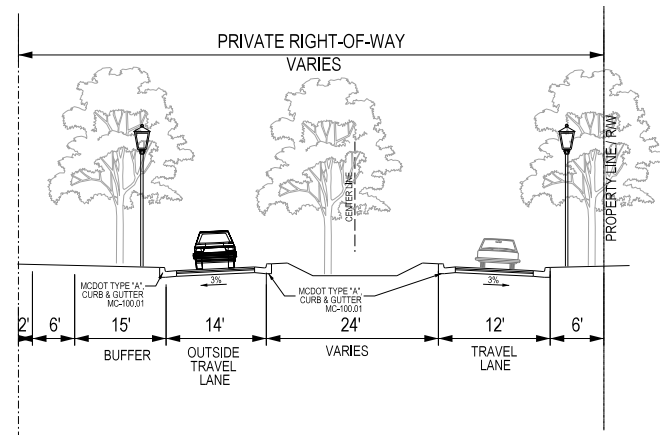
MOD. SECONDARY RESIDENTIAL STREET
PRIVATE 50'-0" RIGHT-OF-WAY
MOD. MC-2002.02
(SIDEWALK ON ONE SIDE, PARKING ON ONE SIDE)
STREET A - MODIFICATION 1
STA.



MOD. SECONDARY RESIDENTIAL STREET
PRIVATE 50'-0" RIGHT-OF-WAY
MOD. MC-2002.02
(SIDEWALK ON ONE SIDE, NO PARKING)
STREET A - MODIFICATION 2
STA.



MOD. SECONDARY RESIDENTIAL STREET
PRIVATE 50'-0" RIGHT-OF-WAY
MOD. MC-2002.02
(SIDEWALK ON ONE SIDE, SWM FACILITY ON ONE SIDE)
STREET A - MODIFICATION 3
STA.



PRIVATE VARIABLE WIDTH RIGHT-OF-WAY, STREET A
STA. XX+XX TO STA. XX+XX

[illegible]

DEVELOPER'S CERTIFICATE I, the undersigned, agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.	
Developer's Name: DREAM FINDERS HOMES, LLC	ANDY GARRICH
Company	Contact Person
Address: 4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151	
Phone: (240) 888-7320	
Signature: _____	

The original of this drawing document was prepared by Soltesz, Inc. (SOLTESZ). If this document was not obtained directly from SOLTESZ and/or it was transmitted electronically, SOLTESZ cannot guarantee that unauthorized changes and/or alterations were not made by others. If modification of the information contained herein is needed, contact should be made directly with SOLTESZ. SOLTESZ makes no warranties, express or implied, concerning the accuracy of any information that has been transmitted by electronic means.

MILES COPPOLA

LANDSCAPE & LIGHTING PLAN

820250120

(2nd) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

GENERAL NOTES:

- THE EXISTING ZONES ARE R-90, R-200, AND CRT-2.0, C-2.0, H-120. THE ENTIRE SITE FALLS UNDER THE CLARKSBURG EAST ENVIRONMENTAL OVERLAY ZONE (CEE).
- BOUNDARY INFORMATION IS FROM A SURVEY PREPARED BY SOLTESZ, INC.
- THE PROJECT LIES WITHIN THE CLARKSBURG TEN MILE CREEK LIMITED AMENDMENT MASTER PLAN (2014).
- THE ENTIRETY OF THE SITE LIES WITHIN THE LITTLE SENECA CREEK - TEN MILE CREEK WATERSHED. THIS PROPERTY IS WITHIN THE TEN MILE CREEK SPECIAL PROTECTION AREA.
- UNLESS SPECIFICALLY NOTED ON THIS PLAN DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, SIDEWALKS AND NATURAL SURFACE TRAILS SHOWN ON THE PRELIMINARY PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES, HARDSCAPE AND RECREATION AMENITIES WILL BE DETERMINED AT THE TIME OF SITE PLAN APPROVAL. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING RESTRICTON LINES, BUILDING HEIGHT, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL.
- FLOODPLAIN AREAS ARE PRESENT ON THE SITE AS INDICATED ON THE APPROVED NRIFSD.
- THERE ARE NO DESIGNATED HISTORIC SITES ASSOCIATED WITH THESE PARCELS.
- THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES OCCURING ON THIS PROPERTY.
- THE EXISTING WATER AND SEWER SERVICE CATEGORIES ARE W-3/S-3.
- ANY AND ALL EXISTING FEATURES LOCATED ON THE PROPERTY THAT ARE NOT PART OF THE PROPOSED DEVELOPMENT WILL BE REMOVED.
- RURAL OPEN SPACE SHALL BE GOVERNED BY TERMS DETAILED ON THE PLAT AND AS ENTERED IN THE LAND RECORDS. FINAL RURAL OPEN SPACE EASEMENT LOCATIONS TO BE DETERMINED AT SITE PLAN.
- AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED TO BE SET UP WITH THE MNCPPC INSPECTION STAFF BEFORE ANY GENERAL CONTRACTOR MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE MNCPPC INSPECTOR. A COPY OF THE APPROVED CERTIFIED PRELIMINARY PLAN IS REQUIRED TO BE ON-SITE AT ALL TIMES. TO SCHEDULE AN INSPECTION WITH MNCPPC STAFF, PLEASE CONTACT JOSH KAYE 301-495-4722.
- ALL TRAILS CONTAINED WITHIN ANY RURAL OPEN SPACE EASEMENT, AS SHOWN ON THE OPEN SPACE EXHIBIT OF THE CERTIFIED SITE PLAN, SHALL BE OPEN TO PUBLIC FOR RECREATIONAL USE AND ALLOW FOR INTER-PARCEL CONNECTIVITY. THE TRAILS SYSTEM SHOWN IS CONCEPTUAL LAYOUT, FINAL TRAIL LOCATION WILL BE DETERMINED IN FIELD TO AVOID TREES AND STEEP SLOPES.



LEGEND

---	EXISTING GRADE
---	PROPOSED GRADE
---	EXISTING BUILDING
---	PROPOSED RIGHT OF WAY
---	PROPOSED WATER LINE
---	EXISTING 12" WATER LINE
---	PROPOSED SEWER
---	PROPOSED PRESSURE SEWER
---	EXISTING SEWER
---	PROPOSED PUE
---	PROPOSED STORM PIPE
---	EXISTING STORM PIPE
---	PROPOSED WSSC EASEMENT
---	PROPOSED SWM MAINTENANCE ACCESS PATH
---	EXISTING STREAM
---	STREAM VALLEY BUFFER (SVB)
---	WETLAND BUFFER
---	FLOOD PLAIN
---	WETLAND
---	EXISTING SIGNIFICANT TREE
---	EXISTING SPECIMEN TREE
---	PROPOSED STREETLIGHT
---	PROPOSED TREES

CONTRACT PURCHASER:

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151
TELEPHONE: 703-244-1324

DEVELOPER:

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151
TELEPHONE: 703-244-1324

ENGINEER:

SOLTESZ, INC.
2 RESEARCH PLACE, SUITE 100
ROCKVILLE, MD 20850
TELEPHONE: 301-948-2750
FAX: 301-948-9067

ATTORNEY:

LEARCH, EARLY & BREWER CHTD.
7600 WISCONSIN AVENUE, SUITE 700
BETHESDA, MD 20814
TELEPHONE: 301-936-1300

SHEET INDEX:

LANDSCAPE & LIGHTING PLAN

SHEET 1	LANDSCAPE & LIGHTING PLAN COVER
SHEET 2	OVERALL LANDSCAPE PLAN
SHEET 3	LANDSCAPE PLAN
SHEET 4	LOT PLANTING PLAN
SHEET 5	NOTES & DETAILS
SHEET 6	NOTES & DETAILS
SHEET 7	LIGHTING PLAN
SHEET 8	NOTES & DETAILS
SHEET 9	NOTES & DETAILS



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www.solteszco.com

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Surveying
Planning
Environmental Sciences

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY OPENING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT THE UTILITY AT 1-800-254-7777. 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHENEVER IS USED, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REWORK TO THE PLAN.

OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703)-244-1324
ANDY GARRICH

PROFESSIONAL CERTIFICATION

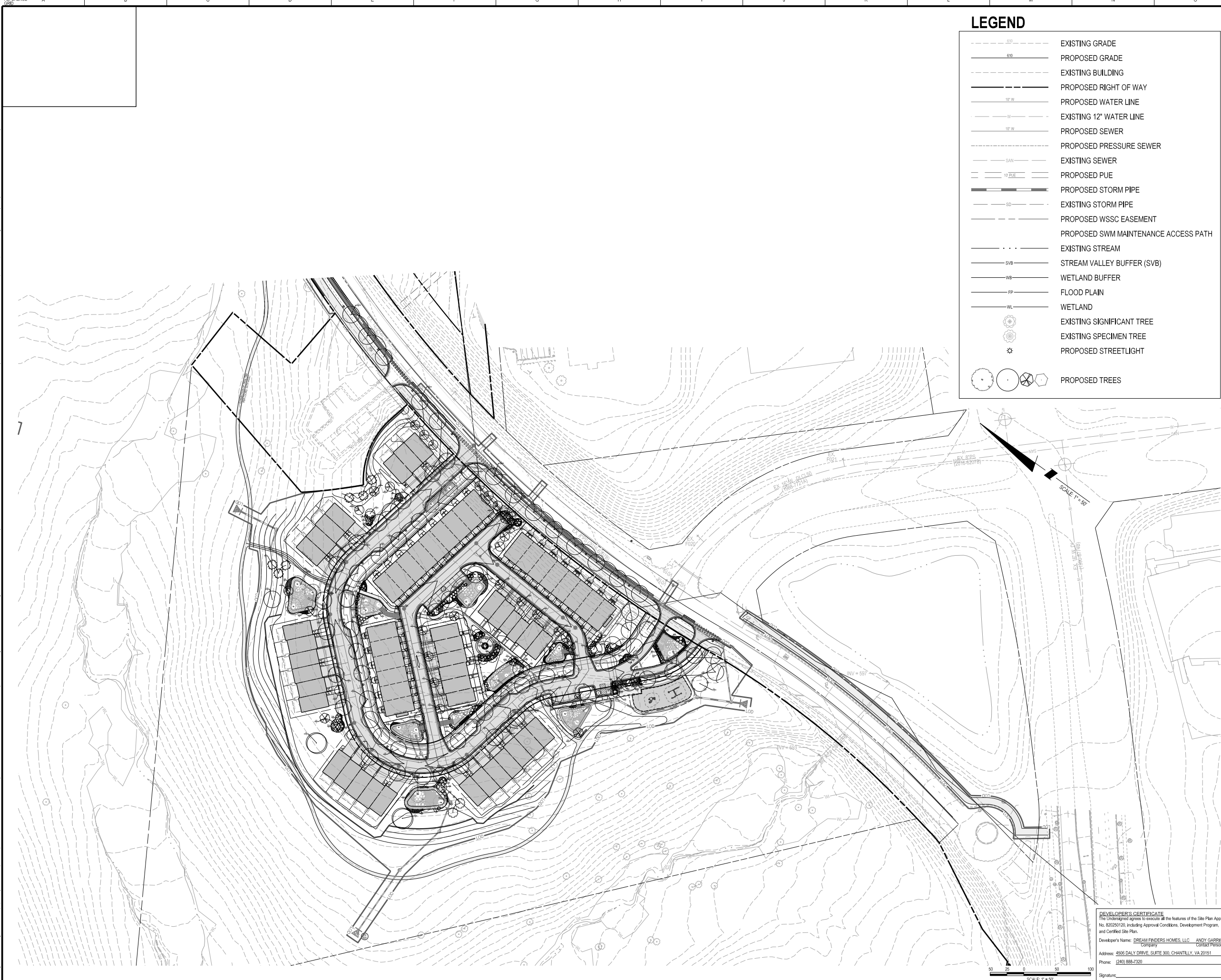
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 33661 EXPIRATION DATE:

COVER SHEET
LANDSCAPE & LIGHTING PLAN
MILES COPPOLA
#820250120
CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

DEVELOPER'S CERTIFICATE
The Undersigned agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.
Developer's Name: DREAM FINDERS HOMES, LLC
Address: 4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151
Phone: (240) 888-7320
Signature: _____
DATE: 10/30/2025
DESIGNED: SC
TECHNICIAN: NC / SC
CHECKED: KJW
CAD STD'S: VERBODEN
ORD / NCS



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LEGEND

- | | |
|--|--------------------------------------|
| | EXISTING GRADE |
| | PROPOSED GRADE |
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| | PROPOSED RIGHT OF WAY |
| | PROPOSED WATER LINE |
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OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703) 888-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 33061 EXPIRATION DATE:

OVERALL LANDSCAPE PLAN LANDSCAPE & LIGHTING PLAN MILES COPPOLA #820250120

CLARSBURG (2ND ELECTION DISTRICT) MONTGOMERY COUNTY, MARYLAND

TAX MAP EW21	ZONING CATEGORY: R-40 / CRT / R-200
MISC. APP. SHEET 223NW13, 233NW14, 232NW13, 232NW14	
SITE DATA HORIZONTAL: NAD 83 VERTICAL: NAVD 88	
DATE: 10/31/2025 DESIGNED: SC TECHNICIAN: NC / SC CHECKED: KJW CAD STD'S: VERBODEN ORD / NCS	
SHEET 2 OF 10	PROJECT NO. 4203-03-00

DEVELOPER'S CERTIFICATE
The Undersigned agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.
Developer's Name: DREAM FINDERS HOMES, LLC ANDY GARRICH
Company: Company Contact Person
Address: 4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151
Phone: (240) 888-7320
Signature:

Engineering
Surveying
Planning
Environmental Sciences

NO.	REVISIONS	BY	DATE
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REAM FINDERS HOMES, LLC
506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(04)-888-7320
ANDY GARRICH

HEREBY CERTIFY THAT THESE DOCUMENTS WERE
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LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS
OF THE STATE OF MARYLAND.
LICENSE NO. 33901, EXPIRATION DATE:

	EXISTING GRADE
	PROPOSED GRADE
	EXISTING BUILDING
	PROPOSED RIGHT OF WAY
	PROPOSED WATER LINE
	EXISTING 12" WATER LINE
	PROPOSED SEWER
	PROPOSED PRESSURE SEWER
	EXISTING SEWER
	PROPOSED PUE
	PROPOSED STORM PIPE
	EXISTING STORM PIPE
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	WETLAND
	EXISTING SIGNIFICANT TREE
	EXISTING SPECIMEN TREE
	PROPOSED STREETLIGHT

LANDSCAPE PLAN

LANDSCAPE & LIGHTING PLAN
MILES COPPOLA
#820250120

TAX MAP EW21	ZONING CATEGORY: R-40 / CRT / R-200	11
WSC 200 SHEET 223NW13, 233NW14, 232NW13, 232NW14		
SITE DATUM HORIZONTAL: <u>NAD 83</u> VERTICAL: <u>NAVD 88</u>		
 1" = 100'		
DATE: 10/31/2025 DESIGNED: SC TECHNICIAN: NC / SC CHECKED: K/W CAD STDS., VERSION: ORD / NCS		
SHEET <u>3</u> OF <u>10</u>		
PROJECT NO. 4203-03-00		

DEVELOPER'S CERTIFICATE	
The Undersigned agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.	
Developer's Name: DREAM FINDERS HOMES, LLC	ANDY GARRICH
Company	Contact Person
Address: 4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151	
Phone: (240) 888-7320	
Signature: _____	



SCALE: 1" = 10'

INDIVIDUAL LOT PLANT SCHEDULE						
SYM	KEY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	REMARK
LARGE FLOWERING SHRUB						
	A	<i>Hydrangea arborescens</i> 'Annabelle'	Annabelle Smooth Hydrangea	30" Ht.	#6 Cont.	Dense, Full
		<i>Hydrangea macrophylla</i> 'All Summer Beauty'	All Summer Beauty Bigleaf Hydrangea	30" Ht.	#6 Cont.	Dense, Full
		<i>Ilex verticillata</i> 'Maryland Beauty'	Winterberry	30" Ht.	#6 Cont.	Dense, Full
		<i>Rhododendron catawbiense</i> 'Grandiflorum'	Grandiflorum Catawba Rhododendron	30"-36" Ht.	#6 Cont.	Dense, Full
		<i>Viburnum acerifolium</i>	Mapleleaf Viburnum	30"-36" Ht.	#6 Cont.	Dense, Full
		<i>Viburnum dentatum</i>	Arrowwood Viburnum	30"-36" Ht.	#6 Cont.	Dense, Full
		<i>Viburnum carlesii</i>	Koreanspice Viburnum	30"-36" Ht.	#6 Cont.	Dense, Full
LARGE EVERGREEN SHRUB						
	B	<i>Ilex x 'RutHolz'</i> P.P.#23,905	Emerald Colonnade® Holly	30"-36" Ht.	#6 Cont.	Dense, Full
		<i>Ilex opaca</i> 'Miss Helen'	Miss Helen American Holly	30"-36" Ht.	#6 Cont.	Dense, Full
		<i>Photinia x fraseri</i> 'Robusta Compacta'	Christmas Berry Fraser's Photinia	30"-36" Ht.	#6 Cont.	Dense, Full
		<i>Picea glauca</i> 'Conica'	Dwarf Alberta Spruce	30"-36" Ht.	#6 Cont.	Dense, Full
		<i>Prunus caroliniana</i> 'Compacta'	Compact Cherry Laurel	30"-36" Ht.	#6 Cont.	Dense, Full
SMALL FLOWERING SHRUB						
	C	<i>Abelia x grandiflora</i> 'Edward Goucher'	Pink Abelia	24"-30" Ht.	#3 Cont.	Dense, Full
		<i>Clethra alnifolia</i> 'Hummingbird'	Summersweet	24"-30" Ht.	#3 Cont.	Dense, Full
		<i>Itea virginica</i> 'Sprich' (Little Henry®)	Little Henry Sweetspire	24"-30" Ht.	#3 Cont.	Dense, Full
		<i>Viburnum carlesii</i> 'Compactum	Compact Koreanspice Viburnum	24"-30" Ht.	#3 Cont.	Dense, Full
		<i>Weigela florida</i> 'Fine Wine'	Fine Wine Weigela	24"-30" Ht.	#3 Cont.	Dense, Full
SMALL EVERGREEN SHRUB						
	D	<i>Azalea</i> 'Delaware Valley White'	Delaware Valley Azalea	24"-30" Ht.	#3 Cont.	Dense, Full
		<i>Buxus microphylla</i> 'Faulkner'	Littleleaf Boxwood	24"-30" Ht.	#3 Cont.	Dense, Full
		<i>Kalmia latifolia</i> 'Elf'	Compact Mountain Laurel	24"-30" Ht.	#3 Cont.	Dense, Full
		<i>Viburnum dentatum</i> 'Christom'	Blue Muffin Arrowwood Viburnum	24"-30" Ht.	#3 Cont.	Dense, Full
GRASSES AND PERENNIALS						
	E	<i>Echinacea purpurea</i> 'Rubinstern'	Purple Coneflower	12" Ht.	1 Gal	Dense, Full, Mature
		<i>Echinacea Prima</i> Ginger PP30,169	Ginger Coneflower	12" Ht.	1 Gal	Dense, Full, Mature
		<i>Festuca glauca</i> 'Elijah Blue'	Elijah Blue Fescue	6" Ht.	1 Gal	Dense, Full, Mature
		<i>Heuchera americana</i> 'Plum Pudding'	Alumroot	6" Ht.	1 Gal	Dense, Full, Mature
		<i>Hosta</i> 'Sagae'	Hosta	6" Ht.	1 Gal	Dense, Full, Mature
		<i>Leucanthemum x superbum</i> 'Snowcap'	Compact Shasta Daisy	6" Ht.	1 Gal	Dense, Full, Mature
		<i>Liriope muscari</i> 'Variegata'	Lilyturf	6" Ht.	1 Gal	Dense, Full, Mature
		<i>Lobelia</i> 'Monet Moment'	Rose Cardinal Flower	15" Ht.	1 Gal	Dense, Full, Mature
		<i>Ophiopogon japonicus</i> 'Gyoku-ryu'	Mondo Grass	6" Ht.	1 Gal	Dense, Full, Mature
		<i>Panicum virgatum</i> 'Cape Breeze'	Compact Switch Grass	12" Ht.	1 Gal	Dense, Full, Mature
		<i>Panicum virgatum</i> 'Shenandoah'	Switch Grass	15" Ht.	1 Gal	Dense, Full, Mature
		<i>Sorghastrum nutans</i>	Indiangrass	15" Ht.	1 Gal	Dense, Full, Mature
		<i>Rudbeckia fulgida</i> 'Goldsturm'	Goldsturm Black Eyed Susan	15" Ht.	1 Gal	Dense, Full, Mature
SHRUBBY GROUNDCOVER						
	F	<i>Juniperus horizontalis</i> 'Blue Chip'	Blue Chip Juniper	6" Ht.	2 Gal	Dense, Full, Mature
		<i>Juniperus conferta</i> 'Blue Pacific'	Blue Pacific Shore Juniper	6" Ht.	2 Gal	Dense, Full, Mature



SCALE: 1" = 10'



SCALE: 1" = 10'

 1"=10'		DATE: 10/31/2025 DESIGNED: SC TECHNICIAN: NC / SC KJW CHECKED: CAD STD'S. VERSION: ORD / NCS	
SHEET <u>4</u> OF <u>10</u>			
PROJECT NO. 4203-03-00			

 SOLTESZ, INC.	
ROCKVILLE OFFICE 2 Research Place, Suite 100 Rockville, MD 20850 P. 301.948.2750 F. 301.948.9067 www.solteszco.com	
Engineering Surveying Planning Environmental Sciences	
NO. _____ REVIEWING _____ BY _____ DATE _____	
MSS UTILITY NOTE INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT MILE UTILITY AT 1-800-257-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THE PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN TWELVE (12) INCHES REQUIRE REDUCTION TO THE PLAN.	
OWNER / DEVELOPER / APPLICANT DREAM FINDERS HOMES, LLC 4500 DALL DRIVE SUITE 300 CHANTILLY, VA 20151 (204)-886-7200 ANDY GARROCH	
PROFESSIONAL CERTIFICATION I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 20061 _____ EXPIRATION DATE, _____	
LOT PLANTING PLAN LANDSCAPE & LIGHTING PLAN MILES COPPOLA #820250120	
CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND	
TAX MAP EW21	ZONING CATEGORY: R-40 / CRT / R-200
SECTION SHEET 223N0V13, 233N0V14, 233N0V13, 233N0V14	DATE DATUM HORIZONTAL: - NAD 83 VERTICAL: - NAVD 88
 1"=10'	DATE: 10/21/2025 TECHNICAL: SC NO. / SC KJW CHECKED: CAD STG / S VERIFIED: ORO / NCS
SHEET 4 OF 10	
PROJECT NO. 4203-05-00	



MANUFACTURER: POLYWOOD
PRODUCT: ROCKWOD
DESCRIPTION:
DIMENSIONS: 72" L
MOUNT: SURFACE MOUNT
COLOR: TEAK
QUANTITY: AS SHOWN

NOTES:
1. OR APPROVED EQUAL.
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
3. SEE PLAN FOR LOCATIONS.

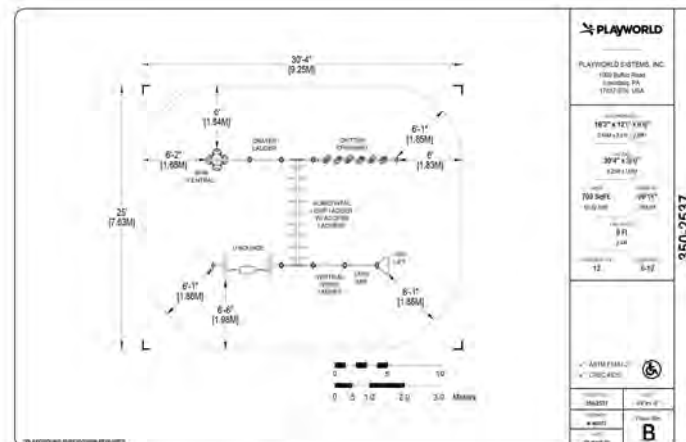


MANUFACTURER: VICTOR STANLEY
PRODUCT: ES-242
DESCRIPTION: ECONOMY SERIES - 36 GAL. LITTER RECEPTACLE
DIMENSIONS: 24" W. X 34-1/8" H.
MOUNT: SURFACE MOUNT
COLOR: BLACK
QUANTITY: AS SHOWN

NOTES:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SEE PLAN FOR LOCATIONS



MANUFACTURER: VICTOR STANLEY
PRODUCT: BFRE-161
DESCRIPTION: PERENNE - FREESIA BIKE RACK
DIMENSIONS: 22-1/8" L. X 3" W. X 29" H.
MOUNT: SURFACE MOUNT
COLOR: BLACK
QUANTITY: AS SHOWN

[illegible]

4

MANUFACTURER: PLAYWORLD
PRODUCT: SIMPLE PLAY
DESCRIPTION:
DIMENSIONS: 22'2" X 20'3"
MOUNT: TBD
COLOR: VARIES
QUANTITY: 1

NOTES:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SEE PLAN FOR LOCATIONS



5

MANUFACTURER: PLAYWORLD
PRODUCT: 250-2537
DESCRIPTION:
DIMENSIONS: 30'4" X 25'0"
MOUNT: TBD
COLOR: VARIES
QUANTITY: 1

NOTES:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SEE PLAN FOR LOCATIONS

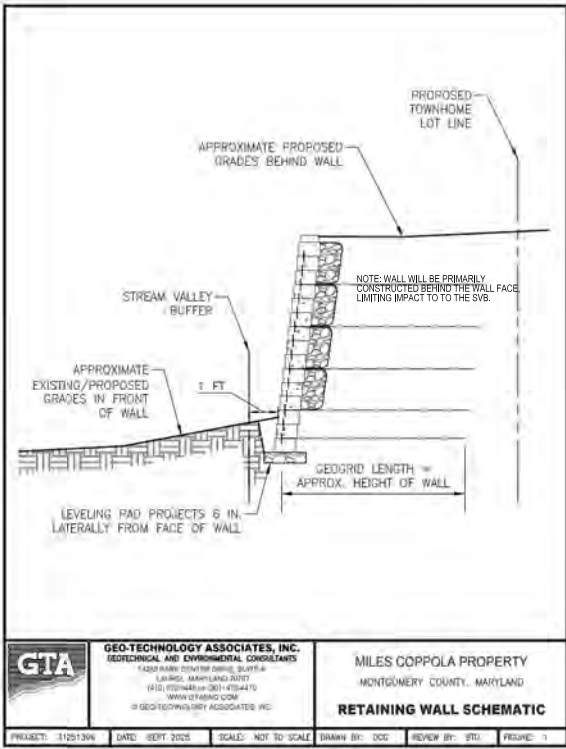
6

MANUFACTURER: ZEAGER
PRODUCT: WOODCARPET
MATERIAL: WOOD FIBER COMPOSITION
AMOUNT: 1,068 S.F.

NOTES:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SEE PLAN FOR LOCATIONS

P1420301000Phenomena: Eastman/Kleff: Email authors: Sheet and Model: Issues and Details (Excel) Screen 0.0A133333 / in: Issues: 3: Query: B: Table: 1000F: Group: 300: 0000: 10/15/2024 2:15:45 PM

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7 RETAINING WALL

DESCRIPTION: CUSTOM
DIMENSIONS: VARIES
MOUNT: TBD
COLOR: TBD
QUANTITY: APPROX. 730 LF

NOTES:
1. OR APPROVED EQUAL
2. INSTALL PER GEOTECHNICAL ENGINEERS SPECIFICATIONS
3. SEE PLAN FOR LOCATIONS



8 SEMI-PRIVACY FENCING - 4' HT.

MANUFACTURER: HUSKER VINYL
PRODUCT: 4' TALL HUSKER SEMI-PRIVACY
COLOR: WHITE
QUANTITY: AS SHOWN

NOTES:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SEE PLAN FOR LOCATIONS



9 ENTRY FEATURE CONCEPT

MANUFACTURER: CUSTOM
DIMENSIONS: 8' X 2.5'
COLOR: TBD
QUANTITY: 2

NOTES:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SEE PLAN FOR LOCATIONS



10 PLAYGROUND FENCE

MANUFACTURER: LONG FENCE
PRODUCT: FREDERICKSBURG ORNAMENTAL
DIMENSION: 42" HEIGHT
MATERIAL: ALUMINUM
COLOR: BLACK
QUANTITY: AS SHOWN

NOTES:
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SEE PLAN FOR LOCATIONS

DEVELOPER'S CERTIFICATE
The Undersigned agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.
Developer's Name: DREAM FINDERS HOMES, LLC ANDY GARRICH
Address: 4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151
Phone: (240) 888-7320
Signature: _____

NOTES AND DETAIL
LANDSCAPE & LIGHTING PLAN
MILES COPPOLA
#820250120
CLARKEBURG (2ND ELECTION DISTRICT) MONTGOMERY COUNTY, MARYLAND

TAX MAP EW21	ZONING CATEGORY: R-40 / CRT / R-200
WISD: 000 SHEET 223NW13, 233NW14, 232NW13, 232NW14	
SITE DATUM HORIZONTAL: NAD 83 VERTICAL: NAVD 88	
DATE: 10/31/2025 DESIGNED: SC TECHNICAL: NC / SC CHECKED: KJW CAD STD: S VERSION: GRD / NCS	
SHEET 6 OF 10	
PROJECT NO: 4203-03-00	

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Surveying
Planning
Environmental Sciences

MISS UTILITY NOTE
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY OPENING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT THREE UTILITY AT 1-800-254-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER / DEVELOPER / APPLICANT
DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(204) 888-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 33061 EXPIRATION DATE: _____

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REFERENCE: A B C D E F G H I J K L M N O

GENERAL CONDITIONS

I. SCOPE

A. The landscape contractor shall provide all materials, labor and equipment to complete all landscape work as shown on the plans, plant list and specifications.

B. Total number of plants shall be as shown on the landscape plan. If this total differs from the plant schedule, the landscape contractor is to notify the landscape architect before the bid date.

II. STANDARDS

A. All plant material will conform to the current issue of the American Standard for Nursery Stock published by the American Nursery and Landscape Association (ANLA) conform in general to representative species.

B. The plant material must be selected from nurseries that have been inspected by state or federal agencies. Any certificates required must be provided to owner or representative upon delivery of materials.

III. SUBSTITUTIONS

A. If a plant is found not to be suitable or available, the contractor is to notify the landscape architect before bidding.

B. The owner or landscape architect is then required to select a reasonable alternate or to inform all landscape contractors of the availability of the original plant.

C. If a substitute is selected, it must be of the same size, value and quality as the original plant. Substitutions to be made with written approval of M-NCPPC.

IV. UTILITIES

A. The landscape contractor shall notify utility companies prior to construction and call "Miss Utility" at (703)227-7777 to locate main utility lines.

B. If there is a conflict with the utilities and the planning, the landscape contractor shall notify the landscape architect or owner immediately. Any cost of relocating caused by the contractor's failure to notify shall be borne by the contractor.

V. DRAINAGE

A. Plants shall not be planted in situations that show obvious poor drainage. Such situations shall be brought to the attention of the landscape architect or owner and, if deemed necessary, plants shall be relocated or free contract shall be adjusted to provide drainage correction at a negotiated cost.

VI. WORKMANSHIP

A. During planting, all areas shall be kept clean and neat, and all reasonable precautions shall be taken to avoid damage to existing plants, turf and structures.

B. Upon completion, all debris and waste material resulting from planting operations shall be removed from the project and the area cleaned up.

C. Any damaged areas shall be restored to their original condition at the cost of the contractor.

I. PLANT MATERIAL

I. STANDARDS

A. Bare root

1. Bare rooted shrubs shall be dug with adequate fibrous roots.

2. Roots shall be protected during handling and transit and planted to guard against drying out and damage. If not planted soon after arrival, material must be heeled in and maintained.

B. Balled and Burlapped (B&B)

1. Balled and Burlapped plants shall be dug with firm natural balls of earth.

2. Ball sizes shall be in accordance with ANLA specifications.

C. Container grown stock shall have been grown in a container long enough for the root system to have developed sufficiently to hold soil in container together.

D. All plant material shall be nursery grown unless otherwise specified. Pruning shall be done before planting or during the planting operation.

E. All plant material to be transported in covered container. Locally available material may be covered with a burlap or similar cover to keep from drying out, provided the transporting vehicle maintains a maximum of 35 mph.

F. Anti-desiccants shall be applied on all materials dug while in foliage.

G. Container stock may replace B&B as long as all other criteria are met.

H. Same plant material for location near each other shall be similar in appearance. Hedge material will be similar enough in size and shape, etc. to create a uniform hedge.

II. MATERIALS

A. ANTI-TRANSPIRANTS

1. Anti-transpirants shall be an emulsifiable concentrate used to retard excess water loss without harming normal transpiration.

B. BACKFILL MIXTURES

1. Back fill mixture shall be 1/3 existing soil mixed with 2/3 organic material (or peat) and 1/3 topsoil.

2. If any other additives are found to be needed at the time of planting, it shall be added only with the approval of the landscape contractor, landscape architect and owner or owner's representative.

3. Fertilizer is to be added depending on the size of the plant and the manufacturer's recommendation.

Trees - Use tree fertilizer as required by particular species

ii. Shrubs - Use tree fertilizer as required by particular species

iii. Ground Cover, Vines & Herbaceous Plants - Use tree fertilizer as required by species.

C. TOPSOIL

1. If used, top soil shall be sandy loam and uniform in color and composition.

2. It shall be free of stones, roots, lumps, plants and other debris over 1 1/2".

3. It shall not contain toxic substances harmful to plant growth.

4. Top soil shall have a pH range of 5.0 to 7.0 and the organic matter shall be a minimum content of 1.0%.

D. ORGANIC MATTER

1. Organic Matter used in back fill shall be peat or other material approved by the landscape architect or owner.

E. PEAT MOSS

1. Type I - sphagnum peat moss finely divided with a pH of 4.0 to 5.0.

F. LEAF MOLD

1. This is a composted leaf material to be used with the approval of landscape architect.

G. COMPOST

1. To be organic matter composted and aged by accepted methods to be used only when specified or by approval of landscape architect.

H. DOLOMITE LIME

1. This is agricultural grade limestone containing total carbonates of 85% with a minimum of 30% magnesium carbonates.

I. FERTILIZER

1. Fertilizer shall be granular, packet or pellet with 35% to 55% of the total nitrogen in a slowly available form. To be applied by manufacturers methods.

2. Fertilizer shall be a complete fertilizer with a minimum analysis as required by soil test and plant material.

J. TRACE ELEMENTS

1. These slow release materials containing zinc (Zn), molybdenum (Mo), iron (Fe), copper (Cu), boron (B) and magnesium (Mg). To be applied as per manufacturer's directions as deemed necessary by soil test.

III. BACKFILLING A TREE PIT

A. Cut rope or wire on ball of tree and pull burlap back to the edge of the root ball remove all plastic wraps and wire. Roll burlap 1/3 of the way down the root ball.

B. Backfill tree pit with a soil mixture stated in the specifications.

C. Mix soil amendments in the mixture either prior to filling pit or as pit is being filled.

D. Make sure plants remain straight during backfilling procedure.

E. Backfill sides of tree pit halfway with soil mixture and tamp as pit is being filled.

F. Finish backfilling sides of tree pit and tamp firmly.

G. NEVER COVER TOP OF TREE BALL WITH SOIL. Top of root ball should be 1" to the root ball height above the tree pit.

H. Form a 4" saucer above existing grade and around the outer rim of the tree pit.

I. Munch top of root ball and saucer within 48 hours to a minimum depth of 2" and not exceed 3".

J. Water thoroughly the interior of the tree saucer until it is filled. EVEN IF IT IS RAINING.

K. Provide enough water to ensure saturation of the root ball.

L. Prune out any dead, conflicting or broken branches.

M. In extremely hot weather, reduce foliage surface by pruning or stripping of foliage.

N. Remove all tags, labels, strings, etc. from the tree.

IV. TREES BRACED BY STAKING

A. Choose the correct size and number of stakes and size of hose and wire according to the Tree Support Detail and plant requirements. Staking shall be completed within 48 hours of planting the tree.

B. Secure stakes evenly and vertically on the outside of the tree ball, driven firmly into the ground (stakes can be slightly angled away from the tree). NOTE: Never drive a stake through the tree ball, as it will damage the tree's root system. Stakes to be 2/3 above ground, 1/3 below.

C. Cut pieces of reinforced hose long enough to loop around the trunk or the tree.

D. Place the hose around the trunk at the height required to provide optimum support. Then run the wire through the hose and pull both ends horizontally around the stake by 2".

E. Cut the wire to sufficient length and then twist the wire at the rubber hose to keep it in place.

F. Run both ends of wire together around the stake twice and then twist wire back onto itself to secure it. Cut off excess wire and stake.

G. The above procedures are to follow for each stake.

H. STAKES

1. Stakes shall be 2"x2" hardwood, reasonably free of knots to be long enough for 1/3rd to be driven into the soil, and 2/3rds above the soil surface.

I. WIRE

1. Wire shall be 12 or 14 gauge galvanized steel or acceptable equal, depending on the size of the tree.

J. CABLE

1. Cables shall be 1/4" or 3/16" galvanized steel, depending on size of trees.

K. CLAMPS

1. Clamps shall be galvanized steel or zinc and large enough to hold wires or wires used.

L. HOSE

1. Hose shall be corded rubber, uniform in color and either 3/4" to 1" in diameter, depending on the size of the tree.

M. MULCH

1. Material shall be double shredded composted hardwood bark, such as "silvabark" or approved equivalent.

2. Material shall be mulching grade, uniform in size and free of foreign or harmful matter.

V. INSPECTION

A. Plants may be subject to inspection and approval by the owner or owner's representative at the place of growth for conformity to specification requirements as to quality, size and variety. This will be at the owner's expense.

Plants damaged in handling or transportation may be rejected by the owner or owner's representative.

II. PLANTING PROCEDURES FOR TREES

I. PREPARING TREE PIT

A. The tree pit must be a minimum width of 2 times the size of the root ball at the top.

B. The walls of tree pit shall be dug so that they are scarified.

C. The tree pit shall be deep enough to allow 1/3 of the root ball to be above the existing grade. Any loose soil at the bottom of the pit shall be tamped by hand or with the bucket of the backhoe.

D. Dig pit 6" deeper than depth required for root ball. Fill bottom of pit with 6" compacted soil mix adjusting depth to ensure top of root ball is 1/4 above the surface of the soil.

II. PLACING TREE IN THE PIT

A. Place the tree in the pit by lifting and carrying the tree by its ball (never lift by branches or trunk) and then lowering it into the pit. Contractor is responsible for providing any machinery necessary to lift and move plant material and to insure it is not dropped.

B. Set the tree straight and in the center of the pit with the most desirable side of the tree facing toward the prominent view (sidewalk, building, street, etc.).

C. Any dropped material may be rejected by owner or representative. Any dropped material should be flagged with red flagging on its trunk and noted on a plan. Should plant die, it will be replaced by the contractor at no cost to the owner.

III. PLANTING PROCEDURES FOR SHRUBS

I. PREPARING SHRUB PIT

A. For a single shrub, the pit shall be dug large enough for the proper setting of the root ball (4" wider than root ball at base, 2 to 3 times the width of the root ball at the top).

B. For a shrub mass planting, the entire bed area shall be retolled 3 to 4" deep. Each shrub pit shall be excavated for the proper setting of the root ball.

C. For a hedge, a trench shall be dug large enough for the proper setting of all of the shrub root balls (the trench shall be 2 times wider than the root balls).

D. Form a compacted base in the bottom of the hole to adjust plant height to proper location. Compact sufficiently to prevent settling.

II. PLANTING SINGLE SHRUBS AND BACKFILLING PIT

A. Remove all plastic wraps, twine, containers, etc.

B. Place the plant in the pit by lifting and carrying in by the root ball.

C. Set the plant straight and in the center of the pit with the most desirable side facing toward the prominent view.

D. Use a soil mixture as specified.

E. Make sure the plant remains straight during backfilling procedure.

F. Backfill side of the pit halfway with soil mixture and tamp as the pit is being filled.

G. Pull the burlap back 1/3 the way down the root ball. Make sure burlap does not become exposed above soil surface.

H. Finish backfilling the sides of the shrub pit and tamp firmly.

I. Form a saucer above the existing grade and around the planting pit.

J. Munch top of root ball and saucer a minimum of 2" depth and not to exceed 3" in depth.

K. Water thoroughly, the interior of the shrub saucer to insure root ball is saturated. EVEN IF IT IS RAINING.

L. Prune out any dead, conflicting or broken branches.

M. Remove all tags, labels, strings, etc. from the plant.

III. PLANTING A SHRUB MASS

A. Follow the same procedure as for a single shrub. (Section II A-I)

B. Edge and rake the entire planting bed to obtain uniform surface.

C. Mulch the entire planting bed a minimum of 2" depth and not to exceed 3" depth.

D. Water the entire planting bed thoroughly. EVEN IF IT IS RAINING. To saturate top 2" of soil.

E. Prune out any dead, conflicting or broken branches.

F. Remove all tags, labels, strings.

IV. PLANTING PROCEDURES FOR GROUND COVER

I. PREPARING GROUND COVER BED

A. The ground cover bed shall be loosened prior to planting by one of the following methods: retolting, backhoeing and retolting or by picking (generally done on small areas or on slopes). Soil shall be loosened to a depth of 4" to 6".

B. Soil additives for the ground cover bed shall be peat and topsoil. (2" deep) after the soil has been loosened and additives then worked into the bed by one of the following methods: retolting, backhoeing and retolting or by picking (in which soil additives are spread by hand into the individual plant pockets and worked into the soil by pick).

C. Fertilize in planting hole or use water soluble fertilizer at base of plants after planting.

D. Mulch the entire ground cover bed to minimum 1" depth and not to exceed 2" in depth.

II. PLANTING GROUND COVER

A. The ground cover planting holes shall be dug through the mulch with one of the following: hand trowel, shovel, bulb planter or hoe.

B. Before planting, biodegradable pots shall be crushed and the top edges broken down below the surface. Non-biodegradable pots shall be removed. Unwrap any bound roots, and bare root plants being covered up to the crown of the plant or soil level.

C. At an equal distance apart (plans and specifications specify the "on center" (o.c.) distance for the ground cover). See spacing guide.

D. The entire ground cover bed shall be edged and thoroughly watered.

V. SEEDING

I. TEMPORARY SEEDING

A. Vegetation - Annual Ryegrass or Pearl Millet shall be used to provide cover on disturbed areas for up to 12 months. For longer duration of vegetation cover, permanent seeding is required.

1. Seed Mixtures - Temporary Seeding

Preferred: Annual Ryegrass - cool season; 40 lbs./acre. (1/2 that amount for over seeding) Pearl Millet - warm season; 20lbs/acre. (These are preferred because existing and proposed native grasses and wildflowers used are other than those preferred, they must be from table B.3 of "Standards and Specifications for Soil Erosion and Sediment Control" by the Maryland Department of Environmental Protection. Temporary plant material must be removed prior to seeding of other material.

For sites having soil tests performed, the seeding and amendment rates shown in table B.3 of "Standards and Specifications for Soil Erosion and Sediment Control" shall be deleted and the rates recommended by the testing agency shall be written in.

For areas recovering low maintenance, apply urea form fertilizer (46-0-0) at 3 1/2 lbs/1000 sq. ft. (150 lbs./acre). The above recommended soil amendments and hose stated in the soil test to be performed at the time of seeding, or as recommended by state agency and manufacturers products.

Do not fertilize area to be seeded around storm water management facilities.

Contractor to provide a fine product of grass seed creating a lawn of uniform color and texture after three mowings.

II. PERMANENT SEEDING

A. Seeding grass and legumes to establish ground cover for a minimum period of one year on all disturbed areas generally receiving low maintenance. Seed mixtures:

1. Seed Mixtures - Permanent Seeding

Preferred: Annual Ryegrass - cool season; 40 lbs./acre. (1/2 that amount for over seeding) Pearl Millet - warm season; 20lbs/acre. (These are preferred because existing and proposed native grasses and wildflowers used are other than those preferred, they must be from table B.3 of "Standards and Specifications for Soil Erosion and Sediment Control" by the Maryland Department of Environmental Protection. Temporary plant material must be removed prior to seeding of other material.

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Do not fertilize area to be seeded around storm water management facilities.

Contractor to provide a fine product of grass seed creating a lawn of uniform color and texture after three mowings.

VI. SOIL TESTING

1. Contractor to perform soil test as per accepted methods by the local agricultural extension service.

2. Samples to be tested by reputable lab.

3. Contractor will be held responsible for notifying owner of any problems or deficits determined by the test results.

4. Corrections will be discussed and cost included with owner.

5. Plant failure based on soil deficits or problems due to failure of contractor to take samples, will be replaced at the cost of the contractor after corrections have been made.

Demand, Supply & Adequacy Report

Project Location Master Plan:

Proposed Residential Project - Units by Type and their Demand Points

Unit Type	Response Type	Quantity	Total	Quantity	Total	Quantity	Total
100	Single-Family Detached	1	1	1	1	1	1
101	Single-Family Attached	1	1	1	1	1	1
102	Multi-Family (1-2 Units)	1	1	1	1	1	1
103	Multi-Family (3-4 Units)	1	1	1	1	1	1
104	Multi-Family (5-9 Units)	1	1	1	1	1	1
105	Multi-Family (10-19 Units)	1	1	1	1	1	1
106	Multi-Family (20-49 Units)	1	1	1	1	1	1
107	Multi-Family (50-99 Units)	1	1	1	1	1	1
108	Multi-Family (100-199 Units)	1	1	1	1	1	1
109	Multi-Family (200-499 Units)	1	1	1	1	1	1
110	Multi-Family (500-999 Units)	1	1	1	1	1	1
111	Multi-Family (1000-1999 Units)	1	1	1	1	1	1
112	Multi-Family (2000-4999 Units)	1	1	1	1	1	1
113	Multi-Family (5000-9999 Units)	1	1	1	1	1	1
114	Multi-Family (10000-19999 Units)	1	1	1	1	1	1
115	Multi-Family (20000-49999 Units)	1	1	1	1	1	1
116	Multi-Family (50000-99999 Units)	1	1	1	1	1	1
117	Multi-Family (100000-199999 Units)	1	1	1	1	1	1
118	Multi-Family (200000-499999 Units)	1	1	1	1	1	1
119	Multi-Family (500000-999999 Units)	1	1	1	1	1	1
120	Multi-Family (1000000-1999999 Units)	1	1	1	1	1	1
121	Multi-Family (2000000-4999999 Units)	1	1	1	1	1	1
122	Multi-Family (5000000-9999999 Units)	1	1	1	1	1	1
123	Multi-Family (10000000-19999999 Units)	1	1	1	1	1	1
124	Multi-Family (20000000-49999999 Units)	1	1	1	1	1	1
125	Multi-Family (50000000-99999999 Units)	1	1	1	1	1	1
126	Multi-Family (100000000-199999999 Units)	1	1	1	1	1	1
127	Multi-Family (200000000-499999999 Units)	1	1	1	1	1	1
128	Multi-Family (500000000-999999999 Units)	1	1	1	1	1	1
129	Multi-Family (1000000000-1999999999 Units)	1	1	1	1	1	1
130	Multi-Family (2000000000-4999999999 Units)	1	1	1	1	1	1
131	Multi-Family (5000000000-9999999999 Units)	1	1	1	1	1	1
132	Multi-Family (10000000000-19999999999 Units)	1	1	1	1	1	1
133	Multi-Family (20000000000-49999999999 Units)	1	1	1	1	1	1
134	Multi-Family (50000000000-99999999999 Units)	1	1	1	1	1	1
135	Multi-Family (100000000000-199999999999 Units)	1	1	1	1	1	1
136	Multi-Family (200000000000-499999999999 Units)	1	1	1	1	1	1
137	Multi-Family (500000000000-999999999999 Units)	1	1	1	1	1	1
138	Multi-Family (1000000000000-1999999999999 Units)	1	1	1	1	1	1
139	Multi-Family (2000000000000-4999999999999 Units)	1	1	1	1	1	1
140	Multi-Family (5000000000000-9999999999999 Units)	1	1	1	1	1	1
141	Multi-Family (10000000000000-19999999999999 Units)	1	1	1	1	1	1
142	Multi-Family (20000000000000-49999999999999 Units)	1	1	1	1	1	1
143	Multi-Family (50000000000000-99999999999999 Units)	1	1	1	1	1	1
144	Multi-Family (100000000000000-199999999999999 Units)	1	1	1	1	1	1
145	Multi-Family (200000000000000-499999999999999 Units)	1	1	1	1	1	1
146	Multi-Family (500000000000000-999999999999999 Units)	1	1	1	1	1	1
147	Multi-Family (1000000000000000-1999999999999999 Units)	1	1	1	1	1	1
148	Multi-Family (2000000000000000-4999999999999999 Units)	1	1	1	1	1	1
149	Multi-Family (5000000000000000-9999999999999999 Units)	1	1	1	1	1	1
150	Multi-Family (10000000000000000-19999999999999999 Units)	1	1	1	1	1	1
151	Multi-Family (20000000000000000-49999999999999999 Units)	1	1	1	1	1	1
152	Multi-Family (50000000000000000-99999999999999999 Units)	1	1	1	1	1	1
153	Multi-Family (100000000000000000-199999999999999999 Units)	1	1	1	1	1	1
154	Multi-Family (200000000000000000-499999999999999999 Units)	1	1	1	1	1	1
155	Multi-Family (500000000000000000-999999999999999999 Units)	1	1	1	1	1	1
156	Multi-Family (1000000000000000000-1999999999999999999 Units)	1	1	1	1	1	1
157	Multi-Family (2000000000000000000-4999999999999999999 Units)	1	1	1	1	1	1
158	Multi-Family (5000000000000000000-9999999999999999999 Units)	1	1	1	1	1	1
159	Multi-Family (10000000000000000000-19999999999999999999 Units)	1	1	1	1	1	1
160	Multi-Family (20000000000000000000-49999999999999999999 Units)	1	1	1	1	1	1
161	Multi-Family (50000000000000000000-99999999999999999999 Units)	1	1	1	1	1	1
162	Multi-Family (100000000000000000000-199999999999999999999 Units)	1	1	1	1	1	1
163	Multi-Family (200000000000000000000-499999999999999999999 Units)	1	1	1	1	1	1
164	Multi-Family (500000000000000000000-999999999999999999999 Units)	1	1	1	1	1	1
165	Multi-Family (1000000000000000000000-1999999999999999999999 Units)	1	1	1	1	1	1
166	Multi-Family (2000000000000000000000-4999999999999999999999 Units)	1	1	1	1	1	1
167	Multi-Family (5000000000000000000000-9999999999999999999999 Units)	1	1	1	1	1	1
168	Multi-Family (10000000000000000000000-19999999999999999999999 Units)	1	1	1	1	1	1
169	Multi-Family (20000000000000000000000-49999999999999999999999 Units)	1	1	1	1	1	1
170	Multi-Family (50000000000000000000000-99999999999999999999999 Units)	1	1	1	1	1	1
171	Multi-Family (100000000000000000000000-199999999999999999999999 Units)	1	1	1	1	1	1
172	Multi-Family (200000000000000000000000-499999999999999999999999 Units)	1	1	1	1	1	1
173	Multi-Family (500000000000000000000000-999999999999999999999999 Units)	1	1	1	1	1	1
174	Multi-Family (1000000000000000000000000-1999999999999999999999999 Units)	1	1	1	1	1	1
175	Multi-Family (2000000000000000000000000-4999999999999999999999999 Units)	1	1	1	1	1	1
176	Multi-Family (5000000000000000000000000-9999999999999999999999999 Units)	1	1	1	1	1	1
177	Multi-Family (10000000000000000000000000-19999999999999999999999999 Units)	1	1	1	1	1	1
178	Multi-Family (20000000000000000000000000-49999999999999999999999999 Units)	1	1	1	1	1	1
179	Multi-Family (50000000000000000000000000-99999999999999999999999999 Units)	1	1	1	1	1	1
180	Multi-Family (100000000000000000000000000-199999999999999999999999999 Units)	1	1	1	1	1	1
181	Multi-Family (200000000000000000000000000-499999999999999999999999999 Units)	1	1	1	1	1	1
182	Multi-Family (500000000000000000000000000-999999999999999999999999999 Units)	1	1	1	1	1	1
183	Multi-Family (1000000000000000000000000000-1999999999999999999999999999 Units)	1	1	1	1	1	1
184	Multi-Family (2000000000000000000000000000-4999999999999999999999999999 Units)	1	1	1	1	1	1
185	Multi-Family (5000000000000000000000000000-9999999999999999999999999999 Units)	1	1	1	1	1	1
186	Multi-Family (10000000000000000000000000000-19999999999999999999999999999 Units)	1	1	1	1	1	1
187	Multi-Family (20000000000000000000000000000-49999999999999999999999999999 Units)	1	1	1	1	1	1
188	Multi-Family (50000000000000000000000000000-99999999999999999999999999999 Units)	1	1	1	1	1	1
189	Multi-Family (100000000000000000000000000000-199999999999999999999999999999 Units)	1	1	1	1	1	1
190	Multi-Family (200000000000000000000000000000-499999999999999999999999999999 Units)	1	1	1	1	1	1
191	Multi-Family (500000000000000000000000000000-999999999999999999999999999999 Units)	1	1	1	1	1	1
192	Multi-Family (1000000000000000000000000000000-1999999999999999999999999999999 Units)	1	1	1	1	1	1
193	Multi-Family (2000000000000000000000000000000-4999999999999999999999999999999 Units)	1	1	1	1	1	1
194	Multi-Family (5000000000000000000000000000000-9999999999999999999999999999999 Units)	1	1	1	1	1	1
195	Multi-Family (10000000000000000000000000000000-19999999999999999999999999999999 Units)	1	1	1	1	1	1
196	Multi-Family (20000000000000000000000000000000-49999999999999999999999999999999 Units)	1	1	1	1	1	1
197	Multi-Family (50000000000000000000000000000000-99999999999999999999999999999999 Units)	1	1	1	1	1	1
198	Multi-Family (100000000000000000000000000000000-199999999999999999999999999999999 Units)	1	1	1	1	1	1
199	Multi-Family (200000000000000000000000000000000-499999999999999999999999999999999 Units)	1	1	1	1	1	1
200	Multi-Family (500000000000000000000000000000000-999999999999999999999999999999999 Units)	1	1	1	1	1	1
201	Multi-Family (1000000000000000000000000000000000-1999999999999999999999999999999999 Units)	1	1	1	1	1	1
202	Multi-Family (2000000000000000000000000000000000-4999999999999999999999999999999999 Units)	1	1	1	1	1	1
203	Multi-Family (5000000000000000000000000000000000-9999999999999999999999999999999999 Units)	1	1	1	1	1	1
204	Multi-Family (10000000000000000000000000000000000-19999999999999999999999999999999999 Units)	1	1	1	1	1	1
205	Multi-Family (20000000000000000000000000000000000-49999999999999999999999999999999999 Units)	1	1	1	1	1	1
206	Multi-Family (50000000000000000000000000000000000-99999999999999999999999999999999999 Units)	1	1	1	1	1	1
207	Multi-Family (100000000000000000000000000000000000-199999999999999999999999999999999999 Units)	1	1	1	1	1	1
208	Multi-Family (200000000000000000000000000000000000-499999999999999999999999999999999999 Units)	1	1	1	1	1	1
209	Multi-Family (500000000000000000000000000000000000-999999999999999999999999999999999999 Units)	1	1	1	1	1	1
210	Multi-Family (1000000000000000000000000000000000000-1999999999999999999999999999999999999 Units)	1	1	1	1	1	1
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212	Multi-Family (5000000000000000000000000000000000000-9999999999999999999999999999999999999 Units)	1	1	1	1	1	1
213	Multi-Family (10000000000000000000000000000000000000-19999999999999999999999999999999999999 Units)	1	1	1	1	1	1
214	Multi-Family (20000000000000000000000000000000000000-49999999999999999999999999999999999999 Units)	1	1	1	1	1	1
215	Multi-Family (50000000000000000000000000000000000000-99999999999999999999999999999999999999 Units)	1	1	1	1	1	1
216	Multi-Family (100000000000000000000000000000000000000-199999999999999999999999999999999999999 Units)	1	1	1	1	1	1
217	Multi-Family (200000000000000000000000000000000000000-499999999999999999999999999999999999999 Units)	1	1	1	1	1	1
218	Multi-Family (500000000000000000000000000000000000000-999999999999999999999999999999999999999 Units)	1	1	1	1	1	1
219	Multi-Family (1000000000000000000000000000000000000000-1999999999999999999999999999999999999999 Units)	1	1	1	1	1	1
220	Multi-Family (2000000000000000000000000000000000000000-4999999999999999999999999999999999999999 Units)	1	1	1	1	1	1
221	Multi-Family (5000000000000000000000000000000000000000-99 Units)	1	1	1	1	1	1
222	Multi-Family (100-1999 Units)	1	1	1	1	1	1
223	Multi-Family (200-4999999999999999						

The original of this drawing document was prepared by Soltesz, Inc. (SOLTESZ). If this document was not obtained directly from SOLTESZ and/or it was transmitted electronically, SOLTESZ cannot guarantee that unauthorized changes and/or alterations were not made by others. If verification of the information contained herein is needed, contact should be made directly with SOLTESZ. SOLTESZ makes no warranties, express or implied, concerning the accuracy of any information that has been transmitted by electronic means.

LEGEND

	EXISTING GRADE
	PROPOSED GRADE
	EXISTING BUILDING
	PROPOSED RIGHT OF WAY
	PROPOSED WATER LINE
	EXISTING 12" WATER LINE
	PROPOSED SEWER
	PROPOSED PRESSURE SEWER
	EXISTING SEWER
	PROPOSED PUE
	PROPOSED STORM PIPE
	EXISTING STORM PIPE
	PROPOSED WSSC EASEMENT
	PROPOSED SWM MAINTENANCE ACCESS PATH
	EXISTING STREAM
	STREAM VALLEY BUFFER (SVB)
	WETLAND BUFFER
	FLOOD PLAIN
	WETLAND
	PROPOSED AND EXISTING STREETLIGHT
	PROPOSED TREES

SOLTESZ, INC.

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Rockville, MD 20850
P. 301.948.2750 F. 301.948.9067
www.solteszco.com

Engineering
Surveying
Planning
Environmental Sciences

NO.	REVISIONS	BY	DATE

MISS UTILITY NOTE
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT TIMES UTILITY AT 1480.25/2777.48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHEREVER IS SUSPECTED THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER / DEVELOPER / APPLICANT
DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703) 888-7320
ANDY GARNICH

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 33861 EXPIRATION DATE:

LIGHTING PLAN

LANDSCAPE & LIGHTING PLAN

MILES COPPOLA

#820250120

CLARKSBURG (2ND ELECTION DISTRICT) MONTGOMERY COUNTY, MARYLAND

TAX MAP	ZONING CATEGORY:
EW21	R-90 / CRT / R-200

WSSC OFF SHEET	DATE:
223NW13, 233NW14, 233NW15, 233NW14	10/31/2025

SITE DATA	TECHNICIAN:
HORIZONTAL: NAD 83	SC
VERTICAL: NAVD 88	NO / SC

SHEET	CHECKED:
8	KJW
OF 10	CAD STD: S. KERNON
	ORD / NCS

PROJECT NO.	DATE:
420340-00	10/31/2025

DEVELOPER'S CERTIFICATE
The Undersigned agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.
Developer's Name: DREAM FINDERS HOMES, LLC ANDY GARNICH
Company: Contact Person:
Address: 4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151
Phone: (240) 888-7320
Signature: _____

1" = 30'
DATE: 10/31/2025
TECHNICIAN: SC
CHECKED: KJW
CAD STD: S. KERNON
ORD / NCS

20300 CENTURY BOULEVARD LIGHTING SCHEDULE									
Label	Symbol	Quantity	Description	Catalog Number	Mounting Height	Manufacturer	Lamp Lumens	LLF	Watts
A		24	GENERATIONS POST TOP WITH NO CAGE, ACORN TOP AND TYPE III REFRACTOR WITH HOUSE SIDE SHIELD	ACN-CA6-80-730-U-33-X-1-X-BK-P-GHSS	14'-0"	Cooper Lighting	Absolute	1	59.8
B		11	STREETWORKS POST TOP WITH A TYPE III PRISMATIC REFRACTOR	ACN-080-LED-E-U-33-X-1-X-BK	14'-0"	Cooper Lighting	Absolute	1	101.3
C		35	ENTRY WALL PACK	EWP15FSDBZ-13W-3000K	9'-0"	Cooper Lighting	Absolute	1	13.0
D		12	BOLLARD 6INCH ROUND BASE	ABB-B1-LED-D1-S-8030	3'-0"	Cooper Lighting	Absolute	1	9.6
E			Existing						

P:\420340\00\Planning\Site_Enrollment\Sheet_Files\Lighting_Sheet.dgn Model=Lighting Plan (Sheet) Scale=0.08333333 / in. User=KJW Date=10/31/2025 12:58:28 PM



ARBOR OUTDOOR ARCHITECTURAL POST TOP WITH HOUSE SHIELD

MANUFACTURER: COOPER LIGHTING SOLUTION
PRODUCT: STREETWORK ACN GENERATION SERIES
ORDER NUMBER: ACN-CA6-120-730-U-33-X-1-X-BK-P-GHSS
COLOR: BLACK
QUANTITY: AS SHOWN

NOTES:

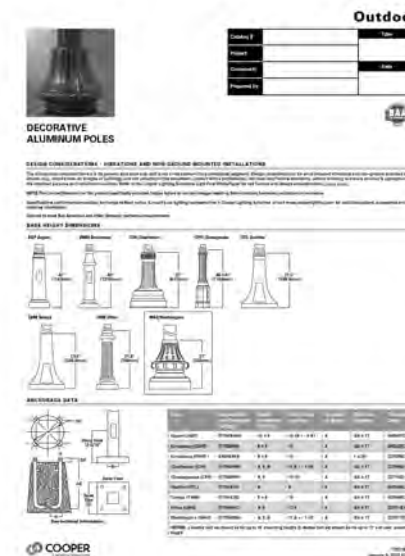
1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SYMBOL: 

 ARBOR OUTDOOR ARCHITECTURAL POST TOP

MANUFACTURER: COOPER LIGHTING SOLUTION
PRODUCT: STREETWORK ACN GENERATION SERIES
ORDER NUMBER: ACN-CA6-80-730-U-33-X-1-X-BK-P
COLOR: BLACK
QUANTITY: AS SHOWN

NOTES:

1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SYMBOL: 



POLES FOR POST TOPS

MANUFACTURER: COOPER LIGHTING SOLUTION
PRODUCT: DECORATIVE ALUMINUM POLES
ORDER NUMBER: WA31450RS4BK
COLOR: BLACK
QUANTITY: AS SHOWN

NOTES:

1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SYMBOL: 



INSTALLATION INSTRUCTION

MANUFACTURER: COOPER LIGHTING SOLUTION


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www.solteszco.com

Engineering
Surveying
Planning
Environmental Sciences

[illegible]

NO.	REVISIONS	BY	DATE
-----	-----------	----	------

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(204)-888-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS
OF THE STATE OF MARYLAND.
LICENSE NO. 331601, EXPIRATION DATE: _____

NOTES AND DETAILS

LANDSCAPE & LIGHTING PLAN

MILES COPPOLA

#820250120

CLARKSSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

1

TAX MAP EW21	ZONING CATEGORY: R-80 / CRT / R-200
WSSC 200' SHEET 223NW13, 233NW14, 232NW13, 232NW14	
SITE DATUM HORIZONTAL: <u>NAD 83</u> VERTICAL: <u>NAVD 88</u>	

DATE: 10/30/2025
DESIGNED: SC
TECHNICIAN: NC / SC
CHECKED: K/W
CAD STD'S: ORD / NCS

OF 10

PROJECT NO.
4203-03-00



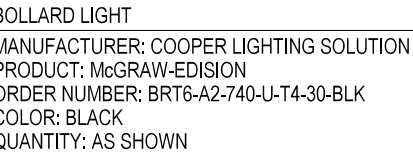
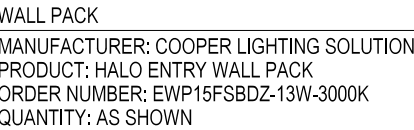
DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: DREAM FINDERS HOMES, LLC	ANDY GARRICH
Company	Contact Person

Address: **4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151**

Phone: **(240) 888-7320**

Signature: _____



MANUFACTURER: COOPER LIGHTING SOLUTION
PRODUCT: HALO ENTRY WALL PACK
ORDER NUMBER: EWP15FSBDZ-13W-3000K
QUANTITY: AS SHOWN

1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SYMBOL:

MANUFACTURER: COOPER LIGHTING SOLUTION
PRODUCT: MCGRAW-EDISON
ORDER NUMBER: BRT6-A2-740-U-T4-30-BLK
COLOR: BLACK
QUANTITY: AS SHOWN

1. OR APPROVED EQUAL
2. INSTALL PER MANUFACTURER'S SPECIFICATIONS
3. SYMBOL: 

HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS
OF THE STATE OF MARYLAND,
LICENSE NO. 331801, EXPIRATION DATE: _____

CLARKSBURG (2ND) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

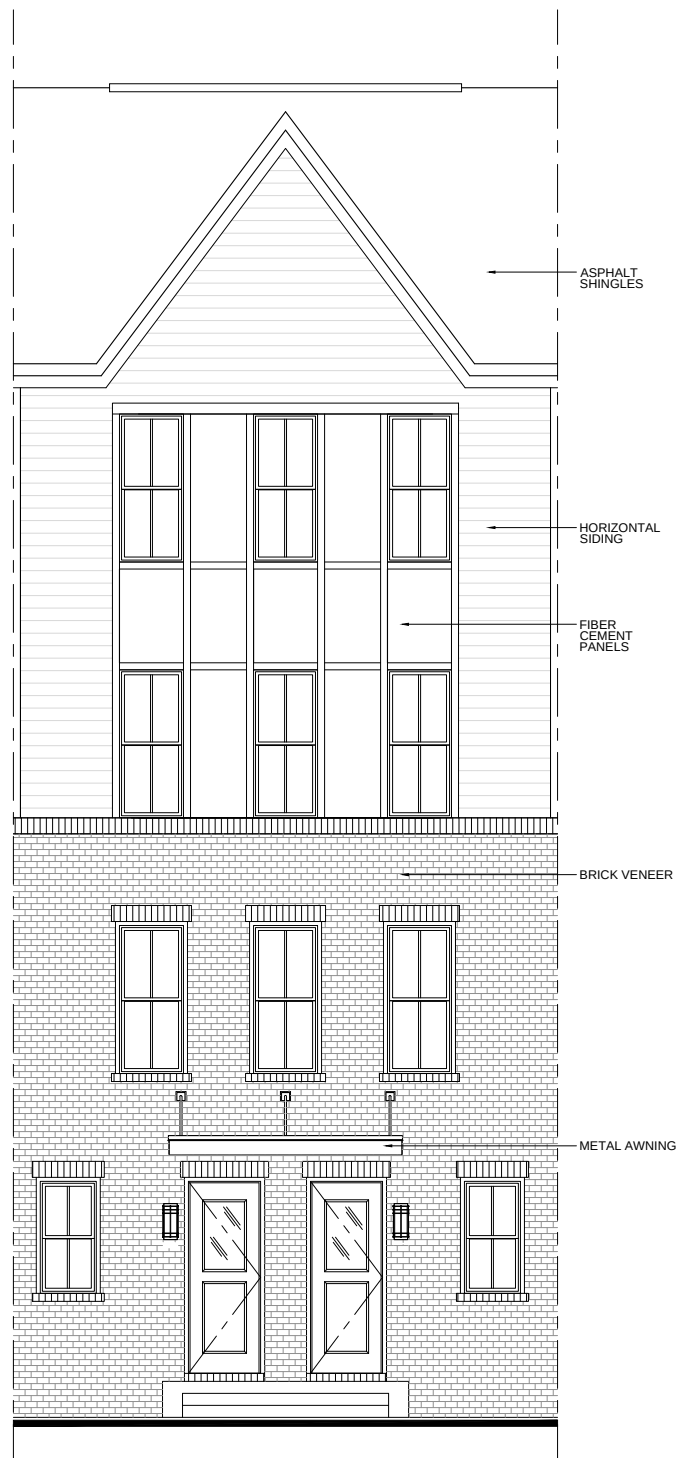
DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval No. 820250120, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: DREAM FINDERS HOMES, LLC ANDY GARRICH
Company Contact Person

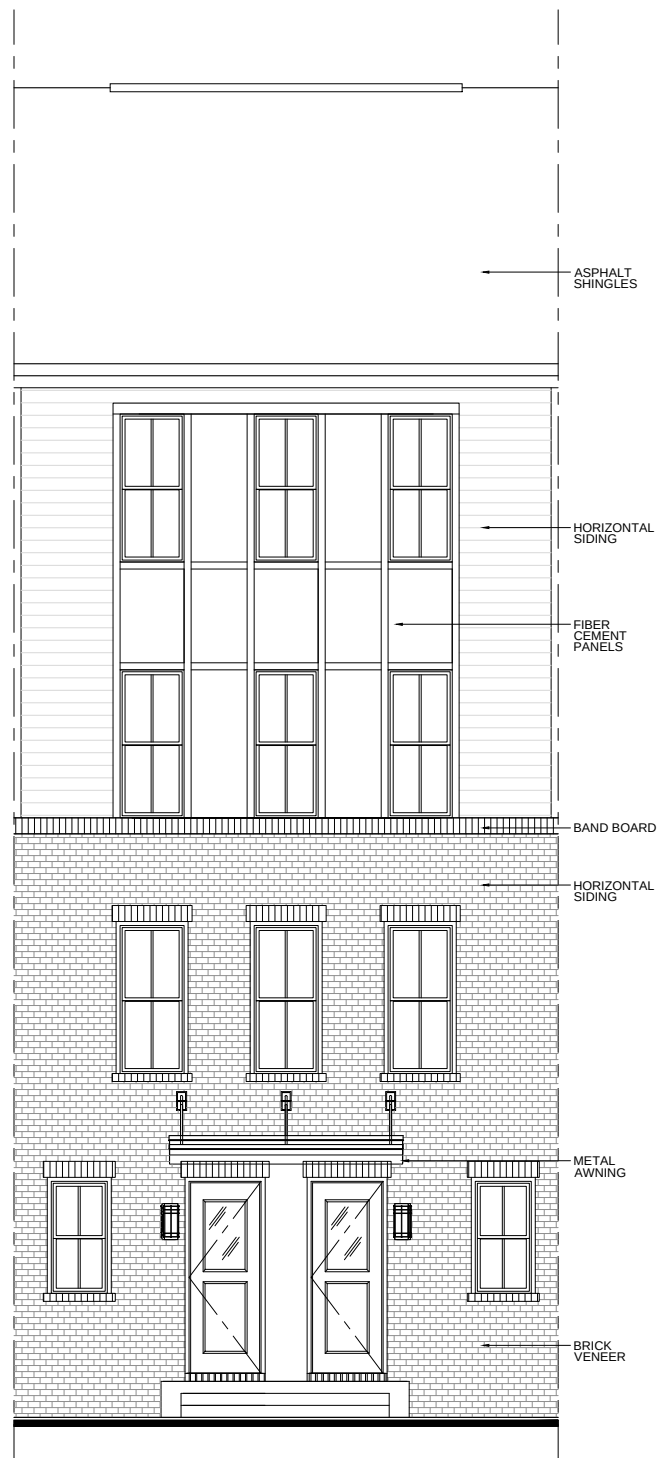
Address: 4506 DALY DRIVE, SUITE 300, CHANTILLY, VA 20151

Phone: (240) 888-7320

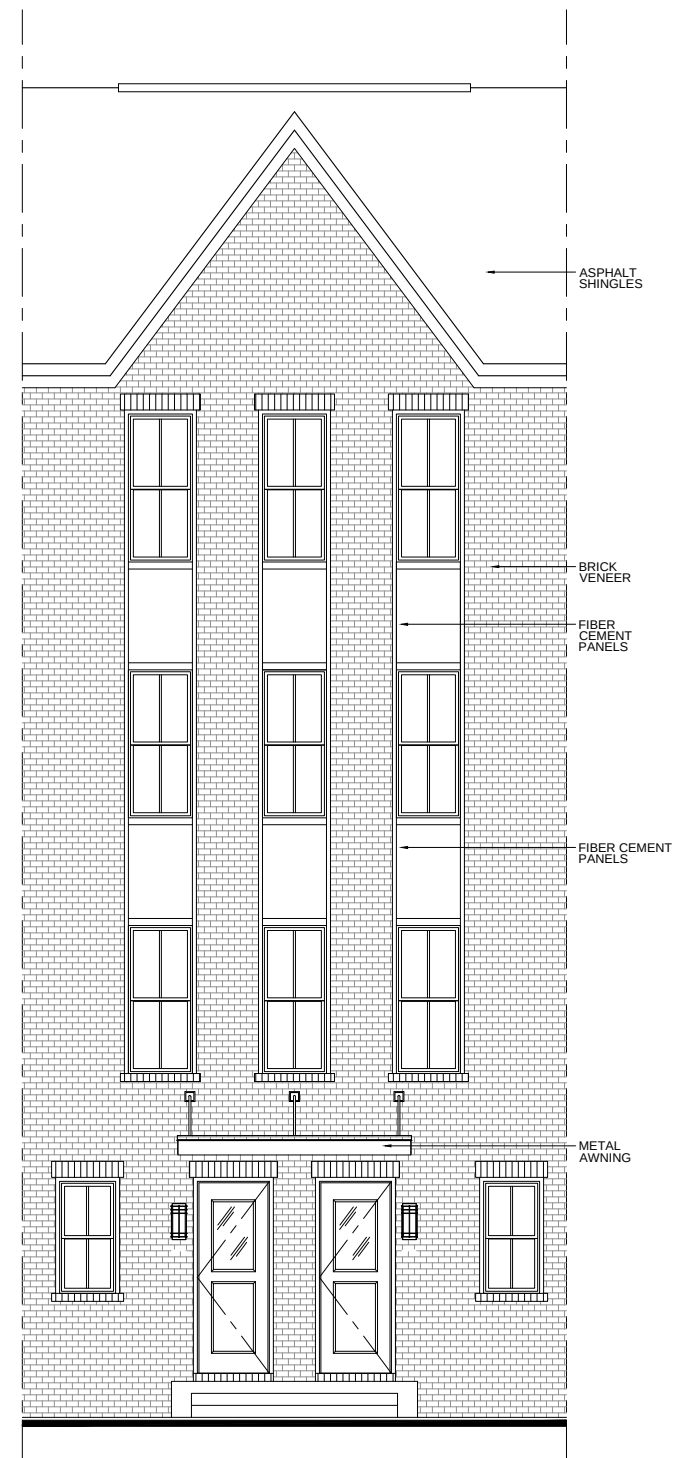
Signature: _____



FRONT ELEVATION 1



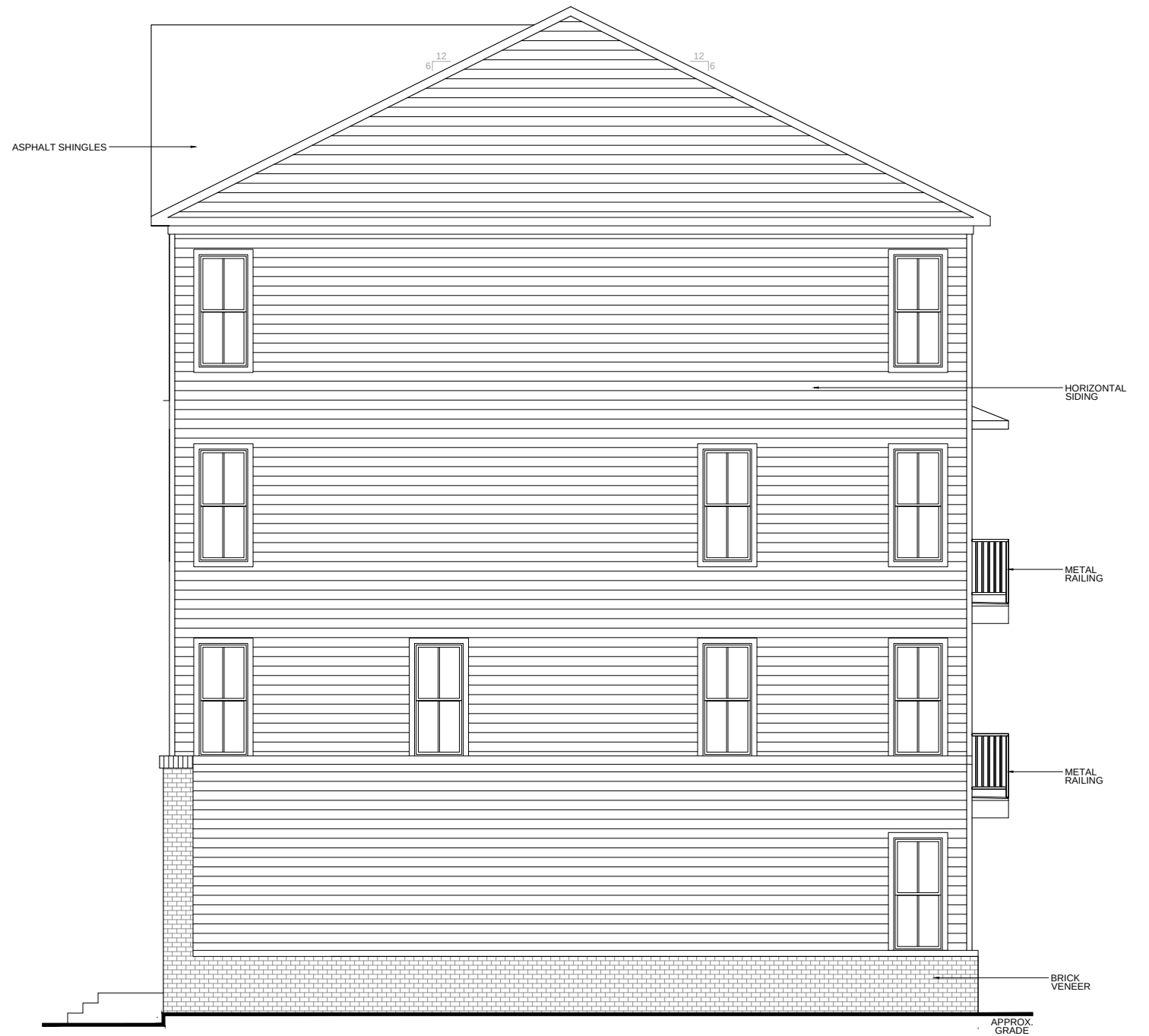
FRONT ELEVATION 2



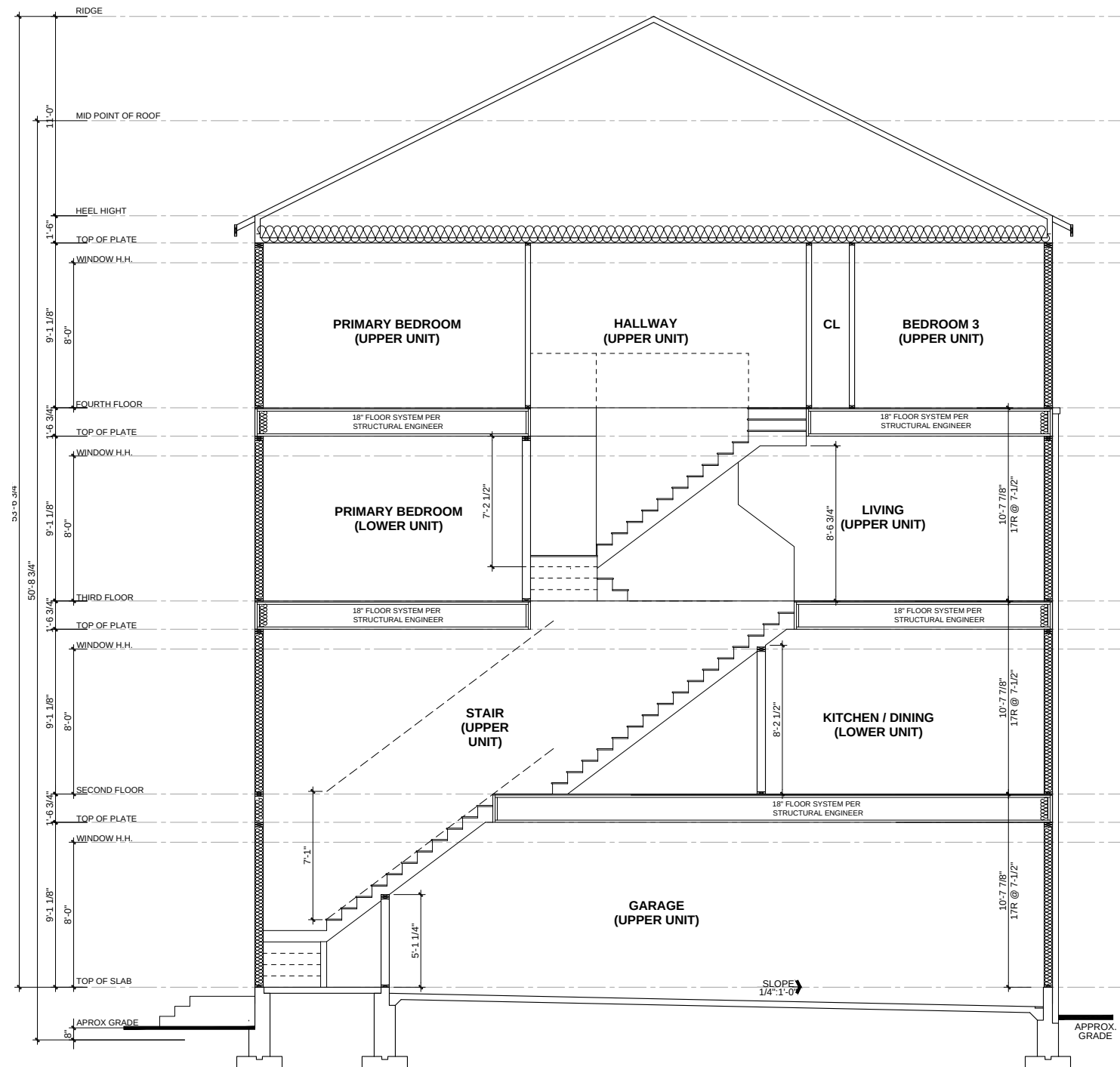
FRONT ELEVATION 3



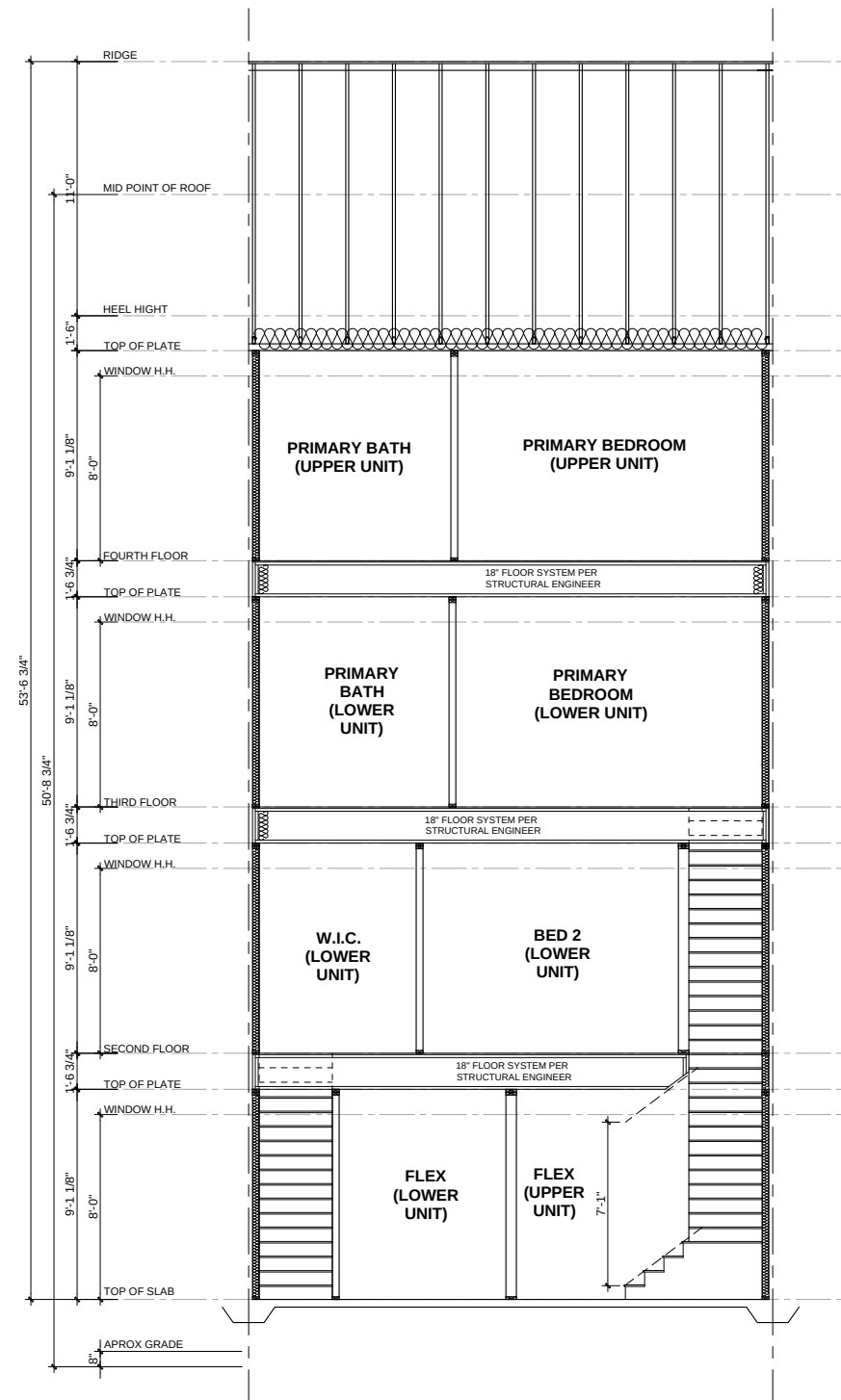
Rear Elevation



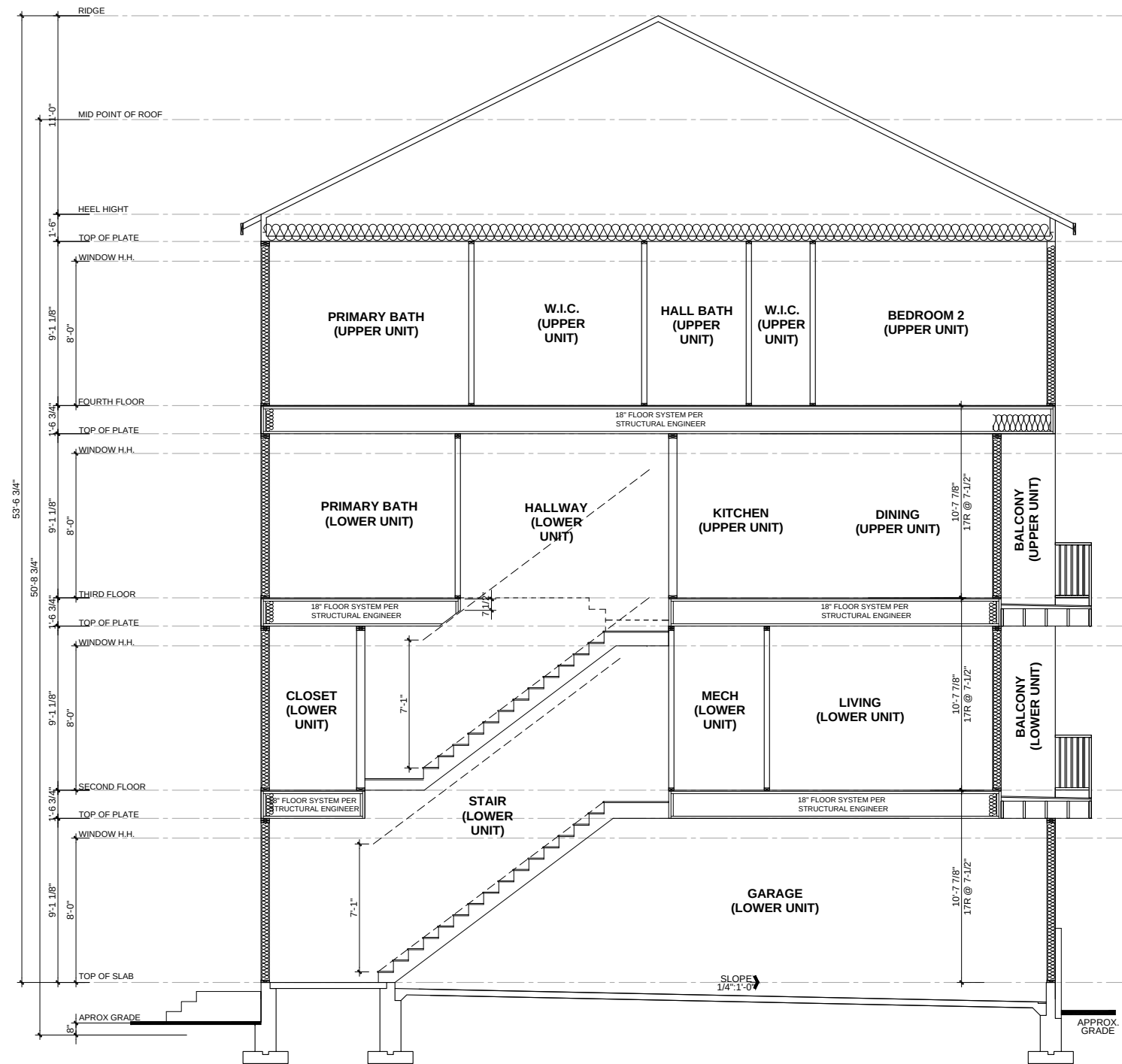
Side Elevation



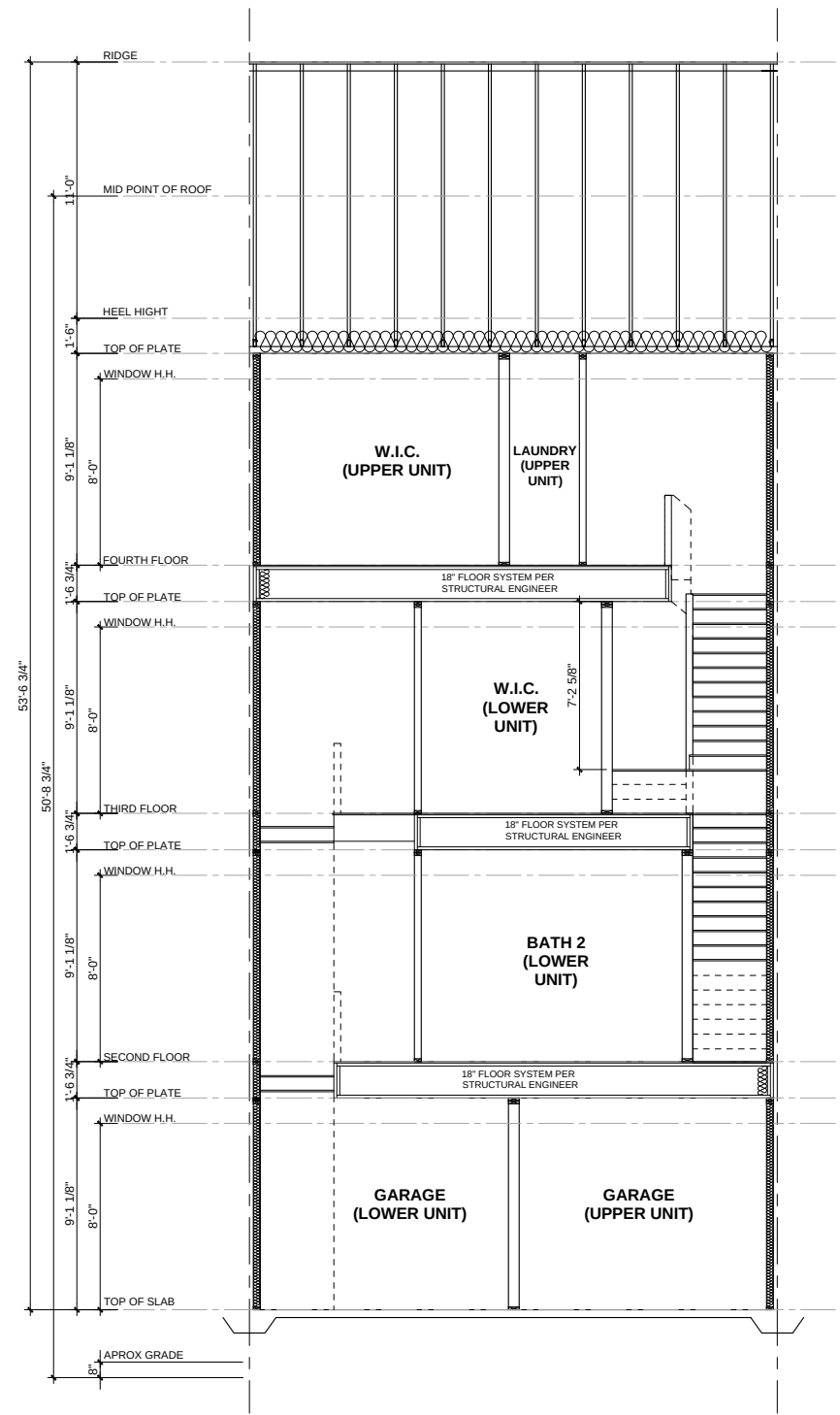
Section 1



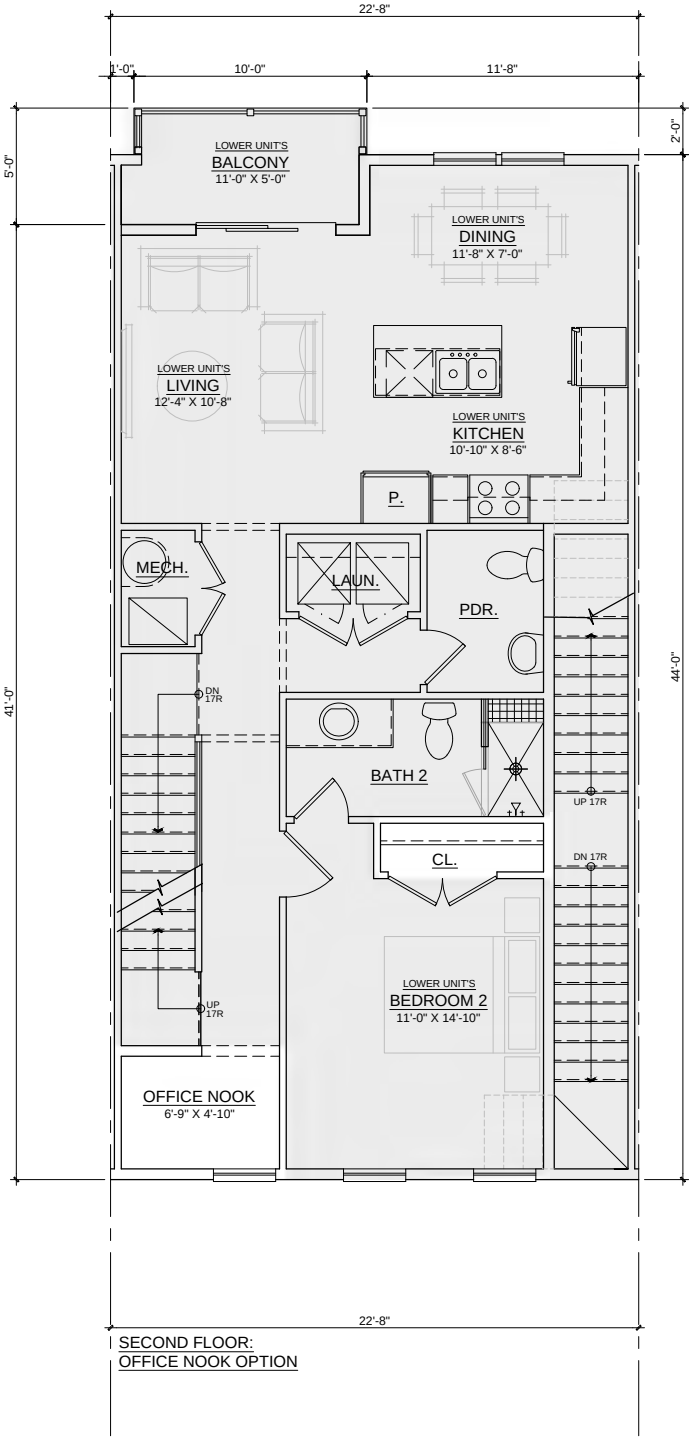
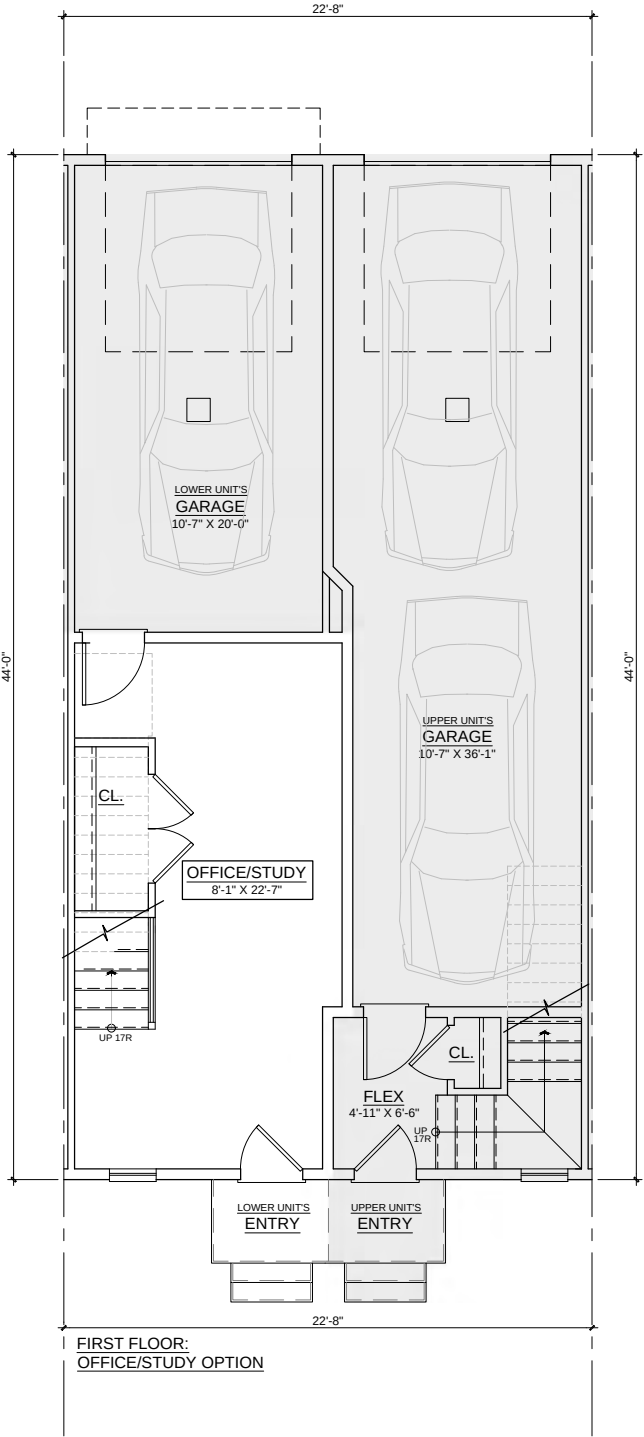
Section 3



Section 2



Section 4





STRIP:LOT 38-55 FRONT ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



STRIP:LOT 38-55
REAR ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



Bi-Plex Prototype- SOG
*Patent Pending

0 8 16 32

**STRIP
Elevation**

10/22/2025

A107



STRIP:LOT 56-71
FRONT ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



STRIP:LOT 56-71
REAR ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



Bi-Plex Prototype- SOG
*Patent Pending

0 8 16 32

**STRIP
Elevation**

10/22/2025



STRIP:LOT 26-37
FRONT ELEVATION

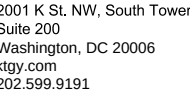
(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)





STRIP:LOT 26-37 REAR ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Developer

PHONE NO. 703-596-9830
FAX NO. ----

MONTGOMERY CO., MD

No.	Date	Description
-----	------	-------------

[illegible]

is the clients responsibility prior to or during construction to notify the architect in writing of any perceived errors or omissions in the plans and specifications of which a contractor is not thoroughly knowledgeable with the building codes and methods of construction should be reasonably be aware. Written instructions addressing such perceived errors or omissions shall be received from the architect prior to the client or clients subcontractors proceeding with the work. The client will be responsible for any defects in construction if these procedures are not followed.

documents were prepared or approved by me and that I am a duly licensed architect under the laws of the State of Maryland, licensee

A-200



SCALE: 1/4"=1'-0"

3



SCALE: 1/4"=1'-0"

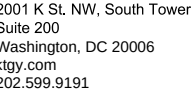
2



SCALE: 1/4"=1'-0"

1

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Project Contact: Bindiya Agam
Email: bagarwal@ktgy.co

Developer

PHONE NO. 703-596-9841
FAX NO. 703-596-9842

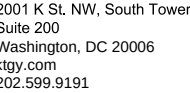
16' TOWNHOME

Is the client responsible prior to or during construction to notify the architect in writing of any perceived errors or omissions in the plans and specifications of which a contractor is sufficiently knowledgeable with the building codes and methods of construction reasonably be aware. Written instructions addressing such perceived errors or omissions shall be received from the architect prior to the client or clients subcontractors proceeding with the work. The client will be responsible for any defects in construction if the procedures are not followed.

documents were prepared or approved by me and that I am a duly licensed architect under the laws of the State of California. My license number is 20233. Expiration Date 08/11/2027.

A-100





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.co

Developer

PHONE NO. 703-596-9841
FAX NO. 703-596-9842

16' TOWNHOME

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A-100



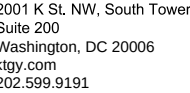
SCALE: 1/4"=1'-0"

2



SCALE: 1/4"=1'-0"

1



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.co

Developer

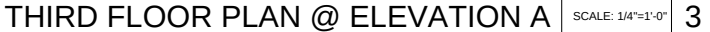
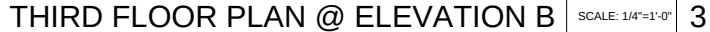
PHONE NO. 703-596-9811
FAX NO. 703-596-9812

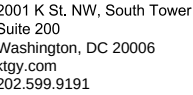
16' TOWNHOME

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documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 20023, Expiration Date: 08/1/2027."

A-100





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. -----

MONTGOMERY CO., MD

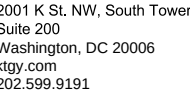
No.	Date	Description
	08.01.2025	DD SET

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and that I am a duly licensed architect under the laws of the State of Maryland, license number 20023. Expiration Date: 08/11/2025."

A-201





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
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FAX NO. ----

MONTGOMERY CO., MD

No.	Date	Description
	08.01.2025	DD SET

[illegible]

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documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license

A-212



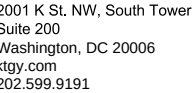
SCALE: 1/4"=1'-0"

2



SCALE: 1/4"=1'-0"

1



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
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CHANTILLY, VA 20151

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MONTGOMERY CO., MD

No.	Date	Description
	08.01.2025	DD SET

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the laws of the State of Maryland, license number 20023. Expiration Date: 08/11/2025."

A-200



SCALE: 1/4"=1'-0"

2



SCALE: 1/4"=1'-0"

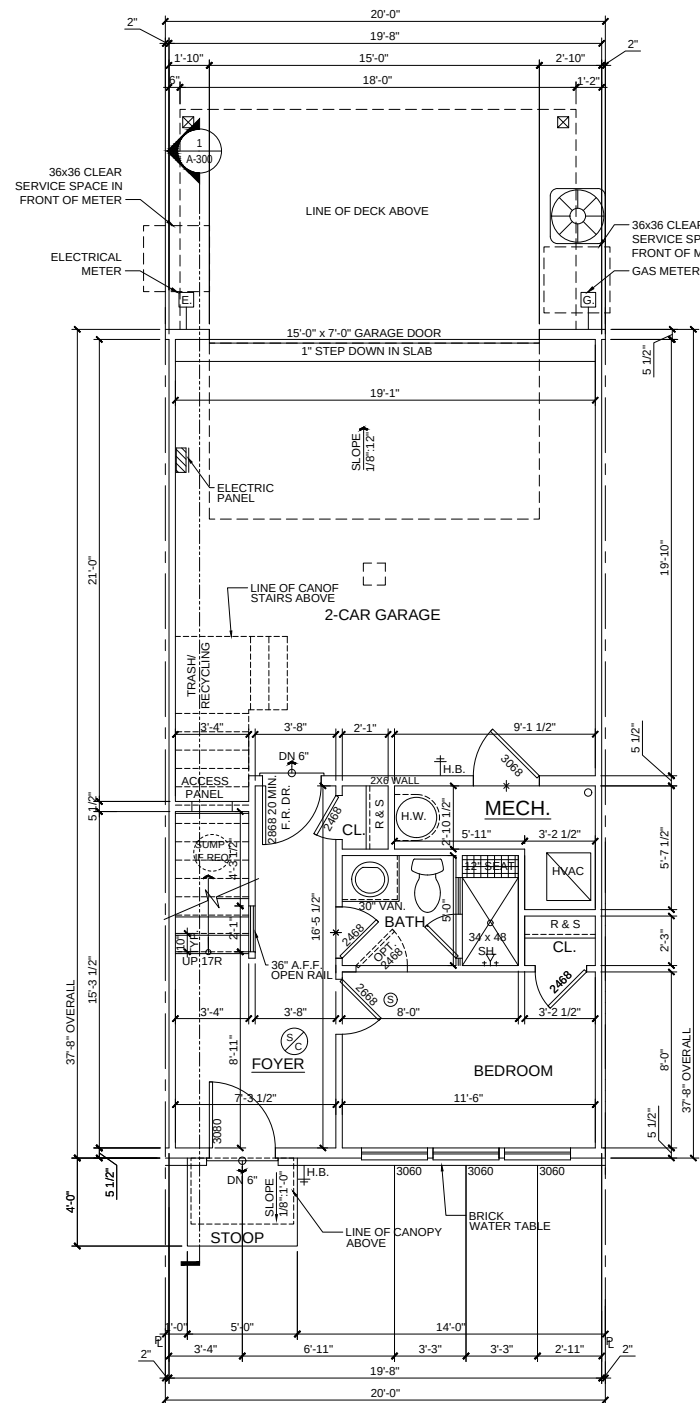
1

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No.	Date	Description
	08.01.2025	DD set

It is the client's responsibility prior to or during construction to notify the architect in writing of any perceived errors or omissions in the plans and specifications of which a contractor is responsible. Written instructions addressing such perceived errors or omissions shall be received from the architect prior to the client or clients subcontractors proceeding with the work. The client will be responsible for any delays in construction if these procedures are not followed.

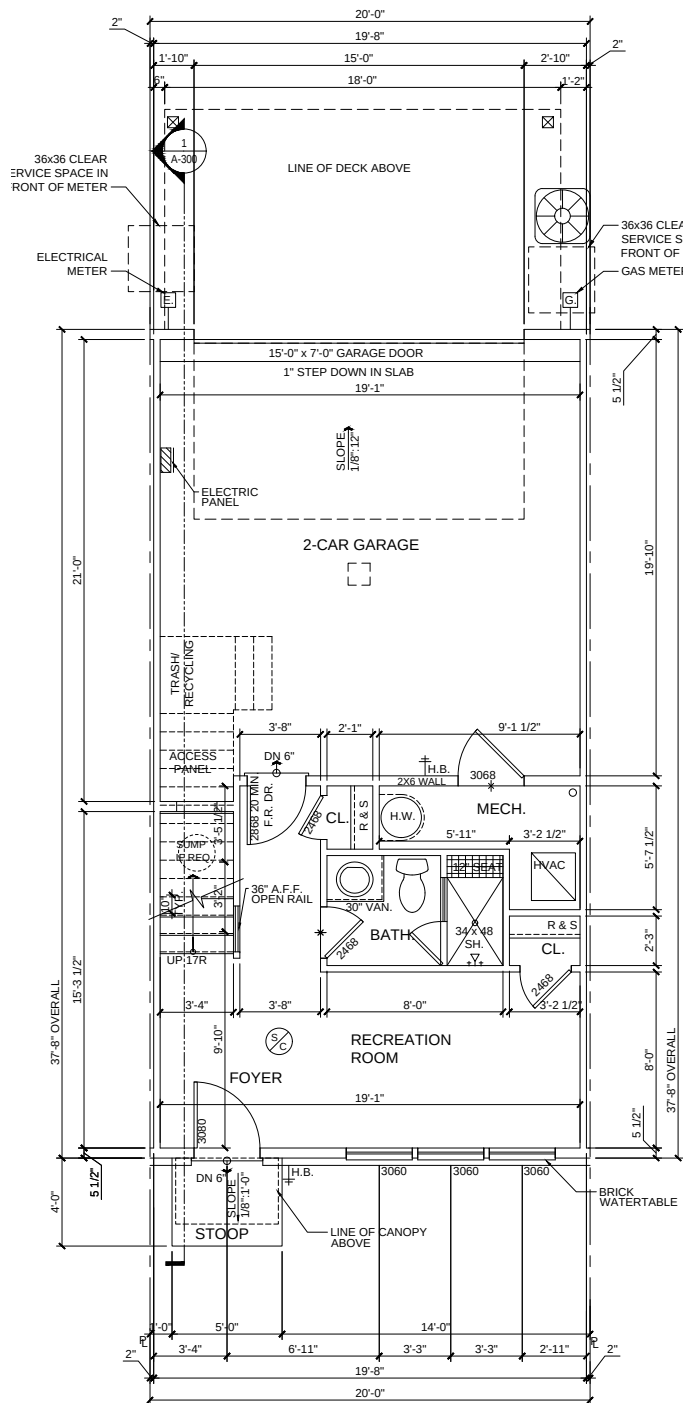
Professional certification: I certify that these documents were prepared or approved by me, the State of Maryland, license number 20252, expiration date 08/31/2025.



FIRST FLR. PLAN W/ OPT. BEDRM. & BATHRM.

SCALE: 1/4"=1'-0"

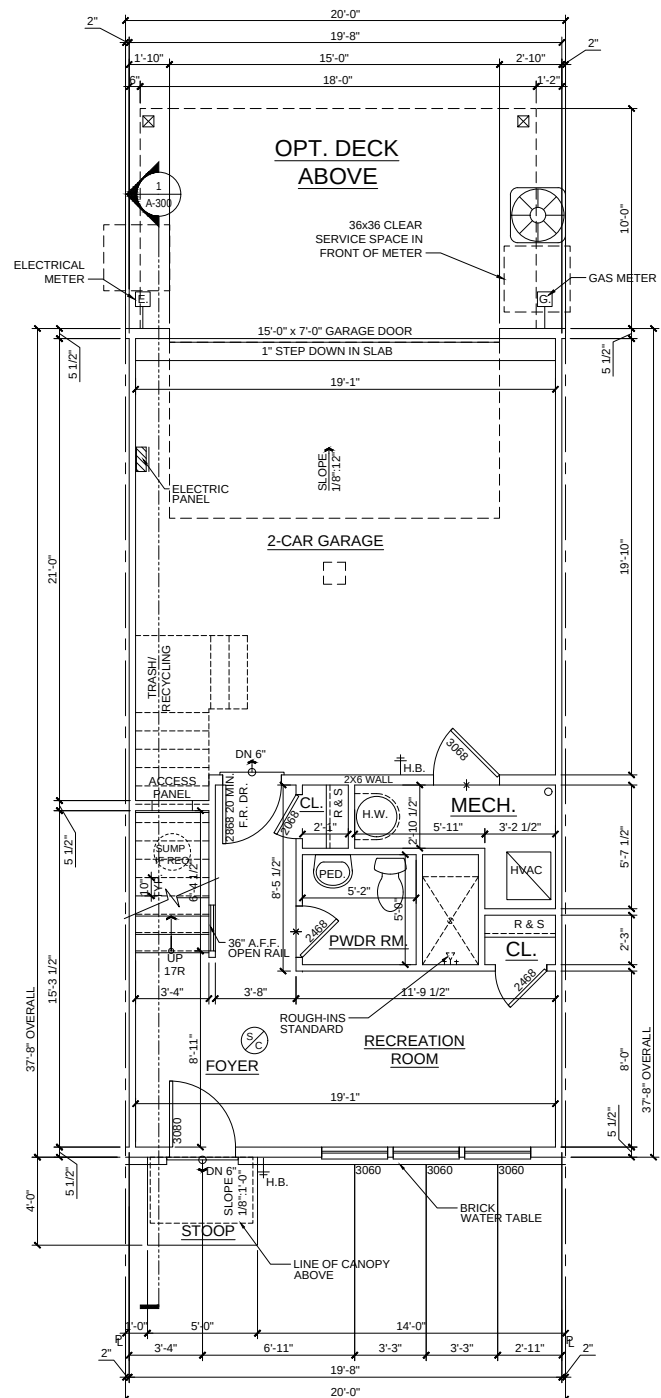
3



FIRST FLR PLAN W/ REC RM. & OPT. BATHROOM

SCALE: 1/4"=1'-0"

2

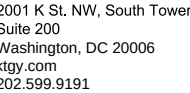


FIRST FLOOR PLANS

W/ REC RM. & OPT. POWDER RM.

SCALE: 1/4"=1'-0"

1



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

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PHONE NO. 703-596-9830
FAX NO. -----

MONTGOMERY CO., MD

20' RL TOWNHOME
4- STORY

[illegible]

is the clients responsibility prior to or during construction to notify the architect in writing of any perceived errors or omissions in the plans and specifications of which a contractor is thoroughly knowledgeable with the building codes and methods of construction should reasonably be aware. Written instructions addressing such perceived errors or omissions shall be received from the architect prior to the client or clients subcontractors proceeding with the work. The client will be responsible for any defects in construction if these procedures are not followed.

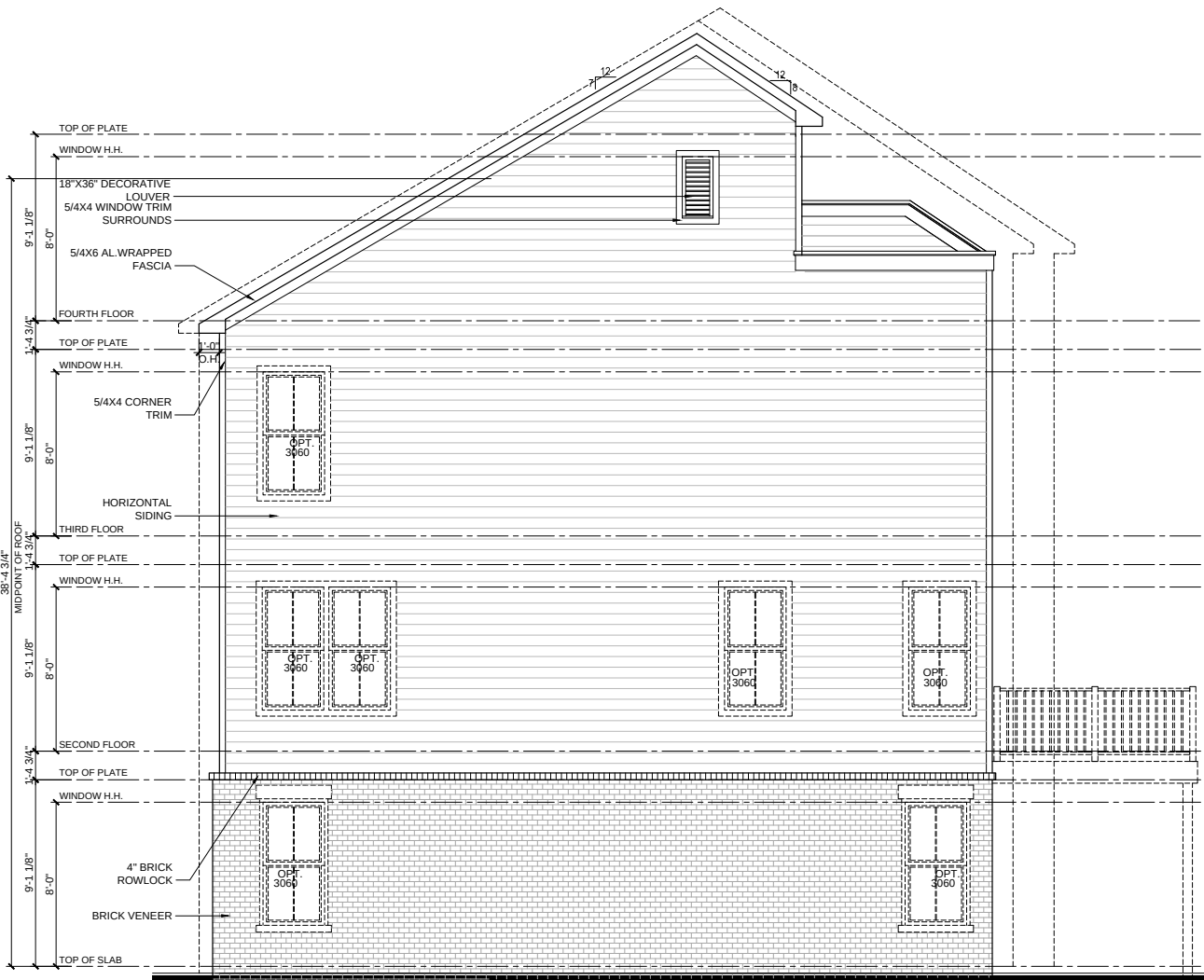
documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 20023. Expiration Date: 09/11/2025."

SIDE ELEVATION

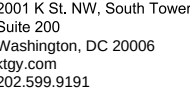
A-215



RIGHT SIDE @ ELEVATION B SCALE: 1/4"=1'-0" 2



RIGHT SIDE @ ELEVATION A



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

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FAX NO. ----

MONTGOMERY CO., MD

[illegible]

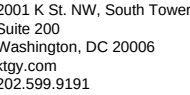
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documents were prepared or approved by me
and that I am a duly licensed architect under
the laws of the State of Maryland, license
number 20023. Expiration Date: 09/11/2025."

A-216



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Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

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PHONE NO. 703-596-9830
FAX NO. -----

MONTGOMERY CO., MD

No.	Date	Description
	08.01.2025	DD set

[illegible]

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documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 20023. Expiration Date: 08/11/2025."

A-100





2001 K St. NW, South Tower
Suite 200
Washington, DC 20006
ktgy.com
202.599.9191

KTGY Project No:20250344.01

Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

Developer

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MILES COPPOLA
MONTGOMERY CO., MD

20' RL TOWNHOME
4- STORY

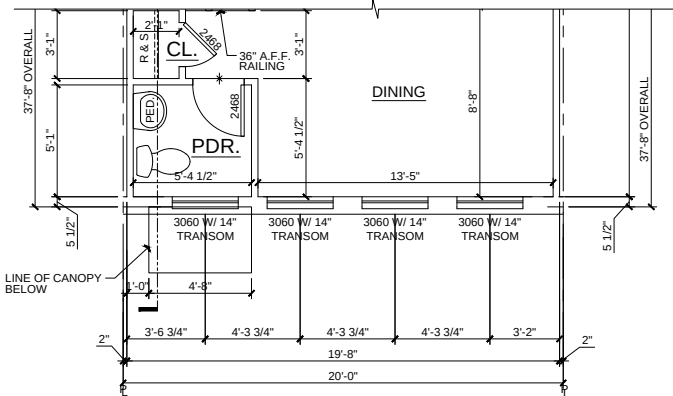
No.	Date	Description
	08.01.2025	DD set

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Professional certification: I certify that these documents were prepared or approved by me, the State of Maryland, license number 20022, expiration date 08/11/2025.

SECOND FLOOR
PLANS

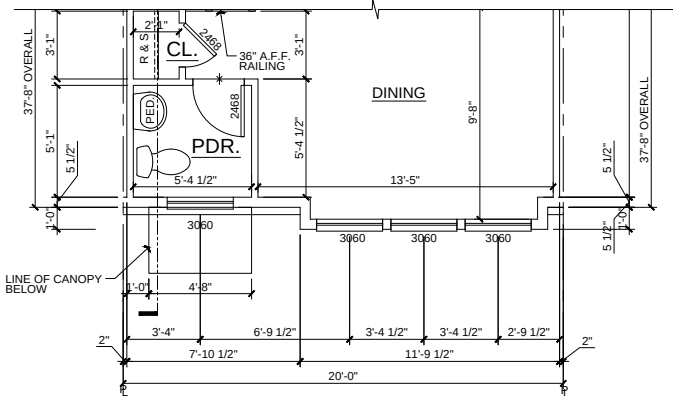
A-110



SECOND FLOOR PLAN @ ELEVATION #B

SCALE: 1/4"=1'-0"

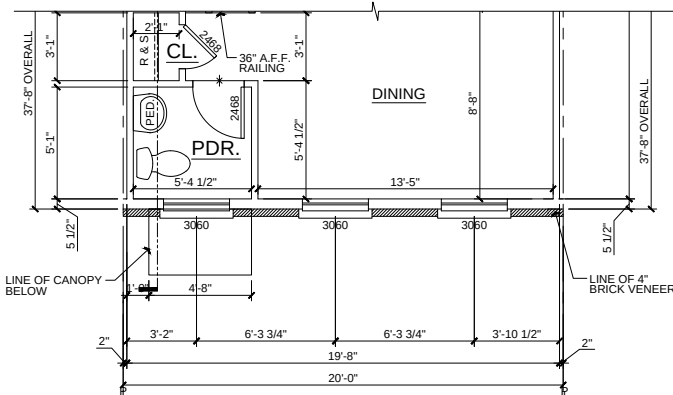
2



SECOND FLOOR PLAN @ ELEVATION #C

SCALE: 1/4"=1'-0"

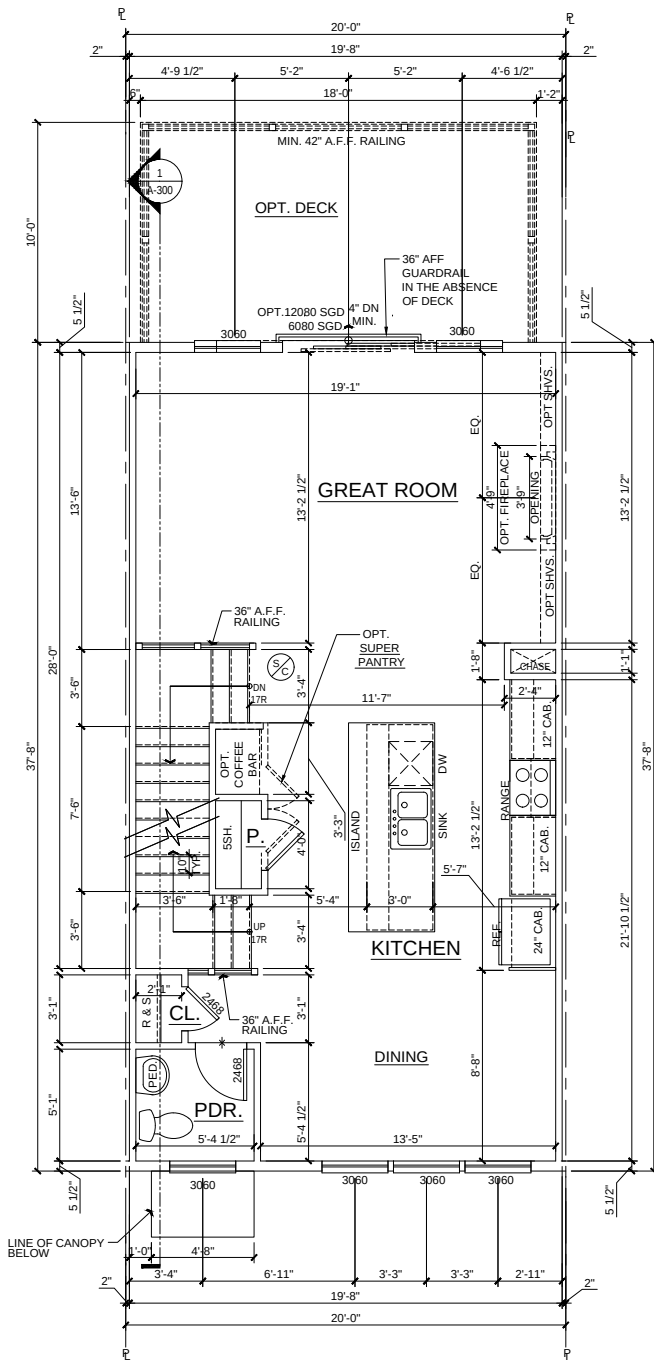
3



SECOND FLOOR PLAN @ ELEVATION #D

SCALE: 1/4"=1'-0"

4



SECOND FLOOR PLAN @ ELEVATION #A

SCALE: 1/4"=1'-0"

1



STRIP:LOT 72-77 FRONT ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)

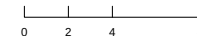


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MILES COPPOLA
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SCHEMATIC DESIGN
OCTOBER 3, 2025



FRONT ELEVATION: LOT 72-77

C108



STRIP:LOT 72-77
REAR ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



LEFT SIDE ELEVATION: LO- VIS.
LOT 77- 20' RL TH

NOTE: 3 WINDOWS STANDARD AT LO-VIS. ELEVATION,
EVENLY DISTRIBUTED IN EACH QUADRANT.



RIGHT SIDE ELEVATION: HI- VIS.
LOT 72 - 20' RL TH

NOTE: 5 WINDOWS STANDARD AT HI-VIS. ELEVATION,
EVENLY DISTRIBUTED IN EACH QUADRANT.

STRIP:LOT 72-77 SIDE ELEVATIONS

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



STRIP:LOT 78-83 FRONT ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



STRIP:LOT 78-83 REAR ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



LEFT SIDE ELEVATION :HI-VIS.
LOT 83- 20' RL TH

NOTE: 5 WINDOWS STANDARD AT HI-VIS. ELEVATION,
EVENLY DISTRIBUTED IN EACH QUADRANT.

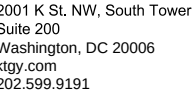


RIGHT SIDE ELEVATION: LO- VIS.
LOT 78 - 20' RL TH

NOTE: 3 WINDOWS STANDARD AT LO-VIS. ELEVATION,
EVENLY DISTRIBUTED IN EACH QUADRANT.

STRIP:LOT 78-83 SIDE ELEVATIONS

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MONTGOMERY CO., MD

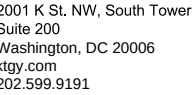
No.	Date	Description
	08.01.2025	DD SET

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Documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 20023. Expiration Date: 09/11/2025."

A-200





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Developer

PHONE NO. 703-596-9830
FAX NO. ----

MONTGOMERY CO., MD

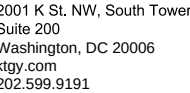
No.	Date	Description
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A-201





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
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PHONE NO. 703-596-9830
FAX NO. ----

MONTGOMERY CO., MD

No.	Date	Description
	08.01.2025	DD SET

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number 20023, Expiration Date: 08/11/2025."

A-212



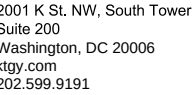
SCALE: 1/4"=1'-0"

2



SCALE: 1/4"=1'-0"

1



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. -----

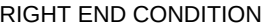
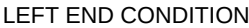
MILES COPPOLA
MONTGOMERY CO., MD

[illegible]

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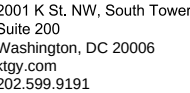
documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 20023. Expiration Date: 09/11/2025."

A-212



SCALE: 1/4"=1'-0"

1



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MONTGOMERY CO., MD

22' FLTOWNHOME

is the clients responsibility prior to or during construction to notify the architect in writing of any perceived errors or omissions in the plans and specifications of which a contractor is not thoroughly knowledgeable with the building codes and methods of construction should reasonably be aware. Written instructions addressing such perceived errors or omissions shall be received from the architect prior to the client or clients subcontractors proceeding with the work. The client will be responsible for any defects in construction if these procedures are not followed.

number 20023, Expiration Date: 09/11/2025."

A-215



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Washington, DC 20006
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202.599.9191

KTGY Project No:20250344.01

Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

Developer

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CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MILES COPPOLA
MONTGOMERY CO., MD

22' FLTOWNHOME

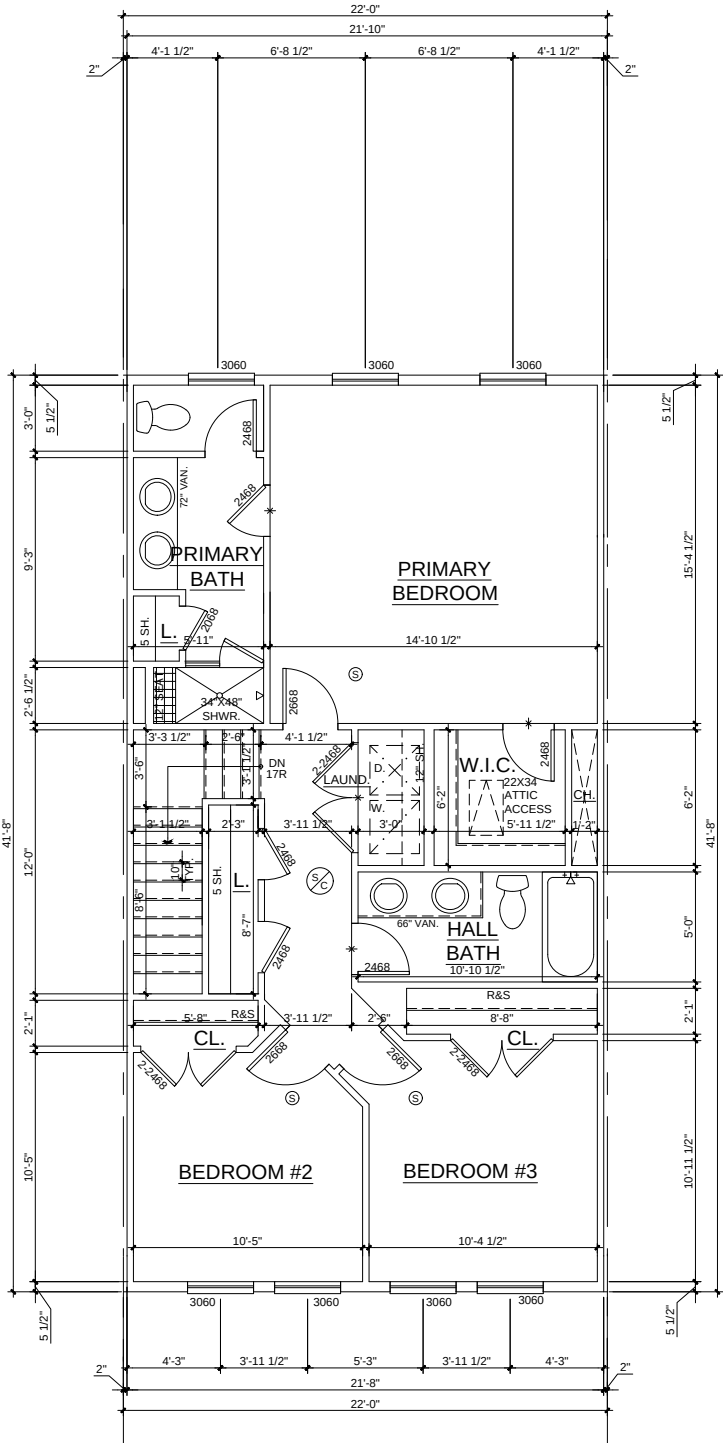
No.	Date	Description
	08.01.2025	DD SET

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Professional certification: I certify that these documents were prepared or approved by me, the State of Maryland, license number 20002, expiration date 08/31/2025.

THIRD FLOOR
PLANS -4' EXT.

A-122



INTERIOR CONDITION

THIRD FLOOR PLAN W/ 4' EXT@ ELEVATION #A

SCALE: 1/4"=1'-0"

1

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Suite 200
Washington, DC 20006
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202.599.9191

KTGY Project No:20250344.01

Project Contact: Bindhya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

Developer

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MILES COPPOLA
MONTGOMERY CO., MD

22' FLTOWNHOME

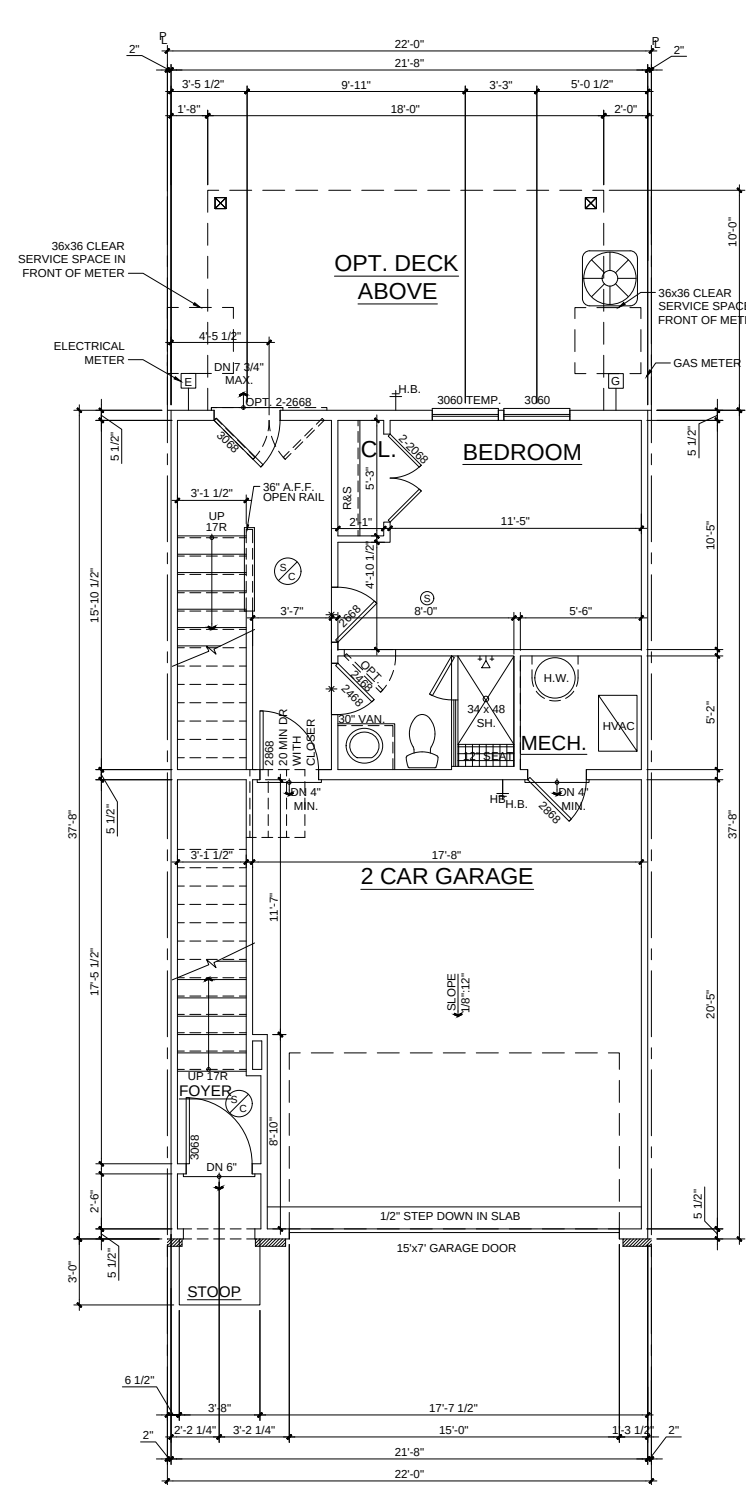
No.	Date	Description
	08.01.2025	DD SET

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Professional certification: I certify that these documents were prepared or approved by me, the State of Maryland, license number 20022, expiration date 08/31/2025.

STANDARD
FIRST FLOOR
PLANS

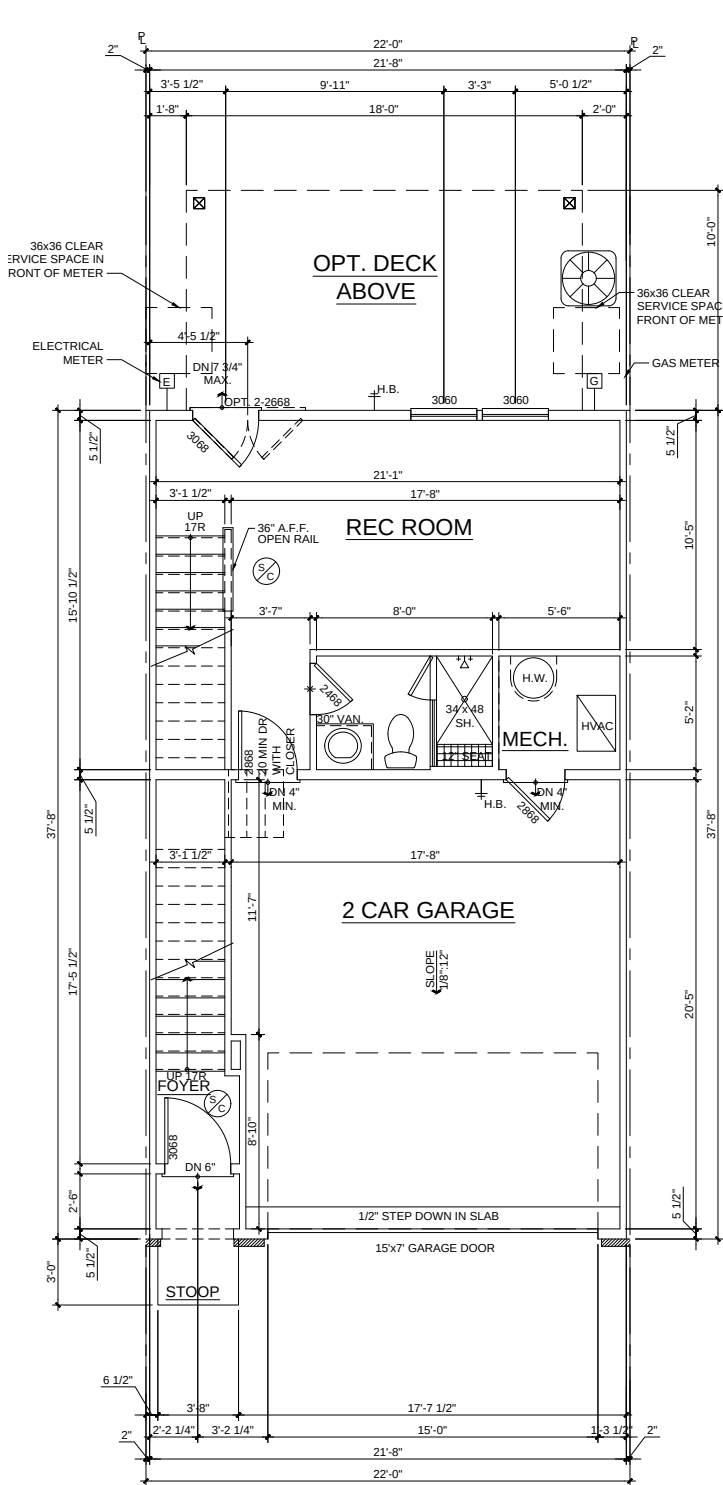
A-100a



FIRST FLR. PLAN W/ OPT. BEDRM. & BATHRM.

SCALE: 1/4"=1'-0"

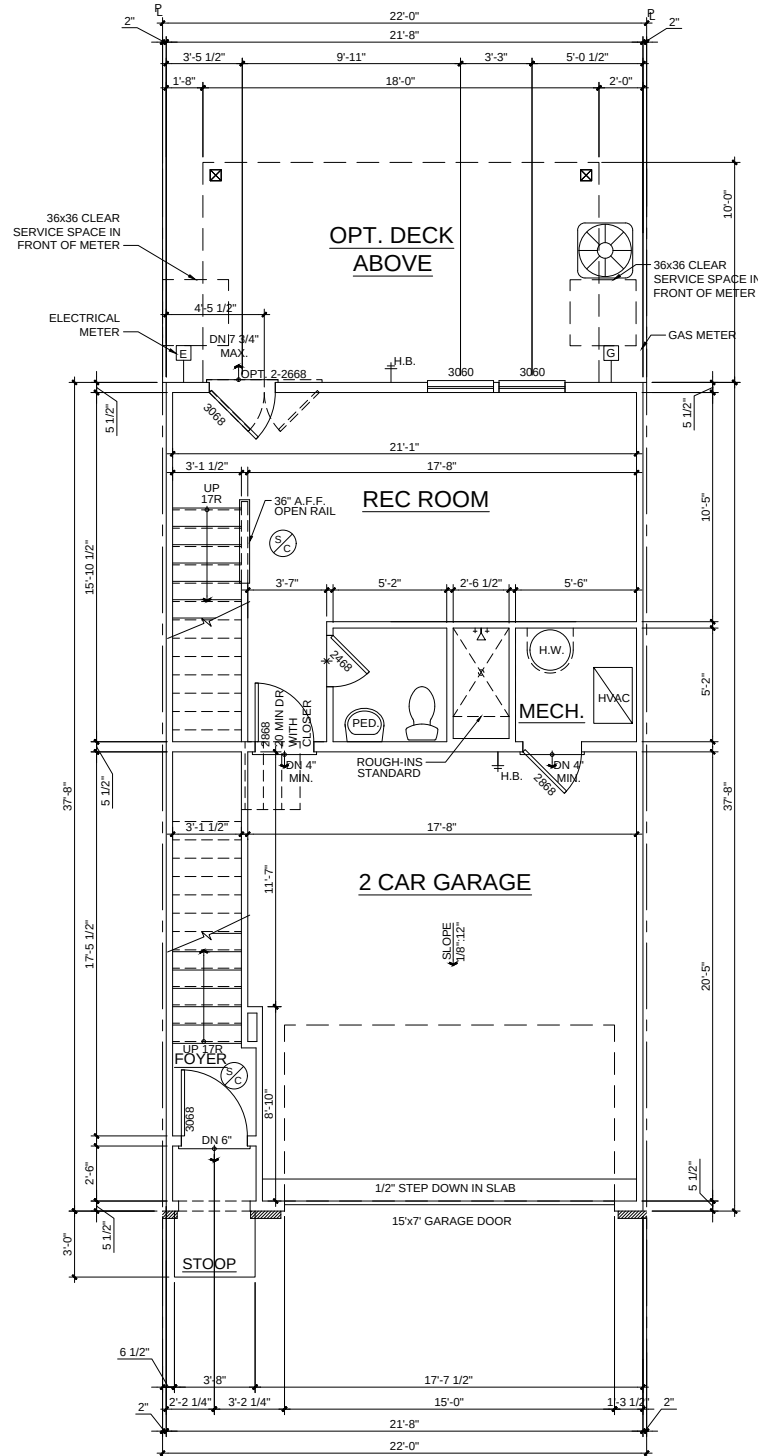
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FIRST FLR PLAN W/ REC RM. & OPT. BATHROOM

SCALE: 1/4"=1'-0"

2

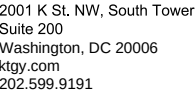


FIRST FLOOR PLANS

W/ REC RM. & OPT. POWDER RM.

SCALE: 1/4"=1'-0"

1



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MONTGOMERY CO., MD

[illegible]

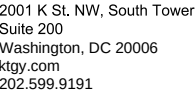
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A-300



SCALE: 1/4"=1'-0"



Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MONTGOMERY CO., MD

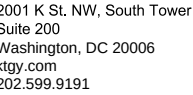
No.	Date	Description
	08.01.2025	DD SET

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A-200





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Developer

PHONE NO. 703-596-9830
FAX NO. ----

MONTGOMERY CO., MD

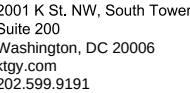
No.	Date	Description
	08.01.2025	DD SET

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A-201





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. -----

MILES COPPOLA
MONTGOMERY CO., MD

22' FLTOWNHOME

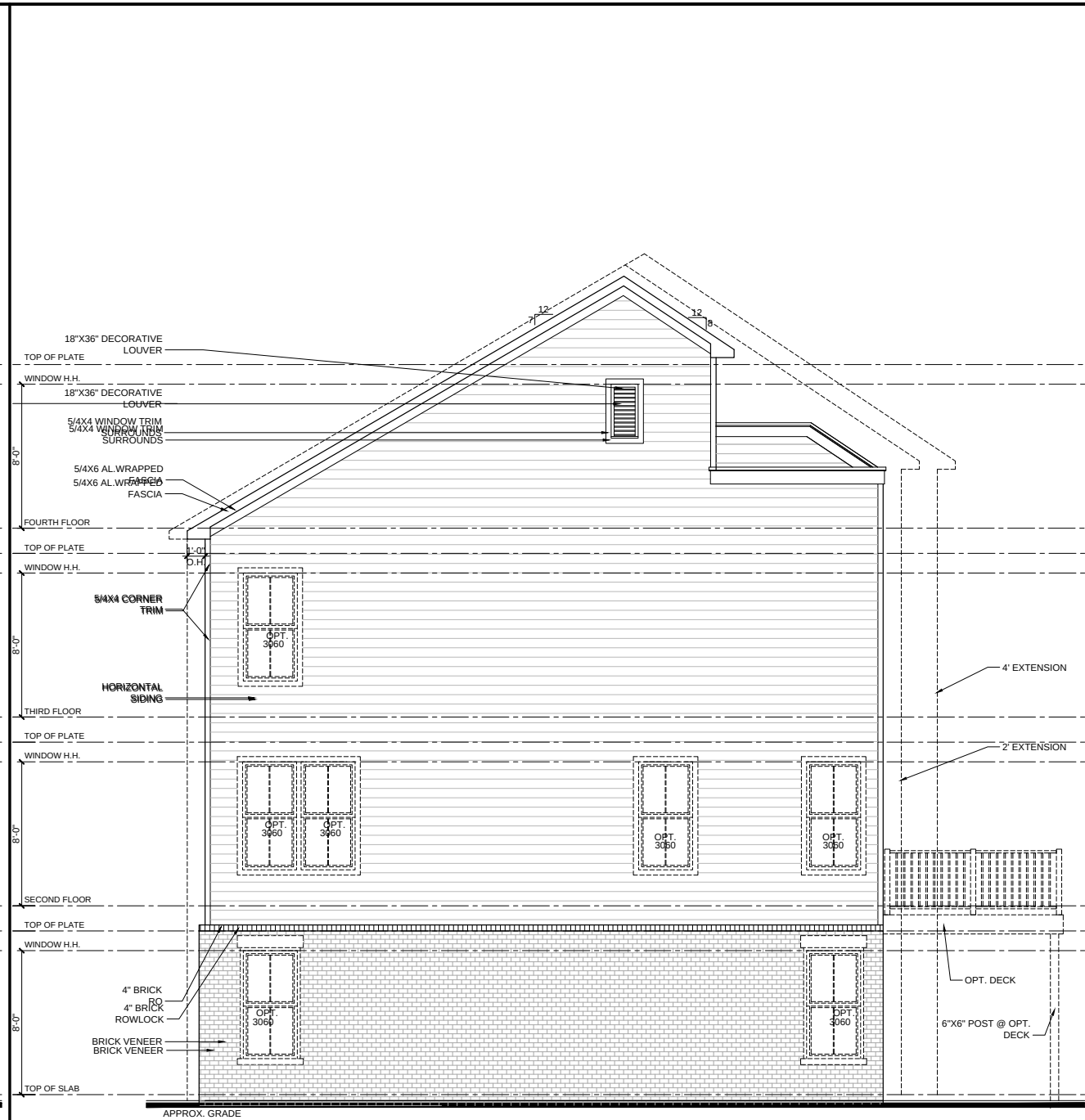
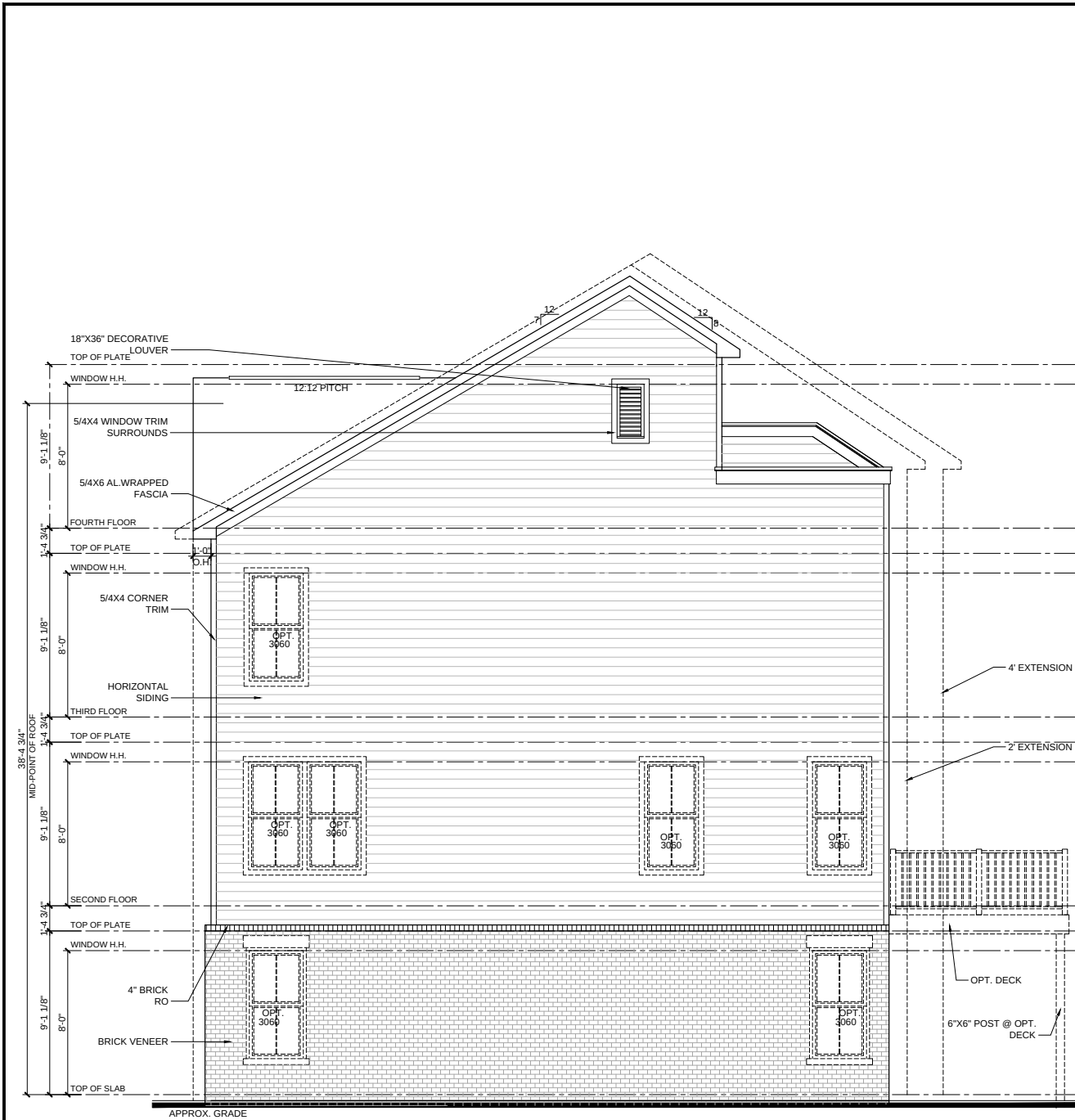
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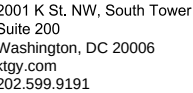
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SIDE ELEVATION

A-215





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

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PHONE NO. 703-596-9830
FAX NO. ----

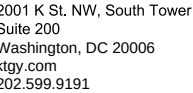
MONTGOMERY CO., MD

[illegible]

These documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 20023E expiration Date: 09/11/2027.

A-217a





Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Developer

PHONE NO. 703-596-9830
FAX NO. ----

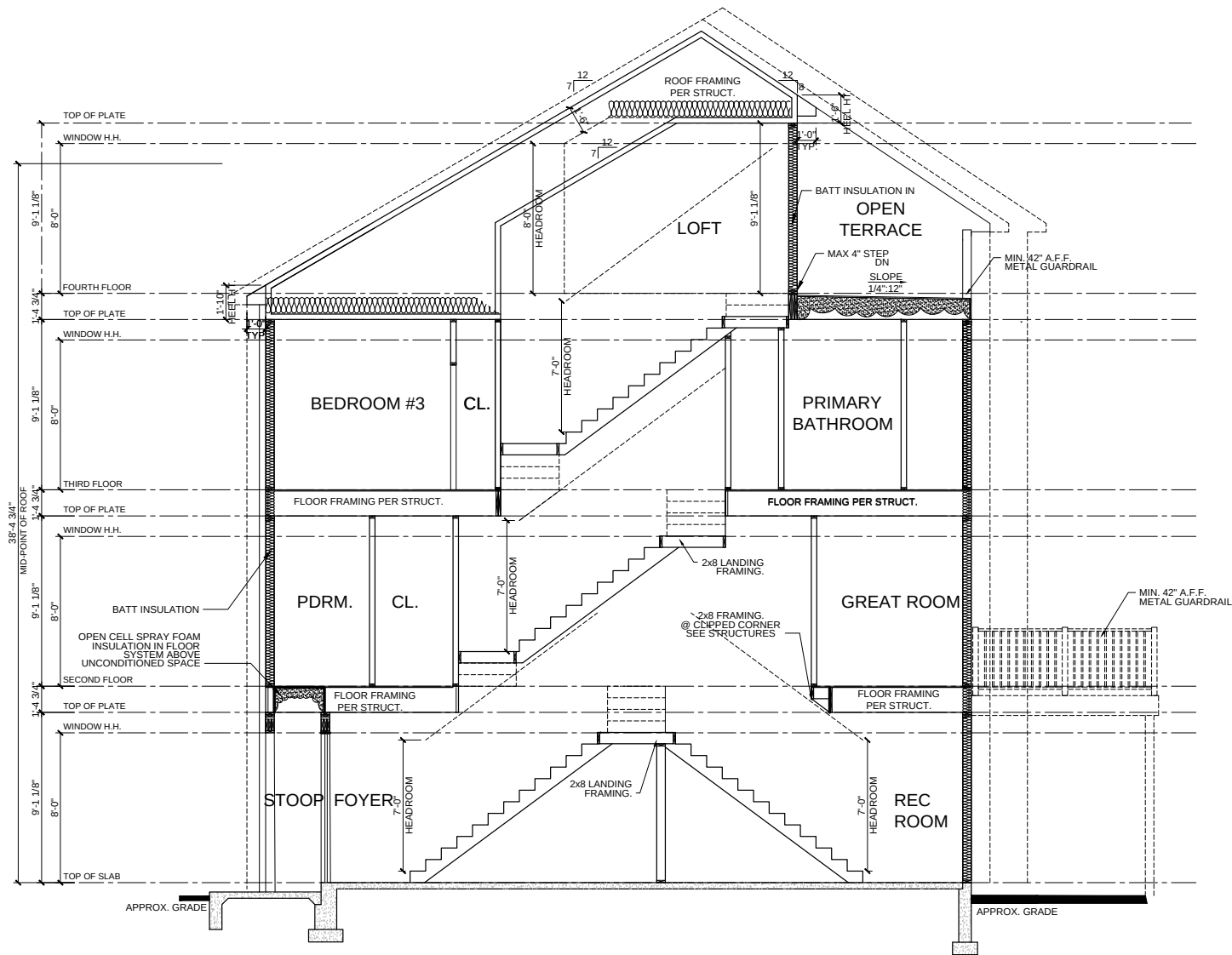
MONTGOMERY CO., MD

No.	Date	Description
	08.01.2025	DD SET

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documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 20023. Expiration Date: 09/11/2027."

A-301





2001 K St. NW, South Tower
Suite 200
Washington, DC 20006
ktgy.com
202.599.9191

KTGY Project No:20250344.01

Project Contact: Bindhya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

Developer

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MILES COPPOLA
MONTGOMERY CO., MD

22' FLTOWNHOME

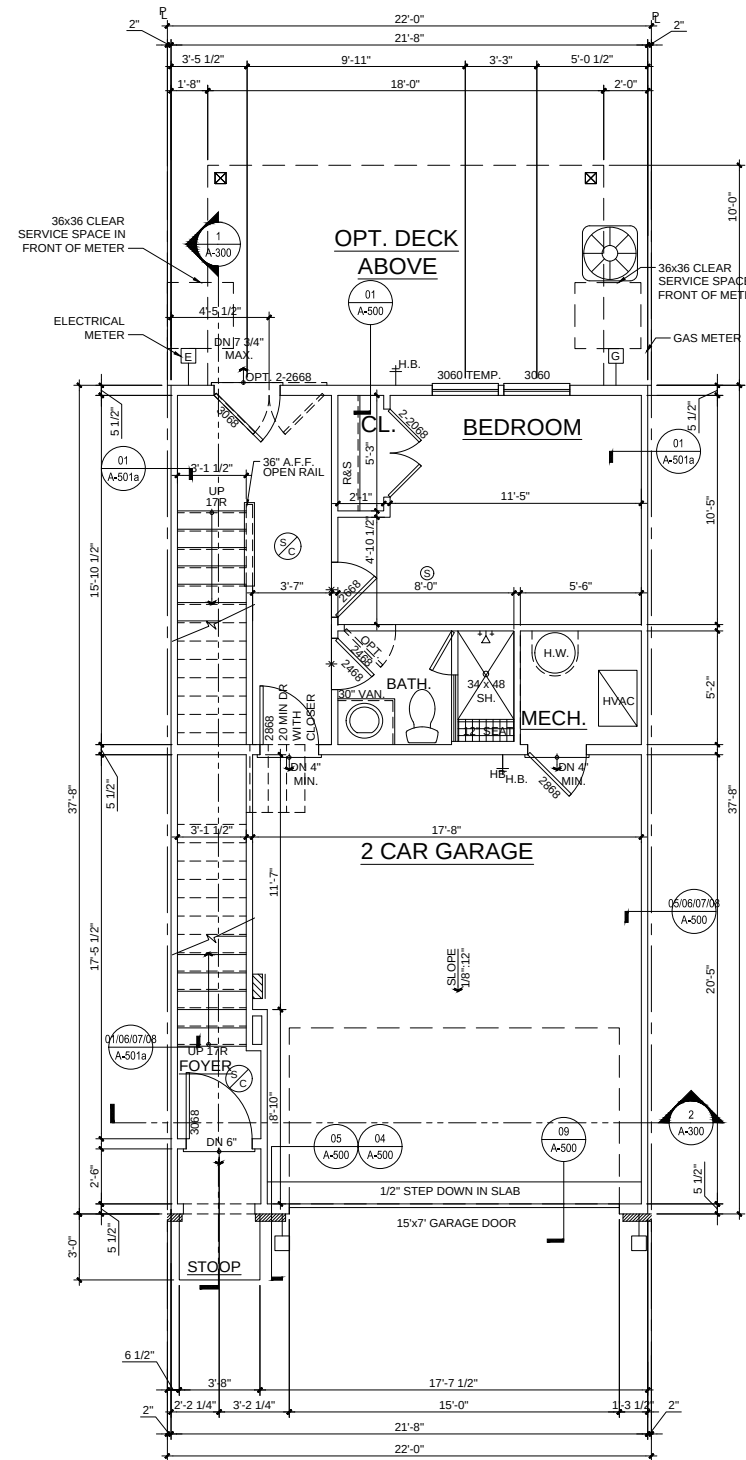
No.	Date	Description
	08.01.2025	DD SET

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STANDARD
FIRST FLOOR
PLANS

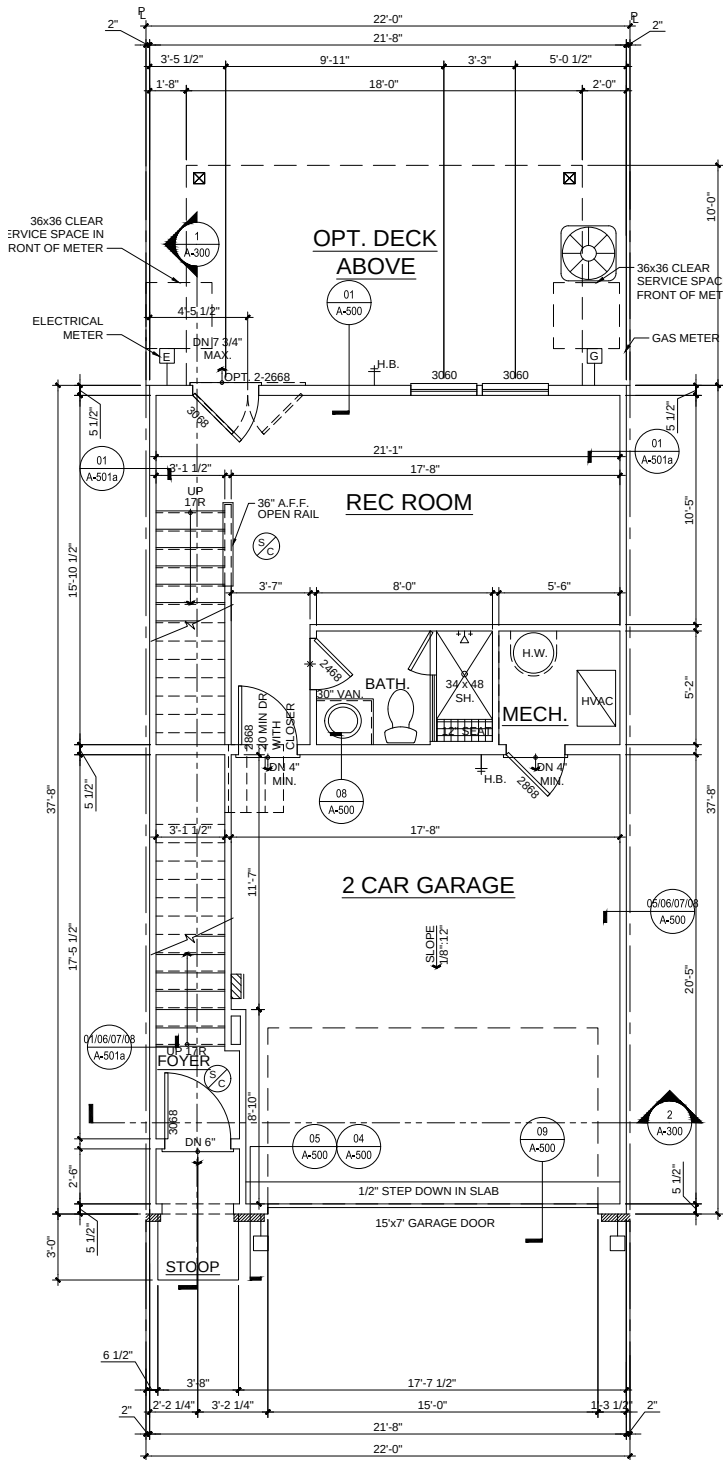
A-100a



FIRST FLR. PLAN W/ OPT. BEDRM. & BATHRM.

SCALE: 1/4"=1'-0"

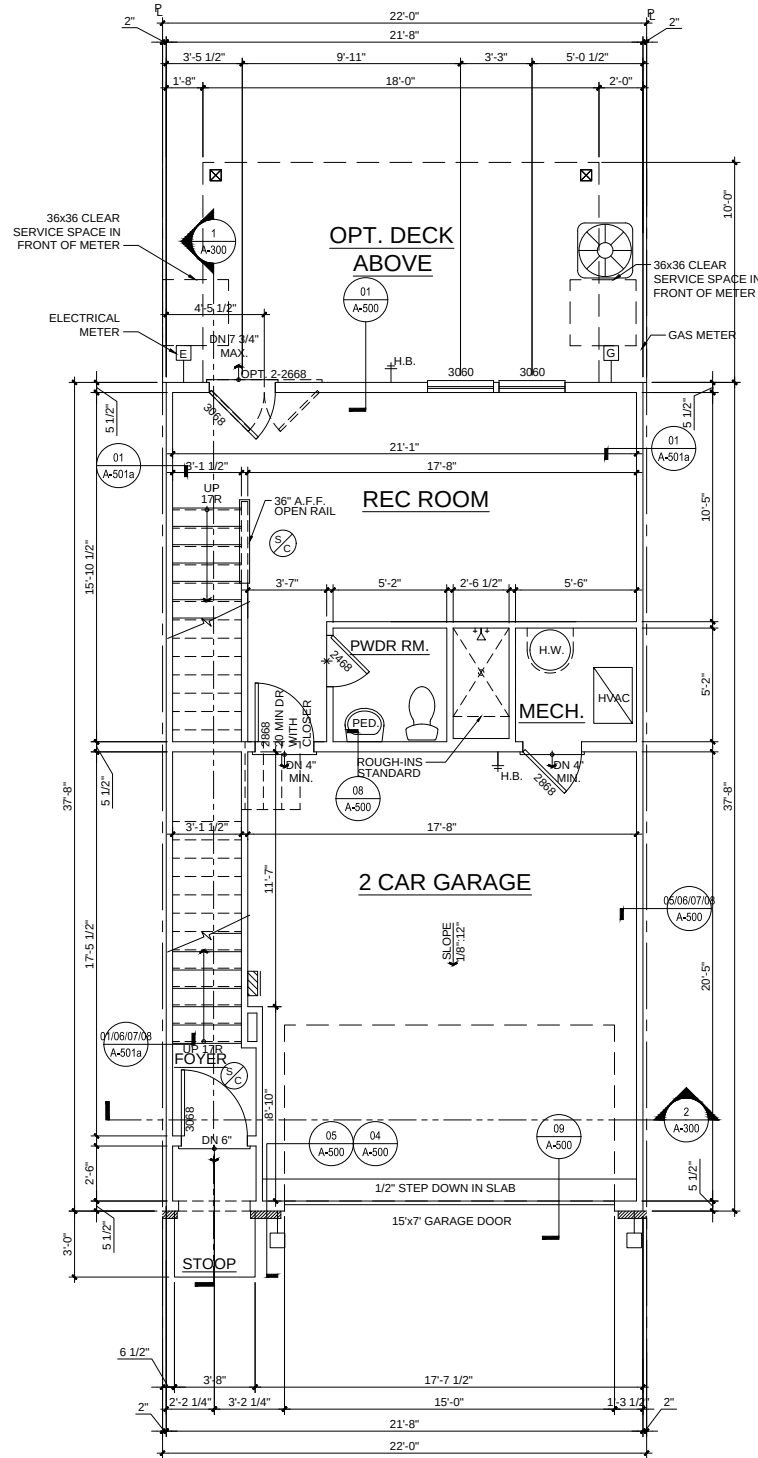
3



FIRST FLR PLAN W/ REC RM. & OPT. BATHROOM

SCALE: 1/4"=1'-0"

2



FIRST FLOOR PLANS

W/ REC RM. & OPT. POWDER RM.

SCALE: 1/4"=1'-0"

1

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2001 K St. NW, South Tower
Suite 200
Washington, DC 20006
ktgy.com
202.599.9191

KTGY Project No:20250344.01

Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

Developer

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FAX NO. ----

MILES COPPOLA
MONTGOMERY CO., MD

22' FLTOWNHOME

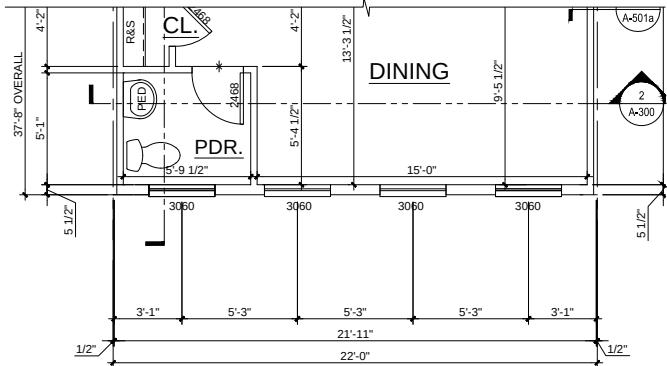
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SECOND FLOOR
PLANS

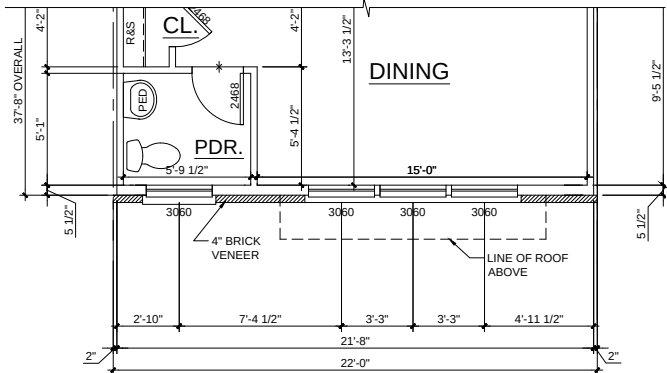
A-110



SECOND FLOOR PLAN @ ELEVATION #B

SCALE: 1/4"=1'-0"

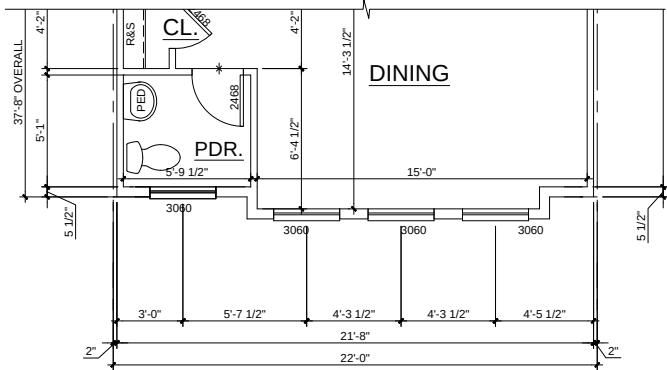
2



SECOND FLOOR PLAN @ ELEVATION #C

SCALE: 1/4"=1'-0"

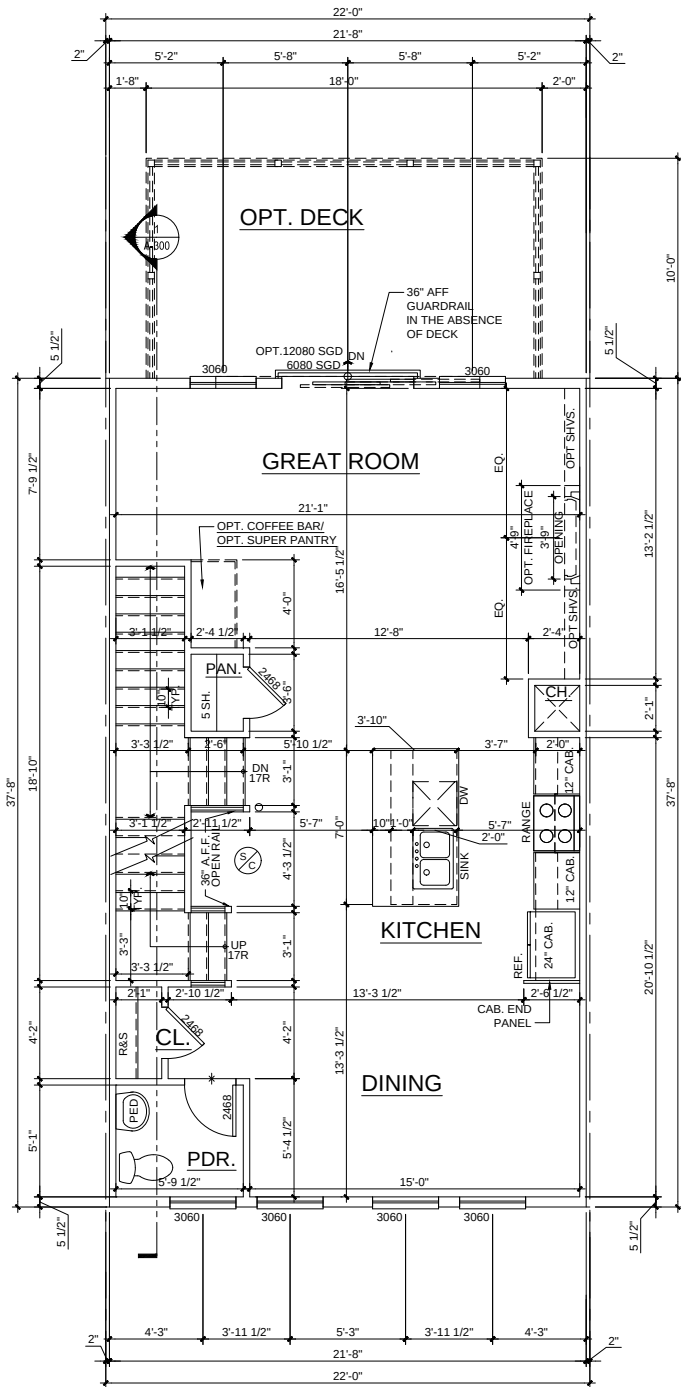
3



SECOND FLOOR PLAN @ ELEVATION #D

SCALE: 1/4"=1'-0"

4



SECOND FLOOR PLAN @ ELEVATION #A

SCALE: 1/4"=1'-0"

1



2001 K St. NW, South Tower
Suite 200
Washington, DC 20006
ktgy.com
202.599.9191

KTGY Project No:20250344.01

Project Contact: Bindiya Agarwal
Email: bagarwal@ktgy.com

Principal: Smita Anand
Project Designer: Smita Anand

Developer

DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151

PHONE NO. 703-596-9830
FAX NO. ----

MILES COPPOLA
MONTGOMERY CO., MD

22' FLTOWNHOME

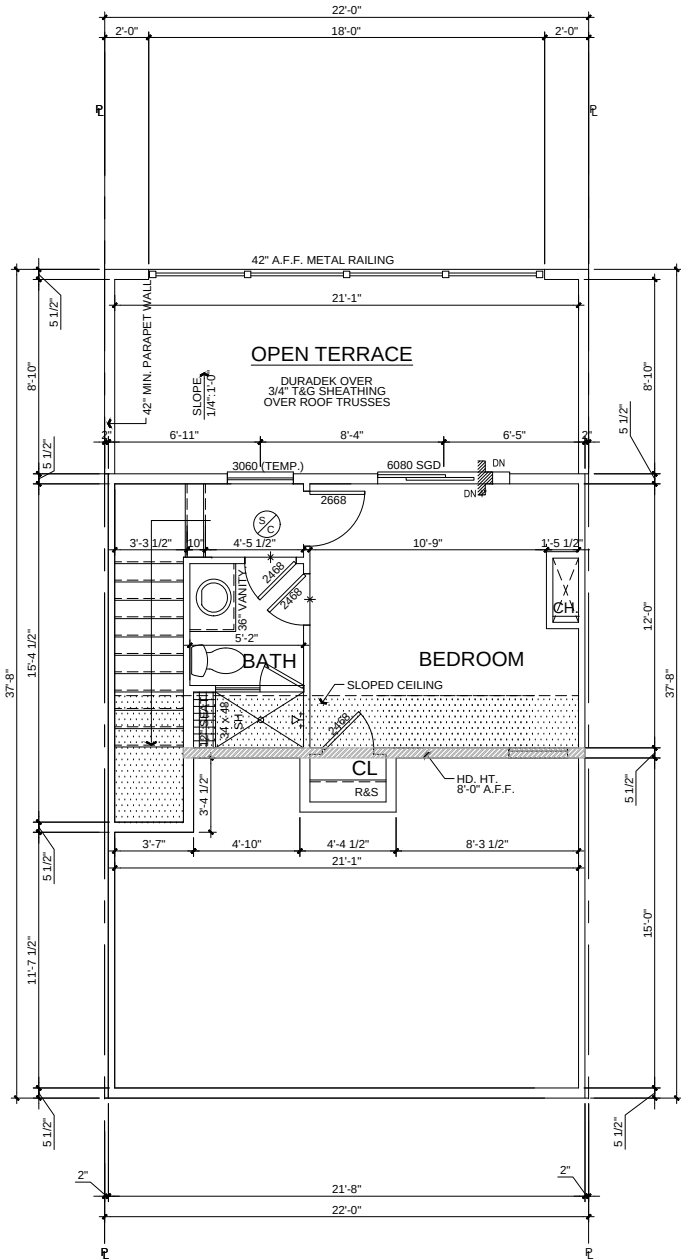
No.	Date	Description
	08.01.2025	DD SET

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LOFT FLOOR PLANS

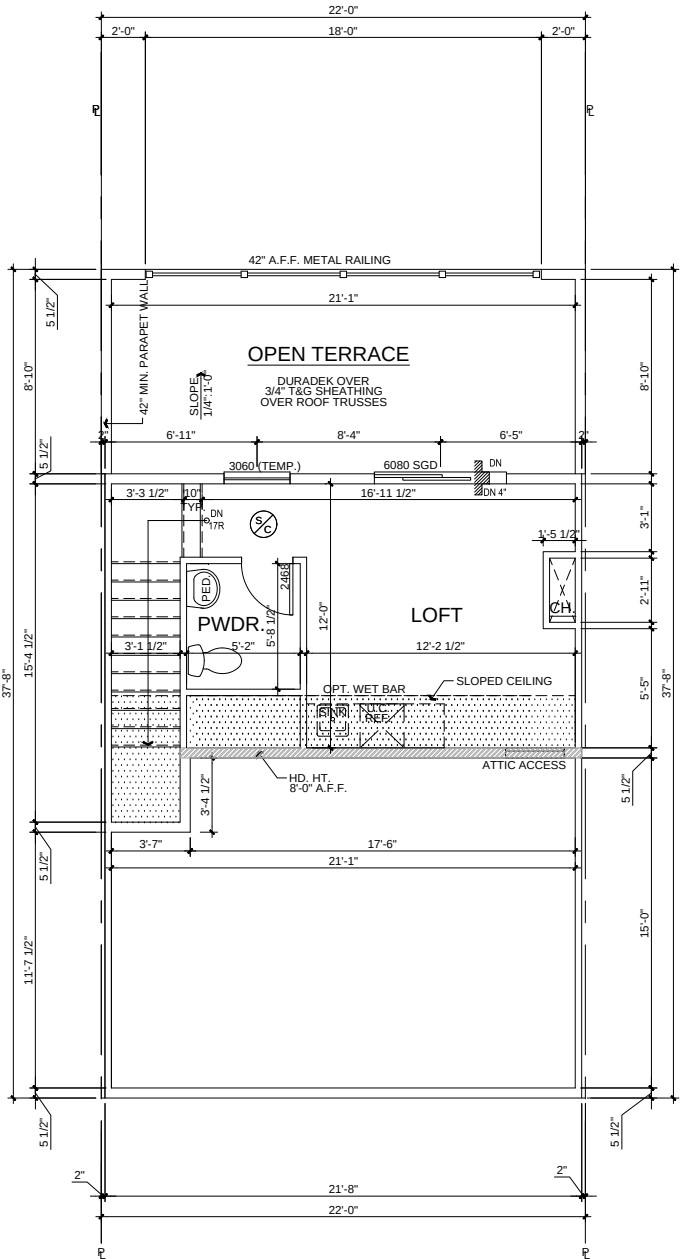
A-130a



LOFT PLAN W/ OPT. BEDROOM

SCALE: 1/4"=1'-0"

2



LOFT PLAN W/ OPT. PDWR.

SCALE: 1/4"=1'-0"

1



STRIP:LOT 1-3
FRONT ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



STRIP:LOT 1-3
FRONT ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



LEFT SIDE ELEVATION: LO-VIS.
LOT 3- 22' FL TH

NOTE: 3 WINDOWS STANDARD AT LO-VIS. ELEVATION,
 EVENLY DISTRIBUTED IN EACH QUADRANT.



RIGHT SIDE ELEVATION: HI- VIS.
LOT 1- 22' FL TH

NOTE: 5 WINDOWS STANDARD AT HI-VIS. ELEVATION,
 EVENLY DISTRIBUTED IN EACH QUADRANT.

STRIP:LOT 1-3 SIDE ELEVATIONS

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



STRIP-LOT 19-25 FRONT ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



STRIP:LOT 1-3 REAR ELEVATION

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)



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888.456.5849
ktgy.com



MILES COPPOLA
MONTGOMERY CO., MD

SCHEMATIC DESIGN
OCTOBER 3, 2025



REAR ELEVATION: LOT 19-25

D120



LEFT SIDE ELEVATION : HI- VIS.
LOT 25- 22' FL TH

NOTE: 5 WINDOWS STANDARD AT HI-VIS. ELEVATION,
EVENLY DISTRIBUTED IN EACH QUADRANT.



RIGHT SIDE ELEVATION: LO- VIS.
LOT 19- 22' FL TH

NOTE: 3 WINDOWS STANDARD AT LO-VIS. ELEVATION,
EVENLY DISTRIBUTED IN EACH QUADRANT.

STRIP:LOT 19-25 SIDE ELEVATIONS

(ACTUAL STRIPS MAY VARY. SHOWN STRIPS ARE FOR ILLUSTRATIVE PURPOSE)

[illegible]

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-251-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(204)-888-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL LANDSCAPE ARCHITECT
UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 10274 EXPIRATION DATE: 10-16-2026

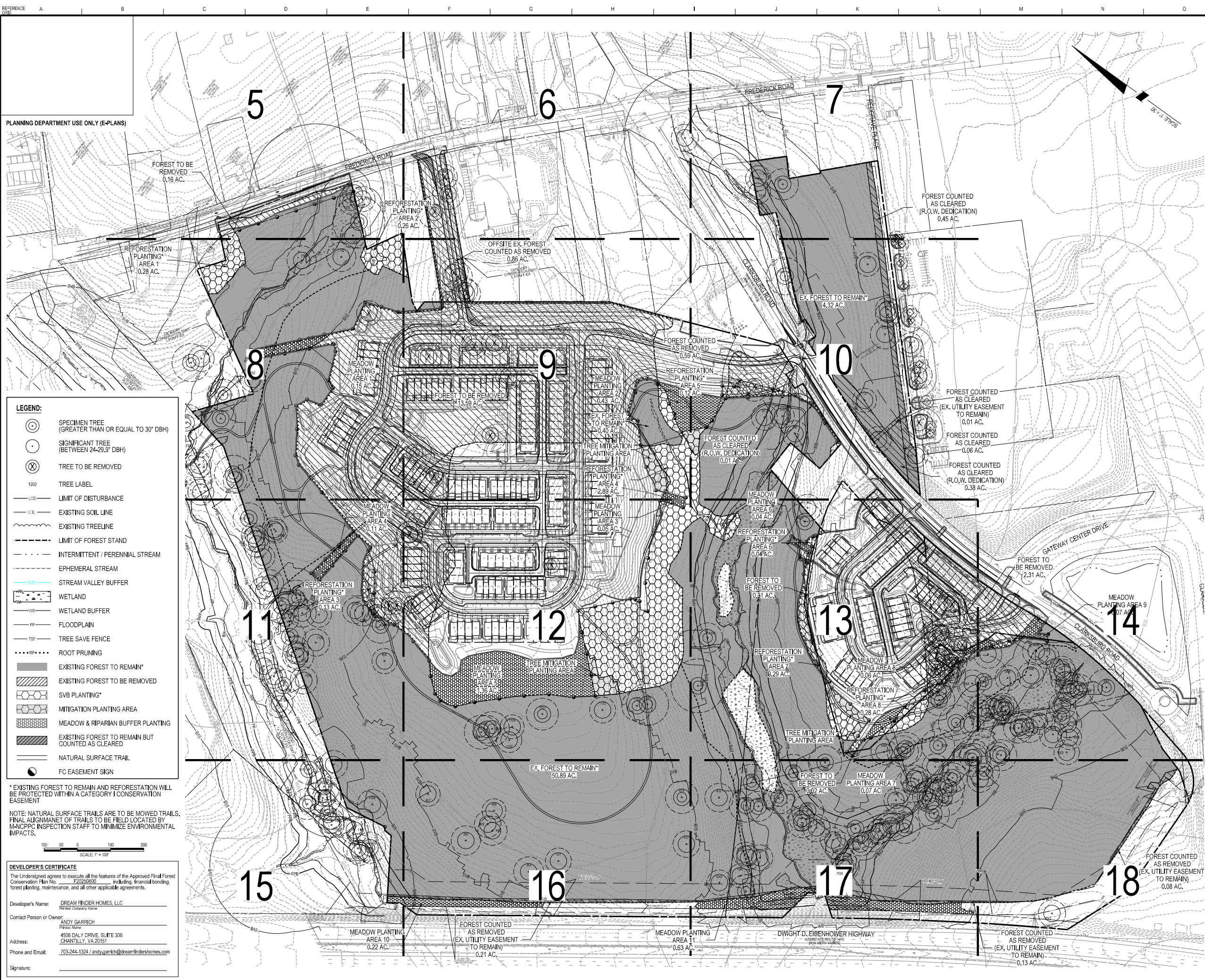


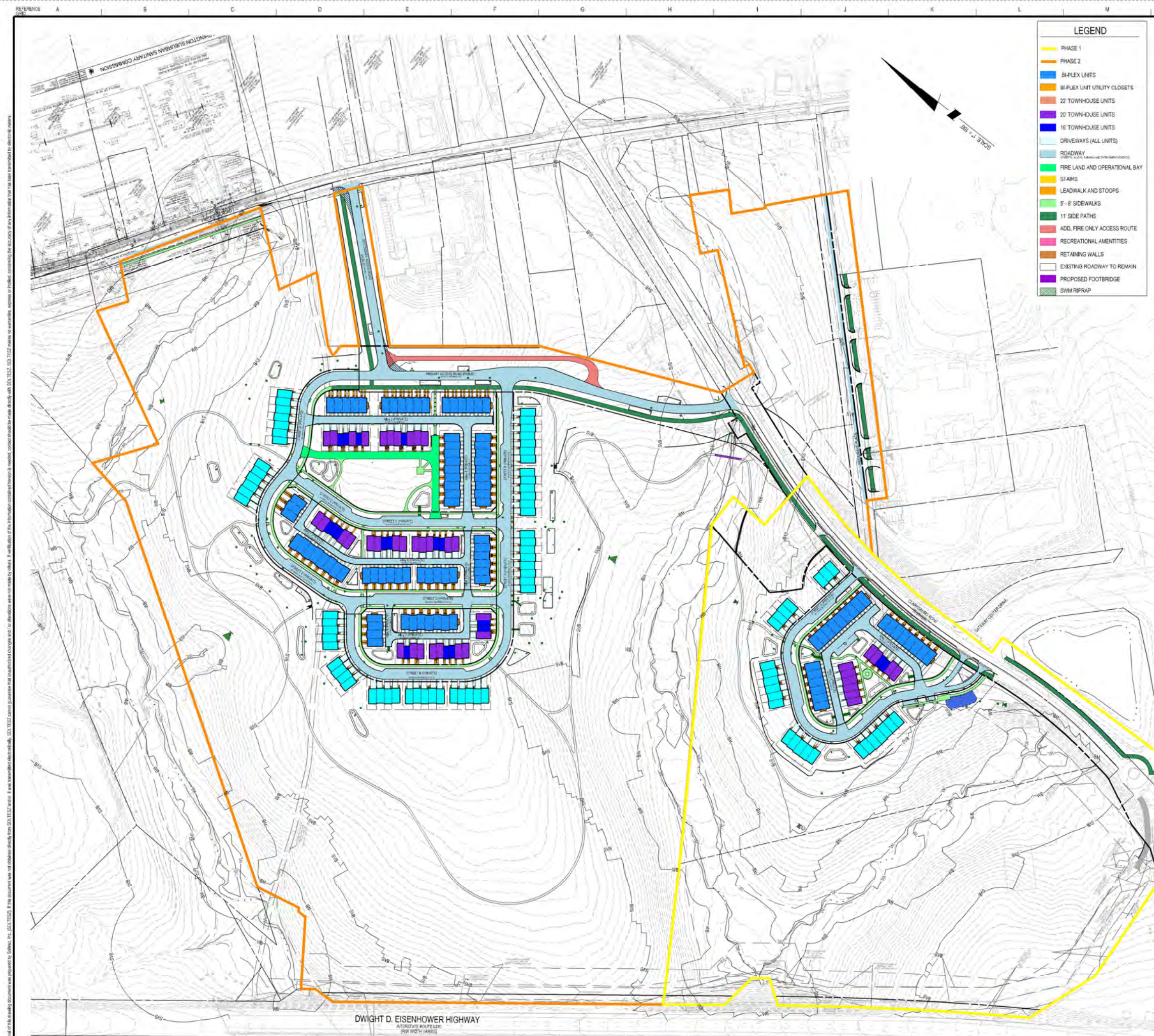
OVERALL FINAL FOREST CONSERVATION PLAN

FINAL FOREST CONSERVATION PLAN F20250800

MILES COPPOLA

TAX MAP: EW21		ZONING CATEGORY: R-50 / CRT / R-200 / CRN	
USGS 760' SHEET 223N/W13, 233N/W14 223N/W13, 232N/W14 SITE DATA HORIZONTAL: 340.83 VERTICAL: NAYD 83		DATE: 10/31/2025 DESIGNED: NC TECH-DRAWN: NC CHECKED: HKD CADDIST: ORD / NCS VERSION:	
 1" = 100'			
SHEET <u>4</u> OF <u>27</u>			
PROJECT NO. 4203-03-00			





IMPERVIOUS CALCULATION	
Site Linear Application (SF)	
P301	280.21
P303 (Track 3) & Track 2	2,762.25
P520	685.34
P884 (Wright Parcel)	52.45
Offsite Improvement Area (SF)	
Area of Offsite LDD	95.20
Total	
Gross Track Area for Impervious (SF)	4,379.55
Impervious Cap (%)	15.00%
Impervious Cap (SF)	656.93
Impervious Cap (AC)	15.00

PHASE I - Proposed Impervious Area - Onsite		
Areas:		\$/
22' Tri (22' W x 42' L - 23 units)		8.66
20' Tri (20' W x 42' L - 19 units)		7.80
18' Tri (18' W x 36' L - 17 units)		1.31
18' Tri (22' W x 42' L) - All units		22.95
Bi-Phase Utility Corridor (0.5' W x 18' L) - 2 units		34
On-streets:		
22' Tri (On-streets)		9.8726
20' Tri (On-streets)		2.842
18' Tri (On-streets)		414
Bi-Phase (On-streets)		4,662
On-street Roadway		41,824
On-street Sidewalk		30,981
Streets:		
22' Tri (W x 3,668' L) ES		175
20' Tri (W x 4,668' L) ES		381
18' Tri (W x 4,668' L) ES		32
Bi-Phase (W x 5) 46		920
Interchanges:		

20" TN	66.0
24" TN	72.0
80-Pipe	3,486.6
Retaining Wall	926.6
Entry Feature	20.0
Playground	2,585.0
Top Rail at 100M Facilities	622.0
Within Existing Potomac Edison Easement	
Green Path	1,113.0
Wall	101.0
Onsite Proposed Subtotal (\$)	157.0
Onsite Proposed Subtotal (AC)	8.1

[illegible]

22" DI	1078.0
20" DI	1764.0
16" DI	941.0
48-Flx	8018.0
Steps	110.0
Reinforcing Wall	254.0
Footbridge	375.0
Within Existing Potomac Edison easement	
Amor Block	332.2
Proposed Recreational Amenities Estimate	5000.0
Onsite Proposed Subtotal (SF)	401,600
Onsite Proposed Subtotal (AC)	9.2

Proposed Impervious Area - Within Proposed Deductions	
Proposed Main-Street Right-of-Way	
Proposed Roadway	30,566.1
Proposed 12' Sidewalk (EXEMPT)	22,178.9
Proposed Subsidized Connections	174.0
Proposed (Arched) Curbcut (No-Flow)	754.0
Proposed Resealing Work (Culvert)	188.0
Additional Fee Only Access Lane	782.0
Frederick Road	
Proposed Roadway	26,820.0
Proposed Sidewalk	104.0
Redeveloped Sites	
Existing Roadway	8,195.0
Deduction Area Proposed- EXEMPT (SF)	22,278,900.0
Deduction Area Proposed Subtotal (SF)	58,000.0
Deduction Area Proposed Subtotal (AC)	1.3

Proposed Impervious Area - Office	
Clarksburg Road	
Existing Roadway to Remain (See Road & Sidewalk (EX24MP1))	10,253.9
Proposed Roadway	18,784.1
Proposed 13' Sidewalk (EX24MP1)	10,211.6
Proposed Sidewalk Connections	170.2
Proposed Landmark Connections (In-Play)	184.1
Proposed Resizing Wall	11,895.9
Frederick Road	
Existing Roadway to Remain (EX24MP1)	3003.0
Proposed Property	2,456.6
Opal Property	
Proposed Roadway	1,151.7
Proposed 13' Sidewalk (EX24MP1)	466.2
Proposed Resizing Wall	64.1
Indigo Place	
Proposed Sidewalk (EX24MP1)	3,192.7
Office Area Proposed (EX24MP1 (S))	87,138.8
Office Proposed Subtotal (S)	16,527.7
Office Proposed Subtotal (AC)	0.6

Total Proposed Preliminary Plan Impervious Area	
Phase I - Proposed Impervious Area On-Site	137.00
Phase I - Proposed Impervious Area Off-Site	2.97
PHASE I TOTAL (\$F) (EXCLUDES EXEMPT AREAS)	139.97
Phase II - Proposed Impervious Area On-Site	401.00
Phase II - Proposed Impervious Area Off-Site	15.63
Phase II - Proposed Impervious Area within Dedicatorials	58.05
PHASE II TOTAL (\$F) (INCLUDES EXEMPT AREAS)	475.25

TOTAL DEVELOPMENT	
Proposed Impervious Total (%)	14.0%
Proposed Impervious Total (SF)	635,222
Proposed Impervious Total (AC)	14.1

1) Per Sec. 4.9.5.8.4 of Zoning Ordinance impervious surface for master planned bikeways and existing roadways are exempt from this Overlay zone's impervious

1) Per Sec. 4.9.5.B.4 of Zoning Ordinance impervious surface for master planned bikeways and existing roadways are exempt from this Overlay zone's impervious

 **SOLTESZ, INC.**
ROCKVILLE OFFICE
2 Research Place, Suite 100
Rockville, MD 20850
P. 301.948.2750 F. 301.948.9067
www.solteszco.com

Engineering
Surveying
Planning
Environmental Sciences

NO.	REVISIONS	BY	DATE
-----	-----------	----	------

MISS UTILITY NOTE

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OWNER / DEVELOPER / APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(204)-888-7320
ANDY GARRICH

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS
OF THE STATE OF MARYLAND.
LICENSE NO. 33861 EXPIRATION DATE:

IMPERVIOUS SURFACE DRAWING

SITE PLAN
MILES COPPOLA
#820250120

TAX MAP EWQ1		ZONING CATEGORY: R-00 / CRT / R-200	
BASIC JOB SHEET: 2230WY13, 2230WY14, 2230WY13, 2230WY14			
SITE ADDRESS HORIZONTAL: <u>NAD 83</u> VERTICAL: <u>NAD 83</u>			
 1" = 100'		DATE: 10/01/2025 DESIGNED: SC TECHNICIAN: AH / SC CHECKED: KJW CAD STYLIST: (N/A) (N/A) ORD / NCS	
SHEET <u>1</u> OF <u>1</u>			
PROJECT NO.			

Attachment B: Prior Approvals

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

AUG 10 2022

MCPB No. 22-078

Preliminary Plan No. 120220010

Miles Coppola

Date of Hearing: July 21, 2022

RESOLUTION

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

WHEREAS, on September 9, 2021, Brookfield Washington LLC ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create 159 lots for a residential development consisting of 144 townhouse units and 192 multi-family units, including 15 percent MPDUs, for a total of 336 dwelling units on 98.35 acres of land in the R-90, R-200, CRT-2.0, C-2.0, R-2.0, H-120, and Clarksburg East Environmental Overlay zones, located west of the intersection of Frederick Road/MD355 and Clarksburg Road/MD 121, and north of I-270 ("Subject Property"), in the Clarksburg Policy Area and *1994 Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Ten Mile Creek Area Limited Amendment* area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120220010, Miles Coppola ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 11, 2022, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 21, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Cichy, seconded by Vice Chair Verma, with a vote of 4-0; Chair Anderson, Commissioners Cichy, Patterson and Verma voting in favor with Commissioner Rubin being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120220010 to create 159 lots for 336 dwelling units on the Subject

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Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

Property, subject to the following conditions:¹

GENERAL APPROVAL

1. This Preliminary Plan is limited to 159 lots for 336 new dwelling units, including 144 single-family attached and 192 multi-family dwelling units, including a minimum of 12.5% percent moderately priced dwelling units (MPDUs) for residential use.

ADEQUATE PUBLIC FACILITIES AND OUTSIDE AGENCIES

2. The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for eight (8) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5). The phasing schedule is as follows:

Phase A – Within 5 years up to a cumulative total of 70 dwellings across Development Area 2 (CRT zone) and Development Area 1 (R-90 zone)

Phase B – Within 6 years up to a cumulative total of 188 dwelling units, with a maximum of 100 dwelling units in Development Area 1 (R-90 zone)

Phase C – Within 8 years all remaining development

PLAN VALIDITY PERIOD

3. The Preliminary Plan will remain valid for eight (8) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan and pursuant to the below phasing plan must be recorded in the Montgomery County Land Records or a request for an extension filed. The following phasing schedule shall apply:

Phase I – 3 years – at least 10 lots total

Phase II – 5 years – at least 50 lots total

Phase III – 6 years – at least 100 lots total

Phase IV – 8 years – all remaining lots

OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated

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

July 7, 2022 and incorporates them as conditions of the Preliminary Plan approval except for Condition 3.c.i listed under Significant Preliminary Plan Review Comments and Conditions. This condition is replaced with Condition 26.b of this approval. The Applicant must comply with each of the other recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated June 23, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. Before the issuance of access permits, the Applicant must satisfy the MDSHA requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its Preliminary Water Quality Plan approval letter dated June 6, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with any other conditions of the Preliminary Plan approval.
9. The Applicant must implement the Montgomery County Department of Permitting Service's requirements for soil preparation, top-soiling, soil stabilization and soil amendments for any graded areas of 1,000 square feet or more that will be vegetated with grass. These requirements must be reflected on the Final Water Quality Plan, subject to MCDPS approval.
10. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated March 1, 2022, and revised June 8, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS provided that the amendments do not conflict with any other conditions of the Preliminary Plan approval.

11. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA") in its letter dated May 16, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DHCA provided that the amendments do not conflict with any other conditions of the Preliminary Plan approval.

FUTURE SITE PLAN APPROVAL REQUIRED

12. Before clearing, grading, or recording a plat for the Subject Property, the Applicant must receive Staff certification of a Planning Board approved site plan. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined through site plan review and approval.
13. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the Site Plan or Site Plan Amendment.
14. The Applicant must submit a development schedule in table form to match the proposed overall phasing plan set forth in the Preliminary Plan APF approval to include information on proposed dwelling unit count and building permit by location as well as by proposed time of construction.

ENVIRONMENT AND NOISE

15. The Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan No. 120200110, approved as part of this Preliminary Plan:
 - a. Prior to recordation of any plats and the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must record Category I Conservation Easements over all areas of forest retention, forest planting, and environmental buffers as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easements must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
 - b. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of 3-inch caliper trees. The total

amount of required mitigation will be determined at time of Final Forest Conservation Plan approval with the Site Plan.

- c. The Applicant must submit and obtain Planning Board approval of a Final Forest Conservation Plan at the time of Site Plan. The Final Forest Conservation Plan must include the following:
 - i. existing conditions information for areas of off-site limits of disturbance, including the proposed MD 355 Bypass connection to Frederick Road/MD 355;
 - ii. an updated forest conservation worksheet to reflect the inclusion of all areas of offsite limits of disturbance, including the proposed MD 355 Bypass connection to Frederick Road/MD 355;
 - iii. an updated tree variance request to account for applicable trees impacted by required frontage improvements, the off-site limits of disturbance, and any impacted trees 1-inch caliper and larger that are located within the Historic District (i.e., trees along Redgrave Road and the Clarksburg Elementary School).
 - d. The Final Forest Conservation Plan must include an Environmental Impact Sheet identifying all impacts to wetlands, streams, and the environmental buffer and demonstrate efforts to avoid and minimize the impacts, including relocating stormwater management facilities outside of the environmental buffers, consistent with the approved MCDPS Water Quality/Stormwater Management Plan. Details of the impacts to the environmental resources associated with the construction of the intersection of the proposed MD 355 Bypass with Clarksburg Road must be included. Mitigation for impacts may be required as part of the future Site Plan approval.
16. Impervious surfaces are limited to no more than fifteen (15) percent of the area under application for development within the Clarksburg East Environmental Overlay Zone, pursuant to Section 59-4.9.5 of the Zoning Ordinance.
17. The Applicant must submit and obtain Planning Board approval of a Final Stream and Wetland Restoration Plan at the time of Site Plan, and the final plan must be reviewed by the MCDEP, the M-NCPPC Department of Parks and the M-NCPPC Planning Department.
18. The Applicant must submit and obtain Planning Board approval of a Final Water Quality Plan, including an updated Impervious Surface Plan at the time of Site Plan. The Impervious Surface Plan must demonstrate compliance with the Clarksburg East Environmental Overlay Zone.
19. Prior to submission of the Site Plan application, the Applicant must submit a Noise Analysis to address the M-NCPPC *Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development*.

Recommendations based on the Noise Analysis must be incorporated into the Site Plan.

Transportation/Access

Interim 355 Bypass

20. Prior to Certification of the Preliminary Plan, the Applicant must demonstrate that the Applicant and/or County has officially filed for the acquisition of the adjoining property that is necessary to provide the MD 355 Bypass connection to Frederick Road/MD 355.
21. Prior to Site Plan application, the Applicant must demonstrate that the County is proceeding to acquire the land needed for the MD 355 Bypass connection to Frederick Road/MD 355; should that process not be completed within 2 years of this Resolution, the Applicant may seek an amendment of this approval for an alternative connection to Frederick Road/MD 355.
22. If Conditions 20 and 26.a. are not met, the approval will be limited to no more than 100 dwelling units in Development Area 1 of Phase B. The Applicant may be able to proceed with all units in Development Area 2 as conditioned in the CRT-zoned portion of the Property.

Frontage Improvements

23. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
 - a. All land necessary to accommodate public right-of-way along the Subject Property frontage for the following roads:
 - i. Thirty-five (35) feet from the existing centerline along Redgrave Place.
 - ii. Forty (40) feet from the existing centerline along Clarksburg Road/MD 121.
 - iii. Sixty-five (65) feet from the existing centerline along Frederick Road/MD 355.
 - b. All land necessary to accommodate one-hundred and thirty feet (130 ft) from the opposite right-of-way line along the Subject Property frontage for master-planned MD 355 Bypass.
24. Prior to the release of the 88th building permit for Phase A or release of the 1st building permit for Phase B, the Applicant must construct the following improvements and satisfy all necessary requirements of MCDPS, MCDOT, and/or MDSHA:

- a. An 11-ft wide sidepath along the south side of Redgrave Place along the frontage of Clarksburg Elementary School in coordination with Montgomery County Public Schools (MCPS).
 - b. Construct a connection of Private Street A to the Gateway Center Drive / Clarksburg Road intersection.
 - c. An 11-ft wide sidepath along the north side of Clarksburg Road along the frontage of the Subject Property to the east of Gateway Center Drive.
 - d. A 6-ft. wide striped bike lane along the north side of Clarksburg Road along the frontage of the Subject Property to the east of Gateway Center Drive.
 - e. An 11-ft wide sidepath along the south side of Clarksburg Road to the west of Gateway Center Drive to connect to the sidepath on Stringtown Road.
25. Prior to the release of the 1st building permit for Phase B, the Applicant must construct the following improvements and satisfy all necessary requirements of MCDPS and/or MDSA:
 - a. Construct the full approved interim cross section of the MD 355 Bypass across the Subject Property.
 - b. An 11-ft wide sidepath along the development side of the interim MD 355 Bypass.
 - c. A 6-ft wide sidewalk along the frontage of the Subject Property with Frederick Road.
26. Prior to the release of the 1st building permit for Phase C, the Applicant must provide the following and satisfy all necessary requirements of MCDOT, MCDPS and/or MDSA:
 - a. Construct the extension of the Interim MD 355 Bypass across the off-site parcel to connect from the Interim bypass to Frederick Road/MD 355.
 - b. The provision of a preliminary ("30 percent") design for a roundabout at the "L" bend of the bypass adjacent to Development Area 1. If requested by MCDOT, this design shall be improved until satisfaction of a final design as reviewed and approved by MCDOT and Planning staff.
 - c. Construct an 11-ft wide sidepath along the north side on the extension of the MD 355 Bypass on the off-site parcel to connect to Frederick Road.
 - d. Construct a sidewalk along the frontage with Frederick Road along the off-site parcel and construct a pedestrian crossing of the intersection between Frederick Road and the proposed MD 355 Bypass.
 - e. The Applicant shall submit information as requested by MCDOT and/or MD SHA to determine the need for a traffic signal at the intersection between the MD 355 Bypass and Frederick Road/MD 355. A signal, if found to be necessary by staff of either MCDOT or SHA, must be constructed by the Applicant.

New Streets

27. The Applicant must construct all private streets and alleys, including any storm drainage facilities, private utility systems and other necessary improvements as shown on either the Preliminary Plan or the subsequent Site Plan within the private street parcels.

Private Roads

28. The Applicant must provide Private Roads A, B, C, D, and Private Alleys 1, 2, 3, 4, 5, 6, 7, and 8, including any sidewalks, bikeways, storm drainage facilities, street trees, streetlights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:
 - a) If there are no structures above or below the Private Road, the record plat must show the Private Road in a separate parcel.
 - b) The Private Roads, including the Alleys, must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq. The Covenant includes, but is not limited to the following requirements/conditions:
 - i) The Applicant, at its expense, shall design, construct, and maintain the Private Road.
 - ii) The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Road and all improvements located within the Private Road, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Road). The reserves must be adequate to cover the costs of needed repairs.
 - iii) The Applicant must post and retain signage to notify the public that the Private Road is not publicly maintained and to provide contact

information to handle complaints, concerns, or questions regarding the Private Road.

- c) Before issuance of the first above ground building permit excluding retaining walls, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
29. The Applicant must provide a natural surface trail along the northern Property line that is designed to connect to the adjacent Ashford Woods (Preliminary Plan No. 120200110) natural surface trail network.
30. All trails associated with the development are to allow public access with the intent of future area connectivity. The Applicant must enter into a reciprocal access easement with M-NCPPC to allow access for the residents and visitors to the natural surface trails within HOA control. The easement shall be for the sole purpose of public access to the trail system and must be compatible with the overall site layout of the Applicant's property. The public access easement may be reasonably relocated by the Applicant with Department of Planning Staff's review and approval.

SCHOOLS

31. Prior to issuance of each building permit for a residential dwelling unit, the Applicant must obtain an assessment from Montgomery County Department of Permitting Services (MCDPS) for Utilization Premium Payments (UPPs) consistent with the 2020-2024 Growth and Infrastructure Policy, as follows:

- a) 1.00 of a Tier 2 high school UPP per unit.

Record Plats

32. There shall be no clearing or grading of the site prior to recordation of plat(s).
33. The Record Plat must show all private streets and alleys within their own parcel(s).

Easements

34. The record plat must show all necessary easements.
35. The Record Plat must reflect an ingress/egress easement over all private streets and alleys, designated for the benefit of all properties with access to the alleys. All private streets and alleys shall be bound to the standard covenant recorded in Book 54062 at Page 338 for private streets and alleys
36. The Record Plat must ensure the recording of Public Utility Easements along all street segments or locations as identified on the Certified Preliminary Plan.

Notes and Labels

37. The record plat must reflect all areas under common ownership. The record plat must reflect all areas to be conveyed to a Homeowners Association ("HOA") and specifically identify stormwater management parcels.
38. Prior to recordation of any plat, the Site Plan must be certified by M-NCPPC Staff.
39. Before recordation of a plat for the Subject Property, the Applicant must grant to M-NCPPC a rural open space easement over no less than 80 percent (73.90 acres) of the net tract area of the Subject Property as shown on the Preliminary Plan. The Applicant must record the easement, in a form approved by the M-NCPPC Office of General Counsel, among the Montgomery County Land Records. Reference to the recorded easement must be noted on the record plat(s).

MODERATELY PRICED DWELLING UNITS (MPDU'S)

40. The Application must provide a minimum of 12.5 percent MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan in both the R-90 and CRT Zones.
41. The final number and location of MPDUS as required by Conditions #1 and #40 above will be determined at the time of site plan approval.

Certified Preliminary Plan

42. The Certified Preliminary Plan must contain the following notes:
 - a. *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan*

are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

43. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
- a. Include resolution for this Preliminary Plan, and all applicable Agency approval letters on the approval sheets.
 - b. Include a Phasing Exhibit illustrating the construction phasing for the MD 355 Bypass with associated units and improvements in each phase, in the certified set.
 - c. Revise the Data Table provided on (Sheet 1a) to calculate MPDU's (in square feet) based on the area of each zone in compliance with Section 4.4.2. of the Montgomery County Zoning Ordinance.
 - d. Illustrate a connection of Private Street A to intersect with Gateway Center Drive.
 - e. Illustrate a 6-ft wide sidewalk along the west side of off-site MD 355 Bypass segment, connecting from the onsite sidewalk through the off-site parcel and to MD-355.
 - f. Illustrate a complete connection of the sidepath on Clarksburg Road to Stringtown Road.
 - g. Widen the crossing ramps across Clarksburg Road at the Gateway Center Drive intersection to a bikeable 11 ft in width.
 - h. Illustrate one additional trailhead along Street A to connect to the trail network between Lots 3 and 4.
 - i. Provide an updated Impervious Surface Plan, signed by a Professional Engineer, that includes all required improvements and demonstrates compliance with the 15 percent impervious surface limit for the Clarksburg East Environmental Overlay Zone.

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

1. *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.*

The layout of the subdivision, including size, width, shape, and orientation of the proposed lots is appropriate for the location of the subdivision considering the recommendations in the Master Plan that emphasize environmental and watershed protection along with preservation of open space. The lots comply with the dimensional requirements for the R-90 zone under the Optional Method per Section 59.4.4.8.C, the CRT-2.0, C-2.0, R-2.0, H-120 Zone under the Standard Method per Section 59.4.5.3, and the R-200 Zone under Standard Method per Section 59.4.4.7 of the Zoning Ordinance. The Application also complies with the requirements and the development standards of the Clarksburg East Environmental ("CEE") Overlay Zone as specified in the Zoning Ordinance.

Block Design

The block design depicted on the Preliminary Plan is appropriate for the proposed residential development. The length, width, and shape of all residential blocks are compatible with a walkable gridded street pattern and land use goals for the Property. New residential blocks are located along the proposed MD 355 Bypass right-of-way in the northwestern portion of the Property with a much smaller and more linear block design in the southeast portion of the Property. The blocks are of an appropriate length and width to accommodate pedestrian and vehicular circulation, and open space. The blocks are also designed to minimize impacts to the environmental features on the Property by locating them away from environmental buffers and forested areas.

Lot Design

The lot size, width, shape, and orientation are generally appropriate for the location of the subdivision and for the proposed residential use. All lots will either front along the proposed MD 355 Bypass, Clarksburg Road/MD 121, or along the newly created private roads known as Street A, Street B, Street C, and Street D. The dimensions of the lots will be able to accommodate the residential dwelling units and other infrastructure necessary to serve the lots.

Impervious Area Limits of the Clarksburg East Environmental Overlay Zone

The Application is subject to Chapter 59, Section 4.9.5, the Clarksburg East Environmental Overlay Zone. The requirements of the Overlay Zone include limits on impervious surfaces for the total area under application for development. Specifically, Section 4.9.5.D.1 (Clarksburg East Environmental Overlay Zone) states "...the maximum total impervious surface area for any development after August 4, 2014 is 15% of the total area under application for development". The Application includes less than 15 percent impervious surfaces which is below the permitted amount and therefore, conforms to the requirements of the Overlay Zone.

Adequate Open Spaces

The Preliminary Plan provides for adequate open areas. The Application includes 80.32 percent rural open space (73.9 acres), exceeding the 80 percent Rural Open Space requirement outlined in the Clarksburg East Environmental Overlay Zone. Additionally, the Application will provide two percent open space for recreation and amenities for the residential development within the buildable envelope. The Application includes a centrally located recreation area that features a playground, natural surface trails, and passive green area. The Preliminary Plan provides adequate open areas for amenities, recreation, and stormwater management. Open spaces will be evaluated in detail at the time of Site Plan(s).

Roads

Interim Clarksburg MD 355 Bypass

The Preliminary Plan provides adequate right-of-way dedication to support the full master planned facilities of the MD 355 Bypass and the Applicant will construct a road connection that follows the Bypass alignment through the Subject Property that runs between Clarksburg Road and Frederick Road, meets public road standards, and satisfies the requirements of the 2018 *Bicycle Master Plan*. The Applicant will construct an interim road to serve as part of the larger Clarksburg Bypass to be constructed through the Subject Property from Clarksburg Road, through the Subject Property, and extend through an off-site property to Frederick Road (the "Interim 355 Bypass"). This Interim 355 Bypass will be constructed in two phases. The Applicant is required to construct both sections as part of the Application.

The Interim 355 Bypass is not constructed to the full final vision of the MD 355 Bypass. The Interim 355 Bypass will not provide an uninterrupted, fluid transition from south to north; instead, an intersection will be constructed at Clarksburg Road which will require vehicles to stop and turn into and out of the road. Vehicles will then travel along the existing Clarksburg Road and through the intersection between Clarksburg Road and Gateway Center Drive. This interim approach is acceptable given the uncertainty of the final alignment of the Clarksburg Bypass to the south, which may ultimately follow either Observation Drive or Gateway Center Drive. Without a complete connection to the south, and without the resulting vehicular demand, there is no need for a higher speed capacity alignment at present. Additionally, the eventual construction of the final alignment will require off-site land acquisition from both private and public properties that are beyond the Applicant's control, as well as incurring significant additional environmental impacts to grading, forest cover, streams, and impervious surface cover that are not justified without a useful connection to the south.

The Interim 355 Bypass will not include a separate dedicated transitway, a feature recommended in the Master Plan as well as the Master Plan of Highways and Transitways. At present, there is no planned transit route that would use such a facility and no route that would operate to the north of Stringtown Road. Instead, the recent *2022 Corridor Forward Plan* envisions the closest BRT service terminating at the Clarksburg Premium Outlets, with service running on Stringtown Road, proximately 1,000 ft. south of the Subject Property. No service is currently planned to the north. Additionally, the transitway facility will not be pursued along the interim road as it would more than double the size of the roadbed and would incur additional significant environmental impacts to grading, forest cover, streams, wetlands, and impervious surface cover for no clear public benefit. Deferring construction will also eliminate the recurring public expense of maintaining such a facility until it is planned and clearly needed. Nevertheless, in support of the full master plan vision, the 130 ft. of ROW dedication will accommodate all master planned facilities.

A master-planned sidepath will be constructed on the north side (development side) of the Interim 355 Bypass, though the interim condition will not include a sidewalk on the opposite side due to the lack of access to any existing or proposed property as well as the significant environmental costs of additional grading and impervious surface.

The second phase of the Interim 355 Bypass will be constructed following the acquisition of an adjacent property by MCDOT. The property lies between the Subject Property and Frederick Road, immediately to the north of the proposed Fire Station; ownership of the property is uncertain from tax and land records and appears to be vacant. Following acquisition by MCDOT, the Applicant will construct the Interim 355 Bypass section. Due to the restrictions of remaining property lines however, this property alone is not wide enough to accommodate all master planned road features; should a dedicated transitway be pursued sometime in the future, additional property acquisition will be required.

Internal Streets

The Application will establish two separate development areas, one larger to the north (Development Area 1), and a smaller area to the south adjacent to Clarksburg Road (Development Area 2). All Internal streets in these Development Areas will be private streets governed by a standard private road covenant.

Internal streets in these Development Areas will create a small-scale street grid that enables bike and pedestrian access while minimizing impervious surfaces. A new intersection will be constructed at Clarksburg Road/MD 121 to serve the Interim 355 Bypass which will provide access to Development Area 1. Two access points along the Interim 355 Bypass will be created to serve Development Area 1.

As conditioned, the smaller development area (Development Area 2) to the south will be served by two intersections: the first, an access point along Clarksburg Road and the second at the intersection between Clarksburg Road and Gateway Center Drive. As development proceeds, the Interim 355 Bypass will be extended across offsite property to be acquired by Montgomery County to connect to Frederick Road/MD 355. All proposed streets internal to the Subject Property will be private streets, while the Interim 355 Bypass will remain public.

Private Roads

All internal streets will be private. Modifications have been made to standard MCDOT street cross sections to reduce centerline radius, overall width, and impervious surface in light of the context of the Ten Mile Creek Special Protection Area.

The streets as modified limit the overall cross section and impervious surface as recommended in the 2014 *Ten Mile Creek Area Limited Amendment*. A notable departure from public road standards is the removal of sidewalk from one side of streets in select areas of the development area as discussed previously along streets that run along the perimeter of the two development areas. As stated in their respective agency letters, neither MCDOT nor DPS will accept public roads within the context of a townhouse community without sidewalks on both sides of the street. However, this is in conflict with the intent of the Master Plan guidance in reducing overall street cross sections, with the Master Plan's explicit endorsement of removing sidewalks in areas deemed not essential.

Roads are to be built to the construction specifications of the corresponding public road standards concerning paving detail and design data, including surface depth and structural design, as detailed in the proposed cross sections of the Application. All modifications to standard sections, as discussed in subsequent sections, have been reviewed and are supported by the Planning Board and will be safe for general use for vehicular, pedestrian and bike circulation and meet accepted state and national standards.

The private road network is contained entirely within the Subject Property, accessing only the two development clusters; they do not provide through connectivity to serve the general public. The road network as proposed is not needed to maintain area-wide circulation and does not provide a continuous corridor to serve the public. It is not needed to be part of the network modeled for area capacity. All roads will be considered secondary streets, tertiary streets, or alleys, all of which are eligible to be permitted as private streets. The Planning Board finds that this meets the justification requirements for the use of private roads as detailed in 50.4.3.E.4.a. The Planning Board has reviewed the pedestrian circulation and, as conditioned, finds it to be adequate.

Required Transportation Findings

1. Minimum Centerline Radius Requirement, Ch. 50.4.3.E.2.g.ii

The Applicant requested a finding of the minimum centerline radius requirement for Private Streets A and D, specifically for the 3 curves on Private Street A, serving 88 dwellings, and the curve immediately adjacent to the intersection between Private Street D and the Interim 355 Bypass, serving approximately 120 units. Both streets require a centerline radius no less than 150 feet to meet the typical secondary street standard. The Applicant instead requested a reduced radius of 100 feet, the minimum assigned to a tertiary street. The Planning Board grants this request as the tighter radius supports a correspondingly tighter development envelope, thereby reducing grading, deforestation, impervious surface, and other environmental impacts as recommended in the Master Plan. The roads will continue to operate safely and appropriately as the roads will carry volumes at these corners equivalent to those of a typical tertiary street for which a 100-foot radius is acceptable. Additionally, these corners will reduce vehicular speeds in this entirely residential neighborhood, enhancing safety for bicyclists and pedestrians.

2. Open Section Road Requirement, Ch. 49.33.1

The Applicant is requested a finding that the roads need not be constructed with open sections and requests the use of curbs and gutters. The Subject Property is located within the Ten Mile Creek Special Protection Area. The Director of the Department of Permitting Services may approve the installation of curbs and gutters following Planning Board comment if: (A) installing curbs and gutters will not significantly degrade water quality in the area; (B) curbs and gutters are necessary for vehicular or pedestrian safety or the proper grading or maintenance of the road, or to reduce the environmental impact of the road on any park, forest, or wetland; and (C) a preliminary subdivision plan or site plan approved by the Planning Board for the land abutting the portion of the road where curbs and gutters may be installed expressly permits the curbs and gutters to be installed, if either plan is required for the land in question.

The Applicant proposed the use of curbs and gutters for the townhouse and multi-family development, and the Master Plan supports a higher density and mix of uses in the Clarksburg East Environmental Overlay Zone. The use of curb and gutter design allows for a significantly reduced right-of-way to accommodate a denser housing development which allows for a more efficient use of the Property and greatly reduces overall local environmental impact. Additionally, the reduction in roadway length due to a more compact development reduces impervious surface. Lastly, the addition of adequate stormwater facilities, which includes the curb and gutter design, will alleviate degradation of water quality.

The Planning Board approves the use of curbs and gutters instead of an open section road design.

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

The Preliminary Plan substantially conforms to the recommendations outlined in the 2014 *Ten Mile Creek Area Limited Amendment* ("Master Plan"). The Master Plan is a limited amendment to the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* ("1994 Plan") for the Ten Mile Creek Watershed. The Master Plan retains the 1994 Plan vision but refines the 1994 Plan recommendations to create a well-defined corridor town that provides jobs, homes and commercial activities and the preservation of natural resources. Below is a discussion of the various Master Plan recommendations.

Land Use, Zoning and Property Recommendations

The development is consistent with the land use, zoning, and property recommendations outlined in the Master Plan. The Master Plan recognizes that physical constraints including topography, stream valleys, forest, and potential future roadway and transit networks suggest that the Miles Coppola development should function independently, but in a way that supports the Clarksburg Town Center. Development Area 1 (R-90 zone), situated along MD 355 is recommended for residential uses that support retail in Clarksburg's Town Center. Development Area 2 (CRT-zone), situated along MD 121 and close to the Town Center is recommended for zoning that could result in residential or commercial uses, or a mix of uses. This Application includes entirely residential uses that will support the retail, restaurants, and other businesses in Clarksburg. The Master Plan also provides more specific recommendations listed below (Master Plan, p. 37-38).

- *Including the Miles-Coppola properties in the proposed Clarksburg East Environmental Overlay zone with a 15 percent imperviousness limit and an 80 percent open space requirement.*
The proposed development results in less than 15 percent imperviousness, meeting the impervious surface limit recommended above. The development also includes 80.32 percent rural open space which is above the required amount.
- *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 to the Historic District and Town Center.*

The Application includes two development areas (Development Area 1 within the R-90 zone and Development Area 2 within the CRT zone); both of these areas will consist of compactly designed residential uses that meet the recommended impervious surface limits and will support the businesses in 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.*

The southern developable area (Development Area 2) will provide housing that supports the Town Center, and not compete with it. High density residential is being provided with 63 multi-family triplex units combined with 25 townhouse units.

- *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.*

The northern developable area (Development Area 1) is oriented toward the MD 355 Bypass that extends from Clarksburg Road/MD 121 through the Property and out to Frederick Road/MD 355. The Application also includes a network of sidewalks, bikeways, and natural surface trails that provide a variety of means for residents to access businesses and activities in the 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.*

The development is designed as a compact residential community that is adjacent to major existing and proposed roads, primarily situated on land previously cleared for agriculture use, which maximizes the preservation of existing forest and the natural environment, including 80.32 percent rural open space, and reduces imperviousness, which in turn protects 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.*

The development is clustered into two separate development areas that include two primary types of housing: multi-family tri-plex residential, which are permitted as multi-family units in the Zoning Ordinance, and single-family attached (townhouse) units. In Development Area 1, front-loaded townhouse units make up the entirety of the periphery of the development area with rear-loaded townhouses and rear-loaded multi-family tri-plex units located in the center of the development area. Development Area 2 has the same mix of

building types with a mix of front-loaded and rear-loaded units served by private alleys.

- *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.*

As modified at the Public Hearing by the Planning Board, the Application includes 12.5 percent MPDUs for the overall development, which is the minimum required amount. The final number and location of MPDUs will be determined at the time of site plan approval. The Applicant provides 2.89 dwelling units per acre, which is below the maximum density allowed.

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

The development includes tri-plex units and townhouse units which allow for higher densities with smaller developable areas, conducive to meeting the Master Plan recommendations and Overlay Zone requirements related to imperviousness and open space.

Environment

The Application conforms to the Environmental Resources section of the Master Plan. The Master Plan places a high priority on the protection and enhancement of environmental resources, including forest and water quality, with an added emphasis on protecting and expanding environmental buffers. The Master Plan incorporates several recommendations that help to achieve the goal of environmental resource protection, including clustering the development in upland areas, limiting impervious surfaces, expanding environmental buffers to include ephemeral streams, wetlands, springs, seeps, erodible soils, and slopes ≥ 15 percent. In addition, the Master Plan recommends protection of interior forest. As in all Special Protection Areas, unforested environmental buffers must be reforested.

Development on the Subject Property will be clustered away from the stream valleys, protecting over 55 acres of existing forest resources, and the Applicant is planting approximately four acres of new forest in areas of stream valley buffer that are currently unforested. Where forest cannot be planted within the buffers due to existing and proposed utility and stormwater management easements, these areas will be planted as meadow habitat with native species favored by pollinators.

The Application includes impacts to the environmental buffer and associated resources for a) the construction of the proposed MD 355 Bypass where it intersects with Clarksburg Road/MD 121, b) right-of-way improvements for

Frederick Road/MD 355, and c) impacts associated with natural surface trails, a pedestrian bridge that will connect the two development areas, storm drain outfalls and some grading/tie outs. These impacts are represented on a Stream Valley Buffer Impact Exhibit. As conditioned, the Stream Valley Buffer Impact Exhibit will be updated at time of Site Plan application and included in the Final Forest Conservation Plan set, to represent the final impacts, including the relocation of a stormwater management facility outside of the environmental buffer. The Application includes a stormwater management facility in Development Area 2 that is located within the environmental buffer; however, it was recently redesigned/relocated outside of the buffer, and conceptually approved by MCDPS.

The conditions of Pre-Preliminary Plan 720210010, MCPB Resolution 21-051, approved on July 20, 2021, encourage the Applicant to locate the MD 355 Bypass intersection segment with Clarksburg Road as far uphill to the north as possible to avoid and minimize environmental impacts to the stream valley. Additionally, Condition #7 requires the Applicant to coordinate with Staff to minimize environmental impacts associated with frontage improvements along MD 355, regardless of the alignment of the MD 355 Bypass. These conditions are addressed below.

- MD 355 Bypass intersection with Clarksburg Road/MD 121 – this road connection results in impacts to the environmental buffer, stream, and 100-year floodplain due to the extension of the culvert under Clarksburg Road to accommodate the MD 355 Bypass, including a headwall/retaining wall, associated grading, and the installation of storm drain, and water and sewer utilities. There is an existing stream and associated wetland that flows under Clarksburg Road. The Planning Board finds that there are no available alternatives to make this road connection due to the limited frontage on Clarksburg Road, and locating the intersection further north would put the connection on an off-site, adjacent, already developed property.
- MD 355 Bypass intersection with Frederick Road/MD 355 – required improvements within the right-of-way result in impacts to the environmental buffer, including the wetland buffer and associated stream for the construction of shoulder widening, sidewalk installation, extension of the existing culvert to accommodate these improvements, and associated grading.
- Natural surface trails, a pedestrian bridge that will connect the two development areas, storm drain outfalls and some grading/tie outs will result in impacts to the environmental buffer, including the wetland buffer. The pedestrian bridge will span the stream to minimize impacts for this crossing. There are expected encroachments proposed within the environmental buffers for storm drain outfalls necessary to allow for safe conveyance of stormwater, and there may be some grading/grade tie-outs that remain within the buffer,

but these impacts will be reviewed in more detail at time of Site Plan to ensure they are minimized as much as possible.

Recommendations for Properties East of I-270 (Master Plan, p. 18)

The Master Plan includes several recommendations for properties located east of I-270. Below is a list of these recommendations with discussion how they are met.

- *Limit imperviousness levels to 15 percent for new development on properties that are recommended for the proposed Clarksburg East Environmental Overlay Zone.*
As discussed above, the Application meets the required impervious surface limit of 15 percent.
- *Forest Conservation Plans for properties in the Ten Mile Creek Watershed should protect the forest on the Miles/Coppola properties, which is bounded by the two northernmost environmental buffer areas on the north and south, I-270 on the west, and the existing agricultural fields on the east.*
The development does not propose to disturb the forest in this area as demonstrated on the Forest Conservation Plan; and this forest will be protected in a Category I Conservation Easement.
- *Work with the Maryland State Highway Administration to provide stormwater retrofits for any expansion or modification of I-270.*
Expansion or modification of I-270 is not anticipated as part of the Application and therefore this recommendation is not applicable.

Throughout Ten Mile Creek (Master Plan, p. 19-22)

The Master Plan includes additional recommendations for properties to achieve preservation of natural resources. Below is a list of these recommendations with discussion on how they are met.

- *Environmental buffers must be consistent with all regulations and guidelines. In addition, in all areas in Ten Mile Creek other than the Historic District, on both sides of perennial and intermittent streams, and adjacent to springs, and seeps, buffers must be a minimum of 200 feet, and must be expanded to include: All erodible soils (listed in the Planning Board's Environmental Guidelines for Development, as amended); Wetlands that extend beyond the buffer must have a minimum of 50-foot buffer; All ephemeral streams, not including roadside ditches, plus a 50-foot buffer; All slopes 15 percent or greater that begin within the buffer described above.*
Planning Staff approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) No. 420210650 on April 13, 2021. The NRI/FSD

identified these required features and conforms to these recommendations. The approved environmental buffers are identified on the Preliminary Forest Conservation Plan submitted as part of this Application.

- *Amend the Clarksburg Special Protection Area to include an additional area east of I-270.*

The limits of the Clarksburg Special Protection Area were amended and the Ten Mile Creek Special Protection Area was created in response to this recommendation. The Subject Property is within the Ten Mile Creek Special Protection Area.

- *Establish environmental overlay zones to apply the Plan's limits on imperviousness for new development and reduce development footprints to protect sensitive resources.*

The Clarksburg East and Clarksburg West Environmental Overlay Zones were created in response to this recommendation. The Overlay Zones incorporate limits on imperviousness and open space requirements. The Subject Property is within the Clarksburg East Environmental Overlay Zone that limits imperviousness to 15 percent and requires 80 percent rural open space to protect sensitive resources.

- *Minimize disturbance of natural resources throughout the Ten Mile Creek Watershed, especially forests in the headwater areas. Forest Conservation Plans for properties in the Ten Mile Creek Watershed should protect: All forest required by the Forest Conservation Law and Regulations (includes environmental buffers as previously described and minimum retention requirements), as well as areas defined in this Master Plan: All interior forest (as defined by the Maryland Department of Natural Resources); On the Miles-Coppola properties, the forest bounded by the two northernmost environmental buffer areas on the north and south, I-270 on the west, and the existing agricultural fields on the east; On the Pulte/King properties, all forest adjacent to environmental buffers; All forest on County-owned properties; All off-site forest planting for new development should be located in the Ten Mile Creek Watershed as a first priority.*

The Preliminary Forest Conservation Plan submitted with this Application demonstrates conformance with the Forest Conservation Law and Regulations, which is further discussed below, protects interior forest, and protects the forest bound by the two northernmost environmental buffer areas on the north and south, I-270 on the west, and the existing agricultural fields on the east. The required forest planting will be met on-site. The Application protects approximately 60 acres of existing and planted forest through conservation easements.

- *Explore ways to create incentives for additional voluntary forest planting (using forest banks or other strategies) on rural or RDT-zoned properties in the Ten Mile Creek Watershed to help reach a watershed goal of 65 percent forest cover.*

The Subject Property is not located on rural or RDT-zoned land and the development and existing forest to be retained leave little area available for additional forest plantings beyond the planting required in the environmental buffers. The approximately 60 acres of forest that will be protected via this Application will contribute towards the watershed goal of 65 percent forest cover.

Water Quality Strategies & Additional Principles/Strategies (Master Plan, p. 21-22)

The Master Plan also includes several water quality strategies and principles listed below.

- *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 nonerosive manner. Minimize disturbance of natural resources throughout the Ten Mile Creek Watershed, especially forest cover 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 ephemeral streams; De-compacting and amending soils*

within the limits of disturbance 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 and 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.

In general, the Application addresses the Master Plan recommendations listed above. The majority of these items related to sediment control and stormwater management are reviewed by MCDPS as part of the Water Quality Plan. MCDPS has approved their portion of the Preliminary Water Quality Plan as part of this Application. They will be reviewing the Final Water Quality Plan with the future site plan application, at which time additional infiltration testing will be required. If infiltration is feasible, it will be used for ESD treatment, and this may alter the current stormwater management design and layout. If infiltration is not feasible, two additional feet of stone storage will be required below the proposed micro bioretention facilities (non-planter box) in areas of minimal cut and fill to promote groundwater recharge. MCDPS will be reviewing the plans for the disturbed areas and storm drain conveyance/ESD non-erosive outfall compliance during MCDPS' detailed plan review stage for the sediment control and stormwater management plans. Staff from MCDPS Water Resources has confirmed that this Application is effectively maintaining existing drainage areas, with only relatively small areas being directed away from their existing drainage course. This is a standard requirement of all SPA water quality plans. Although the State of Maryland no longer requires limiting the grading units to a 20-acre maximum, MCDPS continues to require sediment control plans adhere to these restrictions. Therefore, the Application will be required to be phased so that only 20 acres (a grading unit) at a time will be actively disturbed. When this grading unit is 50 percent complete and stabilized, the next grading unit may be opened. This will limit active grading to no more than 30 acres at one time.

The Master Plan references requirements for de-compaction and soil amendments. Although the Master Plan language is vague on specifics, MCDPS recommends that in order to comply with the intent of the Master Plan recommendation, the Planning Board require that the Applicant follow the Maryland Department of the Environment (MDE) requirements for soil

preparation, top-soiling and soil amendments, but provide soil loosing and fertilizing to 6-8 inches and a minimum of an eight-inch layer of topsoil for any graded areas of 1,000 square feet or more that will be vegetated with grass. Therefore, as conditioned, these requirements exceed the MDE standards which requires 3-5 inches of soil loosing and 5-8 inches of topsoil for graded area greater than five acres. This increased soil amendment strategy will serve to maintain the infiltration capabilities of the soil, promote more vibrant plant growth, and reduce runoff.

The Application minimizes direct impacts to natural resources associated with new infrastructure, such as the MD 355 Bypass by aligning its intersection with Frederick Road further south, on an offsite, undeveloped property located adjacent to the Clarksburg Fire Station, thereby avoiding impacts to the onsite stream and wetlands along the Property's frontage. Where the MD 355 Bypass intersects with Clarksburg Road/MD 121, there is an existing stream and associated wetland that flows under MD 121. There are no available alternatives to make this road connection since the stream and wetlands are located just inside the Property boundary, the Property contains limited frontage along Clarksburg Road, and locating the intersection further north, would put the connection on an off-site, adjacent, already developed property. The details of this road crossing will be reviewed in greater detail with the site plan application to minimize the impacts as much as possible.

The Application includes a Preliminary Stream and Wetland Restoration Plan that identifies areas that have been adversely affected by the past uses that occurred on the Property. As conditioned, a Final Stream and Wetland Restoration Plan will be reviewed by Staff from the M-NCPPC Planning Department and Department of Parks, and MCDEP as part of the Site Plan application.

The development has been designed to cluster development to minimize forest clearing, particularly the high priority forest, protect the environmental features, and minimize impervious area. The proposed design also meets the recommendations listed above to protect and preserve the natural resources throughout the Ten Mile Creek by 1) providing a mix of townhouse and multi-family units for a more compact development compared to single-family detached development, 2) clustering the development away from existing environmental resources 3) designing reduced width streets where possible; and, 4) having sidewalk on only one side of the street in areas where pedestrian circulation is not impacted.

Parks and Trails (Master Plan, p. 49)

The Master Plan also provides several recommendations related to Parks and Trails.

- *Provide a countywide natural surface trail, designed to M-NCPPC Montgomery Parks standards, in the Ten Mile Creek area linking Little Bennett Regional Park and Black Hill Regional Park per the Countywide Park Trails Plan (2008) and the 1994 Clarksburg Master Plan.*

The Application includes a natural surface trail that traverses through the Property, and provides connections between the two Development Areas, as well as to the internal sidewalks, MD 355, and MD 121. These trails will also connect to the trail network that was recently approved as part of the Ashford Woods development (Preliminary Plan No. 120200110) on the adjacent Property to the north, which collectively link to Little Bennett Regional Park and Black Hill Regional Park beyond this Property, providing additional access to the greater trail network envisioned by the Master Plans.

- *Provide five trailheads, designed to M-NCPPC Montgomery Park standards, to access the Ten Mile Creek natural surface trail and nearby natural areas for park users and operations staff.*

This recommendation is not applicable to the Subject Property.

Noise Guidelines

The Environmental Section of the 1993 General Plan Refinement for Montgomery County contains multiple objectives directing Staff to protect future residents from unacceptable noise levels. The *1983 Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development* ("Noise Guidelines") contains strategies for mitigating the impact of transportation noise on new residential development. As conditioned, the Applicant must submit a noise analysis as part of the future site plan application for this development. Any required mitigation will be incorporated as part of the site plan.

Transportation (Master Plan, p. 24-30)

The previously approved Pre-Preliminary Plan #720210010 contemplated two options for the potential alignment of the Clarksburg MD 355 Bypass. Condition 1 of the Pre-Preliminary Plan Resolution recommends Option 2 but notes that Option 1 is acceptable if the Applicant is able to "ensure construction on the intervening properties to the north and immediately adjacent to the Clarksburg fire station". The Resolution also indicates that the Preliminary Plan include a detailed concept for the MD 355 Bypass, including an assessment of environmental impacts. This Application pursues the alignment highlighted as Option 1 in the Pre-Preliminary Plan. This alignment closely mirrors the Master Plan guidance to locate the intersection of the MD 355 Bypass with Frederick Road (MD 355) at a point approximately 0.3 miles to the north of the intersection with Clarksburg Road. The proposed MD 355 Bypass follows a path running from the existing intersection of Clarksburg Road and Stringtown Road in the south, along Clarksburg Road, through the upper portion of the Miles Coppola Property, and intersects MD 355 through an off-site property immediately to the north of the

under-construction Clarksburg Fire Station. This alignment will limit both impacts to streams and wetlands as well as the historic district and is in lieu of an earlier alignment from the earlier 1994 Plan to connect to Snowden Farm Parkway to the north.

The Application conforms to the 2018 *Bicycle Master Plan* by providing the following improvements:

- Frederick Road / MD 355

A sidepath is recommended on the east side of Frederick Rd., which is the opposite side from the frontage of the Subject Property. This sidepath will be constructed as part of the MD 355 Clarksburg Shared Use Path CIP project. The Applicant will construct a 6-ft. wide sidewalk along the Property frontage on Frederick Rd.

- Interim Clarksburg Bypass

A sidepath is recommended along the length of the Interim 355 Bypass from Clarksburg Road to Frederick Road. The Applicant will construct an 11-ft wide sidepath along the north-western side of the Interim 355 Bypass, the same side as the proposed residential units. This will extend across the off-site extension of the Interim 355 Bypass (Phase B) to be constructed at a later phase.

A sidewalk will not be constructed along the east side of the Interim 355 Bypass. This portion of sidewalk was determined to be unnecessary as it does not provide access to any existing or planned structure. Since there is the potential in the future for the MD 355 Bypass to be reconstructed and potentially realigned, the immediate environmental concerns over grading, additional forest loss, and addition of impervious surface outweigh the benefits of such a facility.

- Clarksburg Road / MD 121

A sidepath is recommended on the east side of the road and striped bike lanes on the west side. The Applicant will construct an 11-ft. wide sidepath on the west side of Clarksburg Rd. This will be constructed in lieu of the east side due to the severe grade on the east side. Additionally, the sidepath relocation will better connect to the proposed development which will remain on the west side and run continuously from along that side from Gateway Center Drive up to MD 355. As conditioned, south of Gateway Center Drive, the sidepath will cross to the east side, down to the terminating cul-de-sac of the remainder of the Clarksburg Road spur and connect to the new roadbed of MD-121. Additionally, striped bike lanes will be constructed along the west side Property frontage of Clarksburg Rd.

- Redgrave Place

An 11-ft. wide sidepath will be constructed on the south side of Redgrave Place. This is in-lieu of sidewalk along the frontage of the Subject Property on the north side of the road. This was found to be more appropriate as the south side fronts Clarksburg Elementary School, providing direct connectivity. No development is proposed along the Application frontage. An off-site connection to Frederick Road could not be pursued due to lack of right-of-way east of the school and property boundaries extend to the pavement edge in this location, precluding the ability to construct additional infrastructure.

- Internal to Site

Internal pedestrian circulation for the development consists of a sidewalk network along all streets. Sidewalks are provided on both sides of streets except as noted along the outer perimeter street of Development Areas 1 and 2. Due to concerns over the addition of impervious surface, the Master Plan and the Zoning Ordinance recommend limiting sidewalks where possible, as well as other recommendations to limit impervious surface. As part of this Application, on sections of roadway in areas with perceived infrequent pedestrian movement, in particular areas adjacent to rural open space, sidewalks are limited to one side of the street along sections of private streets A, B, and D. Where applicable, on streets where the sidewalk is located only on one side of the street, the sidewalk is wider to promote safer circulation. The Application will also provide a network of natural surface trails throughout the rural open space and preserved natural spaces that will link the two development areas together, connect to the trail network that was recently approved as part of the Ashford Woods development (Preliminary Plan No. 120200110) on the adjacent Property to the north, and connect to Clarksburg Road/MD 121 as well as the MD 355 Bypass.

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

The Preliminary Plan satisfies the Adequate Public Facilities review as explained below.

Transportation

Transportation circulation throughout the Subject Property will be adequate to support and service the proposed development. The Subject Property has frontage on three public roads – Frederick Road, Clarksburg Road, and Redgrave Place. Primary access to Development Area 1 will come from two new access points on the proposed Interim 355 Bypass. Development Area 2 will have access at two points along Clarksburg Road. No new development will be served on Redgrave Place.

- Signal Improvement

As conditioned, additional review by MCDOT and/or SHA may require a traffic signal at the northernmost intersection of the proposed MD 355 Bypass at Frederick Rd. This is primarily based on the adjacency of the new Clarksburg Firehouse which itself requires signal control. While the intersection was analyzed for a signal warrant, which under study was not met, there are significant safety concerns beyond the proximity to the fire station that may require the installation of a signal. These safety concerns include: the high volumes of traffic using Frederick Road, particularly at peak hours, the uncertainty of future traffic volumes on the MD 355 Bypass, the location within a bike and pedestrian priority area, and potential sight distance issues.

▪ **Local Area Transportation Review (“LATR”)**

The Application for 336 new dwellings (144 new townhouses and 192 new low-rise multi-family units) is predicted to generate 207 and 239 net new person trips during the AM and PM peak-hours respectively as shown in Table 5 below. As the Application generates more than 50 peak-hour person trips, a full traffic study was required to satisfy the LATR guidelines. This Preliminary Plan application is a continuation of the review initiated under the prior Pre-Preliminary Plan, which was submitted prior to January 1, 2021, the date on which the 2020-2024 Growth and Infrastructure Policy (GIP) took effect, as specified under Policy AP2 of the GIP concerning review through the transition phase between growth policies. For transportation, this Application was instead reviewed under the 2016-2020 Subdivision Staging Policy and 2017 LATR Guidelines, as allowed by the AP2 policy. The remaining components of the APF finding are reviewed under the 2020-2024 Growth and Infrastructure Policy.

Trip Generation*

Development	Measure	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
144 Townhomes / 192 Multifamily Units (ITE 220)	336 d.u.	34	115	150	109	64	173
Adjusted Net New Person Trips	--	47	160	207	150	89	239

*Trip generation rates are based on the ITE Trip Generation Manual, 10th Edition and adjusted as detailed in the 2017 LATR guidelines. Figures are rounded to nearest whole number. Source: The Traffic Group, Traffic Impact Analysis Dated July 14, 2021.

The Study analyzed four existing intersections in two policy areas as shown in Table 6 below. The Clarksburg Town Center Policy Area is a designated

Orange Policy Area, for which the HCM methodology is used. The Clarksburg policy area is a Yellow Policy Area, where CLV is the primary methodology. No intersection exceeds either the CLV or HCM congestion threshold under the future scenario, though as shown in the "Intersection Delay" table below, the MD 355 & Clarksburg Rd intersection currently exceeds the HCM delay threshold. As a note, the background and future conditions assume the completion of the MD 355 & Clarksburg Rd intersection CIP improvements which will reduce delays below the policy area congestion standard in all cases.

Intersection Delay

Intersection	Traffic Conditions					
	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
Clarksburg Town Center Policy Area (HCM 63 Seconds)						
1. Clarksburg Rd & Site Access	n/a	n/a	n/a	n/a	2.5	2.1
2. MD 355 & Clarksburg Rd	23.3	92.5	23.2	34.3	26.1	34.2
Clarksburg Town Policy Area (CLV 1,350)						
3. MD 121 (Clarksburg Rd) / Stringtown Rd & Gateway Center Dr	610	763	867	1044	957	1129
4. Clarksburg Rd & Gateway Center Dr (Unsignalized)	306	461	381	536	471	621

Source: The Traffic Group, Traffic Impact Analysis Dated July 14, 2021.

All four intersections operate below congestion standards and no additional improvements are necessary for these intersections for vehicular capacity.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed use on the Property. The Subject Property is located in the W-3 and S-3 water and sewer categories for service and the development plans for the extension of water and sewer lines to utilize public water and sewer. Other telecommunications and utility companies can adequately serve the Property. As conditioned, and as required by the Montgomery County Department of Permitting Services - Fire Access and Water Supply Section letter, dated March 1, 2022 and revised June 8, 2022, confirming adequate access for fire and emergency vehicle can be provided by the use of private roads which meet access standards and building height restrictions where necessary. Other public services such as police and health services are currently operating

within the standards set by the Growth and Infrastructure Policy (“GIP”) in effect.

Overview and Applicable School Test

The FY23 Annual School Test, approved by the Planning Board on June 16, 2022, and effective July 1, 2022, is applicable to this Application. This Application includes a total of 336 units consisting of 144 single-family attached units and 192 multi-family low rise units.

▪ School Adequacy Test

The Application is served by Clarksburg ES, Rocky Hill MS and Clarksburg HS. Based on the FY23 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Applicable FY2022 School Adequacy

School	Projected School Totals, 2025				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Clarksburg ES ²	342	301	88.0%	+41	No UPP	126	143	161
Rocky Hill MS	1,020	1,006	98.6%	+14	No UPP	140	218	371
Clarksburg HS	2,034	2,606	128.1%	-572	Tier 2 UPP			140

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY23 Annual School Test, Clarksburg ES and Rocky Hill MS do not require any UPP. However, Clarksburg HS requires a Tier 2 UPP. If the Application is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the Application, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

² Projected enrollment reflects the estimated impact of CIP P651901, which will reassign students between Clarksburg ES, William B. Gibbs, Jr. ES, Little Bennett ES, Wilson Wims ES and Clarksburg ES #9 in 2023.

With a net of 336 units that are not age-restricted, the proposed Application is estimated to generate the following number of students based on the Subject Property's location within a Turnover Impact Area:

Estimated Student Enrollment Impacts

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.185	0.000	0.108	0.000	0.154	0.000
SF Attached	144	0.225	32.400	0.123	17.712	0.159	22.896
MF Low-rise	192	0.107	20.544	0.058	11.136	0.070	13.440
MF High-rise	0	0.051	0.000	0.024	0.000	0.030	0.000
TOTALS	336		52		28		36

On average, this Application is estimated to generate 52 elementary school students, 28 middle school students and 36 high school students. The number of students generated does not exceed the adequacy ceilings identified for each school, therefore no additional UPPs are required and neither are partial payments across multiple UPP tiers.

Analysis Conclusion and Condition of Approval

Prior to issuance of each building permit for the 144 single-family attached and the 192 multi-family low-rise dwelling units included in this Preliminary Plan, the Applicant must obtain an assessment from Montgomery County Department of Permitting Services (MCDPS) for Utilization Premium Payments (UPPs) consistent with the Growth and Infrastructure Policy, as follows:

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

Montgomery County may modify the per unit UPP rates prior to payment of any required UPPs. The Applicant must pay the above UPPs to MCDPS based on the rates in effect at the time of payment.

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

Technical Review 50.4.3.K

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan is a request for a tree variance for impacts and removal of subject trees. The Preliminary Plan complies with the Montgomery County *Environmental Guidelines*, the Master Plan, and the Forest Conservation Law, as conditioned and described below.

Natural Resource Inventory/Forest Stand Delineation, Environmental Guidelines/Master Plan

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) No. 420210650 for this Property was approved on April 13, 2021. The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The Master Plan outlines additional requirements for the protection of environmental resources which have recently been incorporated into the *Guidelines for Environmental Management of Development in Montgomery County* ("Environmental Guidelines"). The guidance in the Master Plan requires a minimum of 200-foot buffers for all intermittent and perennial streams, springs and seeps and expansion of these buffers to include ephemeral streams and their 50-foot buffers, wetlands with a minimum 50-foot buffer (which may be larger based on the SPA wetland buffer guidance in the Environmental Guidelines), erodible soils as defined in the Environmental Guidelines, and ≥ 15 percent slopes that begin within the buffers. The NRI/FSD for this Property was prepared, reviewed, and approved using the guidance outlined in the Environmental Guidelines, and where necessary, superseded by the guidance outlined in the Master Plan.

The Subject Property is undeveloped with approximately 74 acres of forest and the remaining land in agricultural production. The Property is within the Little Seneca Creek - Ten Mile Creek Watershed, which is classified by the State of Maryland as Use Class I-P waters, and within the LSTM 206 subwatershed as identified in the Master Plan. It is located within the Ten Mile Creek Special Protection Area. There are streams, wetlands, and

areas of 100-year floodplain within the environmental buffers, and areas with slopes that are fifteen percent and greater. There are no mapped highly erodible soils on the Property.

The Property includes three main tributary streams that flank the proposed Development Areas. The first stream (Stream 1) is located in the northeastern corner of the Property, where it enters the Property through a culvert under Frederick Road and quickly transitions to an expansive stream/wetland complex before it channelizes and exits the Property to the north, continues in a western direction off-site, adjacent to the northern boundary of the Property before exiting under I-270. The environmental buffer associated with this stream extends onto the Subject Property and is located to the north and west of Development Area 1. The other two streams enter the Property under Clarksburg Road and flank Development Area 2. The stream east of the development (Stream 2) will be impacted by the construction of the MD 355 Bypass where it intersects Clarksburg Road. This stream enters the Property through a culvert under Clarksburg Road and includes a narrow area of riparian wetlands on either side of the stream, before ultimately transitioning to include more expansive wetland areas as it flows west, ultimately joining the third tributary stream before exiting under I-270. The third stream (Stream 3) is located west of proposed Development Area 2 and includes stream channels and wetlands for its entire length before joining Stream 2 and exiting under I-270.

The Property contains approximately 74 acres of existing forest, 4 acres of wetlands, and 46 acres of environmental buffer. Slopes in excess of 15 percent, including slopes in excess of 25 percent are present. No highly erodible soils as listed in the Environmental Guidelines have been identified on the Property. There are no FEMA mapped floodplains on or immediately adjacent to the Property, but there is M-NCPPC mapped floodplain that has been incorporated into the environmental buffer. Seeps, springs, and ephemeral streams were identified and included within the Master Plan recommended environmental buffer. The NRI/FSD also identified numerous significant and specimen trees.

- **Environmental Buffer Encroachments**

As noted previously in the Master Plan conformance section of this report and on the attached Environmental Buffer Encroachment Exhibit (Attachments 4 and 5), the Application includes impacts to the environmental buffer for the construction of the proposed MD 355 Bypass where it intersects with Clarksburg Road, right-of-way improvements on Frederick Road, and encroachments for storm drain outfalls necessary to allow for safe conveyance of stormwater, natural surface trails, and a

pedestrian bridge that will provide a pedestrian connection between the two development areas. Some grading/grade tie-outs may be necessary within the buffer, but these impacts will be reviewed in more detail with the Site Plan application to ensure they are minimized as much as possible. The Application includes a stormwater management facility in Development Area 2 that is located within the environmental buffer; however, it was recently redesigned/relocated outside of the buffer, and conceptually approved by MCDPS. As conditioned, the Site Plan application will reflect the relocation of the facility outside of the environmental buffer. There may be additional areas of disturbance within the environmental buffer to provide access to and accomplish the stream restoration work recommended in the Master Plan. The limits of disturbance for the stream restoration work will be finalized on the Final Stream and Wetland Restoration Plan and the Final Forest Conservation Plan submitted with the Site Plan application. The final proposed impacts to the environmental buffer will be reviewed in more detail with the future site plan application. The Application will replant the environmental buffer and restore sections of stream channel identified as having been adversely affected by the past land use.

Additional Master Plan Environmental Requirements

The Master Plan requires properties to restore streams and wetlands adversely affected by the previous land uses as part of the SPA Water Quality Plan requirements. The Application includes a Preliminary Stream and Wetland Restoration Plan and a final version of the plan will be reviewed as part of the Site Plan application.

As conditioned, the Application is in conformance with the Montgomery County Planning Department's Environmental Guidelines and the Master Plan environmental recommendations.

Forest Conservation Plan

As required by the Forest Conservation Law, a Preliminary Forest Conservation Plan (FCP) for the Property was submitted with the Preliminary Plan. Although the Subject Property includes two different zones, the corresponding land use categories have the same conservation and afforestation thresholds so only one forest conservation worksheet is required. The FCP has an afforestation threshold of 15% and a conservation threshold of 20% of the net tract area.

The tract area for forest conservation purposes includes the 98.36-acre Subject Property plus 2.19 acres of off-site disturbance associated with this Application, minus 5.98 acres of road dedication, resulting in a total net tract area of 94.57 acres. There is a total of 73.94 acres of existing forest on the Subject Property. The Application will retain 55.87 acres and remove 18.07 acres of forest. Approximately 1.35 acres of the 18.07 acres of forest clearing accounted for in the forest conservation worksheet will not actually be cleared by this Application. However, since this forest is either located within existing easements or ROW and cannot be protected in a conservation easement, or will no longer meet the definition of forest, it is counted as cleared in the forest conservation worksheet. The proposed forest clearing does not generate a forest planting requirement; however, the Application includes approximately 4.12 acres of reforestation within the on-site environmental buffers. Per the Environmental Guidelines, all properties located within Special Protection Areas are required to reforest any unforested environmental buffers. Any of this forest planting that is not required to meet requirements of the Forest Conservation Law may be used to create a forest bank for use by other properties to meet their forest conservation requirements. Additionally, the Master Plan suggests incentives to encourage additional forest planting on properties in Ten Mile Creek, including creation of forest banking opportunities. In areas within the environmental buffer where trees cannot be planted due to conflicting easements (i.e., stormwater management, utilities), the Applicant will plant a meadow habitat with native species favored by pollinators. This Application will plant 4.12 acres of new forest on the Property, when added to the 55.87 acres of retained forest, results in approximately 60 acres of forest protected via Category I Conservation Easements.

The Preliminary Plan is subject to Section 22A-12(f) of the Forest Conservation Law, which requires any development in a cluster or other optional method of development in a one-family residential zone to retain or plant a specified percentage of the Property in forest. For this Application, the minimum on-site forest retention must be equal to the conservation threshold. The conservation threshold determined based on the land use category and the acreage of the Property, for this Property is 18.91 acres. The Application will retain 55.87 acres of forest, thereby complying with this provision of the Forest Conservation Law.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a

variance under Section 22A-12(b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

This Application will require the removal or CRZ impact to fifteen Protected Trees as identified in the Staff Report. In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Board agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property for residential development without the Variance.

The Board makes the following findings necessary to grant the Variance:

1. *Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the removal and disturbance to the specified trees are due to the development of the Property as anticipated in the Master Plan and Zoning Ordinance. The Property contains numerous large trees located within the developable area of the site. Granting a variance request to allow land disturbance within the developable portion of the site and still meet the objectives of the applicable Master Plan is not unique to this Applicant. The granting of this variance is not a special privilege that would be denied to other applicants.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon existing site conditions, Master Plan recommendations for environmental protection, and the development standards of the zone.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The need for a variance is a result of the existing conditions and the proposed site design and layout on the Subject Property, and not a result of land or building use on a neighboring property.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

This approval is conditioned on mitigation that approximates the form and function of trees removed. Therefore, the granting of the variance will not violate State water quality standards or cause measurable degradation in water quality. The FCP will reforest or plant native meadow species within the currently unforested stream buffers, as well as provide additional mitigation for the removal of Protected Trees in the form of tree planting on the Property. These trees will replace any water quality functions that may be lost by the removed trees. The Protected Trees being impacted will remain to provide the same level of water quality protection as they currently provide.

Mitigation for the tree removals is at a rate that approximates the form and function of the Protected Trees removed. The Board approved replacement of Protected Trees at a ratio of approximately 1-inch caliper for every four inches removed using trees that are a minimum of three caliper inches in size. No mitigation is required for Protected Trees impacted but retained.

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

The Application meets the Preliminary Water Quality Plan requirements of Chapter 19 of the Montgomery County Code and the requirements of the Clarksburg East Environmental Overlay Zone.

Review for Conformance to the Special Protection Area Water Quality Plan Requirements

The Property is located within the Ten Mile Creek Special Protection Area on privately owned property where land disturbance is proposed so it is required to obtain approval of a water quality plan under Chapter 19-62(b) of the Montgomery County Code. As part of the requirements of the Special Protection Area Law, a Preliminary SPA Water Quality Plan should be reviewed in conjunction with a Preliminary Plan application. The Final SPA Water Quality Plan will be reviewed in conjunction with the future Site Plan application. Under Section 19-65 of the Code, the Montgomery County Department of Permitting Services ("MCDPS"), the Montgomery County Department of Environmental Protection ("MCDEP") and the Planning Board have different responsibilities in the review of the Water Quality Plan. MCDPS and MCDEP have reviewed and conditionally approved the elements of the Preliminary Water Quality Plan under their purview. The Planning Board's responsibility is to determine if environmental buffer protection, SPA forest conservation and planting requirements, and limits on impervious surfaces have been satisfied.

- **MCDPS and MCDEP Water Quality Plan Review Elements**

In a letter dated June 6, 2022, MCDPS has conditionally approved the elements of the SPA Preliminary Water Quality Plan under their purview with conditions to be addressed with the Final Water Quality Plan review with the Site Plan application.

Site Performance Goals

1. Stream/aquatic life habitat protection
2. Maintain stream base flow
3. Protect seeps, springs, and wetlands
4. Maintain natural on-site stream channels
5. Minimize storm flow runoff increases
6. Identify and protect stream banks prone to erosion and slumping
7. Minimize increases to ambient water temperature
8. Minimize sediment loading
9. Minimize nutrient loadings
10. Control insecticides, pesticides, and toxic substances

Per the MCDPS Preliminary Water Quality Plan approval, the required goals will be met via micro bioretention facilities. The Water Quality Plan meets the requirements of Chapter 19 by instituting the highest standards of protection for proposed development areas, avoiding overflow discharges onto steep slopes, managing discharges from stormwater outfalls at non-erosive velocities, and minimizing environmental buffer impacts associated with ESD overflow outfalls

Monitoring

The Applicant will pay a stream monitoring fee to MCDPS due at time of detailed sediment control plan submittal and a SPA Best Management Practices monitoring fee to MCDPS due at time of as-built submittal.

- **Planning Board Water Quality Plan Review Elements**

The Planning Board approves the elements of the SPA Preliminary Water Quality Plan under its purview.

Environmental Buffer Protection

NRI/FSD No. 420210650 for this Property was approved by Staff on April 13, 2021. The approved NRI/FSD incorporates the expanded environmental buffer requirements outlined in the Master Plan. There are some existing encroachments into the environmental buffers on the Property that will remain. These include areas in existing easements for a gas line that runs adjacent and parallel to I-270, as well as utility easements held by Potomac

Edison along I-270. The Application includes some proposed impacts to the environmental buffers.

The Application includes impacts to the environmental buffer for the construction of the proposed MD 355 Bypass where it intersects with Clarksburg Road/MD 121. There is an existing stream and associated wetland that flows under MD 121. There are no available alternatives to make this road connection since the stream and wetlands are located just inside the Property boundary, the Property contains limited frontage along Clarksburg Road, and locating the intersection further north, would put the connection on an off-site, adjacent, already developed property. Required right-of-way improvements including shoulder widening, sidewalk installation, and an extension of the existing culvert to accommodate the improvements along Frederick Road/MD 355 will result in some impacts to the environmental buffer. The Application includes a stormwater management facility in Development Area 2 that is located within the stream buffer; however, it was recently redesigned/relocated outside of the buffer, and conceptually approved by MCDPS. There may be some grading/grade tie-outs that remain within the buffer, but these impacts will be reviewed by Staff to ensure they are minimized as much as possible. There are some other minor encroachments proposed within the environmental buffers for storm drain outfalls necessary to allow for safe conveyance of stormwater, natural surface trails, and a pedestrian bridge that will provide a pedestrian connection between the two development areas. The Environmental Guidelines (page 18) allow for "minimized buffer intrusions for construction of non-erosive storm drain outfalls". The Application will replant the environmental buffer with forest or native meadow habitat and restore sections of stream channel that have been adversely affected by the past land use. The proposed environmental benefits will mitigate the effects of the stream valley buffer encroachments. Where not encumbered by existing or proposed easements (i.e., utilities, stormwater management), the environmental buffers will be protected in Category I Conservation Easements. The proposed impacts will be reviewed in more detail with the future Site Plan application.

Forest Conservation

The Applicant submitted a Preliminary Forest Conservation Plan for review with the Preliminary Plan Application. The Application meets all applicable requirements of Chapter 22A of the Montgomery Forest Conservation Law as discussed previously in the Forest Conservation findings section. Per SPA requirements outlined in the Environmental Guidelines, areas of the environmental buffer currently lacking forest and not encumbered by other easements, will be reforested, forest plantings will occur during the first planting season after issuance of grading permits where possible, and a five-

year maintenance program to better ensure forest survival, with an emphasis on controlling invasive species is required. The retained and planted forest on-site will be protected through a Category I Conservation Easement.

Impervious Surfaces

Impervious surface restrictions for development projects in this portion of the Ten Mile Creek SPA are set forth in the Clarksburg East Environmental Overlay Zone. The Application is subject to Chapter 59, Section 4.9.5, the Clarksburg East Environmental Overlay Zone, which imposes a fifteen percent impervious surface limit calculated over the "total area under application for development". This includes the Subject Property (98.35 acres) plus off-site disturbance (2.19 acres), for a total of 100.54 acres. The Property will be developed for the proposed residential use resulting in approximately 601,080 square feet (13.80 acres) of impervious surface that is subject to the Overlay Zone requirements. The proposed 601,080 square feet of impervious surface translates to 13.72 percent, which is less than the 15 percent permitted by the Overlay Zone for the area under Application. There are additional impervious surfaces not included in these calculations that are required per conditions of approval for transportation related improvements. As conditioned, these additional impervious surfaces will be included in an updated Impervious Surface Plan submitted prior to certification of the Preliminary Plan. The Impervious Surface Plan will demonstrate compliance with the 15 percent impervious surface limit, as required by the Zoning Ordinance and as conditioned in this report.

6. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3; and*

Historic Preservation staff reviewed the Application and determined that there are no known burial sites on the Subject Property.

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

There are no other applicable provisions specific to the Property and necessary for approval of the subdivision.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is AUG 10 2022 (which is the date that this Resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Verma, seconded by Commissioner Cichy, with a vote of 4-0-1; Chair Anderson, Vice Chair Verma, and Commissioners Cichy, and Patterson, voting in favor of the motion, Commissioner Rubin abstaining, at its regular meeting held on Thursday, July 28, 2022, in Wheaton, Maryland and via video conference.



Casey Anderson, Chair
Montgomery County Planning Board

MILES COPPOLA

PRELIMINARY PLAN AMENDMENT NO. 12022001A

Request to amend Preliminary Plan No. 120220010 to modify Condition No. 3 to adjust the preliminary plan validity phasing schedule by combining Phases I and II, without extending the length of the preliminary plan validity period.

COMPLETED: 2/28/2025
ADMINISTRATIVE APPROVAL

Planning Staff

<i>JS</i>	Jeff Server, Planner III, Upcounty Planning, jeffrey.server@montgomeryplanning.org , 301.495.4513
<i>SP</i>	Sandra Pereira, Supervisor, Upcounty Planning, sandra.pereira@montgomeryplanning.org , 301.495.2186
<i>PB</i>	Patrick Butler, Chief, Upcounty Planning, patrick.butler@montgomeryplanning.org , 301.495.4561

LOCATION/ADDRESS

Along Clarksburg Road and Frederick Road,
north of Interstate 270

MASTER PLAN & ZONE

1994 *Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Ten Mile Creek Area Limited Amendment* / R-90, R-200, CRT-2.0, C-2.0, R-2.0, H-120, and Clarksburg East Environmental Overlay Zone

PROPERTY SIZE

+/- 98.35 acres

APPLICANT

Dream Finders Homes, LLC

ACCEPTANCE DATE

January 15, 2025

REVIEW BASIS

Chapter 50

Summary:

- The Minor Preliminary Plan Amendment will modify Condition No. 3 to adjust the preliminary plan validity phasing schedule by combining Phases I and II, without extending the length of the preliminary plan validity period.
- The proposed Amendment is consistent with the provisions of Section 50.4.2.F.2 of the Subdivision Regulations for Minor Plan Amendments. The Amendment does not alter the intent, objectives, or requirements of the Planning Board in approving the preliminary plan amendment.
- The Planning Director may act on this Amendment because it is a request to amend the validity period phasing schedule without extending the length of the total validity period of the preliminary plan per Section 50.4.2.H.1.b.
- No community correspondence has been received for this Application.

Under Section 50.4.2.F.2.c, “the Director may approve a minor amendment to change validity period phasing as permitted in Section 50.4.2.H.1.b.” This Section states that the Planning Director “may approve a request to amend the validity period phasing schedule of an approved preliminary plan if the length of the total validity period of the preliminary plan is not extended. The applicant must submit the request in writing before the previously established validity period of the phase expires.” Minor amendments include any change that does not change density in a manner that results in greater adequate public facilities (“APF”) impact, make major changes to the lot configuration, location, right-of-way width, or alignment. Minor amendments also include a change to plan validity period or APF validity period. A minor amendment does not include any change that would alter the intent, objectives, or requirements of the Planning Board in approving the preliminary plan.

Neither a Pre-Application meeting with the community/public/parties of record nor a Pre-Submittal meeting with the Intake and Regulatory Coordination (IRC) Division is required. However, submittal of the application to IRC is required. In addition, applicants must provide public notice under Division 7.5.

On January 15, 2025, Dream Finders Homes, LLC (“Applicant”) filed a preliminary plan amendment application designated Preliminary Plan Amendment No. 12022001A (“Amendment”) for approval of the following modification:

1. Amending Condition No. 3 to consist of three phases instead of four phases; with Phase I covering a period of five years with a minimum of 60 total lots, Phase II covering a period of six years with a minimum of 100 total lots, and Phase III covering a period of eight years with all remaining lots.

RECOMMENDATIONS & CONDITIONS

PRELIMINARY PLAN 12022001A

Staff recommends approval with conditions of the Preliminary Plan Amendment. All conditions of approval of Preliminary Plan No. 120220010 remain in full force and effect except Condition No. 3, which is modified below. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following condition:

Modified Condition

3. The Preliminary Plan will remain valid for eight (8) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan and

pursuant to the below phasing plan must be recorded in the Montgomery County Land Records or a request for an extension filed. The following phasing schedule shall apply:

Phase I – 3 years – 10 lots	<u>5 years (September 9, 2027) – 60 lots</u>
Phase II – 5 years – 50 lots	<u>6 years (September 9, 2028) – 100 lots</u>
Phase III – 6 years – 100 lots	<u>8 years (September 9, 2030) – remaining lots</u>
Phase IV – 8 years – remaining lots	

SITE DESCRIPTION

The Subject Property totals +/-98.35 acres (“Subject Property” or “Property”) and is bisected by Clarksburg Road (MD 121) as shown in Figure 1 below. The Subject Property is located on Clarksburg Road (MD 121) and north of Interstate 270 (I-270). The Property is zoned R-90, R-200, and CRT-2.0, C-2.0, R-2.0, H-120 and is located within the Clarksburg East Environmental Overlay Zone as shown in Figure 1. The Subject Property is within the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* and the 2014 *Ten Mile Creek Area Limited Amendment* master plan area.

The Subject Property is undeveloped with approximately 74 acres of forest and the remaining land in agricultural production. The Property is within the Little Seneca Creek - Ten Mile Creek Watershed, which is classified by the State of Maryland as Use Class I-P waters. It is located within the LSTM 206 subwatershed, as identified in the *Ten Mile Creek Area Limited Amendment*, and within the Ten Mile Creek Special Protection Area. There are streams, wetlands, and areas of 100-year floodplain within the environmental buffers, and areas with slopes that are fifteen percent and greater. There are no mapped highly erodible soils on the Property.

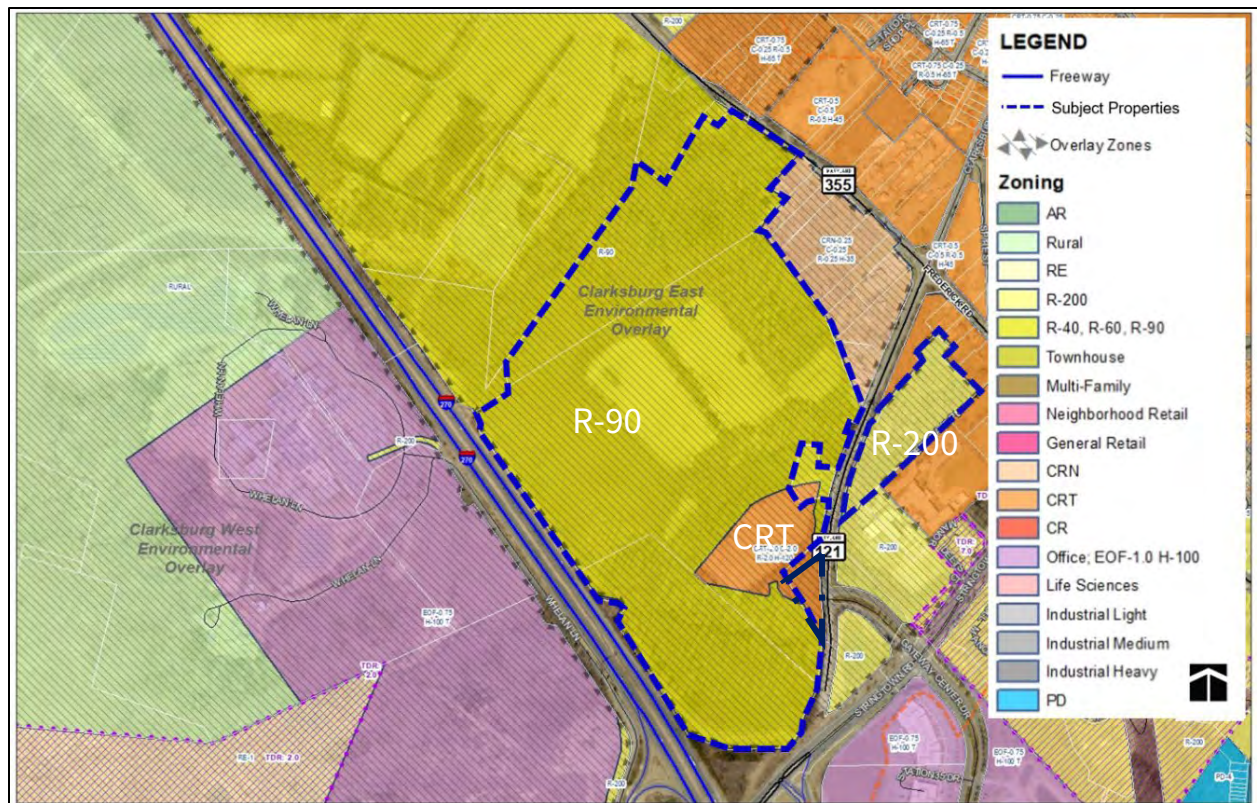


Figure 1 – Zoning Map

PREVIOUS APPROVALS

Pre-Preliminary Plan No. 720210010

On July 20, 2021, the Planning Board, by Resolution MCPB No. 21-051 (Attachment C), approved Pre-Preliminary Plan No. 720210010 with a binding decision on the issue of the alignment of the portion of the future MD 355 Bypass through the Subject Property.

Preliminary Plan No. 120220110

On August 10, 2022, the Planning Board, by Resolution MCPB No. 22-078 (Attachment D), approved Preliminary Plan No. 120220110 to create 159 lots for a residential development consisting of 144 townhouse units and 192 multi-family units, including 15% MPDUs, for a total of 336 dwelling units on the Subject Property.

PROPOSAL

Following the approvals described above, the Applicant is now seeking to amend Preliminary Plan No. 120220010 to adjust the preliminary plan phasing schedule in Condition No. 3 to consolidate Phases I and II, for a total of three phases instead of four phases; with Phase I covering a period of five years with a minimum of 60 total lots, Phase II covering a period of six years with a minimum of 100 total lots, and Phase III covering a period of eight years with all remaining lots.

FINDINGS

The Planning Board approved Preliminary Plan No. 120220010, by Resolution MCPB No. 22-078 dated August 10, 2022, to create 159 lots for a residential development consisting of 144 townhouse units and 192 multi-family units, including 15% MPDUs, for a total of 336 dwelling units on the Subject Property with conditions.

Preliminary Plan Amendment No. 12022001A, the Subject Application, requests to modify Condition No. 3 to adjust the preliminary plan validity phasing schedule by combining Phases I and II, without extending the length of the total preliminary plan validity period. The proposed Preliminary Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

The proposed Amendment does not alter the original intent, and all findings of Preliminary Plan No. 120220010 remain in full force and effect, except as modified below per Section 50.4.2.H.1.b.

H. *Extension of plan validity period.*

1. *Extension request.*

* * * * *

- b. *The Director may approve a request to amend the validity period phasing schedule of an approved preliminary plan if the length of the total validity period of the preliminary plan is not extended. The applicant must submit the request in writing before the previously established validity period of the phase expires.*

The Applicant has provided a justification statement for the requested revision to Condition No. 3 to adjust the preliminary plan phasing schedule by combining Phases I and II, for a total of three phases instead of four phases, as originally envisioned (Attachment B). The requested modification to the phasing would not alter the number of dwelling units or the total period in which they would be constructed. The request to reduce and consolidate it into three phases will better align with the Applicant's timeline to continue the development of what is a large-scale residential project. Within the statement of justification, the Applicant explains that following the preliminary plan approval, the sale agreement for the Subject Property was terminated with a potential development partner,

resulting in a new search for a buyer. A new partner has been pursuing acquisition and development rights for the Property. Additionally, a strip of land had to be condemned to provide necessary access for a roadway connection to Frederick Road and to avoid environmentally sensitive areas to the west. Both processes resulted in delays in developing the Property. The preliminary plan validity period, including the four phases, requires record plats for the number of lots and units within each phase. The Applicant is seeking more time for the record plats by adjusting the preliminary plan validity phasing schedule without extending the length of the total preliminary plan validity period.

The Amendment only proposes a change to the preliminary plan phasing schedule and not to the APF validity. The requested change does not amend or impact any of the substantive provisions of the original preliminary plan approval, such as the number of units, the site layout, or general conditions of approval. Per Section 50.4.2.F.2.b. and 50.4.2.H.1.b. of the Montgomery County Subdivision Regulations, the Amendment meets the criteria for a minor preliminary plan amendment, as well as the criteria for Planning Director approval, respectively.

A notice of the subject Amendment was sent to all required parties by the Applicant on January 22, 2025. The notice gave the interested parties 15 days to review and comment on the contents of the Amendment. Staff did not receive any correspondence regarding the Amendment.

SECTION 6: CONCLUSION

The Amendment continues to meet all requirements established in Chapter 50 of the Subdivision Regulations. The Amendment does not seek to modify or amend any of the provisions of the original preliminary plan approval, including the number of lots, the layout, or general conditions. The revision to Condition No. 3, for the preliminary plan validity phasing period schedule, consolidates the phasing into three phases rather than four. The validity phasing period will continue to cover the same approved period of eight years. Staff recommends approval of the Preliminary Plan Amendment, with the revised condition as enumerated within the staff report.

ATTACHMENTS

Attachment A: Preliminary Plan Amendment Composite

Attachment B: Statement of Justification

Attachment C: MCPB Resolution No. 21-051

Attachment D: MCPB Resolution No. 22-078

Attachment E: Purchase and Sale Agreement

Attachment F: Letter of Authorization

ACCEPTED & APPROVED BY



JASON K. SARTORI, PLANNING DIRECTOR

March 3, 2025

DATE APPROVED

Type text here

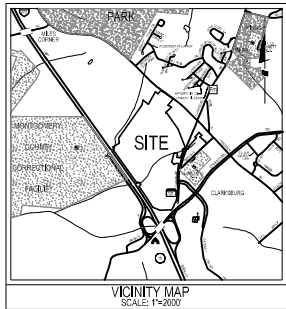
PLANNING DEPARTMENT USE ONLY (E-PLANS)

MILES COPPOLA

PRELIMINARY PLAN AMENDMENT

12022001A

(2nd) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

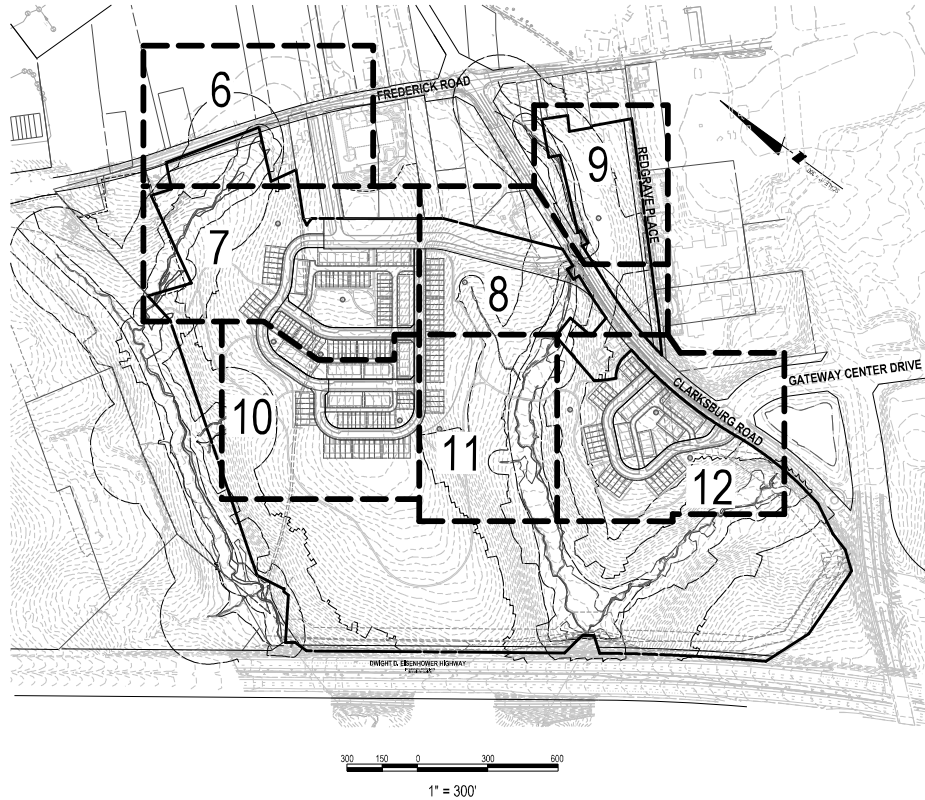


GENERAL NOTES:

1. THE EXISTING ZONES ARE R-90, R-200, AND CRT-2.0, C-2.0, R-2.0, H-120. THE ENTIRE SITE FALLS UNDER THE CLARKSBURG EAST ENVIRONMENTAL OVERLAY ZONE (CEE).
2. BOUNDARY INFORMATION IS FROM A SURVEY PREPARED BY SOLTESZ, INC.
3. THE PROJECT LIES WITHIN THE CLARKSBURG TEN MILE CREEK LIMITED AMENDMENT MASTER PLAN (2014).
4. THE ENTIRETY OF THE SITE LIES WITHIN THE LITTLE SENECA CREEK - TEN MILE CREEK WATERSHED. THIS PROPERTY IS WITHIN THE TEN MILE CREEK SPECIAL PROTECTION AREA.
5. UNLESS SPECIFICALLY NOTED ON THIS PLAN DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, SIDEWALKS AND NATURAL SURFACE TRAILS SHOWN ON THE PRELIMINARY PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES, HARDSCAPE AND RECREATION AMENITIES WILL BE DETERMINED AT THE TIME OF SITE PLAN APPROVAL. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING RESTRICTION LINES, BUILDING HEIGHT, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL.
6. FLOODPLAIN AREAS ARE PRESENT ON THE SITE AS INDICATED ON THE APPROVED NR/FSD.
7. THERE ARE NO DESIGNATED HISTORIC SITES ASSOCIATED WITH THESE PARCELS.
8. THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES OCCURRING ON THIS PROPERTY.
9. THE EXISTING WATER AND SEWER SERVICE CATEGORIES ARE W-3/S-3.
10. ANY AND ALL EXISTING FEATURES LOCATED ON THE PROPERTY THAT ARE NOT PART OF THE PROPOSED DEVELOPMENT WILL BE REMOVED.
11. RURAL OPEN SPACE SHALL BE GOVERNED BY TERMS DETAILED ON THE PLAT AND AS ENTERED IN THE LAND RECORDS. FINAL RURAL OPEN SPACE EASEMENT LOCATIONS TO BE DETERMINED AT SITE PLAN.
12. AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED TO BE SET UP WITH THE MNCPPC INSPECTION STAFF BEFORE ANY DEMO, CLEARING, OR GRADING OCCURS ON-SITE. THE OWNER OR HIS DESIGNEE WHO HAS SIGNATURE AUTHORITY, AND THE GENERAL CONTRACTOR MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE MNCPPC INSPECTOR. A COPY OF THE APPROVED CERTIFIED PRELIMINARY PLAN IS REQUIRED TO BE ON-SITE AT ALL TIMES. TO SCHEDULE AN INSPECTION WITH MNCPPC STAFF, PLEASE CONTACT JOSH KAYE 301-495-4722.

LEGEND:

	EXISTING GRADE
	PROPOSED GRADE
	EXISTING BUILDING
	PROPOSED RIGHT OF WAY
	PROPOSED WATER LINE
	EXISTING 12" WATER LINE
	PROPOSED SEWER
	PROPOSED PRESSURE SEWER
	EXISTING SEWER
	PROPOSED PUE
	PROPOSED STORM PIPE
	EXISTING STORM PIPE
	PROPOSED WSSC EASEMENT
	PROPOSED SWM MAINTENANCE ACCESS PATH
	EXISTING STREAM
	STREAM VALLEY BUFFER (SVB)
	WETLAND BUFFER
	FLOOD PLAIN
	WETLAND
	SIGNIFICANT TREE
	SPECIMEN TREE



CONTRACT PURCHASER:
DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151
TELEPHONE: 703-244-1324

DEVELOPER:
DREAM FINDERS HOMES
4506 DALY DRIVE, SUITE 300
CHANTILLY, VA 20151
TELEPHONE: 703-244-1324

ENGINEER:
SOLTESZ, INC.
2 RESEARCH PLACE, SUITE 100
ROCKVILLE, MD 20850
TELEPHONE: 301-948-2750
FAX: 301-948-9067

ATTORNEY:
LEARCH, EARLY & BREWER CHTD.
7600 WISCONSIN AVENUE, SUITE 700
BETHESDA, MD 20814
TELEPHONE: 301-936-1300

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THAT THE PLAN SHOWN HEREON CONFORMS WITH THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS AS ADOPTED OCTOBER 1961 AND AS AMENDED THEREAFTER.

SIGNATURE: JOYLE J. WALKER DATE:
PRINTED NAME: JOYLE J. WALKER TITLE: PROJECT MANAGER
MD. REG. NO.: 33601



Engineering
Surveying
Planning
Environmental Sciences

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Rockville, MD 20850
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www.soltesz.com

NO.	120220010	REVISION	KJW	12/2/23
DATE	AUGUST 2021	DATE	DATE	DATE
DESIGNED	SAC	CAD STANDARDS	VE-HCS	CHECKED
DATE	DATE	DATE	DATE	DATE

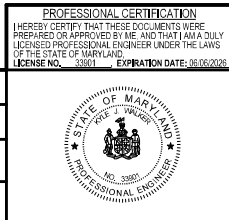
MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST OBTAIN THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY USING TEST PITTS BY HAND, WELL IN ADVANCE OF THE START OF CONSTRUCTION. CONTACT "MISS UTILITY" AT 1-800-252-7777 48 HOURS PRIOR TO THE START OF CONSTRUCTION. IF CLEARANCES ARE LESS THAN SHOWN ON THE PLAN OR TWELVE (12) INCHES, WHOEVER IS BEFORE PROCEEDING WITH CONSTRUCTION, CLEARANCES LESS THAN NOTED MAY REQUIRE REWORK TO THIS PLAN.

OWNER/DEVELOPER/APPLICANT

DREAM FINDERS HOMES, LLC
4506 DALY DRIVE
SUITE 300
CHANTILLY, VA 20151
(703) 244-1324
JON ADLER

MAP	8	SPD	C4
TAX MAP	EW 21	ZONING CATEGORY	R-80 / CRT 15-200 CEE OVERLAY
WSD 200 SHEET	223NW13, 233 NW14 232NW13, 232NW14	WATERSHED	LITTLE SENECA CREEK - TEN MILE CREEK
SITE DATA	WATERSHED NO. 240 838	DATE	12/2/23
CERTICAL	NSUD02		



COVER SHEET

PRELIMINARY PLAN AMENDMENT
MILES COPPOLA
#12022001A

CLARKSBURG (2nd) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND



1" = AS SHOWN

SHEET **1**
OF **12**

PROJECT NO.
1454-05-00

STATEMENT OF JUSTIFICATION
AMENDMENT TO PRELIMINARY PLAN 120220010
MILES COPPOLA

Dream Finders Homes submits this Application for Amendment to the Preliminary Plan of subdivision approved by Planning Board Resolution Number MCPB No. 22-078, dated August 10, 2022.

BACKGROUND

The underlying preliminary plan approved development of 159 lots for residential development, consisting of 144 townhouse units and 192 multi-family units, including 15% MPDUs, for a total of 336 dwelling units, on 98.35 acres of land in the R-90, R-200, CRT-2.0, C-2.0, R-2.0, H-120 and Clarksburg East Environmental Overlay zones. The subject property is located west of the intersection of Frederick Road/MD 355 and Clarksburg Road/MD 121 and North of I-270. The property is in the Clarksburg Policy Area and covered by the 1994 Clarksburg Master Plan and Hyattstown Special Study Area, and the 2014 Ten Mile Creek Area Limited Amendment.

At the time of the application, Brookfield Washington LLC was the contract purchaser of the property and obtained the subject subdivision approval. That contract has expired and Dream Finders Homes LLC, a Florida limited liability company, now is the contract purchaser. For the reasons stated below, Dream Finders Homes seeks to amend condition number three in the preliminary plan resolution (attached as Exhibit 1) so as to accommodate implementation of the development approvals by Dream Finders Homes. Applicant has met with staff of the Maryland-National Capital Park and Planning Commission and has obtained a checklist for submission of

this application as a minor amendment. This statement of justification provides the basis for the amendment and for processing it as a minor amendment.

APPLICATION INFORMATION

Dream Finders Homes is not seeking to amend any of the substantive provisions of the preliminary plan approval, including the number of units, layout or general conditions. On the other hand, given the passage of time between the approval granted to Brookfield Homes, and the current purchase and sale agreement involving Dream Finders Homes, the plan validity period requires adjustment. The revision to this can be handled as a minor amendment under Section 50.4.2.F.2 of the subdivision regulations and Section 59.7.3.4.J.2 of the zoning ordinance.

By way of background, the substance of the approved preliminary plan was found to be consistent with both the Clarksburg Master Plan and the Ten Mile Creek Overlay Plan. Dream Finders Homes wants to proceed with the approved development and to provide this important housing resource for Montgomery County effectively completing development of the Clarksburg Town Center in which area the subject property lies. There was no opposition to the approved preliminary plan and applicant believes all of the findings made at the time of the approval remain valid today.

The validity period identified in condition 3 was conceived as a mechanism to incentivize Brookfield Washington to proceed with the project on a phased basis, while also recognizing the many development approval steps that follow approval of a preliminary plan of subdivision. Several things occurred following the preliminary plan approval that now require a revision to the validity period. First, as noted, the purchase and sale agreement with Brookfield Washington

terminated and the property owners have been searching for a homebuilder to implement the vision. Given the variety of issues involved, this has taken a reasonable amount of time. Dream Finders Homes has now been selected. Equally important, one of the conditions of the approval recommended by Park and Planning staff and incorporated by the Planning Board was a roadway connection from the property to Maryland 355. At the time, Brookfield Washington noted that the subject property did not have the necessary frontage on Maryland 355 to build the connection. Accordingly, the approval envisioned public condemnation of a strip of land between the Miles Coppola property and Maryland 355, next to the new Clarksburg fire station, in order to provide the desired access preferred by Park and Planning staff and the Planning Board which it avoided environmentally sensitive areas to the west.

Following approval of the preliminary plan of subdivision, both Brookfield Washington and the property owner worked with Montgomery County to condemn the property necessary for this roadway connection. Given the lack of clarity with respect to ownership of the necessary parcel, and the intricacies of the condemnation process itself, that effort took considerable time. Finally, earlier this year, the County and the property owner were able to complete the condemnation and the property owner posted funds with the Maryland court consistent with the estimated property value.

Finally, the preliminary plan validity period, including the four phases, requires record plats for the relevant number of lots/units in each phase. Given that the zoning for the property still requires site plan approval before record plat, there is an additional detailed approval process still required to implement deployment plan. Dream Finders is anxious to proceed with this next step but requires a revision to the validity period to justify its purchase contract and the significant costs involved in obtaining site plan approval and recording the plats. More

specifically, applicant is requesting that the plan validity period in condition number 3 be revised to have three phases rather than four, and to have Phase I cover a period of five years with a total of at least 60 lots, Phase II cover six years and at least 100 lots total and Phase III cover eight years, and all remaining lots.

Such a revision will do nothing to subtract from the propriety of the existing approval but rather will best ensure its implementation.



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

MCPB No. 21-051
Pre-Preliminary Plan No. 720210010
Miles Coppola
Date of Hearing: June 10, 2021

JUL 20 2021

RESOLUTION

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

WHEREAS, on June 10, 2021, Brookfield Washington, LLC ("Applicant") filed an application requesting a binding decision by the Planning Board on the proposed alignment of the portion of the future MD 355 Bypass through the Subject Property, located along Clarksburg Road and north of Interstate 270 ("Subject Property"), in the Clarksburg Policy Area and 1994 *Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Ten Mile Creek Area Limited Amendment* ("Master Plans") area; and

WHEREAS, Applicant's pre-preliminary plan application was designated Pre-Preliminary Plan No. 720210010, Miles Coppola ("Pre-Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 28, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on June 10, 2021, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on June 10, 2021, the Planning Board voted to approve the Pre-Preliminary Plan subject to certain conditions, on motion of Commissioner Cichy, seconded by Commissioner Verma; with a vote of 5-0; Chair Anderson, Commissioners Cichy, Fani-Gonzalez, Patterson and Verma voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Pre-Preliminary Plan No. 720210010 and supports Option 2 for the Maryland 355 (MD 355) bypass alignment. The Option 2 alignment extends from Gateway Center Drive at

2425 Reedie Drive, 14th Floor, Wheaton, Maryland 20902 Phone: 301.495.4605 Fax: 301.495.1320
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc.org

Approved as to
Legal Sufficiency: /s/ Matthew T. Mills
M-NCPPC Legal Department

Stringtown Road, along Clarksburg Road, through the Subject Property and intersects Frederick Road approximately 1,200 feet to the northwest of the existing Clarksburg Road/Frederick Road intersection. Although Option 2 has greater environmental impacts, Option 2 secures a connection to MD 355 via the Subject Property's frontage along MD 355, provides greater intersection spacing from the intersection of 355 and Clarksburg Road, and places the intersection on 355 further west at the edge of the Clarksburg Historic District. Option 1 is also acceptable, if the Applicant is able to acquire and/or secure the ability to construct on the intervening properties to the north and immediately adjacent to the Clarksburg fire station. The Planning Board also agreed that the details and responsibilities of the future Maryland 355 bypass alignment will be determined at a future preliminary plan stage and will be subject to the following conditions:¹

1. MD 355 Bypass –The Planning Board recommends the Applicant pursue the Option 2 alignment. However, the Option 1 alignment may be acceptable should the Applicant be able to ensure construction on the intervening properties to the north and immediately adjacent to the Clarksburg fire station, which currently are not part of the Application. The Preliminary Plan must provide:
 - a. Concept design for the bypass detailing road cross sections, horizontal and vertical alignment, easements, and location of transit facilities, to be reviewed and analyzed as part of the future preliminary plan.
 - b. Environmental impacts of the bypass with respect to extent of cut and fill, grading, stream and wetland impacts will be further reviewed and analyzed as part of the future preliminary plan.
2. Road Dedication – The future preliminary plan shall provide adequate right-of-way dedication to support the full master planned facilities of the bypass. Dedication shall support both the recommended alignment via Clarksburg Road as well as accommodate a future extension of Observation Drive.
3. Road Construction – The Applicant must construct a road connection following the bypass alignment through the Subject Property. The connection must run between Clarksburg Road and Frederick Road. The road must meet public road standards and meet requirements for the 2018 *Bicycle Master Plan*. Details of the cross section for the road and phasing of construction will be determined as part of the future preliminary plan.
4. Transportation Study – The future preliminary plan must include an updated transportation study to determine the impact of the development on the

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

transportation system (Section 50.39.K) considering all approved background development as well as new road connections.

5. Future development must be in substantial conformance with the Zoning Ordinance and consistent with the recommendations in the 2014 *Ten Mile Creek Area Limited Amendment*.
6. The Applicant is encouraged to locate the bypass intersection segment with Clarksburg Road as far uphill (existing Miles Coppola farm access road) to the north as possible to avoid and minimize environmental impacts to the nearby stream valley.
7. The Applicant must coordinate with staff to minimize environmental impacts along the MD 355 frontage, regardless of the alignment.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated May 27, 2021, and hereby incorporates them as conditions of the Pre-Preliminary Plan approval.
9. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated May 27, 2021 and incorporates them as conditions of the Pre-Preliminary Plan approval.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, the Board hereby adopts and incorporates said Staff Report by reference.

BE IT FURTHER RESOLVED that this Pre-Preliminary Plan binding review will remain valid for 90 days from the date of mailing of the Board resolution for the Pre-Preliminary Plan. The Applicant must file a Preliminary Plan application within this time period in order for the approval not to expire under Section 50.5.2.C.3.a.; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 20 2021 (which is the date that this Resolution is mailed to all parties of record); and

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

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Vice Chair Fani-González, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor of the motion, and Commissioner Patterson absent at its regular meeting held on Thursday, July 15, 2021, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

MR. RICHARD BRUSH, MANAGER
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Neil Patel
3201 Jermantown Rd., Ste. 150
Fairfax, VA 22030

Cris Maina
750 Ninth St. NW, Ste. 700
Washington, DC 20001

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

AUG 10 2022

MCPB No. 22-078
Preliminary Plan No. 120220010
Miles Coppola
Date of Hearing: July 21, 2022

RESOLUTION

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

WHEREAS, on September 9, 2021, Brookfield Washington LLC ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create 159 lots for a residential development consisting of 144 townhouse units and 192 multi-family units, including 15 percent MPDUs, for a total of 336 dwelling units on 98.35 acres of land in the R-90, R-200, CRT-2.0, C-2.0, R-2.0, H-120, and Clarksburg East Environmental Overlay zones, located west of the intersection of Frederick Road/MD355 and Clarksburg Road/MD 121, and north of I-270 ("Subject Property"), in the Clarksburg Policy Area and *1994 Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Ten Mile Creek Area Limited Amendment* area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120220010, Miles Coppola ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 11, 2022, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 21, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Cichy, seconded by Vice Chair Verma, with a vote of 4-0; Chair Anderson, Commissioners Cichy, Patterson and Verma voting in favor with Commissioner Rubin being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120220010 to create 159 lots for 336 dwelling units on the Subject

2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605 | Fax: 301-495-1320
www.montgomeryplanningboard.org | mcp-chair@mncppc.org

Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

Property, subject to the following conditions:¹

GENERAL APPROVAL

1. This Preliminary Plan is limited to 159 lots for 336 new dwelling units, including 144 single-family attached and 192 multi-family dwelling units, including a minimum of 12.5% percent moderately priced dwelling units (MPDUs) for residential use.

ADEQUATE PUBLIC FACILITIES AND OUTSIDE AGENCIES

2. The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for eight (8) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5). The phasing schedule is as follows:

Phase A – Within 5 years up to a cumulative total of 70 dwellings across Development Area 2 (CRT zone) and Development Area 1 (R-90 zone)

Phase B – Within 6 years up to a cumulative total of 188 dwelling units, with a maximum of 100 dwelling units in Development Area 1 (R-90 zone)

Phase C – Within 8 years all remaining development

PLAN VALIDITY PERIOD

3. The Preliminary Plan will remain valid for eight (8) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan and pursuant to the below phasing plan must be recorded in the Montgomery County Land Records or a request for an extension filed. The following phasing schedule shall apply:

Phase I – 3 years – at least 10 lots total

Phase II – 5 years – at least 50 lots total

Phase III – 6 years – at least 100 lots total

Phase IV – 8 years – all remaining lots

OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated

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

July 7, 2022 and incorporates them as conditions of the Preliminary Plan approval except for Condition 3.c.i listed under Significant Preliminary Plan Review Comments and Conditions. This condition is replaced with Condition 26.b of this approval. The Applicant must comply with each of the other recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated June 23, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. Before the issuance of access permits, the Applicant must satisfy the MDSHA requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its Preliminary Water Quality Plan approval letter dated June 6, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with any other conditions of the Preliminary Plan approval.
9. The Applicant must implement the Montgomery County Department of Permitting Service's requirements for soil preparation, top-soiling, soil stabilization and soil amendments for any graded areas of 1,000 square feet or more that will be vegetated with grass. These requirements must be reflected on the Final Water Quality Plan, subject to MCDPS approval.
10. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated March 1, 2022, and revised June 8, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS provided that the amendments do not conflict with any other conditions of the Preliminary Plan approval.

11. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA") in its letter dated May 16, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DHCA provided that the amendments do not conflict with any other conditions of the Preliminary Plan approval.

FUTURE SITE PLAN APPROVAL REQUIRED

12. Before clearing, grading, or recording a plat for the Subject Property, the Applicant must receive Staff certification of a Planning Board approved site plan. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined through site plan review and approval.
13. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the Site Plan or Site Plan Amendment.
14. The Applicant must submit a development schedule in table form to match the proposed overall phasing plan set forth in the Preliminary Plan APF approval to include information on proposed dwelling unit count and building permit by location as well as by proposed time of construction.

ENVIRONMENT AND NOISE

15. The Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan No. 120200110, approved as part of this Preliminary Plan:
 - a. Prior to recordation of any plats and the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must record Category I Conservation Easements over all areas of forest retention, forest planting, and environmental buffers as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easements must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
 - b. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of 3-inch caliper trees. The total

- amount of required mitigation will be determined at time of Final Forest Conservation Plan approval with the Site Plan.
- c. The Applicant must submit and obtain Planning Board approval of a Final Forest Conservation Plan at the time of Site Plan. The Final Forest Conservation Plan must include the following:
 - i. existing conditions information for areas of off-site limits of disturbance, including the proposed MD 355 Bypass connection to Frederick Road/MD 355;
 - ii. an updated forest conservation worksheet to reflect the inclusion of all areas of offsite limits of disturbance, including the proposed MD 355 Bypass connection to Frederick Road/MD 355;
 - iii. an updated tree variance request to account for applicable trees impacted by required frontage improvements, the off-site limits of disturbance, and any impacted trees 1-inch caliper and larger that are located within the Historic District (i.e., trees along Redgrave Road and the Clarksburg Elementary School).
 - d. The Final Forest Conservation Plan must include an Environmental Impact Sheet identifying all impacts to wetlands, streams, and the environmental buffer and demonstrate efforts to avoid and minimize the impacts, including relocating stormwater management facilities outside of the environmental buffers, consistent with the approved MCDPS Water Quality/Stormwater Management Plan. Details of the impacts to the environmental resources associated with the construction of the intersection of the proposed MD 355 Bypass with Clarksburg Road must be included. Mitigation for impacts may be required as part of the future Site Plan approval.
16. Impervious surfaces are limited to no more than fifteen (15) percent of the area under application for development within the Clarksburg East Environmental Overlay Zone, pursuant to Section 59-4.9.5 of the Zoning Ordinance.
17. The Applicant must submit and obtain Planning Board approval of a Final Stream and Wetland Restoration Plan at the time of Site Plan, and the final plan must be reviewed by the MCDEP, the M-NCPPC Department of Parks and the M-NCPPC Planning Department.
18. The Applicant must submit and obtain Planning Board approval of a Final Water Quality Plan, including an updated Impervious Surface Plan at the time of Site Plan. The Impervious Surface Plan must demonstrate compliance with the Clarksburg East Environmental Overlay Zone.
19. Prior to submission of the Site Plan application, the Applicant must submit a Noise Analysis to address the M-NCPPC *Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development*.

Recommendations based on the Noise Analysis must be incorporated into the Site Plan.

Transportation/Access

Interim 355 Bypass

20. Prior to Certification of the Preliminary Plan, the Applicant must demonstrate that the Applicant and/or County has officially filed for the acquisition of the adjoining property that is necessary to provide the MD 355 Bypass connection to Frederick Road/MD 355.
21. Prior to Site Plan application, the Applicant must demonstrate that the County is proceeding to acquire the land needed for the MD 355 Bypass connection to Frederick Road/MD 355; should that process not be completed within 2 years of this Resolution, the Applicant may seek an amendment of this approval for an alternative connection to Frederick Road/MD 355.
22. If Conditions 20 and 26.a. are not met, the approval will be limited to no more than 100 dwelling units in Development Area 1 of Phase B. The Applicant may be able to proceed with all units in Development Area 2 as conditioned in the CRT-zoned portion of the Property.

Frontage Improvements

23. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
 - a. All land necessary to accommodate public right-of-way along the Subject Property frontage for the following roads:
 - i. Thirty-five (35) feet from the existing centerline along Redgrave Place.
 - ii. Forty (40) feet from the existing centerline along Clarksburg Road/MD 121.
 - iii. Sixty-five (65) feet from the existing centerline along Frederick Road/MD 355.
 - b. All land necessary to accommodate one-hundred and thirty feet (130 ft) from the opposite right-of-way line along the Subject Property frontage for master-planned MD 355 Bypass.
24. Prior to the release of the 88th building permit for Phase A or release of the 1st building permit for Phase B, the Applicant must construct the following improvements and satisfy all necessary requirements of MCDPS, MCDOT, and/or MDSHA:

- a. An 11-ft wide sidepath along the south side of Redgrave Place along the frontage of Clarksburg Elementary School in coordination with Montgomery County Public Schools (MCPS).
 - b. Construct a connection of Private Street A to the Gateway Center Drive / Clarksburg Road intersection.
 - c. An 11-ft wide sidepath along the north side of Clarksburg Road along the frontage of the Subject Property to the east of Gateway Center Drive.
 - d. A 6-ft. wide striped bike lane along the north side of Clarksburg Road along the frontage of the Subject Property to the east of Gateway Center Drive.
 - e. An 11-ft wide sidepath along the south side of Clarksburg Road to the west of Gateway Center Drive to connect to the sidepath on Stringtown Road.
25. Prior to the release of the 1st building permit for Phase B, the Applicant must construct the following improvements and satisfy all necessary requirements of MCDPS and/or MDSA:
 - a. Construct the full approved interim cross section of the MD 355 Bypass across the Subject Property.
 - b. An 11-ft wide sidepath along the development side of the interim MD 355 Bypass.
 - c. A 6-ft wide sidewalk along the frontage of the Subject Property with Frederick Road.
26. Prior to the release of the 1st building permit for Phase C, the Applicant must provide the following and satisfy all necessary requirements of MCDOT, MCDPS and/or MDSA:
 - a. Construct the extension of the Interim MD 355 Bypass across the off-site parcel to connect from the Interim bypass to Frederick Road/MD 355.
 - b. The provision of a preliminary ("30 percent") design for a roundabout at the "L" bend of the bypass adjacent to Development Area 1. If requested by MCDOT, this design shall be improved until satisfaction of a final design as reviewed and approved by MCDOT and Planning staff.
 - c. Construct an 11-ft wide sidepath along the north side on the extension of the MD 355 Bypass on the off-site parcel to connect to Frederick Road.
 - d. Construct a sidewalk along the frontage with Frederick Road along the off-site parcel and construct a pedestrian crossing of the intersection between Frederick Road and the proposed MD 355 Bypass.
 - e. The Applicant shall submit information as requested by MCDOT and/or MD SHA to determine the need for a traffic signal at the intersection between the MD 355 Bypass and Frederick Road/MD 355. A signal, if found to be necessary by staff of either MCDOT or SHA, must be constructed by the Applicant.

New Streets

27. The Applicant must construct all private streets and alleys, including any storm drainage facilities, private utility systems and other necessary improvements as shown on either the Preliminary Plan or the subsequent Site Plan within the private street parcels.

Private Roads

28. The Applicant must provide Private Roads A, B, C, D, and Private Alleys 1, 2, 3, 4, 5, 6, 7, and 8, including any sidewalks, bikeways, storm drainage facilities, street trees, streetlights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:

- a) If there are no structures above or below the Private Road, the record plat must show the Private Road in a separate parcel.
- b) The Private Roads, including the Alleys, must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq. The Covenant includes, but is not limited to the following requirements/conditions:
 - i) The Applicant, at its expense, shall design, construct, and maintain the Private Road.
 - ii) The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Road and all improvements located within the Private Road, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Road). The reserves must be adequate to cover the costs of needed repairs.
 - iii) The Applicant must post and retain signage to notify the public that the Private Road is not publicly maintained and to provide contact

information to handle complaints, concerns, or questions regarding the Private Road.

- c) Before issuance of the first above ground building permit excluding retaining walls, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
29. The Applicant must provide a natural surface trail along the northern Property line that is designed to connect to the adjacent Ashford Woods (Preliminary Plan No. 120200110) natural surface trail network.
30. All trails associated with the development are to allow public access with the intent of future area connectivity. The Applicant must enter into a reciprocal access easement with M-NCPPC to allow access for the residents and visitors to the natural surface trails within HOA control. The easement shall be for the sole purpose of public access to the trail system and must be compatible with the overall site layout of the Applicant's property. The public access easement may be reasonably relocated by the Applicant with Department of Planning Staff's review and approval.

SCHOOLS

31. Prior to issuance of each building permit for a residential dwelling unit, the Applicant must obtain an assessment from Montgomery County Department of Permitting Services (MCDPS) for Utilization Premium Payments (UPPs) consistent with the 2020-2024 Growth and Infrastructure Policy, as follows:

- a) 1.00 of a Tier 2 high school UPP per unit.

Record Plats

32. There shall be no clearing or grading of the site prior to recordation of plat(s).
33. The Record Plat must show all private streets and alleys within their own parcel(s).

Easements

34. The record plat must show all necessary easements.
35. The Record Plat must reflect an ingress/egress easement over all private streets and alleys, designated for the benefit of all properties with access to the alleys. All private streets and alleys shall be bound to the standard covenant recorded in Book 54062 at Page 338 for private streets and alleys
36. The Record Plat must ensure the recording of Public Utility Easements along all street segments or locations as identified on the Certified Preliminary Plan.

Notes and Labels

37. The record plat must reflect all areas under common ownership. The record plat must reflect all areas to be conveyed to a Homeowners Association ("HOA") and specifically identify stormwater management parcels.
38. Prior to recordation of any plat, the Site Plan must be certified by M-NCPPC Staff.
39. Before recordation of a plat for the Subject Property, the Applicant must grant to M-NCPPC a rural open space easement over no less than 80 percent (73.90 acres) of the net tract area of the Subject Property as shown on the Preliminary Plan. The Applicant must record the easement, in a form approved by the M-NCPPC Office of General Counsel, among the Montgomery County Land Records. Reference to the recorded easement must be noted on the record plat(s).

MODERATELY PRICED DWELLING UNITS (MPDU'S)

40. The Application must provide a minimum of 12.5 percent MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan in both the R-90 and CRT Zones.
41. The final number and location of MPDUS as required by Conditions #1 and #40 above will be determined at the time of site plan approval.

Certified Preliminary Plan

42. The Certified Preliminary Plan must contain the following notes:
 - a. *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan*

are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

43. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
- a. Include resolution for this Preliminary Plan, and all applicable Agency approval letters on the approval sheets.
 - b. Include a Phasing Exhibit illustrating the construction phasing for the MD 355 Bypass with associated units and improvements in each phase, in the certified set.
 - c. Revise the Data Table provided on (Sheet 1a) to calculate MPDU's (in square feet) based on the area of each zone in compliance with Section 4.4.2. of the Montgomery County Zoning Ordinance.
 - d. Illustrate a connection of Private Street A to intersect with Gateway Center Drive.
 - e. Illustrate a 6-ft wide sidewalk along the west side of off-site MD 355 Bypass segment, connecting from the onsite sidewalk through the off-site parcel and to MD-355.
 - f. Illustrate a complete connection of the sidepath on Clarksburg Road to Stringtown Road.
 - g. Widen the crossing ramps across Clarksburg Road at the Gateway Center Drive intersection to a bikeable 11 ft in width.
 - h. Illustrate one additional trailhead along Street A to connect to the trail network between Lots 3 and 4.
 - i. Provide an updated Impervious Surface Plan, signed by a Professional Engineer, that includes all required improvements and demonstrates compliance with the 15 percent impervious surface limit for the Clarksburg East Environmental Overlay Zone.

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

1. *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.*

The layout of the subdivision, including size, width, shape, and orientation of the proposed lots is appropriate for the location of the subdivision considering the recommendations in the Master Plan that emphasize environmental and watershed protection along with preservation of open space. The lots comply with the dimensional requirements for the R-90 zone under the Optional Method per Section 59.4.4.8.C, the CRT-2.0, C-2.0, R-2.0, H-120 Zone under the Standard Method per Section 59.4.5.3, and the R-200 Zone under Standard Method per Section 59.4.4.7 of the Zoning Ordinance. The Application also complies with the requirements and the development standards of the Clarksburg East Environmental ("CEE") Overlay Zone as specified in the Zoning Ordinance.

Block Design

The block design depicted on the Preliminary Plan is appropriate for the proposed residential development. The length, width, and shape of all residential blocks are compatible with a walkable gridded street pattern and land use goals for the Property. New residential blocks are located along the proposed MD 355 Bypass right-of-way in the northwestern portion of the Property with a much smaller and more linear block design in the southeast portion of the Property. The blocks are of an appropriate length and width to accommodate pedestrian and vehicular circulation, and open space. The blocks are also designed to minimize impacts to the environmental features on the Property by locating them away from environmental buffers and forested areas.

Lot Design

The lot size, width, shape, and orientation are generally appropriate for the location of the subdivision and for the proposed residential use. All lots will either front along the proposed MD 355 Bypass, Clarksburg Road/MD 121, or along the newly created private roads known as Street A, Street B, Street C, and Street D. The dimensions of the lots will be able to accommodate the residential dwelling units and other infrastructure necessary to serve the lots.

Impervious Area Limits of the Clarksburg East Environmental Overlay Zone

The Application is subject to Chapter 59, Section 4.9.5, the Clarksburg East Environmental Overlay Zone. The requirements of the Overlay Zone include limits on impervious surfaces for the total area under application for development. Specifically, Section 4.9.5.D.1 (Clarksburg East Environmental Overlay Zone) states "...the maximum total impervious surface area for any development after August 4, 2014 is 15% of the total area under application for development". The Application includes less than 15 percent impervious surfaces which is below the permitted amount and therefore, conforms to the requirements of the Overlay Zone.

Adequate Open Spaces

The Preliminary Plan provides for adequate open areas. The Application includes 80.32 percent rural open space (73.9 acres), exceeding the 80 percent Rural Open Space requirement outlined in the Clarksburg East Environmental Overlay Zone. Additionally, the Application will provide two percent open space for recreation and amenities for the residential development within the buildable envelope. The Application includes a centrally located recreation area that features a playground, natural surface trails, and passive green area. The Preliminary Plan provides adequate open areas for amenities, recreation, and stormwater management. Open spaces will be evaluated in detail at the time of Site Plan(s).

Roads

Interim Clarksburg MD 355 Bypass

The Preliminary Plan provides adequate right-of-way dedication to support the full master planned facilities of the MD 355 Bypass and the Applicant will construct a road connection that follows the Bypass alignment through the Subject Property that runs between Clarksburg Road and Frederick Road, meets public road standards, and satisfies the requirements of the 2018 *Bicycle Master Plan*. The Applicant will construct an interim road to serve as part of the larger Clarksburg Bypass to be constructed through the Subject Property from Clarksburg Road, through the Subject Property, and extend through an off-site property to Frederick Road (the "Interim 355 Bypass"). This Interim 355 Bypass will be constructed in two phases. The Applicant is required to construct both sections as part of the Application.

The Interim 355 Bypass is not constructed to the full final vision of the MD 355 Bypass. The Interim 355 Bypass will not provide an uninterrupted, fluid transition from south to north; instead, an intersection will be constructed at Clarksburg Road which will require vehicles to stop and turn into and out of the road. Vehicles will then travel along the existing Clarksburg Road and through the intersection between Clarksburg Road and Gateway Center Drive. This interim approach is acceptable given the uncertainty of the final alignment of the Clarksburg Bypass to the south, which may ultimately follow either Observation Drive or Gateway Center Drive. Without a complete connection to the south, and without the resulting vehicular demand, there is no need for a higher speed capacity alignment at present. Additionally, the eventual construction of the final alignment will require off-site land acquisition from both private and public properties that are beyond the Applicant's control, as well as incurring significant additional environmental impacts to grading, forest cover, streams, and impervious surface cover that are not justified without a useful connection to the south.

The Interim 355 Bypass will not include a separate dedicated transitway, a feature recommended in the Master Plan as well as the Master Plan of Highways and Transitways. At present, there is no planned transit route that would use such a facility and no route that would operate to the north of Stringtown Road. Instead, the recent *2022 Corridor Forward Plan* envisions the closest BRT service terminating at the Clarksburg Premium Outlets, with service running on Stringtown Road, proximately 1,000 ft. south of the Subject Property. No service is currently planned to the north. Additionally, the transitway facility will not be pursued along the interim road as it would more than double the size of the roadbed and would incur additional significant environmental impacts to grading, forest cover, streams, wetlands, and impervious surface cover for no clear public benefit. Deferring construction will also eliminate the recurring public expense of maintaining such a facility until it is planned and clearly needed. Nevertheless, in support of the full master plan vision, the 130 ft. of ROW dedication will accommodate all master planned facilities.

A master-planned sidepath will be constructed on the north side (development side) of the Interim 355 Bypass, though the interim condition will not include a sidewalk on the opposite side due to the lack of access to any existing or proposed property as well as the significant environmental costs of additional grading and impervious surface.

The second phase of the Interim 355 Bypass will be constructed following the acquisition of an adjacent property by MCDOT. The property lies between the Subject Property and Frederick Road, immediately to the north of the proposed Fire Station; ownership of the property is uncertain from tax and land records and appears to be vacant. Following acquisition by MCDOT, the Applicant will construct the Interim 355 Bypass section. Due to the restrictions of remaining property lines however, this property alone is not wide enough to accommodate all master planned road features; should a dedicated transitway be pursued sometime in the future, additional property acquisition will be required.

Internal Streets

The Application will establish two separate development areas, one larger to the north (Development Area 1), and a smaller area to the south adjacent to Clarksburg Road (Development Area 2). All Internal streets in these Development Areas will be private streets governed by a standard private road covenant.

Internal streets in these Development Areas will create a small-scale street grid that enables bike and pedestrian access while minimizing impervious surfaces. A new intersection will be constructed at Clarksburg Road/MD 121 to serve the Interim 355 Bypass which will provide access to Development Area 1. Two access points along the Interim 355 Bypass will be created to serve Development Area 1.

As conditioned, the smaller development area (Development Area 2) to the south will be served by two intersections: the first, an access point along Clarksburg Road and the second at the intersection between Clarksburg Road and Gateway Center Drive. As development proceeds, the Interim 355 Bypass will be extended across offsite property to be acquired by Montgomery County to connect to Frederick Road/MD 355. All proposed streets internal to the Subject Property will be private streets, while the Interim 355 Bypass will remain public.

Private Roads

All internal streets will be private. Modifications have been made to standard MCDOT street cross sections to reduce centerline radius, overall width, and impervious surface in light of the context of the Ten Mile Creek Special Protection Area.

The streets as modified limit the overall cross section and impervious surface as recommended in the 2014 *Ten Mile Creek Area Limited Amendment*. A notable departure from public road standards is the removal of sidewalk from one side of streets in select areas of the development area as discussed previously along streets that run along the perimeter of the two development areas. As stated in their respective agency letters, neither MCDOT nor DPS will accept public roads within the context of a townhouse community without sidewalks on both sides of the street. However, this is in conflict with the intent of the Master Plan guidance in reducing overall street cross sections, with the Master Plan's explicit endorsement of removing sidewalks in areas deemed not essential.

Roads are to be built to the construction specifications of the corresponding public road standards concerning paving detail and design data, including surface depth and structural design, as detailed in the proposed cross sections of the Application. All modifications to standard sections, as discussed in subsequent sections, have been reviewed and are supported by the Planning Board and will be safe for general use for vehicular, pedestrian and bike circulation and meet accepted state and national standards.

The private road network is contained entirely within the Subject Property, accessing only the two development clusters; they do not provide through connectivity to serve the general public. The road network as proposed is not needed to maintain area-wide circulation and does not provide a continuous corridor to serve the public. It is not needed to be part of the network modeled for area capacity. All roads will be considered secondary streets, tertiary streets, or alleys, all of which are eligible to be permitted as private streets. The Planning Board finds that this meets the justification requirements for the use of private roads as detailed in 50.4.3.E.4.a. The Planning Board has reviewed the pedestrian circulation and, as conditioned, finds it to be adequate.

Required Transportation Findings

1. Minimum Centerline Radius Requirement, Ch. 50.4.3.E.2.g.ii

The Applicant requested a finding of the minimum centerline radius requirement for Private Streets A and D, specifically for the 3 curves on Private Street A, serving 88 dwellings, and the curve immediately adjacent to the intersection between Private Street D and the Interim 355 Bypass, serving approximately 120 units. Both streets require a centerline radius no less than 150 feet to meet the typical secondary street standard. The Applicant instead requested a reduced radius of 100 feet, the minimum assigned to a tertiary street. The Planning Board grants this request as the tighter radius supports a correspondingly tighter development envelope, thereby reducing grading, deforestation, impervious surface, and other environmental impacts as recommended in the Master Plan. The roads will continue to operate safely and appropriately as the roads will carry volumes at these corners equivalent to those of a typical tertiary street for which a 100-foot radius is acceptable. Additionally, these corners will reduce vehicular speeds in this entirely residential neighborhood, enhancing safety for bicyclists and pedestrians.

2. Open Section Road Requirement, Ch. 49.33.1

The Applicant is requested a finding that the roads need not be constructed with open sections and requests the use of curbs and gutters. The Subject Property is located within the Ten Mile Creek Special Protection Area. The Director of the Department of Permitting Services may approve the installation of curbs and gutters following Planning Board comment if: (A) installing curbs and gutters will not significantly degrade water quality in the area; (B) curbs and gutters are necessary for vehicular or pedestrian safety or the proper grading or maintenance of the road, or to reduce the environmental impact of the road on any park, forest, or wetland; and (C) a preliminary subdivision plan or site plan approved by the Planning Board for the land abutting the portion of the road where curbs and gutters may be installed expressly permits the curbs and gutters to be installed, if either plan is required for the land in question.

The Applicant proposed the use of curbs and gutters for the townhouse and multi-family development, and the Master Plan supports a higher density and mix of uses in the Clarksburg East Environmental Overlay Zone. The use of curb and gutter design allows for a significantly reduced right-of-way to accommodate a denser housing development which allows for a more efficient use of the Property and greatly reduces overall local environmental impact. Additionally, the reduction in roadway length due to a more compact development reduces impervious surface. Lastly, the addition of adequate stormwater facilities, which includes the curb and gutter design, will alleviate degradation of water quality.

The Planning Board approves the use of curbs and gutters instead of an open section road design.

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

The Preliminary Plan substantially conforms to the recommendations outlined in the 2014 *Ten Mile Creek Area Limited Amendment* ("Master Plan"). The Master Plan is a limited amendment to the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* ("1994 Plan") for the Ten Mile Creek Watershed. The Master Plan retains the 1994 Plan vision but refines the 1994 Plan recommendations to create a well-defined corridor town that provides jobs, homes and commercial activities and the preservation of natural resources. Below is a discussion of the various Master Plan recommendations.

Land Use, Zoning and Property Recommendations

The development is consistent with the land use, zoning, and property recommendations outlined in the Master Plan. The Master Plan recognizes that physical constraints including topography, stream valleys, forest, and potential future roadway and transit networks suggest that the Miles Coppola development should function independently, but in a way that supports the Clarksburg Town Center. Development Area 1 (R-90 zone), situated along MD 355 is recommended for residential uses that support retail in Clarksburg's Town Center. Development Area 2 (CRT-zone), situated along MD 121 and close to the Town Center is recommended for zoning that could result in residential or commercial uses, or a mix of uses. This Application includes entirely residential uses that will support the retail, restaurants, and other businesses in Clarksburg. The Master Plan also provides more specific recommendations listed below (Master Plan, p. 37-38).

- *Including the Miles-Coppola properties in the proposed Clarksburg East Environmental Overlay zone with a 15 percent imperviousness limit and an 80 percent open space requirement.*
The proposed development results in less than 15 percent imperviousness, meeting the impervious surface limit recommended above. The development also includes 80.32 percent rural open space which is above the required amount.
- *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 to the Historic District and Town Center.*

The Application includes two development areas (Development Area 1 within the R-90 zone and Development Area 2 within the CRT zone); both of these areas will consist of compactly designed residential uses that meet the recommended impervious surface limits and will support the businesses in 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.*

The southern developable area (Development Area 2) will provide housing that supports the Town Center, and not compete with it. High density residential is being provided with 63 multi-family triplex units combined with 25 townhouse units.

- *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.*

The northern developable area (Development Area 1) is oriented toward the MD 355 Bypass that extends from Clarksburg Road/MD 121 through the Property and out to Frederick Road/MD 355. The Application also includes a network of sidewalks, bikeways, and natural surface trails that provide a variety of means for residents to access businesses and activities in the 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.*

The development is designed as a compact residential community that is adjacent to major existing and proposed roads, primarily situated on land previously cleared for agriculture use, which maximizes the preservation of existing forest and the natural environment, including 80.32 percent rural open space, and reduces imperviousness, which in turn protects 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.*

The development is clustered into two separate development areas that include two primary types of housing: multi-family tri-plex residential, which are permitted as multi-family units in the Zoning Ordinance, and single-family attached (townhouse) units. In Development Area 1, front-loaded townhouse units make up the entirety of the periphery of the development area with rear-loaded townhouses and rear-loaded multi-family tri-plex units located in the center of the development area. Development Area 2 has the same mix of

building types with a mix of front-loaded and rear-loaded units served by private alleys.

- *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.*

As modified at the Public Hearing by the Planning Board, the Application includes 12.5 percent MPDUs for the overall development, which is the minimum required amount. The final number and location of MPDUs will be determined at the time of site plan approval. The Applicant provides 2.89 dwelling units per acre, which is below the maximum density allowed.

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

The development includes tri-plex units and townhouse units which allow for higher densities with smaller developable areas, conducive to meeting the Master Plan recommendations and Overlay Zone requirements related to imperviousness and open space.

Environment

The Application conforms to the Environmental Resources section of the Master Plan. The Master Plan places a high priority on the protection and enhancement of environmental resources, including forest and water quality, with an added emphasis on protecting and expanding environmental buffers. The Master Plan incorporates several recommendations that help to achieve the goal of environmental resource protection, including clustering the development in upland areas, limiting impervious surfaces, expanding environmental buffers to include ephemeral streams, wetlands, springs, seeps, erodible soils, and slopes ≥ 15 percent. In addition, the Master Plan recommends protection of interior forest. As in all Special Protection Areas, unforested environmental buffers must be reforested.

Development on the Subject Property will be clustered away from the stream valleys, protecting over 55 acres of existing forest resources, and the Applicant is planting approximately four acres of new forest in areas of stream valley buffer that are currently unforested. Where forest cannot be planted within the buffers due to existing and proposed utility and stormwater management easements, these areas will be planted as meadow habitat with native species favored by pollinators.

The Application includes impacts to the environmental buffer and associated resources for a) the construction of the proposed MD 355 Bypass where it intersects with Clarksburg Road/MD 121, b) right-of-way improvements for

Frederick Road/MD 355, and c) impacts associated with natural surface trails, a pedestrian bridge that will connect the two development areas, storm drain outfalls and some grading/tie outs. These impacts are represented on a Stream Valley Buffer Impact Exhibit. As conditioned, the Stream Valley Buffer Impact Exhibit will be updated at time of Site Plan application and included in the Final Forest Conservation Plan set, to represent the final impacts, including the relocation of a stormwater management facility outside of the environmental buffer. The Application includes a stormwater management facility in Development Area 2 that is located within the environmental buffer; however, it was recently redesigned/relocated outside of the buffer, and conceptually approved by MCDPS.

The conditions of Pre-Preliminary Plan 720210010, MCPB Resolution 21-051, approved on July 20, 2021, encourage the Applicant to locate the MD 355 Bypass intersection segment with Clarksburg Road as far uphill to the north as possible to avoid and minimize environmental impacts to the stream valley. Additionally, Condition #7 requires the Applicant to coordinate with Staff to minimize environmental impacts associated with frontage improvements along MD 355, regardless of the alignment of the MD 355 Bypass. These conditions are addressed below.

- MD 355 Bypass intersection with Clarksburg Road/MD 121 – this road connection results in impacts to the environmental buffer, stream, and 100-year floodplain due to the extension of the culvert under Clarksburg Road to accommodate the MD 355 Bypass, including a headwall/retaining wall, associated grading, and the installation of storm drain, and water and sewer utilities. There is an existing stream and associated wetland that flows under Clarksburg Road. The Planning Board finds that there are no available alternatives to make this road connection due to the limited frontage on Clarksburg Road, and locating the intersection further north would put the connection on an off-site, adjacent, already developed property.
- MD 355 Bypass intersection with Frederick Road/MD 355 – required improvements within the right-of-way result in impacts to the environmental buffer, including the wetland buffer and associated stream for the construction of shoulder widening, sidewalk installation, extension of the existing culvert to accommodate these improvements, and associated grading.
- Natural surface trails, a pedestrian bridge that will connect the two development areas, storm drain outfalls and some grading/tie outs will result in impacts to the environmental buffer, including the wetland buffer. The pedestrian bridge will span the stream to minimize impacts for this crossing. There are expected encroachments proposed within the environmental buffers for storm drain outfalls necessary to allow for safe conveyance of stormwater, and there may be some grading/grade tie-outs that remain within the buffer,

but these impacts will be reviewed in more detail at time of Site Plan to ensure they are minimized as much as possible.

Recommendations for Properties East of I-270 (Master Plan, p. 18)

The Master Plan includes several recommendations for properties located east of I-270. Below is a list of these recommendations with discussion how they are met.

- *Limit imperviousness levels to 15 percent for new development on properties that are recommended for the proposed Clarksburg East Environmental Overlay Zone.*
As discussed above, the Application meets the required impervious surface limit of 15 percent.
- *Forest Conservation Plans for properties in the Ten Mile Creek Watershed should protect the forest on the Miles/Coppola properties, which is bounded by the two northernmost environmental buffer areas on the north and south, I-270 on the west, and the existing agricultural fields on the east.*
The development does not propose to disturb the forest in this area as demonstrated on the Forest Conservation Plan; and this forest will be protected in a Category I Conservation Easement.
- *Work with the Maryland State Highway Administration to provide stormwater retrofits for any expansion or modification of I-270.*
Expansion or modification of I-270 is not anticipated as part of the Application and therefore this recommendation is not applicable.

Throughout Ten Mile Creek (Master Plan, p. 19-22)

The Master Plan includes additional recommendations for properties to achieve preservation of natural resources. Below is a list of these recommendations with discussion on how they are met.

- *Environmental buffers must be consistent with all regulations and guidelines. In addition, in all areas in Ten Mile Creek other than the Historic District, on both sides of perennial and intermittent streams, and adjacent to springs, and seeps, buffers must be a minimum of 200 feet, and must be expanded to include: All erodible soils (listed in the Planning Board's Environmental Guidelines for Development, as amended); Wetlands that extend beyond the buffer must have a minimum of 50-foot buffer; All ephemeral streams, not including roadside ditches, plus a 50-foot buffer; All slopes 15 percent or greater that begin within the buffer described above.*
Planning Staff approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) No. 420210650 on April 13, 2021. The NRI/FSD

identified these required features and conforms to these recommendations. The approved environmental buffers are identified on the Preliminary Forest Conservation Plan submitted as part of this Application.

- *Amend the Clarksburg Special Protection Area to include an additional area east of I-270.*

The limits of the Clarksburg Special Protection Area were amended and the Ten Mile Creek Special Protection Area was created in response to this recommendation. The Subject Property is within the Ten Mile Creek Special Protection Area.

- *Establish environmental overlay zones to apply the Plan's limits on imperviousness for new development and reduce development footprints to protect sensitive resources.*

The Clarksburg East and Clarksburg West Environmental Overlay Zones were created in response to this recommendation. The Overlay Zones incorporate limits on imperviousness and open space requirements. The Subject Property is within the Clarksburg East Environmental Overlay Zone that limits imperviousness to 15 percent and requires 80 percent rural open space to protect sensitive resources.

- *Minimize disturbance of natural resources throughout the Ten Mile Creek Watershed, especially forests in the headwater areas. Forest Conservation Plans for properties in the Ten Mile Creek Watershed should protect: All forest required by the Forest Conservation Law and Regulations (includes environmental buffers as previously described and minimum retention requirements), as well as areas defined in this Master Plan: All interior forest (as defined by the Maryland Department of Natural Resources); On the Miles-Coppola properties, the forest bounded by the two northernmost environmental buffer areas on the north and south, I-270 on the west, and the existing agricultural fields on the east; On the Pulte/King properties, all forest adjacent to environmental buffers; All forest on County-owned properties; All off-site forest planting for new development should be located in the Ten Mile Creek Watershed as a first priority.*

The Preliminary Forest Conservation Plan submitted with this Application demonstrates conformance with the Forest Conservation Law and Regulations, which is further discussed below, protects interior forest, and protects the forest bound by the two northernmost environmental buffer areas on the north and south, I-270 on the west, and the existing agricultural fields on the east. The required forest planting will be met on-site. The Application protects approximately 60 acres of existing and planted forest through conservation easements.

- *Explore ways to create incentives for additional voluntary forest planting (using forest banks or other strategies) on rural or RDT-zoned properties in the Ten Mile Creek Watershed to help reach a watershed goal of 65 percent forest cover.*

The Subject Property is not located on rural or RDT-zoned land and the development and existing forest to be retained leave little area available for additional forest plantings beyond the planting required in the environmental buffers. The approximately 60 acres of forest that will be protected via this Application will contribute towards the watershed goal of 65 percent forest cover.

Water Quality Strategies & Additional Principles/Strategies (Master Plan, p. 21-22)

The Master Plan also includes several water quality strategies and principles listed below.

- *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 nonerosive manner. Minimize disturbance of natural resources throughout the Ten Mile Creek Watershed, especially forest cover 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 ephemeral streams; De-compacting and amending soils*

within the limits of disturbance 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 and 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.

In general, the Application addresses the Master Plan recommendations listed above. The majority of these items related to sediment control and stormwater management are reviewed by MCDPS as part of the Water Quality Plan. MCDPS has approved their portion of the Preliminary Water Quality Plan as part of this Application. They will be reviewing the Final Water Quality Plan with the future site plan application, at which time additional infiltration testing will be required. If infiltration is feasible, it will be used for ESD treatment, and this may alter the current stormwater management design and layout. If infiltration is not feasible, two additional feet of stone storage will be required below the proposed micro bioretention facilities (non-planter box) in areas of minimal cut and fill to promote groundwater recharge. MCDPS will be reviewing the plans for the disturbed areas and storm drain conveyance/ESD non-erosive outfall compliance during MCDPS' detailed plan review stage for the sediment control and stormwater management plans. Staff from MCDPS Water Resources has confirmed that this Application is effectively maintaining existing drainage areas, with only relatively small areas being directed away from their existing drainage course. This is a standard requirement of all SPA water quality plans. Although the State of Maryland no longer requires limiting the grading units to a 20-acre maximum, MCDPS continues to require sediment control plans adhere to these restrictions. Therefore, the Application will be required to be phased so that only 20 acres (a grading unit) at a time will be actively disturbed. When this grading unit is 50 percent complete and stabilized, the next grading unit may be opened. This will limit active grading to no more than 30 acres at one time.

The Master Plan references requirements for de-compaction and soil amendments. Although the Master Plan language is vague on specifics, MCDPS recommends that in order to comply with the intent of the Master Plan recommendation, the Planning Board require that the Applicant follow the Maryland Department of the Environment (MDE) requirements for soil

preparation, top-soiling and soil amendments, but provide soil loosing and fertilizing to 6-8 inches and a minimum of an eight-inch layer of topsoil for any graded areas of 1,000 square feet or more that will be vegetated with grass. Therefore, as conditioned, these requirements exceed the MDE standards which requires 3-5 inches of soil loosing and 5-8 inches of topsoil for graded area greater than five acres. This increased soil amendment strategy will serve to maintain the infiltration capabilities of the soil, promote more vibrant plant growth, and reduce runoff.

The Application minimizes direct impacts to natural resources associated with new infrastructure, such as the MD 355 Bypass by aligning its intersection with Frederick Road further south, on an offsite, undeveloped property located adjacent to the Clarksburg Fire Station, thereby avoiding impacts to the onsite stream and wetlands along the Property's frontage. Where the MD 355 Bypass intersects with Clarksburg Road/MD 121, there is an existing stream and associated wetland that flows under MD 121. There are no available alternatives to make this road connection since the stream and wetlands are located just inside the Property boundary, the Property contains limited frontage along Clarksburg Road, and locating the intersection further north, would put the connection on an off-site, adjacent, already developed property. The details of this road crossing will be reviewed in greater detail with the site plan application to minimize the impacts as much as possible.

The Application includes a Preliminary Stream and Wetland Restoration Plan that identifies areas that have been adversely affected by the past uses that occurred on the Property. As conditioned, a Final Stream and Wetland Restoration Plan will be reviewed by Staff from the M-NCPPC Planning Department and Department of Parks, and MCDEP as part of the Site Plan application.

The development has been designed to cluster development to minimize forest clearing, particularly the high priority forest, protect the environmental features, and minimize impervious area. The proposed design also meets the recommendations listed above to protect and preserve the natural resources throughout the Ten Mile Creek by 1) providing a mix of townhouse and multi-family units for a more compact development compared to single-family detached development, 2) clustering the development away from existing environmental resources 3) designing reduced width streets where possible; and, 4) having sidewalk on only one side of the street in areas where pedestrian circulation is not impacted.

Parks and Trails (Master Plan, p. 49)

The Master Plan also provides several recommendations related to Parks and Trails.

- *Provide a countywide natural surface trail, designed to M-NCPPC Montgomery Parks standards, in the Ten Mile Creek area linking Little Bennett Regional Park and Black Hill Regional Park per the Countywide Park Trails Plan (2008) and the 1994 Clarksburg Master Plan.*

The Application includes a natural surface trail that traverses through the Property, and provides connections between the two Development Areas, as well as to the internal sidewalks, MD 355, and MD 121. These trails will also connect to the trail network that was recently approved as part of the Ashford Woods development (Preliminary Plan No. 120200110) on the adjacent Property to the north, which collectively link to Little Bennett Regional Park and Black Hill Regional Park beyond this Property, providing additional access to the greater trail network envisioned by the Master Plans.

- *Provide five trailheads, designed to M-NCPPC Montgomery Park standards, to access the Ten Mile Creek natural surface trail and nearby natural areas for park users and operations staff.*

This recommendation is not applicable to the Subject Property.

Noise Guidelines

The Environmental Section of the 1993 General Plan Refinement for Montgomery County contains multiple objectives directing Staff to protect future residents from unacceptable noise levels. The *1983 Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development* ("Noise Guidelines") contains strategies for mitigating the impact of transportation noise on new residential development. As conditioned, the Applicant must submit a noise analysis as part of the future site plan application for this development. Any required mitigation will be incorporated as part of the site plan.

Transportation (Master Plan, p. 24-30)

The previously approved Pre-Preliminary Plan #720210010 contemplated two options for the potential alignment of the Clarksburg MD 355 Bypass. Condition 1 of the Pre-Preliminary Plan Resolution recommends Option 2 but notes that Option 1 is acceptable if the Applicant is able to "ensure construction on the intervening properties to the north and immediately adjacent to the Clarksburg fire station". The Resolution also indicates that the Preliminary Plan include a detailed concept for the MD 355 Bypass, including an assessment of environmental impacts. This Application pursues the alignment highlighted as Option 1 in the Pre-Preliminary Plan. This alignment closely mirrors the Master Plan guidance to locate the intersection of the MD 355 Bypass with Frederick Road (MD 355) at a point approximately 0.3 miles to the north of the intersection with Clarksburg Road. The proposed MD 355 Bypass follows a path running from the existing intersection of Clarksburg Road and Stringtown Road in the south, along Clarksburg Road, through the upper portion of the Miles Coppola Property, and intersects MD 355 through an off-site property immediately to the north of the

under-construction Clarksburg Fire Station. This alignment will limit both impacts to streams and wetlands as well as the historic district and is in lieu of an earlier alignment from the earlier 1994 Plan to connect to Snowden Farm Parkway to the north.

The Application conforms to the 2018 *Bicycle Master Plan* by providing the following improvements:

- Frederick Road / MD 355

A sidepath is recommended on the east side of Frederick Rd., which is the opposite side from the frontage of the Subject Property. This sidepath will be constructed as part of the MD 355 Clarksburg Shared Use Path CIP project. The Applicant will construct a 6-ft. wide sidewalk along the Property frontage on Frederick Rd.

- Interim Clarksburg Bypass

A sidepath is recommended along the length of the Interim 355 Bypass from Clarksburg Road to Frederick Road. The Applicant will construct an 11-ft wide sidepath along the north-western side of the Interim 355 Bypass, the same side as the proposed residential units. This will extend across the off-site extension of the Interim 355 Bypass (Phase B) to be constructed at a later phase.

A sidewalk will not be constructed along the east side of the Interim 355 Bypass. This portion of sidewalk was determined to be unnecessary as it does not provide access to any existing or planned structure. Since there is the potential in the future for the MD 355 Bypass to be reconstructed and potentially realigned, the immediate environmental concerns over grading, additional forest loss, and addition of impervious surface outweigh the benefits of such a facility.

- Clarksburg Road / MD 121

A sidepath is recommended on the east side of the road and striped bike lanes on the west side. The Applicant will construct an 11-ft. wide sidepath on the west side of Clarksburg Rd. This will be constructed in lieu of the east side due to the severe grade on the east side. Additionally, the sidepath relocation will better connect to the proposed development which will remain on the west side and run continuously from along that side from Gateway Center Drive up to MD 355. As conditioned, south of Gateway Center Drive, the sidepath will cross to the east side, down to the terminating cul-de-sac of the remainder of the Clarksburg Road spur and connect to the new roadbed of MD-121. Additionally, striped bike lanes will be constructed along the west side Property frontage of Clarksburg Rd.

- Redgrave Place

An 11-ft. wide sidepath will be constructed on the south side of Redgrave Place. This is in-lieu of sidewalk along the frontage of the Subject Property on the north side of the road. This was found to be more appropriate as the south side fronts Clarksburg Elementary School, providing direct connectivity. No development is proposed along the Application frontage. An off-site connection to Frederick Road could not be pursued due to lack of right-of-way east of the school and property boundaries extend to the pavement edge in this location, precluding the ability to construct additional infrastructure.

- Internal to Site

Internal pedestrian circulation for the development consists of a sidewalk network along all streets. Sidewalks are provided on both sides of streets except as noted along the outer perimeter street of Development Areas 1 and 2. Due to concerns over the addition of impervious surface, the Master Plan and the Zoning Ordinance recommend limiting sidewalks where possible, as well as other recommendations to limit impervious surface. As part of this Application, on sections of roadway in areas with perceived infrequent pedestrian movement, in particular areas adjacent to rural open space, sidewalks are limited to one side of the street along sections of private streets A, B, and D. Where applicable, on streets where the sidewalk is located only on one side of the street, the sidewalk is wider to promote safer circulation. The Application will also provide a network of natural surface trails throughout the rural open space and preserved natural spaces that will link the two development areas together, connect to the trail network that was recently approved as part of the Ashford Woods development (Preliminary Plan No. 120200110) on the adjacent Property to the north, and connect to Clarksburg Road/MD 121 as well as the MD 355 Bypass.

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

The Preliminary Plan satisfies the Adequate Public Facilities review as explained below.

Transportation

Transportation circulation throughout the Subject Property will be adequate to support and service the proposed development. The Subject Property has frontage on three public roads – Frederick Road, Clarksburg Road, and Redgrave Place. Primary access to Development Area 1 will come from two new access points on the proposed Interim 355 Bypass. Development Area 2 will have access at two points along Clarksburg Road. No new development will be served on Redgrave Place.

- Signal Improvement

As conditioned, additional review by MCDOT and/or SHA may require a traffic signal at the northernmost intersection of the proposed MD 355 Bypass at Frederick Rd. This is primarily based on the adjacency of the new Clarksburg Firehouse which itself requires signal control. While the intersection was analyzed for a signal warrant, which under study was not met, there are significant safety concerns beyond the proximity to the fire station that may require the installation of a signal. These safety concerns include: the high volumes of traffic using Frederick Road, particularly at peak hours, the uncertainty of future traffic volumes on the MD 355 Bypass, the location within a bike and pedestrian priority area, and potential sight distance issues.

▪ Local Area Transportation Review (“LATR”)

The Application for 336 new dwellings (144 new townhouses and 192 new low-rise multi-family units) is predicted to generate 207 and 239 net new person trips during the AM and PM peak-hours respectively as shown in Table 5 below. As the Application generates more than 50 peak-hour person trips, a full traffic study was required to satisfy the LATR guidelines. This Preliminary Plan application is a continuation of the review initiated under the prior Pre-Preliminary Plan, which was submitted prior to January 1, 2021, the date on which the 2020-2024 Growth and Infrastructure Policy (GIP) took effect, as specified under Policy AP2 of the GIP concerning review through the transition phase between growth policies. For transportation, this Application was instead reviewed under the 2016-2020 Subdivision Staging Policy and 2017 LATR Guidelines, as allowed by the AP2 policy. The remaining components of the APF finding are reviewed under the 2020-2024 Growth and Infrastructure Policy.

Trip Generation*

Development	Measure	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
144 Townhomes / 192 Multifamily Units (ITE 220)	336 d.u.	34	115	150	109	64	173
Adjusted Net New Person Trips	--	47	160	207	150	89	239

*Trip generation rates are based on the ITE Trip Generation Manual, 10th Edition and adjusted as detailed in the 2017 LATR guidelines. Figures are rounded to nearest whole number. Source: The Traffic Group, Traffic Impact Analysis Dated July 14, 2021.

The Study analyzed four existing intersections in two policy areas as shown in Table 6 below. The Clarksburg Town Center Policy Area is a designated

Orange Policy Area, for which the HCM methodology is used. The Clarksburg policy area is a Yellow Policy Area, where CLV is the primary methodology. No intersection exceeds either the CLV or HCM congestion threshold under the future scenario, though as shown in the "Intersection Delay" table below, the MD 355 & Clarksburg Rd intersection currently exceeds the HCM delay threshold. As a note, the background and future conditions assume the completion of the MD 355 & Clarksburg Rd intersection CIP improvements which will reduce delays below the policy area congestion standard in all cases.

Intersection Delay

Intersection	Traffic Conditions					
	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
Clarksburg Town Center Policy Area (HCM 63 Seconds)						
1. Clarksburg Rd & Site Access	n/a	n/a	n/a	n/a	2.5	2.1
2. MD 355 & Clarksburg Rd	23.3	92.5	23.2	34.3	26.1	34.2
Clarksburg Town Policy Area (CLV 1,350)						
3. MD 121 (Clarksburg Rd) / Stringtown Rd & Gateway Center Dr	610	763	867	1044	957	1129
4. Clarksburg Rd & Gateway Center Dr (Unsignalized)	306	461	381	536	471	621

Source: The Traffic Group, Traffic Impact Analysis Dated July 14, 2021.

All four intersections operate below congestion standards and no additional improvements are necessary for these intersections for vehicular capacity.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed use on the Property. The Subject Property is located in the W-3 and S-3 water and sewer categories for service and the development plans for the extension of water and sewer lines to utilize public water and sewer. Other telecommunications and utility companies can adequately serve the Property. As conditioned, and as required by the Montgomery County Department of Permitting Services - Fire Access and Water Supply Section letter, dated March 1, 2022 and revised June 8, 2022, confirming adequate access for fire and emergency vehicle can be provided by the use of private roads which meet access standards and building height restrictions where necessary. Other public services such as police and health services are currently operating

within the standards set by the Growth and Infrastructure Policy (“GIP”) in effect.

Overview and Applicable School Test

The FY23 Annual School Test, approved by the Planning Board on June 16, 2022, and effective July 1, 2022, is applicable to this Application. This Application includes a total of 336 units consisting of 144 single-family attached units and 192 multi-family low rise units.

▪ School Adequacy Test

The Application is served by Clarksburg ES, Rocky Hill MS and Clarksburg HS. Based on the FY23 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Applicable FY2022 School Adequacy

School	Projected School Totals, 2025				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Clarksburg ES ²	342	301	88.0%	+41	No UPP	126	143	161
Rocky Hill MS	1,020	1,006	98.6%	+14	No UPP	140	218	371
Clarksburg HS	2,034	2,606	128.1%	-572	Tier 2 UPP			140

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY23 Annual School Test, Clarksburg ES and Rocky Hill MS do not require any UPP. However, Clarksburg HS requires a Tier 2 UPP. If the Application is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the Application, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

² Projected enrollment reflects the estimated impact of CIP P651901, which will reassign students between Clarksburg ES, William B. Gibbs, Jr. ES, Little Bennett ES, Wilson Wims ES and Clarksburg ES #9 in 2023.

With a net of 336 units that are not age-restricted, the proposed Application is estimated to generate the following number of students based on the Subject Property's location within a Turnover Impact Area:

Estimated Student Enrollment Impacts

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.185	0.000	0.108	0.000	0.154	0.000
SF Attached	144	0.225	32.400	0.123	17.712	0.159	22.896
MF Low-rise	192	0.107	20.544	0.058	11.136	0.070	13.440
MF High-rise	0	0.051	0.000	0.024	0.000	0.030	0.000
TOTALS	336		52		28		36

On average, this Application is estimated to generate 52 elementary school students, 28 middle school students and 36 high school students. The number of students generated does not exceed the adequacy ceilings identified for each school, therefore no additional UPPs are required and neither are partial payments across multiple UPP tiers.

Analysis Conclusion and Condition of Approval

Prior to issuance of each building permit for the 144 single-family attached and the 192 multi-family low-rise dwelling units included in this Preliminary Plan, the Applicant must obtain an assessment from Montgomery County Department of Permitting Services (MCDPS) for Utilization Premium Payments (UPPs) consistent with the Growth and Infrastructure Policy, as follows:

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

Montgomery County may modify the per unit UPP rates prior to payment of any required UPPs. The Applicant must pay the above UPPs to MCDPS based on the rates in effect at the time of payment.

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

Technical Review 50.4.3.K

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan is a request for a tree variance for impacts and removal of subject trees. The Preliminary Plan complies with the Montgomery County *Environmental Guidelines*, the Master Plan, and the Forest Conservation Law, as conditioned and described below.

Natural Resource Inventory/Forest Stand Delineation, Environmental Guidelines/Master Plan

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) No. 420210650 for this Property was approved on April 13, 2021. The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The Master Plan outlines additional requirements for the protection of environmental resources which have recently been incorporated into the *Guidelines for Environmental Management of Development in Montgomery County* ("Environmental Guidelines"). The guidance in the Master Plan requires a minimum of 200-foot buffers for all intermittent and perennial streams, springs and seeps and expansion of these buffers to include ephemeral streams and their 50-foot buffers, wetlands with a minimum 50-foot buffer (which may be larger based on the SPA wetland buffer guidance in the Environmental Guidelines), erodible soils as defined in the Environmental Guidelines, and ≥ 15 percent slopes that begin within the buffers. The NRI/FSD for this Property was prepared, reviewed, and approved using the guidance outlined in the Environmental Guidelines, and where necessary, superseded by the guidance outlined in the Master Plan.

The Subject Property is undeveloped with approximately 74 acres of forest and the remaining land in agricultural production. The Property is within the Little Seneca Creek - Ten Mile Creek Watershed, which is classified by the State of Maryland as Use Class I-P waters, and within the LSTM 206 subwatershed as identified in the Master Plan. It is located within the Ten Mile Creek Special Protection Area. There are streams, wetlands, and

areas of 100-year floodplain within the environmental buffers, and areas with slopes that are fifteen percent and greater. There are no mapped highly erodible soils on the Property.

The Property includes three main tributary streams that flank the proposed Development Areas. The first stream (Stream 1) is located in the northeastern corner of the Property, where it enters the Property through a culvert under Frederick Road and quickly transitions to an expansive stream/wetland complex before it channelizes and exits the Property to the north, continues in a western direction off-site, adjacent to the northern boundary of the Property before exiting under I-270. The environmental buffer associated with this stream extends onto the Subject Property and is located to the north and west of Development Area 1. The other two streams enter the Property under Clarksburg Road and flank Development Area 2. The stream east of the development (Stream 2) will be impacted by the construction of the MD 355 Bypass where it intersects Clarksburg Road. This stream enters the Property through a culvert under Clarksburg Road and includes a narrow area of riparian wetlands on either side of the stream, before ultimately transitioning to include more expansive wetland areas as it flows west, ultimately joining the third tributary stream before exiting under I-270. The third stream (Stream 3) is located west of proposed Development Area 2 and includes stream channels and wetlands for its entire length before joining Stream 2 and exiting under I-270.

The Property contains approximately 74 acres of existing forest, 4 acres of wetlands, and 46 acres of environmental buffer. Slopes in excess of 15 percent, including slopes in excess of 25 percent are present. No highly erodible soils as listed in the Environmental Guidelines have been identified on the Property. There are no FEMA mapped floodplains on or immediately adjacent to the Property, but there is M-NCPPC mapped floodplain that has been incorporated into the environmental buffer. Seeps, springs, and ephemeral streams were identified and included within the Master Plan recommended environmental buffer. The NRI/FSD also identified numerous significant and specimen trees.

- **Environmental Buffer Encroachments**

As noted previously in the Master Plan conformance section of this report and on the attached Environmental Buffer Encroachment Exhibit (Attachments 4 and 5), the Application includes impacts to the environmental buffer for the construction of the proposed MD 355 Bypass where it intersects with Clarksburg Road, right-of-way improvements on Frederick Road, and encroachments for storm drain outfalls necessary to allow for safe conveyance of stormwater, natural surface trails, and a

pedestrian bridge that will provide a pedestrian connection between the two development areas. Some grading/grade tie-outs may be necessary within the buffer, but these impacts will be reviewed in more detail with the Site Plan application to ensure they are minimized as much as possible. The Application includes a stormwater management facility in Development Area 2 that is located within the environmental buffer; however, it was recently redesigned/relocated outside of the buffer, and conceptually approved by MCDPS. As conditioned, the Site Plan application will reflect the relocation of the facility outside of the environmental buffer. There may be additional areas of disturbance within the environmental buffer to provide access to and accomplish the stream restoration work recommended in the Master Plan. The limits of disturbance for the stream restoration work will be finalized on the Final Stream and Wetland Restoration Plan and the Final Forest Conservation Plan submitted with the Site Plan application. The final proposed impacts to the environmental buffer will be reviewed in more detail with the future site plan application. The Application will replant the environmental buffer and restore sections of stream channel identified as having been adversely affected by the past land use.

Additional Master Plan Environmental Requirements

The Master Plan requires properties to restore streams and wetlands adversely affected by the previous land uses as part of the SPA Water Quality Plan requirements. The Application includes a Preliminary Stream and Wetland Restoration Plan and a final version of the plan will be reviewed as part of the Site Plan application.

As conditioned, the Application is in conformance with the Montgomery County Planning Department's Environmental Guidelines and the Master Plan environmental recommendations.

Forest Conservation Plan

As required by the Forest Conservation Law, a Preliminary Forest Conservation Plan (FCP) for the Property was submitted with the Preliminary Plan. Although the Subject Property includes two different zones, the corresponding land use categories have the same conservation and afforestation thresholds so only one forest conservation worksheet is required. The FCP has an afforestation threshold of 15% and a conservation threshold of 20% of the net tract area.

The tract area for forest conservation purposes includes the 98.36-acre Subject Property plus 2.19 acres of off-site disturbance associated with this Application, minus 5.98 acres of road dedication, resulting in a total net tract area of 94.57 acres. There is a total of 73.94 acres of existing forest on the Subject Property. The Application will retain 55.87 acres and remove 18.07 acres of forest. Approximately 1.35 acres of the 18.07 acres of forest clearing accounted for in the forest conservation worksheet will not actually be cleared by this Application. However, since this forest is either located within existing easements or ROW and cannot be protected in a conservation easement, or will no longer meet the definition of forest, it is counted as cleared in the forest conservation worksheet. The proposed forest clearing does not generate a forest planting requirement; however, the Application includes approximately 4.12 acres of reforestation within the on-site environmental buffers. Per the Environmental Guidelines, all properties located within Special Protection Areas are required to reforest any unforested environmental buffers. Any of this forest planting that is not required to meet requirements of the Forest Conservation Law may be used to create a forest bank for use by other properties to meet their forest conservation requirements. Additionally, the Master Plan suggests incentives to encourage additional forest planting on properties in Ten Mile Creek, including creation of forest banking opportunities. In areas within the environmental buffer where trees cannot be planted due to conflicting easements (i.e., stormwater management, utilities), the Applicant will plant a meadow habitat with native species favored by pollinators. This Application will plant 4.12 acres of new forest on the Property, when added to the 55.87 acres of retained forest, results in approximately 60 acres of forest protected via Category I Conservation Easements.

The Preliminary Plan is subject to Section 22A-12(f) of the Forest Conservation Law, which requires any development in a cluster or other optional method of development in a one-family residential zone to retain or plant a specified percentage of the Property in forest. For this Application, the minimum on-site forest retention must be equal to the conservation threshold. The conservation threshold determined based on the land use category and the acreage of the Property, for this Property is 18.91 acres. The Application will retain 55.87 acres of forest, thereby complying with this provision of the Forest Conservation Law.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a

variance under Section 22A-12(b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

This Application will require the removal or CRZ impact to fifteen Protected Trees as identified in the Staff Report. In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Board agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property for residential development without the Variance.

The Board makes the following findings necessary to grant the Variance:

1. *Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the removal and disturbance to the specified trees are due to the development of the Property as anticipated in the Master Plan and Zoning Ordinance. The Property contains numerous large trees located within the developable area of the site. Granting a variance request to allow land disturbance within the developable portion of the site and still meet the objectives of the applicable Master Plan is not unique to this Applicant. The granting of this variance is not a special privilege that would be denied to other applicants.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon existing site conditions, Master Plan recommendations for environmental protection, and the development standards of the zone.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The need for a variance is a result of the existing conditions and the proposed site design and layout on the Subject Property, and not a result of land or building use on a neighboring property.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

This approval is conditioned on mitigation that approximates the form and function of trees removed. Therefore, the granting of the variance will not violate State water quality standards or cause measurable degradation in water quality. The FCP will reforest or plant native meadow species within the currently unforested stream buffers, as well as provide additional mitigation for the removal of Protected Trees in the form of tree planting on the Property. These trees will replace any water quality functions that may be lost by the removed trees. The Protected Trees being impacted will remain to provide the same level of water quality protection as they currently provide.

Mitigation for the tree removals is at a rate that approximates the form and function of the Protected Trees removed. The Board approved replacement of Protected Trees at a ratio of approximately 1-inch caliper for every four inches removed using trees that are a minimum of three caliper inches in size. No mitigation is required for Protected Trees impacted but retained.

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

The Application meets the Preliminary Water Quality Plan requirements of Chapter 19 of the Montgomery County Code and the requirements of the Clarksburg East Environmental Overlay Zone.

Review for Conformance to the Special Protection Area Water Quality Plan Requirements

The Property is located within the Ten Mile Creek Special Protection Area on privately owned property where land disturbance is proposed so it is required to obtain approval of a water quality plan under Chapter 19-62(b) of the Montgomery County Code. As part of the requirements of the Special Protection Area Law, a Preliminary SPA Water Quality Plan should be reviewed in conjunction with a Preliminary Plan application. The Final SPA Water Quality Plan will be reviewed in conjunction with the future Site Plan application. Under Section 19-65 of the Code, the Montgomery County Department of Permitting Services ("MCDPS"), the Montgomery County Department of Environmental Protection ("MCDEP") and the Planning Board have different responsibilities in the review of the Water Quality Plan. MCDPS and MCDEP have reviewed and conditionally approved the elements of the Preliminary Water Quality Plan under their purview. The Planning Board's responsibility is to determine if environmental buffer protection, SPA forest conservation and planting requirements, and limits on impervious surfaces have been satisfied.

- **MCDPS and MCDEP Water Quality Plan Review Elements**

In a letter dated June 6, 2022, MCDPS has conditionally approved the elements of the SPA Preliminary Water Quality Plan under their purview with conditions to be addressed with the Final Water Quality Plan review with the Site Plan application.

Site Performance Goals

1. Stream/aquatic life habitat protection
2. Maintain stream base flow
3. Protect seeps, springs, and wetlands
4. Maintain natural on-site stream channels
5. Minimize storm flow runoff increases
6. Identify and protect stream banks prone to erosion and slumping
7. Minimize increases to ambient water temperature
8. Minimize sediment loading
9. Minimize nutrient loadings
10. Control insecticides, pesticides, and toxic substances

Per the MCDPS Preliminary Water Quality Plan approval, the required goals will be met via micro bioretention facilities. The Water Quality Plan meets the requirements of Chapter 19 by instituting the highest standards of protection for proposed development areas, avoiding overflow discharges onto steep slopes, managing discharges from stormwater outfalls at non-erosive velocities, and minimizing environmental buffer impacts associated with ESD overflow outfalls

Monitoring

The Applicant will pay a stream monitoring fee to MCDPS due at time of detailed sediment control plan submittal and a SPA Best Management Practices monitoring fee to MCDPS due at time of as-built submittal.

- **Planning Board Water Quality Plan Review Elements**

The Planning Board approves the elements of the SPA Preliminary Water Quality Plan under its purview.

Environmental Buffer Protection

NRI/FSD No. 420210650 for this Property was approved by Staff on April 13, 2021. The approved NRI/FSD incorporates the expanded environmental buffer requirements outlined in the Master Plan. There are some existing encroachments into the environmental buffers on the Property that will remain. These include areas in existing easements for a gas line that runs adjacent and parallel to I-270, as well as utility easements held by Potomac

Edison along I-270. The Application includes some proposed impacts to the environmental buffers.

The Application includes impacts to the environmental buffer for the construction of the proposed MD 355 Bypass where it intersects with Clarksburg Road/MD 121. There is an existing stream and associated wetland that flows under MD 121. There are no available alternatives to make this road connection since the stream and wetlands are located just inside the Property boundary, the Property contains limited frontage along Clarksburg Road, and locating the intersection further north, would put the connection on an off-site, adjacent, already developed property. Required right-of-way improvements including shoulder widening, sidewalk installation, and an extension of the existing culvert to accommodate the improvements along Frederick Road/MD 355 will result in some impacts to the environmental buffer. The Application includes a stormwater management facility in Development Area 2 that is located within the stream buffer; however, it was recently redesigned/relocated outside of the buffer, and conceptually approved by MCDPS. There may be some grading/grade tie-outs that remain within the buffer, but these impacts will be reviewed by Staff to ensure they are minimized as much as possible. There are some other minor encroachments proposed within the environmental buffers for storm drain outfalls necessary to allow for safe conveyance of stormwater, natural surface trails, and a pedestrian bridge that will provide a pedestrian connection between the two development areas. The Environmental Guidelines (page 18) allow for "minimized buffer intrusions for construction of non-erosive storm drain outfalls". The Application will replant the environmental buffer with forest or native meadow habitat and restore sections of stream channel that have been adversely affected by the past land use. The proposed environmental benefits will mitigate the effects of the stream valley buffer encroachments. Where not encumbered by existing or proposed easements (i.e., utilities, stormwater management), the environmental buffers will be protected in Category I Conservation Easements. The proposed impacts will be reviewed in more detail with the future Site Plan application.

Forest Conservation

The Applicant submitted a Preliminary Forest Conservation Plan for review with the Preliminary Plan Application. The Application meets all applicable requirements of Chapter 22A of the Montgomery Forest Conservation Law as discussed previously in the Forest Conservation findings section. Per SPA requirements outlined in the Environmental Guidelines, areas of the environmental buffer currently lacking forest and not encumbered by other easements, will be reforested, forest plantings will occur during the first planting season after issuance of grading permits where possible, and a five-

year maintenance program to better ensure forest survival, with an emphasis on controlling invasive species is required. The retained and planted forest on-site will be protected through a Category I Conservation Easement.

Impervious Surfaces

Impervious surface restrictions for development projects in this portion of the Ten Mile Creek SPA are set forth in the Clarksburg East Environmental Overlay Zone. The Application is subject to Chapter 59, Section 4.9.5, the Clarksburg East Environmental Overlay Zone, which imposes a fifteen percent impervious surface limit calculated over the "total area under application for development". This includes the Subject Property (98.35 acres) plus off-site disturbance (2.19 acres), for a total of 100.54 acres. The Property will be developed for the proposed residential use resulting in approximately 601,080 square feet (13.80 acres) of impervious surface that is subject to the Overlay Zone requirements. The proposed 601,080 square feet of impervious surface translates to 13.72 percent, which is less than the 15 percent permitted by the Overlay Zone for the area under Application. There are additional impervious surfaces not included in these calculations that are required per conditions of approval for transportation related improvements. As conditioned, these additional impervious surfaces will be included in an updated Impervious Surface Plan submitted prior to certification of the Preliminary Plan. The Impervious Surface Plan will demonstrate compliance with the 15 percent impervious surface limit, as required by the Zoning Ordinance and as conditioned in this report.

6. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3; and*

Historic Preservation staff reviewed the Application and determined that there are no known burial sites on the Subject Property.

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

There are no other applicable provisions specific to the Property and necessary for approval of the subdivision.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is AUG 10 2022 (which is the date that this Resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Verma, seconded by Commissioner Cichy, with a vote of 4-0-1; Chair Anderson, Vice Chair Verma, and Commissioners Cichy, and Patterson, voting in favor of the motion, Commissioner Rubin abstaining, at its regular meeting held on Thursday, July 28, 2022, in Wheaton, Maryland and via video conference.



Casey Anderson, Chair
Montgomery County Planning Board

REAL ESTATE PURCHASE AND SALE AGREEMENT
(Miles Coppola Property, Clarksburg, Maryland)
(97.12 acres)

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT ("Agreement") is made and entered into as of the Effective Date (hereinafter defined), by and between **SANDRA D. CAMPBELL, CATHERINE A. COPPOLA IRREVOCABLE TRUST, ET. AL**, all of whom appear on the signature page, (collectively, the "Seller"), and **DREAM FINDERS HOMES LLC**, a Florida limited liability company ("Purchaser").

A. Seller owns certain real property in Montgomery County, Maryland as more particularly described on Exhibit "A" attached hereto and incorporated herein (the "Land" or the "Property"), which Land is to be permitted for development into approximately three hundred thirty-six (336) residential lots consisting of approximately one hundred ninety-two (192) triplex lots and one hundred forty-four (144) townhome lots (each, a "Lot" and collectively, the "Lots"); and.

B. Purchaser desires to purchase the Property from Seller pursuant to the terms of this Agreement and to construct homes thereon (collectively, the "Intended Improvements") in accordance with the subdivision Site Plan (defined below).

NOW, THEREFORE, in consideration of the foregoing, and the mutual covenants hereinafter made, it is agreed as follows:

1. RECITALS. The recitals set forth above are incorporated herein by reference and made a part hereof as fully as if set forth herein verbatim.
2. AGREEMENT TO PURCHASE AND SELL. For the consideration and upon and subject to the terms and conditions hereinafter set forth, Seller agrees to sell and convey the Property to Purchaser, and Purchaser agrees to purchase from Seller the Property together with all improvements constructed thereon and all rights, easements, appurtenances, and hereditaments appertaining thereto.
3. EFFECTIVE DATE. This Agreement shall become, effective on the date this Agreement is signed by the last of Purchaser and Seller (the "Effective Date").

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27. Seller's Authorized Signatories. All of the undersigned parties comprising Seller acknowledge and agree that the documents and approvals contemplated by this Agreement shall be effective and deemed to have been signed by all of the parties comprising Seller when executed by the following as authorized agents: (i) for the portion of the Property defined as the Miles Family Property - William B. Whitaker, Kent Miles and Sharon Debnam signing together, and (ii) for the portion of the Property defined as the Coppola Family Property, any one or more of the following - Joseph A. Barsanti and/or Francis J. Coppola. Notwithstanding the aforesaid, to the extent necessary to convey good and marketable title to the Property as required by the Title Company and as required by applicable governmental agencies in order to obtain final approval, all parties comprising Seller are obligated to execute the Deed and other Seller Deliveries in Escrow at Closing.

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Redacted

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IN WITNESS WHEREOF, Seller and Purchaser have executed this Agreement as of the dates set forth below their signatures,

SELLER:

James M. Whitaker Revocable Trust

By: William E. Whitaker
William E. Whitaker, Trustee

Thomas M. Whitaker

Ryland Whitaker

Estate of Stephen J. Whitaker

By: Deborah Whitaker, Executor

William E. Whitaker
William E. Whitaker

Sandra Diamond Campbell aka
Sandra D. Diamond Campbell

Thomas E. Miles

Tina Miles Leonardo

Stephen Etchison Miles aka
Stephen E. Miles

Kent M. Miles

Kathryn Patricia Miles

Kendall M. Lupari

Kim M. McLaughlin

Karen Anne Miles-Miller

Laura M. Garrett GST Exempt Irrevocable
Trust No. 1

By: Sharon G. Debnam, Trustee

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Trust No. 2

By: Ashton M. Garrett, Trustee

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Trust No. 3

By: Jeffrey Moore aka Jeffrey M. Garrett,
Trustee

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Trust No. 4

By: Laura Ann Garrett Hall aka Laura Ann
Garrett, Trustee

David M. Whitaker Property Trust

By: David M. Whitaker, Trustee

Catherine A. Coppola Revocable Trust

By: Francis J. Coppola, Co-Trustee

By: Joseph A. Barsanti, Co-Trustee

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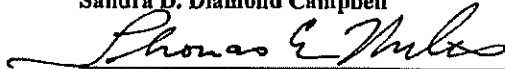
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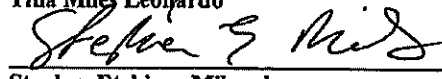
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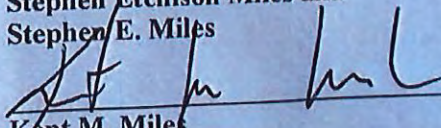
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Sandra D. Diamond Campbell**

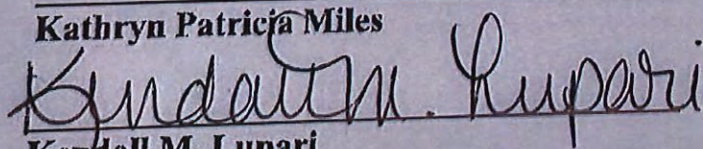
Thomas E. Miles

Tina Miles Leonardo

**Stephen Etchison Miles aka
Stephen E. Miles**

Kent M. Miles

Kathryn Patricia Miles


Kendall M. Lupari

Kim M. McLaughlin

IN WITNESS WHEREOF, Seller and Purchaser have executed this Agreement as of the dates set forth below their signatures.

SELLER:

James M. Whitaker Revocable Trust

By: _____

William E. Whitaker, Trustee

Thomas M. Whitaker

Ryland Whitaker

Estate of Stephen J. Whitaker

By: _____

Deborah Whitaker, Executor

William E. Whitaker

**Sandra Diamond Campbell aka
Sandra D. Diamond Campbell**

Thomas E. Miles

Tina Miles Leonardo

**Stephen Etchison Miles aka
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Kent M. Miles

Kathryn Patricia Miles

Kendall M. Lupari

Kim M. McLaughlin

Karen Anne Miles-Miller

**Laura M. Garrett GST Exempt Irrevocable
Trust No. 1**

By: _____

Sharon G. Debnam, Trustee

**Laura M. Garrett GST Exempt Irrevocable
Trust No. 2**

By: _____

Ashton M. Garrett, Trustee

**Laura M. Garrett GST Exempt Irrevocable
Trust No. 3**

By: _____

**Jeffrey Moore aka Jeffrey M. Garrett,
Trustee**

**Laura M. Garrett GST Exempt Irrevocable
Trust No. 4**

By: _____

**Laura Ann Garrett Hall aka Laura Ann
Garrett, Trustee**

David M. Whitaker Property Trust

By: _____

David M. Whitaker, Trustee

Catherine A. Coppola Revocable Trust

By: _____

Francis J. Coppola, Co-Trustee

By: _____

Joseph A. Barsanti, Co-Trustee

Kathryn Patricia Miles

Kendall M. Lupari

Kim M. McLaughlin

Karen Anne Miles-Miller
Karen Anne Miles-Miller

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Trust No. 1

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Trust No. 2

By: Ashton M. Garrett, Trustee

Laura M. Garrett GST Exempt Irrevocable
Trust No. 3

By: Jeffrey Moore aka Jeffrey M. Garrett, Trustee

Laura M. Garrett GST Exempt Irrevocable
Trust No. 4

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By: David M. Whitaker, Trustee

Catherine A. Coppola Revocable Trust

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Garrett, Trustee

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By: David M. Whitaker, Trustee

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By: Joseph A. Barsanti, Co-Trustee

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By: _____
Ashton M. Garrett, Trustee

**Laura M. Garrett GST Exempt Irrevocable
Trust No. 3**

By: Jeffrey Moore Garrett
**Jeffrey Moore aka Jeffrey M. Garrett,
Trustee**

**Laura M. Garrett GST Exempt Irrevocable
Trust No. 4**

By: _____
**Laura Ann Garrett Hall aka Laura Ann
Garrett, Trustee**

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By: _____
David M. Whitaker, Trustee

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By: _____
Francis J. Coppola, Co-Trustee

By: _____

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Garrett,
Trustee

David M. Whitaker Property Trust

By: _____

David M. Whitaker, Trustee

SANDRA D. CAMPBELL, CATHERINE
A. COPPOLA IRREVOCABLE TRUST,
ET. AL

By: _____

Name: _____

Title: _____

Date: _____

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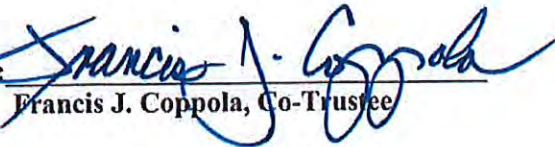
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Catherine A. Coppola Revocable Trust

By:  _____
Francis J. Coppola, Co-Trustee

By: _____
Joseph A. Barsanti, Co-Trustee

Ardwin H. Barsanti Revocable Trust

By: _____
Joseph A. Barsanti, Trustee

Karen Anne Miles-Miller

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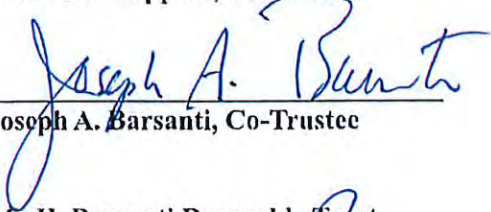
By: _____
Laura Ann Garrett Hall aka Laura Ann Garrett, Trustee

David M. Whitaker Property Trust

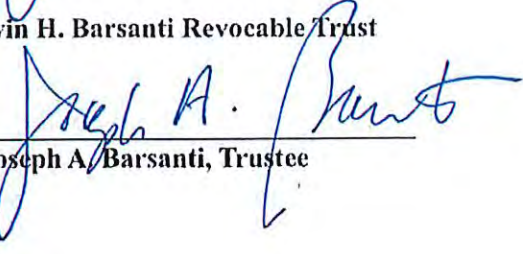
By: _____
David M. Whitaker, Trustee

Catherine A. Coppola Revocable Trust

By: _____
Francis J. Coppola, Co-Trustee

By:  _____
Joseph A. Barsanti, Co-Trustee

Ardwin H. Barsanti Revocable Trust

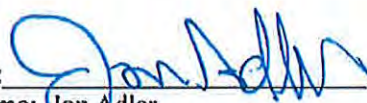
By:  _____
Joseph A. Barsanti, Trustee

Ardwin H. Barsanti Revocable Trust

By: _____
Joseph A. Barsanti, Trustee

PURCHASER:

DREAM FINDERS HOMES LLC, a Florida
limited liability company

By: 
Name: Jon Adler
Title: Division President

Date: 11/21/2024
Digitally signed by:

By: 
Name: Bailey McGraw
Title: National Vice President of Land

Date: 11/22/2024

JOINDER:

HD Clarksburg LLC hereby acknowledges and
consents to this Agreement, particularly Sections
8 and 16.

HD CLARKSBURG LLC

By: _____

Ardwin H. Barsanti Revocable Trust

By: _____
Joseph A. Barsanti, Trustee

PURCHASER:

DREAM FINDERS HOMES LLC, a Florida
limited liability company

By: 
Name: Jon Adler
Title: Division President

Date: 11/21/2024

By: _____
Name: Batey McGraw
Title: National Vice President of Land

Date: _____

JOINDER:

HD Clarksburg LLC hereby acknowledges and
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8 and 16.

HD CLARKSBURG LLC

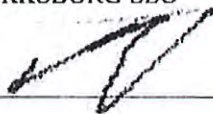
By: 

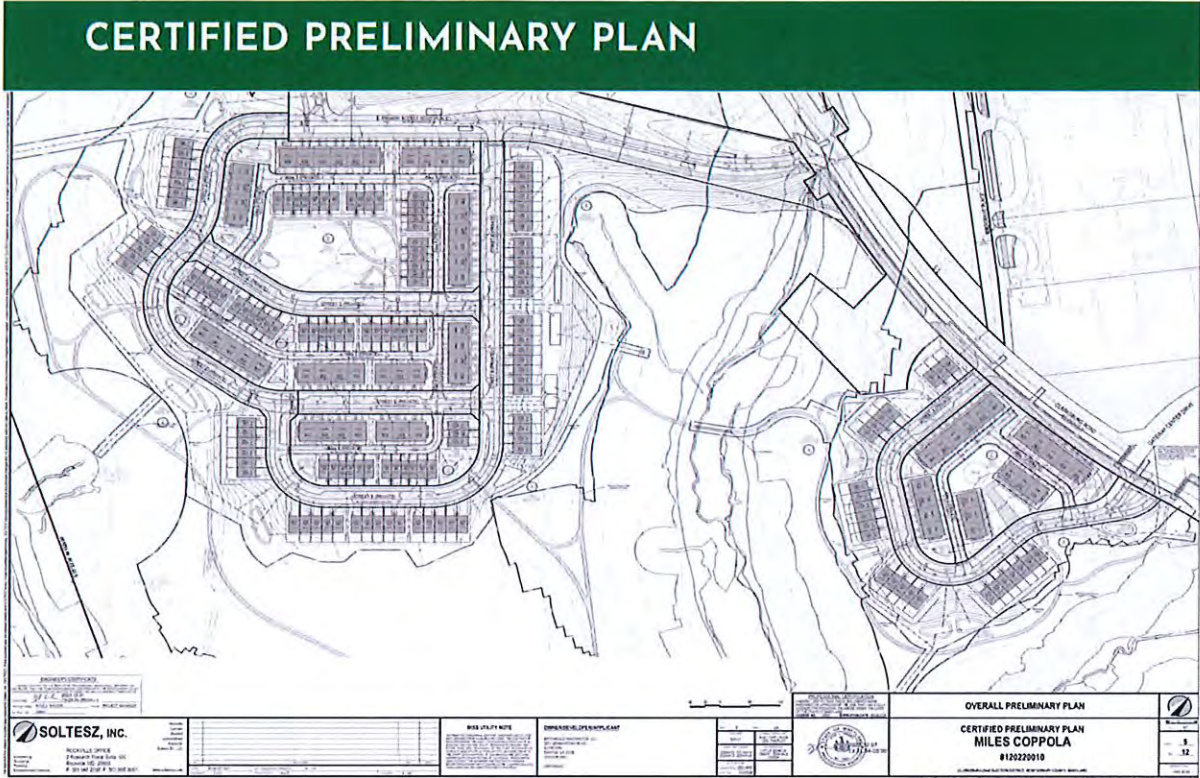
EXHIBIT "A"

Property

Montgomery County, Maryland Tax Map EW21, Parcel P033, P303 and P570

EXHIBIT "B"

Site Plan



To whom it may concern-

This letter is intended to serve as authorization that Dream Finders Homes LLC is permitted to file, for Montgomery County parcels 02-0006128 and 02-00026106 ("The Miles Family Property") as well as parcel 02-00018824 ("The Coppola Family Property"), the following plans in furtherance of their development efforts:

1. Preliminary Plan, and any other associated plan amendments

Respectfully submitted,

On behalf of The Miles Family Property (signing together)

By: Sharon G. Debnam

Name: William E. Whitaker, Sharon Debnam and Kent Miles

Title: Authorized Agent

Date: 12/06/2024

On behalf of the Coppola Family Property

(any one of more of the following)

By: _____

Francis J. Coppola, Co-Trustee

Date: _____

By: _____

Joseph A. Barsanti, Co-Trustee

Date: _____

To whom it may concern-

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1. Preliminary Plan, and any other associated plan amendments

Respectfully submitted,

On behalf of The Miles Family Property (signing together)

By: William E. Whitaker

Name: William E. Whitaker, Sharon Debnam and Kent Miles

Title: Authorized Agent

Date: _____

On behalf of the Coppola Family Property
(any one of more of the following)

By: _____

Francis J. Coppola, Co-Trustee

Date: _____

By: _____

Joseph A. Barsanti, Co-Trustee

Date: _____

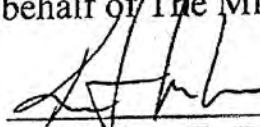
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1. Preliminary Plan, and any other associated plan amendments

Respectfully submitted,

On behalf of The Miles Family Property (signing together)

By: 

Name: William E. Whitaker, Sharon Debnam and Kent Miles

Title: Authorized Agent

Date: 12-6-24

On behalf of the Coppola Family Property
(any one of more of the following)

By: _____

Francis J. Coppola, Co-Trustee

Date: _____

By: _____

Joseph A. Barsanti, Co-Trustee

Date: _____

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Respectfully submitted,

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By: _____

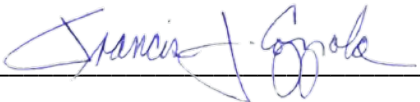
Name: William E. Whitaker, Sharon Debnam and Kent Miles

Title: Authorized Agent

Date: _____

On behalf of the Coppola Family Property

(any one of more of the following)

By:  _____

Francis J. Coppola, Co-Trustee

Date: December 6, 2024

By: _____

Joseph A. Barsanti, Co-Trustee

Date: _____

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1. Preliminary Plan, and any other associated plan amendments

Respectfully submitted,

On behalf of The Miles Family Property (signing together)

By: _____

Name: William E. Whitaker, Sharon Debnam and Kent Miles

Title: Authorized Agent

Date: _____

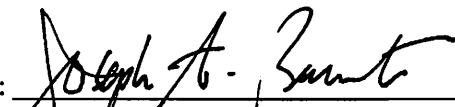
On behalf of the Coppola Family Property

(any one of more of the following)

By: _____

Francis J. Coppola, Co-Trustee

Date: _____

By:  _____

Joseph A. Barsanti, Co-Trustee

Date: 12/6/2024

Attachment C: Agency Letters



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 22-Oct-25
TO: Kyle Walker - kwalker@solteszco.com
Soltesz
FROM: Marie LaBaw
RE: Miles Coppola Phase I Site Plan
820250120

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **22-Oct-25** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** Applicant shall submit fire lane order for legal recordation when new private street is named and address numbers are assigned to new buildings *****

820250120 Miles Coppola

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-SITE-820250120-003.pdf V5” uploaded on/ dated **“10/4/2025”** and

The following needs to be addressed prior to the certification of site plan:

1. Please clarify the details, ROW and maintenance responsibility for the connection of the proposed sidepath along Clarksburg Road to the existing sidepath along Stringtown Road.

And the following needs to be a condition of the certified site plan:

1. Ensure and notate private streets to be built to the corresponding public road classification standards per County Code 50.4.3.E.4.c.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Scott Bruton
Director

November 18, 2025

Mr. Joshua Penn
Montgomery County Planning Department
2425 Reedie Drive, 13th Floor
Wheaton, Maryland 20902

Re: Miles Coppola
Preliminary Plan #12022001B

Dear Mr. Penn:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above-referenced plan and recommends Approval for 336 townhomes and bplexes, including 42 (12.5%) MPDUs in the overall project, as proposed in the Preliminary Plan, in Clarksburg, Maryland.

The above-referenced plan will be considered one project that must provide 12.5% MPDUs overall. The project is being developed in two phases and will provide a majority of the MPDUs in Phase II. If the applicant does not construct Phase II, Phase 1 must be amended to include 12.5% MPDUs overall.

An Agreement to Build must be submitted to, reviewed, and executed by DHCA before building permits are obtained from the Department of Permitting Services (DPS). The final MPDU locations, layouts and bedroom mix will need to be approved by DHCA at the MPDU Agreement to Build stage. No more than 3 townhouse or similar MPDUs may be clustered together unless otherwise approved by DHCA. All MPDU townhomes must provide 3 bedrooms and 1.5 bathrooms.

Sincerely,

Maggie Gallagher, Program Manager I
Affordable Housing Programs Section

Affordable Housing

Division of Housing
Landlord Tenant Affairs

Multifamily Housing

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



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

October 21, 2025

Mr. Kyle Walker, P.E.
Soltesz, Inc
2 Research Place, Suite 100
Rockville, MD 20850

Re: **FINAL WATER QUALITY PLAN/SITE
DEVELOPMENT STORMWATER
MANAGEMENT PLAN for
Miles Coppola Phase 1;**

**REVISED PRELIMINARY WATER QUALITY
PLAN/SITE DEVELOPMENT STORMWATER
MANAGEMENT PLAN for
Miles Coppola Phase 2**

Preliminary Plan #: 120220010
SM File #: 287384
Tract Size/Zone: 197.9 Acres
Total Concept Area: 66.58
Lots/Block: N/A
Parcel(s): 033, 303, 570, 484,
Watershed: Little Seneca Creek, Class IV
Redevelopment: No

Dear Mr. Walker,

Based on a review by the Department of Permitting Services Review Staff, the Preliminary/Final Water Quality Plan/Inventory for the for the above-mentioned site is **acceptable**. The Preliminary/Final Water Quality Plan/Inventory proposes to meet required stormwater management goals via Environmental Site Design to include Microbiorention. This approval is for the elements of the Water Quality Plan of Which DPS has the lead agency and does not include limits on the imperviousness or buffer encroachments.

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

1. This approval is for the Final Water Quality Plan/Site Development Plan of Phase 1, and the Revised Preliminary Water Quality Plan/Site Development Stormwater Management Plan for Phase 2. **Note that a Final Water Quality Plan must be approved prior to Site Plan approval for Phase 2.**
2. Clear maintenance access must be shown to all of the proposed microbioretention facilities at the time of detailed plan review. Also, maintenance responsibility needs to be determined for the facilities that treat both public and private area runoff. All stormwater management easement and



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

maintenance covenant documents must be accepted by DPS for recordation prior to the approval of the sediment control plans.

3. Please provide enhanced soil preparation and topsoiling above and beyond the MDE requirements. This must be provided for all disturbed areas that are to be vegetatively stabilized and cover more than 1,000 square feet in area. This will consist of soil loosening and fertilizing the top 6 to 8 inches of soil and providing a minimum 8 inch layer of topsoil. This will serve to promote infiltration and groundwater recharge.
4. Please design and use enhanced infiltration in the microbioretention practices wherever the underlying soils do not prevent it. This will be accomplished by placing the computed recharge volume in a stone layer below the underdrain. The stone layer must be the depth necessary to accommodate the required volume, or 12 inches, whichever is greater.
5. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
6. An engineered sediment control plan must be submitted for this development.
7. Please see Montgomery County Department of Permitting Services Stormwater Management Design Guidelines for the microbioretention section/design requirements.
8. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6275.

Sincerely,



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

cc: Neil Braunstein - MNCPPC
SM File # 287384

Mr. Walker
October 21, 2025
Page 2 of 3

Phase 1

ESD: Required/Provided 19039 cf / 19079 cf

PE: Target/Achieved: 1.7"/1.7"

STRUCTURAL: N/A cf

WAIVED: N/A cf.

Phase 2 Pt A

ESD: Required/Provided 31791 cf / 31850 cf

PE: Target/Achieved: 1.7"/1.7"

STRUCTURAL: N/A cf

WAIVED: N/A cf.

Phase 2 Pt B

ESD: Required/Provided 34675 cf / 34866 cf

PE: Target/Achieved: 1.6"/1.6".

Structural N/A.

Waived N/A

Attachment D: Variance Request

October 31, 2025

Douglas Johnsen
M-NCPPC
2425 Reddie Drive
Wheaton, MD 20902

RE: Miles Coppola
Final Forest Conservation Plan F20250800 – Request for Tree Variance
SOLTESZ Project #4203-03-00

Dear Mr. Johnsen

On behalf of the Applicant, Dream Finder Homes, LLC, we are requesting a tree variance pursuant to the provisions of Section 22A-21 of the Montgomery County Code from Section 22A-12(b)(3) for the removal and impact of twenty-nine (29) specimen trees. More specifically, Section 22A-12(b)(3) provides for the non-disturbance of “any tree with a diameter, measured at 4.5 feet above the ground, of (i) 30 inches or more; or (ii) 75% or more of the diameter, measured at 4.5 feet above the ground, of the current State champion tree of that species.

The Property is located to the northeast of Interstate I-270, northwest of MD 121, and west of MD 355, in Clarksburg, MD. The Property includes 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 for a total property area of 98.36 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 within the Clarksburg East Environmental Overlay Zone (CEE Zone), the Ten Mile Creek Area Limited Amendment Master Plan (“Ten Mile Creek”), which was adopted and approved in July 2014, as well as the Ten Mile Creek special protection area (SPA).

The Applicant proposes to develop a walkable, pedestrian-friendly, environmentally sensitive residential community totaling 336 dwelling units that includes 144 townhouses and 192 bi-plex units, and associated amenities and parking on the subject property located at Clarksburg, Maryland.

I. APPLICANT’S PROPOSAL

The Applicant is submitting a Site Plan and a Preliminary Plan Amendment concurrently with this Final Forest Conservation Plan. This Plan presents a combined townhouse/bi-plex residential neighborhood that both embraces the guidelines for environmental protection and housing unit mix, where the residences are clustered away from environmentally sensitive resources. As proposed by the Ten Mile Creek Plan, Zoning Ordinance, and the CEE Overlay Zone, 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. The

impervious cover will also be limited to 15% of the site. This variance request will be for the entire project that will be in two phases that includes 336 dwelling units.

II. EXPLANATION FOR THE NEED TO REMOVE THE TREES IDENTIFIED IN STATE LAW FOR PROTECTION

The Natural Resource Inventory (NRI) and Forest Stand Delineation (FSD) for the subject property was approved on 04/13/21. The specimen trees that will be impacted by the proposed improvements, the subject of this variance request, are shown on the Preliminary Forest Conservation Plan.

The proposed disturbance of trees 30" DBH or greater (specimen trees) is being requested to allow the proposed development, which is limited to a developable area. The developmental area is based not only on the existing environmental features but also the Rural Open Space and Impervious Area requirements per the recommendations of the CEE Overlay Zone. Essentially, the development footprint must be compact, limiting the reconfiguration of the development to other areas of the site, thus necessitating the removal of variance trees. However, the proposed layout significantly minimizes CRZ impacts to existing specimen trees by minimizing limits of disturbance, limiting impervious areas, and preserving a majority of Priority Forest on the Property.

For reasons described in Sections III and IV below, the Applicant respectfully requests the removal of the variance trees listed, in order to construct this residential development and its associated open space, amenities, and infrastructure.

III. GENERAL DESCRIPTION AND JUSTIFICATION FOR TREES FOR WHICH A VARIANCE IS REQUESTED

This Forest Conservation Plan variance request is for thirty-nine (29) trees, which includes the removal of twenty-three (23) trees and the impact of six (6) trees to be impacted by construction and demolition activities. The trees identified in this variance request for removal or CRZ impacts are shown on the Forest Conservation Plan. The trees to be removed are either wholly located within the limits of disturbance (LOD), or the LOD impacts to their critical root zones (CRZ) are too large to expect tree survival. The trees that are subject to the variance request are listed below and are broken down by trees impacted in Phase I, Phase II, Stream and Wetland Restoration, and the Historic District.

Phase I

This phase of the project includes the entire on-site CRT zone of 6.26 acres, and about 0.5 acres of the R-90 of the project that around the intersection of the Gateway Center Drive and Clarksburg Road. This phase also contains road and ROW improvement alongside Clarksburg Road.

Trees for Removal

A total of four (4) variance trees proposed for removal are either directly within areas that will be graded to accommodate the development or within the limits of disturbance to provide necessary facilities and infrastructure needed for the functionality of this development. The list of trees being removed are listed in

the table below. They will be impacted by construction and grading, and infrastructure associated with the development, as described in Section IV. A total of 128.4" of DBH are being removed.

VARIANCE TREES REMOVAL								
Tree #	Common Name	Scientific Name	DBH (inch)	CRZ Area	CRZ Impacted	Total % Impacted	Cond.	Remove/Save
415	Chestnut Oak	<i>Quercus prinus</i>	34.4	8360	8360	100.0%	Good	Remove
1048	Chesnut Oak	<i>Quercus prinus</i>	32	7235	7235	100.0%	Good	Remove
1052	Tulip Poplar	<i>Liriodendron tulipifera</i>	32	7235	7235	100.0%	Good	Remove
1059	Tulip Poplar	<i>Liriodendron tulipifera</i>	30	6359	6359	100.0%	Good	Remove
Total Specimen Tree DBH To Be Remove:			128.4					

Trees for Impact

Within this phase, two (2) variance trees being impacted by the limits of disturbance but not removed. The trees below show potential impact to the CRZ, ranging from 1.9% to 19.5% for the onsite trees. The impacts associated with these trees are the result of the grading and development on the property. Tree protection measures will be adopted to protect them from further damage during and after construction.

VARIANCE TREES IMPACT								
Tree #	Common Name	Scientific Name	DBH (inch)	CRZ Area	CRZ Impacted	Total % Impacted	Cond.	Remove/Save
1064	Northern Red Oak	<i>Quercus rubra</i>	31	6789	1325	19.5%	Good	Save
1100	Bitternut Hickory	<i>Carya cordiformis</i>	38	10202	192	1.9%	Fair	Save

Mitigation

At a replacement rate of 1" DBH for every 4" removed, this equates to a requirement of 32.1" inches or eleven (11) 3" caliper trees to be planted for mitigation. The location of the mitigation trees is shown on the Final Forest Conservation Plan. They will be placed next to adjacent reforestation and under the protection of a Forest Conservation Easement. All trees removed during this phase will be replaced within the Phase I location.

Miles Coppola - Phase I Mitigation Schedule							
Sym	Qty	Botanical Name	Common Name	Size	Spacing	Type	Remarks
GT	3	<i>Gleditia tricanthos</i>	Honeylocust	3" Cal	As Shown	B&B	Full, Well Branched
PO	3	<i>Platanus occidentalis</i>	American Sycamore	3" Cal	As Shown	B&B	Full, Well Branched
PS	3	<i>Prunus serotina</i>	Black Cherry	3" Cal	As Shown	B&B	Full, Well Branched
QA	2	<i>Quercus alba</i>	White Oak	3" Cal	As Shown	B&B	Full, Well Branched
11		Total Trees		33"	Total Caliper		

Phase II

This phase of the project includes the remaining of the R-90, R-200, and the CRN zones. This phase also includes the remaining ROW improvements on Clarksburg Road, ROW dedication and improvement to Frederick Road, and frontage improvements at Clarksburg Elementary School.

Trees for Removal

A total of ten (10) variance trees proposed for removal are either directly within areas that will be graded to accommodate the development or within the limits of disturbance to provide necessary facilities and infrastructure needed for the functionality of this development. The list of trees being removed are listed in the table below. They will be impacted by construction and grading, and infrastructure associated with the development, as described in Section IV. A total of 351.8" of DBH are being removed.

VARIANCE TREES REMOVAL - PHASE II								
Tree #	Common Name	Scientific Name	DBH (inch)	CRZ Area	CRZ Impacted	Total % Impacted	Cond.	Remove/ Save
302	Silver Maple	<i>Acer saccharinum</i>	31	6789	6789	100.0%	Fair	Remove
303	Silver Maple	<i>Acer saccharinum</i>	33	7694	7694	100.0%	Fair	Remove
308	Red Maple	<i>Acer rubrum</i>	31	6789	6789	100.0%	Fair	Remove
1118	Northern Red Oak	<i>Quercus rubra</i>	34	8167	8167	100.0%	Poor	Remove
1119	Northern Red Oak	<i>Quercus rubra</i>	43	13063	13063	100.0%	Poor	Remove
1132	Tulip Poplar	<i>Liriodendron tulipifera</i>	31.7	7100	7100	100.0%	Good	Remove
1139	Tulip Poplar	<i>Liriodendron tulipifera</i>	49.6	17381	15648	90.0%	Fair	Remove
1140	Chesnut Oak	<i>Quercus prinus</i>	30.2	6444	6080	94.4%	Poor	Remove
1141	White Oak	<i>Quercus alba</i>	38.3	10364	7542	72.8%	Fair	Remove
1147	American Elm	<i>Ulmus americana</i>	30	21113	21113	100.0%	Fair	Remove
Total Specimen Tree DBH To Be Remove:			351.8					

Trees for Impact

Within this phase, there is one (1) variance tree being impacted by the limits of disturbance but not removed. The trees below show potential impact to the CRZ at 28% for the onsite tree. The impacts associated with these trees are the result of the grading and development on the property. Tree protection measures will be adopted to protect them from further damage during and after construction.

VARIANCE TREES IMPACT - PHASE I								
Tree #	Common Name	Scientific Name	DBH (inch)	CRZ Area	CRZ Impacted	Total % Impacted	Cond.	Remove/ Save
1143	Northern Red Oak	<i>Quercus rubra</i>	36	9156	2569	28%	Good	Save

Mitigation

At a replacement rate of 1" DBH for every 4" removed, this equates to a requirement of 88" inches or thirty (30) 3" caliper trees to be planted for mitigation. The location of the mitigation trees is shown

on the Final Forest Conservation Plan. They will be placed next to adjacent reforestation and under the protection of a Forest Conservation Easement. All trees removed during this phase will be replaced within the Phase II location.

Miles Coppola - Phase II Mitigation Schedule							
Sym	Qty	Botanical Name	Common Name	Size	Spacing	Type	Remarks
GT	8	Gleditia tricanthos	Honeylocust	3" Cal	As Shown	B&B	Full, Well Branched
PO	7	Platanus occidentalis	American Sycamore	3" Cal	As Shown	B&B	Full, Well Branched
PS	7	Prunus serotina	Black Cherry	3" Cal	As Shown	B&B	Full, Well Branched
QA	8	Quercus alba	White Oak	3" Cal	As Shown	B&B	Full, Well Branched
30		Total Trees		90"		Total Caliper	

Historic District

A part of phase II is frontage improvement for the Clarksburg Elementary School on Redgrave Place. However, part of the school is under the Clarksburg Historic District, and any trees that are 1" or more impacted the LOD will be surveyed and subject to the variance report.

Trees for Removal

A total of nine (9) variance trees proposed for removal are either directly within the area of the proposed sidewalk or within the limits of disturbance for grading associated with the sidewalk. The list of trees being removed are listed in the table below. They will be impacted by construction and grading, and infrastructure associated with the development, as described in Section IV. In the situation of Tree #6 and #7, although the critical root zone is less than the 30% threshold, the structural root zone is being impacted, so they will have to be removed. A total of 152" of DBH are being removed.

VARIANCE TREES REMOVAL - HISTORIC DISTRICT								
Tree #	Common Name	Scientific Name	DBH (inch)	CRZ Area	CRZ Impacted	Total % Impacted	Cond.	Remove/Save
2	Tree of Heaven	<i>Ailanthus altissima</i>	15	1590	1590	100%	Fair	Remove
3	Tree of Heaven	<i>Ailanthus altissima</i>	10	707	707	100%	Fair	Remove
4	Norway Maple	<i>Acer platanoides</i>	14	1385	1385	100%	Fair	Remove
5	Norway Maple	<i>Acer platanoides</i>	11	855	855	100%	Fair	Remove
6	Japanese Cherry	<i>Prunus serrulata</i>	14	1385	375	27%	Fair	Remove
7	Japanese Cherry	<i>Prunus serrulata</i>	23	3737	850	23%	Fair	Remove
8	Japanese Zelkova	<i>Zelkova serrata</i>	24	4069	4069	100%	Fair	Remove
11	Japanese Zelkova	<i>Zelkova serrata</i>	27	5150	1723	33%	Fair	Remove
12	Japanese Zelkova	<i>Zelkova serrata</i>	14	1385	1385	100%	Fair	Remove
Total Specimen Tree DBH To Be Remove:			152					

Trees for Impact

Within the historic district, three (3) trees being impacted by the limits of disturbance but not removed. The trees below show potential impact to the CRZ, ranging from 9% to 23% for the onsite trees. The

impacts associated with these trees are the result of the grading and development on the property. Tree protection measures will be adopted to protect them from further damage during and after construction.

VARIANCE TREES IMPACT - HISTORIC DISTRICT								
Tree #	Common Name	Scientific Name	DBH (inch)	CRZ Area	CRZ Impacted	Total % Impacted	Cond.	Remove / Save
1	Norway Maple	<i>Acer platanoides</i>	14	1385	278	20%	Fair	Save
9	Norway Spruce	<i>Picea glauca</i>	17	2042	211	10%	Fair	Save
10	White Spruce	<i>Picea glauca</i>	9	572	54	9%	Fair	Save

Mitigation

At a replacement rate of 1" DBH for every 4" removed, this equates to a requirement of 38" inches or thirteen (13) 3" caliper trees to be planted for mitigation. The location of the mitigation trees is shown on the Final Forest Conservation Plan. Some of the mitigation trees are placed on the frontage of the school, while the remaining are placed adjacent to existing forest within Phase II of the project.

Miles Coppola - Historic District Schedule							
Sym	Qty	Botanical Name	Common Name	Size	Spacing	Type	Remarks
GT	2	<i>Gleditsia tricanthos</i>	Honeylocust	3" Cal	As Shown	B&B	Full, Well Branched
PO	3	<i>Platanus occidentalis</i>	American Sycamore	3" Cal	As Shown	B&B	Full, Well Branched
PS	2	<i>Prunus serotina</i>	Black Cherry	3" Cal	As Shown	B&B	Full, Well Branched
QA	2	<i>Quercus alba</i>	White Oak	3" Cal	As Shown	B&B	Full, Well Branched
QR	4	<i>Quercus rubra</i>	Northern Red Oak	3" Cal	As Shown	B&B	Full, Well Branched
13		Total Trees		39"	Total Caliper		

IV. SATISFACTION OF THE CRITERIA LISTED IN SECTION 22A-21(b) OF THE MONTGOMERY COUNTY CODE

Section 22A-21(b) lists the criteria for the granting of the variance requested herein. The following narrative explains how the requested variance is justified under the set of circumstances described above. This Forest Conservation Plan variance request is for the removal of twenty-three (23) variance trees and the impact of six (6) variance trees.

“(1) describe the special conditions peculiar to the property which caused the unwarranted hardship.”

There are a number of special conditions peculiar to the Property which would cause unwarranted hardship, absent the variance.

- Forest area on the Property - The 98.36 acre Property includes extensive existing environmental features, including 73.94 acres of forest area, accounting for 75% of the site being forested.
- Stream Valley Buffer area on Property - The Property is covered by 45.76 acres of Stream Valley Buffer area, of which 6.25 acres is outside forest area.

- Combination of Forest and Stream Valley Buffer Area – Approximately 45.76 acres (46%) of the entire Property is not available for development, with encroachments into the forest and Stream Valley Buffer areas limited to essential utilities/infrastructure only.
- Rural Open Space and Impervious limitation- limitations required by the Ten Mile Creek Master plan and the requirement to meet Chapter 50 for road sections while maintaining the 15% impervious cap and meeting the 80% rural open space has proven to be a major obstacle for the functionality of the proposed development.
- Priority Forest – All forest stands within the Stream Valley Buffer are considered Priority Forest. As noted on the NRI Stand #4, #6, and #8 are considered high priority where within stream valley buffer and low quality forests outside the SVB. The consideration for limited forest removal especially with the priority forest, was a major design factor for this development; consequently, the extra limitations were superimposed by this fact.

“(2) Describe how enforcement of these rules will deprive the owner of rights commonly enjoyed by others in similar areas.”

Without the allowance of variance tree removals, the Applicant would not be able to meet the requirements of the Rural Open Space and impervious area per the recommendations of the CEE Overlay Zone, while achieving a scale of development to support and sustain the community economically. Given the distribution of the specimen trees, priority forest and stream valley buffer, precluding the removal of the trees will severely restrict the development of the Property. As noted, only approximately 54% of the property can be considered usable area for development. As such, the ability to develop the Property for use and the density allowed by the Master Plan would be eliminated.

Without granting the variance, many of the environmental benefits conferred by the proposed development would be lost. These include the establishment of new permanent environmental protection areas; and providing mitigation through additional tree plantings, afforestation and reforestation, by replacing trees to be removed, and will ultimately grow into stronger specimen trees. The new forest areas established will be protected by easements and offer a lifetime of environmental benefits for the entire local community.

Denial of this request would deprive this development of rights commonly enjoyed by others with similar properties where tree variances have been granted for the purposes and intent provided above.

“(3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance.”

Overall, the proposed plan exceeds the forest conservation worksheet requirements. As mentioned above in Section III, a total of fifty-four (54) trees is required for mitigation. This area is away from Phase I of the current plan, and away from the proposed development of Phase II, and it is adjacent to the reforestation of the stream valley buffer.

The proposed stormwater management design will meet current State and local stormwater management standards. The state water quality standards will not be violated. A measurable degradation in water quality

will not occur as a result of the granting of the variance. A stormwater management plan has been submitted to the Department of Permitting Services. It is anticipated that with the additional plantings, and stormwater management ESD's, water quality will be improved.

“(4) Provide any other information appropriate to support the request.”

The Applicant believes the information set forth above is adequate to justify the requested variance to remove the specimen trees on the subject property. However, it is important to also emphasize the mitigation efforts that the Applicant is proposing, as follows:

- Exceeding the Forest Conservation Requirements – Based on the Forest Conservation Worksheets, forest is only required for the CRT and the CRN zone of 3.46 acres. Both the R-90 and R-200 are above their forest conservation threshold by 38.75 acres and 3.23 acres respectfully. The Applicant is proposing 4.29 acres of additional forest to be placed in Category I Forest Conservation Easement as part of the required forestation of the Stream Valley Buffer.
- Additional Plantings – The Applicant proposes additional tree planting, reforestation, afforestation, and meadow plantings that buffer the reforestation or existing forest to provide an expansive culture of nature for passive and active recreation that surrounds the proposed natural surface trail.
- Reduction of Grading - In order to respect the Priority Forest, the development reduced the grading at and around SVB, thus minimizing disturbance of specimen trees within these priority forest areas. The location of buildings and roads were purposefully located to limit disturbance and construction impacts on the variance trees and the priority forest areas.

Furthermore, the Applicant's request for a variance complies with the “minimum criteria” of Section 22A-21(d) for the following reasons:

1. This Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available to any other applicant. As discussed above, the removal of the trees is necessary to support a viable project.
2. The variance is not based on conditions or circumstances which result from the actions by the applicant. As discussed above, the location and configuration of the existing physical features of the Property necessitate the removal of the identified specimen trees in order to accommodate the proposed facilities.
3. The requested variance is not related in any way to a condition on an adjacent, neighboring property.
4. Removal of the impacted trees will not violate State water quality standards or cause measurable degradation in water quality. In fact, the design intent is to enhance the water quality by protecting the stream valley buffer, introducing stormwater management practices, and providing additional tree planting on the Property.

For these reasons listed above, we believe it is appropriate to grant this request for a variance. Should you have any questions or require additional information, please do not hesitate to contact us.



STRATEGIES FOR TODAY. INSIGHT FOR TOMORROW.

Respectfully submitted,

Nathan Collier
Landscape Architect III
Soltesz, Inc.

Attachment E: Affidavit Regarding Community Meeting

AFFIDAVIT OF COMMUNITY MEETING

I hereby certify that a community meeting was held virtually on May 8, 2025 at 7:00 pm through the Zoom Meeting platform, with an optional dial-in number, in advance of the filing of the Site Plan application for the Miles Coppola project located on Clarksburg Road (MD Route 121), approximately 770 feet south of MD Route 355, and on Frederick Road, approximately 940 feet northwest of MD Route 121, in Clarksburg, Maryland. The presentation materials were posted on or before May 2, 2025, for public access.

I solemnly affirm that notice was properly given and the said community meeting was held in accordance with the Zoning Ordinance requirements and development procedures, as modified by the Planning Department for virtual community meetings in response to the COVID-19 public health emergency.

Robert R. Harris
Signature

5/14/25
Date

Robert R. Harris
Print Name

Attorney for the Applicant
Title

Sworn and subscribed to before me this 14th day of May, 2025.



Brenda J. Phillips
Signature of Notary Public

Brenda J. Phillips
Printed Name of Notary Public

My Commission Expires: March 3, 2029

Meeting Minutes
Community Outreach Meeting May 8, 2025
Miles Coppola Property

Dream Finders Homes organized a virtual community outreach meeting on May 8, 2025. One person (Dr. Greta Stamberg) joined the meeting. The meeting began at 7:00 p.m. with Applicant explaining the prior preliminary plan approval for development of the property and the revisions proposed in the current application. More specifically, the revisions include relocation of the multi-family units in the first phase, and replacement with townhomes, as well as the proposed deletion of a second access point along Clarksburg Road. Dr. Stamberg is not opposed to the project but asked questions about the timing of the proposal (ASAP), the type of units in the first phase off of Clarksburg Road (front load townhomes and rear load townhomes), the timing of Phase 2 (approximately one year from now), the status of the WSSC pump station and power for the fire house (pending) and the nature of trails through the open space (natural surface). The meeting ended at approximately 7:35. One individual (Chet Anderson) did not join but called the next day for a download of the meeting. (He lives in Frederick County but owns a lot across 355 from the site). He has no objections to the project.

Robert R. Harris
Attorney
301-841-3826
rrharris@lercheearly.com

April 23, 2025

RE: Miles Coppola
Site Plan Application - Pre-Submission Community Meeting

Dear Neighbor:

On behalf of Dream Finders LLC (the "Applicant"), we invite you to attend a virtual pre-application meeting to review a proposed development application for a 90 acre property located on Clarksburg Road (MD Route 121), approximately 770 feet south of MD Route 355, and on Frederick Road, approximately 940 feet northwest of MD Route 121, in Clarksburg, Maryland (the "Property"). The Property is zoned R-200, R-90 and CRT-2.0, C-2.0, R-2.0, H-120, and is the subject of an approved Preliminary Plan of Subdivision for 336 dwelling units. In order to implement the approved Preliminary Plan, we are planning to file a Site Plan application for up to 192 tri-plex units, up to 143 townhouse units, and approximately 72.6 acres of open space (the "Application") as the first phase of the project.

In compliance with the County's Zoning Ordinance, a pre-submission community meeting will be held to share our plans with you and give you an opportunity to provide input. You can join the virtual meeting as follows:

Date/Time: Thursday, May 8th at 7:00 PM¹

Virtual Location: <https://bit.ly/4ilU3ZA>

Dial In: 301-715-8592 Meeting ID: 869 5188 9724 Passcode: 605686

Presentation slides available: on May 2nd at <https://bit.ly/4jh5Ole>

Comments can be made during the meeting via noted methods. Comments can be made outside the meeting by e-mail to rrharris@lercheearly.com. Please note that if your computer does not have a microphone and you would like to provide comments during the meeting, you will need to use the call-in number provided above or through the Zoom chat.

The Applicant will be filing the Application with the Maryland-National Capital Park and Planning Commission ("M-NCPPC") shortly after the meeting. Once filed, the Application will be assigned an application number. For more information about the development review process, please contact M-NCPPC at 301-495-4610 or visit their website at www.montgomeryplanning.org.

Because this meeting will be held virtually, we are asking you to provide your name and complete contact information for inclusion on the meeting attendee list at <https://bit.ly/3Gfjq1E>. If you would like to be added to the mailing list for future application updates, please make that selection when completing your information. The link to provide your contact information will remain available until noon of May 9th. We look forward to meeting with you (virtually) on May 8th.

Sincerely,



Robert R. Harris

¹ You may join the meeting from your computer, tablet or smartphone. You may also dial in using just your phone.