



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

MCPB  
1/22/98  
Item #9

MEMORANDUM

DATE: January 16, 1998  
 TO: Montgomery County Planning Board  
 FROM: Wynn E. Withans, ASLA, AICP *W*  
 Development Review  
 Planning Department Staff  
 (301) 495-4584  
 VIA: Charles Loehr, Chief *CL*  
 Development Review  
 REVIEW TYPE: Site Plan Review  
 APPLYING FOR: 768 units: 75 SFD, 295 Townhouses, 398 multifamily inclusive of 96 M<sup>2</sup>DU's  
 PROJECT NAME: Clarksburg Town Center - Phase I  
 CASE #: 8-98001  
 REVIEW BASIS: 59-D-3 of the Montgomery County Code is required for the optional method of development in this zone.  
 ZONE: RMX-2, Residential Mixed Use Development, Specialty Center  
 LOCATION: Northeast of the intersection of Clarksburg Road and Stringtown Road  
 MASTER PLAN: Clarksburg Master Plan and Hyattstown Special Study Area, June 1994  
 APPLICANT: Clarksburg Land Associates L.P. and Piedmont Land Associates L.P. and T/A Clarksburg Town Center Venture  
 FILING DATE: August 1, 1997  
 HEARING DATE: January 22, 1998

ISSUES REMAINING AT THE TIME OF THE STAFF REPORT

The issues of the site plan review included Environment; Transportation; Park School; Historic Preservation; Site Planning Landscaping and Lighting; Community Planning; Citizen Issues; and Project Management. These title heads will be used throughout this report to organize information.

except townhouses.

- k. Details for and location of noise fencing to attenuate current noise levels to no more than 65 dBA Ldn for the outdoor back yard area of homes at Stringtown Road and Midcountry Arterial.
  - l. Certification from a professional acoustical engineer that the building shell will attenuate current noise levels to an interior level not to exceed 45 dBA Ldn.
3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and MCDEP issuance of sediment and erosion control permit.
  4. No clearing or grading prior to Planning Department approval of signature set of plans.

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The summary of how these issues were resolved through site plan review will follow later in this report. The remaining issues are unresolved at the time of the staff report and will be discussed by the applicant or staff during the hearing:

**Environment**

The applicant does not concur with the condition to have an on site sediment control inspector retained by MCDPS.

**Transportation**

The applicant objects to the dedication of the "O" Street extension, and to the recommendation that they participate in the improvements to MD 355 at Stringtown Road as required by MD SHA (memo of December 8, 1997 in Appendix).

**Park /School**

The Board of Education again requests of M-NCPPC the dedication of part of the Park/School site. This request was denied during the Preliminary Plan hearing (per memo of December 31, 1997 in Appendix).

**Historic Preservation**

The applicant objects to the removal of one lot at Historic District edge; staff will discuss the concept for the John Clark Family Memorial.

**Site Planning, Landscaping and Lighting, Community Planning**

No issues remain beyond the conditions of approval.

**Citizen Issues**

Several Citizens have called to say they will testify regarding lighting, bicycle, stream crossing and the lack of religious facilities within the town center.

**Project Administration**

No issues remain beyond the conditions of approval.

## **STAFF RECOMMENDATION:**

**APPROVAL OF FINAL WATER QUALITY PLAN** including the Stormwater Management Concept with conditions as stated within the January 15, 1997 memo from MCDPS in Appendix, including waiver of Chapter 49-35 through 49-43 of the County Code (Bill 46-91) " Closed Section Roads in the SPA" as noted in the above memo;

**APPROVAL** of 768 units, inclusive of 96 MPDU's with the following waivers:

Section 59 -E-3.7 - Schedule of off street parking spaces (to reduce the number of on-site parking spaces with the provision of parking within the public street);

Section 59-C-10.38 - Minimum Building Setbacks - reduces building setbacks to 50 feet adjoining the abutting property as established in the Project Plan;

Additionally, the approval confirms the waivers established with Preliminary Plan #1-95042

- 1) waiver of distance between intersections per 50-26 Subdivision Regulations;
- 2) approval of closed section street sections subject to MCDOT approval;

And the subject to the following conditions:

1. Standard Conditions of Approval dated January 16, 1998 (Appendix A).

### **Environment**

2. - All agricultural areas within the environmental buffer which have not yet been taken out of production and stabilized with a suitable grass cover will be converted accordingly prior to any authorization to clear and grade for development on the property.
3. Record plats to reflect delineation of a Category I Conservation easement which includes areas affected by this site plan to show a 100 year floodplain, stream/wetland buffer and forest conservation areas that are not part of the park dedication area.
4. Submit final design plans for the stream valley crossings at Main Street to Environmental Planning Division staff for review and approval prior to application of construction permit. Plans must demonstrate adherence to the current MCDPS/MCDPWT Guidelines for Environmentally Sensitive Stream Crossings.
5. Proposed natural surface trail within the Greenway Park to be field located by applicant's representative and M-NCPPC Environmental Planning and Park staff per Development Program within the Site Plan Enforcement Agreement.
6. Final erosion and sediment control plans shall be submitted to Environmental Planning Division staff for review and comment prior to approval by MCDPS.

7. The applicant shall implement a program of daily inspections, maintenance and repairs as necessary, and detailed daily documentation of inspection and maintenance activities for all sediment and erosion control measures required and constructed on the site. Such a program shall be carried out by an independent consultant as directed by MCDPS. The applicant shall pay the reasonable cost of all services performed by the consultant, and shall continue to meet with and cooperate with the consultant. Documentation of inspection, maintenance, and repair activities shall be available for DPS review and use.
8. The Forest Conservation Plan shall be approved and bonded prior to submittal of record plats, issuance of the erosion and sediment control permit, or issuance of building permits, as appropriate.
9. All stormwater management outfalls which extend into the environmental buffer shall be field located by applicant's representative, MCDPS, and M-NCPPC Environmental staff prior to approval of the stormwater management/sediment control permits by MCDPS.
10. M-NCPPC Environmental Planning Division staff shall review and approve detailed design plans for any wetland mitigation sites within the environmental buffers prior to issuance of sediment control permits or authorization to clear and grade any of these areas.
11. Reduce the amount of impervious surfaces within the development by deleting the on-street parking and reducing road pavement on: 1) the stream valley side of the Greenway Road from Stringtown Road mid way to the intersection with Street "O", excepting the area opposite the future retail; 2) both sides of Street "C" from Stringtown Road to Street "D"; 3) the stream valley side of Street "C" from Street "D" to the bikepath crossing; and 4) on Street "D" west of its intersection with Street "C" pending MCDPW&T and MCDPS approval.
12. Revise Sheet L-9 of the landscape plans to increase the evergreen tree planting along Stringtown Road in order to provide more year-round visual screening of outdoor rear yard areas from Stringtown Road for noise mitigation purposes.
13. Revise the signature set of site and landscape plans to show 6 foot fences for visual screening of the rear yards of Lots 23 and 33, Block K and Lot 51, Block L from Stringtown Road for noise mitigation purposes.
14. Signature set of the landscape plans to include planting for all stormwater management facilities and to be reviewed and approved by M-NCPPC staff in coordination with MCDPS.
15. No clearing or grading prior to Planning Department approval of the signature set of site plans.

## Transportation

16. Show conformance to all waivers to be approved by DPW&T and DPS per memos dated January 14 and 15, 1998, respectively, included in the Appendix.
17. Show conformance to cross section and other recommendations per DPW&T, DPS memos dated January 14 and January 15 1998, respectively, included in the Appendix.
18. Conformance to MCPD Transportation Planning memo dated January 14, 1998 included in the Appendix.
19. APF agreement to be executed prior to the first record plat to reflect all road improvement conditions of the Preliminary Plan Approval ie dedication, acquisition of right-of-way and construction of required roads necessary for the construction of Stringtown Road (A-260), Clarksburg Road (A-121) and Mid-County Arterial (A305).
20. Dedication of "O Street extended to occur with adjoining parcels.
21. Turn around at the end of Main Street by the Historic district until the connection to MD 355 is established
22. The applicant shall provide signs for the Class III bike path along Main Street.

## Park/School

23. If applicable, per MC Public Schools memo of December 31, 1997, in the Appendix, the applicant shall conduct a testing program, the final report signed and sealed by a registered professional engineer, authenticating the adequacy of the deposited soils to support typical building foundation loads.
24. The Greenway path to include sufficient space to provide for a lighting, stabilized path and adequate headroom for pedestrian crossing under the Main Street Crossing;
25. The parks/school dedications schedule to conform to Preliminary Plan # 1-95042 Conditions 6 and 7, see Appendix.
26. All sales contracts, advertising and other information shall include notification that there is an active park in the area, that traffic calming measures will be installed with final paving.
27. All construction within M-NCPPC property to meet with Parks Department specifications and approval prior to release of construction permits for the park.

## **Historic Preservation**

28. The right-of-way for Stringtown Road should be no closer to the historic Day House than 20 feet from the side wall of the building (excluding the porch).
29. Lighting at all road intersections within the Historic District, and especially at Stringtown Road and Frederick Road, should be designed to have a minimal impact on the Historic District. The lighting within the Historic District - both fixtures and intensity - should be compatible with the historic and residential character of the area, as allowed by the utility companies and MCDPW&T and MCDPS.
30. Per the Project Plan approval, if the ROW is available, construct Main Street to MD 355 within the Historic District prior to completion of the project. At such time when the land is made available, share direct moving expenses only for relocating an existing house within the Historic District, and if the applicant and owner agree, make available the identified outlot to be merged with a portion of the adjacent parcel so as to create another lot.
31. A detailed design for the public space/interpretative area which will include the Clark Family Cemetery headstones must be submitted for staff review and approval prior to release of signature set. Protection of the headstones from weather deterioration should be a high priority and should be specifically addressed in the detailed design submission. It would also be desirable for the marker to be located in a more central area and better integrated into the public open space than is being provided.
32. One lot should be deleted from the single family home area directly adjacent to the Historic District, to fulfill the Project Plan condition to approximate R-200 zone lot width standards.

## **Site Planning, Landscaping and Lighting**

33. Detailed landscaping plans for this site plan to be approved by staff prior to the signature set and should reflect the design concepts, the sizes and planting conditions established in the submittal.
34. Final Lighting plans for the internal streets to be comparable to the "Hagerstown" light fixture shall be configured so as to reduce the glare into the night sky by utilizing appropriate wattage, shields or other techniques that are in conformance with utility company and MCDPS and MCDPW&T requirements.
35. Landscaping Plan to show interim landscaping for the Town Square prior to the construction of adjoining units, for staff review and approval.
36. The MPDU townhouses in the Town Square District must include recreation areas near by, the site plan and record plats must identify all MPDU locations.

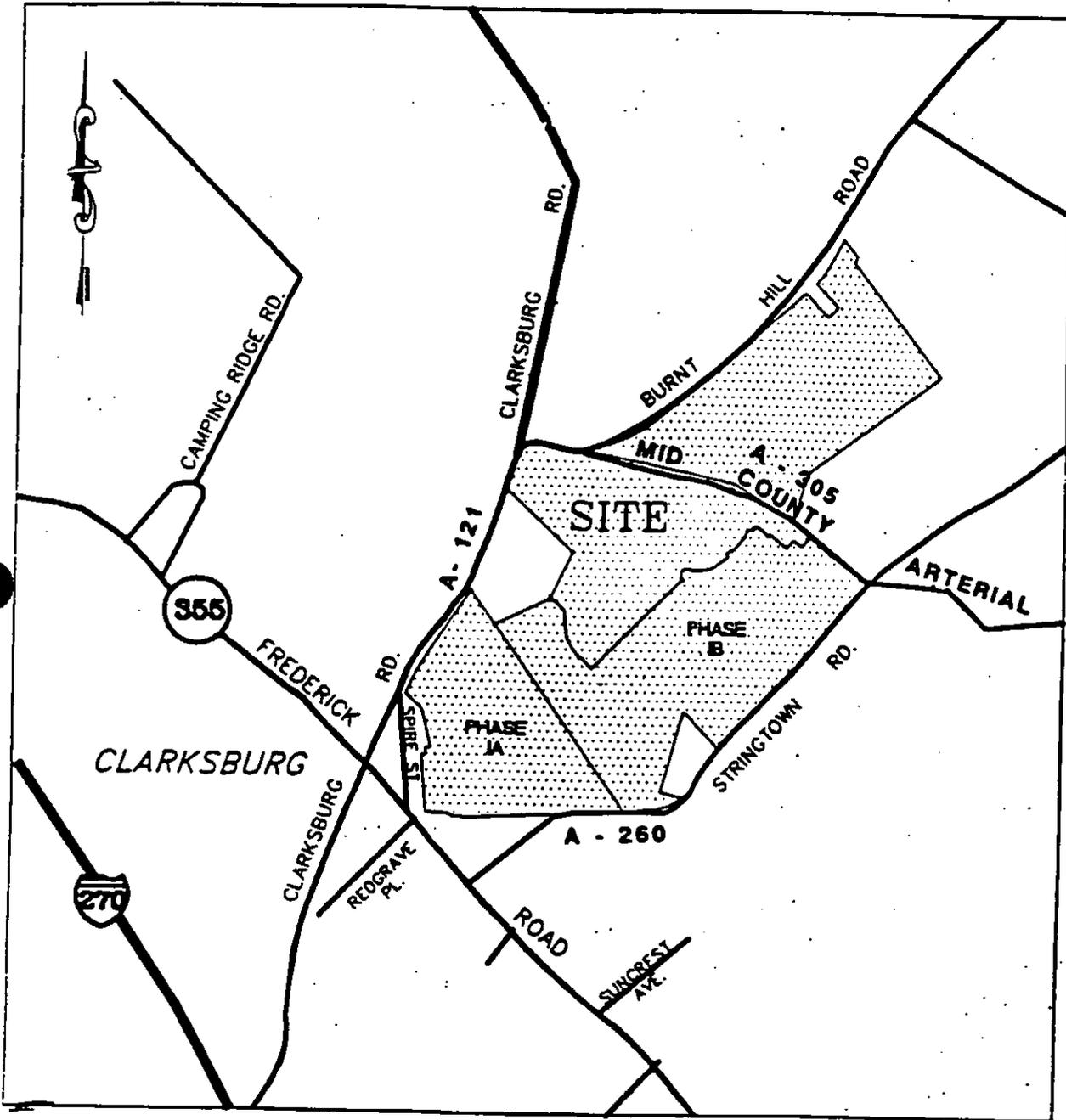
37. Landscape plans to include: a partial evergreen screen along Stringtown Road; detailed plans for greenway to include planting on steep slopes; additional planting within the SWM facilities;
38. The applicant may propose compatible changes to the units proposed, as market conditions may change, provided the fundamental findings of the Planning Board remain intact (regarding building type and location, open space, recreation and pedestrian and vehicular circulation, adequacy of parking etc) for staff review and approval.

#### **Community Planning**

39. The applicant shall work with the County to attempt to secure a suitable public facility within the town square prior to the final site plan approval for the entire project.

#### **Project Administration**

40. The Site Plan Enforcement Agreement to include the following: plat schedule as submitted to staff, complete language of condition 6 and 7 from Preliminary Plan 1-95042 regarding the ball field dedication and construction schedule; reference to the " agreement for Exchange of Land" to include timing triggers of dedication for MCPD Legal's review and comment; reference to the validity period; maintenance for all private recreational area, SWM, open spaces; etc ; and that the level of maintenance for entire project to be of equal quality and not solely dependent upon contributions of an individual area.
41. The Home Owners Association documents or equivalent to include provision for: complete public use and access to private streets for vehicular and pedestrian use; that they shall be permanently open for public use ; that the parking spaces may be assigned to individual units; that maintenance of streetscape items within the public right-of-way ie brick walks, trees, lights, etc ;
42. The Development Program shall include: staging of amenities to occur with site plan construction and to include MCPD review and approval of path location within the Greenway park prior to construction.
43. No construction of units adjoining Midcounty Arterial in Block M , per Preliminary Plan #1-95042 Condition 16e, until the Mid-County Arterial is built.

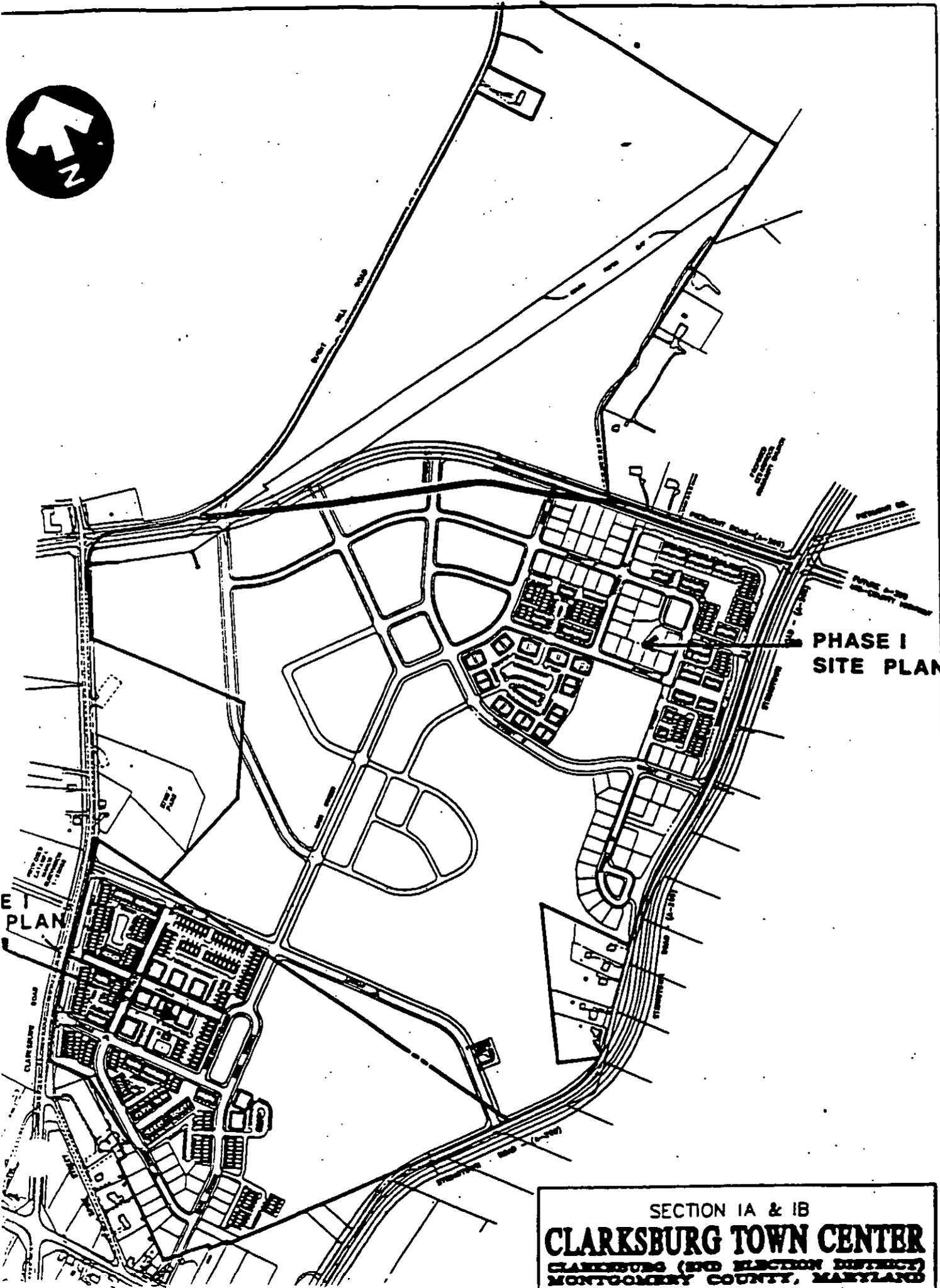


**VICINITY MAP**

SCALE: 1"=1000'

8

VICINITY MAP  
**CLARKSBURG TOWN CENTER**  
 CLARKSBURG (2ND ELECTION DISTRICT)  
 MONTGOMERY COUNTY, MARYLAND



**PHASE I  
SITE PLAN**

**ET  
PLAN**

SECTION IA & IB  
**CLARKSBURG TOWN CENTER**  
CLARKSBURG (2ND ELECTION DISTRICT)  
MONTGOMERY COUNTY, MARYLAND

## **PROJECT DESCRIPTION: Proposal**

The proposal is for a new town, designed as a neotraditional neighborhood. Its location is northeast and contiguous to the existing town of Clarksburg, a designated historic district. The Clarksburg Town Center (CTC) is characterized by two largely residential areas divided by the headwaters of the Little Seneca Creek. The streets create a modified grid which create regular and irregular blocks, which adapt to the topography and adjoining conditions. The streets have sidewalks on both sides, closely spaced street trees, on-street parking and pedestrian scaled lighting. Throughout the neighborhoods, there are small parks or recreation areas. A continuous system of internal paths connect the through each block to the sidewalks located on both sides of each street. For the townhouses and the apartment styled multifamily units, parking is either provided on the street or within small parking lots off-street behind units. A second type of multifamily unit is proposed, a 2/2 or a two story unit over a two story unit, with parking space in the ground floor and parking spaces behind.

The *Town Square* section, the lower portion of the project, proposes: a Town Square (with partial use for future use a civic building); residential blocks of townhouses, multifamily units and single family detached units; sitting and play areas and a future site for a shopping center which will be rough graded as part of this application.

The proposed units define the edge of the blocks and all units face the external streets. In the multifamily block next to the Town Square includes an internal row of 2/2's. Special design treatments utilizing stylized fences, landscaping and paving patterns are proposed to improve the view from the street and to create an inviting drive to the unit back door entries or alley.

Along Clarksburg Road, an existing hedgerow will be saved, utilizing an asymmetrical cross section, which will improve the views of the project frontage and maintain existing character of the area.

The Town Square is centrally located within Main Street near the Greenway Road and future retail areas. With this phase, the applicant will provide brick sidewalks along the portions of Main Street that surround the square and extend to MD Route 355. Likewise, they propose brick sidewalks along the residential units facing Greenway Road as part of the special streetscape treatment approved with the project plan.

A community pool is centrally located one block to the north of the Town Square, with streets and sidewalks surrounding it for complete community access. Additionally, the pool is aligned with a greenspace corridor with sidewalks, benches and play areas that connect through the blocks to the Greenway Road and park beyond.

Close to the edge of the Clarksburg Historic District, is a diagonal pedestrian mews. The mews contains sitting areas and two large lawn panels and connecting walks, linking the church with the Town Square. The sitting area closest to the Town Square includes a trellis and a memorial to John Clark with the use of found headstones from the family grave site. The mews develops a visual and walkable axis between the church and the Town Square, highlighting these significant features of the

existing and proposed development. The detached housing is located with the setbacks established in the Project Plan, but they still need to conform to the R-200 development criteria and the removal of one unit will be required to do so. Landscaping is proposed for the entire edge of the historic district to provide screening and buffering.

Main Street, the east-west route into the town square, is surrounded by SFD housing, townhouses and two multifamily buildings. The multifamily buildings are located at the end of "M" street, visually terminating that axis. Beyond the multifamily buildings to the east is the proposed retail center, buffered by proposed screening landscape screening. The extension of "O" street, perpendicular to Main Street, connects to the adjoining parcels to the south. Between the "O" Street extension and west of the boundary line is a vacant triangular parcel, left available for a possible use (as trade or for development with adjacent properties) in conjunction with the extension of Main Street to MD 355. The plan shows an extension of Main Street to MD 355 but there is no provision for such a connection. A turn-around must be shown for eventual or interim use.

Greenway Road, adjoins the stream valley in a north-south direction. Greenway Road proposes three pedestrian cross walks/ traffic calming bumps to calm traffic and provide for safe pedestrian areas. Two crosswalks will connect to the Kings Pond Park and one, which may be enlarged to a raised intersection, will connect to the stream crossing at Main Street. The Main Street stream crossing includes a pedestrian sitting area on each side and a promenade feature with lighting across the center of the crossing, approximately over the stream channel. Both areas provide opportunities to sit near the park and enframe the views to the park. East of Greenway Road is a recreation oriented bike path located along the park side. The 8 foot class I bike path extends from Clarksburg Road to Stringtown Road. Ultimately it will cross Clarksburg Road to the north and connect to the Little Bennett Park further to the north and east.

The Greenway Concept Plan, as developed with this site plan review, shows pedestrian connections from the park and Greenway Road into the greenway, approximate locations of the natural trail that will be located finally on-site with MCPD staff, interpretive trail signs; and landscaping/reforestation. The path crossing *under* the Main Street crossing will be made in a bottomless arch culvert measuring 16' x 10' by 100 feet long. The plan needs to include provision for stable pedestrian footing within the crossing and vandal proof-lighting to be on and maintained at all times. Wing walls will stabilize the slopes and the slopes will be planted with naturalizing shrubs and trees.



KING LOCAL PARK

GREENWAY STREET

MARY STREET ROAD

TOWN SQUARE

FUTURE RETAIL

HISTORIC DISTRICT

MAIN STREET

K STREET

SECTION 1A  
**CLARKSBURG TOWN CENTER**  
CLARKSBURG (2ND ELECTION DISTRICT)  
MONTGOMERY COUNTY, MARYLAND

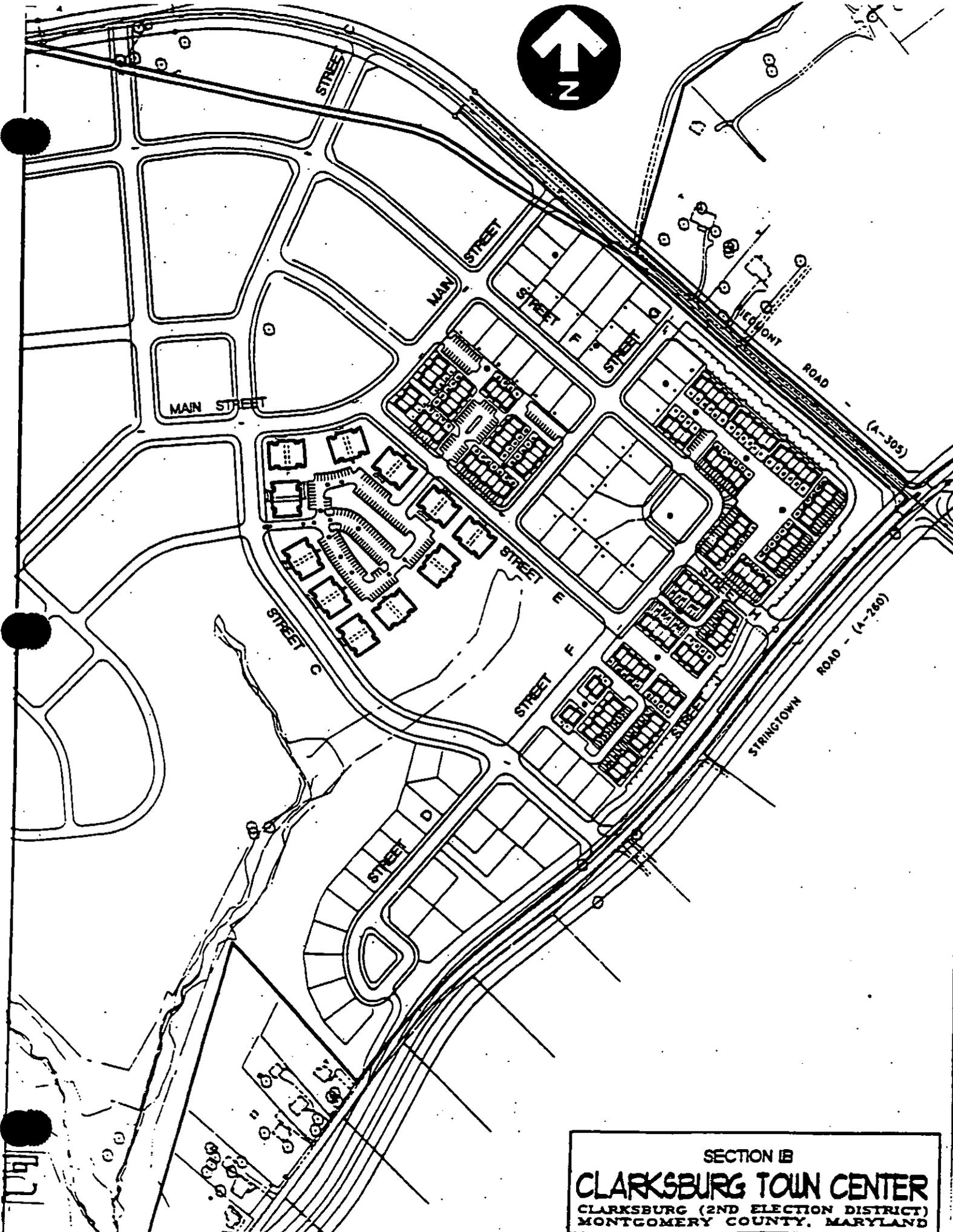
The southern section of *the Hilltop District*, the second part of this proposal, is located at the intersection of Stringtown Road and the Mid-County Arterial. The units include townhouses inside the intersecting streets and within one block internally, SFD units along the outer edges elsewhere and a large block of multifamily units. The townhouses along the external streets are arranged to face them with a service drive for access. Others are arranged in courts facing a common mews and with alley parking in the back. The single family detached units are arranged around common green spaces in two locations to create community open space. Although shown, the street connections and single family detached units along the Mid-county Arterial will not be built with this Site Plan phase

The multifamily units are four story apartment styled buildings located at the outside block face with an internal surface parking lot. The parking lot includes large green space areas and sitting areas. The units have been arranged to create a pedestrian connection to the open space/SWM facility immediately adjoining them to the south. The open space/ SWM facility has been designed to create a recreational feature with paths, sitting areas, landscaped areas, a grassy sloped amphitheater all around a pond. The path connections from surrounding streets and stream valleys will connect to this area. A raised crosswalk along "C" Street will calm traffic and provide for pedestrian crossing.

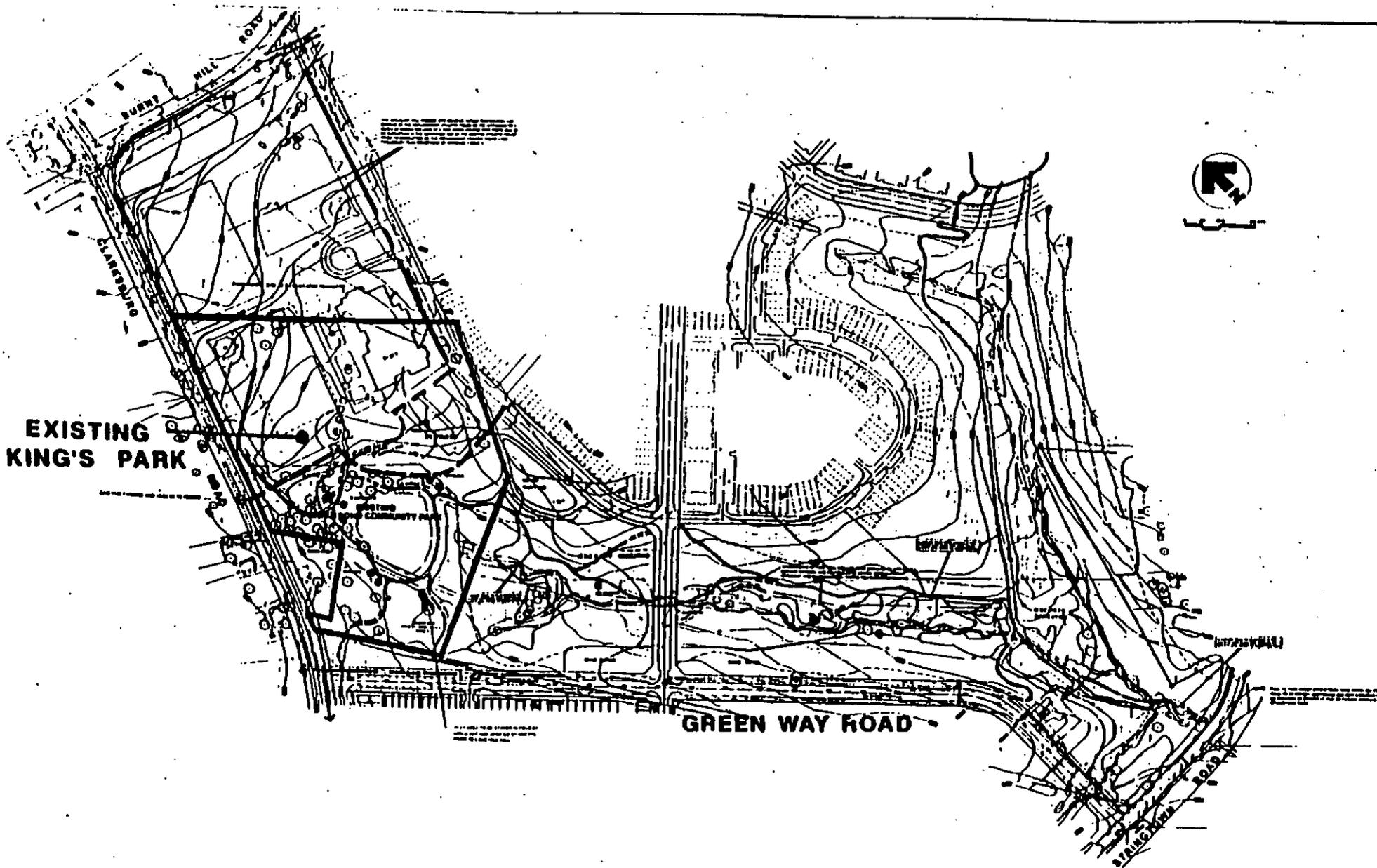
Lighting for the Town Square residential area includes light fixtures along the street. The applicant has proposed a light fixture known as "Hagerstown" which has been approved for use by Allegheny Power company. The fixture has a solid metal top and can be fitted with shields to direct the light.

Landscaping for the project includes evergreen and shade tree screening at property boundaries; street trees 30 feet on center, and numerous attractive planting schemes for a variety of public and semi-public spaces, ie: gateway entrances from adjoining streets; all parking lot entrances; parking lot courts; recreation areas; and stormwater management facilities. Portions of the landscape design are presented as conceptual with final plant selections to be determined prior to signature set.

MPDU's for the project are located in townhouses and multifamily buildings within both sections of the project, east and west of the greenway. The units to the east of the greenway are close to the open space area by the pond and a neighborhood recreation area. The multifamily units to the west are located close to the town square and mews area. Recreation needs to be sited close by the Town Square MPDU townhouses.



SECTION 1B  
**CLARKSBURG TOWN CENTER**  
CLARKSBURG (2ND ELECTION DISTRICT)  
MONTGOMERY COUNTY, MARYLAND



**EXISTING KING'S PARK**

**GREEN WAY ROAD**

**GREENWAY PARK/SCHOOL**  
**CLARKSBURG TOWN CENTER**  
 SECOND ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND



APRIL 1987  
 SCALE 1" = 100'  
 SHEET NO. 1 OF 2

## **PROJECT DESCRIPTION: Site Description**

The 268 acres total site is currently developed with agricultural uses and is farmed for corn and soybean cropland. Forest areas are restricted to stream valley bottoms, hedge rows at field edges and some areas of steep slopes. A Potomac Edison (Pepco) Overhead Transmission Line traverses the eastern portion of the site, beyond this site plan area.

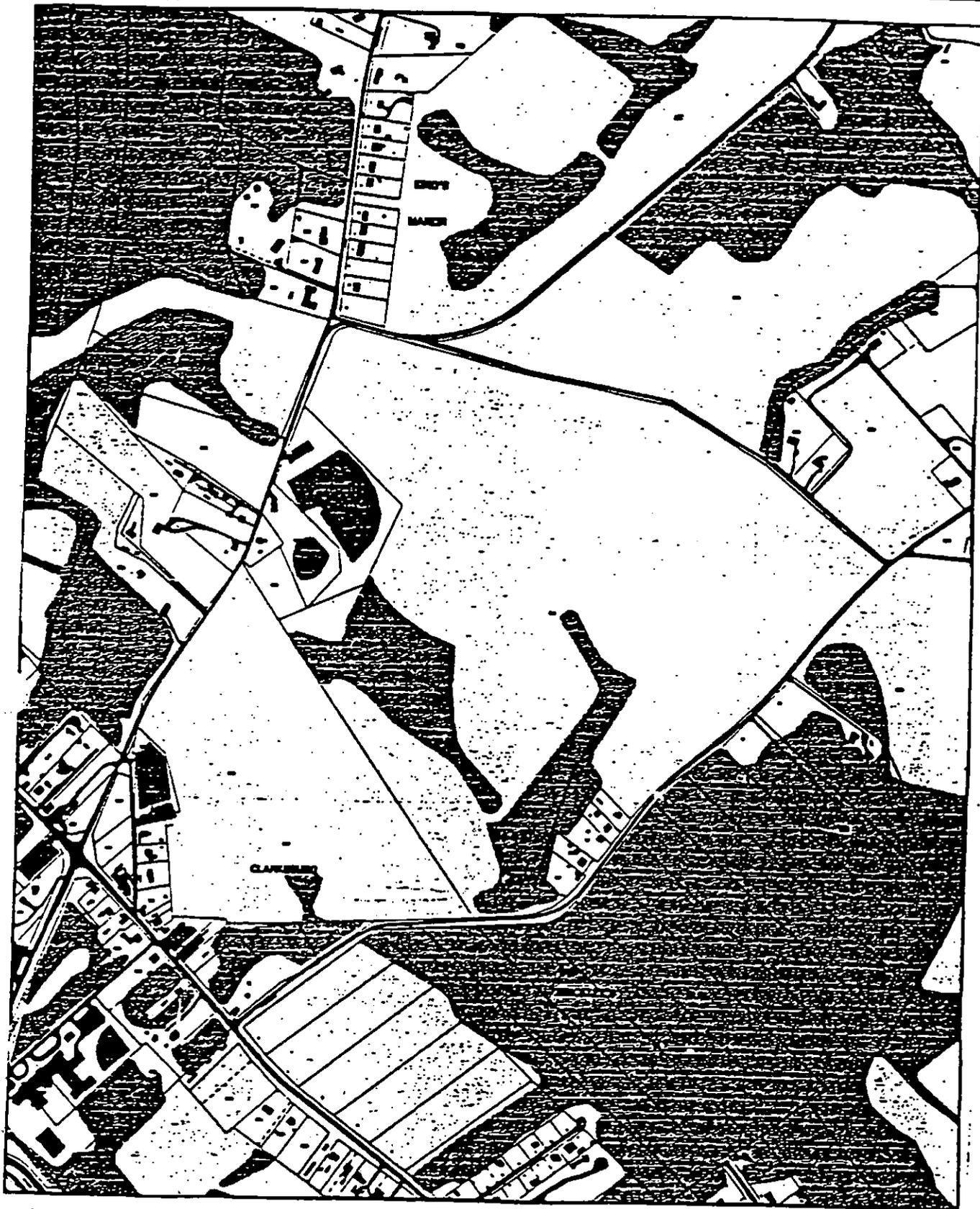
### **Site Description**

The subject property consists of a 198 acre town center site which is located at the headwaters of one of the main branches of Little Seneca Creek, a Use Class IV-P stream. Seventy acres are in rural zoning located in Little Bennett Creek, a Use III watershed.

The two parts of the property are bisected roughly northwest to southeast by existing Piedmont Road (future A-305). A large part of the site is existing agricultural field. Approximately 8.6 acres of wetland, 15 acres of floodplain and 53.5 acres of forest exist within or in close proximity to the stream valleys. The proposed site plan area lies entirely within the Little Seneca Creek portion of the property. This area contains three headwater tributaries which meet in confluence at the southwestern edge of the property just before flowing under existing Stringtown Road. The main tributary flows from the existing King's Pond on park land north of the site and bisects the property roughly northwest to southeast. The two remaining tributaries flow from the west along the southern edge of the property and from the north down to the confluence, respectively.

On-site topography slopes significantly from plateaus on either side of the main tributary down to the main tributary and each of the secondary tributaries. The stream valleys are moderately steep (15-25%); slopes tend to be gentler near the heads of the tributaries and are quite steep in some portions of the east and main tributaries.

# VICINITY MAP FOR CLARKSBURG TOWN CENTER (8-98001)



Maryland-National Capital Park and Planning Commission  
Montgomery County Park and Planning Department



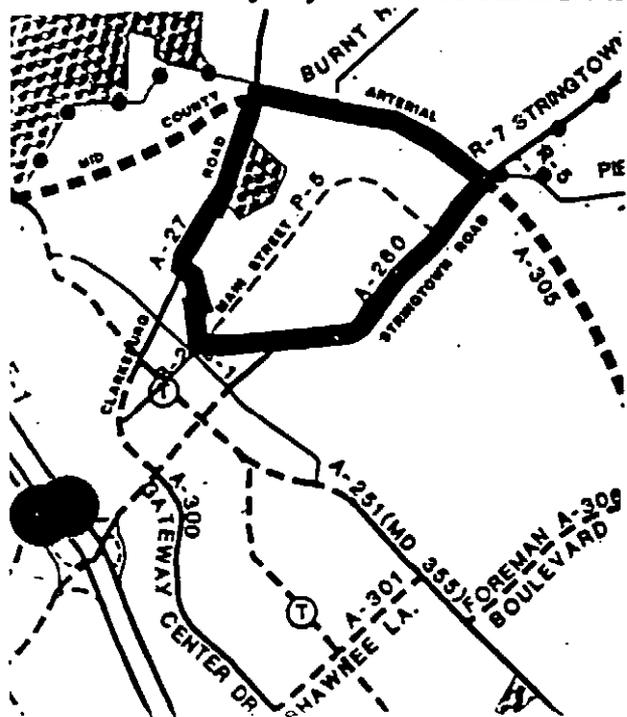
## PROJECT DESCRIPTION: Surrounding Vicinity

The site is located approximately 1/2 mile from I-270 between the intersection of MD 355 (Frederick Road) and A-121 (Clarksburg Road) and MD 355 and A-260 (Stringtown Road). Part of the site proposed for this Site Plan review includes the section behind or east of the row of the existing church, homes and businesses adjoining MD 355, within the Clarksburg Historic District. The boundary of the historic district is shared with this project.

The project frontage along Clarksburg Road adjoins the existing 20 foot open section roadway. Opposite Clarksburg Road to the north, opposite the proposed development in this site plan, is land currently developed with single residences. Part of this land is proposed for the development of two RMX zoned residential projects (the proposed Catawba Manor project with an approved Preliminary Plan, and a staff reviewed pre-application submittal for Clarksburg Heights). Both of these proposed projects will share the intersections established with this site plan. Beyond these proposals to the east is undeveloped land, some with potential to be future park land that would connect to Little Bennett Park, further north.

The Greenway Road, or "K" Street, which bisects the site from north to south, connects to Stringtown Road, which partially forms the southern boundary of the property. Immediately opposite the project boundary adjoining Stringtown Road is low lying land which includes the downstream portion of the headwaters to the Little Seneca Stream Valley. That land is zoned R-200 and is undeveloped. Adjoining the property out towards MD 355 and north of Stringtown Road is the Clarksburg Historic district, currently developed with a single family detached house with some out buildings. It is zoned R-200 and is in use as a landscape contracting business. Further adjoining the CTC property, north of Stringtown Road are 5 existing single family detached houses with individual driveways connecting to the road. Along the south side of Stringtown Road for the eastern portion of the site, there is currently low density residential development, with 2 houses.

Opposite the site across the Mid-Country Arterial is the proposed Cedarbrook Community Church and two single family detached houses. The remainder of the opposite frontage is undeveloped to day with the majority of it zoned Rural Density Transfer and is part of this project.



## **PROJECT DESCRIPTION: Prior Approvals**

Clarksburg Town Center has gained approval for a Project Plan #9-94004 on May 11, 1995 and for a Preliminary Plan #1-95042 on September 28, 1995. Multiple hearings were required for each approval level due to the multiplicity of issues surrounding the project. The major topics could be categorized briefly as a determination of Special Protection Area issues, historic preservation issues, the assignment of appropriate road improvements and the particulars of the park/school arrangement. A summary entitled Previous Planning Board Environmental Decisions is within the Appendix.

The approved Opinions of these approvals will be in the Appendix attached to the Planning Board's copy of this report. The Appendix will be available to the public at the Development Review Division's plan review counter.

Utilizing the categories for review introduced earlier, the *Project Plan - PJ* and the *Preliminary Plan - PP* conditions of approval are paraphrased below with commentary on how they have been addressed during site plan review.

### **Environment**

- PJ-5 The applicant has submitted the information required sufficient to allow Preliminary Plan approval;
- PJ-6 The plans conform to the minimal disturbance requirements as described; the second phase of the site plan will include SWM for the school;
- PP-2 The site plans conditionally meet the FCP legislation;
- PP-3 The forebay is not counted as forested area, nor is it within the stream buffer;
- PP-4 The agricultural areas within the stream buffers for this site plan were taken out of production by Spring 1996- the remainder will be taken out with this site plan.
- PP-9 No development activity has begun on the site;
- PP-12 The plan conforms to the MCDEP SWM approval of 7/28/95;

### **Transportation**

- PJ -1 The number of units proposed conform to the staging ceiling limits;
- PJ-2 The transportation improvements were updated in the Preliminary Plan approval;
- PJ-3 Dedication and construction of the Mid County Arterial (aka A-305) - the Phase I site plan submittal does not require the dedication or construction of this road, it will be part of later site plans; the proposal shows units adjoining the Mid County Arterial for which building permits can't be released until the road is built in a later phase;
- PJ-4 Stringtown Road improvements were required with the Preliminary Plan; the alignment of the road as determined at Preliminary Plan moves into the Historic District - staff's recommended cross section would allow for an adequate set back to the house in the District while utilizing the existing roadbed and serving the function of the road classification.

PJ-10 The layout of the streets that are part of the proposed site plan conform to these recommendations;

PJ-14 "O" street extended -of the site plan- connects Main Street to the adjoining parcels; all three streets connecting to Clarksburg Road are in place with the proposed site plan;

PP-1 The proposed site plan conforms to the staging ceiling limits; the applicant will enter into a phasing agreement for necessary road improvements with record plat submittal; the applicant has submitted a draft record plat phasing agreement for review and approval with this site plan;

PP-5 The plan shows the appropriate right-of-way dimensions and locations, dedications for all right of way owned by the applicant will required prior to the release of any building permit; dedications for any off-site right-of-way will be required in conjunction with the phasing requirements for the number of units;

PP-11 The access and improvements required by the MDSHA and MCDPW&T will require SPA approval;

PP-15 The applicant will have to dedicate Public Improvement Easements as necessary for bike paths and other features of the site;

PP-16 These APF requirements are the basis for the road requirements for this site. The applicant has received SPA approval for the improvements applicable to the number of units within this approval; future site plan sections and the roads required for them will require additional SPA approval.

## Historic Preservation

PJ-8 The road design for Main Street and nearby sewer locations are part of the site plan proposal; a John Clark gravestone marker is proposed within a pedestrian area pending further review; the applicant has not secured the right-of-way for the extension of Main Street to MD 355- staff will carry this condition forward for future site plan proposals;

PJ-9 The public street conforms to setbacks to the church - screening, pedestrian linkage and increased visibility have been provided for. The size of lots as proposed do not conform to the width of lots for the R-200 zone as required, a lot will need to be removed to accomplish this;

## Park/School

PJ-7 The final concept plan was approved with the Preliminary Plan, See Attachment X.

PP-6 Re: dedication of the proposed park school site, the applicant proposed an agreement to dedicate land that is part of this site plan; the agreement stipulates the timing of dedication to occur with CIP funding or with adjoining development; phasing the grading will be addressed with future site plans or prior to CIP construction per this agreement, will be addressed with this site plan's SPEA

PP-7 The dedication agreement will be part of this Site Plan SPEA

## **Site Plan**

PJ-12 The proposed plans conform to these requirements for landscaping, street detailing and amenity areas; additional landscaping of the SWM facilities is needed;

PP-10 The proposal includes 768 dwelling units which were determined during site plan review;

PP-13 The MPDU's conform to the required number for this site plan phase, the balance for the entire project will be provided in Phase II.

## **Project Administration**

PJ-11 The amenities proposed for the Phase I Site Plan need to be constructed in accordance with typical site plan phasing requirements; the design concept for the Greenway and adjoining areas has been reviewed and accepted by staff; the greenway amenities will be phased in with the Phase I Site Plan.

PJ- 13 The applicant has submitted a draft HOA agreement that describes an umbrella style maintenance organization that includes residential and commercial properties alike for staff's review and approval;

PP-14 This condition provides for Planning Board reconsideration of a case if a court challenge removes a previously required condition;

PP-17 The validity period of the Preliminary Plan has been included in the record plat phasing schedule proposed by the applicant.

With consideration of the conditions listed above, the site plan conforms to the Project Plan and Preliminary Plan Approvals.

## **ANALYSIS: Conformance to the Project Plan Approval**

The conformance of the proposed site plan to the Project Plan conditions of approval were established, with conditions, above in Project Description: Prior Approvals.

The site plan conforms to the list of Amenity Areas and Recreational Facilities that were part of the Project Plan by providing the following:

**Amenity Areas:** Town Square, land dedicated for future civic building (with Phase II), streetscape system, neighborhood squares and green area, greenway dedicated for public use, Greenway roadway, specialty planting areas along greenway road, Park/School Site/ Large Private recreations areas for major fields(with Phase II), land for expansion of areas next to historic district, green areas and buffer next to historic district, green areas and setback areas located along Mid-County Highway, Stringtown Road and Clarksburg Road improvements, Pond Area (SWM facility).

**Recreation Facilities:** Tot Lots, Multiage Play facilities, Picnic/sitting areas; tennis courts (possible with Phase II); bikeway system; greenway pathway and bicycle path (Class I); Nature trail; Nature areas near the Pond; swimming pools; wading pools; indoor fitness facility (in Phase II).

The site plan conforms to the other aspects of the Project Plan approval regarding development standards, unit types proposed, unit location, and road connections. The Proposed density range for units per the Master Plan and Preliminary Plan are as follows:

<b>Unit Types</b>	<b>Master Plan %</b>	<b># of units (Total)</b>	<b>Per Site Plan</b>
SFD	10-20 %	130-260	75
SF Attached and TH's	30-50%	390-650	295
Multifamily Units	25-45%	325-585	396

Adjustments to the Project Plan approval include:

- There is no connection to Mid - County Arterial from "G" Street due to extreme grading differences of 10 to .15' between the two roads.
- The street between the multifamily block and the SWM facility (pond) has been removed in lieu of an improved open space connection between the housing and the open space.
- The unit type for half of the multifamily units has changed from a large multifamily building to the 2/2 units which have parking in the lower level and a rear loaded driveway. Where this has been used, screening with fences and landscaping has been added;
- The diagonal street between the church and the town square is a pedestrian mews;
- The connection of Main Street to MD 355 has not been achieved concurrent with this site plan approval.

Staff finds these adjustments acceptable to conformance with the Project Plan.

## **DISCUSSION OF ISSUES THAT WERE RESOLVED DURING THE SITE PLAN REVIEW PROCESS**

### **Environment**

The Special Protection Area (SPA) for the site was approved on January 15, 1997, see Appendix for memo. The approval applies to the residential areas, rough grading of the retail area, the Clarksburg Road frontage improvements, the turn lane improvements at MD 355/ Clarksburg Road, Stringtown Road from Greenway Road to MD 355, the uphill portion of Stringtown Road (near the proposed units).

The SPA review was an extensive process creating a challenge for the determinations of all road, greenspace and site planning issues. During the SPA review, there was a delay pending the provision of additional information for review.

### **Transportation**

**Internal Streets** - This neotraditional neighborhood required the waiver of many typical street design standards. MCDPW&T and MCDPS staff have worked closely with staff to develop and approve waivers of reduced turning radii, sidewalks of brick paving, tighter tree spacing, crosswalks and traffic calming features to create a beautiful street environment that will be safe for pedestrians and automobiles. The Project Plan recommended the waivers be obtained prior to Planning Board approval of a site plan. A copy of the approved waivers and road design by MCDPW&T and MCDPS are attached in the Appendix.

**Arterial Roads** - The design of the arterial roads: Clarksburg Road (MD 121), Stringtown Road (MD 261) and the Mid County Arterial (the Piedmont Road, Mid County Highway or MD 305); was the subject of much study. Although the Master Plan designation for the roads was clear, the details of closed or open section, bikepaths, sidewalks, street trees were worked out with this review. It was necessary to determine the exact design of the arterial roads because: the Special Protection Area (SPA) approval requires final design prior to approval; there was a need establish conformance to Master Plan Guidelines and to address Historic Preservation requirements; they needed to be adapted to allow the preservation of a hedgerow, and they had to respond to the needs of on road bicyclists. A copy of the arterial road design recommendations by MCDPW&T and MCDPS and MCPD Transportation Planning Department are attached in the Appendix.

**Bicycle Lanes** - During the review of this project, MCPDW&T began to recommend the expansion of all arterial travel lanes or the utilization of paved shoulders to accommodate on-road bicyclists. This enlarged the pavement cross section by 2 to 16 feet within an SPA where Class I (off road) bike lanes were already proposed. Impervious surfaces must be minimized within SPAs. After review, Staff supports the on-road bike lanes on Stringtown Road in addition to the Class I bike path so it will function as a transit corridor. For Clarksburg Road,

the on road lanes are widened 1 foot in each direction because the Class I bike path will be 6 feet instead of 8 feet (standard) to allow for the preservation of the hedgerow and utilization of the existing paving. Staff worked out a reduced lane widening for the Mid County Arterial utilizing a 32 foot paved roadway instead of an earlier 40 foot paved roadway. Initially the applicant objected to bikeway construction within the arterial, they now agree to build them.

**Public Private Streets** - The applicant proposed four private streets. Staff was initially concerned about public access and maintenance issues, but the applicant required assigned parking spaces to satisfy funding for the project.

### **Park/School**

The park/school issues established during the earlier approvals were addressed by the development of the Greenway Concept Plan by Planning Department and Park Department staff and the applicant. The remainder of the Park/ School site, the areas surrounding the school itself and the play fields, will be part of later site plan consideration.

MC Public Schools have repeated their request for part of the site to be dedicated to them so they may receive reimbursement by the State of Maryland. Their letter of December 31, 1997 is in the Appendix.

### **Historic Preservation**

The applicant has not secured the property to allow the Main Street connection to MD 355 next to the General Store. The proposed cross section for Stringtown Road was developed to maintain a 20 setback to the wall of the adjoining historic district property.

### **Site Planning/Landscaping and Lighting**

The original recreation proposal for the project included 2 on-site tot lots for 775 units. The applicant has revised their submittal to conform to the Recreational Guidelines with recreation evenly distributed throughout the site. Additional connections were developed between the town Square area and the Greenway Park.

The original MPDU proposal reflected the appropriate number of units but they were all in one block of multifamily buildings. The proposal now conforms to the MPDU locational guidelines, with conditons.

Staff worked with the applicant to develop the design for the block which houses the 2/2 unit to incorporate additional greenspace, attractive garage entryways and create a better setting for the pool. Additionally, they developed an improved layout of the multifamily units and pond area in the Hilltop section. Landscaping refinements were made throughout the process to an already beautifully designed landscape plan.

## **Community Based Planning Issues**

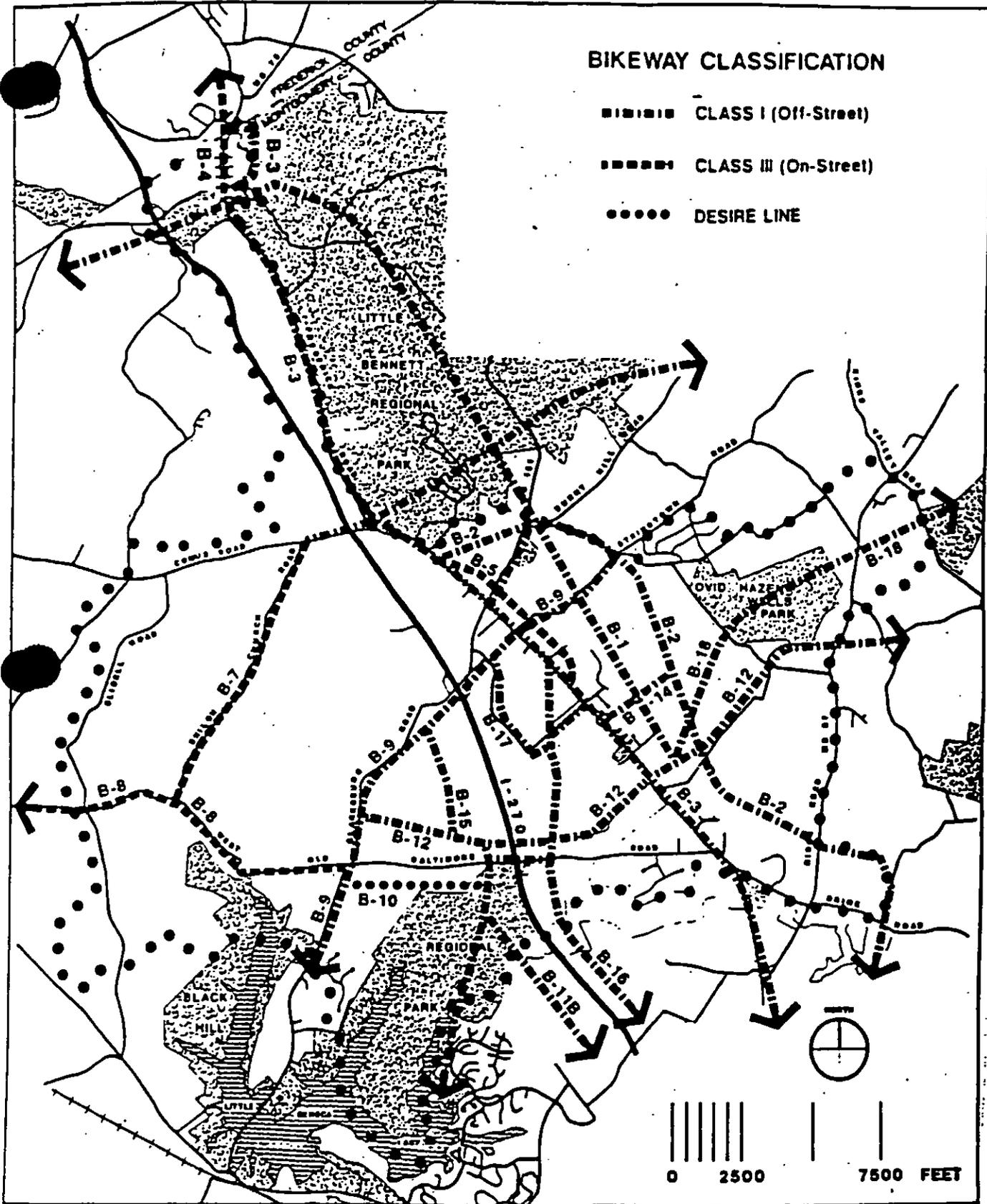
The project's connection to the Greenway system throughout Clarksburg and beyond was worked out in the Greenway Concept plan developed with this site plan.

## **Community Comment and Issues**

Staff met with citizens and members of the Bicycle Action Group and received letters from both groups and from the Clarksburg Civic Association. Their interests are: the alignment for Stringtown Road coming into private property; various details about the site plan; comments on landscape plan details, outdoor lighting and adequacy of provision for bike lanes and multi-use trails. Their letters are attached in the Appendix. Their letters have been forwarded to the applicant's consultants who have considered their comments for the change of a bike rack, selection of a light fixture, and other items. Staff has received a call regarding concern about the lack of religious facilities being planned within the Town Center and the difficulty the existing Methodist Church is having in expanding their facilities.

## **Project Administration**

The applicant and staff met to work out the details of the park/school dedications and other phasing and SPEA/HOA details.



## ANALYSIS: Conformance to Clarksburg Master Plan

A. The Clarksburg Master Plan and Hyattstown Special Study Area, Approved and Adopted June 1994 recommend the following:

The Clarksburg Master Plan calls for the community's Town Center to have a strong identity becoming the focus for the entire planning area. The Plan stresses the importance of a town scale of development with mixed uses, protection of the environment and the creation of walkable neighborhoods. The plan envisions a development pattern which is traditional in character and which protects the character of Clarksburg's Historic District.

The proposed site plan meets the objectives of the Master Plan as follows:

- *Create a Town Center which will be a strong, central focus for the entire study area. p.42*

The proposed site plan will establish a strong identity with a traditional town character as called for in the master plan. Phase 1 provides sufficient infrastructure, buildings and development of open spaces to establish this desirable character early on in the development of the Town Center.

- *Encourage a mixed-use development pattern in Town Center to help create a lively and diverse place. p.44.*

The master plans allows an overall density of 5 to 7 du/ac. with a maximum of 150,000 sf. for a retail center. The proposed site plan provides 768 units towards a total of 1,300 allowable units or 4.81 du/ ac. The proposed residential uses are within the Town Square, a mixed use area, and an uphill area. The retail center adjacent to the Town Square will be delivered in the next Site Plan phase. The Plan strongly encourages the provision of a grocery store anchor for the future retail center.

- *Assure that future development around the Historic District complements the District's scale and character. p.48. On the east side of the historic district, all development 400 feet east of existing MD 355 and/or on land which is within the historic district should be single-family detached structures which are not higher than two stories.*

The proposed site plan conforms to this recommendation. However, the lot size and building mass of proposed single-family units along the eastern edge of the historic district need to be revised to achieve compatibility with the scale and character of the adjacent historic district. (See Historic Preservation in Issues).

- *Make the Town Center a focal point for community services (such as libraries and postal service) as well as informal community activities. p.49.*

The proposed site plan does not include community services to be sited within the project. However, the approved Project Plan, #9-94004, envisioned such uses to be sited within either the Town Square itself or within the retail center. There is a need to identify and provide for such uses prior to the final

build out of the entire development. Staff recommends that the applicant assist the County to search for a suitable public facility for the Town Square or commercial area prior to the submittal of the final site plan application.

- *Create a transit-oriented land use pattern within the Town Center and link all portions of the Town Center with transitways, bus loops, bikeways, and pedestrian-oriented streets.* p. 51.

The proposed site plan achieves a transit-oriented pattern of development with buildings that front the street and an arterial street system that creates a "loop" circulation system around the Town Center. Transit orientation also is achieved by the use of short, walkable blocks and a network that ties directly with the future transit station located west of the project. The surrounding arterial roadway system is intended to function as a "neighborhood bus loop" which will encourage residents to walk. Provision of bus shelters at bus stops would be desirable.

- *Create a land use pattern that is responsive to environmental concerns relating to traffic noise and protective of headwaters.* p. 51. The Master Plan designates this area as part of the Special Protection Area within the Little Seneca Creek Watershed and "*promotes environmentally sensitive design*", p. 145.

The land use pattern that sites buildings so front doors face streets protects residential units from noise. Also the buffers provided along the surrounding Arterial Roads assist in protecting from traffic noise. The site plan will receive a Special Protection Area water quality approval prior to the site plan approval. The SPA approval and the design changes to the project create a more environmentally sensitive design.

The Clarksburg Master Plan objectives for development within the Little Seneca Creek watershed include *continuously forested stream buffers, protection and enhancement of wetland systems, water quality monitoring, environmentally sensitive design and construction of development and infrastructure, and maintenance of the environmental qualities of headwaters.* The site plan attempts to address these by providing enhanced reforestation in stream valleys and complying with the more rigorous stormwater management and water quality standards of the SPA.

- *Encourage an interconnected street system as typically found in older towns.* p. 51.

Specific Master Plan recommendations for Clarksburg Road, Stringtown Road and Mid County Highway are covered in both the land use and transportation chapters of the master plan. The following comments are organized by roadway and represent both the requirements and intent of the master plan.

#### Clarksburg Road (A-27)

- *Provide a maximum of 2 lanes within a minimum of an 80 foot ROW.*

(Table 7, p. 114)

- Provide a Class I Bikeway (Table 10, p. 133) on the south side of the roadway to achieve a bikeway "loop" system around the Town Center (Figure 43, p.132) and to accommodate bicycle access for the non-advanced cyclists. This bikeway should follow the ROW until it meets the park/school site and then weave its way through the park/school to Piedmont Road (A-305).
- The master plan calls for both Clarksburg Road and Stringtown Road to "serve as entrances to the Town Center", p. 52. Preservation of the mature hedgerow at Clarksburg Road and the cross section for Stringtown Road achieves this objective.

#### Stringtown Road (A-260)

- *Provide a maximum of 4 lanes within a 120 ' ROW. (Table 7, p. 115)*
- Provide a Class I Bikeway (Table 10, p. 133), along the north side of the road to create a bikeway "loop" system around the Town Center (Figure 43, p. 132) and to accommodate bike access for the non-advance cyclist.
- *The existing crossing [of Little Seneca Creek] will need to be widened to accommodate two additional lanes. When widened, this crossing is recommended to include areas for bike paths along Stringtown Road and for the Little Seneca Creek greenway, which will cross under Stringtown Road. (P.123)*

Within the Historic District boundary at Stringtown Road, a reduced width ROW and closed section cross section is supported by the master plan in order to achieve the plan's objectives for protection of the district's unique character. The Plan' objectives still requires necessary features such as the bikeway, median and street trees, and sidewalks. The below grade culvert, at the stream crossing, needs to be adapted to maintain the greenway connections.

#### Midcounty Highway (A-305 or Mid-County Arterial)

- *Provide a maximum of 2 lanes, divided within a minimum of a 80 foot ROW. (Table 7, p. 115)*
- Achieve a park-like character along the roadway. "Setbacks from the Midcounty Highway (A-305) should be provided within the Town Center to establish a parkway like character", p. 52.

The Site Plan conforms to this Master Plan. The landscaping provided creates an informal, parkway character and a buffer strip provides for the setback.

#### Redgrave Place (P-5)

- *Create a special character for Redgrave Place as it traverses the Clarksburg Historic District. p. 52.*
- Provide a maximum of 2 lanes or 24 feet in width within the historic district.
- Provide the connection for P-5 with MD 355 in a manner which does not negatively

impact the traditional character of the District. (p. 53 and 125).

The proposed site plan meets the Master Plan recommendations for Redgrave Place.

- *Provide a variety of open space features.* p. 53.

The Master Plan calls for the Little Seneca Greenway which traverses the site to be "*a major open space feature in Town Center, making it important that the greenway be visible and accessible to the public*", p. 53. The purpose of the greenway system is not only preservation of the stream valleys, but also, "*development of a trail system*", p. 156. The Plan also stresses the visual and recreational importance of other smaller open spaces such as Forest Conservation Areas along streams and the Commission's King Pond Local Park. Accessibility and integration of recreational opportunities are major objectives.

The proposed site plan achieves the intent of the Master Plan by increasing the recreational facilities within King Pond Local Park and by providing a landscape treatment that enhances the overall character of the greenway. Most importantly, the site plan provides a continuous trail system that will tie into future segments to the north and south of the greenway. Continuity of the trail is critical to its success. Roadway crossings under Stringtown Road needs to provide a stabilized trail surface within the widened culverts. This approach to roadway crossings, landscape enhancement and passive recreational use of the greenway will be repeated throughout the greenway network.

#### **B. Conformance to the Master Plan for Historic Places**

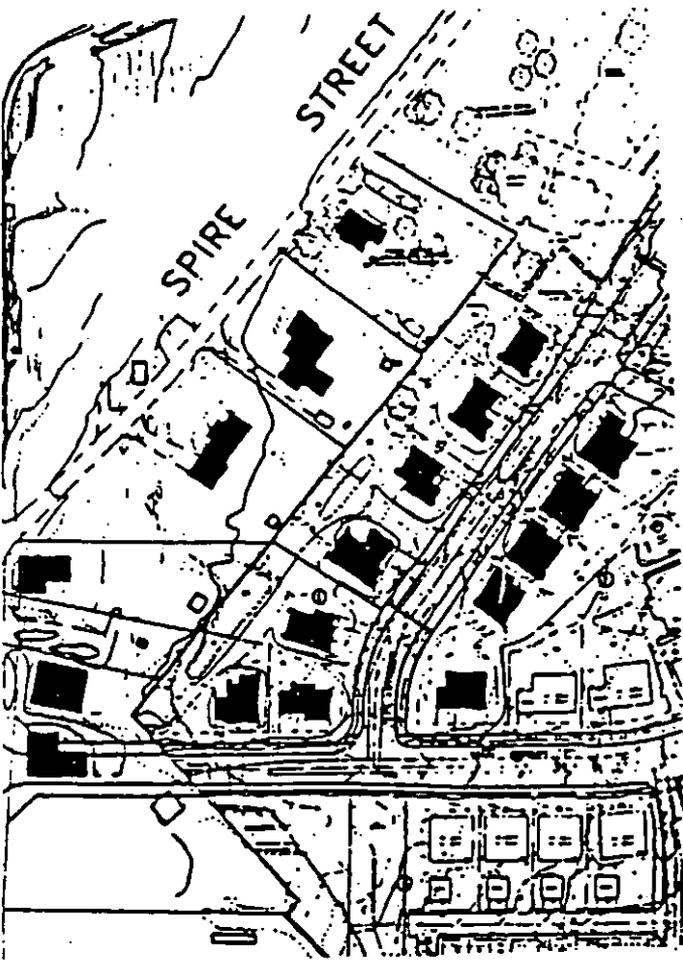
The Clarksburg Historic District is on the Master Plan for Historic Preservation and adjoins the proposed site plan along its western boundary,

The Historic Preservation Commission (HPC) has reviewed the proposal in the context of a Master Plan recommendation on March 11, 1992 and in the context of a Project Plan application on March 22, 1995. The HPC comments became the basis of Project Plan conditions of approval that dealt with the following: the width of Main Street (aka Redgrave Place Extended); the provision of accessible sewer to the District; providing an open space for the John Clark family grave markers; and a concept for an equitable development scenario of the Main Street connection to MD 355 (involving the Ruddin grocery store). Additional conditions provided for compatibility along the common boundary between the homes in the District and the proposed new homes and improved the connections between the existing church to the new subdivision.

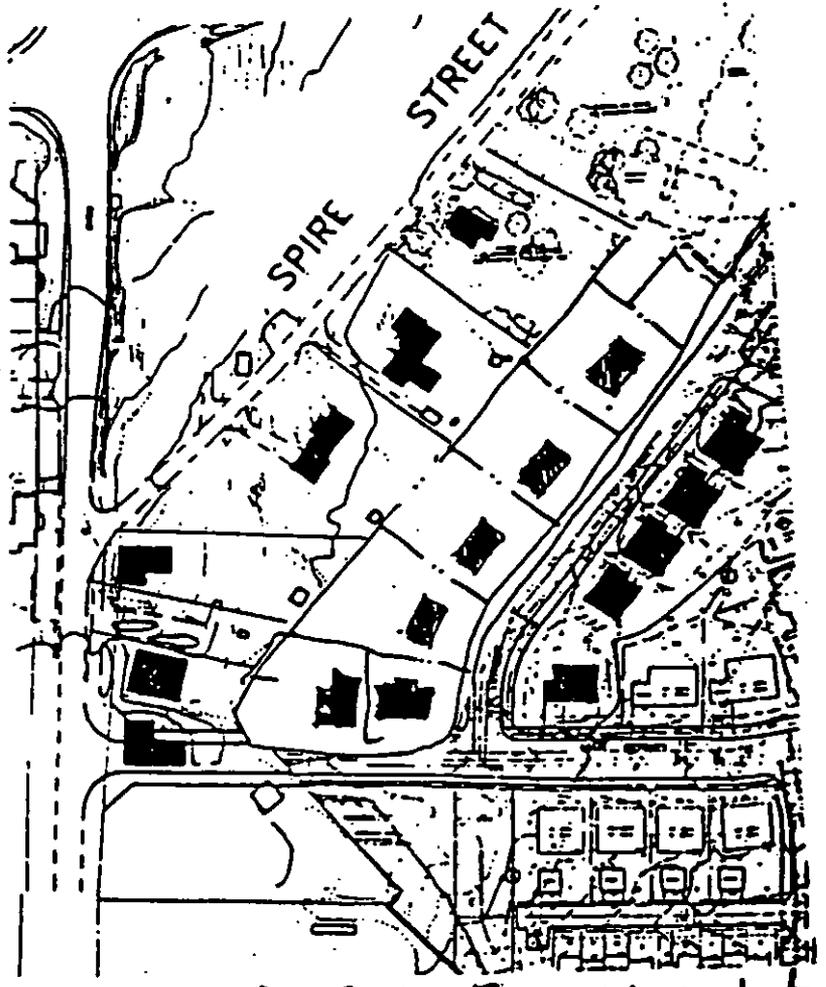
In the context of the site plan review, the HPC reviewed the project and found several requirements outstanding and has passed on the following recommendations: a 20 ft setback, free of a public utility easement, from the right-of-way to the historic Day house at the corner of MD 355 and Stringtown Road; appropriate lighting on Stringtown Road to be compatible with the Historic District; the CTC developer and Aric Ruddin should continue to resolve their issues to allow the Main Street connection to occur opposite Redgrave Place; a detailed design for a public space/interpretative area

to include the Clark Family Cemetery headstones with appropriate protection should be developed further for staff review and approval; and a lot should be deleted from the single family home area directly adjacent to the Historic District.

The removal of a proposed house is to create compatibility between the two projects utilizing similar scaled and dimensioned buildings and surrounding open spaces. The existing condition on Spire Street has three homes that have lot widths at their building face of 130 ft, 115 ft and 180 ft. The lots along MD 355, whose rear yards adjoin the common boundary, have 40 and 60 foot widths at the front building line. The proposed six lots have 2 lots with 68 foot widths at the front building line, one lot at 65 feet, one lot at 990 feet, one lot at 88 feet and one lot at 120 feet. The average frontage for all six lots is 83 feet. The approved Project Plan condition reads: "...the size of lots and setbacks of the proposed development must match, approximately, the development standards in the R-200 Zone for building setbacks and width of lots along the southeastern boundary of the site..." The required lot width along the front building setback line is 100 feet. The dimensions of the proposed lot widths and the sketch below show the lack of conformance with the desire of the HPC and the Planning Board's earlier decisions. The staff proposal clearly shows that the 100 foot lot widths work to create an appropriate transition between the existing Historic District and the proposed units. See memo of January 15, 1998 from the Historic Preservation Commission in the Appendix.



Applicant's Proposal 30



Staff's Recommendation

**C. Conformance to the review comments of the MCPD Parks Department**

MCPD Parks department has review the project and offered the support of the Greenway Concept Plan and their acceptance of recreational facilities to be built by this applicant within Kings Park per their guidelines. They reiterated the terms and conditions of the park/school dedication that was part of the Preliminary Plan approval. See memo Dated January 13, 1998 in Appendix.

**ANALYSIS: Conformance to Development Standards - RMX-2**

**PROJECT DATA TABLE**

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Proposed</b>
Lot Area (ac.):	30 ac min.	120.17 ac Phase I 270.16 ac Total
<b>Dwelling Units:</b>		
One-family detached		75
Townhouse		295
Multiple-family		398
<b>TOTAL</b>	<b>150</b>	<b>768</b>
Moderately-priced DUs included(12.5%)	96	96
<b>Min. Green Area or outside amenity area (total for site)</b>		
W/in the commercial portion of site	15%	n/a w/ Phase II
W/in the residential portion of site	50%	64.7%
<b>Min. Number of dwelling units approved</b>	<b>150 du's or</b>	<b>1,300 du's w/ Optional Method utilizing Project Plan</b>
	<b>Not &gt; MP recommendation</b>	<b>2,600 for Town Center total 1,300 CTC total 768 CTC Phase I</b>
<b>Building Height</b>	<b>4 stories</b>	<b>4 stories</b>
<b>Max. Residential Density (total site)</b>	<b>30 du/ac</b>	<b>11.9 du/ac (1,300 du/109.17 ac)</b>
<b>Min Bldg setbacks (ft.):</b>		
<b>From one family zone</b>		
Commercial bldgs	100 ft.	n/a -w/ Phase II
Residential bldgs	100 ft	50 ft*
<b>From any street</b>		
Commercial bldgs	n/a	n/a - w/ Phase II
Residential bldgs	n/a**	10 ft min**

\* Per 59-C- 10.38 allows for setback reduction by 50% if there are trees or other features on the site that permit a lesser setback w/o adversely affecting development on the adjoining property. The applicant seeks a 50% setback in the areas adjoining the Clarksburg Historic District where mature trees are in place and are proposed to be saved and embellished with additional planting

\*\* The Planning Board reviewed this setback during the Project Plan Review and found that no setback is necessary per the approved master plan.

	<b>Allowed /Required</b>	<b>Provided</b>
<b>Parking</b>	To be located on RMX zoned land To conform to 59-E	Conforms PB waiver of pkg req'mt to allow on street parking for req'd spaces
<b>Number of Parking Spaces</b>		
<b>Phase 1A - Town Square</b>		
	Multifamily (248 du @ 1.5/du)	372
	SFD and TH (18 + 159 @2.0/du)	<u>354</u>
	<b>TOTAL</b>	<b>726</b>
	Note: 17 spaces req'd on street	1098 (389 on street, 345 parking lot, 364 driveway/garage)
<b>Phase 1B - Hilltop District</b>		
	Multifamily (150 @ 1.5/du)	225
	SFD and TH ( 59 + 134 @ 2.0/du)	<u>386</u>
		<b>611</b>
	Note: 90 spaces req'd on street	787 (266 on street, 255 parking lot, 266 driveway/garage)

Required Public Facilities and Amenities are listed above SITE ANALYSIS: Conformance to Project Plan. The site plan provides the required public facilities and amenities.

## MPDU CALCULATIONS

MPDUs required for 768 du's - 12.5% of 768 = 96

MPDUs provided in Town Square area: 12 TH's and 28 multifamily du's

Mpdu's provided in Uphill District: 14 th's and 42 multifamily du's

## RECREATION CALCULATIONS

	tots	children	teens	adults	srs	Total
<b>DEMAND TOTAL</b>	102.1	137.4	19.8	930.7	98.6	1388.7

### SUPPLY (amount proposed)

#### ON SITE

Tot Lot (1)	9.0	2.0	0.0	4.0	1.0	
Multi-age Play Lot (2)	18.0	22.0	6.0	14.0	2.0	
Picnic/Sitting (12)	12.0	12.0	18.0	60.0	24.0	
Open Play Area II (1)	3.0	4.0	4.0	10.0	1.0	
Bike System (1)	5.1	13.7	18.0	139.6	9.9	
Pedestrian System (1)	10.2	27.5	24.0	418.8	44.4	
Nature Trails(1)	5.1	13.7	18.0	18.0	139.6	
Nature Areas(1)	0.0	6.9	12.0	93.1	4.9	
Swimming Pools(1)	5.1	27.5	24.0	232.7	14.8	
Vading Pool(1)	15.3	6.9	0.0	46.5	4.9	
<b>ON SITE TOTAL</b>						1622.9

**EXISTING OFF SITE TOTAL** 74.7

**PROPOSED OFF SITE TOTAL** 79.9

Existing Off Site Supply Points for a Tot Lot, Open Play Area I, Soccer-Junior, Baseball-Junior yields a total of 74.7 points at 35 value % of each. Proposed Off Site Supply Points for a Tot Lot, a Multiage Play Area and 6 Picnic Sitting Areas yield 79.9 points at 85 % value of each.

**SUPPLY TOTAL** 1777.5

### TOTAL PERCENTAGE FOR EACH CATEGORY

100.5	120.3	124.6	131.6	137.8
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The recreation proposal for the Site Plan exceeds the required amount of the recreation for the project.

## **FINDINGS for Site Plan Review:**

1. The site plan is consistent with the Project Plan approved for this site utilizing the RMX-2 optional method of development. See discussion above.
2. The site plan meets all of the requirements of the zone in which it is located. See Project Data Table above.
3. The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.

### **a. Location of Buildings**

The 768 homes (75 SFDs, 295 Townhouses and 398 multifamily units) are sited to create the look of an older town, utilizing what we now call neotraditional town planning. The unit locations as described earlier in this report, create a series of blocks which provide a suitable residential setting for each unit type. This layout establishes order and clear orientation for each street and to each address. Additionally, each unit type faces the street and connects to it with a walk for direct, safe and efficient connections. All the parking areas also connect to the streets and units for safe and efficient use. The unit orientation to the street also provides for an attractive view from adjoining roadways and properties, hiding the rear yards from public view.

There is common open space for each building type, either within a neighborhood green or mews. The buildings location at the block edge leave opportunities for a variety of open spaces for public and private use. The provision of many sitting and play areas dispersed throughout the units and public spaces create an abundance of opportunities for public gathering and recreation.

The edge of Historic District would be improved with the creation more open space within the SFD units proposed there.

The MPDU locations conform to the approved guidelines by: providing 12.5% of the proposed units as MPDU's; providing two different types of units, similar to the proposed units in the project; townhouses with only MPDU's are permitted as shown; the Uphill District townhouses and multifamily units are units are sited near recreation areas open space play areas. The outstanding items for the MPDU locations are : the townhouses in the Town Square District must either be relocated next to recreation areas or recreation shall be installed near them; the site plan and record plats must identify all MPDU locations. With these improvements, the MPDU's conform to the Site Plan Guidelines approved by the Planning Board 6/1/95.

### **b. Open Spaces**

There are 70.65 acres of open space provided within the whole Clarksburg Town Center. The open spaces are used for environmental mitigation, for recreation, buffers and tree preservation. Within the developed areas, the open spaces provide for sitting areas, walks and buffers between development.

## **Discussion of Environmental Findings**

### **Adequacy of Stream Buffers**

Stream buffers per the Environmental Guidelines and Priority One forest conservation areas have been protected, with the exception of unavoidable intrusions for grading of the Greenway road, road crossings on Greenway Road and Main Street, stormwater management facilities, and sewer installation. Greenway Road grading will be done only in unforested portions of the stream valley and will be reforested. None of the impervious road surface will be within the buffer. The road crossings will have to conform to the county guidelines for environmentally sensitive road crossings which encourage reduction of the crossing footprint and maintenance of the stream channel. Although the stormwater management facilities require some forest clearing and for the most part cannot be reforested (although some landscaping is possible), they are vital to protection of the stream from the impacts of development and cannot be located outside the buffer without significant impact to the layout and density of the plan. To the extent possible, the sewer easements avoid the most sensitive areas and will be reforested.

In all instances, intrusions into the stream buffers will be minimized and mitigation of impacts will be required. Another danger to streams and stream buffers on this site is the large area and amount of grading that will be done within the development area. As protection, extraordinary and redundant sediment and erosion control measures are being required during construction. To ensure that these measures are adequate, effective, and in good working order, staff is recommending that an independent inspector funded by the applicant be retained by MCDPS to monitor the sediment control devices and deal with potential problems. This approach is being successfully used for another site plan currently under construction in a sensitive watershed, and is consistent with recommendations made in the County's Sediment Control Task Force Report (June 1997).

### **Adequacy of Stormwater Management**

Stormwater management is provided by several on-site water quantity and quality facilities which have been required as part of the review and approval of the SPA Water Quality Plan. Water quality control will be provided by an extensive series of Best Management Practices (BMP's) including sand filters, bioretention, and clean water recharge areas. These facilities are linked together with the quantity control facilities which consist of a dry pond within the western stream valley and a wet pond located within the development area on the east side of the property. Both ponds are in approximate locations identified by the Clarksburg Environmental & Water Resources Study for shared stormwater management facilities. Although facilities that are in-stream or have permanent pools of water are not usually desirable in temperature sensitive watersheds, it was determined as part of the review of the Preliminary Water Quality Plan that given the development intensity, more effective stormwater controls would be provided by these facilities. The in-stream facility will use the dam created by the Greenway Road crossing which eliminates additional disturbance. The remainder of the valley will be left as it is except for reforestation. The wet pond will be designed with as many features as possible to reduce the temperature of water entering the stream from the pond outfall.

## Final Water Quality Plan

The Final Water Quality Plan for the town center addresses the Performance Goals established during pre-application review, outlines the strategies that will be employed to meet these goals, and includes a detailed plan for water quality monitoring of the streams before, during and after construction. The following is a brief summary of the performance goals and strategies:

**GOAL:** Protect the stream/aquatic habitat - restore habitat which promotes natural recovery toward a Use IV stream habitat.

**STRATEGY:** *Address the three components of aquatic habitat. Chemical component - Water quality BMP'S; Physical component - reforestation of stream buffer, stream valley improvements, stringent erosion and sediment controls, stormwater management controls, conversion of agricultural fields; Temperature - retention/replanting of forest within stream valleys, BMPs including sand filters, bioretention, clean water recharge and cool water infiltration and recharge.*

**GOAL:** Maintain natural on-site stream channels: through effective upland site planning, stormwater controls, and sediment and erosion control; protect stream habitat features vulnerable to anticipated development impacts.

**STRATEGY:** *Redundant sediment control, water quality BMPs, stormwater management quantity controls, reforestation along stream channels, stream channel improvements, protection of existing stream valley forest and wetlands.*

**GOAL:** Minimize stormflow runoff increases - Through stormwater management, decrease duration and frequency of bankfull discharge to preconstruction levels.

**STRATEGY:** *Control first 1" of runoff from proposed impervious surfaces to mimic existing conditions during a two year storm.*

**GOAL:** To identify and protect stream banks prone to erosion and slumping - Identify the most erosion prone stream bank areas and stabilize them with a combination of structural and bioengineered solutions to anticipate the altered flow regime resulting from development.

**STRATEGY:** *Stream valley improvement*

**GOAL:** To minimize increases to ambient water temperature - minimize increases to 3.5 percent of existing baseflow conditions.

**STRATEGY:** *Water quality BMPs which infiltrate stormwater runoff and mix it with cooler groundwater, shading of stream valley through retention/planting of forest.*

**GOAL:** To minimize sediment loading - minimize sediment loading and reduce stream embeddedness by 80 percent.

**STRATEGY:** *Reforesting stream buffer, stream stabilization, stringent erosion and sediment control, stormwater management controls, conversion of agricultural fields.*

**GOAL:** Maintain stream baseflow - Limit the post-development reduction of base flow in streams to 0 percent.

**STRATEGY:** *Partial (80%) maintenance through infiltration BMPs.*

**GOAL:** Protect springs, seeps, and wetlands - Protect natural recharge areas of perennial seeps and springs that provide cold water to streams where feasible.

**STRATEGY:** *Minimize disturbance, infiltration BMPs, stream valley open spaces.*

Environmental Planning Division staff concur with MCDPS that the proposed Final Water Quality Plan meets the SPA requirements for the development and grading areas within the site and for a portion of the perimeter arterial roads (see MCDPS memo). We recommend conditional approval of the plan.

Arterial Road Open Section Roadway Waivers are required to approved closed section roadways within a Special Protection Area.

Environmental Planning Division staff support use of closed section improvements to Stringtown Road from MD Route 355 to the Greenway Road, and for Clarksburg Road from MD Route 355 to the Greenway Road. It has been determined that additional stormwater management controls can be provided to compensate for the loss of open swales for these roads and water quality will be protected. Stringtown Road from the Greenway Road to Midcounty Arterial should be a modified open-section road. Midcounty Arterial will be reviewed as part of future site plans.

### Noise Mitigation

Significant noise impacts affecting the outdoor area of Lot 1, Block K and Lots 1, 6, 7, 10 and 11, Block J have been mitigated to the extent feasible by small, densely landscaped berms to provide at least visual screening of the noise source. The same visual screening is provided for Lots 23 and 33, Block K and Lot 51, Block L through use of fencing around the perimeter of the rear yards. Interior noise levels within all of these units will be addressed by appropriate building design and construction.

### c. Landscaping and Lighting

The landscaping plan is richly developed to provide for a variety of functions: buffering and screening; to provide shade for parking lots, streets, sitting and play areas to stabilize stream valleys; to create entry features; to articulate the Town Square and preserve existing wooded areas. The bike path along Greenway Road will be accentuated by groves of trees which allow for intermittent views of the stream valley. The Forest Conservation Plan and the stream valley buffer planting will create a forested stream valley over time with water quality benefits. The Landscaping Plan also provides for SWM facility plantings to assist in water retention and to provide for an attractive setting for utilitarian functions. The plant selections proposed by the applicant are suited to the environment and their intended purpose.

Staff recommends that further review be required to: provide additional planting within the SWM facilities; to determine the appropriate ground cover for the steep slopes; to assure that evergreen plantings be added to Stringtown Road to assist with perceptual noise mitigation; and for the Town Square, a planting that will add some presence to the space until a civic use is found to occupy the space. For those areas where tighter tree spacing is proposed within the public right-of-way, the HOA will be required to maintain those trees.

#### d. Recreation

Recreation demand is satisfied as shown in the recreation calculations table above.

The recreation proposal has located a variety of play areas throughout the project. In order to provide play areas within convenient access to all the units within each block, the typical play area has, in some cases, been dispersed to provide a single swing or sandbox and bench tucked within an open space, rather than require a large totlot structure for every location. Play equipment and path connections have been added to the existing Kings Park to accommodate the increased usage by this development.

The MPDU townhouses within the Town Square neighborhood need to have additional recreation added next to them.

#### e. Vehicular and Pedestrian Circulation

The vehicular and pedestrian circulation systems are merged for the neighborhood and Town Square areas. Both the streets and the sidewalks that adjoin them on both sides create a modified grid system for circulation - modified to meet existing conditions and topography.

The internal streets are designed (with some waivers) to allow pedestrian friendly features ie, reduced curb radii, raised crosswalks and intersections, parallel parking which create a safe, clearly defined environment for both vehicles and pedestrians. The multiple intersections and block pattern create efficient and safe access to each unit or parking lot and assists movement throughout the neighborhood.

Internally, Greenway Road provides a recreational trail that is off road to separate the bicyclist from the motorists. The connections across Main Street are defined by crosswalks and a raised intersection to provide safe pedestrian and bicyclist crossings. Beyond the site to the north, the Greenway bike trail will cross Clarksburg Road and connect to the park to the north. South of the site it will connect efficiently and safely to bike trails planned with roadway improvements. Main Street will be a designated route for a Class III or on road bike path. Staff recommends that the applicant post it with a sign to highlight the presence of bicyclists.

Other internal street features are for private streets to allow on street parking aligned to units, staff supports this waiver of standards. Until the Main Street connection is made there needs to be a turn

around at its terminus.

The external arterial streets and their access points are in accordance with the approved Preliminary Plan. The arterial streets include Class I bike paths, per the Master Plan. They are placed along the side of the property to efficiently provide the population of Clarksburg Town Center a continuous loop around the entire project and to make a link to the transit station and regional bike paths beyond.

The pedestrian system for the project is continuous, efficient and safe. Sidewalks are in place on every street, providing complete pedestrian access through the developed areas. Each block has a path through it for efficient movement through the entire area. The path system within the open spaces connects to the sidewalks for a continuous and efficient movement. Staff recommends that one sidewalk be deleted due to lack of use and the need to reduce paving in the SPA - the sidewalk along the north side of the Mid-County Arterial.

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

The Clarksburg Town Center will be ultimately be perceived as an extension of the land use patterns established within the existing town of Clarksburg. The proposed siting of SFD units next to the boundary of the homes within the Historic District will establish a continuity of unit type, mass and layout from existing to new development. The removal of one proposed SFD home along the will improve the compatibility between the projects. The topography that slopes away from Stringtown Road and Mid County Arterial and the heavily planted buffer allow for the development to be sited with the least intrusion to the rural land to the east of the property.

The preservation of and the provision of a wooded buffer between the Historic District, the church, Clarksburg Road and the proposed site plan will allow for development to occur with a retention of the existing character of the area and minimized environmental disturbance.

The activity associated with the proposed residential and recreational uses will not cause any negative effect on the existing town.

5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The site plan meets all applicable requirements of Chapter 22A regarding forest conservation. Forest Conservation requirements for this phase of the development have been met by the preservation of approximately 16 acres of existing forest, with additional planting of approximately 8 acres.

Most of the forest retention and planting areas are within stream valleys that will be dedicated as park land. A Category I Conservation easement will be placed over the forest conservation and buffer areas outside of park dedication as shown on the Forest Conservation Plan. See approval memo of January 15, 1998 in the Appendix.

## CONCLUSION

The review team for the Clarksburg Town Center # 8-98001 includes the following:

Charlie Loehr, Chief, Development Review

Wynn E. Witthans, Development Review

Ron Welke, Transportation Planning

Cathy Conlon, Environmental Planning

Gwen Wright, Historic Preservation

Karen Kumm, Lyn Coleman, Community Based Planning

Tanya Schmieler, Park Planning

Joe Davis, Development Review

also: Larry Ponsford, Micheal Ma, Brooke Farquhar, Beverly Breen, Ki Kim, John Carter

Sara Navid, MCDPS

Greg Leck, MCDPW&T

Richard Gee, MCDPS

Rick Brush, MCDPS

Greg Cook, MDSHA

Janice Turpin, MCPS

**PPENDIX**

- a. Standard conditions dated January 16, 1998.
- b. Correspondence referenced in report

**NOTE:** A transcript of the Project Plan and copy of the minutes of the Preliminary Plan hearing been placed in the Planning Board office for the Board's review.

g:\spstaff\8-98001

**APPENDIX A:**

**STANDARD CONDITIONS OF APPROVAL DATED 1/16/98:**

1. Submit a Site Plan Enforcement Agreement, Development Program, and Homeowners Association Documents for review and approval prior to approval of the signature set as follows and as stated above in other conditions:
  - a. Development Program to include a phasing schedule as follows:
    - 1) Street tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
    - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
    - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
    - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
    - 5) Clearing and grading to correspond to the construction phasing; to minimize soil erosion;
    - 6) Coordination of each section of the development and roads;
    - 7) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
    - 8) Phasing of site clearing and grading to minimize soil erosion;
    - 9) Phasing of stormwater management and forest construction.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include, in addition to other requirements, for staff review prior to approval by MCDPS:
  - a. Undisturbed stream buffers at least 120 to 150 feet wide as shown on the site plan;
  - b. Limit of disturbance;
  - c. Methods and location of tree protection;
  - d. Forest Conservation areas;
  - e. Relocation of stormwater facility outfalls from pond away from forest preservation or other environmentally sensitive areas;
  - f. Conditions of MCDPS Water Quality/Stormwater Management Concept approval letter dated January 15, 1998;
  - g. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
  - h. The development program inspection schedule.
  - i. Category I conservation easement and park dedication boundary
  - j. Street trees along all public and private streets inclusive of the arterial streets surrounding the project;
  - l. Centralized, screened trash areas for all multi-family and one-family attached units

except townhouses

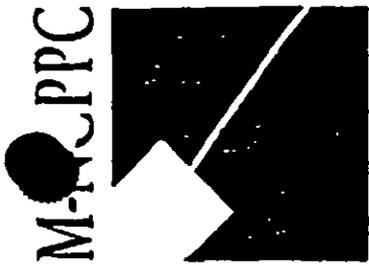
- m. Details for and location of noise fencing to attenuate current noise levels to no more than 45 dBA Ldn for the outdoor back yard area of homes at Stringtown Road and Midcounty Arterial.
  - n. certification from a professional acoustical engineer that the building shell will attenuate current noise levels to an interior level not to exceed 45 dBA Ldn.
  - o. location of outfalls away from tree preservation areas;
  - p. environmental setting protecting the historic resource or site.
3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and MCDEP issuance of sediment and erosion control permit.
4. No clearing or grading prior to Planning Department approval of signature set of plans.

## APPENDIX: Previous Planning Board Environmental Decisions

The proposed site plan includes 768 of the approximately 1300 units anticipated for the town center site with associated infrastructure. It also includes grading for the future commercial/off ice/retail portion of the site. The plan results in complete development or grading of the west side of the site and development of approximately one third of the east side.

As part of project and preliminary plan review, the Board made the following decisions:

1. Agreed to stream buffer encroachment for the grading of the greenway road (no clearing of forest, no imperviousness in the buffer, complete reforestation) and two associated stormwater management facilities (minimize disturbance and re-vegetate) due to the effect the alternative would have on site design and density.
2. Established that Clarksburg Town Center must comply with Special Protection Area (SPA) Water Quality Review requirements except that the revised SPA wetland buffers (*Guidelines for Environmental Management of Development in Montgomery County*, February 1997 edition) would not apply.
3. Agreed that stream buffers must be forested wherever possible to meet county Forest Conservation Law requirements and Clarksburg Master Plan objectives; meadow/wildflower areas or other amenity landscaping must be placed outside of buffers.
4. Agreed that forest planting in the Little Seneca Creek is a priority and instructed the applicant to make a good faith effort to find off-site planting areas within the watershed, if necessary, before planting in the portion of the site draining to Little Bennett Creek.
5. Approved the use of closed section roadways for neighborhood streets (pending official MCDPWT waiver) based upon EPD and MCDPS agreement that the higher road runoff can be compensated for by proposed increased storage of stormwater runoff in the water quality facilities (control of 1" of runoff over the impervious surfaces instead of the more typical 1/2").



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

**MONTGOMERY COUNTY PLANNING BOARD**

**OPINION**

**DATE MAILED:** March 3, 1998

**SITE PLAN REVIEW:** #8-98001

**PROJECT:** Clarksburg Town Center Site Plan Review # 8-98001

The date of this written opinion is March 3, 1998 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before April 3, 1998, (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this site plan shall remain valid until March 26, 2005 (which is the date that the validity period associated with the Preliminary Plan, 1-95042, is set to expire as of the date of this opinion), as provided in Section 59-D-3.8

**First Action: Water Quality Review for Development in Designated Special Protection Areas**

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*Action: Approval subject to conditions. Motion was made by Commissioner Bryant, seconded by Commissioner Holmes, with a vote of 5-0, Commissioners Baptiste, Bryant, Holmes, Hussmann and Richardson voting for and no Commissioners voting against. All Commissioners were present.*

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On January 22, 1998, The Water Quality Review for Development in Designated Special Protection Areas per Montgomery County Code Section 19-67 in accordance with Section 10, was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report which is made a part hereof, the Montgomery County Planning Board finds:

**APPROVAL OF FINAL WATER QUALITY PLAN** including the Stormwater Management Concept with conditions as stated within the January 15, 1997 memo from MCDPS in Appendix: including waiver of Chapter 49-35 through 49-43 of the County Code (Bill 46-91)." Closed Section Roads in the SPA" as noted in Site Plan Review #8-98001.

**Second Action: Site Plan # 8-98001 Approval**

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*Action: Approval subject to conditions. Motion was made by Commissioner Holmes, seconded by Commissioner Bryant, with a vote of 5-0. Commissioners Baptiste, Bryant, Holmes, Hussmann and Richardson voting for and no Commissioners voting against. All Commissioners were present.*

---

On January 22, 1998, Site Plan Review #8-98001 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required;
2. The Site Plan meets all of the requirements of the zone in which it is located;
3. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;
4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board **APPROVES** Site Plan Review #8-98001 which consists of 768 Dwelling Units ( 75 SFD, 295 TH's and 398 Multifamily units), inclusive of 96 MPDU's, subject to the following waivers:

Section 59 -E-3.7 - Schedule of off street parking spaces (to reduce the number of on-site parking spaces with the provision of parking within the public street);

Section 59-C-10.38 - Minimum Building Setbacks - reduces building setbacks to 50 feet

adjoining the abutting property as established in the Project Plan:

Additionally, the approval confirms the waivers established with Preliminary Plan #1-95042 :

- 1) waiver of distance between intersections per 50-26 Subdivision Regulations:
- 2) approval of closed section street sections subject to MCDOT approval:

and as subject to the following conditions:

1. Standard Conditions of Approval dated January 16, 1998 (Appendix A).

#### Environment

- ✓ 2. All agricultural areas within the environmental buffer which have not yet been taken out of production and stabilized with a suitable grass cover will be converted accordingly prior to any authorization to clear and grade for development on the property.
- ✓ 3. Record plats to reflect delineation of a Category I Conservation easement which includes areas affected by this site plan to show a 100 year floodplain, stream/wetland buffer and forest conservation areas that are not part of the park dedication area.
4. Submit final design plans for the stream valley crossings at Main Street to Environmental Planning Division staff for review and comment prior to approval by MCDPS/MCDPWT. Plans must demonstrate adherence to the current MCDPS/MCDPWT Guidelines for Environmentally Sensitive Stream Crossings.
5. Proposed natural surface trail within the Greenway Park to be field located by applicant's representative and M-NCPPC Environmental Planning and Park staff per Development Program within the Site Plan Enforcement Agreement. The stream crossing under Main Street shall be evaluated for adequacy of providing equestrian crossing. The bike path along Greenway Road shall be reviewed by staff to evaluate the consideration of expanding the path to 10 feet in width, pending the adequacy of SPA review by the MCDPS and MCPD staff.
6. Final erosion and sediment control plans shall be submitted to Environmental Planning Division staff for review and comment prior to approval by MCDPS.
7. The applicant shall implement a program of daily inspections, maintenance and repairs as necessary, and detailed daily documentation of inspection and maintenance activities for all sediment and erosion control measures required and constructed on the site. Such a program shall be carried out under the direction of MCDPS and the applicant shall pay the associated reasonable costs. The applicant shall continue to meet with and cooperate with MCDPS. Documentation of inspection, maintenance, and repair activities shall be available for DPS

review and use.

✓ 8. The Forest Conservation Plan shall be approved and bonded prior to issuance of the erosion and sediment control permit.

✓ 9. All stormwater management outfalls which extend into the environmental buffer shall be field located by applicant's representative, MCDPS, and M-NCPPC Environmental staff prior to approval of the stormwater management/sediment control permits by MCDPS.

✓ 10. M-NCPPC Environmental Planning Division staff shall review and approve detailed design plans for any wetland mitigation sites within the environmental buffers prior to issuance of sediment control permits or authorization to clear and grade any of these areas.

✓ 11. Reduce the amount of impervious surfaces within the development by deleting the on-street parking and reducing road pavement on: 1) the stream valley side of the Greenway Road in the immediate vicinity of Main Street; 2) the stream valley side of Street "C" from Street "D" to the bikepath crossing; and 3) on Street "D" west of its intersection with Street "C" pending MCDPW&T and MCDPS approval.

✓ 12. Revise Sheet L-9 of the landscape plans to increase the evergreen tree planting along Stringtown Road in order to provide more year-round visual screening of outdoor rear yard areas from Stringtown Road for noise mitigation purposes.

✓ 13. Revise the signature set of site and landscape plans to show 6 foot fences for visual screening of the rear yards of Lots 23 and 33, Block K and Lot 51, Block L from Stringtown Road for noise mitigation purposes.

✓ 14. Signature set of the landscape plans to include planting for all stormwater management facilities and to be reviewed and approved by M-NCPPC staff in coordination with MCDPS.

✓ 15. No clearing or grading prior to Planning Department approval of the signature set of site plans.

#### Transportation

✓ 16. Show conformance to all waivers to be approved by DPW&T and DPS per memos dated January 14 and 15, 1998, respectively, included in the Appendix and as they may be amended.

✓ 17. Show conformance to cross section and other recommendations per DPW&T. DPS memos dated January 14 and January 15, 1998, respectively, included in the Appendix and as they may be amended.

Conformance to MCPD Transportation Planning memo dated January 20, 1998 included in the Appendix. ✓

19. APF agreement to be executed prior to the first record plat to reflect all road improvement conditions of the Preliminary Plan Approval ie dedication, and construction of required improvements pertaining to the construction of Stringtown Road (A-260), Clarksburg Road (A-121) and Mid-County Arterial (A305) If acquisition of right-of-way becomes necessary for any of the road improvements, the applicant is required to provide, pursuant to Site Plan conditions 17 and 18, and the County exercises Eminent Domain to acquire these right-of-way, the applicant will be responsible to reimburse the County for these reasonable costs. ✓
20. Dedication and construction of "O Street extended to occur prior to the recordation of the last lot in the entire project or when the dedication of "O" Street by the adjacent property owners is made in conjunction with future development proposals.
21. Turn around at the end of Main Street by the Historic district until the connection to MD 355 is established. ✓
22. The applicant shall provide signs for the Class III bike path along Main Street. ✓

#### Park/School

23. If applicable, per MC Public Schools memo of December 31, 1997, in the Appendix, the applicant shall conduct a testing program, the final report signed and sealed by a registered professional engineer, authenticating the adequacy of the deposited soils to support typical building foundation loads.
- ✓ 24. The Greenway path to include sufficient space to provide for a lighting, stabilized path and adequate headroom for pedestrian crossing under the Main Street Crossing;
25. The parks/school dedications schedule to conform to Preliminary Plan # 1-95042 Conditions 6 and 7, see Appendix. ✓
- ✓ 26. All sales contracts, advertising and other information shall include notification that there is an active park in the area and that traffic calming measures will be installed with final paving.
27. All construction within M-NCPPC property to meet with Parks Department specifications and approval prior to release of construction permits for the park.

*main street*

**Historic Preservation**

- 28. The right-of-way for Stringtown Road should be no closer to the historic Day House than 15 feet from the porch column, subject to MCDPW&T and MCDPS approval of cross section.
- 29. Lighting at all road intersections within the Historic District, and especially at Stringtown Road and Frederick Road, should be designed to have a minimal impact on the Historic District. The lighting within the Historic District - both fixtures and intensity - should be compatible with the historic and residential character of the area, as allowed by the utility companies and MCDPW&T and MCDPS.
- 30. Per the Project Plan approval, when the ROW is made available, construct Main Street to MD 355 within the Historic District prior to completion of the project. At such time when the land is made available, share direct moving expenses only for relocating an existing house within the Historic District, and if the applicant and owner agree, make available the identified outlot to be merged with a portion of the adjacent parcel so as to create another lot.
- 31. A detailed design for the public space/interpretative area which will include the Clark Family Cemetery headstones must be submitted for staff review and approval prior to release of signature set. Protection of the headstones from weather deterioration should be a high priority and should be specifically addressed in the detailed design submission. It would also be desirable for the marker to be located in a more central area and better integrated into the public open space than is being provided.
- 32. The lot lines shall be adjusted so to include Outlot "A" to single family home area directly adjacent to the Historic District, to fulfill the Project Plan condition to approximate R-200 zone lot width standards.

*Add dimensions to drawing  
put in SPEA*

*and MCDPS*

**Site Planning, Landscaping and Lighting**

- 33. Detailed landscaping plans for this site plan to be approved by staff prior to the signature set and should reflect the design concepts, the sizes and planting conditions established in the submittal and to consider the climate suitability and their potential to be deer proof.
- 34. Final Lighting plans for the internal streets to be comparable to the "Hagerstown" light fixture shall be configured so as to reduce the glare into the night sky by utilizing appropriate wattage, shields or other techniques that are in conformance with utility company and MCDPS and MCDPW&T requirements.
- 35. Landscaping Plan to show interim landscaping for the Town Square prior to the construction of adjoining units, for staff review and approval.
- 36. The MPDU townhouses in the Town Square District must include recreation areas near by;

the site plan and record plats must identify all MPDU locations.

37. Landscape plans to include: a partial evergreen screen along Stringtown Road; detailed plans for greenway to include planting on steep slopes; additional planting within the SWM facilities; and a sidewalk connection from the street sidewalk to the property line from Street "O" to the adjoining church.

38. The applicant may propose compatible changes to the units proposed, as market conditions may change, provided the fundamental findings of the Planning Board remain intact and in order to meet the Project Plan and Site Plan findings. Consideration shall be given to building type and location, open space, recreation and pedestrian and vehicular circulation, adequacy of parking etc. for staff review and approval.

### Community Planning

39. The applicant shall work with the County executive staff to identify a suitable civic building to be located on the town square within the area to be dedicated for that use.

*memo leads  
to  
status*

### Project Administration

40. The Site Plan Enforcement Agreement to include the following: plat schedule as submitted to staff; complete language of condition 6 and 7 from Preliminary Plan #1-95042 regarding the ball field dedication and construction schedule; reference to the "agreement for Exchange of Land" to include timing triggers of dedication for MCPD Legal's review and comment; reference to the validity period; maintenance for all private recreational area, SWM, open spaces; etc ; and that the level of maintenance for entire project to be of equal quality and not solely dependent upon contributions of an individual area.

41. The Home Owners Association documents or equivalent to include provision for: complete public use and access to private streets for vehicular and pedestrian use; that they shall be permanently open for public use ; that the parking spaces may be assigned to individual units; that maintenance of streetscape items within the public right-of-way ie brick walks, trees, lights, etc. be assumed by the HOA.

42. The Development Program shall include: staging of amenities to occur with site plan construction and to include MCPD review and approval of path location within the Greenway park prior to construction.

43. No construction of units adjoining Midcountry Arterial in Block M, per Preliminary Plan #1-95042 Condition 16e. until the Mid-County Arterial is built. **SPEA**

44. The Planning Board recommends that the vertical alignment and grading of the landscape strip and bikeway along the northern R.O.W. of Stringtown Road to be designed such that

retaining walls are not required in the vicinity of the historic house, subject to the review and approval of MCDPS and MCDPW&T.

**APPENDIX A:**

**STANDARD CONDITIONS OF APPROVAL DATED 1/16/98:**

1. Submit a Site Plan Enforcement Agreement, Development Program, and Homeowners Association Documents for review and approval prior to approval of the signature set as follows and as stated above in other conditions:
  - a. Development Program to include a phasing schedule as follows:
    - 1) Street tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
    - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
    - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
    - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
    - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
    - 6) Coordination of each section of the development and roads;
    - 7) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
    - 8) Phasing of site clearing and grading to minimize soil erosion;
    - 9) Phasing of stormwater management and forest construction.
  
2. Signature set of site, landscape/lighting, forest conservation and <sup>for the</sup> sediment and erosion control plans to include, in addition to other requirements, for staff review prior to approval by MCDPS:
  - a. Undisturbed stream buffers at least 120 to 150 feet wide as shown on the site plan;
  - b. Limit of disturbance;
  - c. Methods and location of tree protection;
  - d. Forest Conservation areas;
  - e. Conditions of MCDPS Water Quality/Stormwater Management Concept approval letter dated January 15, 1998;
  - f. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
  - g. The development program inspection schedule.
  - h. Category I conservation easement and park dedication boundary
  - i. Street trees along all public and private streets inclusive of the arterial streets surrounding the project;
  - j. Centralized, screened trash areas for all multi-family and one-family attached units