

Highlands @ Clarkspaw-9
1-98009



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Management
Company, LLC

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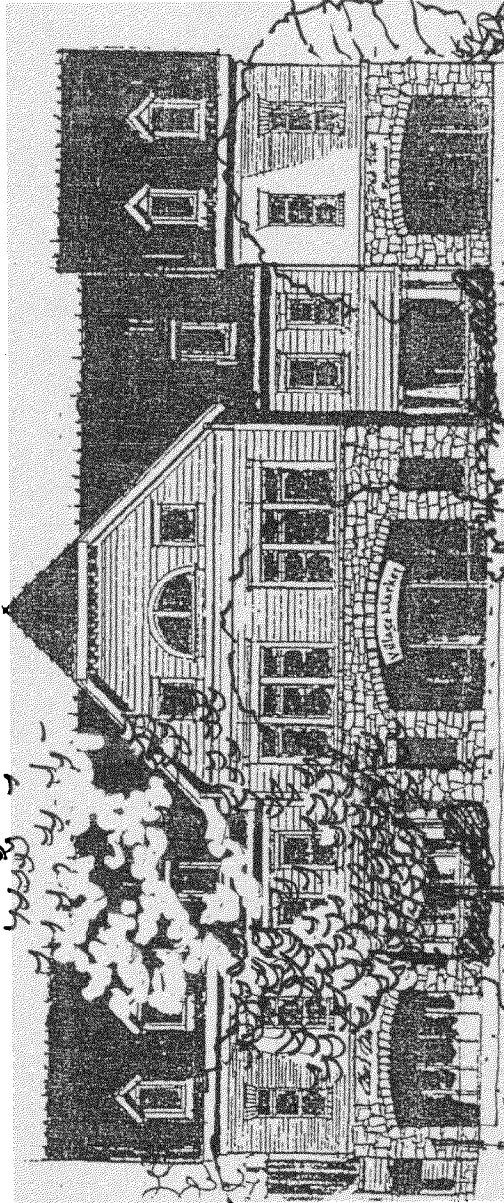
Highlands of Carlsberg

12/11/01

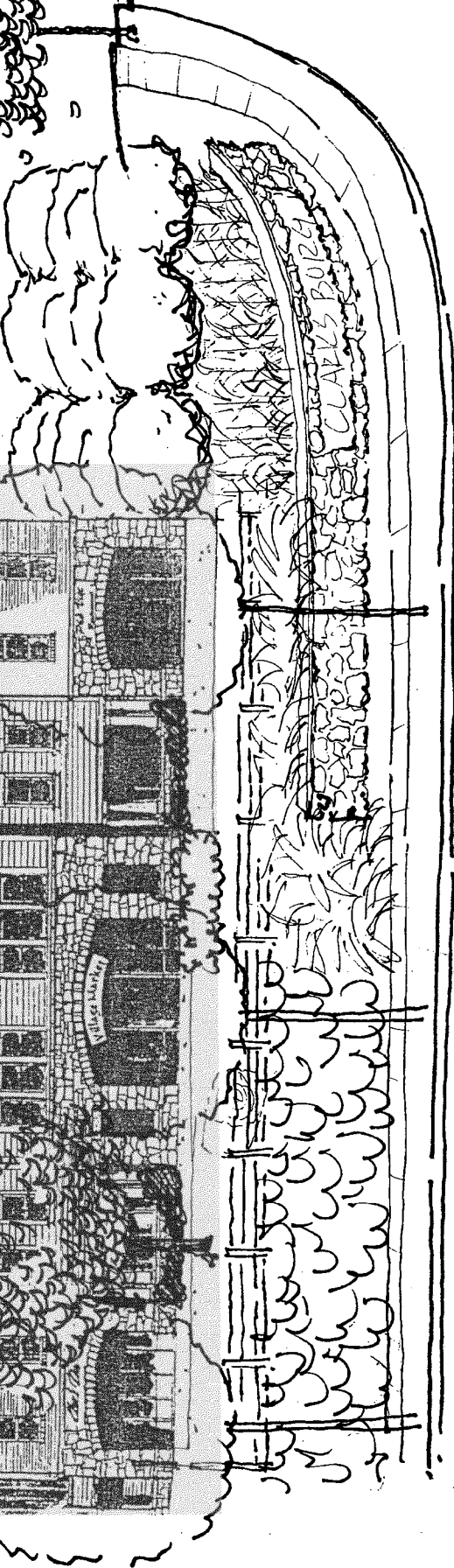
Mike Watkins Ron Wynn
Vic Bryant Gann Karen
Henry Bouis, Kenwood Mgt. Co
Randall Creaser, AIA.

Suggestions: Keep residential bldg as is.

Simplify 2 other buildings, especially in roof - Take out
dormers perhaps?
simplify cross-subles ..

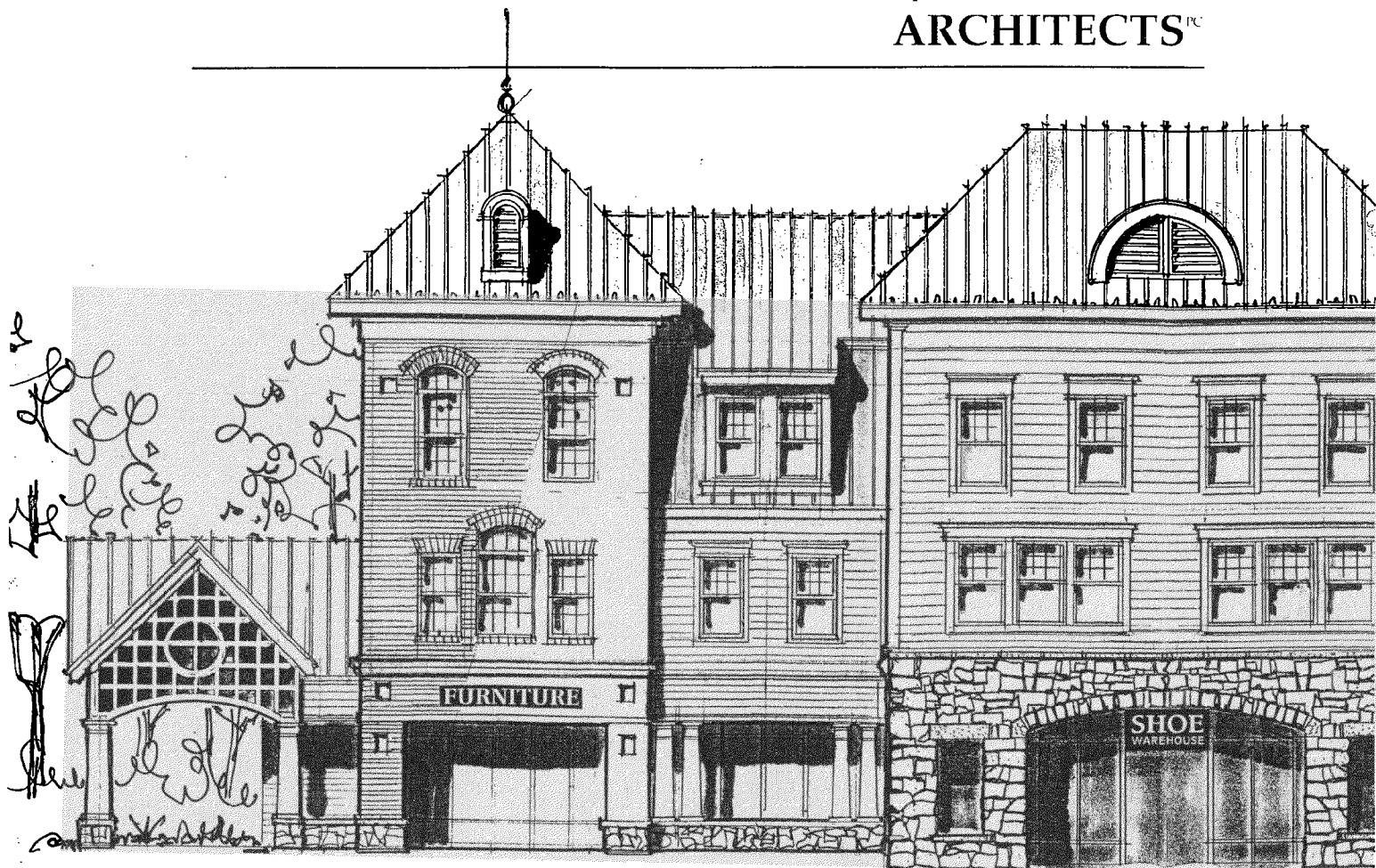


Handwritten notes in Arabic script, likely describing the building or the scene. The text is written in a cursive style and is located in the upper right corner of the page.



HIGHLANDS AT CLARKSBURG

CREASER / O'BRIEN ARCHITECTS^{PC}

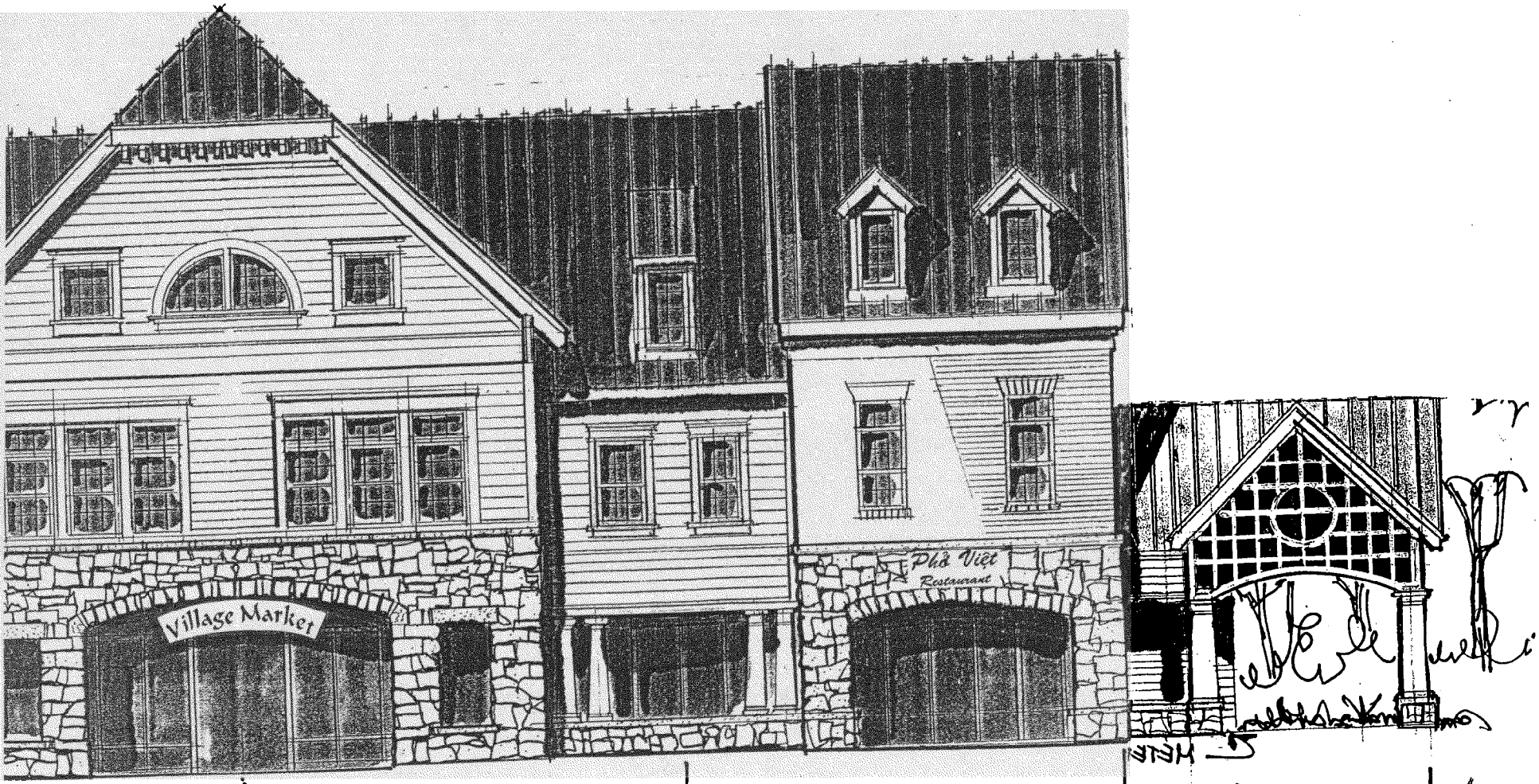


CONCEPT ELEVATIONS &
BUILDING FOOTPRINT 12.11.01

HIGHLANDS
Clarksburg

ARCHITECTURE PLANNING

6 Montgomery Village Avenue Suite 401 Gaithersburg, Maryland 20879 Fax (301) 948-2180 (301) 948-8380



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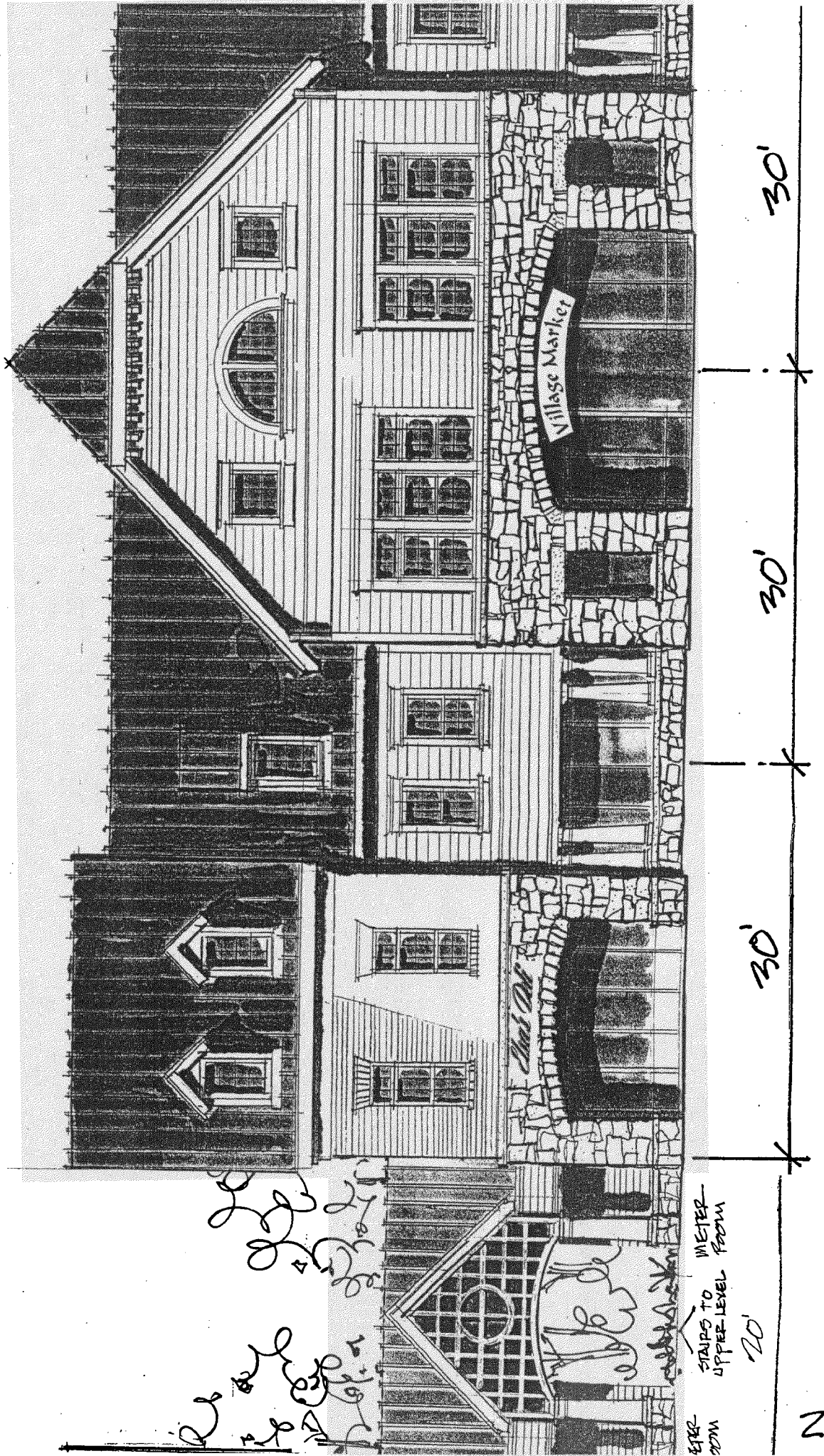
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CREASER / O'BRIEN, ARCHITECTS, P.C.
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STAIRS TO UPPER LEVEL FROM METER ROOM

20'

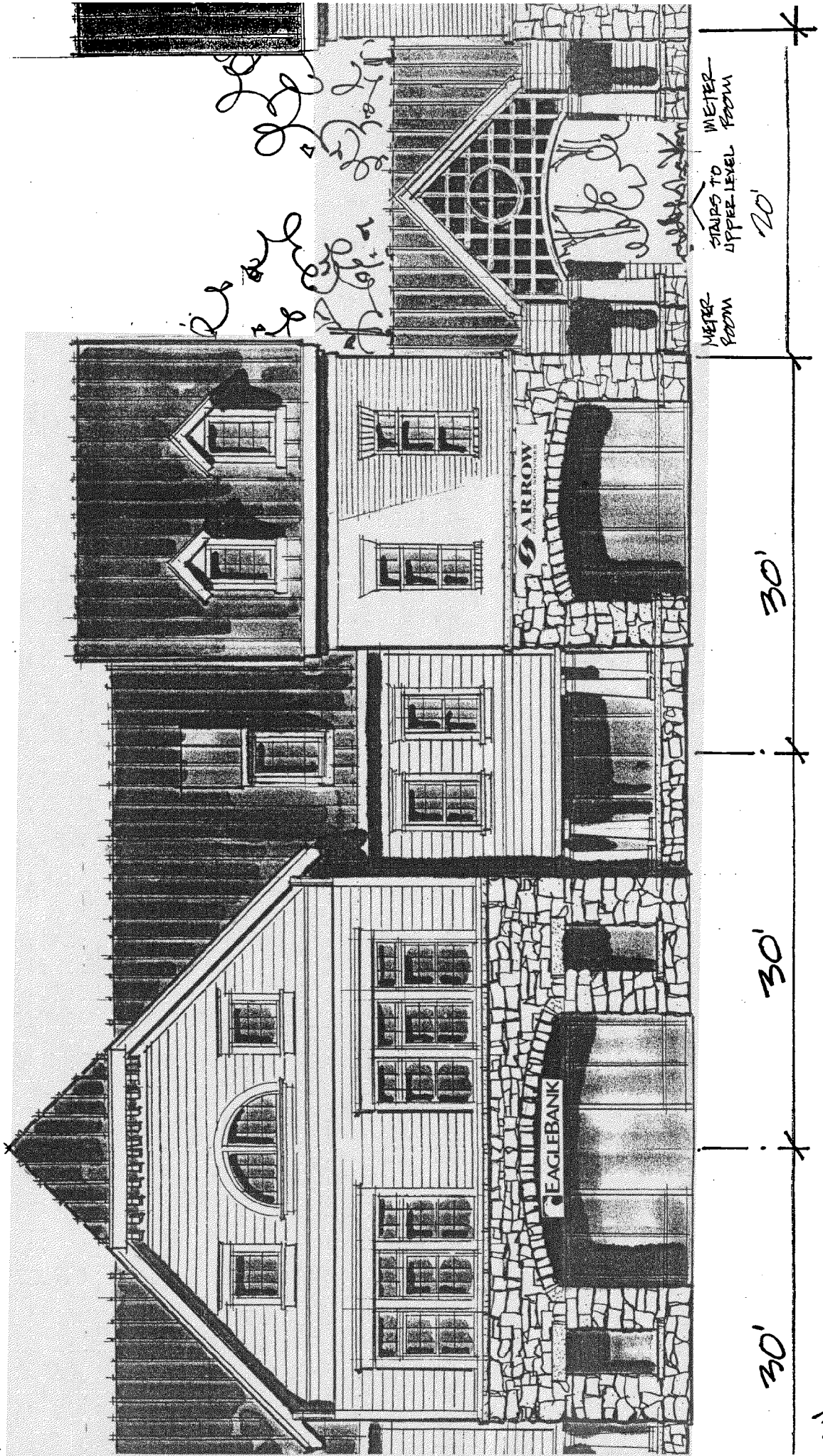
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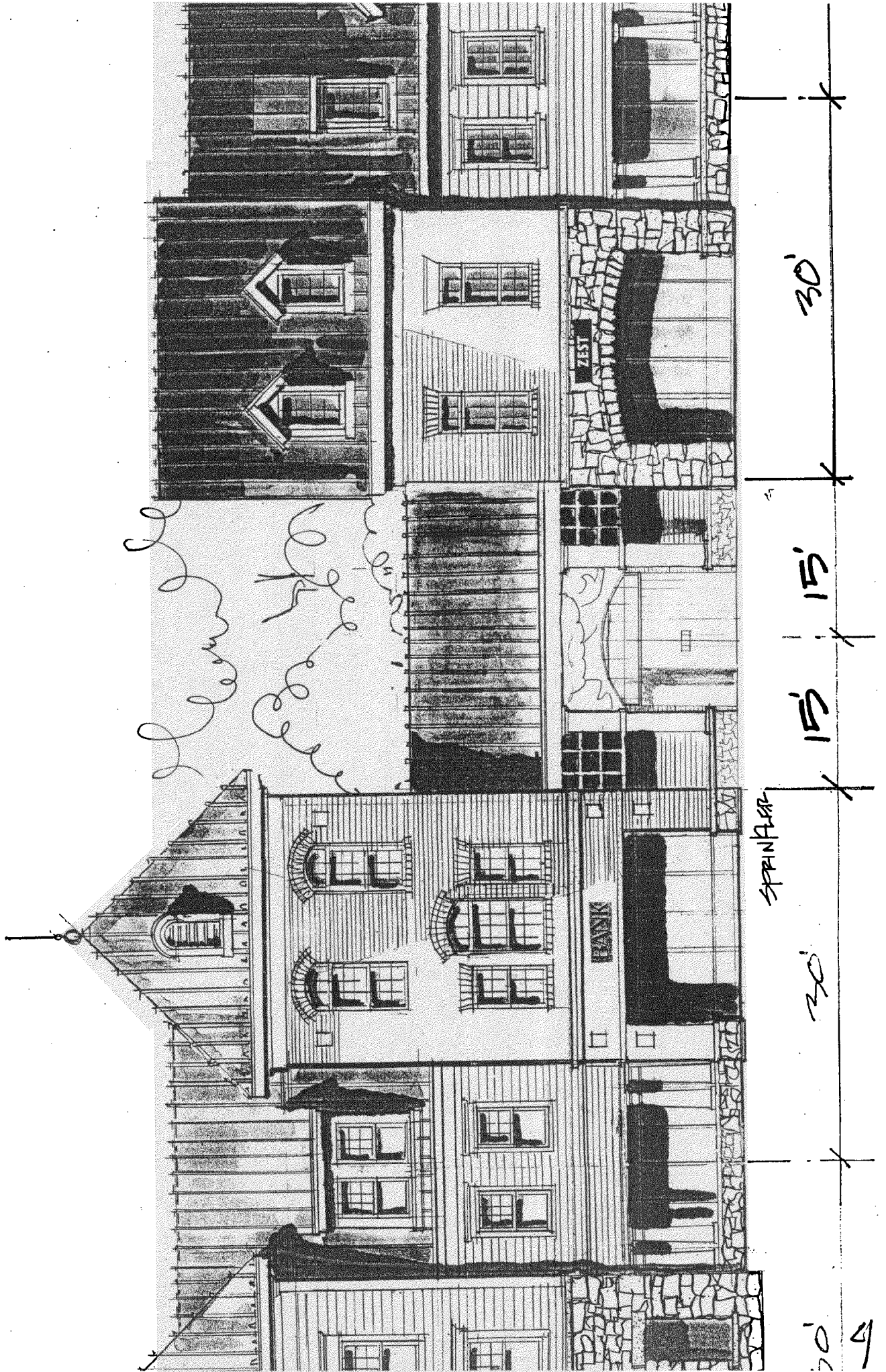
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N.

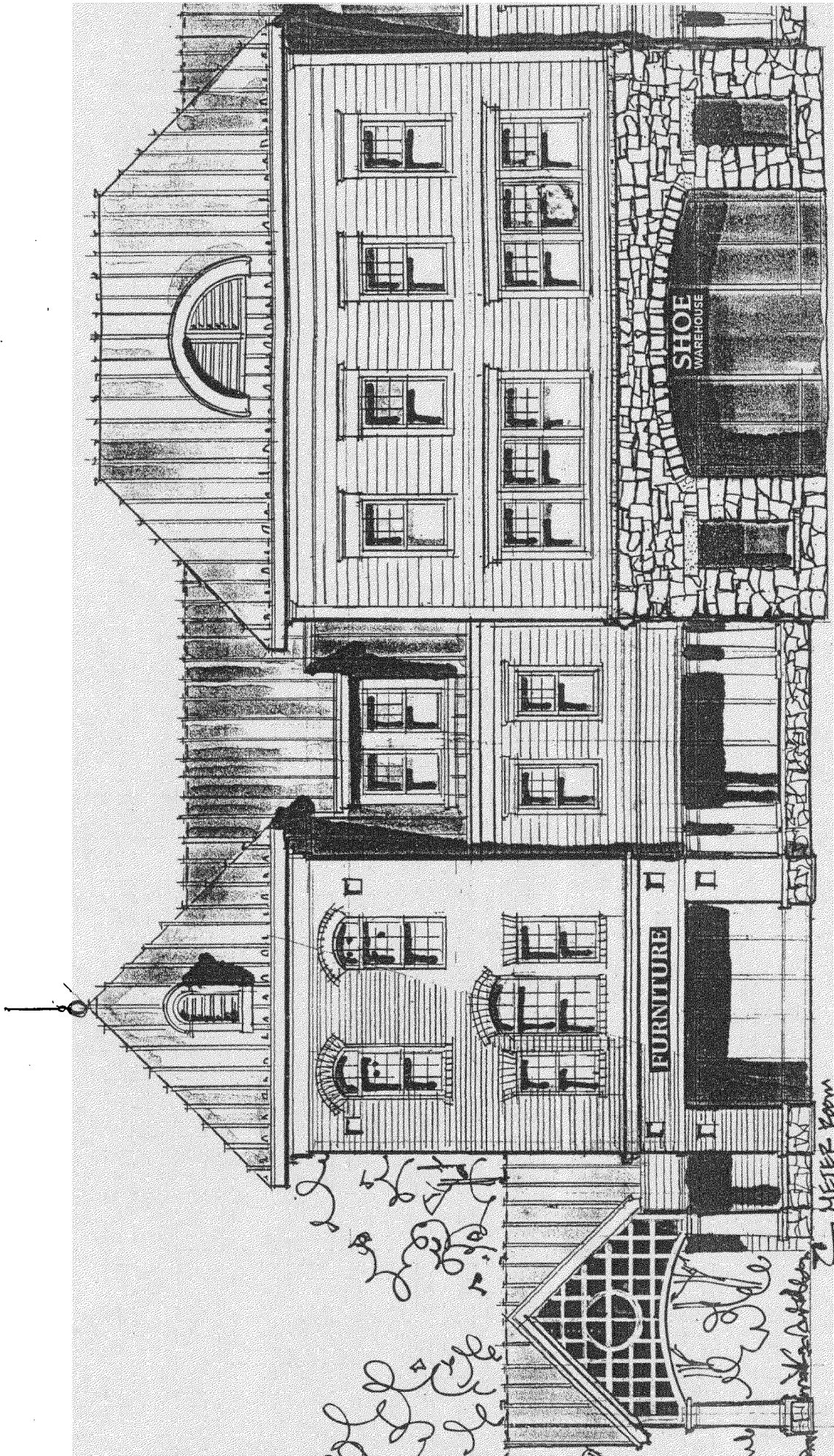
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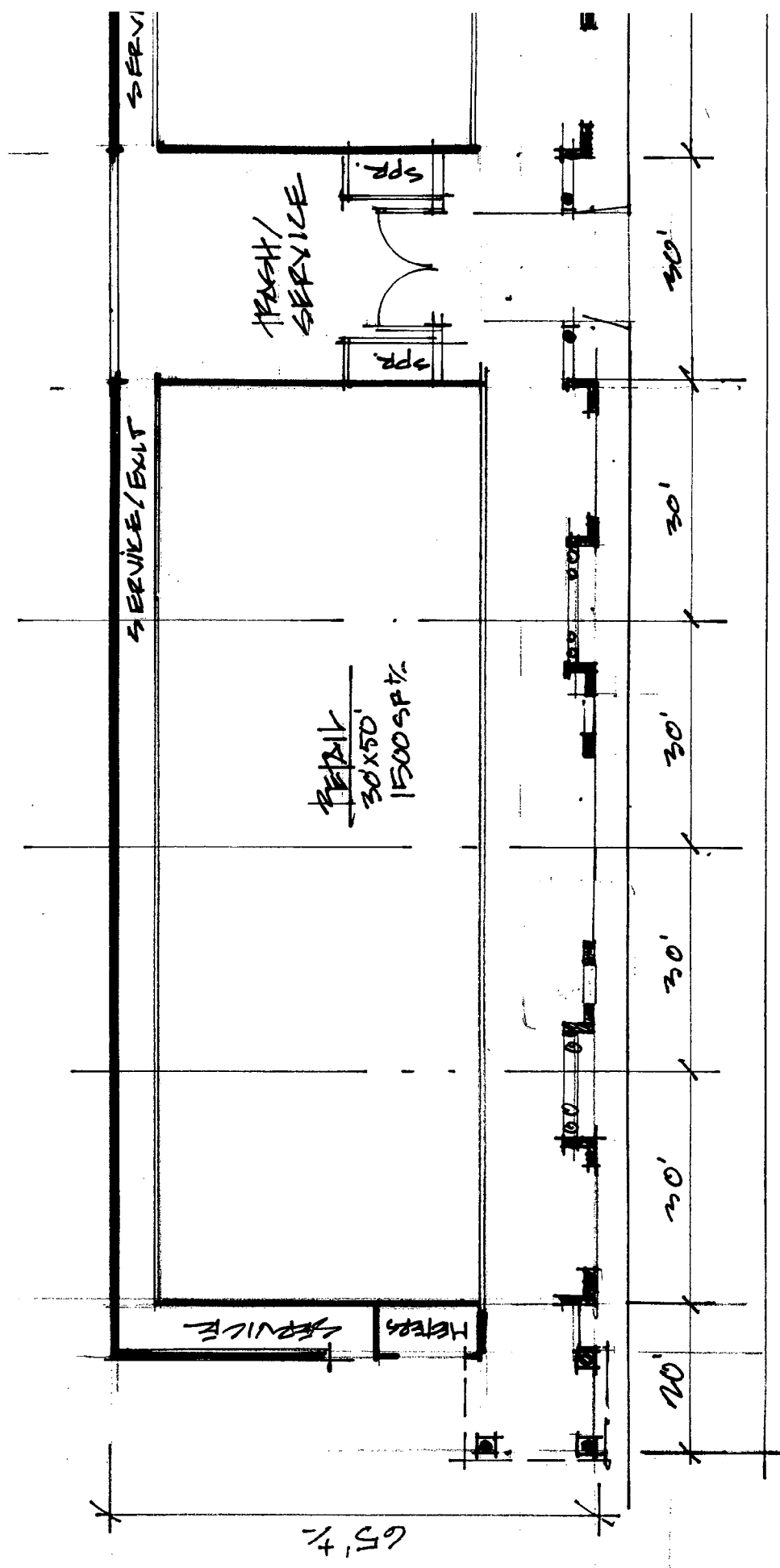


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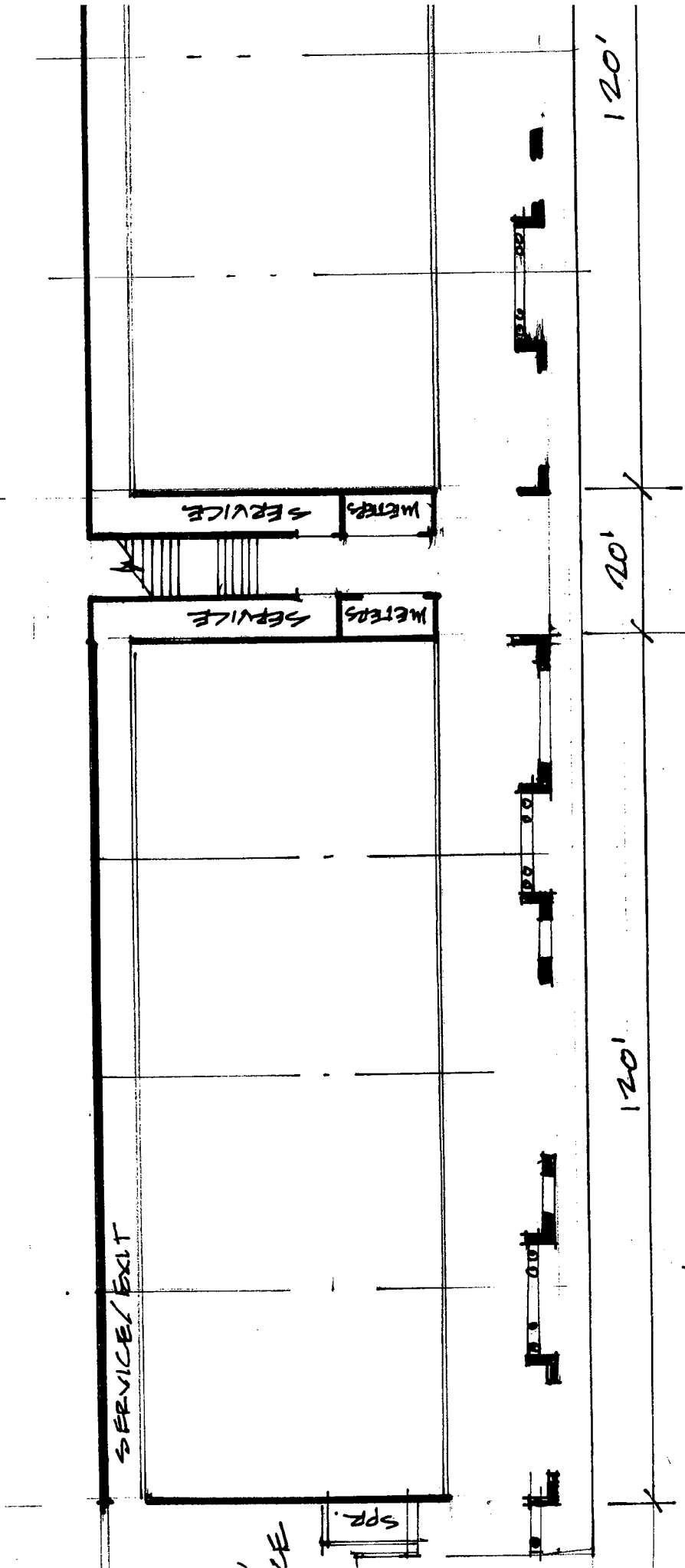
Landscape
Landscape
METEER ROOM

51' x 20'
30' x 30'
30' x 30'

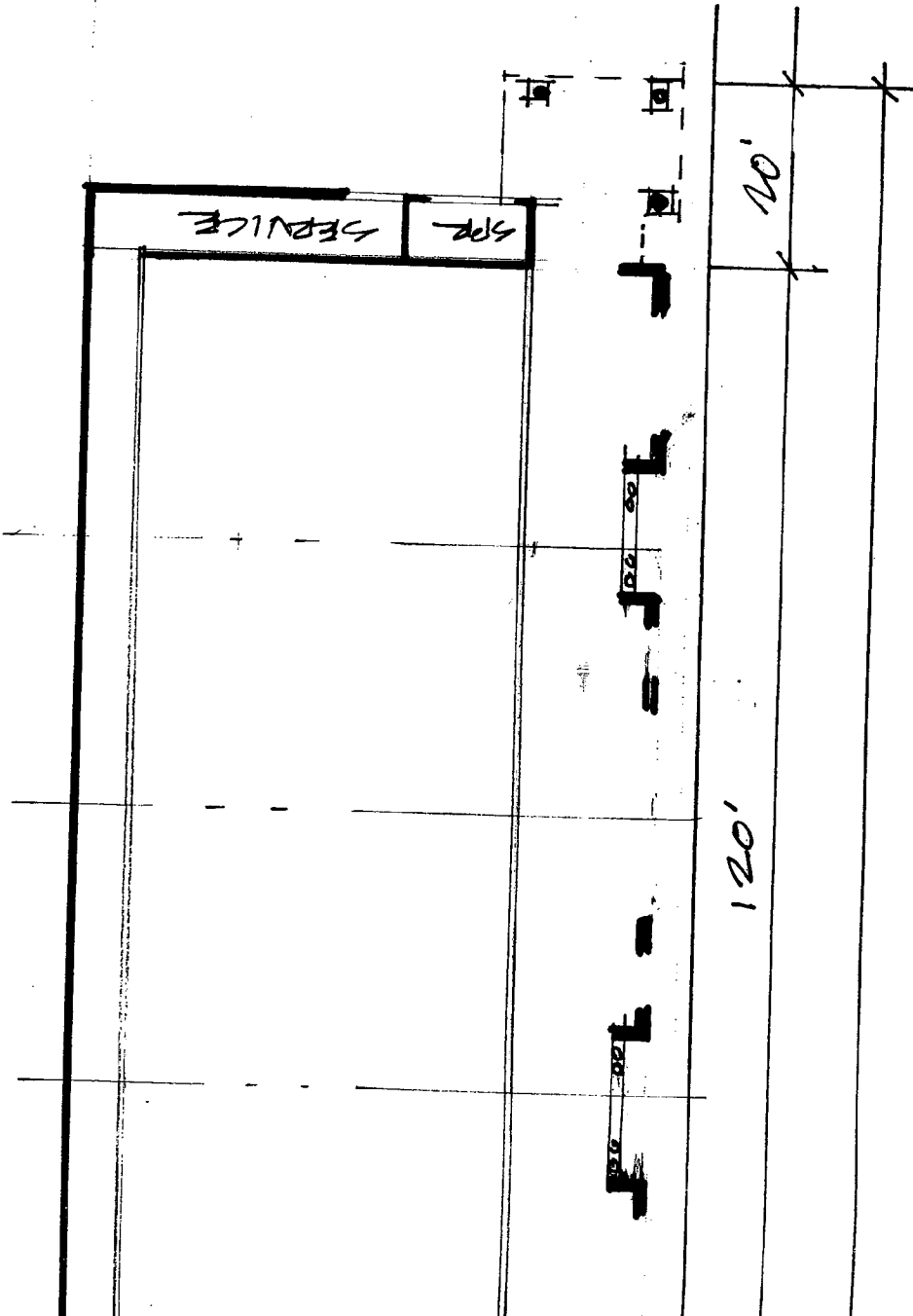


CREASER / O'NEILL ARCHITECTS
 5 HIGHLAND VILLAGE DRIVE
 GAITHERSBURG, MD 20878
 (301) 848-8000

LOWER LEVEL

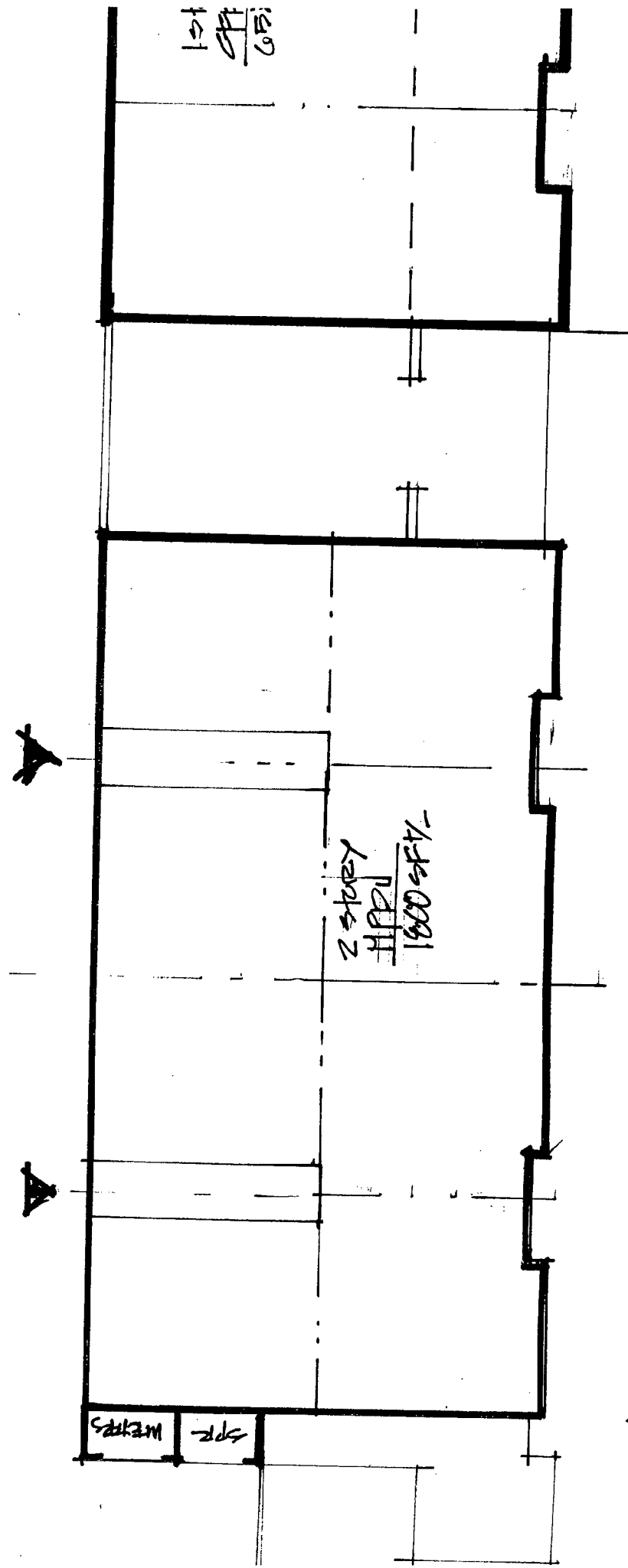


CREASEY JOSEPH AND ASSOCIATES, P.C.
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 Gaithersburg, Maryland 20879
 (301) 948-8380



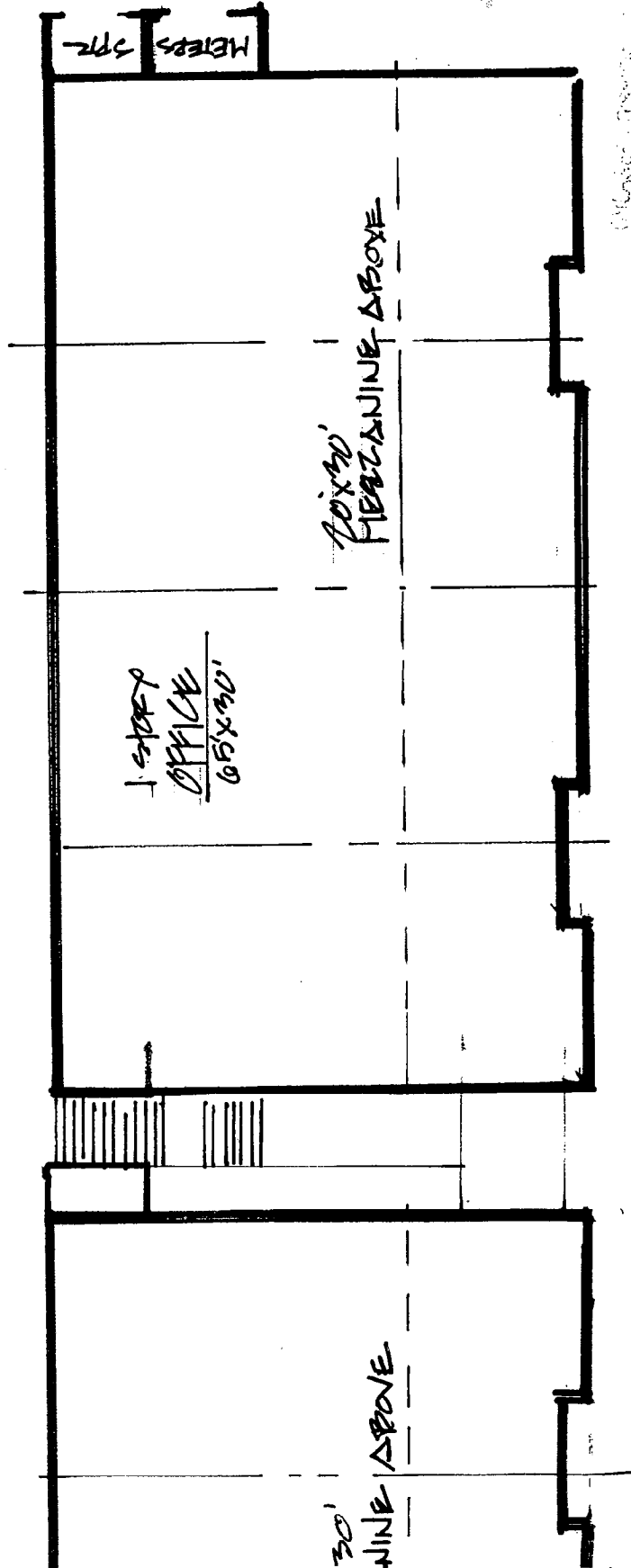
CREASER / O'BRIEN, ARCHITECTS, P.C
 6 Montgomery Village Avenue, Suite 401
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 (301) 948-8380

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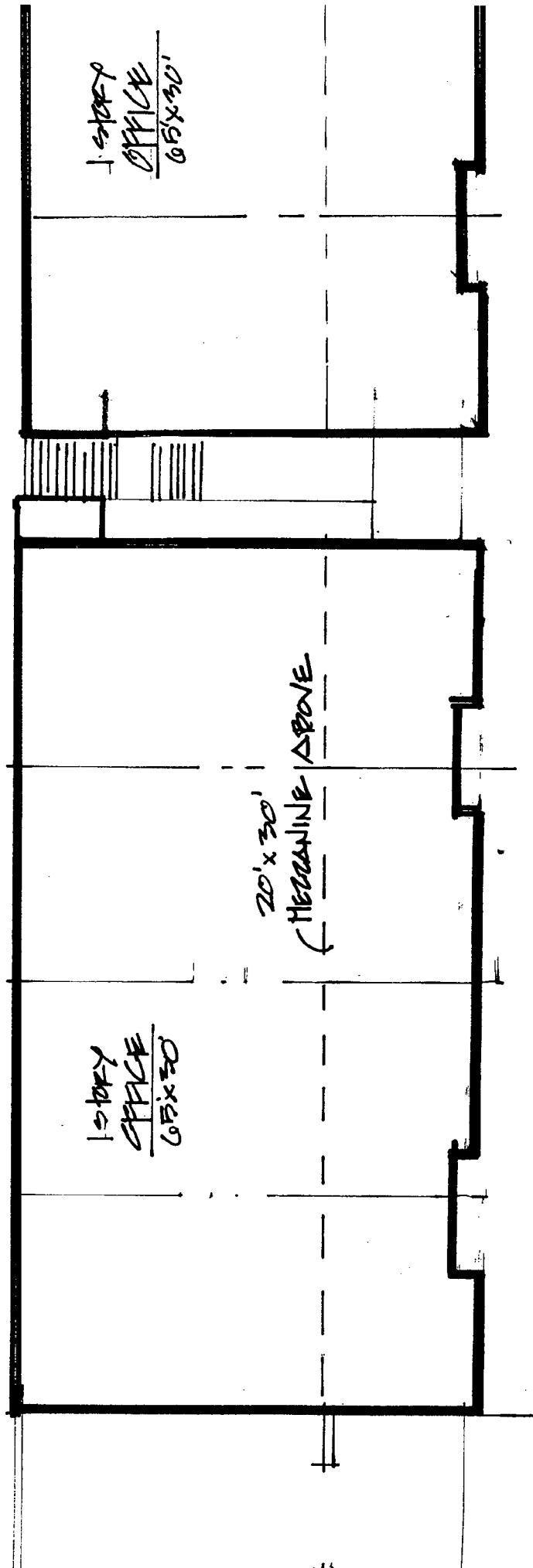


GREASER / O'Brien ARCHITECTS, P.C.
 6 Montgomery Way, Suite 401
 Sebastopol, CA 95972
 (707) 948-8000

UPPER LEVEL



Center of Science and Industry
700 Montgomery Avenue, Suite 401
Gaithersburg, Maryland 20878
(301) 948-6000



CREASER / O'BRIEN, ARCHITECTS, P.C.
6 Montgomery Village Avenue, Suite 401
Gaithersburg, Maryland 20879
(301) 948-8380

August 10, 2001

Clarksburg Heights

H.D.

Dowden's Ordinary

Barbara Sears telling history -

Small corner proj. plan had been approved -

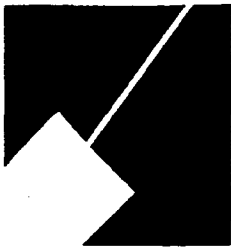
Then additional area added to project - and that
has changed some issues.

including Fr. 355 connections, etc.

Two sisters (1 deceased) at land S. of Clarksburg Heights - need to
see ROW ... for a devel. lane.

Jim Sorenson - give site parameters .. for wall on west side -

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



MEMORANDUM

MCPB
10/18/01

DATE: October 4, 2001
TO: Montgomery County Planning Board *JRO*
VIA: Joseph Davis, Acting Chief, Development Review Division
FROM: Wynn E. Witthans, RLA, AICP *WW*
Planning Department Staff
(301) 495-4584

PROJECT NAME: Highlands at Clarksburg
CASE #: 9-98001 A
REVIEW TYPE: Project Plan

ZONE: RMX-2
APPLYING FOR: 12,870 square feet of retail, 18,590 square feet of office, 97 dwelling units
(inclusive of 12.5% MPDU's) on 16.1 acres

LOCATION: SE quadrant, intersection of Frederick Road and Stringtown Road
MASTER PLAN: Clarksburg & Vicinity

REVIEW BASIS: Section 59-C-10.2 of the Zoning Ordinance provides that the developer is required to submit a project plan for the use of the optional method of development for RMX-2 zoned property.

APPLICANT: F&H Limited Partnership / Bowis Investment Realty Corporation
FILING DATE: April 20, 2001
HEARING DATE: October 18, 2001

Attached is the staff report for the proposed development. The staff recommends **APPROVAL** of the Project Plan with the conditions as stated to be addressed by the time of Site Plan Review and Approval.

**STAFF REPORT
PROJECT PLAN #9-98001 A**

HIGHLANDS AT CLARKSBURG

October 18, 2001

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SUMMARY

Highlands of Clarksburg is a highly desirable use of the RMX-2 zone - it proposes a mix of commercial and residential uses. The plan proposes a village green, commercial architecture designed with historic/rural themes and residential uses within walking distance of the commercial uses on site and Clarksburg historic district. Additionally, the Project Plan adjoins and connects with, via an internal street, an assemblage of parcels zoned R-200 that comprise the proposed R-200 Cluster Preliminary Plan that includes this Project Plan site.

The future site plans shall include the following amenities and facilities:

Rural/ Historic Architecture:

The design of the commercial buildings shall be designed to conform to the rural/historic architectural themes as indicated in the sketches included within the Project Plan Staff Report. The buildings shall include a corner focal point at the intersection of MD Route 355 and Stringtown Road.

The Commons:

A central open space (+/- 25,000 sf) suitable for pedestrian recreation, enjoyment and circulation shall be provided. Amenities shall include tree lined sidewalks with special paving, stone (or masonry) walls, historically appropriate site furniture and lighting, a lawn panel, a rustic pavilion, a plaza with special paving, special landscape features and terracing.

Commercial Area Plaza:

Open space amenities to include outdoor seating areas, special paving, wide sidewalks, special landscape planting areas, historically appropriate site furniture and lighting, and possible outdoor eating areas.

Site Features

Throughout the site, the amenities proposed include the historically appropriate light fixtures, special landscape areas, the dedication of Stringtown Road so to preserve historic district and the orientation of the units to the surrounding streets. Brick sidewalks will be provided at the edges of the Commons and within the mews walks within the townhouses.

ISSUES OF THE REVIEW PROCESS

Relationship to the Earlier Approval

The proposed Project Plan amends an earlier Project Plan that was approved by the Planning Board on July 1, 1999. The earlier plan was amended to address comments made during the original approval and to adapt the layout to the proposed preliminary plan approval now adjoining the site. The current proposal has units that face MD Route 355 without a service road in front and it has a more useable design of the common open space. The MPDU's are all on top of the office buildings within the commercial quadrant of the site, adjacent to services, open spaces and transit.

Interconnected Streets

In response to Staff's comments earlier in the process, the applicant has submitted a plan that includes a connection to MD Route 355. This reflects the earlier approval that the applicant sought to change with this amendment. In fact, at one time during the review staff was prepared to recommend that the Planning Board deny an earlier version of this application because no connection to MD Route 355 was made. The road connection is important to promote the Master Plan goals for having interconnected streets. The connection will also allow for direct access to the homes within this site and will reduce need to seek access to the site using Timber Creek Lane, an existing subdivision to the south.

Although the intersection location is acceptable, a more desirable location would be within an adjoining group of two parcels immediately to the south. Staff would like to make it possible to use this connection should access to the southern parcel develop (via an approved Preliminary Plan). Staff recommends that the Planning Board approve the Project Plan for one additional unit – a unit that could be located in the area where the road connection is now proposed. If the connection is eventually made on the adjoining parcel, the site plan would revert to the proposed Project Plan layout without a street connection and with one additional unit.

MD Route 355 Oververtical Reduction and Dowden's Ordinary

There is a hill within the MD Route 355 right-of-way adjacent to the site that prevents safe visibility and stopping distance at the Stringtown Road intersection for northbound travelers. As part of this review process, the applicant has developed several studies that assess what impact the lowering of the hill on the adjoining properties.

Opposite the Highlands of Clarksburg site, on the west side of MD Route 355 is a historic site known as Dowden's Ordinary – a site now on the Locational Atlas of Historic Places and approved for acquisition by M-NCPPC (although currently owned by others). The

M-NCPPC Park Archeologist has submitted a memo requesting that Dowden's Ordinary not be disturbed in regards to any road improvements.

The resultant cross section recommended by MDSHA for MD Route 355 proposes two north bound lanes and one south bound land and a seven to ten foot wall next to the boundary of the historic site. The access road to the Highlands would be right-in, right-out only. The Dowden's Ordinary site will be untouched.

Community Concerns

Throughout the review process, the Timber Creek Citizens Association and the Clarksburg Civic Association have expressed concerns over the proposed Project Plan as well as the proposed R-200 Cluster development, Preliminary Plan, 1-98009A, a larger parcel of R-200 zoned and RMX zoned land which includes the subject Project Plan. Their concerns are as follows:

- 1. Support a direct access to the new community from Frederick Road to help alleviate cut-through traffic along Timber Creek Lane and improve east-west connections.*
- 2. Desire control of construction traffic to avoid use of Timber Creek Lane eliminating conflicts with children and residents. Request a temporary physical barrier at the end of Timber Creek Lane.*

The community has other concerns that deal with the Preliminary Plan, 1-98009A that include adequate setback and preservation of wood land along the common property line with Mr. Moses property, adequate views of the Greenway, and extension of an asphalt pathway along Timber Creek Lane connecting off site to Foreman Boulevard. These additional concerns should be addressed in the context of the Preliminary Plan. Letters from the community are attached.

STAFF RECOMMENDATION:

The staff recommends **APPROVAL** of Project Plan # 9-98001-A inclusive of the waivers, the reductions in setback and as detailed in the findings below:

1. Development Ceiling

Limit the Project Plan to the following uses and density:

- 18,590 square feet of office space
- 12,870 square feet of retail space
- 97 residential dwelling units (of which 2 units are to be located on Preliminary Plan #1-98009R)

2. Transportation Improvements

This application shall satisfy the APF test by paying the Expedited Development Approval Excise Tax (EDAET) under the alternative review procedure provided for in the FY 99 annual growth policy for the commercial component and the Development Approval Payment (DAP) under the Alternative Review Procedure for limited Residential Development provision of the FY 02 Annual Growth Policy for the residential component. If an alternative means of satisfying the APF test is later approved by the Planning Board, this condition will not require a Project Plan Amendment.

3. Dedication and construction of A- 260 (Stringtown Road)

A-260 (Stringtown Road) must be dedicated as shown and construction shall include improvements (two of four lanes with center median and associated landscaping) from the centerline to the edge of right-of-way for the frontage of the property.

4. Construction of improvements to MD 355 (Frederick Road)

- a. Improvements to MD Route 355 shall follow the requirements of the MD SHA:
 - Reduce over vertical along MD Route 355 to provide improved site distance at Stringtown Road;
 - Provide deceleration land along MD Route 355 at proposed site entrance (Street "C");
 - Improve MD Route 355 to 3 lanes along property frontage (one northbound lane, one southbound lane and an exclusive eastbound lane onto Stringtown Lane);
 - Site entrance (Street "C") to be right-in, right-out.

- b. A bike path shall be constructed along the site frontage at the eastern edge of the site along MD Route 355, with it's design to be reviewed at the time of site plan.

5. Provision of Amenities and Facilities

The future site plans shall include the following amenities and facilities:

Rural/ Historic Architecture:

The design of the commercial buildings shall be designed to conform to the rural/ historic architectural themes as indicated in the sketches included within the Project Plan Staff Report. The buildings shall include a corner focal point at the intersection of MD Route 355 and Stringtown Road.

The Commons:

A central open space (+/- 25,000 sf) suitable for pedestrian recreation, enjoyment and circulation shall be provided. Amenities shall include tree lined sidewalks with special paving, stone (or masonry) walls, historically appropriate site furniture and lighting, a lawn panel, a rustic pavilion, a plaza with special paving, special landscape features and terracing.

Commercial Area Plaza:

Open space amenities to include outdoor seating areas, special paving, wide sidewalks, special landscape planting areas, historically appropriate site furniture and lighting, and possible outdoor eating areas.

Site Features

Throughout the site, the amenities proposed include the historically appropriate light fixtures, special landscape areas, the dedication of Stringtown Road so to preserve historic district and the orientation of the units to the surrounding streets. Brick sidewalks will be provided at the edges of the Commons and within the mews walks within the townhouses.

6. Staging of Amenities

All street related amenities shown would be included with the adjoining phase of development. The Commons shall be constructed by completion of the first 50% of the residential units. The amenities associated with the commercial building shall be built concurrently with that structure. The project anticipates that the residential units will be built first.

7. Maintenance

Maintenance of the private open space areas, stormwater management areas, civic spaces and all other amenities on private land or, for non-standard amenities, within the public right-of-way, if applicable, shall be maintained by a community association. The site plan enforcement agreement shall include for the provision of maintenance for all amenities as they are installed.

8. Waiver Requests

Staff recommends the Planning Board consider and approve the following waivers:

- a. Chapter 50 – Subdivision Regulations - Lot Design -50-29(a)(2) to allow certain detached lots to be platted without public road frontage. This includes Lots 9-14 with frontage on Private Street “B.”
- b. Chapter 50-Subdivision Regulations – Intersection Truncation -Section 50-26-(e)(3) to allow for a more compact and compatible lot arrangement within the housing section.

9. Reductions in Setback

The applicant seeks two reductions in the minimum setbacks adjoining R-200 one-family residential zoning. One reduction is from one hundred feet to fifty feet for a portion of southern boundary. The second setback reduction is along the eastern property line to reduce the setback from thirty feet to fifteen feet. Staff recommends that the Planning Board allow these setback reductions to provide for optimal on-site development and a more desirable relationship to the adjoining development.

9. Historic Preservation

- a. The Site Plan shall show a detailed plan for the preservation of the historic character along site frontages. The Stringtown Road and MD Route 355 frontages shall be developed with streetscape and other features as necessary to recreate or develop a sympathetic design with the Clarksburg Historic District.
- b. The Site Plan Enforcement Agreement shall provide consent to the Historic Preservation Section, M-NCPPC to perform a Phase I Archaeological Investigation of the property prior to construction. The investigation shall not delay the Applicant’s construction schedule. The Applicant shall co-operate with M-NCPPC archeological staff regarding any reasonable requests to remove any artifacts found during this survey for use in future public displays.

10. Site Plan Issues

- a. The site plan review application shall identify proposed construction traffic access patterns in an effort to minimize the impact of construction vehicles on neighboring residential development.
- b. The site plan application shall include details along the MD Route 355 frontage sufficient to determine that the elements proposed create a character sympathetic to the historic district immediately to the north and to the Clarksburg town center area in general. These elements will include the street trees, the lighting, retaining wall (if required), signage and any other elements.
- c. The Applicant commits to participate in a process with representatives from county agencies and private developers to review current light standards and propose and develop new light standards for Clarksburg.
- d. Maintenance Organization –A Community Association shall be set up to maintain the street trees within the public right-of-way so to allow for tighter tree spacing pending County agreement.
- e. This approval has been enlarged by one additional unit- allowable if access to MD Route 355 is achieved through an adjoining parcel. Should the access to MD Route 355 be located within this parcel, the unit count will be one less to allow for the street connection.
- f. Two MPDU units shall be located outside the bounds of the Project Plan but within the accompanying Preliminary Plan application and the future site plan area.

PROJECT DESCRIPTION: Surrounding Vicinity

The Highlands at Clarksburg is a 16-acre site in Northern Montgomery County located on the southeast corner of the intersection of Frederick Road (MD Route 355) and Stringtown Road (Route A-260) across from the Clarksburg Historic District (zoned R-200) and the proposed Clarksburg Town Center Property (zoned RMX-2). Stringtown Road is scheduled for an upgrade to a 4 lane divided road, which will connect with I-270 about one mile to the west.

Adjoining the site to the south is farmland with wooded areas to the east; both areas are zoned R-200. In addition to its location to major thoroughfares and the town center, the site is located within five miles of Little Bennett Regional Park, Blackhill Regional Park, and Ovid Hazen Wells Park.

PROJECT DESCRIPTION: Site Description

Natural Resources

A former farmstead is centrally located on the property. It consists of what appears to be the scattered remnants of a masonry cistern and foundations of a silo, large barn, and outbuilding. Quartz rock is the main building material in the foundation and probably came from on-site.

The adjacent fields contain a very high amount of channery material primarily consisting of quartz along with some schist and phyllite. No massive rock outcrops were observed on-site. There are no springs, seeps, streams, or wetlands present on-site.

The site contains a rolling topography with the site elevations ranging between 620 and 680 feet. Drainage is generally to the east or northeast towards an unnamed tributary of Little Seneca Creek. This portion of the Potomac River Watershed has been designated as Class IV Waters by the State of Maryland.

The forested area on-site is 1.54 acres. No mature forest is present on-site nor are any specimen trees present (See Exhibit 1.)

Historic Context

This site is located just outside the southern boundary of the Clarksburg Historic District and across Route 355 from Dowden's Ordinary site and marker. Dowden's Ordinary's history is rich in events in the French Indian war and served as a gathering place for the earliest citizens of Clarksburg. Clarksburg's historic origins reflect its role as a flourishing trading, transportation, and industrial center for Montgomery County.

The farmstead is listed in the Maryland National Capital Park & Planning Commission (M-NCPPC) Locational Atlas. Approximate locations of these foundations are shown on the Natural Resource Inventory/Forest Stand Delineation Map.

PROJECT DESCRIPTION: Proposed Development

The RMX portion of the Highlands at Clarksburg is proposed to be a 75-unit planned community adjacent to historic Clarksburg and the proposed Clarksburg Town Center subdivision.

The commercial/residential portion of the project is planned to operate at three levels and within three buildings: the lower level is proposed retail at the street level of Stringtown Road; office/retail space will occupy the second level and the third level are the proposed MPDU and market rate apartments or condominiums. A fourth two-story freestanding office/ retail building is proposed at the intersection of MD 355 and Stringtown Road.

The proposed amenities associated with these structures are the architectural details that resurrect a rural agricultural appearance utilizing barn-like roofs and stair towers that resemble silos. The surrounding pedestrian areas are proposed to include other open space amenities like a plaza and sitting areas.

The residential portion of the project is organized around a centrally located open space known as the Commons. Single-family detached housing is located to the west and south of the Commons and single family attached is located to the east of the Commons. The Commons is proposed to include: a pavilion, paths, gathering areas and recreation facilities. Separately from the amenities, the project proposes an additional recreation area along the eastern boundary within the townhouse section.

Storm Water Management and additional structures required to meet the special protection area regulations for the site are located along the southeastern boundary of the site.

An in-road bike path is required along MD Route 355.

AMENITIES AND FACILITIES

The proposed project plan includes the following amenities and facilities for the site:

Rural/ Historic Architecture:

The architecture design of the buildings shall conform to the rural/ historic architectural themes as indicated in the sketches included within the Project Plan Staff Report. The retail/ commercial buildings shall include a corner focal point. The garages of all residential units shall be recessed from the front façade or otherwise treated to reduce their appearance from the street.

The Commons:

A central open space suitable for pedestrian recreation, enjoyment and circulation shall be provided. Amenities shall include tree lined sidewalks with special paving, historically appropriate site furniture and lighting, a lawn panel, a pavilion, a plaza with special paving, special landscape features and terracing.

Commercial Area Plaza:

Open space amenities to include outdoor seating areas, special paving, wide sidewalks, special landscape planting areas, historically appropriate site furniture and lighting, and possible outdoor eating areas.

Site Features

Historically appropriate light fixtures, special landscape areas, and dedication of Stringtown Road to preserve historic district.

The proposed amenities generally support the requirements of the RMX-2 zone for this site except the provision of recreation areas within the amenity areas.

Recreation Areas

The anticipated recreational needs provided by this application shall include the following:

Multiage Play Facility
Open Play Area - Type II
Pedestrian System

Nature Trails
Picnic and Sitting Areas
Off Site M-NCPPC Parks

The future site plan shall review the final requirements for the recreational guidelines.

PLANNING AND REGULATORY FRAMEWORK:

Development History

The original Project Plan and Preliminary Plans were approved by the Planning Board on July 1, 1999 for the 16 acres portion of the property zoned RMX-2. On April 26, 2001, the applicant was granted a one year extension of the Project Plan approval to allow for the proposed redevelopment now proposed. The Preliminary Plan has been amended to include an additional 40.4 acres zoned R-200 in addition to the 16 acre parcel zoned RMX. The proposed units increased from 75 to 164 for the entire site. The Preliminary Plan will be presented to the Planning Board concurrently with the Project Plan Review on October 18, 2001.

Waiver Requests:

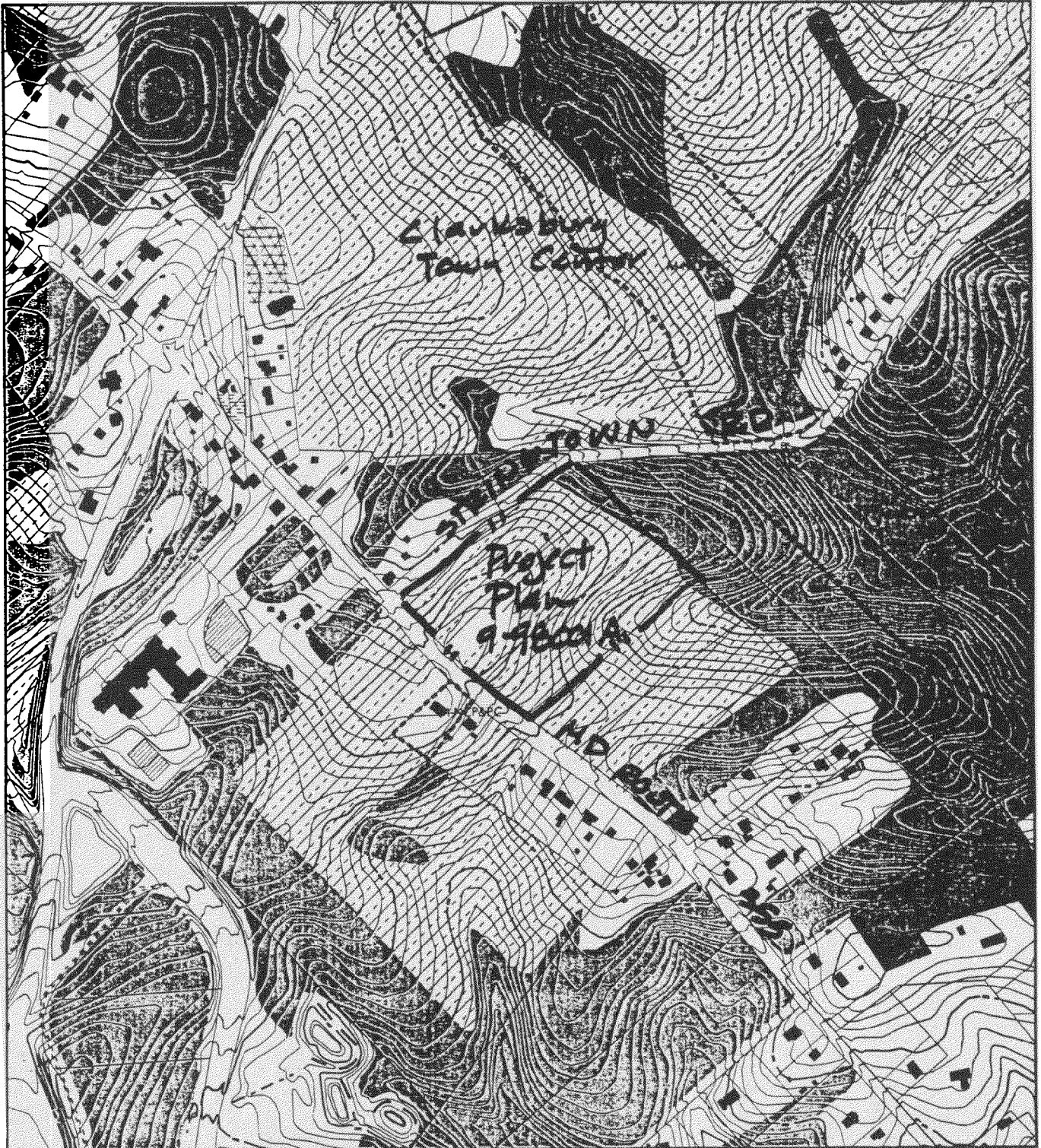
The applicant has requested the following waivers:

Chapter 50 – Subdivision Regulations - Lot Design -50-29(a)(2) to allow certain detached lots to be platted without public road frontage. This includes Lots 9-14 with frontage on Private Street “BB”

Chapter 50-Subdivision Regulations – Intersection Truncation -Section 50-26-(e)(3) to allow for a more compact and compatible lot arrangement within the housing section.

Staff supports these waivers that allow the proposed neo-traditional neighborhood designs to achieve the character and efficiency in the densities proposed.

VICINITY MAP FOR
HIGHLANDS AT CLARKSBURG (9-98001A)



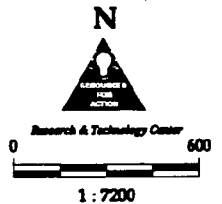
Map compiled on April 20, 2001 at 2:29 PM | Site located on base sheet no - 232NW13

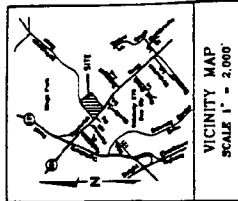
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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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TYPE	INCLINE (FEET) AND CHANGES	DATE
FINAL PLAN	10' - 0" TO 12' - 0"	10/02/01
PRELIMINARY PLAN	10' - 0" TO 12' - 0"	09/01/01
CONCEPTUAL PLAN	10' - 0" TO 12' - 0"	08/01/01
PRELIMINARY PLAN	10' - 0" TO 12' - 0"	07/01/01
FINAL PLAN	10' - 0" TO 12' - 0"	06/01/01

REVISIONS

1. Add preliminary approval to utility and stormwater details.

2. Add preliminary approval to utility and stormwater details.

3. Add preliminary approval to utility and stormwater details.

4. Add preliminary approval to utility and stormwater details.

5. Add preliminary approval to utility and stormwater details.

6. Add preliminary approval to utility and stormwater details.

7. Add preliminary approval to utility and stormwater details.

8. Add preliminary approval to utility and stormwater details.

9. Add preliminary approval to utility and stormwater details.

10. Add preliminary approval to utility and stormwater details.

NOTES

1. The site is located within the Stringtown Road Subdivision, which is subject to the Stringtown Road Subdivision Ordinance, which is located in the Code of Ordinances of the City of Clarksville, Maryland.

2. The site is located within the Stringtown Road Subdivision, which is subject to the Stringtown Road Subdivision Ordinance, which is located in the Code of Ordinances of the City of Clarksville, Maryland.

3. The site is located within the Stringtown Road Subdivision, which is subject to the Stringtown Road Subdivision Ordinance, which is located in the Code of Ordinances of the City of Clarksville, Maryland.

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5. The site is located within the Stringtown Road Subdivision, which is subject to the Stringtown Road Subdivision Ordinance, which is located in the Code of Ordinances of the City of Clarksville, Maryland.

PROJECT PLAN

REVISED LAND USE PLAN

HIGHLANDS AT CLARKSBURG

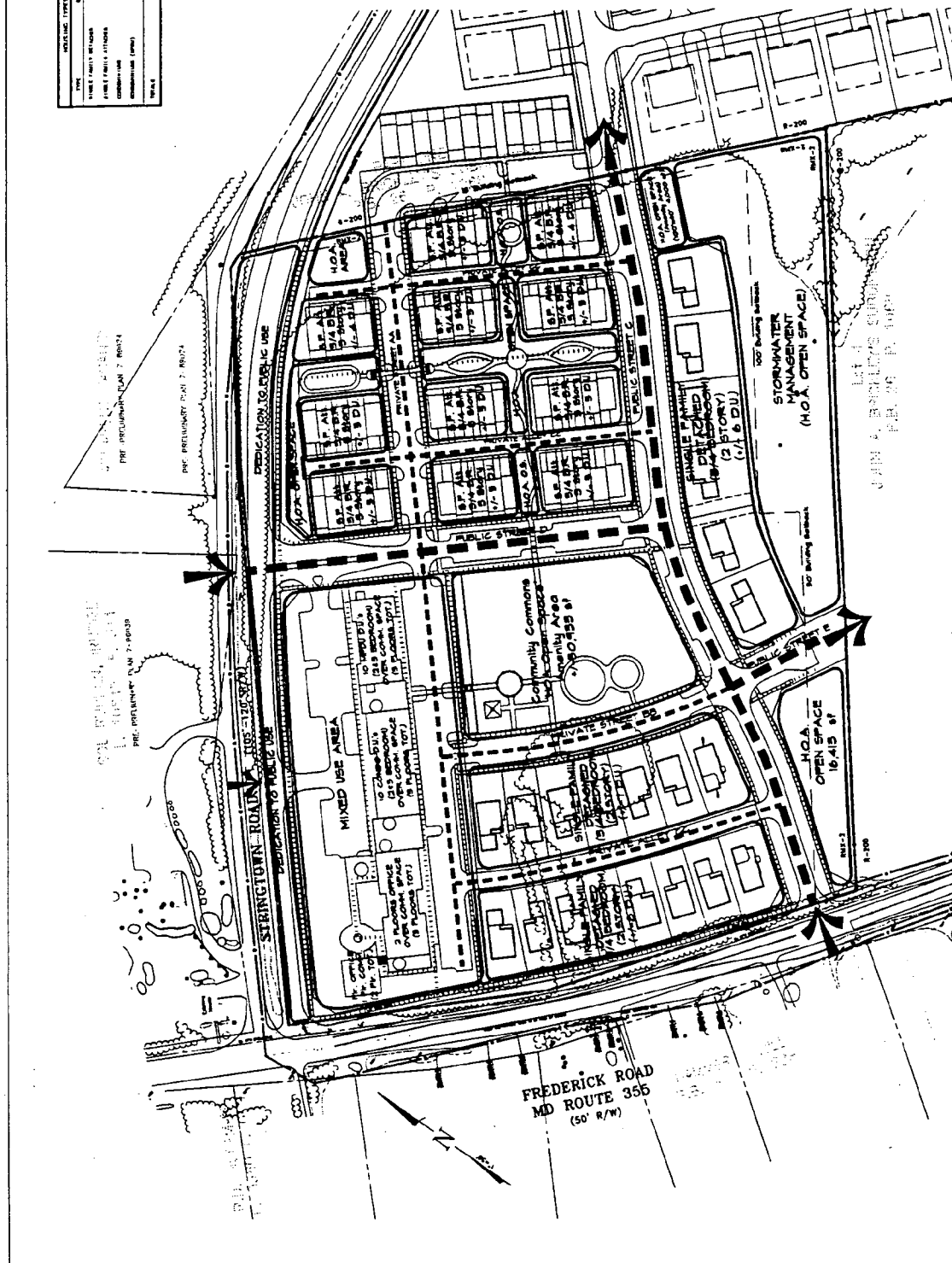
P.B. 26 P. 1068

LOTS 1-3

SPRINGFIELD, MARYLAND

Macris, Hendricks & Glasscock, P.A.
Engineers & Planners • Surveyors

19270
19270
19270
19270
19270



PARKING SPACE REQUIREMENTS FOR MIXED USE COMMERCIAL

SPACE TYPE	PER 1,000 SF	PER 1,000 SF	PER 1,000 SF
RESIDENTIAL	1.0	1.0	1.0
OFFICE	1.0	1.0	1.0
RETAIL	1.0	1.0	1.0
RESTAURANT	1.0	1.0	1.0
THEATER	1.0	1.0	1.0
CONCOURSE	1.0	1.0	1.0
STATION	1.0	1.0	1.0
TRUCK	1.0	1.0	1.0
TOTAL	1.0	1.0	1.0

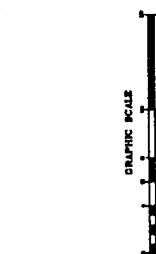
* See notes for more information on parking requirements.

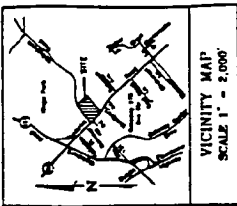
KEY

- PRIMARY VENTILATION CIRCULATOR
- SECONDARY VENTILATION CIRCULATOR
- MIXED USE
- PROHIBITED CIRCULATOR
- ACCESS POINT
- WALKER / BIKEWAY

USE

↑





VICINITY MAP
SCALE 1" = 2,000'

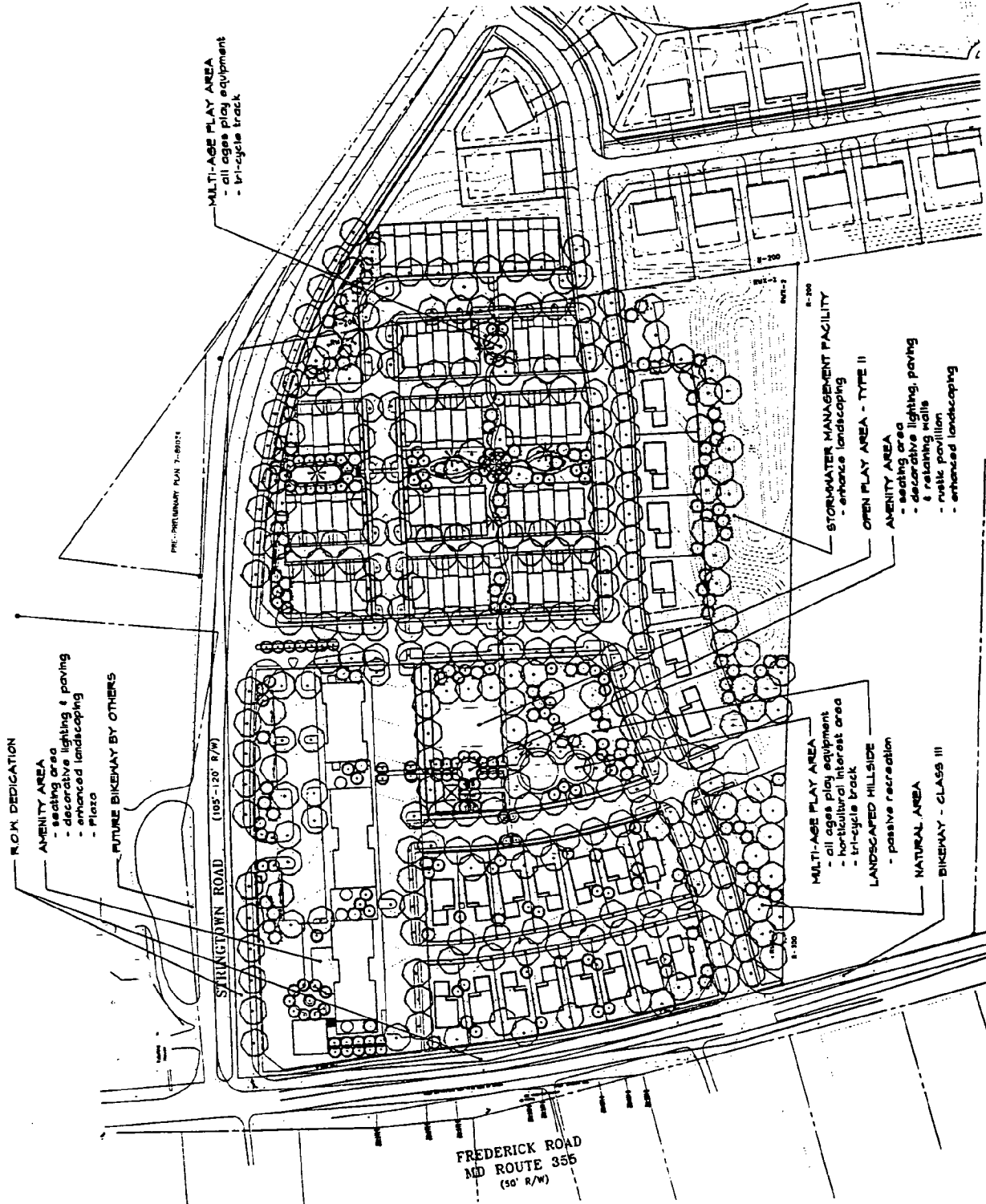
TYPE	QUANTITY	MINIMUM TYPE AND QUANTITIES
TREES (MATURE)	10	10' - 12' DBH @ 10'
TREES (MATURE)	10	10' - 12' DBH @ 10'
LANDSCAPING	10	10' - 12' DBH @ 10'
LANDSCAPING	10	10' - 12' DBH @ 10'
LANDSCAPING	10	10' - 12' DBH @ 10'

KEY



STREET / DRIVE / PATH

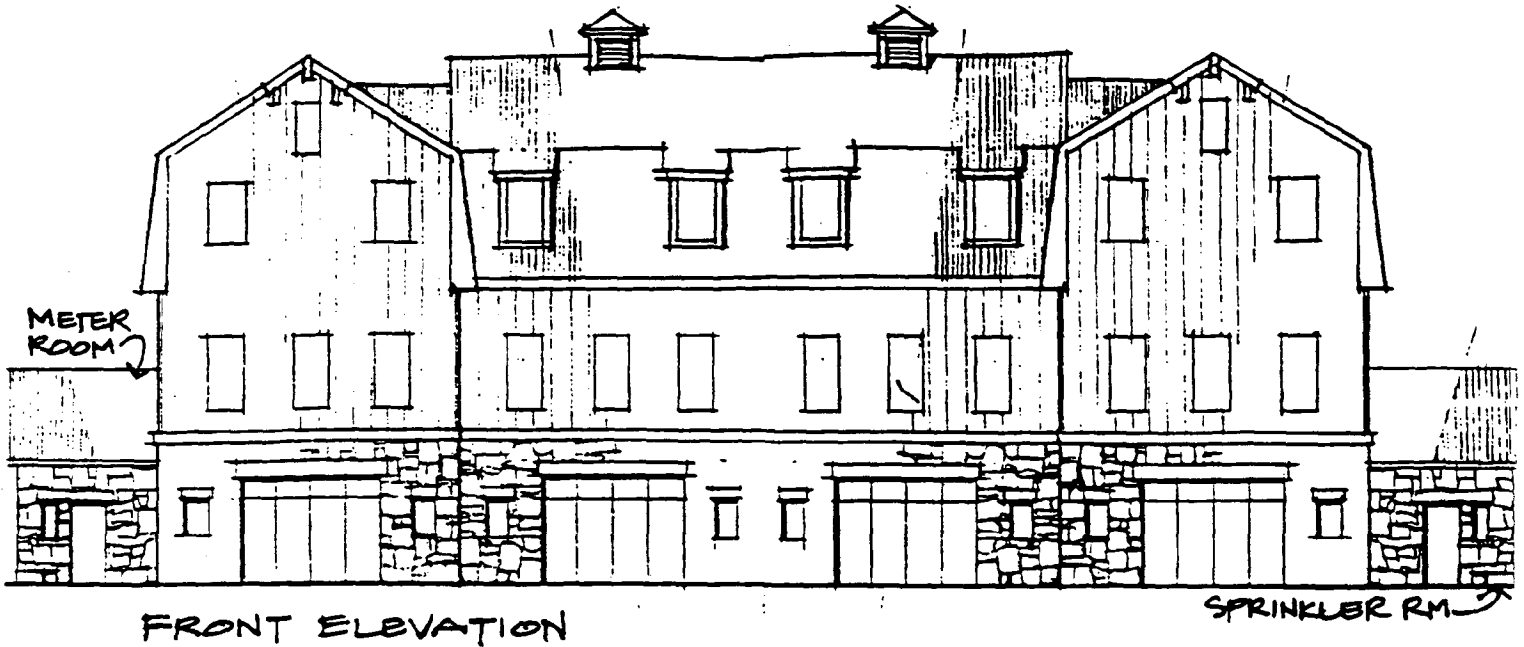
SEATING AREA



EW WSSC 232NW13
AMENITY PLAN
HIGHLANDS AT CLARKSBURG
 P.B. 26 P. 1068
 LOTS 1-3
 MONTGOMERY COUNTY, CLARKSBURG, MARYLAND

Macris, Hendricks & Glascock, P.A.
 Engineers • Planners • Surveyors
 1001 North ...
 ...
 ...

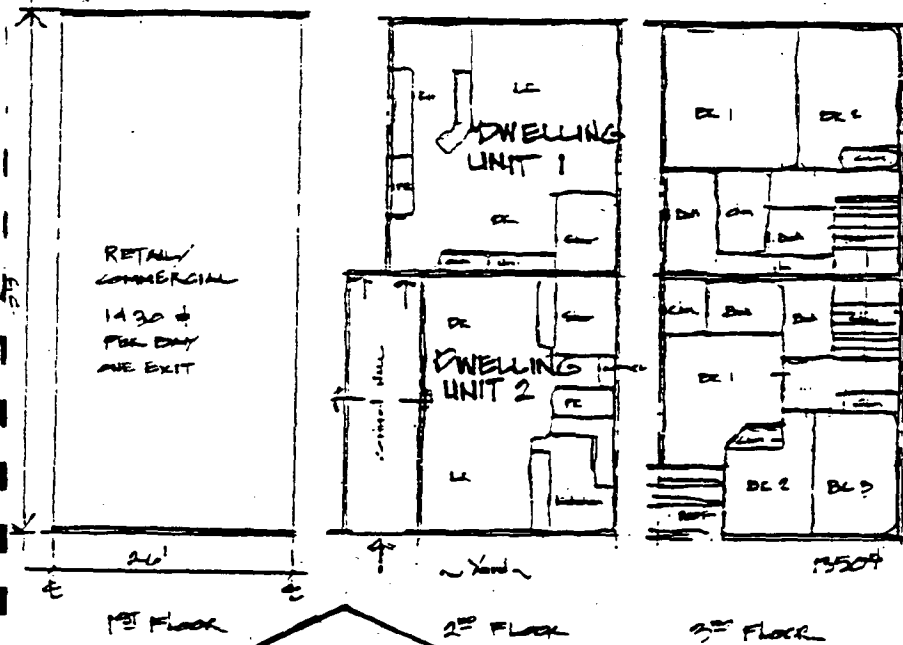




FRONT ELEVATION

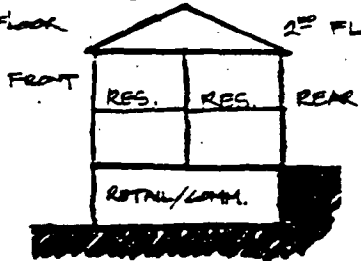
SPRINKLER RM.

III. Retail/Condominium - TYPE 1



- Site Key: RETAIL/CONDO
- Lot Size: SEE SITE PLAN
- Lot Dimensions: SEE SITE PLAN
- Unit Size: OFFICE: 20' x 55'
D/U : 20' x 27'-6"
- Finished Space: OFFICE: 1430 SF
D/U 1: 1430 D/U 2: 1430
- Levels: OFFICE: 1 D/U: 2
- Floor Dimensions: SEE UNIT SIZE
- Bedroom Count: D/U 1: 2 D/U 2: 3
- Bathroom Count: D/U 1 & 2: 2 1/2
- Garage: - 0 -
- Exterior Material: SIDING/STONE

PLANS



SECTION-N.T.S

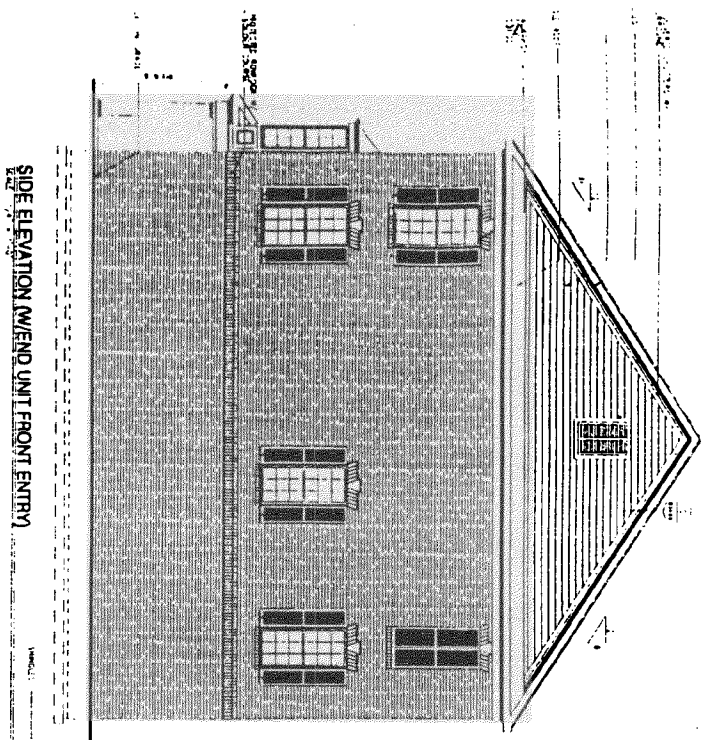
NOT TO SCALE

LAYOUT AS SHOWN ON THIS PLAN IS FOR REFERENCE PURPOSES ONLY AND IS SUBJECT TO CHANGE.

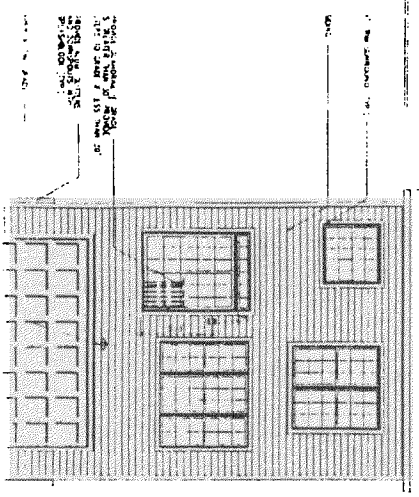
- Retail/Condominium Architecture

HIGHLANDS
of
Clarksburg

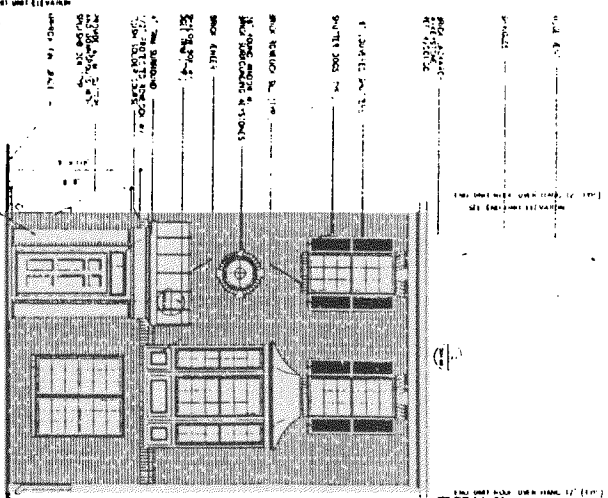
Montgomery County, Maryland



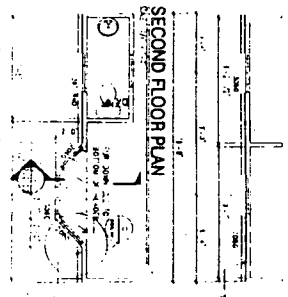
SIDE ELEVATION (W/END UNIT FRONT ENTRY)



FRONT ELEVATION



FRONT ELEVATION 'A'



SECOND FLOOR PLAN

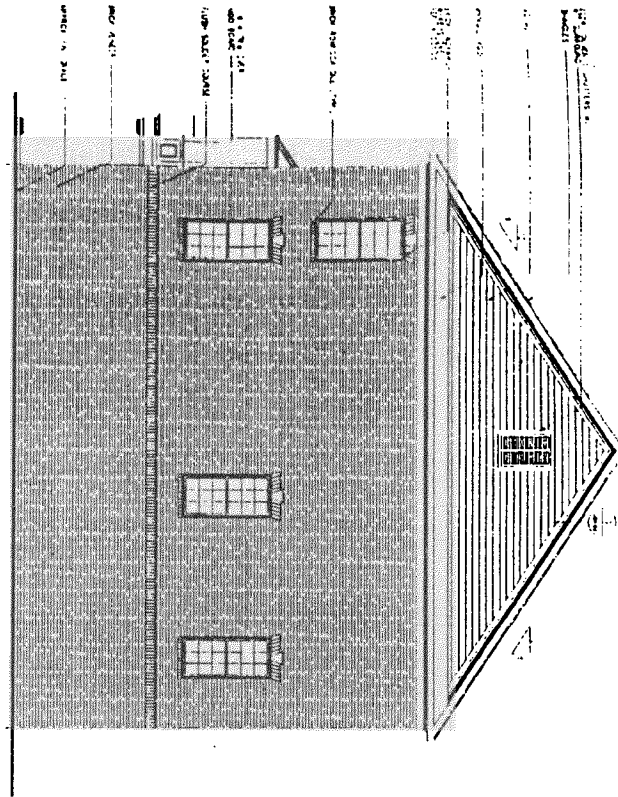
FIRST FLOOR PLAN

ELEVATION "A" & REAR ELEVATION
CENTEX HOMES - THE FERGUSON / 1920

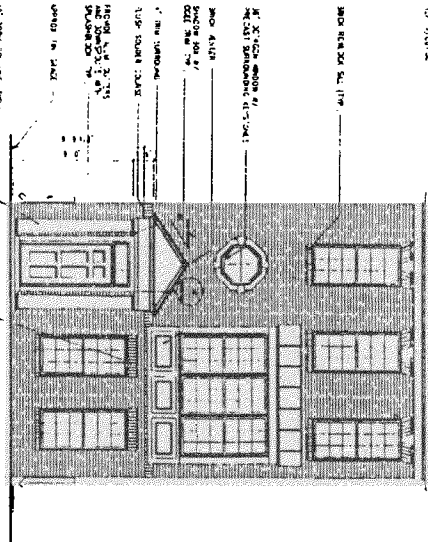


HIGHLANDS
Clarkeburg G

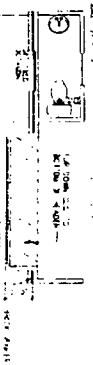
SIDE ELEVATION (W/END UNIT FRONT ENTRY)



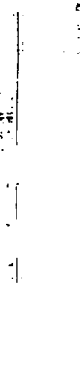
FRONT ELEVATION "B"



SECOND FLOOR PLAN



FIRST FLOOR PLAN

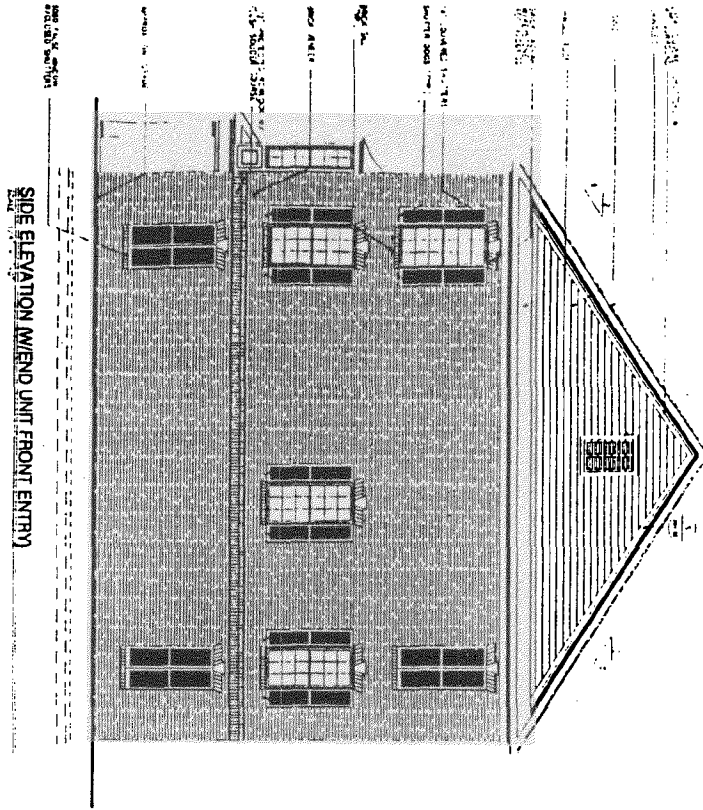


ELEVATION "B"

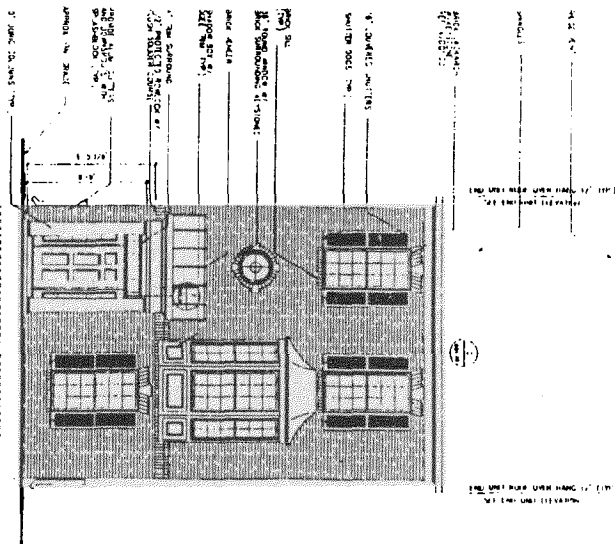
CENTEX HOMES - THE FERGUSON / 1920



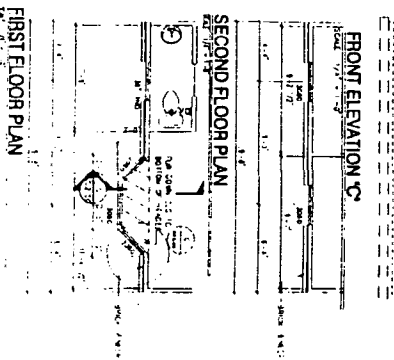
HIGHLANDS
Clarksburg



SIDE ELEVATION (WIEND UNIT FRONT ENTRY)



FRONT ELEVATION "C"



FIRST FLOOR PLAN

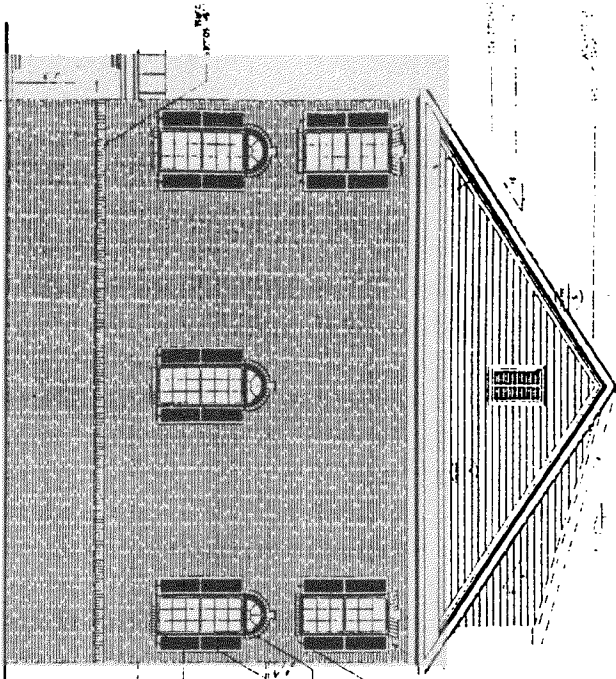
SECOND FLOOR PLAN

ELEVATION "C"
CENTEX HOMES - THE FERGUSON / 1920

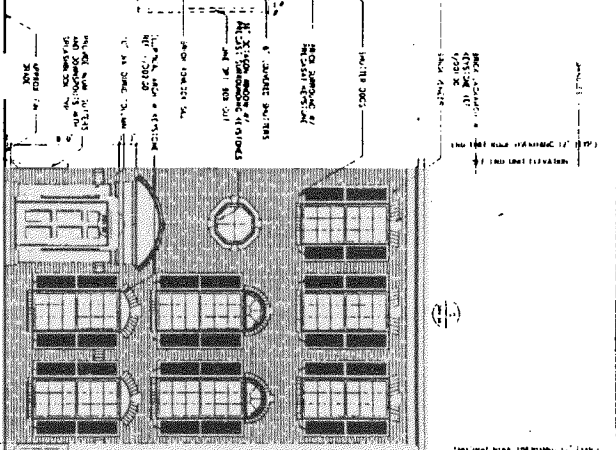


HIGHLANDS
Clarksburg

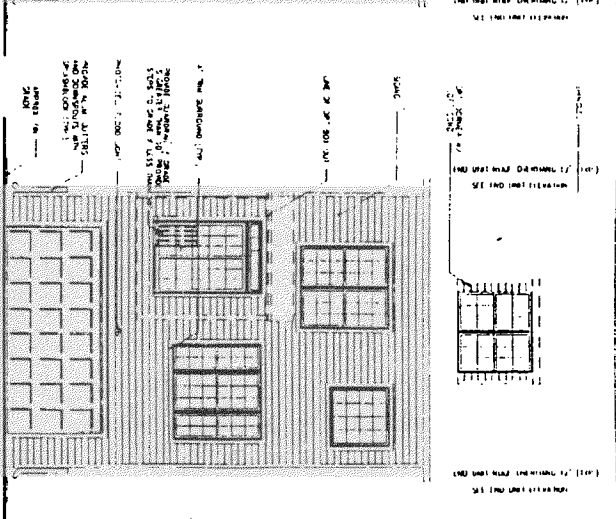
SIDE ELEVATION (WEND UNIT FRONT ENTRY)



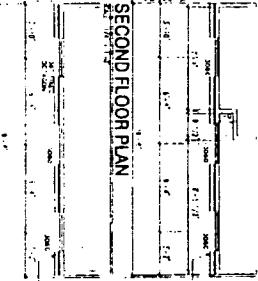
ELEVATION "A"



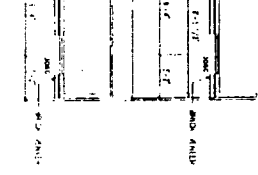
REAR ELEVATION



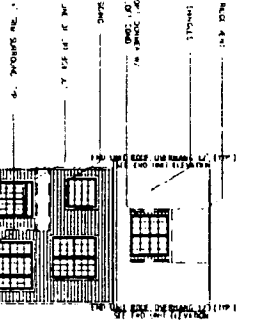
FIRST FLOOR PLAN



SECOND FLOOR PLAN



GENERAL NOTES



ELEVATION "A"

CENTEX HOMES - THE TOWNSEND / 1928



HIGHLANDS
Clarksburg

BASIS FOR CONSIDERATION OF ISSUES

Section 59-D-2.43. Of the Zoning Ordinance provides that in reaching its determination on an application for the optional method of development and in making the required findings, the Planning Board must consider the following:

- (a) *The nature of the proposed site and development, including its size and shape, and the proposed size, shape, height, arrangement and design of structures.*

The proposed layout and building types are sympathetic to the adjoining approved neo-traditional projects and the existing homes and businesses in the area.

- (b) *Whether the open spaces, including developed open space, are of such size and location as to serve as convenient areas for recreation, relaxation and social activities for the residents and patrons of the development and are so planned, designed and situated as to function as necessary physical and aesthetic open areas among and between individual structures and groups of structures, and whether the setbacks, yards and related walkways are so located and of sufficient dimensions to provide for adequate light, air, pedestrian circulation and necessary vehicular access.*

The open spaces are centrally located to the project and accessible to retail and residential users alike. The pedestrian system is linked to the open spaces so there is a continuum of spaces that have a variety of uses.

- (c) *Whether the vehicular circulation system, including access and off-street parking and loading, is so designed as to provide an efficient, safe and convenient transportation system.*

The vehicular system is developed as a grid that provides adequate access to every unit and structure on site. Parking lots are located near area of more concentrated development and parallel parking is located along the streets. Parking for each residential unit (except the condominiums) is located on each lot.

- (d) *Whether the pedestrian circulation system is so located, designed and of sufficient size as to conveniently handle pedestrian traffic efficiently and without congestion; the extent to which the pedestrian circulation system is separated from vehicular roadways so as to be safe, pleasing and efficient for movement of pedestrians; and whether the pedestrian circulation system provides efficient, convenient and adequate linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities.*

The pedestrian system is separate from roadways but it follows the grid pattern of the streets, thus providing access to the entire site. Additional pedestrian connections are made across residential blocks and out to the adjoining streets.

- (e) *The adequacy of landscaping, screening, parking and loading areas, service areas, lighting and signs, with relation to the type of use and neighborhood.*

These issues will be reviewed and determined with site plan review.

- (f) *The adequacy of the provisions for the construction of moderately priced dwelling units in accordance with chapter 25A of this Code if applicable.*

The units propose 12.5% MPDU's of those required on site. Additional units from the adjoining site are also proposed on this site. The site plan will review the final MPDU's proposal with the final number of units.

- (g) *The staging program and schedule of development.*

Adequate as submitted.

- (h) *The adequacy of forest conservation measures proposed to meet any requirements under Chapter 22A.*

Final review at the time of site plan

- (i) *The adequacy of water resource protection measures proposed to meet any requirements under Chapter 19.*

Final review at the time of site plan.

FINDINGS for Project Plan Review:

Section 59-D-2.42 of the Zoning Ordinance establishes the findings that must be made by the Planning Board and forms the basis for the Board's consideration of approval. In accordance herewith, the staff recommends the following findings:

- (a) *It would comply with all of the intents and requirements of the zone.*

The intent of the RMX-2 Zone

- (1) *This optional method of development accommodates mixed-use development comprised of planned retail centers and residential uses at appropriate locations in the County. This means of development is a means to encourage development in accordance with the recommendations and guidelines of approved and adopted master plans.*

This development meets the intent of the zone to by presenting a mixture of retail, office, and residential uses at the intersection of Stringtown Road and MD 355, within an intensity that is in accordance with the approved Clarksburg Master Plan. The proposed development for Highlands at Clarksburg conforms to this finding.

- (2) *Approval of this optional method of development is dependent upon the provision of certain public facilities and amenities by the developer. The requirement for public facilities and amenities is essential to support the mixture of uses at the increased densities of development allowed in this zone.*

This development proposes public facilities and amenities. The amenities, as listed above, provide a commons, a mixed-use center that includes architecture with a rural theme that creates an appropriate gateway to the Clarksburg Historic District and site elements that have historical themes.

Conformance to the development standards of the RMX-2 Zone.

The proposed project plan for Highlands at Clarksburg is in conformance with the standards of the RMX-2 Zone. The development standards are found both in the Zoning Ordinance and the Clarksburg Master Plan, 1994.

DEVELOPMENT DATA TABLE FOR THE RMX-2 ZONE

	<u>Required/Permitted</u>	<u>Provided¹</u>
Gross tract area 16.1 acres – 1 acre dedicated to public use = 15.1 acres net tract area		
Offices (59-C-10.3.2):		
- Professional, and Business:	20,000 s.f. max.	0 s.f.
- General:	20,000 s.f. max.	18,590 s.f.
Retail		
- Lower Floor		12,870 s.f.
Green Area or Outside Amenity Area (59-C-10.3.3):		
- (a) w/in commercial portion		
(2.718 ac.):	15% min.	(Earlier approval 49%) 54,012 sf or 48%
- (b) w/in residential portion		
(12.155 ac.):	50% min.	(Earlier approval 70%) 327,064 sf or 60%
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.23 FAR (31,460 s.f. GFA)
Gross Leasable Area (59-C-10.3.5):	600,000 s.f. max.	31,460 s.f.
Number of Dwelling Units (59-C-10.3.6):	NA min. (<30 ac.)	(Earlier Approval 75 d.u.'s) 95 du's
Residential Density (59-C-10.3.7):	30 d.u./ac. max. (Code) 5 to 7 d.u./ac. (M.P.) ²	(Earlier Approval 5.8 d.u./ac.) 6.0 du's
Building Setbacks (59-C-10.3.8):		
- from adj. R-200 properties:		
Commercial buildings:	100 ft. min. ⁴	100 ft.
Residential buildings:	30 and 100 ft. min. ⁴	15-50 ft.
- from Frederick & Stringtown Roads:		
Commercial buildings:	0 ft. min. (Code) 0 ft. min. (M.P.)	25 ft.
Residential buildings:	0 ft. min. (Code) 0 ft. min. (M.P.)	20 ft.

¹ Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-D-3) not to exceed the amounts required/permitted.

² The abbreviation M.P. refers to standards recommended in the 1994 Clarksburg Master Plan

3

Excluding MPDU's

4

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

The project is seeking two reductions in the minimum setback adjoining R-200 one-family residential zoning. One area is to the south, reducing the setback from one hundred feet to fifty feet for a portion of the boundary. This only affects a rear yard and not actually units. This reduction would allow for flexibility in the final siting of the units on that lot and is acceptable. The units are setback approximately 100 feet. The second area for setback reduction is along the eastern property line to reduce the setback from thirty feet to fifteen feet next to a street on the adjoining property - one that will be joined with this project in the plan of subdivision and a later site plan. Staff recommends that the Planning Board allow these setback reductions to provide for optimal on site development and a more desirable relationship to the adjoining development.

The property conforms to the optional method of development for the RMX-2 zone.

- (b) ***It would conform to the approved and adopted sector plan or an urban renewal plan approved under Chapter 56.***

The subject site falls within the Transit Corridor District of the Clarksburg Master Plan. It is also strategically located at the gateway to the Historic District and within walking distance to the Town Center and the future Transitway Town Center Station. Therefore, development of the site needs to strongly reflect the policies and recommendations of the Master Plan given its highly visible corner location and proximity to the Historic District.

Master Plan Policy Statements

Town Scale of Development – *“This plan envisions Clarksburg as a town at a larger scale than proposed in the 1968 Clarksburg Master Plan but smaller than a corridor city such as Germantown.”*

The proposed Project Plan achieves a town scale of development by providing a mixed use development with 32,460 sf. of commercial uses and 95 residential units including MPDU’s. The overall residential density for the project is 6.0 units per acre. The Master Plan recommends a residential density of 5 – 7 units per acre. The proposed range in unit types, 21 sf detached (22 possible), 20 apartments, and 53 townhouses, will assure a mix of households and incomes.

Natural Environment – *“This plan recommends that Clarksburg’s natural features, particularly stream valleys, be protected and recommends that Ten Mile Creek and Little Seneca Creek be afforded special protection as development proceeds”.*

No stream valleys, springs or wetlands are found within the subject property of the Project Plan. However, the site is included in the Special Protection Area and will be providing additional water quality measures in conformance to the guidelines. At the time of site plan review, extensive landscaping of the stormwater management facilities should be provided in order to create an attractive open space within the community.

Greenway Network – *“This plan recommends a multi-purpose greenway system along stream valleys.”*

The subject site does not directly abut the Clarksburg Greenway. However, a series of bikeways and sidewalks are proposed that provide access to the Greenway and thus improve connectivity to the Greenway Trail that is located just to the east of the Project Plan site. A Class III bikeway will be provided within the ROW of Frederick Road along this eastern side.

Transit System – *“This plan proposes a comprehensive transit system that will reduce dependence on the automobile.”*

The Master Plan identifies bus routes along Stringtown Road and Frederick Road which will serve the subject site. Access to these future bus routes will be accommodated by proposed sidewalks internal to the development. The subject site is also within walking distance to the future Town Center Transitway Station located to the east of Frederick Road.

Hierarchy of Roads & Streets – *“This plan proposes a street network which clearly differentiates between highways needed to accommodate regional through traffic and roads which provide sub-regional and local access.”*

The subject site is bordered by Stringtown Road, an arterial that accommodates both regional and local traffic, and by Frederick Road which is classified by the Master Plan as a local business district street. On site, the project plan achieves a hierarchy streets through a variety of local residential streets to accommodate traffic circulation. Most importantly, the street layout provides a connection to the Town Center via Street C and a direct entrance into the community via Frederick Road.

The direct street entrance from Frederick Road is important to the connectivity of the community by providing a convenient and direct point of access. However, the location of the entrance is constrained by the limits of the property. Ideally, an access point along Frederick Road would be better located further to the south through property that is not yet assembled for development. This possible southern access would line up with other development which is currently under a pre-preliminary plan review. Staff supports a direct access to the Highlands of Clarksburg on site since the southern access cannot be assured at this time. However, in the future, should the southern property be proposed for development, the southern access point to Frederick Road should be considered for Highlands of Clarksburg.

Transit and Pedestrian-Oriented Neighborhoods – *“ This plan clusters development into a series of transit and pedestrian oriented neighborhoods.”*

The project locates a mixed of commercial and multifamily uses at the northwest corner of the site thus clustering the most intensely developed portion of the site towards the future transit station and the Historic District. The proximity and density of the residential portion of the site also supports the transit and pedestrian-orientation by facing residential units along Frederick and Stringtown Road. This establishes the traditional town planning pattern as seen from the surrounding roadways. Internally, the proposed layout also establishes a grid of interconnected streets lined with front facing units, street trees and sidewalks. The central open space is highly visible, forms a town commons and is sufficiently large enough to accommodate recreational activities and community gathering. Other open space is provided as town house courtyards in the front of units. The location and size of the open space will encourage pedestrian access and social gathering.

Employment – *“Additional limited employment uses re recommended at transit stops, at the town center and in neighborhoods as part of a mixed-use land use pattern...”*

The project plan includes 31,460 sf of office and retail uses within walking distance to the future transit station and the town center. Such uses will also provide convenient services to residents within the general vicinity.

Staging – *“This plan recommends that development be staged to address fiscal concerns and to be responsive to community building and environmental protection objectives.”*

The subject site falls within Stage 2 of the Clarksburg Master Plan. The proposed project will be served by public sewer and water.

Master Plan Land Use Recommendations

The Transit Corridor District recommends a density of 5 –7 units per acre with a range of unit types as follows:

Multi-family	10 – 20%
SF attached	30 - 40%
SF Detached	50 – 50%

The proposal contains a higher percentage of attached units than the general guidelines of the master plan. Given the strategic location of the site, close to transit and the town center, a higher percentage of attached units can be considered appropriate. The proposed density range is consistent with the previously approved project plan.

Other plan objectives that are relevant to the subject site are as follows:

1. Continuation of the residential character along Frederick Road, MD 355.
2. Encourage mixed use development near transit stops as an integrated use within residential neighborhoods.
3. Establish strong pedestrian and bicycle linkages to the Greenway.
4. Improve east-west roadway connections.
5. Provide an open space system which includes small civic spaces at transit stops.

The proposed project plan meets the land use objectives in the following ways:

1. Residential character along Frederick Road is established by proposing front facing residential lots along the roadway.

2. Mixed uses are provided within mixed use buildings, apartments over retail. These uses will provide convenient services to the greater community.
3. Pedestrian and bicycle linkages to the Greenway are provided via the network of connecting sidewalks and adjacent bikeways.
4. East-west roadway connections are provided by the Street C, creating a street connection from Frederick Road to the Greenway Road within the Town Center. This is an important connection for the existing community improving the circulation options for getting in and out of their community.
5. Open space is provided internally in a manner which strengthens a sense of community by its central location. Additional pedestrian space is provide at the corner of Stringtown Road and Frederick Road where there will be future bus stops.

Historic Preservation Issues

This project is adjacent to the **Clarksburg Historic District**, *Master Plan Site # 13/10*. It lies across Frederick Road from the **Dowden's Ordinary Site**, *Locational Atlas Resource #13/53*. The impacts of the new development on these historic resources have been discussed with the applicant.

Staff supports the latest proposal for the Highlands at Clarksburg project, with the inclusion of the construction of a retaining wall on Frederick Road in front of the site of Dowden's Ordinary. A bronze marker, set in stone by the DAR ca. 1915, marks the east edge of the archaeological site. The retaining wall location, east of this marker, will protect the site of the 18th century tavern against erosion.

Dowden's Ordinary is an important archaeological site in the county. The roadside inn provided hospitality services for many people important in local and national history. Andrew Jackson stayed here on his journey to Washington to take the oath of office as the next president. General Braddock stayed here with his troops during the French & Indian War in the 1750s.

Frederick Road was the major north-south route for many centuries, having developed from a well-known Indian trail.

As noted in Park Planning and Resource Analysis comments to the Development Review Committee (1/2/01), the Historic Preservation Section would like consent to perform a Phase I Archaeological Investigation of the property prior to construction of the proposed development. With General Braddock staying at the inn on the west side of Frederick Road, there is a high potential that his troops camped on the east side across the road. Consent is also requested for M-NCPPC staff to remove any artifacts that are found on the land to become the property of M-NCPPC for likely use in future public displays.

- c) ***Because of its location, size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood.***

The size, density and design of the project create a project that blends into the existing town center and the proposed new developments within Clarksburg. The traditional and neo-traditional town planning of this and the other projects will be sympathetic to each other in appearance and in density. The two and three story commercial/residential buildings at the corner of Stringtown Road and MD Route 355 create a focal point for the site and create an entrance into the Historic District. Their size and mass are compatible with existing and proposed development. The reduced setbacks will allow the project to blend in with adjoining development seamlessly. The operations of the site will allow buildings on site to be serviced via direct vehicular or pedestrian access.

Each commercial/retail or residential component will be built concurrently with the adjacent or related amenity area. The amenities around the commercial /retail area will be built with those buildings; and related residentially used amenities will be phased to coincide completion of the residential areas. The Commons will be constructed by the time 50% of the residential units are completed. The roads, sidewalks, stormwater management facilities will be built to adequately serve each phase.

- (d) *It would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.*

1. Transportation

The project has been reviewed for adequate public facilities (APF) review of the subject preliminary plan and project plan under the Alternative Review Procedure for Expedited Development Approval (EDA) for the commercial component and Development Approval Payment (DAP) procedure for the residential component since the site is located in a policy area which is in a moratorium. The subject site has an approved project plan and preliminary plan for 18,590 square feet of office space, 12,870 square feet of retail space, and 95 residential dwelling units. The applicant revised the approved project plan and preliminary plan to request 31,460 square feet of retail space, applying the previously used EDA procedure (or “pay and go”) and 168 residential dwelling units under the DAP procedure.

Summary of Local Area Transportation Review

The critical lane volume (CLV) impacts of the proposed development on critical intersections in the vicinity of the site were analyzed and are summarized in Table I.

TABLE 1

Intersection Capacity Analysis with CLV Under Various Development Schemes								
			Background		Total		Total Improved	
	AM	PM	AM	PM	AM	PM	AM	PM
MD 355/Clarksburg Road (MD 121)	1276	1294	1812	1466	1885	1466	1581	1466
MD 355/Stringtown Road	1147	950	1577	1719	1686	1853	1214	1418
MD 355/Shawnee Lane	1179	901	1701	1505	1715	1520	1602	1119

As shown in the above table, all intersections analyzed along MD 355 at Clarksburg Road (MD 121), Stringtown Road, and Shawnee Lane are currently operating at acceptable CLVs (below 1,500). Under the background development and the total development conditions, all intersections are anticipated to operate at an unacceptable level. With inclusion of roadway improvements identified by the applicant’s traffic consultant, all intersections are anticipated to operate at either an acceptable level or better than the background condition. The roadway improvements include construction of a southbound left-turn lane and a westbound right-turn lane at the MD 355/ Stringtown Road intersection,

construction of a northbound left-turn lane and an eastbound right-turn lane at the MD 355/Shawnee Lane intersection, and construction of an additional westbound through lane at the MD 355/MD 121 intersection. These intersection improvements could be constructed with either the EDA excise tax funds or the DAP fund.

The subject preliminary plan satisfies the APFO requirements since all nearby intersections are anticipated to operate either within acceptable critical lane volumes or at better than the background developments with the identified improvements. The applicant is satisfying policy area review by paying the previously available EDA excise tax and the DAP under the *FY 02 Annual Growth Policy* staging ceiling capacity. Staff further concludes that the subject project plan satisfies the zoning requirements in that it would not overburden either existing public services or those programmed for availability concurrently with each stage of construction.

Site Access and Circulation

Three access points to the site are provided: one from Stringtown Road, one from MD 355, and one from the extension of Timber Creek Lane. The internal pedestrian circulation system shown on the site plan is adequate. The internal roadways and the future connection to adjoining properties shown on the site plan are also adequate.

The proposed site access point (Street "C") on MD 355 raises some transportation issues. This access point does not align with the future street connection from the US Homes development across MD 355 as shown in their Pre-Preliminary Plan (No. 7-02009). With the access point constructed for the subject site, the adjoining undeveloped property to the south on MD 355 does not appear to have an access point to MD 355 due to its close proximity to Street "C". From a transportation perspective, staff prefers no access point from MD 355 to the subject site but prefers a future access point to MD 355 through the adjoining property that could be aligned with the future street connection from US Home's development across MD 355. This would provide better intersection spacing on MD 355 and a full movement intersection for access to the subject site, the adjoining undeveloped property, and the US Homes development across MD 355.

2. Water and Sewer

Service is considered adequate if designated in Categories 1,2 or 3. The subject property is in water category 1 and sewer category 4 with administrative advancement to sewer category 3 upon the approval of a Preliminary Plan of Subdivision.

3. Schools

According to the Annual Growth Policy, the County Council declares adequate space exists in the Damascus cluster to permit subdivision approval. See letter from MCDPS attached.

4. Police, Fire and Health Services:

The FY01 A.G.P. indicates that these services are considered adequate county-wide.

- (e) *It would be more efficient and desirable than could be accomplished by the use of the standard method of development.*

The proposed project is more desirable than standard method of development. The diversity of unit types possible with the mixed – use development allow for higher densities near transit stations, they promote pedestrian movements. The proposed amenities and facilities add richness and character and additional green space.

The standard method of development would utilize the R-200 development standards, which would allow residential uses at a greatly reduced density. The resultant development patterns would create suburban sprawl in a special protection area with a master plan whose objective is to conserve the rural and the natural environment of the area. The standard method would not conserve open or natural spaces, and would be out of character with the adjacent historic district.

- (f) *It would include moderately priced dwelling units in accordance with chapter 25A of this Code, if the requirements of that chapter apply.*

Moderately priced dwelling units are proposed to be in accordance with Chapter 25A of the Montgomery County Code. The applicant proposed to put 2 of the required 12 MPDU's in the next lot. The next lot will join this lot in plan of subdivision and will be all one site plan in the future site plan.

- (g) *When a project plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, and is shown to transfer public open space or development density from one lot to another or transfer densities within a lot with two or more CBD zones, pursuant to the special standards of either section 59-C-6.2351 or 59-C-6.2352 (whichever is applicable), the project plan may be approved by the Planning Board based on the following findings:*

- (1) *The project will preserve an historic site, building, structure or area as shown on the Locational Atlas and Index of Historic Sites or the Master Plan for Historic Preservation; and/or*

- (2) ***The project will implement an urban renewal plan adopted pursuant to Chapter 56 of the Montgomery County Code; and/or***
- (3) ***The project will result in an overall land use configuration that is significantly superior to that which could otherwise be achieved.***

This is not applicable to this site.

- (h) ***The adequacy of forest conservation measures proposes to meet any requirement under Chapter 22A.***

The proposed Forest Conservation Plan is under review and will be finalized with the future site plan. At this time, the applicant's obligation is to plant approximately 4.1 acres of off-site reforestation.

- (i) ***The adequacy of water resource protection measures proposed to meet any requirements under Chapter 19.***

The proposed project plan is within the Clarksburg Special Protection Area and the Planning Board is required to approve the Final Water Quality Plan at the time of site plan review. The applicant has received a waiver to use open section roads and is allowed to use closed section streets on site due to the density of the project plan area. MCDPS, who issued the waiver, indicated that open section roads will be required for Stringtown Road.

APPENDIX

HIGHLANDS OF CLARKSBURG - PROJECT PLAN # 9-98001

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

October 4, 2001

MEMORANDUM

TO: Malcolm Shaneman, Supervisor
Wynn Withans, Planner
Development Review Division

VIA: Ronald C. Welke, Supervisor
Transportation Planning

FROM: Ki H. Kim, Transportation Planner
Transportation Planning

SUBJECT: Preliminary Plan No. 1-98009
Project Plan No. 9-98001A
Highlands at Clarksburg
Clarksburg Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan and project plan under the Alternative Review Procedure for Expedited Development Approval (EDA) for the commercial component and Development Approval Payment (DAP) procedure for the residential component since the site is located in a policy area which is in a moratorium. The subject site has an approved project plan and preliminary plan for 18,590 square feet of office space, 12,870 square feet of retail space, and 75 residential dwelling units. The applicant revised the approved project plan and preliminary plan to request 31,460 square feet of retail space, applying the previously used EDA procedure (or "pay and go") and 168 residential dwelling units under the DAP procedure.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of this preliminary plan and project plan:

1. Limit the preliminary plan to the following uses and density:

31,460 square feet of retail space
168 residential dwelling units

2. Satisfy the APF test by paying the previously available EDA (payment) excise tax under the Development Impact Tax - EDA Excise Tax (or "pay and go") legislation for the commercial component and the Development Approval Payment (DAP) under the Alternative Review Procedure for Limited Residential Development provision of the FY 02 Annual Growth Policy for the residential component. The APF test includes:
 - a. Policy Area Review: Site-generated traffic has to be mitigated within the Clarksburg Policy Area which is in a moratorium. There is no capacity available for employment and residential development as of July 31, 2001 in the Clarksburg Policy Area. The applicant is satisfying policy area review by paying the previously available EDA excise tax and DAP under the *FY 02 Annual Growth Policy* staging ceiling capacity.
 - b. Local Area Transportation Review: A traffic study (to analyze the traffic impact at nearby intersections) is required since the proposed land use generates more than 50 total peak-hour trips during the weekday morning peak period (7:00 to 9:00 a.m.) and the evening peak period (4:00 to 6:00 p.m.).
3. Provide right-turn in/right-turn out only access to the site via Street "C" from Frederick Road (MD 355) unless alternate access is available from the adjacent parcel directly south of the site prior to the recordation of plats.

DISCUSSION

Summary of Local Area Transportation Review

The critical lane volume (CLV) impacts of the proposed development on critical intersections in the vicinity of the site were analyzed and are summarized in Table I.

TABLE 1

Intersection Capacity Analysis with CLV Under Various Development Schemes								
	Existing		Background		Total		Total Improved	
	AM	PM	AM	PM	AM	PM	AM	PM
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As shown in the above table, all intersections analyzed along MD 355 at Clarksburg Road (MD 121), Stringtown Road, and Shawnee Lane are currently operating at acceptable CLVs (below 1,500). Under the background development and the total development conditions, all intersections are anticipated to operate at an unacceptable level. With inclusion of roadway improvements identified by the applicant's traffic consultant, all intersections are anticipated to operate at either an acceptable level or

better than the background condition. The roadway improvements include construction of a southbound left-turn lane and a westbound right-turn lane at the MD 355/ Stringtown Road intersection, construction of a northbound left-turn lane and an eastbound right-turn lane at the MD 355/Shawnee Lane intersection, and construction of an additional westbound through lane at the MD 355/MD 121 intersection. These intersection improvements could be constructed with either the EDA excise tax funds or the DAP fund.

Site Access and Circulation

Three access points to the site are provided: one from Stringtown Road, one from MD 355, and one from the extension of Timber Creek Lane. The internal pedestrian circulation system shown on the site plan is adequate. The internal roadways and the future connection to adjoining property shown on the site plan are also adequate.

The proposed site access point (Street "C") on MD 355 raises some transportation issues. This access point does not align with the future street connection from the US Homes development across MD 355 as shown in their Pre-Preliminary Plan (No. 7-02009). With the access point constructed for the subject site, the adjoining undeveloped property to the south on MD 355 does not appear to have an access point to MD 355 due to its close proximity to Street "C". From a transportation perspective, staff prefers no access point from MD 355 to the subject site but prefers a future access point to MD 355 through the adjoining property which could be aligned with the future street connection from US Home's development across MD 355. This would provide better intersection spacing on MD 355 and a full movement intersection for access to the subject site, the adjoining undeveloped property, and the US Homes development across MD 355.

Conclusion

Staff concludes that the subject preliminary plan satisfies the APFO requirements since all nearby intersections are anticipated to operate either within acceptable critical lane volumes or at better than the background developments with the identified improvements. The applicant is satisfying policy area review by paying the previously available EDA excise tax and the DAP under the *FY 02 Annual Growth Policy* staging ceiling capacity. Staff further concludes that the subject project plan satisfies the zoning requirements in that it would not overburden either existing public services or those programmed for availability concurrently with each stage of construction.

KHK:kcw

mmo to shaneman re PP 1-98009 Highlands.doc



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

September 1, 1998

Mr. Steve Wilde
Macris, Hendicks, & Glascock
9220 Wightman Road, Suite 120
Gaithersburg, MD 20879-1226

Re: **Preliminary Water Quality Plan** for Highlands
at Clarksburg
Preliminary Plan #: 1-98009
SM File #: 1-98009
Tract Size/Zone: 16 Ac/RMX-2
Total Concept Area: 16 Ac
Tax Plate: EW
Montg. Co. Grid: 9, D-4
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Mr. Wilde:

Based on a review by the Department of Permitting Services Review Staff, the Preliminary Water Quality Plan (PWQP) for the above mentioned site is **conditionally** approved.

Site Description: The site is located on the South East quadrant of the Frederick Road (MD Route 355) and Stringtown Road. The proposed development includes commercial and office uses, along with single family and townhouse residential areas. The site is 16 acres in size and zoned RMX-2.

Stormwater Management: Water quantity control will be provided within a wetland/detention pond. The one and 2-year storm event will be controlled to predeveloped rates. The one year storm is controlled due to the lack of a continuous channel to the main stream. these requirements preclude an analysis of a bankfull discharge, which was agreed upon at the pre-application meeting. Water quality will be provided in a redundant "treatment train" consisting of water quality flow splitting, sand filters, wetland detention, and 12-hour extended detention.

Sediment Control: The sediment control concept utilizes the main pond and two separate rip-rap traps to provide the sediment control for this site. Phased grading, forebays, and redundancy will be utilized for controlling sediment during construction.

Performance Goals and Monitoring: The monitoring specifics have not yet been finalized and are being deferred until the Final Water Quality Plan (FWQP). The monitoring requirements were determined at the pre-application meeting. They are as follows:

1. Before development: Groundwater levels will be monitored one year prior to construction.
2. During construction: Monitor the inflow and outflow of one sediment trap.

Steve Wilde
September 1, 1998
Page 2

3. After development: The inflow and outflow of all the devices in a single typical "treatment train" will be monitored.

Conditions of Approval: The following items must be addressed during the submittal of the FWQP. This list may not be all inclusive and is based on the information provided with this submittal.

1. Dry wells proposed for the rear of lots 46 through 61 are not feasible. The main concern is the difficulty in maintenance and inspection with easements located on each private lot. Therefore, investigate locating a centralized facility within the open spaces at the northeast portion of the site. Additional soils testing may be necessary to determine the feasibility of infiltration. Should the above be proven infeasible, then further investigate the feasibility of piping runoff to the pond, or providing a sand filter.
2. Provide water quality pretreatment for the commercial area. Infiltration is to be the priority. Existing soil borings do not reflect this entire area. Therefore, additional soil borings should be obtained. If infiltration is proven infeasible, then provide a water quality inlet for pretreatment.
3. Provide a water quality treatment scheme for any improvements to Stringtown Road and MD Route 355 required of the developer of this site.
4. Provide forebays for redundant sediment control treatment.
5. Provide a plan to phase the grading of the site.
6. Provide an earthen level spreader at the outfall to the pond.

Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Blair Lough at (301)217-6314.

Sincerely,



Richard R. Brush, Manager
Division of Land Development Services
Water Resources Section

RRB:enm:CN198009

cc: L. Bachle
S. Federline
J. Davis
L. Galanko
SM File # 1-98083
SM Log # 98-188

QN - on: Acres: 16
QL - on: Acres: 16



**MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED MANAGEMENT DIVISION**

Rockville Center - 255 Rockville Pike, Suite 120 - Rockville, Maryland 20850-4166
Telephone No. 240-777-7780 - FAX No. 240-777-7715

**SUBDIVISION PLAN REVIEW: MNCPPC Development Review Committee (DRC)
Comprehensive Water Supply and Sewerage Systems Plan Issues**

MNCPPC File Number: 9-98001A

DRC Meeting Date: 05/21/2001

06/18/2001

Subdivision Plan Name: **Highlands At Clarksburg**

Proposed Development: 95 single-family houses, 61 townhouses and 10 condominiums; retail:
12,870 sq. ft.; commercial office: 18,590 sq. ft.

Watershed: Little Seneca Creek

Zoning: RMX-2

Planning Area: Clarksburg

Site Area: 16.1 acres

Location: Frederick Road (Rte. 355)

Engineer: Macris, Hendricks & Glascock 301-670-0840

Water Supply and Sewerage Systems (as specified on the subject subdivision plan or plan application)

Proposed Water Supply:

Proposed Wastewater Disposal:

Community (public) WATER system

Community (public) SEWER system

Existing Service Area Categories: Water: W - 1/W-3

Sewer: S - 3

Water/Sewer Plan Map Amendment: GWSMA 00G-CKB-01

Water Supply Comments:

Sewerage System Comments:

Yes; the water supply system is consistent with the existing water service area category

Yes; the sewerage system is consistent with the existing sewer service area category

***Additional Comments:**

June 18, 2001, DRC Comments: See the comments below from the prior DRC meeting.

May 21, 2001, DRC Comments: GWSMA 00G-CKB-01 approved the site for categories W-1/3 and S-3, making it eligible for public water and sewer service. The water and sewer categories note should be revised to reflect these updated water and sewer categories. The plans submitted to MCDEP for review do not specify how public water and sewer service will be provided to Lots 61-65. The plan also needs to account for the eventual provision of public sewer service to adjacent properties: a) Lots 4, 5, and 8 of Brickley's subdivision and b) the lots fronting Suncrest Avenue. The WSSC should evaluate where rights-of-way, if needed, should be established under the current subdivision process to minimize the need for future rights-of-way acquisition.

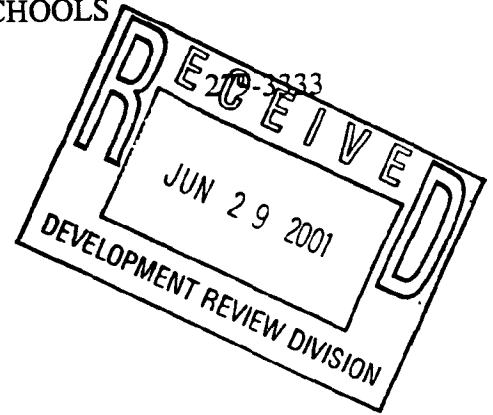
When the record plats are submitted to MCDEP, the engineer should note the information on any existing development which is to be removed, along with the new development information.

Prepared by: Alan Soukup/Dorothy Pecson

Date prepared: 05/18/2001

Department of Planning and Capital Programming
MONTGOMERY COUNTY PUBLIC SCHOOLS
Rockville, Maryland

June 27, 2001



Ms. Wynn Witthans
Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760


Dear Ms. Witthans:

This letter is sent in response to Project Plan # 9-98001A, the "Highlands at Clarksburg." This project is located on the east side of Frederick Road, just south of Stringtown Road in Clarksburg, Maryland. The total number of residential units proposed is 28 single family detached homes, 51 townhomes, and 20 condominiums. In terms of public school student generation, we estimate the impact of this project to be approximately 28 elementary school students, 10 middle school students, and 15 high school students.

The schools that serve this property are in the Damascus cluster, including Clarksburg Elementary School, Rocky Hill Middle School, and Damascus High School. At the elementary school level Clarksburg Elementary School is projected to be over capacity beginning in the 2002-03 school year. An eight room addition is proposed for the school, but has not yet been funded in the capital improvements program. At the middle school level Rocky Hill Middle School is projected to exceed capacity for the next few years, until a larger replacement facility for Rocky Hill Middle School is opened in September 2004. At the high school level Damascus High School is projected to exceed capacity for the next six years. A new Clarksburg Area High School (to be built through conversion of the current Rocky Hill Middle School facility) is proposed to relieve Damascus High School of overutilization. However, this high school has not yet been funded in the capital improvements program. (See enclosed table from the FY2002 Educational Facilities Master Plan and the Amended FY 2001- 2006 Capital Improvements Program.)

As we have indicated in previous rezoning and development plan amendment requests, the Annual Growth Policy (AGP) is the vehicle that regulates subdivision development approval with regard to facility adequacy. The current AGP indicates that, given the methodology applied, adequate space exists in the Damascus cluster to permit subdivision approvals.

Sincerely,



Joseph J. Laverona, Director
Department of Planning and Capital Programming

JJL:bc

Enclosure

Copy to: Mr. Bowers, Mr. Crispell, Ms. Turpin

DAMASCUS CLUSTER

Projected Enrollment and Space Availability Effects of Amended FY 2001-2006 CIP and Non-CIP Actions on Space Available

Schools		Actual 00-01	Projections						2010	2015
			01-02	02-03	03-04	04-05	05-06	06-07		
Damascus HS	Capacity	1563	1563	1563	1563	1563	1563	1563	1563	1563
	Enrollment	1777	1852	1821	1918	1885	2024	2063	2500	3000
	Available Space	(214)	(289)	(358)	(355)	(422)	(461)	(500)	(937)	(1437)
	Comments		Circulation Improvement							
Clarksburg Area HS	Capacity	0	0	0	0	0	0	0	0	0
	Enrollment									
	Available Space									
	Comments	Facility Planning	Proposed Planning			Proposed Opening*				
John T Baker MS	Capacity	595	581	564	699	699	699	699	699	699
	Enrollment	739	728	757	740	684	651	641	700	700
	Available Space	(144)	(147)	(193)	(41)	5	48	58	(7)	(7)
	Comments		+1 LFI	+1 SCB	+6 Room Addition					
Rocky Hill MS	Capacity	675	675	675	675	0	0	0	0	0
	Enrollment	742	781	778	839					
	Available Space	(67)	(106)	(103)	(164)					
	Comments	Facility Planning	Proposed Planning		Proposed Conversion To High School					
Rocky Hill Replacement	Capacity	0	0	0	0	990	990	990	990	990
	Enrollment					834	839	817	1000	1300
	Available Space					156	151	173	(10)	(310)
	Comments	Facility Planning	Planning		Opens					
Cedar Grove ES	Capacity	535	535	535	535	535	535	535		
	Enrollment	563	609	604	597	597	597	589		
	Available Space	(30)	(76)	(71)	(64)	(64)	(64)	(56)		
	Comments									
Clarksburg ES	Capacity	376	383	383	383	383	383	383		
	Enrollment	350	349	402	430	475	527	578		
	Available Space	26	34	(19)	(47)	(92)	(144)	(195)		
	Comments	Facility Planning	-1 Sess. HS	Proposed Planning		Proposed +8 Room Addition				
Clearspring ES	Capacity	706	706	706	706	706	706	706		
	Enrollment	488	497	470	455	462	478	481		
	Available Space	218	209	236	251	244	228	225		
	Comments									
Damascus ES	Capacity	425	425	425	425	425	425	425		
	Enrollment	325	306	308	308	315	319	315		
	Available Space	100	119	117	117	110	106	110		
	Comments									
Lois P. Rockwell ES	Capacity	624	617	635	635	635	635	635		
	Enrollment	533	513	476	459	455	448	456		
	Available Space	91	104	159	176	180	187	179		
	Comments		+1 Sess. HS	+1 PEP						
Woodfield ES	Capacity	538	538	538	538	538	538	538		
	Enrollment	483	485	458	451	449	439	428		
	Available Space	55	53	80	87	89	99	110		
	Comments									
Cluster Utilization	HS Utilization	113.7	118.5	122.9	122.7	127.0	129.5	132.0	159.9	191.9
	MS Utilization	116.6	120.1	123.9	114.9	90.5	88.2	86.3	100.6	118.4
	ES Utilization	85.6	86.2	84.4	83.9	85.5	87.2	88.4		

*Total capacity for Clarksburg Area HS will be 1600



TO: Clarksburg Planners

FROM: James D. Sorensen, Archaeologist, County-wide Planning, M-NCPPC

SUBJECT: The Great Road (Rte 355) and Dowden's Ordinary (tavern)

The Montgomery County Planning Board unanimously recommended placement of Dowden's Ordinary (tavern) Archaeological Site and Marker on the Locational Atlas of Historic Places. The Park and Planning Commission has also approved its acquisition as an historical park. The site is exceptionally important resource not only as the County's only French and Indian War camp (1750's), but also as a meeting place for the Sons of Liberty during our American Revolution.

Then too, the present alignment of Route 355, itself, is also significant. First started as an Indian trail, it has continued in use since colonial times as "The Great Road". As the route of General Edward Braddock when he bivouacked his troops at the ordinary on the nights of April 15-17, 1755 on the way to his famous defeat in Pennsylvania, the road could be considered part of the historic landscape and should be treated and interpreted accordingly.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

TO: Wynn Witthans: Site Plan Coordinator, M-NCPPC

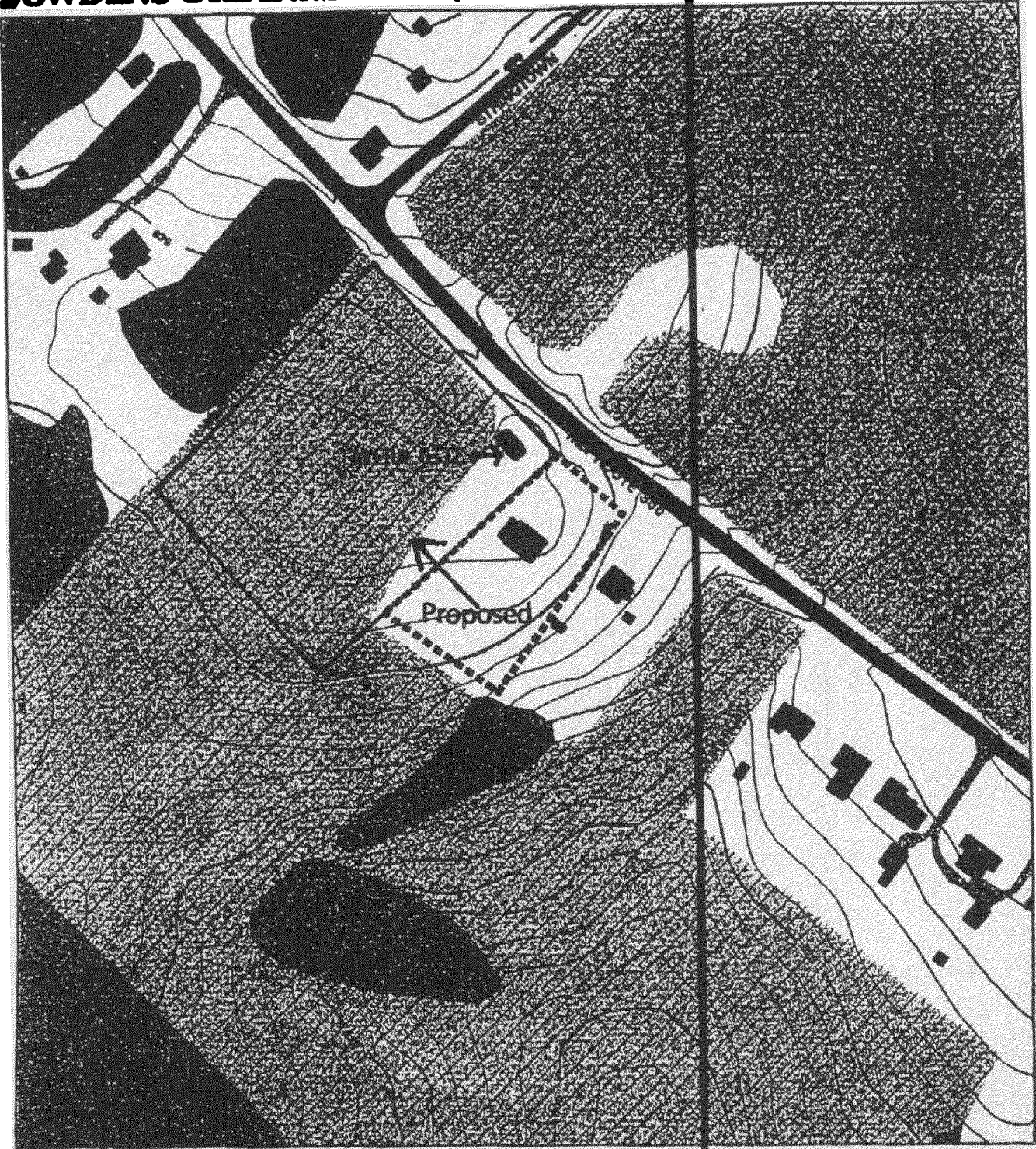
FROM: James D. Sorensen, Ph.D., Archaeologist, M-NCCPC

SUBJECT: Route 355 Road Alignment

Having consulted with the people at our Historic Preservation Commission (The contact was Michele Naru.), we feel that the best alternative to the road widening and leveling in front of the site of Dowden's Ordinary would be the one that has the least impact to the site, itself. Michele Naru reminded me that the historic D.A.R. marker on the site is the earliest one in the County (1915), and its current location should be considered historical in its own right.

If adjustments to the road alignment, so as not to impact the present bank, are not feasible, we would suggest that the present bank edge be considered as the limits of disturbance and all work impact be kept to the east of that edge. Perhaps, a retaining wall along the current bank edge is the next best alternative.

VICINITY MAP FOR DOWDEN'S ORDINARY C.P. (232NW13)



Map generated on July 05, 2000 at 07:05 PM | Site located on base sheet no. 23-000003

NOTICE

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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 625 Georgia Avenue • Silver Spring, Maryland 20910-2000

cCa

Highlands

Clarksburg Civic Association
P.O. Box 325
Clarksburg, Maryland 20871-0325

July 18, 2001

Arthur Holmes, Chairman
The Montgomery County Planning Board
The Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RECEIVED
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JUL 20 2001

Chairman Holmes:

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

The following is the testimony from the Clarksburg Civic Association's Planning Committee about the Highlands at Clarksburg development. I'm hoping that the record is still open and this can still be considered.

The current residences of Timber Creek are requesting that a requirement be placed onto the developer to restrict construction traffic to enter the development only from Stringtown Road, not through Timber Creek. The CCA Planning Committee believes this to be a reasonable request.

The Montgomery Planning Board needs to ensure that the Clarksburg Greenway Multi Use trail has a connection from the north side of Stringtown Road to the trail on the south side. It is our understanding that the trail will parallel the road between these two segments. We are not clear on which side of the road this will be. The trail going towards the south was recently moved east.

The CCA Planning Committee would like the trees left in the buffer between the Highlands and the existing Timber Creek homes. If the trees are removed, there is a compatibility issue. There may also be a compatibility issue with the planned lot sizes in the Highlands adjacent to Timber Creek. The Timber Creek lots are twice the size of the planned Highland lots. A transition zone of lot sizes from the larger size to the smaller should be considered adjacent to Timber Creek in the Highlands.

There is a circle planned in the Highlands just north of the Sun Crest homes. There needs to be pedestrian access from this circle to MD 355. The CCA Planning Committee also supports the multi use trail along MD 355.

The residences of the Sun Crest homes are concerned about their privacy. The CCA Planning Committee supports Centex in leaving the existing trees in the Highlands adjacent to these homes. The Sun Crest residences are also concerned with the view of their homes from the Highlands.



Clarksburg Civic Association
P.O. Box 325
Clarksburg, Maryland 20871-0325

The plans need to ensure that the Highlands do not tower over the existing Sun Crest homes without some form of mitigation. The existing trees may provide some mitigation, but their may not be sufficient tree coverage for the entire perimeter. Other mitigation may be necessary.

The CCA Planning Committee supports the concept of having alleys behind the town homes for access to the garages. It is also a good idea, as Centex is providing, to have the town homes face Stringtown Road. This is good design.

The CCA Planning Committee supports Centex with having sidewalks on each street. This provides for a walkable community. This is one of the goals of the Clarksburg Master Plan.

The CCA Planning Committee would like the County to consider some mitigation method that would allow Centex or another developer such as Elm Street to build sidewalks along each street in the existing Timber Creek Development. Apparently, when Timber Creek was planned, sidewalks were not part of that plan. Mitigation methods may include investing some of the collected impact fees to build these sidewalks or to waive some of the impact fees such that Centex would then be required to build these sidewalks. We would like the Montgomery Planning Board to recommend a mitigation method to make sidewalks possible in the existing Timber Creek.

Since this development is in a Special Protection Area, the density of buildings and roads must be kept within a reasonable limit. A 12% limit on impervious area as suggested by the Planning Staff seems reasonable. However, the safety of pedestrians and bicyclists in this development should be considered more important, if that were to become an issue.

Sincerely yours,

John H. Fauerby
Vice President of CCA

cc: Karen Kumm

Date: 6/25/01
Sender: <MGMEADOWS@aol.com>
To: Witthans
cc: khutto@erols.com, borchardtd@asme.org, Prisdave@aol.com
Priority: Normal
Subject: Highlands at Clarksburg

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Content-Transfer-Encoding: 7bit

Monday 25 June 2001 @ 0825hrs

Dear Ms. Witthans:

Per my VM message to you last week, and per correspondence sent to Mr. Shanaman's office (copy attached), our community asks your offices to consider our position regarding the issue of "construction access" and the damaging and harmful side-effects which it can have on our community. I have seen - first-hand - the damage that the heavy construction traffic required for "lumbering and land clearing operations" can have on adjoining communities if not properly regulated.

Our community also has concerns about the inherent danger to the children of our neighborhood brought on by an increase in vehicular traffic on the very, very narrow road (Timber Creek Lane), were Timber Creek Lane (sans sidewalks) to be the primary access point to this new community: Highlands at Clarksburg

When these issues was brought up to representatives of Centex Homes during a Clarksburg Civic Association - Planning Committee meeting on the evening of June 7th of this year, I can only say that the Centex Homes representatives were "less than receptive" to our concerns.

After reviewing the attached letter, can you let me know whether or not your office sees any merit in our concerns? If so, can your office assist by directing us - so to speak - as to how to proceed to have this question of "construction access restrictions" and "secondary Rt 355 access" addressed in the preliminary hearings and reviews for this proposed project: Highlands at Clarksburg?

On behalf of our community homeowners, I thank you for your consideration of this matter.

Sincerely,

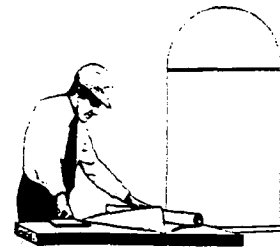
Martin G. Meadows
President
Timber Creek Homeowners Association
Clarksburg, Maryland
(h) 301-601-9160
(o) 202-728-1092

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Content-Type: text/html; charset="US-ASCII"
Content-Transfer-Encoding: 7bit

<HTML>Monday 25 June 2001 &@
0825hrs



Timber Creek
Homeowners Association
Clarksburg, Maryland 20871-4008
Board of Directors



June 14, 2001

Malcolm Shaneman
Supervisor of Development Review
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Highlands Of Clarksburg Preliminary Plan #98009A

Dear Shaneman:

On behalf of the 48 single family homes in our community, we would like to express our concern for the environmental collateral damage to our neighborhood which will occur as a result of the lumbering, clearing, grading, and construction operations of the above referred project. To that end, we request that the following conditional items be included in the Preliminary Plan:

- **A direct connection from the Highlands to Route 355.**
We request this additional connectivity in order to reduce the traffic load on Timber Creek Lane. Timber Creek Lane is a narrow street without sidewalks and any increased traffic load would obviously place the pedestrian traffic (i.e. – mostly children) at risk. We have been told by representative(s) of the State Highway Department that this is “feasible.” We have also been told that representatives of Centex Homes vehemently oppose this direct connection.
- **A temporary concrete barricade to be placed at the northern end of Timber Creek Lane, to remain in place until the completion of all construction and the roads have been duly transferred to the county for maintenance.**
These barricades will block construction traffic and insure, during all phases of construction, the safety and cleanliness of Timber Creek Lane, Shawnee Lane, and Foreman Boulevard. We ask that these barricades remain in place until the road bonds have been lifted and the streets are no longer the property of the builder/developer.

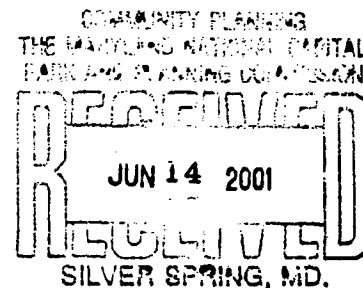
Please add this correspondence to the case file as representing the position of 48 affected homeowners. Also, we ask that this correspondence be forwarded to the appropriate person(s) in your department who are responsible for reviewing this application. Thank you.

On behalf of the Board of Directors of the Timber Creek Homeowners Association,

Martin G. Meadows
President

MGM:eag

cc: Board of Directors, TCHOA
✓ Karen Kumm Morris – M-NCPPC



Nancy Villadsen,
on behalf of neighboring residents
23016 Timber Creek Lane
Clarksburg, MD 20871
June 11, 2001

Malcolm Shaneman, Supv. of Dev. Review
MD National Capital Park & Planning Commission
8787 Georgia Ave.
Silver Spring, MD 20910

re: Highlands of Clarksburg
Preliminary Plan #98009A

Dear Mr. Shaneman and other members of the Development Review Committee:

We, the residents of Clarkbrooke Estates and Timber Creek Estates, request that the following items be included in the Preliminary Plan for Highlands of Clarksburg:

- **A direct connection from Highlands of Clarksburg to Rt. 355. We would like this increased connectivity, to take some of the expected traffic load off our quiet, safe neighborhood streets.**
- **A temporary physical barricade at the current north end of Timber Creek Lane, to remain in place until after construction is complete and the road bonds are released. We are especially interested in having the barricade during times that include mass clearing (such as timber removal), mass grading, laying of sewer and storm drainage, paving, and any other heavy, dirty work. In addition, we would like to see defined in the Preliminary Plan a specific construction road for Centex Homes to use. We would like these physical supports ensured to be in place, to protect the safety, structure and cleanliness of our neighborhood streets.**
- **A transition area from Clarkbrooke Estates to Highlands of Clarksburg, beyond the current north end of Timber Creek Lane, either in transitional lot sizes or the standard of 50 feet of preserved woodland. This is to make the transition from larger lots with established growth, to smaller, newly planted lots with large houses, more sightly.**

Thank you for your fair-minded consideration of the needs of citizens in existing neighborhoods.

Sincerely,

**The Residents of Clarkbrooke
Estates and Timber Creek Estates**

Signature / Printed Name / Address

Nancy Villadsen / Nancy Villadsen / 23016 Timber Creek La.

Signature / Printed Name / Address

~~Marion W. Jackson~~ MARION W. JACKSON 22801 TIMBER CREEK LN

~~Sandra U. Hutto~~ Sandra U. Hutto, 22709 Timber Creek Lane, Clarksburg

~~Danette J. Shaw~~ Danette J. Shaw 22707 Timber Creek Lane, Clarksburg

~~Niran Dineesh Amin~~ Niran Dineesh Amin 22705 Timber Creek Lane ^{Clarksburg MD 20701}

~~Prem Singh~~ PREM P. SINGH 22703 TIMBER CREEK LANE ^{CLARKSBURG MD 20701}

~~Julie Heatherly~~ JULIE HEATHERLY 22701 TIMBER CREEK

~~Mark Broeker~~ Mark Broeker 22701 Timber Creek

~~Robert W. Katz~~ ROBERT W. KATZ 22607 TIMBER CREEK

~~Dawn D. Miller~~ Dawn D. Miller 22605 TIMBER CREEK

~~AN HANK~~ AN HANK 22603 TIMBER CREEK

~~Anita Arya~~ ANITA ARYA 22601 Timber Creek

~~Lance Harvey~~ Lance Harvey 22600 Timber Creek

~~Rachmi Mehta~~ Rachmi Mehta 22602 Timber Creek

~~Laura Bloodgood~~ Laura Bloodgood 22606 Timber Creek Ln

~~DINESH AMIN~~ DINESH AMIN 22705 Timber Creek Lane

~~Julie Donaldson~~ Julie Donaldson 12601 CLARK MEADOWS CT.

~~Mike Donaldson~~ Mike Donaldson 12601 CLARK MEADOWS CT.

~~Pat DeBor~~ Pat DeBor 12602 Clark Meadows Ct.

~~Michael McDonald~~ Michael McDonald 12607 Clark Meadows Ct.

~~Kimberly Neil~~ Kimberly Neil 12612 Foreman Blvd.

~~JEFFREY D. NEIL~~ JEFFREY D. NEIL 12612 Foreman Blvd.

~~HENRY T. CALISTI~~ HENRY T. CALISTI 23005 TIMBER CREEK LN CLARKSBURG MD 20871-9400

~~Dottie Calisti~~ Dottie Calisti 23005 Timber Creek Ln. CLARKSBURG, MD. 20871-9400

Signature / Printed Name / Address

David Rabinstein / ^{David Rabinstein} 12707 Shawnee Lane

Julie P. Chang / ^{Julie P. Chang} 12701 Shawnee Ln

P. Chang / ^{P. Chang} 12701 Shawnee Lane

C. Barday / ^{C. Barday} 12703 Sun Day

H. Barday / ^{H. Barday} 12703 Sun Day

D. Gutierrez / ^{D. Gutierrez} 12700 Shawnee Ln

L. Gutierrez / ^{L. Gutierrez} 12700 Shawnee Ln

Ron G. King / ^{Ron G. King} 22821 TIMBER CREEK LN

Camille King / ^{Camille King} 22821 TIMBER CREEK LN

Lisa Ann Kaufman / ^{Lisa Ann Kaufman} 22816 Timber Creek Lane

Jamie Williams / ^{Jamie Williams} 22819 T. Creek Ln

Dawn Guynn-Werking / ^{Dawn Guynn-Werking} 22817 Timbercreek Lane

R. Timothy Edwards / ^{R. Timothy Edwards} 22815 TIMBER CREEK LANE

Linglan Edwards / ^{Linglan Edwards} 22815 TIMBER CREEK LANE

Ching Ingalla / ^{CHING INGALLA} 22814 Timber Creek Ln

Rolando Ingalla / ^{Rolando Ingalla} 22814 Timber Creek Ln

Robert Thomas / ^{Robert Thomas} 22808 Timber Creek Ln

Sandra Thomas / ^{Sandra Thomas} 22808 Timber Creek Ln

Mr. Ali / ^{Mr. Ali} 22805 Timber Creek Ln

Bob Singh / ^{Bob Singh} 22804 TIMBERCREEK LN

Jin Price / ^{Jin Price} 22803 Timbercreek Lane

Diane Price / ^{Diane Price} 22803 Timber Creek Lane

Eugene Jackson / ^{Eugene Jackson} 22801 TIMBER CREEK LANE

Signature / Printed Name / Address

Carol Shirk / Carol Shirk / 23024 Timber Creek Lane

DAVID SHIRK / DAVID SHIRK / 23024 Timber Creek Lane

Michael Musser / Michael Musser / 23029 Timber Creek Lane

John Musser / John Musser / 23021 Timber Creek Ln.

Darlene Musser / Darlene Musser / 23021 Timber Creek Ln.

Darleen Jones / DARLEEN JONES / 23009 Timber Creek Lane

Laird Jones / LAIRD JONES / 23009 Timber Creek Lane

Diane Lopez / Diane Lopez / 23012 Timber Creek Ln, Clarksburg, MD 20871

Glenn Villadsen / Glenn Villadsen / 23016 Timber Creek Lane, Clarksburg MD

Jennifer Bailey / Jennifer Bailey / 23008 Timber Ck Ln Clarksburg MD

George C Bailey / GEORGE C BAILEY / 23008 TIMBER CREEK LN CLARKSBURG MD

George C Bailey II / George C Bailey II / 23008 Timber Creek Lane Clarksburg

Francine Davio / FRANCINE DAVIO / 23004 Timber Creek Ln, Clarksburg, MD

Peter Davio / Peter Davio / 23004 Timber Creek Ln, Clarksburg, MD

Foss Cromwell / Foss Cromwell / 22912 Timber Creek, Clarksburg MD

Cindy Cromwell / Cindy Cromwell / " "

LeRoy W. Schroeder / LeRoy W. Schroeder / 23000 Timber Creek Ln, Clarksburg

Kay C. Schroeder / Kay C. Schroeder / 23000 Timber Creek Lane, Clarksburg

Archie McAlister / Cynthia McAlister / 22908 Timber Creek Lane Clarksburg

Irving S. Edwards / Shirley Edwards / 22904 Timber Creek Lane Clarksburg

D. Smith / Dolores Smith / 22900 Timber Creek Ln Clarksburg MD

Karen Rouhani / Karen Rouhani / 22820 Timber Creek Ln Clarksburg MD

Lisa - Todd Sprites / Lisa - Todd Sprites / 12804 Shownees Lane Clarksburg MD 20871

Signature / Printed Name / Address

Kendra Biddick / Kendra Biddick / 22817 Clarkbrooke Dr. Clarksburg, MD 20871

Kathleen A. Mills / Katherine A. Miller / 22820 Clarkbrooke Dr. Clarksburg, MD 20871

Paul M. Finney / Pamela M. Finney / 22816 Clarkbrooke Dr. Clarksburg, MD 20871

James R. Finney / James R. Finney / 22816 Clarkbrooke Dr. Clarksburg, MD 20871

Laura Stohlman / Laura Stohlman / 22804 Clarkbrooke Dr. Clarksburg, MD 20871

Edna Seates / Edna Seates / 22808 Clarkbrooke Dr. Clarksburg, MD 20871

Thomas D. Seates / Thomas D. Seates / 22808 Clarkbrooke Dr. Clarksburg, MD 20871

John Stohlman Jr. / John Stohlman Jr. / 22804 Clarkbrooke Dr. Clarksburg, MD 20871

Francis Ginter / Francis Gerstenberg / 22801 Clarkbrooke Dr. Clarksburg, MD 20871

Patrick Gallagher / Patrick Gallagher / 22809 Clarkbrooke Dr. Clarksburg, MD 20871

Evelyn L. Gallagher / Evelyn L. Gallagher / 22809 Clarkbrooke Dr. Clarksburg, MD 20871

Charles E. Morris / 22813 Clarkbrooke Dr. Clarksburg, Md 20871

* Frank H. Morris / 22813 Clarkbrooke, Dr. Clarksburg, Md. 20871

Margaret U. Chew (Florence Chew) / 12809 Shawnee Ln. Clarksburg, MD 20871

Robert P. Reid / Robert P. Reid / 12901 Shawnee Ln. Clarksburg, MD 20871

CHARLENE GERHARZ / C. P. Gerhartz / 12905 SHAWNEE LA CLARKSBURG, MD 20871

R. Gerhartz / R. Gerhartz / " "

Laura Escalante / KAREN ESCALANTE / 12900 SHAWNEE LN. CLARKSBURG, MD 20871

Edward Escalante / Edward Escalante / 12900 Shawnee Ln. Clarksburg, MD 20871

James B. Zorn / James B. Zorn / 22909 Timber Creek Ln. Clarksburg

Peter Mell / Peter Mell / 23017 Timber Creek Ln. Clarksburg, MD 20871

Anna Mell / Anna Mell / 23017 Timber Creek Ln. Clarksburg, MD 20871

Signature / Printed Name / Address

M.G. Meadows M.G. MEADOWS 12617 Foreman Blvd

E.A. Gassert E.A. GASSERT 12617 Foreman Blvd

John P. Coughlan John Coughlan 12609 Foreman Blvd

Valerie J. Paterno Valerie Paterno 12609 Foreman Blvd.

Chiali Liu Chiali Liu 12613 Foreman Blvd

JENG-JONG JENG-JONG 12613 Foreman Blvd.

Guri Nath Guri Nath 12621 Foreman Blvd

Michael Nath Michael Nath 12621 Foreman Blvd

LIN J. HYMEL LIN J. HYMEL 12610 Foreman Blvd.

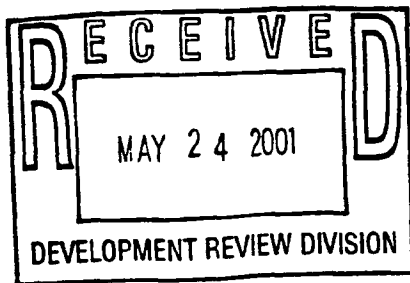
ANNA A. HYMEL ANNA A. HYMEL 12610 Foreman Blvd.

C.M. Bennet C.M. Bennet 12608 Clark Meadows Ct

S. A. Bennet S. A. Bennet 12608 Clark Meadows Ct

Lisa Hadjosek Lisa Hadjosek 12608 Clark Meadows Ct.

PAUL HADJOSEK PAUL HADJOSEK 12608 CLARK MEADOWS CT



23016 Timber Creek Lane
Clarksburg, Maryland 20871
(301)540-2088
villadsen@erols.com
May 21, 2001

Malcolm Shaneman, MNCPPC Dev. Review Supv.
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

re: Highlands of Clarksburg Prelim. Plan

Dear Mr. Shaneman and other DRC members:

On behalf of the older, existing neighborhood of Clarkbrooke Estates, I would like to reiterate our continued concern about the lack of direct connection to Rt. 355 from Highlands of Clarksburg. The bulk of all Highlands traffic (which would be south flowing) can be expected to use our neighborhood street, Timber Creek Lane. (The other access to Highlands of Clarksburg is at Stringtown Rd. which is to the north, and the corner of Stringtown Rd. turning left onto Rt. 355 is not engineered for ease and safety so that route probably will not be attractive to Highlands residents.)

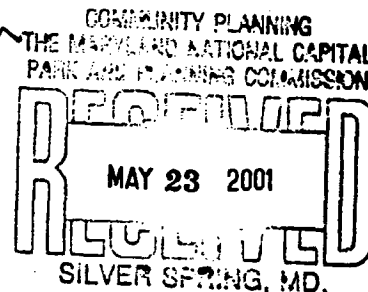
The Clarksburg Master Plan, p. 24, states that it "Endorses an extensive network of interconnected streets." Montgomery County policy used to provide for the preservation of the character of existing neighborhoods. We understand that that policy has now been replaced with the priority of "interconnectivity." **Where, then, is the interconnectivity to soften this blow? Should county planning ignore interconnectivity, especially when that affects the quality of existing neighborhoods, in favor of giving new development the okay?**

I thank you for your fair-minded consideration of this situation.

Sincerely,

Nancy Villadsen

cc: Nancy Dacek, Montg. Co. Council
Martin Klauber, Office of the People's Council
Citizens of Clarkbrooke Estates
Martin Meadows, president of Timber Creek Estates Homeowners' Assoc.



23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
villadsen@erols.com
Tuesday, March 6, 2001

Malcolm Shaneman
Supervisor of Development Review
National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

re: Highlands of Clarksburg
Preliminary Plan #98009A

Dear Mr. Shaneman,

I have several questions about Highlands of Clarksburg that I would like to ask once the initial Development Review process is complete. They are as follows. Will you please write or call me with your answers? Thanks!

- 1) Will there be any permanent Rt. 355 access from the proposed subdivision, and if so, where?
- 2) Will there be a temporary construction road approved? If so, where, and will it be in place for use before timber removal and earth-moving begin near our neighborhood?
- 3) Will there be a temporary physical barrier at the current north end of Timber Creek Lane? If so, during what processes or time period, and how would this be enforced?
- 4) What kinds of buffer areas and other transition features have been planned between the existing and proposed neighborhoods on Timber Creek Lane?
- 5) I have not been able to find out what the purpose of the traffic study was – that is, what decisions the results of it will impact. Will you please let me know? The concern of our community is that we saw traffic data being collected on the corner of Shawnee Lane and Rte. 355 during Christmas week, when traffic was a lot lighter than normal (no school traffic, people on vacation, and no rush-hour backups on Rte. 355).
- 6) May we have a copy of the traffic study when it is complete?

Again, thank you!

Sincerely,

Nancy Villadsen

cc: Karen Kumm, NCPPC
Martin Meadows, president Timber Creek Estates Homeowners' Assoc.
neighborhood residents
Martin Klauber, Office of the People's Counsel

23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
March 1, 2001

Malcolm Shaneman
Supervisor of Development Review
National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

re: Highlands of Clarksburg
Preliminary Plan #98009A

Dear Mr. Shaneman,

I have been in contact with Karen Kumm, and received an update about the **Highlands of Clarksburg Preliminary Plan**. I would like to focus on the continuing concerns of the existing Clarkbrooke Estates and Timber Creek Estates neighborhoods.

Our primary concerns with the proposed Highlands of Clarksburg center on traffic flow. They are:

- **Adequate connectivity** – As Karen Kumm explained, the developer, Centex Homes, has recently removed plan for any access to Rt. 355 from the development. So, as the plan currently stands, there are only two accesses to the whole Highlands of Clarksburg development – one at Stringtown Road and one at Timber Creek Lane. Our concerns are straightforward:
 - 1) **Interconnectivity** is a strongly-emphasized goal throughout the Clarksburg Master Plan. Looking at the preliminary plan map, it just seems logical there should be one access to Rt. 355 which connects the major area of the new development.
 - 2) **Dispersion of traffic** is a desirable condition for neighborhoods. Our neighborhoods would be burdened with most of the south-flowing traffic (which will be most of the traffic in total) from the new development.

- **Control of construction traffic** - Our neighborhoods (residents of 88 houses) are very concerned with the possibility of heavy construction traffic using our quiet, safe, clean, nicely paved streets. We are quite reasonably hoping for:
 - 1) **A temporary physical barricade** at what is currently the north end of Timber Creek Lane during heavy construction work – timber removal, grading, paving, and laying of storm drainage. *We are especially seeking this because when Timber Creek Estates was built, the residents of Clarkbrooke Estates experienced the horrors and helplessness of much unintended construction traffic using Shawnee Lane.* Timber Creek Estates *did* have a construction road and Shawnee Lane had a NO CONSTRUCTION TRAFFIC sign put up by the developer, but contractors and subcontractors consistently ignored them. There was much dust and mud on Shawnee Lane, and existing yards and insides of homes were covered with the orangish-brown dust. (People wore masks to mow lawns, had to hose down driveways, and two children had asthma just during that time.) The street, of course, was damaged.
 - 2) **A construction road** in the preliminary plan to connect the Highlands' proposed extension to Timber Creek Lane temporarily with Rt. 355. This would be necessary to allow for the temporary barricade. We expect the larger, single-family homes on the south half of Highlands of Clarksburg (those nearer us) to be developed first. We therefore hope a construction road convenient to that area be planned. (We are aware that Greg Cook of the State Highway Administration has given his approval for a construction road at that site.)

Thank you for giving the existing residents of Clarksburg your consideration as plans for Highlands of Clarksburg continue.

Best regards,

Nancy Villadsen

cc: Karen Kumm, NCPPC
Martin Meadows, president Timber Creek Estates Homeowners Assoc.
David Post, Clarksburg Civic Assoc. Planning Comm.
neighborhood residents
Martin Klauber, the People's Counsel for Montg. Co.
Bob Larkin, Centex Homes

**DEPARTMENT OF PERMITTING SERVICES**

Douglas M. Duncan
County Executive

January 25, 2001

Robert C. Hubbard
Director

Mrs. Nancy Villadsen
23016 Timber Creek Lane
Clarksburg, Maryland 20871

Re: Highlands of Clarkburg
Preliminary Plan #1-98009A

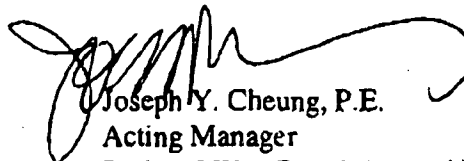
Dear Mrs. Villadsen:

We have received your letter requesting the installation of a temporary barricade at the dead end of existing Timber Creek Lane. This is to prevent construction traffic from using Timber Creek Lane during construction of the new subdivision.

While there are only two legal accesses proposed, one at Stringtown Road and the other at Timber Creek Lane, it may not be feasible to restrict the construction traffic at one access point for a development of such scale. The proposed subdivision is currently under review by staff at Maryland National Capital Park and Planning Commission (MNCPPC) and Department of Public Works and Transportation (DPWT) as part of the development review process. By a copy of this letter, I am requesting your concern be considered as part of the plan review effort by staff at MNCPPC and DPWT.

Having been working with the Development Review Committee in the past, I am sure that your concern will be addressed fully. If you have any other concern, please feel free to call me at 240-777-6299.

Sincerely,



Joseph Y. Cheung, P.E.
Acting Manager
Right-of-Way Permitting and Plan Review

JYC:dm

cc: Robert C. Hubbard, DPS
Martin Klauber, Office of the People's Council
Jeff Riese, DPWT
Malcom Shaneman, MNCPPC
Stan Wong, DPS

23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
villadscn@crots.com
January 12, 2001

Robert Hubbard
Director of Permitting Services, Montg. Co.
250 Hungerford Drive
Rockville MD 20850

Dear Mr. Hubbard:

I am writing to request a permitting requirement from your department for development work planned to occur in my neighborhood.

The current dead-end of Timber Creek Lane in Clarksburg will be opened up to a new subdivision, Highlands of Clarksburg (also called Clarksburg Gateway), located on 56 acres on the southeast corner of Frederick and Stringtown Roads. The Preliminary Plan is currently in review at Park and Planning. Neighbors in the adjacent Clarkbrooke Estates and Timber Creek Estates are concerned about the possibility of heavy construction traffic on our streets.

On behalf of all those in this area, I would like to request that Centex Homes, the developer of Highlands of Clarksburg, be required as part of permits issued for grading, paving, storm drainage, timber removal (if that needs a permit) and anything else along those lines, to erect a temporary physical barricade at the current dead-end of Timber Creek Lane to prevent construction equipment from getting through.

A construction entrance has been planned and tentatively approved.

Thank you for your support in maintaining the peace and safety of our neighborhood.

Best regards,

Nancy Villadsen

cc: Malcolm Shaneman, MNCPPC Dir. of Dev. Review
Karen Kumm, MNCPPC Clarksburg Planner
Bob Larkin, Centex Homes
Jim Ruff, Macris, Hendricks and Glascock
Martin Klauber, Office of the People's Counsel

23016 Timber Creek Lane
Clarksburg, Maryland 20871
(301)540-2088
villadsen@erols.com
January 9, 2001

Malcolm Shaneman, MNCPPC Dev. Review Supv.
Maryland National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Shaneman and other members of the DRC:

On behalf of the residents of Clarkbrooke Estates and Timber Creek Estates, I would like to underscore our continued hope for a permanent outlet to Frederick Rd. (Rte. 355) from Highlands of Clarksburg's proposed extension to Timber Creek Lane.

On that subject, I would like to suggest that **a waiver be sought** of the state restriction that currently prevents Timber Creek Lane from outleting within less than 750 feet of Suncrest Ave., **on the contingency that the Clarksburg Master Plan's re-routing of MD Rte. 355 is included in Montgomery County's Year 2002 or 2003 C.I.P.**

Thank you for your continued consideration of this traffic-flow issue.

Best Regards,



Nancy Villadsen

cc: Karen Kumm, NCPPC Planner
John Fauery, Clarksburg Civic Assoc.
Martin Meadows, Timber Creek Estates Homeowner Assoc.
Neighborhood residents
Bob Larkin, Centex Homes
Jim Russ, Macris, Hendricks and Glascock
Martin Klauber, the People's Counsel

From: Nancy Villadsen,
on behalf of neighboring residents
23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
villadsen@erols.com
January 9, 2001

To: Sara Navid, Dept. of Permitting Services
Jeff Riese, Dept. of Public Works & Transportation
Greg Leck, Dept. of Public Works & Transportation
Malcolm Shaneman, MNCCP Supv. of Dev. Review
Karen Kumm, MNCCP Clarksburg Planner
Bob Larkin, Centex Homes
Jim Russ, Macris, Hendricks and Glascock

We, the residents of Timber Creek Lane in the 22900 to 23029 block, request that sidewalks be installed in our block if the proposed extension of Timber Creek Lane in Highlands of Clarksburg does not outlet to Frederick Road permanently. We are concerned about pedestrian/biking safety with increased traffic flow down our residential street, because our street may be the sole access for south-flowing traffic from about 60 new homes in Highlands of Clarksburg.

Based on this contingency, we would like to ask Centex Homes, the developer of Highlands of Clarksburg, to build sidewalks for us in conjunction with the development, so that sidewalks will be in place when Timber Creek Lane is opened to increased traffic. We ask that Centex Homes either covers the cost of the sidewalks themselves or works in conjunction with Montgomery County to obtain funding. Because of the safety issue, we do not want to ask the County Sidewalk Program to do it because a longer wait time is expected.

Also based on this contingency, we would like to request a 4-foot-wide asphalt path on each side of the street, between the street and the swales. We ask for a waiver of County requirements for the amount of space between the street and each walk, to allow the walks to be placed between the street and the swales, which would cause a minimum impact to our front lots. Within these parameters, we are open to design ideas, and have discussed several among ourselves. Our ideas, in their order of popularity, are as follows:

- 1) Extend the width of the street 4 feet on each side and paint white lines down the road between the traffic and pedestrian areas.
- 2) Lay 4-foot-wide asphalt paths a couple of feet away from the street, with a grassy strip in-between.
- 3) Build up asphalt curbs along the existing edges of the street, with 4-foot asphalt paths directly beside them.

We thank you for giving this request and our ideas your serious consideration.

Sincerely,

Residents of the original Timber Creek Lane

Signature / Printed Name / Address

Nancy Villadsen / Nancy Villadsen / 23016 Timber Creek Ln.

Glenn Villadsen / Glenn Villadsen / 23016 Timber Creek Lane

James Loizos / James Loizos / 23020 Timber Creek Lane

Susan Loizos / Susan Loizos / 23020 Timber Creek Lane

David Shive / DAVID SHIVE / 23024 TIMBER CREEK LN.

Cheryl Shive / Cheryl Shive / 23024 Timber Creek Lane

Michael Moses / Michael Moses / 23029 Timber Creek Lane

John Mysser / John Mysser / 23031 TIMBER CREEK LN

Diane Lopez / Diane Lopez / 23012 Timber Creek Lane Clarksburg, MD 20871

Anna Mell / Anna Mell / 23017 Timber Creek Ln Clarksburg MD 20871

Peter Mell / Peter Mell / 23017 Timber Creek Ln Clarksburg MD 20871

Leslie Dotterer / Leslie Dotterer / 23013 Timber Creek Ln Clarksburg MD 20871

Jennifer Bailey / Jennifer Bailey / 23008 Timber Creek Ln Clarksburg MD 20871

George C Bailey II / George C Bailey II / 23008 Timber Creek Lane Clarksburg MD 20871

George C Bailey II / George C Bailey II / 23008 Timber Creek Lane Clarksburg MD 20871

Laird Jones / LAIRD JONES / 23009 TIMBER CREEK LANE

Darlene Jones / Darlene Jones / 23009 Timber Creek Lane Clarksburg, MD 20871

Henry T. Calisti (HENRY T. CALISTI) / 23005 TIMBER CREEK LN, CLARKSBURG, MD 20871

Dottie Calisti (Dottie Calisti) / 23005 Timber Creek Ln Clarksburg Md. 20871

Ray E. Schroeder (Ray E. Schroeder) / 23000 Timber Creek Ln

Clarksburg, MD 20871

LeRoy W. Schneider 23000 Timber Creek Lane

P. B. Cromwell 22912 Timber Creek Lane

Cynthia Cromwell Cindy Cromwell 22912 Timber Creek Lane

Jessamine Hopkins Jeannine Hopkins 23001 Timber Creek Lane

John Hopkins John Hopkins 23001 Timber Creek Lane

D. Dolores Smith Dolores DeRiso-Smith 22900 Timber Creek Lane

Doug Smith Douglas Smith 22900 Timber Creek Ln.

1070 Darlene Musser Darlene Musser 23021 Timber Creek Ln.

These neighbors previously said they would sign, but were not available on Tues. eve, 1-9-01, to do so:

- Jim Zorn - 22909 Timber Creek La.
(will sign when he sees proof there is no law in Montgomery Co. making him shovel)

- Laura McCarthy and Mary?
12709 Shawnee Lane (on the corner)

- Pete and Fran David - 23004 Timber Creek La.
(out of town until Fri., 1-12-01)

- Bill and Joyce Ford - 23025 Timber Creek La.
(at their Florida home until April but can be contacted if needed)

These neighbors have not declared their intention to sign:

- The Edwards - 22904 Timber Creek La.
(have had a death in the family)

These neighbors said they did not want to sign:

- the McAlisters - 22908 Timber Creek La.

- Vicki Dotterer - 23013 Timber Creek La.
(her husband signed, though)

23016 Timber Creek Lane
Clarksburg, MD 20871
(301)540-2088
January 5, 2001

Malcolm Shaneman
Supervisor of Development Review
National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Shaneman and other DRC members:

It was interesting and encouraging, as a Clarksburg resident, to observe the DRC meeting on Highlands of Clarksburg last Tuesday. I speak for the whole neighborhoods of Clarkbrooke Estates and Timber Creek Estates when I say that I am glad a construction road was approved (which is of course pending a visibility check by State Highways).

On the subject of the construction road, our neighborhoods would like to ensure our peace and safety by further requesting:

- that the construction road to Highlands of Clarksburg be the sole access for construction work until such time as residents of the new development need to access their homes.
- that Timber Creek Lane be physically blocked off at the current dead-end until that time.
- that Centex Homes posts clear signs guiding construction traffic past our neighborhoods and to the construction entrance (e.g. "CENTEX HOMES CONSTRUCTION ENTRANCE" with a pointing arrow). We would like the signs to be along Frederick Road in the vicinity of our neighborhoods and at the construction entrance.
- that *these requests be a binding condition for the Preliminary Plan to be approved.*

Thank you for giving the protection of our neighborhoods your careful consideration.

Also, Mr. Shaneman, I would like to call you after the follow-up DRC meeting of Jan. 10th to find out what specific items were resolved or what occurred in the meeting. I am hoping to have that information before our Clarksburg Civic Assoc. Planning meeting on the evening of Jan. 11th.

Thanks!

Best regards,



Nancy Villadsen

cc: Karen Kumm, NCPPC
John Fauerby, Clarksburg Civic Assoc.
Martin Meadows, Timber Creek Estates Homeowners Assoc.
Neighborhood residents
Bob Larkin, Centex Homes
Scott Roser, Macris, Hendricks and Glascock

23016 Timber Creek Lane
Clarksburg, Maryland 20871
(301)540-2088
December 22, 2000

Malcolm Shaneman
Supervisor of Development Review
National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Dear Mr. Shaneman and other members of the Development Review Committee:

Two of my neighbors, who live at the current dead-end of Timber Creek Lane, recently received a copy of a Preliminary Plan of Subdivision for Highlands of Clarksburg from Centex Homes. On behalf of all those who live in this neighborhood, Clarkbrooke Estates, and those who live in our adjacent neighborhood, Timber Creek Estates, I would like to voice our major concerns regarding this Preliminary Plan.

First of all, I would like to assure you that we do not oppose the construction of Highlands of Clarksburg. We also do not oppose the extension of Timber Creek Lane to connect to Highlands of Clarksburg. We understand the inevitability of development in our community and the county's and the Clarksburg Master Plan's goal of connectivity between neighborhoods. Our concerns center on the impact construction will have on our neighborhood, and the markedly increased traffic flow we anticipate from seeing the Preliminary Plan.

We have two requests for the development of Highlands of Clarksburg:

- 1) We would like a temporary construction road to be built that does not carry construction traffic through our neighborhood. In lieu of this, we ask that the current Timber Creek dead-end not be opened up to the development area until after most of the clearing of timber and the grading are done, and preferably as far along after that as is feasible for the builder. Even after Timber Creek Lane is opened up, we strongly request the builder to actively discourage contractors from using our streets whenever possible. After considering the preliminary plan carefully, we suggest placing the construction road along the preliminary plan's proposed extension of Timber Creek Lane, extending beyond the new dead-end to open onto Frederick Road.
- 2) Our other request is that a permanent road be built directly from Frederick Road into the development. We suggest placing this at the same point as the construction road - continuing the proposed Timber Creek Lane through to connect with Frederick Road.

Reasons for requesting a temporary construction road and not opening Timber Creek Lane to construction:

The homeowners in Clarkbrooke Estates who live along Shawnee Lane feel very strongly that we need special provisions for construction traffic. When the other end of Timber Creek Lane was opened to build Timber Creek Estates, they report that:

- there were numerous violations of curfew laws, such as construction traffic barreling by and operating as early as 4 to 5 a.m.
- there was repeated use of Shawnee Lane even though there was a construction road and a county sign at the entrance of Shawnee Lane stating "NO CONSTRUCTION TRAFFIC."
- equipment was parked on the edge of Clarkbrooke Estates residents' lawns, leaving ruts.
- construction trash was regularly dribbled on the road (we have had a lot of flat tires to fix).
- a lot of food trash was strewn about.
- the children's safety was threatened walking to the neighborhood bus stop, which is on the corner of Shawnee and Timber Creek Lanes (there are no sidewalks in Clarkbrooke Estates).
- the removal of timber was awful. Even though there was a construction road available, acres of timber were hauled down Shawnee Lane, leaving quantities of dirt dropped on the road from roots. The clouds of dust that followed the trucks were so bad that they coated lawns and the insides of houses. One neighbor reports that during that two-year period, she had to hose down her driveway regularly, use a mask to mow the lawn, and two of her children developed asthma just during that period.

Although residents called the developer and the county often, results were unsatisfactory, for example:

- the police wouldn't show up at all, or would arrive at 6:45 a.m. to enforce a curfew.
- the county didn't come out to inspect the dirt in the road for a long time, and then came after a heavy rain and said it didn't look that bad.
- the county once said "don't be hard on the developer - their contact just had a baby."
- contractors would often be done with their jobs by the time their violations were pinned down.
- and of course it is difficult to determine which contractor parked on your lawn while you were at work, or who throws trash there.

The residents very reasonably do not want to allow construction for this new development to be able to impact their homes and street in similar negative ways.

Reasons for requesting that a permanent road be built directly from Frederick Road into Highlands of Clarksburg:

The residents of Clarkbrooke Estates and Timber Creek Estates are concerned about a markedly increased traffic flow through the neighborhood resulting from the proposed development. Specifically, our thoughts are:

- we would have less through-traffic with another access to the new neighborhood.
- that almost all work and shopping traffic, even after the Clarksburg Town Center is built, will flow to and from the south. Clarksburg is a northern suburb of Washington, D.C. (Current residents use Frederick Road to travel north from Germantown and enter the neighborhood from side streets in Timber Creek and Clarkbrooke Estates. The new traffic will funnel up through the side streets and all into Timber Creek Lane. Not much traffic will access the new single-family homes from the proposed Stringtown Road access.)
- that the Stringtown Road access will not even be built for several years. (We hear the preliminary plan for the higher-density area on the corner of Stringtown Road is not expected to be submitted until April. And Greg Cook of the Maryland State Highway Administration said that turning from Stringtown Road onto Frederick Road is dangerous due to bad visibility. He said that a rise in Frederick Road south of there must be lowered 10 feet, and until it is, construction traffic at least would not be safe exiting onto Stringtown Road. Are more cars safe?)
- that since residents of the new development will have a long way to drive through our neighborhood, they will have a tendency to drive too fast.
- that the quiet character of Clarkbrooke Estates will be drastically changed by the increased amount of traffic.
- that Timber Creek Lane and Shawnee Lane do not have sidewalks. Our children and other residents will not be safe walking in the neighborhood anymore.
- that there is no quick access from Frederick Road to the new neighborhood for emergency vehicles.
- that it would simply be easier on the residents of the new neighborhood to have their own Frederick Road access.

Why we suggest building a construction road and a permanent extension to Frederick Road at the specific site of Timber Creek Lane:

There really does not seem any other place to put it.

- Greg Cook of the State Highway Administration, as explained above, said Stringtown Road access for construction is out of the question. He also said Frederick Road access in the proposed higher density area near Stringtown Road is out of question for temporary or permanent purposes, for the same reason.
- Any through-road from the southwest corner of the property is out of the question due to environmental restrictions (unless a bridge were built over the environmentally sensitive area).
- The visibility at Frederick Road seems quite good in both directions from our proposed Timber Creek Lane extension.

- Suncrest Avenue is just 350 feet south of this spot, which does not meet the state standard for road entrances to a state highway being at least 750 feet apart. However, Suncrest functions more like a driveway than a road. Although it has been dedicated to the county, it is unpaved, and it is not maintained by the county because of being too narrow. Suncrest is a dead-end, and only six homes open onto it.
- Although it is not currently in the county's 6- or even 20-year plan, the Clarksburg Master Plan states that Md. Rte. 355 is to be re-routed west at Suncrest Ave. to circumvent the Clarksburg Town Center area. Frederick Road north of Suncrest Ave. will be given the status of "thoroughfare."

We would therefore like to suggest that a temporary waiver from the state be requested to allow a construction access road at the discussed site.

We would also like to ask the State Highway Administration to seriously consider, based on the above considerations, a permanent waiver to allow Timber Creek Lane to connect with Frederick Road.

And we are wondering when Rte. 355 will be widened and re-routed – it gets quite backed up during evening rush hour now. How can this be brought to the county's attention?

Thank you very much for considering our community's requests. We are looking forward to working with you further on the Highlands of Clarksburg plans. You may contact me anytime, at (301)540-2088.

Best regards,

Nancy Villadsen

attachment: Highlands of Clarksburg Preliminary Plan

cc: John Fauerby, Clarksburg Civic Assoc. Planning Comm.
David Post, Clarksburg Civic Assoc. Planning Comm.
Martin Meadows, president Timber Creek Estates Homeowners Assoc.
Neighborhood residents
Karen Kumm, NCPPC
Martin Klauber, the People's Counsel for Montg. Co.
Bob Larkin, Centex Homes
Scott Roser, Macris, Hendricks and Glascock, P. A.



Thursday, October 18, 2001, 9:30 A.M.

8787 Georgia Avenue, Silver Spring, MD 20910-3760

301-495-4600, www.mc-mncppc.org

The following time schedule is an estimate subject to change without notice, depending on the circumstances affecting each item. On individual agenda items, public testimony is accepted unless otherwise noted and *italics* indicate staff's recommendation for Board action. For information about meetings in progress, call 301-495-1333. For other information, call 301-495-4600 or the TTY (teletypewriter used by people with hearing or speech impairments) at 301-495-1331. The Planning Board encourages the participation of individuals with disabilities in all its programs and services. Meeting agendas and other planning and parks information are available on the Internet – www.mc-mncppc.org

- 9:30 a.m.** Roll Call
 Approval of Minutes
 Commissioners' Reports
 Directors' Reports
 Reconsideration Requests
- 9:45 a.m.** 1. **Brookside Gardens Master Plan (Staff Draft)**, Presentation and review of Staff Draft – *Approve Staff Draft as Public Hearing Draft and set Public Hearing date of 11/15/01.*
 2. **FY 03-08 Parks Capital Improvements Program**, Continued Worksession – *Discussion.*
- 1:00 p.m.** **GENERAL MEETING (Third Floor Conference Room)**
 Program Coordination, Legal, Legislation, and Administrative Items
- 1:15 p.m.** **PLANNING BOARD MEETING CONTINUED (Auditorium)**
3. **Olney Acres Septic Easement** – On Lot 8, Block D, to serve Lot 7, Block D; on Ridge Road; Olney – *Approval with conditions.*
 4. **Special Protection Area-Combined Preliminary and Final Water Quality Plan** – Spray Park at Good Hope Local Park; off Good Hope Road and Twig Road; Cloverly – *Approval.*
 5. **Mandatory Referral No. 01605-R-1** – Spray Park at Good Hope Local Park; off Good Hope Road and Twig Road; Cloverly – *Approval with comments.*
 6. **Consolidated Transportation Program, Maryland Department of Transportation, FY 2002-2007** – *Transmit comments to the County Council.*



- *7. **Site Plan Review No. 8-88045B – Bethesda Metro Center**; CBD-3 Zone; Plaza upgrade and 1,500 square feet of additional restaurant/retail; southwest quadrant, intersection of Old Georgetown Road and Wisconsin Avenue; Bethesda – Chevy Chase and Vicinity – PA 35 - *Approval with conditions.*
- *8. **Preliminary Plan Review No. 1-01004A – Ramsburg Property** (Request to revise the previous conditions of approval); R-200/TDR Zone; 24 lots (single-family detached dwelling units (15 previously approved)); 8.42 acres; on the north side of Travilah Road, approximately 4,000 feet northeast of Dufief Mill Road; Potomac – *Approval to revise conditions.*
- *9. **Site Plan Review No. 8-01019A – Ramsburg Property** (Request to revise the previous conditions of approval); R-200/TDR Zone; 24 lots (single-family detached dwelling units (15 previously approved)); 8.42 acres; on the north side of Travilah Road, approximately 4,000 feet northeast of Dufief Mill Road; Potomac – *Approval to revise conditions.*
- *10. **Preliminary Plan Review No. 1-01083 – Proposed Parcel R, Damascus**; C-2 Zone; 1 lot (4 studio apartments; commercial, office and retail; proposed auto repair); 0.923 acre; on the north side of Main Street (MD 108), approximately 500 feet west of Woodfield Road (MD 124); Damascus – *Approval with conditions.*
- *11. **Preliminary Plan Review No. 1-01070 – Springview**; RNC Zone; 33 lots (single-family detached dwelling units); 73.36 acres; at the southern terminus of Hidden Garden Lane, and on the east side of Norwood Road, approximately 1,500 feet south of MD 108; Sandy Spring/Ashton – *Approval with conditions.*
- *12. **Record Plats – Approval.**

5:30 p.m. **DINNER**

- 8:00 p.m. *13. **Project Plan Review No. 9-98001A – Highlands at Clarksburg**; RMX-2 Zone; 12,870 square feet retail, 18,590 square feet office, and 95 dwelling units; southeast quadrant, intersection of Frederick Road (MD 355) and Stringtown Road; Clarksburg and Vicinity – PA 13 – *Approval with conditions.*
- *14. **Preliminary Plan Review No. 1-98009A – Highlands at Clarksburg** (Request to revise the previous conditions of approval); RMX-2 Zone; commercial, retail, and mixed residential; 16.1 acres; southeast quadrant, intersection of Frederick Road (MD 355) and Stringtown Road; Clarksburg and Vicinity – *Approval to revise conditions.*

*Maryland law and the Planning Board’s Rules of Procedure regarding ex parte (outside the record) communications require all discussion, review, and consideration of this matter take place only during the Board’s public hearing. Telephone calls and meetings with Board members in advance of the hearing are not permitted. Written communications will be directed to appropriate staff members for response.

Notices and Reminders

- Oct. 15 - 7:00 p.m., Western Montgomery County Citizens Advisory Board Meeting, Bethesda-Chevy Chase Services Center – 2nd Floor, 4805 Edgemoor Lane, Bethesda
- 15 - 7:00 p.m., Transportation Policy Report Task Force Community Workshop, Montgomery Blair High School, 51 University Boulevard East, Silver Spring

Notices and Reminders - Continued

- Oct.**
- 15 - 7:15 p.m., Upcounty Citizens Advisory Board Meeting, UpCounty Regional Services Center, 12900 Middlebrook Road, Germantown
 - 16 - 7:45 a.m., Bethesda Urban Partnership Board of Directors Meeting, 7906 Woodmont Avenue, Bethesda
 - 16 - 1:30 p.m., Montgomery County Council Public Hearing on Zoning Text Amendment No. 01-08, Mixed Residential/Commercial Use in C-2 Zone - Metro Station Areas, Council Hearing Room, 100 Maryland Avenue, Rockville
 - 16 - 7:15 p.m., Mid-County Citizens Advisory Board Meeting, Mid-County Services Center, 2424 Reedie Drive, Wheaton
 - 16 - 7:30 p.m., Montgomery County Council Public Hearing on Kemp Mill Master Plan, Council Hearing Room, 100 Maryland Avenue, Rockville
 - 17 - 9:30 a.m., Full Commission Meeting, PRA Auditorium, 6600 Kenilworth Avenue, Riverdale
 - 17 - 7:00 p.m., Wheaton Redevelopment Steering Committee, #403, Redevelopment Office, 11501 Georgia Avenue, Silver Spring
 - 17 - 7:00 p.m., Northern Area Recreation Advisory Board Meeting, UpCounty Services Center, 12900 Middlebrook Road, Germantown
 - 18 - 9:30 a.m., Montgomery County Planning Board Meeting, MRO Auditorium
 - 18 - _____, Montgomery County Planning Board Discussion of the Brookside Gardens Master Plan (Staff Draft), MRO Auditorium
 - 18 - 4:00 p.m., Downtown Silver Spring Urban District Advisory Committee, 2nd Floor Conference Room, 8435 Georgia Avenue, Silver Spring
 - 24 - 7:00 p.m., Transportation Policy Report Task Force Meeting, Bethesda-Chevy Chase Services Center, 4805 Edgemoor Lane, Bethesda
 - 24 - 7:30 p.m., Historic Preservation Commission Meeting, MRO Auditorium
 - 25 - 9:30 a.m., Montgomery County Planning Board Meeting, MRO Auditorium
 - 25 - _____, Montgomery County Planning Board Discussion of the Woodstock Equestrian Park Master Plan (Staff Draft), MRO Auditorium
 - 30 - 1:30 p.m., Montgomery County Council Public Hearing on Zoning Text Amendment No. 01-09, Group Picnic, Catering, and Recreation Facility – Special Exception in RE-2C Zone, Council Hearing Room, 100 Maryland Avenue, Rockville
- Nov.**
- 1 - 9:30 a.m., Montgomery County Planning Board Meeting, MRO Auditorium
 - 1 - _____, MCPB Discussion of the Black Hill Regional Park Master Plan (Staff Draft), MRO Auditorium
 - 6 - 7:15 p.m., East County Citizens Advisory Board Meeting, East County Community Center, 3310 Gateshead Manor Way, Silver Spring
 - 6 - 7:30 p.m., Montgomery County Council Public Hearing on Zoning Text Amendment No. 01-10, Special Exceptions – Comprehensive Revisions, Council Hearing Room, 100 Maryland Avenue, Rockville
 - 7 - 7:00 p.m., Transportation Policy Report Task Force Meeting, MRO Auditorium, 8787 Georgia Avenue, Silver Spring

**Highlands at Clarksburg
Project Plan Review 9-98001A and Preliminary Plan Review 1-98009A**

**Thursday, October 18, 2001, 8 p.m.
Please Sign Up in Advance to Testify**

The Montgomery County Planning Board is inviting the public to testify on the Highlands at Clarksburg, a proposed mixed-use development at the intersection of Frederick Road (MD 355) and Stringtown Road in Clarksburg. To sign up in advance to testify, please call the Board's Community Relations Office, 301-495-4600, by noon on Thursday, October 18. Organizations have five minutes to speak, and individuals have three minutes. You may cede time to another person up to a total of 20 minutes. People ceding time must be present at the meeting.

To submit written comments, please write to Arthur Holmes, Jr., Chairman, Montgomery County Planning Board, 8787 Georgia Avenue, Silver Spring, MD 20910, or fax to 301-495-1320. Copies of the staff report will be available Monday, October 15, in room 300 of the same building and on our website, www.mc-mncppc.org.

PUBLIC NOTICE

Department of Permitting Services
Division of Water Resources Management
has received a

**PRELIMINARY/FINAL WATER QUALITY PLAN
For
FAIRLAND GARDENS POND RESTORATION**

The site is located within the Upper Paint Branch Watershed, which is a designated SPA. The project will consist of the retrofit and restoration of an existing stormwater management pond located near the intersection of Perrywood Drive and Cabin Creek Drive.

If you wish to request a public information meeting, a written request must be submitted to this office within 15 days of this notice (Notice posted 10/15/01).

The Preliminary/Final Water Quality Plan will be available for review at DPS during working hours (8:00 a.m. – 4:00 p.m.).

For further information, please call Leo Galanko at (240) 777-6242.

The Department of Permitting Services
255 Rockville Pike, 2nd Floor, Station 8
Rockville, Maryland 20850

**CONGESTION □ ROADS □ TRANSIT □ COST
 □ GROWTH □ LAND USE □ BUSES □ ENVIRONMENT □
 QUALITY OF LIFE □ GRIDLOCK □ DENSITY □
 CONGESTION □ LIVABLE COMMUNITIES □ INVESTMENT**

These are some of the words that have been a part of the conversation of the Transportation Policy Task Force – 36 community leaders who have been working over the last 15 months to develop recommendations on transportation, land use, and related issues for the Planning Board, County Council, and the community.

The Task Force is studying a number of options and wrestling with the hard choices among those options - - Inner/Outer Purple Lines? Techway? More density at transit stations? Intercounty Connector?

From the beginning, the Task Force has committed to listening to the public. Your opinions are important; your ideas are valued!

Please join the Task Force at one of the following community workshops:

OCTOBER 1 **Marriott Corporate Headquarters**
Greenhouse Cafeteria
10400 Fernwood Road, North Bethesda, MD

OCTOBER 2 **Roberto Clemente Middle School**
 * *18808 Waring Station Road, Germantown, MD*

OCTOBER 4 **Paint Branch High School**
14121 Old Columbia Pike, Silver Spring, MD

OCTOBER 9 **Herbert Hoover Middle School**
 * *8810 Post Oak Road, Rockville, MD*

OCTOBER 11 **Casey Center**
810 South Frederick Avenue, Gaithersburg, MD

OCTOBER 15 **Montgomery Blair High School**
51 University Boulevard East, Silver Spring, MD

All Community Workshops are from 7:00 to 9:30 P.M.

***NEW LOCATION**

NOTICE

PLANNING BOARD ON THE INTERNET

Due to technical difficulties, live audio of Planning Board meetings will not be available on the Board's website until further notice. Please visit the website, www.mc-mncppc.org, for the current week's agenda and staff reports, news releases, statistical data, calendar of events and meetings, information on the Board and its work in Montgomery County, and much more.

NOTICE TO CIVIC AND HOMEOWNER ASSOCIATIONS

Help Us Update Our Database!

Please Call 301-495-4600

The Planning Board's Community Relations Office is updating the extensive civic and homeowners association database, and you can help by calling 301-495-4600 any time of the day or night with the current president's name, address, and phone number. Thanks so much for your cooperation.

**DEER DAMAGE CONTROL WORKSHOPS AVAILABLE FREE
To Homeowners Associations, Civic Organizations, And Garden Clubs**

Increased deer populations have had a number of impacts on suburban Montgomery County. Deer have added aesthetic value to the area, but the increasing deer population has had undesirable effects as well including damage to home landscapes and gardens, and increased risks of Lyme disease.

The Maryland-National Capital Park and Planning Commission and the Montgomery County Cooperative Extension Office are co-sponsoring educational workshops to help homeowners cope with and minimize deer damage to their landscapes and gardens. Workshops stress an Integrated Pest Management (IPM) approach and provide homeowners with proven strategies to reduce deer problems.

Workshops are 1 ½ to 2 hours in length and offered free of charge. A minimum of 20 attendees is required. To schedule a workshop for your Homeowners/Civic Association or Garden Club, please call the Montgomery County Cooperative Extension Office at 301-590-2809.

10.12.01 - Project Plan Staff
Report. Highlands of
Clarksburg.
Wyan Whittham.

7. **Maintenance**

Maintenance of the private open space areas, stormwater management areas, civic spaces and all other amenities on private land or, for non-standard amenities, within the public right-of-way, if applicable, shall be maintained by a community association. The site plan enforcement agreement shall include for the provision of maintenance for all amenities as they are installed.

8. **Waiver Requests**

Staff recommends the Planning Board consider and approve the following waivers:

- a. Chapter 50 – Subdivision Regulations - Lot Design -50-29(a)(2) to allow certain detached lots to be platted without public road frontage. This includes Lots 9-14 with frontage on Private Street “B.”
- b. Chapter 50-Subdivision Regulations – Intersection Truncation -Section 50-26-(e)(3) to allow for a more compact and compatible lot arrangement within the housing section.

9. **Reductions in Setback**

The applicant seeks two reductions in the minimum setbacks adjoining R-200 one-family residential zoning. One reduction is from one hundred feet to fifty feet for a portion of southern boundary. The second setback reduction is along the eastern property line to reduce the setback from thirty feet to fifteen feet. Staff recommends that the Planning Board allow these setback reductions to provide for optimal on-site development and a more desirable relationship to the adjoining development.

9. **Historic Preservation**

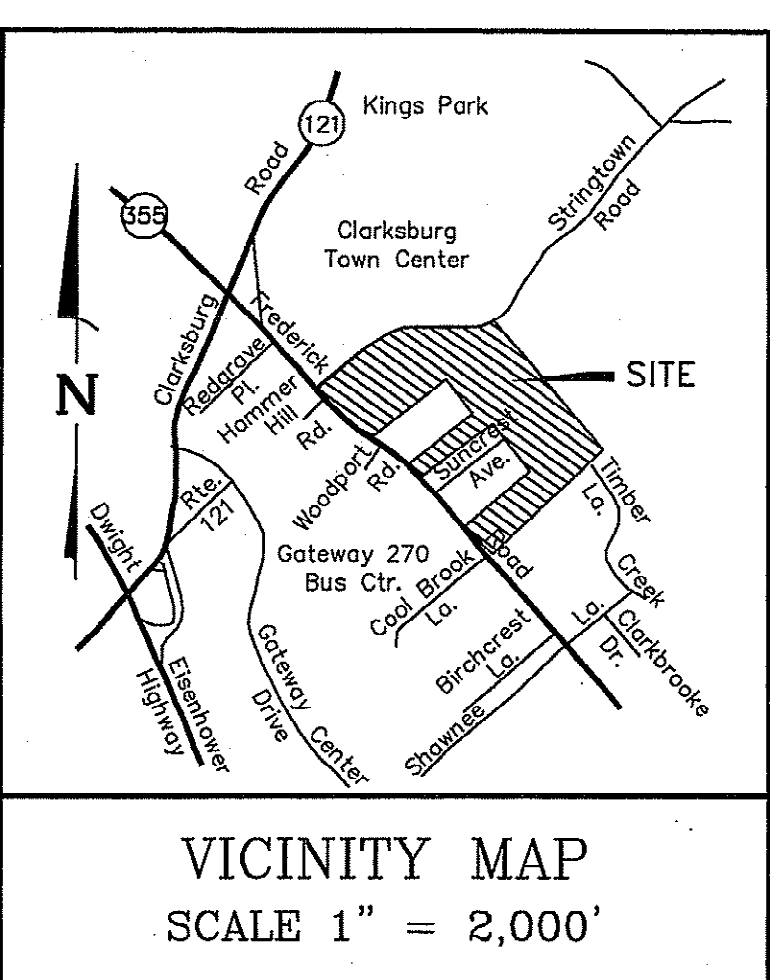
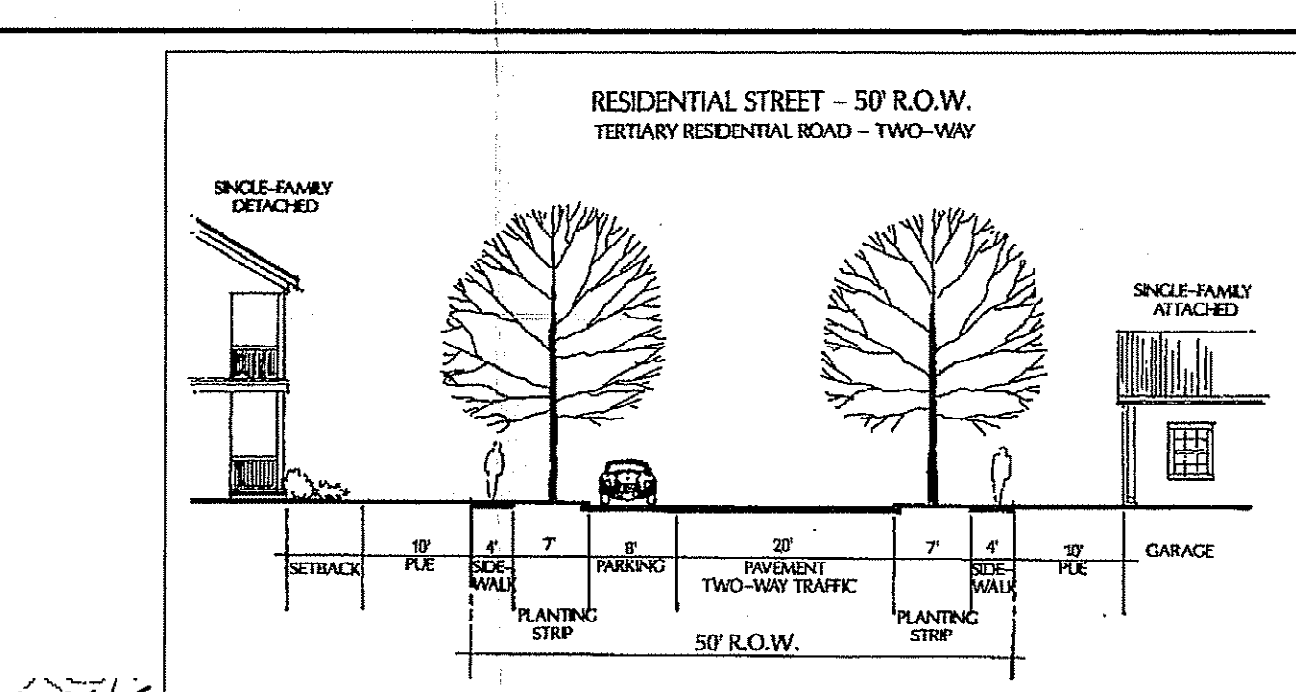
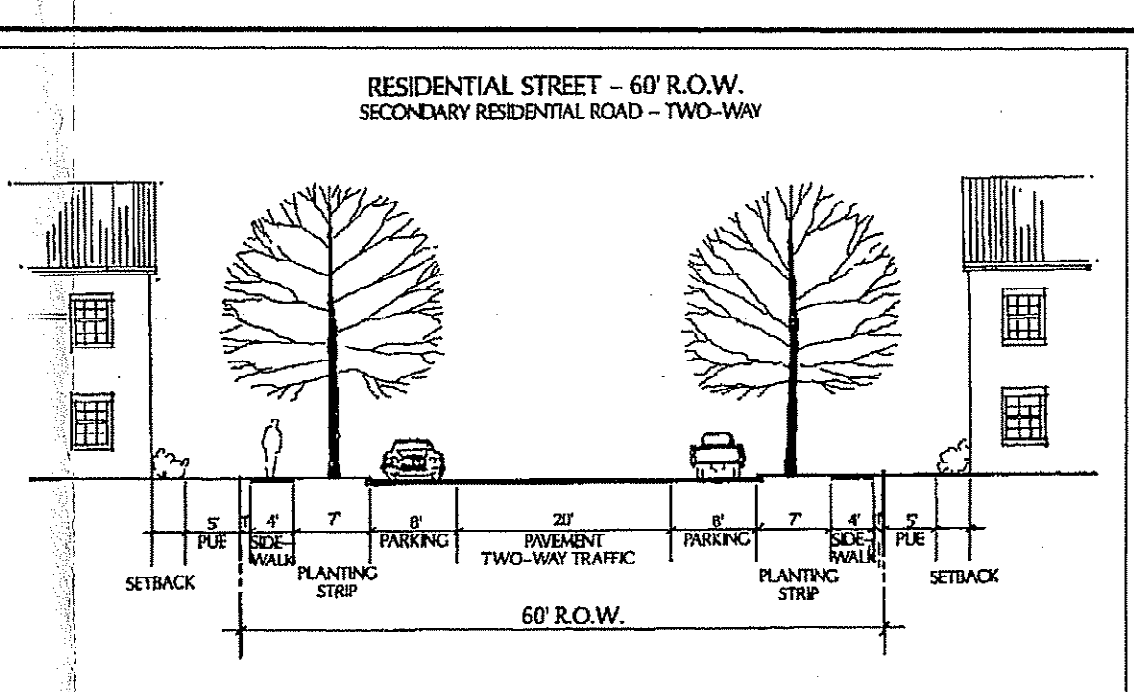
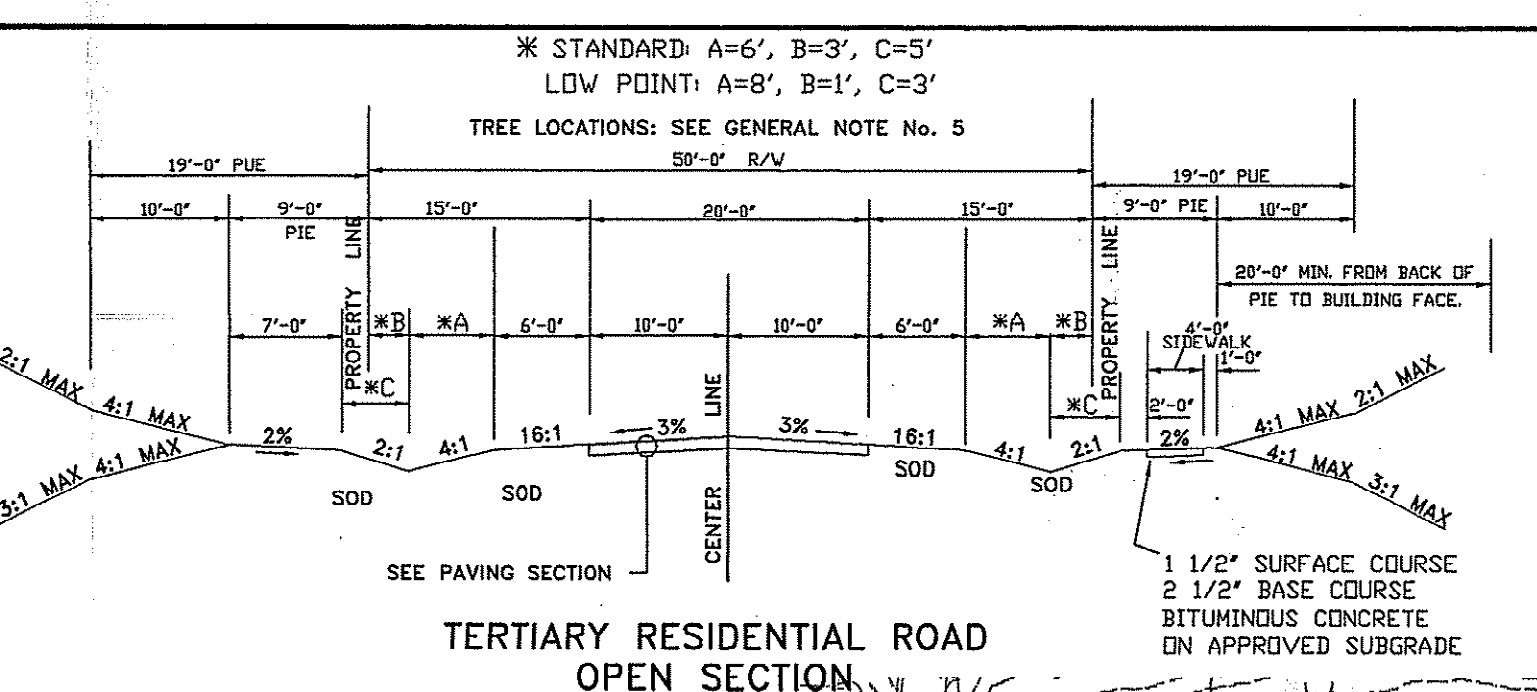
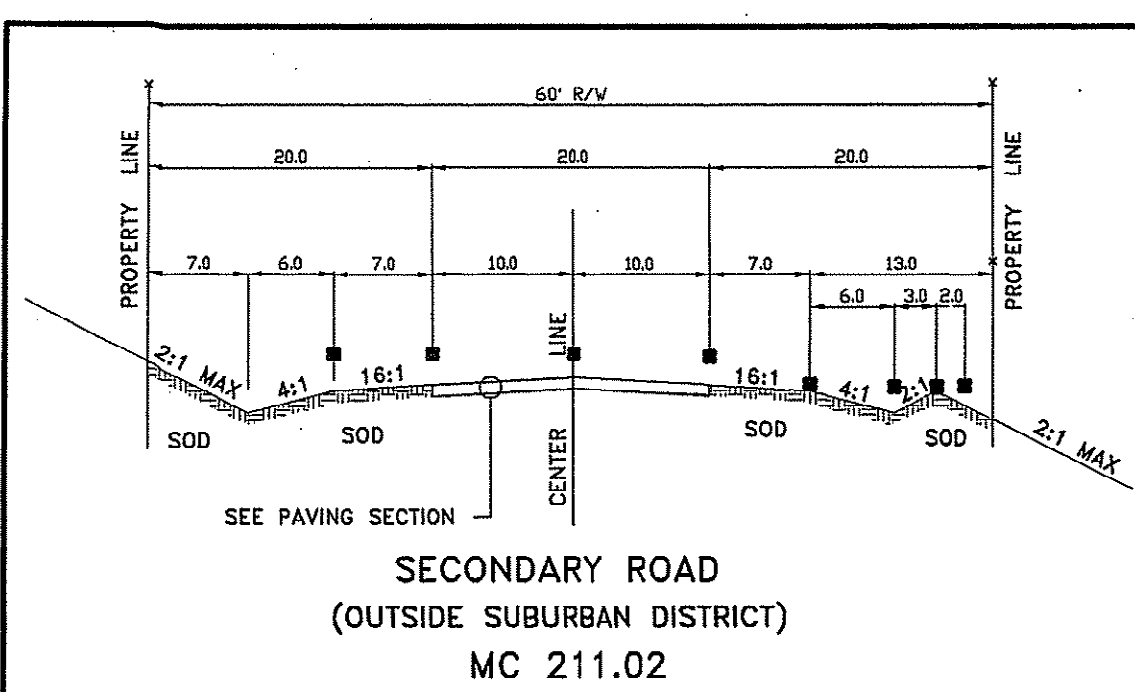
- a. The Site Plan shall show a detailed plan for the preservation of the historic character along site frontages. The Stringtown Road and MD Route 355 frontages shall be developed with streetscape and other features as necessary to recreate or develop a sympathetic design with the Clarksburg Historic District.
- b. The Site Plan Enforcement Agreement shall provide consent to the Historic Preservation Section, M-NCPPC to perform a Phase I Archaeological Investigation of the property prior to construction. The investigation shall not delay the Applicant’s construction schedule. The Applicant shall co-operate with M-NCPPC archeological staff regarding any reasonable requests to remove any artifacts found during this survey for use in future public displays.

Planning Bd. Date:
Thurs. pm. Oct. 16, 2001

SEPT. 21, 2001

CLARKSBURG HIGHLANDS

Paul Zick	M-NEPPC - Historic Preservation	(3) 563-3408
BOB LUKKO	Center Home	301 987-2859
GREG COOK	SHA	410-545-5595
BO WARD	SHA	410-545-5602
RON WELKE	M-NCPPC - Transp.	301 495-4533
FARM KUMAR	M-NEPPC - Clarksburg	301 495-4559
JIM SORESENSEN	"	Archaeologist 301-840-5848
DOUG POWELL	"	Park Planning 301 650-4381
VIC BRYANT	MHG	301-670-0640
JIM RUFF	MHG	301-670-0840
KI KIM	M-NEPPC - Transp.	301-495-4525
WYAN WILLIAMS	M-NCPPC - DR.	4584
BARBARA A SEARS	L+B	301 650 7057



DEVELOPMENT STANDARDS (RMX-2)

	Required/Permitted	Provided
Offices (59-C-10.3.2):	20,000 s.f. max.	0 s.f.
- Professional, and Business:	20,000 s.f. max.	18,500 s.f.
- General:		
Green Area or Outside Amenity Area (59-C-10.3.3):		
- (a) w/in commercial portion (2,718 ac.):	15% min.	15%
- (b) w/in residential portion (12,155 ac.):	50% min.	50%
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.23 FAR (31,460 s.f. GFA)
Floor Area Ratio (Mixed Use Area):	0.5 FAR max.	0.23 FAR (31,460 s.f. GFA)
* Non-residential FAR:		
Gross Leasable Area (59-C-10.3.5):	600,000 s.f. max.	31,460 s.f.
Residential Densities (59-C-10.3.7):		
Residential Density without MPDUs:		
* D.U.s in commercial mixed use area:	40 d.u./ac. max 5 - 7 d.u./ac. (M.P.) ^{2,3}	10 d.u.'s / 3.2 ac (3.1 d.u./ac.) ^{2,3}
* Dwelling units in residential area:	30 d.u./ac. max 5 - 7 d.u./ac. (M.P.) ^{2,3}	74 d.u.'s / 12.9 ac (5.7 d.u./ac.)
* Total residential density without MPDUs:	5-7 d.u./ac. max	84 d.u.'s / 16.1 ac (5.2 d.u./ac.)
Residential Density with MPDUs ⁴ :		
* D.U.s in commercial mixed use area:	N/A	20 d.u.'s / 3.2 ac (6.3 d.u./ac.)
* Dwelling units in residential area:	N/A	74 d.u.'s / 12.9 ac (5.7 d.u./ac.)
* Total residential density with MPDUs:	N/A	94 d.u.'s / 16.1 ac (5.8 d.u./ac.)
Number of Dwelling Units (59-C-10.3.6):	N/A (<30 ac.)	94 d.u.'s (including MPDUs)
Number of MPDUs (Chapter 25A):	94 d.u.s x 12.5% = 12 MPDUs ⁴	
Building Setbacks (59-C-10.3.8):		
- from adj. R-200 properties:	100 ft. min. 5	100 ft.
Commercial buildings:	100 ft. min.	50 ft.
Residential buildings:	0 ft. min. (Code)	25 ft.
Commercial buildings:	0 ft. min. (M.P.)	0 ft. min. (Code)
Residential buildings:	0 ft. min. (M.P.)	20 ft.

- Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-C-3) not to exceed the amounts required/permitted.
- The abbreviation M.P. refers to standards recommended in the 1994 Clarksburg Master Plan.
- 59-C-10.3.7(b) - the number of units permitted may be increased by a number equal to the number of moderately priced dwelling units included in the development plan in accordance with Chapter 25 of this Code, as amended, provided that the total number of units does not exceed 22 percent of the total number of units recommended on the Master Plan.
- The additional 2 MPDUs will be provided on the land to be developed adjacent to the Project Plan area as part of a "combined MPDU" development.
- The Planning Board may reduce the minimum setbacks no greater than 50% of 100'.

DEVELOPMENT STANDARDS (R-200, Developments including MPDU's)
(Chapter 59-C-1.8)

	Required/Permitted	Proposed
Density of development per:	2.44 d.u./ac. (69 d.u.s)	1.7 d.u./ac.
Usable Area (59-C-1.622)		
Net Lot Area (59-C-1.625(c)):	(1) SFD 6,000 s.f. min. (3) TH 1,500 s.f. min.	7,000 s.f. min. 1,500 s.f. min.
Lot Width (59-C-1.625(b)):	-At Street Line:	25 ft. min.
Setback From Street:	(59-C-1.534):	25 ft. min.
Setback From Adjoining Lot:	(59-C-1.624)	25 ft. min.
-side adjoining subdivision boundary:	See adjoining zone	13 ft. min. **
-Rear adjoining subdivision boundary:	20 ft. min.	20 ft. min.
Building Height (59-C-1.626(a)):	40 ft. max.	40 ft. max.
Number of MPDUs (Chapter 25A):	69 d.u.s x 12.5% = 9 MPDUs	

** If designated as a MPDU, setback from a public street must not be less than 15'
** If adjacent lot not developed under section 59-C-1.6, side or rear setback must be equal to that yard required for the abutting lot.

AREA TABULATION

Area RMX-2	= 16.1 ac.
- Commercial Component	= 3.2 ac. (139,392 sf)
- Residential Component	= 12.9 ac. (561,924 sf)
Area R-200	= 40.4 ac.
Area of previous public use dedication	= undeterminable
Total Gross Tract Area (GTA)	= 56.4 ac.
Area to be dedicated to public use:	
Stringtown Road dedication (R/W=105'-120')	= 1.0 ac.
* RMX-2	= 0.9 ac.
* R-200	= 0.9 ac.
Subtotal	= 1.8 ac.
Frederick Road (MD Route 355) (R/W=50')	
* RMX-2	= 0.2 ac.
* R-200	= 0.0 ac.
Subtotal	= 0.2 ac.
Total dedication to Public Use = 2.1 ac.	
Usable Area (59-C-1.628)	
- Gross Tract Area	= 40.4 ac.
- Road Dedication	= 0.3 ac.
Total Usable Area R-200 = 39.5 ac.	
Net Tract Area RMX-2	= 16.1 ac.
- Gross Tract Area	= 1.2 ac.
- Road Dedication	= 0.9 ac.
Net Tract Area RMX-2 = 14.9 ac.	

PARKING SPACE REQUIREMENTS FOR MIXED USE COMMERCIAL

OFFICE	WEEKDAYS		WEEKENDS		NIGHT
	DAY	EVENINGS	DAY	EVENINGS	
49	5	5	3	3	3
RETAIL	67	100	111	78	6
MULTI-FAMILY	9	18	18	18	18
TOTAL Req.	125	123	124	99	27
TOTAL Prov.	125				

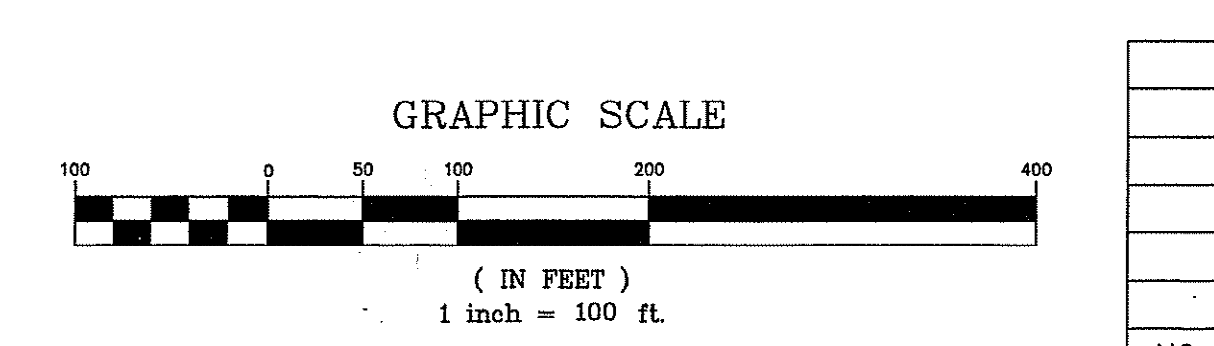
* Tabulations based on requirements set forth in section 59-C-1.1

- NOTES**
- Boundary from field survey by Macris, Hendricks & Glascock, P.A. (MHG) and from Deeds and Plats of record.
 - Topography by photogrammetric methods by MHG, 2 foot contour interval.
 - Properties are zoned RMX-2 (Residential - Mixed Use Development, Specialty Center, by SMA E-57 & E-58) and R-200.
 - Water and sewer category:
 - Lots 1-3, 6, W-1 & S-4 (except lot 6), respectively, Service Area Category advancement to S-3 pending preliminary plan approval per 94G - Q8-D-01.
 - Lots 6, 9-12: W-5 (except lot 6) & S-5, respectively, Service Area Category advancement pending.
 - This plan proposes the development of a maximum of 39,370 s.f. GFA and 183 dwelling units. The specific land use(s), lot size and configuration, and building size and configuration will be determined at the Site Plan stage of review.
 - This site is within the Clarksburg and Vicinity planning area.
 - This plan is not for construction purposes.
 - Property line and areas are subject to adjustment at final plot computations.

- Building locations and grading are graphical representations, final locations and grading to be determined at building permit phase.
- This site is within the Clarksburg transportation policy area.
- This site is within the Little Seneca Creek Watershed (Class IV) and within the Clarksburg Special Protection Area.
- A Natural Resources Inventory Map/Forest Stand Delineation Plan has been approved by M-NDNR's Environmental Planning Division, Reference No. 4-95260 and 4-00229.
- Servicing utility companies are:
 - Water and Sewer: WSSC
 - Natural Gas: Washington Gas
 - Electric: Potomac Edison
 - Telephone: Bell Atlantic
- The locations of existing underground utilities are shown in their approximate locations as per available utility company records. The exact location of all underground utilities shall be verified by "Miss Utility" (1-800-257-777) prior to any excavation. Macris, Hendricks and Glascock, P.A. does not express or imply any guarantee or warranty as to the location or existence of any underground utility.

HOUSING TYPES AND QUANTITIES

TYPE	QUANTITY
SINGLE FAMILY DETACHED	79
SINGLE FAMILY ATTACHED	53
SINGLE FAMILY ATTACHED (MPDU)	11
CODOMINIUMS	10
CODOMINIUMS (MPDU)	10
TOTALS	163



PREPARED FOR
CENTEX HOMES
9007 SHADY GROVE COURT
GAITHERSBURG, MD 20877
PHONE: 301-987-2259
FAX: 301-987-2734
MR. BOB LARKIN

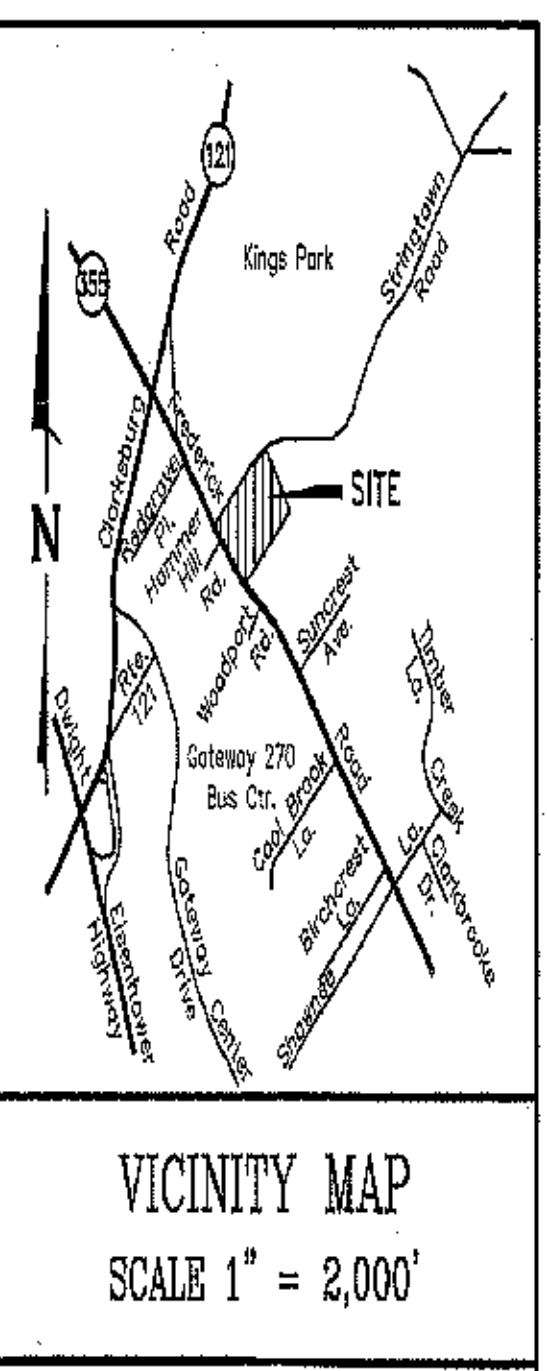
SURVEYOR'S CERTIFICATE
I hereby certify that the boundary shown hereon is correct based on a field survey performed by Macris, Hendricks & Glascock, P.A. on 3/1/95. Topography from aerial photogrammetric survey performed by photogrammetric Data Services, Inc. on 2/17/95.

Douglas H. Riggs
Professional Land Surveyor
MD. Reg. No. 10712

PRELIMINARY PLAN OF SUBDIVISION
HIGHLANDS OF CLARKSBURG
BRICKLEYS SUBDIVISION
LOTS 1-3, 6, 9-12 PB.26 P.1068
2ND ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

Macris, Hendricks & Glascock, P.A.
Engineers • Planners • Surveyors
(301) 670-0840
FAX (301) 948-0893
WWW.MHGPA.COM

Designed M/JW
Drawn M/JW
Date Scale
Apr 2001 1"=100'
Job No. Sheet
95-30730 1 of 1



HOUSING TYPES AND QUANTITIES		
TYPE	QUANTITY	SQUARE FOOTAGE
SINGLE FAMILY DETACHED	21	+/- 2,600 sf
SINGLE FAMILY ATTACHED	53	+/- 2,100 sf
CONDOMINIUMS	10	+/- 1,600 sf
CONDOMINIUMS (MPO)	10*	+/- 1,600 sf
TOTALS	94*	

AREA TABULATION

Gross tract area = 16.1 ac.
 - Area previously dedicated to public use (indeterminate) = 0.0 ac.
 - Reside = 16.1 ac.
 - 100 year flood plain (> 30 ac.) = 0.0 ac.
 - Area to be dedicated to public use = 1.0 ac.
 Net tract area = 15.1 ac.
 Commercial/Mixed Use Gross Tract Area = 3.2 ac.
 Residential Gross Tract Area = 12.9 ac.

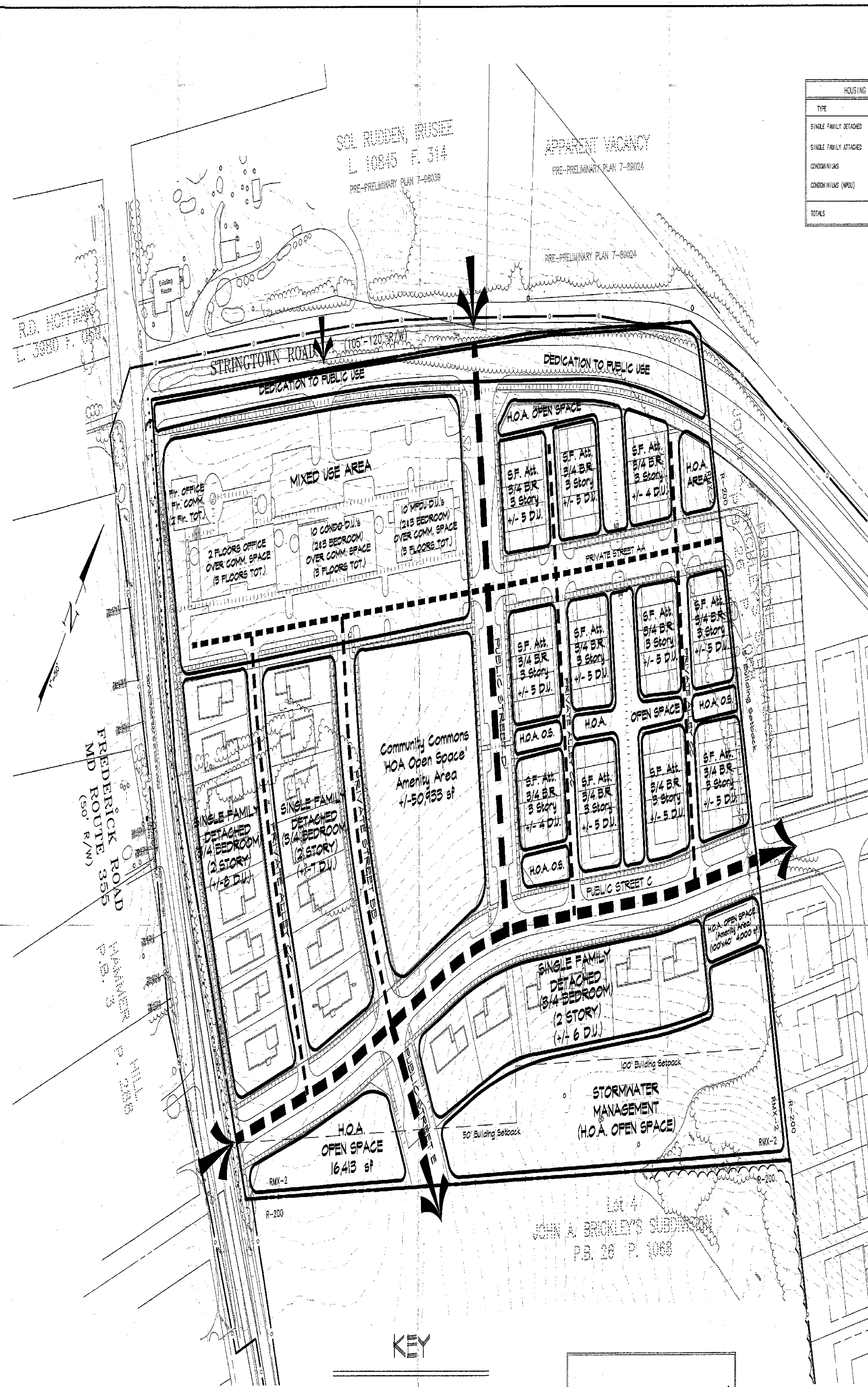
DEVELOPMENT STANDARDS

	Required/Permitted	Provided
Offices (59-C-10.3.2):		
- Professional, and Business:	20,000 s.f. max.	0 s.f.
- General:	20,000 s.f. max.	18,960 s.f.
Green Area or Outside Amenity Area (59-C-10.3.3):		
- (a) w/in commercial portion (12,297 s.f.):	16,845 s.f. (156 min.)	54,017 s.f. (485')
- (b) w/in residential portion (945,107 s.f.):	272,253 s.f. (300 min.)	327,094 s.f. (305')
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.23 FAR
Floor Area Ratio (Mixed Use Area):	0.5 FAR max.	0.23 FAR
Non-residential FAR:		(31,460 s.f. GFA)
Open Accessible Area (59-C-10.3.5):	600,000 s.f. max.	31,460 s.f.
Residential Densities (59-C-10.3.7):		
- Residential Density without MPOs:		
- 40 d.u./ac. max.	10 d.u.'s / 3.2 ac.	(3.1 d.u./ac.)
- 5-7 d.u./ac. (M.P.):	5-7 d.u./ac.	(5.7 d.u./ac.)
- Dwelling units in residential area:	74 d.u.'s / 12.9 ac.	(5.7 d.u./ac.)
- Total residential density without MPOs:	84 d.u.'s / 16.1 ac.	(5.2 d.u./ac.)
- Residential Density with MPOs:		
- 20 d.u./ac. max.	20 d.u.'s / 3.2 ac.	(6.3 d.u./ac.)
- Dwelling units in residential area:	74 d.u.'s / 12.9 ac.	(5.7 d.u./ac.)
- Total residential density with MPOs:	94 d.u.'s / 16.1 ac.	(5.8 d.u./ac.)
Number of Dwelling Units (59-C-10.3.8):	N/A (CDD ac.)	94 d.u.'s (including MPOs)
Number of MPOs (Chapter 25A):	95 d.u.'s x 12.5% = 12 MPOs	
Building Setbacks (59-C-10.3.8):		
- From adj. R-200 properties:		
- Commercial buildings:	100 ft. min.	100 ft.
- Residential buildings:	100 ft. min.	50 ft.
- From Frederick & Stringtown Roads:		
- Commercial buildings:	0 ft. min. (Code)	25 ft.
- Residential buildings:	0 ft. min. (Code)	20 ft.
- Residential buildings:	0 ft. min. (M.P.)	
Building Height:	N/A	Not to exceed 50'

- Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-C-3) not to exceed the amounts required/allowed.
- The abbreviation M.P. refers to standards recommended in the 1994 Clarksburg Master Plan.
- 59-C-10.3.7(b) "...the number of units permitted may be increased by a number equal to the number of moderately priced dwelling units included in the development plan in accordance with Chapter 25 of this Code, as amended, provided that the total number of units does not exceed 22 percent of the total number of units recommended on the Master Plan."
- The additional 2 MPOs will be provided on the land to be developed adjacent to the Project Plan area as part of a "combined cluster" development.
- The Planning Board may reduce the minimum setbacks no greater than 50% of 100'.

NOTES

- Boundary from field survey by Macris, Hendricks & Glascock, P.A. (MHG).
- Topography by photogrammetric methods by MHG, 2 foot contour interval.
- Property is zoned RM-2 (Residential - Mixed Use Development, Specialty Center) by SM 5-57 & 5-58.
- Water and sewer category: W-1 & S-4, respectively. Service Area Category advancement to S-3 pending preliminary plan approval per 94B-08-01.
- This plan proposes the development of a maximum of 31,460 s.f. GFA and 94 dwelling units. The specific land use(s), lot size and configuration, and building size and configuration will be determined at the Site Plan stage of review.
- Residential building types are to be single family detached or townhouse (attached) units with 3-5 bedrooms. Location of these structures will correspond with graphic representation shown on this plan.
- Recreational amenities are to include: all-age play area, several multi-age play structures, seating areas and picnic areas. Exact locations and design to be finalized at site plan stage.
- Development of the residential portion along with the Commons of the project will begin as transportation paving capacity is available. The development of the lot and use play lot will accompany the construction of the residential components adjacent to their designated area. The commercial component will follow the residential portion and the market demand for office/retail in the area.
- This site is within the Clarksburg and Vicinity planning area.
- This site is within the Clarksburg Transportation policy area.
- This site is within the Little Seneca Creek Watershed (Class IV) and within the Clarksburg Special Protection Area.
- A Natural Resources Inventory Map/Forest Stand Delimitation Plan has been approved by W-MCPBC Environmental Planning Division, Reference No. 4-95250.
- Servicing utility companies are:
 - Water and Sewer: WSSC
 - Electric: Potomac Edison
 - Telephone: Bell Atlantic
 - Natural Gas: Washington Gas



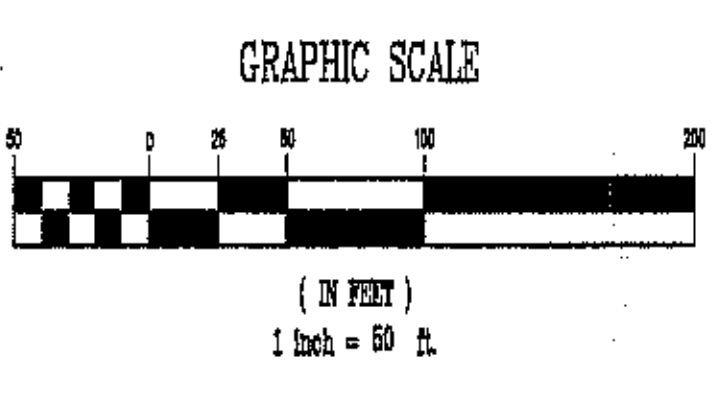
KEY

- = PRIMARY VEHICULAR CIRCULATION
- = SECONDARY VEHICULAR CIRCULATION
- = PEDESTRIAN CIRCULATION
- = ACCESS POINT
- = HIKER / BIKER TRAIL

PARKING SPACE REQUIREMENTS FOR MIXED USE COMMERCIAL*

	WEEKDAYS	WEEKENDS	NIGHT
OFFICE	49	5	3
RETAIL	87	100	111
MULTI-FAMILY	9	18	18
TOTAL Req.	125	123	124
TOTAL Prov.	125		27

* Tabulations based on requirements set forth in section 59-C-5.1



EW WSSC 232NW13

REVISED LAND USE PLAN
HIGHLANDS AT CLARKSBURG
 P.B. 26 P. 1068
 LOTS 1-3
 2ND ELECTION DISTRICT
 MONTGOMERY COUNTY - CLARKSBURG, MARYLAND

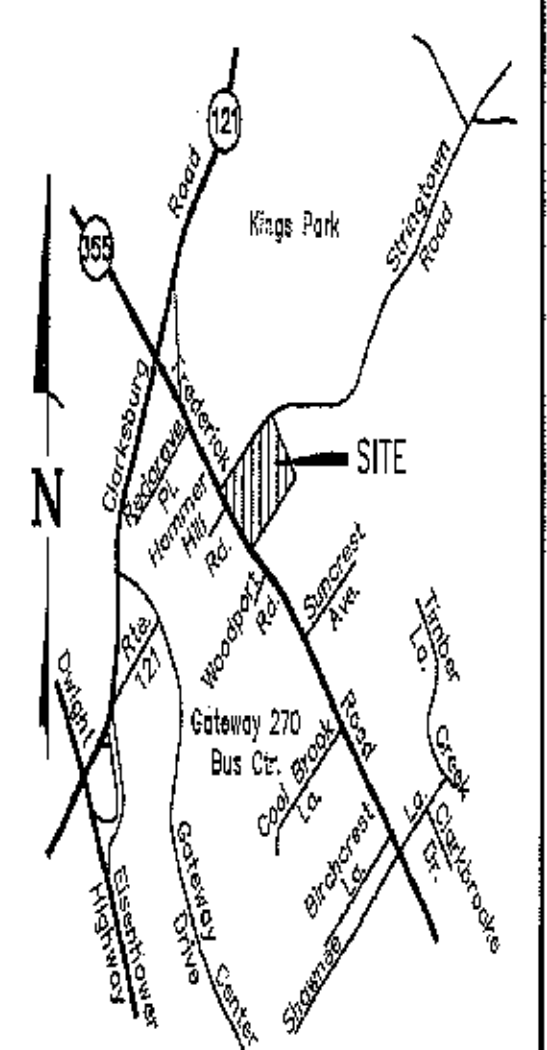
Macris, Hendricks & Glascock, P.A.
 Engineers • Planners • Surveyors

3120
 9220 Nightman Road
 Gaithersburg, Maryland
 20878

(301) 670-0840
 FAX (301) 948-9693

NO.	DATE	DESCRIPTION	BY	Drawn	Scale	Sheet
3	6/20/01	Revised to reflect comments by MCPBC Staff	MJW	MJW	3-08-01	1 of 1
2	5/24/01	Revised to reflect comments by MCPBC Staff	MJW			
1	4/9/01	Revised to show Preliminary Plan features	MJW			

HOUSING TYPES AND QUANTITIES		
TYPE	QUANTITY	SQUARE FOOTAGE
SINGLE FAMILY DETACHED	22	4/- 2,600 sf
SINGLE FAMILY ATTACHED	53	4/- 2,100 sf
CONDOMINIUMS	10	4/- 1,600 sf
CONDOMINIUMS (MDU)	10*	4/- 1,600 sf
TOTALS	95*	



VICINITY MAP
SCALE 1" = 2,000'

AREA TABULATION

Cross tract area = 16.1 ac.
 - Area previously dedicated to public use (indeterminable) = 0.0 ac.
 Residue = 16.1 ac.
 - 100 year flood plain (> 30 ac.) = 0.0 ac.
 - Area to be dedicated to public use = 1.6 ac.
 Net tract area = 15.1 ac.
 Commercial/Mixed Use Gross Tract Area = 3.2 ac.
 Residential Gross Tract Area = 12.9 ac.

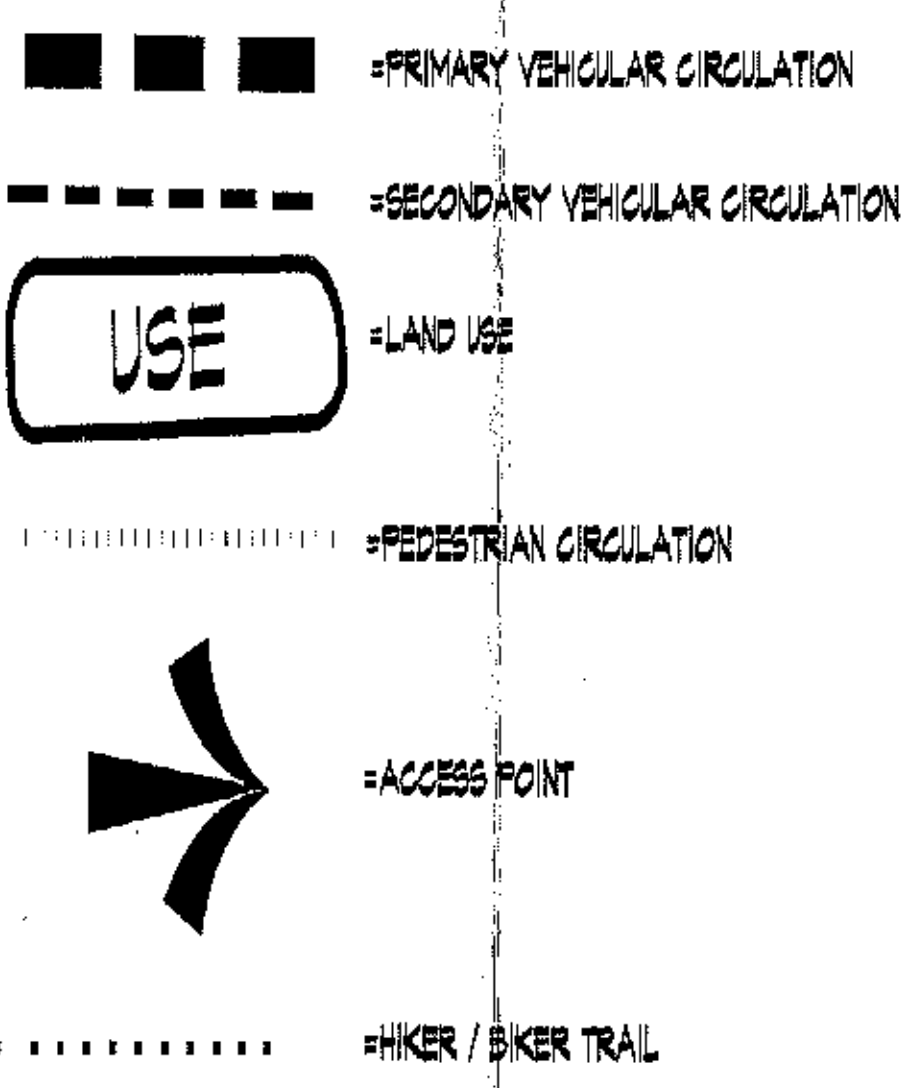
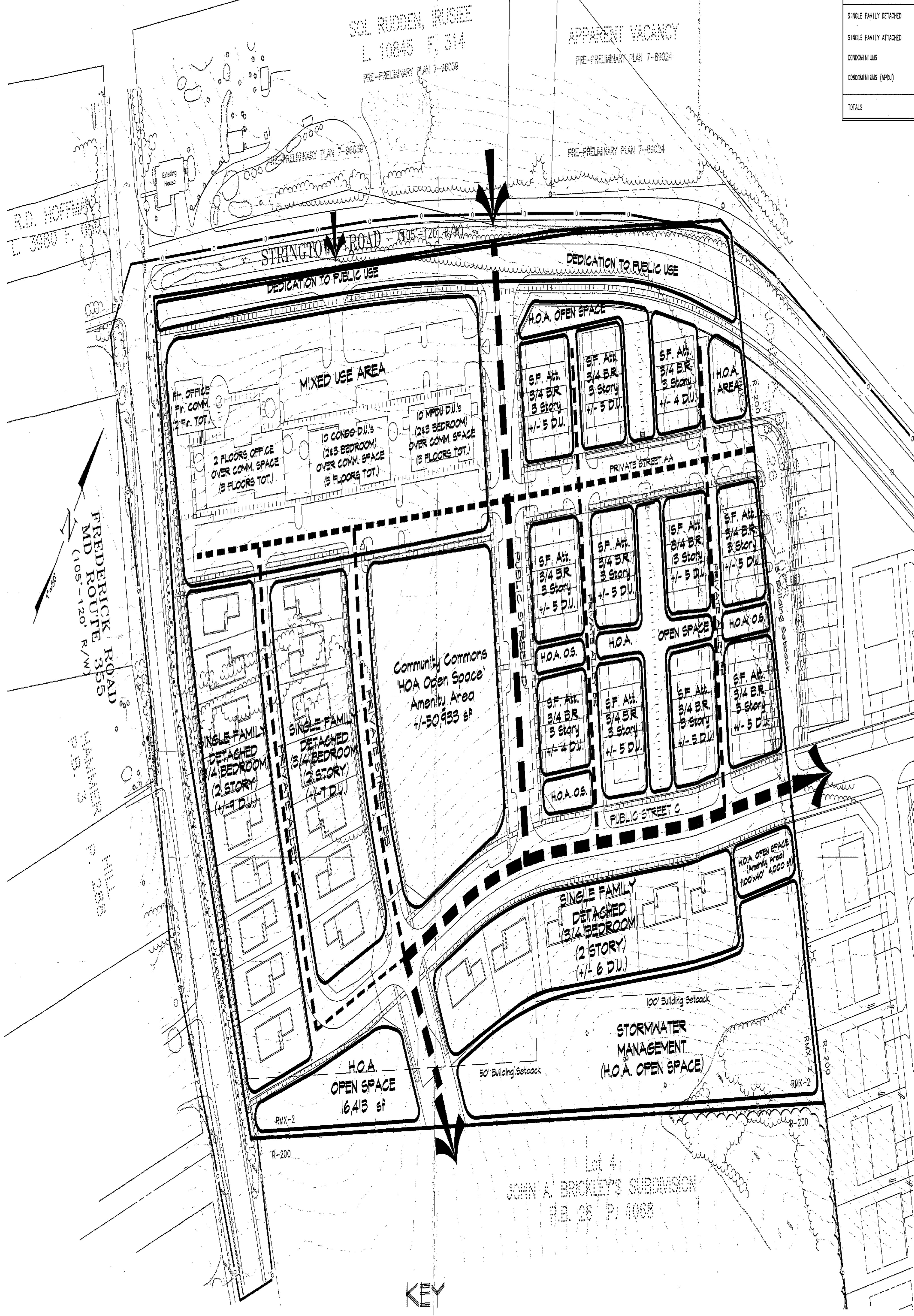
DEVELOPMENT STANDARDS

	Required/Permitted	Provided
Office (59-C-10.3.2): - Professional, and Business: - General:	20,000 s.f. max. 20,000 s.f. max.	0 s.f. 18,960 s.f.
Green Area or Outlets Amenity Area (59-C-10.3.3): - (a) w/in commercial portion (112,287 s.f.): 18,945 s.f. (15% min.) - (b) w/in residential portion (945,107 s.f.): 272,353 s.f. (500 min.)	54,074 s.f. (48%) 227,044 s.f. (60%)	
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.25 FAR (31,460 s.f. GFA)
Floor Area Ratio (Mixed Use Area) * Non-residential FAR	0.5 FAR max.	0.23 FAR (31,460 s.f. GFA)
Gross Leasable Area (59-C-10.3.6):	600,000 s.f. max.	31,460 s.f.
Residential Densities (59-C-10.3.7): Residential Density without MDUs * D.U.s in commercial mixed use area	40 d.u./ac. max. 5 - 7 d.u./ac. (M.P.)	10 d.u./s / 3.2 ac. (3.1 d.u./ac.)
* Dwelling units in residential area	30 d.u./ac. max. 5 - 7 d.u./ac. (M.P.)	75 d.u./s / 12.9 ac. (5.8 d.u./ac.)
* Total residential density without MDUs	5-7 d.u./ac. max.	85 d.u./s / 16.1 ac. (5.3 d.u./ac.)
Residential Density with MDUs * D.U.s in commercial mixed use area	N/A	20 d.u./s / 3.2 ac. (6.3 d.u./ac.)
* Dwelling units in residential area	N/A	75 d.u./s / 12.9 ac. (5.8 d.u./ac.)
* Total residential density with MDUs	N/A	95 d.u./s / 16.1 ac. (5.9 d.u./ac.)
Number of Dwelling Units (59-C-10.3.8):	N/A (30 ac.)	95 d.u./s (including MDUs)
Number of MDUs (Chapter 25A):	96 d.u.s x 12.5% = 12 MDUs	
Building Setbacks (59-C-10.3.8): - from adj. R-200 properties: Commercial buildings: Residential buildings: - from Frederick & Stringtown Roads: Commercial buildings: Residential buildings:	100 ft. min. 100 ft. min.	100 ft. 50 ft.
Residential buildings:	0 ft. min. (Code) 0 ft. min. (M.P.)	25 ft. 23 ft.
Residential buildings:	0 ft. min. (Code) 0 ft. min. (M.P.)	23 ft.
Building Height:	N/A	Not to exceed 50'

- Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-9-5) not to exceed the amounts required/permitted.
- The abbreviation M.P. refers to standards recommended in the 1994 Clarkburg Master Plan.
- 59-C-10.3.7(b) "...the number of units permitted may be increased by a number equal to the number of moderately priced dwelling units included in the development plan in accordance with Chapter 25 of this Code, as amended, provided that the total number of units does not exceed 22 percent of the total number of units recommended on the Master Plan."
- The additional 2 MDUs will be provided on the land to be developed adjacent to the Project Plan area as part of a "combined cluster" development.
- The Planning Board may reduce the minimum setbacks no greater than 50% of 100'.

NOTES

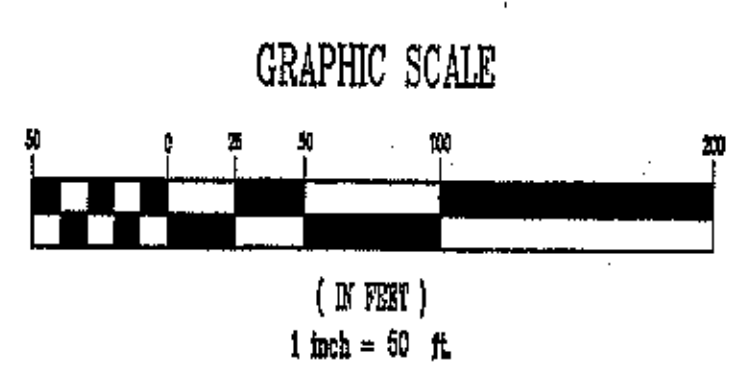
- Boundary from field survey by Morris, Hendricks & Glascock, P.A. (M&G).
- Topography by photogrammetric methods by M&G, 2 foot contour interval.
- Property is zoned RMX-2 (Residential - Mixed Use Development, Specialty Center) by SMX E-57 & E-58.
- Water and sewer category: W-1 & S-4, respectively. Service Area Category advancement to S-3 pending preliminary plan approval per 94C-08-01.
- This plan proposes the development of a maximum of 31,460 s.f. GFA and 95 dwelling units. The specific lot use(s), lot size and configuration, and building size and configuration will be determined at the Site Plan stage of review.
- Residential building types are to be single family detached or townhouse (attached) units with 3-5 bedrooms. Location of these structures will correspond with graphic representation shown on this plan.
- Recreational amenities are to include: all-ages play areas, several multi-age play structures, seating areas and picnic areas. Exact locations and design to be finalized at site plan stage.
- Development of the residential portion along with the Commons of the project will begin as transportation utility opportunity is available. The development of the lot and the play lot will commence the construction of the residential components adjacent to their designated area. The commercial component will follow the residential portion and the market demand for office/retail in the area.
- This site is within the Clarkburg and Vicinity planning area.
- This site is within the Clarkburg transportation policy area.
- This site is within the Little Seneca Creek Watershed (Class IV) and within the Clarkburg Special Protection Area.
- A Natural Resources Inventory Map/Forest Stand Delineation Plan has been approved by W&NCRAP Environmental Planning Division, Reference No. 4-20250.
- Servicing utility companies are:
 - Water and Sewer: WSSC
 - Electric: Potomac Edison
 - Telephone: Bell Atlantic
 - Natural Gas: Washington Gas



PARKING SPACE REQUIREMENTS FOR MIXED USE COMMERCIAL

	WEEKDAYS		WEEKENDS		NIGHT
	DAY	EVENINGS	DAY	EVENINGS	
OFFICE	49	5	5	3	3
RETAIL	87	100	111	78	6
MULTI-FAMILY	9	18	18	18	18
TOTAL Req.	125	123	124	89	27
TOTAL Prov.	125				

* Tabular based on requirements set forth in section 59-C-3.1



EW WSSC 232NW13


REVISED LAND USE PLAN
HIGHLANDS AT CLARKSBURG
 P.B. 26 P. 1068
 LOTS 1-3
 2ND ELECTION DISTRICT
 MONTGOMERY COUNTY - CLARKSBURG, MARYLAND

Designed by: M&G
 M&G
 Engineers • Planners • Surveyors
 Suite 120
 9220 Highman Road
 Gaithersburg, Maryland 20878
 (301) 670-0840
 FAX (301) 948-0835

NO.	DATE	DESCRIPTION	BY	Drawn	Scale
3	6/20/01	Revised to reflect comments by M&G's Staff	M&G		
2	5/24/01	Revised to reflect comments by M&G's Staff	M&G		
1	4/9/01	Revised to show Preliminary Plan	M&G		

Job No. 95-307
 Sheet 1 of 1

MEMORANDUM

TO: Wynn Witthans: Site Plan Coordinator
FROM:  Robin D. Ziek, Historic Preservation Planner
SUBJECT: Highlands at Clarksburg
DATE: June 27, 2001

ISSUE

The proposed road widening and regrading of Frederick Road in this location will have an adverse impact on the Clarksburg Historic District, and on the historically significant archaeological site known as "Dowden's Ordinary" (see memoranda from James Sorensen).

RESPONSE

Previous reviews of this proposed subdivision by Historic Preservation staff have addressed concerns about the proposed subdivision layout and its impact on the historic district which borders the north side of Stringtown Road. These concerns include determining the point of entry from Stringtown Road into the development, the need to maintain a small scale of new construction immediately across the street from the historic district, and the need to maintain the character and feel of Frederick Road with the new construction. This last concern has been addressed by maintaining street-facing structures, and by not using berms and the like to isolate Frederick Road.

Most recently, with the response from SHA that Frederick Road itself should be modified because of the new development, Historic Preservation staff has focused on the impact of these proposed modifications on both the Clarksburg Historic District, and on the historically significant individual site, Dowden's Ordinary. The proposed reduction in grade by a substantial amount (8' has been mentioned) will have an impact on the relationship of the historic site to Frederick Road. Constructed as an inn along this major north-south route, this was also the site of an encampment by British General Edward Braddock in 1755. This pre-Revolutionary War site was identified as historically significant as early as 1915, when the historic marker was erected. Concerns include

the potential loss of portions of the archaeological remains of the site, loss of potential access to the site and loss of visibility of the historic marker for future visitors.

In addition, one of the primary goals of the Clarksburg Master Plan was to maintain the rural feel and character of the Clarksburg Historic District, a linear town along Frederick Road. Efforts were taken to avoid any accordion effect of widening and narrowing of this main street in this historic district, and also for protecting the general vicinity of the historic district. While substantial development has been planned and provided for, all of the design efforts took into account the small town character of the historic district. This would be compromised with road widening and regrading just at the south entrance into the historic town.

RECOMMENDATION

Postpone action on this plan until all of the historic issues are resolved to avoid negatively impacting both the historic district and the historically significant archaeological site.

LINOWES AND BLOCHER LLP

ATTORNEYS AT LAW

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June 4, 2001

Scott C. Wallace
301.650.7024
scw@linowes-law.com

Ms. Wynn Witthans
Maryland-National Capital Park and
Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Project Plan Amendment - 9-98001A - Highlands at Clarksburg (the "Project")

Dear Wynn:

Enclosed are copies of the following plans and documents pertaining to the referenced Project Plan Amendment:

1. Original Approved Land Use Plan - Project Plan No. 9-98001
2. Planning Board Opinion - Project Plan No. 9-98001
3. Project Plan Book - Project Plan No. 9-98001
4. Revised Land Use Plan - Project Plan No. 9-98001A (Section 59-D-2.12(d)(1)-(6) of the Zoning Ordinance)
5. Project Plan Amendment Application Letter to William Hussmann dated March 23, 2001 - (Section 59-D-2.12(e)-(f), (g) of the Zoning Ordinance)
6. Project Plan Application with Adjoining and Confronting Property Owners - Project Plan No. 9-98001 (Section 59-D-2.12(c) of the Zoning Ordinance)
7. NRI/FSD - Project Plan No. 9-98001A (Section 59-D-2.12(a) of the Zoning Ordinance)
8. Vicinity Map - Project Plan No. 9-98001A (Section 59-D-2.12(b) of the Zoning Ordinance)
9. Preliminary Forest Conservation Plan - Project Plan No. 9-98001A (Section 59-D-2.12(d)(7) of the Zoning Ordinance)
10. Stormwater Management Concept Plan and Preliminary Water Quality Plan with approval letter, September 1, 1998 - Project Plan No. 9-98001A (Section 59-D-2.12(d)(8) of the Zoning Ordinance)

Ms. Wynn Witthans
June 4, 2001
Page 2

Copies of these plans and documents have also been sent to the Development Review Committee pursuant to the list that you provided me.

You have also requested that we provide a "development program stating the sequence in which all structures, open and amenity spaces, vehicular and pedestrian circulation systems and community recreation facilities to be developed."

The residential portions of the Project will be developed first. The Commons area will be constructed concurrently with the start of the construction of the adjacent residential lots. Other amenities, such as play areas, tot lots and sidewalks will also be constructed as the adjacent residential components are being developed.

Development of the commercial component will follow the development of the residential areas and will also be determined by market demand for office retail uses in the area. A more detailed statement of the development program will be developed at the time of site plan application for the Project.

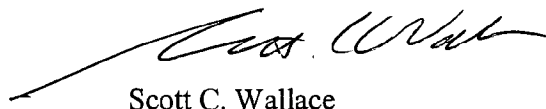
Also, you have asked us to state the relationship, if any, of the development program to the County's Capital Improvements Program ("CIP"). The Project is not related to the County CIP.

Finally, we refer you to page 9 of the Application Letter to Mr. Hussmann dated March 23, 2001 for a detailed statement as to how the optional method of development proposed in the Project Plan is more efficient and desirable than a project developed under the standard method.

It is my understanding that with the distribution of these materials to the DRC, we will be scheduled for DRC review on June 18, 2001. Thank you for your assistance with this Project Plan.

Very truly yours,

LINOWES AND BLOCHER LLP



Scott C. Wallace

Ms. Wynn Witthans
June 4, 2001
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cc: DRC Distribution List
Mr. A. Malcolm Shaneman
Mr. Bob Larkin
Mr. Michael Watkins
Barbara A. Sears, Esquire

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March 23, 2001

Mr. William H. Hussmann, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Application for Amendment to Project Plan No. 9-98001 -
Highlands at Clarksburg (the "Application")

Dear Mr. Hussmann:

In accordance with Section 59-D-2, *et seq.*, of the Montgomery County Code 1994 (as amended) (the "Zoning Ordinance"), Centex Homes, Inc. ("Centex"), the contract purchaser of a 16.1-acre parcel of land zoned RMX-2 (Residential-Mixed-use/Specialty Center) and located in the southeastern quadrant of the intersection of Stringtown Road and MD 355 in Clarksburg (the "Property"), which is subject to Project Plan No. 9-98001, submits this Application to amend the Project Plan.

As further detailed below, Project Plan No. 9-98001 (the "Project Plan") was originally approved by the Montgomery County Planning Board ("Planning Board") by Opinion mailed October 19, 1999, attached as Exhibit "A", and provided for development of 75 dwelling units and 31,460 square feet of commercial uses with various associated amenities on the Property. The Application proposes the development of an additional 26 dwelling units on the Property, and a slightly modified amenity space and vehicular circulation design, while retaining the significant elements of the development approved in the Project Plan, including the mix of residential, retail and office uses, the large, centrally located common area, and various pedestrian/bicycle amenities as shown on the amended Land Use Plan, attached as Exhibit "B" (the "Project"). The enhanced development design proposed in the Application will allow the coordinated development of the Property with adjacent property also owned by Centex Homes and proposed for residential development.

PROJECT PLAN 9-98001

As noted above, the Project Plan was approved by Opinion dated October 19, 1999 and included a residential component and a mixed-use component, which are shown on the original Land Use Plan approved as part of the Project Plan and attached as Exhibit "C".

The residential component of the Project Plan included 29 single-family detached dwelling units with one-car attached garages, 38 single-family attached (townhouse) units, and 8 condominium

Mr. William H. Hussmann

March 23, 2001

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units (located above one of the mixed-use buildings) for a density of 6 dwelling units per acre. The mixed-use component consisted of general office (18,590 square feet), retail (12,870 square feet), and the residential condominiums in four buildings ranging from 2 to 3 stories in height. The mixed-use buildings of the Project Plan were oriented towards Stringtown Road, east of the intersection of MD 355 and Stringtown Road.

The Project Plan also provided significant amenities, including rural/historic architecture, a play area, several outdoor seating areas, landscape features, and upgraded streetscapes with special paving, landscaping and terracing. Specifically, the architectural details for the mixed-use buildings featured a rural agricultural appearance utilizing barn-like roofs and stair towers that resemble silos. This architecture complemented the Clarksburg Historical District located across Stringtown Road from the Property. Further, the Project Plan provided tree-lined streets with the trees placed between the pedestrian and the vehicle to afford pedestrian safety and a sense of scale. Buildings were oriented along the front of property lines, closer to the street, to enhance interaction between pedestrians and activate the adjoining streets. The main amenity provided in the Project Plan was a large, centrally located green area identified as "The Commons". The Commons functioned as a forum for civic functions and passive and active recreation and included a pavilion for concerts, tiered gardens, and special planting areas.

With regard to vehicular circulation, the Project Plan showed three separate entrances to the Project, one on MD 355 at the southern corner of the Property, and two on Stringtown Road on the northern edge of the Property. The Project Plan also provided a generally grid-like internal road pattern with on-street parking and tight radii to reduce vehicle speeds.

With regard to pedestrian and bicycle circulation, the Project Plan featured sidewalks to connect pedestrians to all mixed-use and residential buildings. The approved Project Plan also provided an eight-foot wide hiker/biker trail along the northern side of Stringtown Road for access to off-site amenities such as area parks and a proposed Greenway located on the adjacent R-200 project. A Class III Bikeway was also provided along the eastern side of MD 355. Overall, the pedestrian and bicycle circulation system was designed to reduce auto dependency for residents of the immediate community and the local area. In that regard, connection points to the hiker/biker trails were provided at the intersection of MD 355 and Stringtown Road.

In terms of the compliance with applicable Montgomery County environmental standards, the Project Plan provided extensive reforestation along the northeast and southeast property lines. Further, in recognition of the location of the Property in a special protection area, the approved stormwater management plan met requirements for quantity and quality control. In that regard, attached as Exhibit "D" is a copy of the Stormwater Management Concept Plan approval. Also attached as Exhibit "E" is the approved Natural Resources Inventory/Forest Stand Delineation

Mr. William H. Hussmann

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for the Property. Finally, the development proposed in the Project Plan was to be serviced by public sewer and water.

Concurrent with the approval of the Project Plan, a Preliminary Plan of Subdivision conforming to the Project Plan was approved. (As discussed below, an Amendment to this Preliminary Plan to reflect the proposed "combined cluster" development was submitted to the Planning Board on or about November 17, 2000 and is under staff review.)

THE AMENDMENT APPLICATION

Introduction

The impetus for the Application is the ability of Centex to coordinate the development of the Property with the development of the adjacent approximately 40 acre R-200-zoned property also under contract to Centex. The "combined cluster" project will result in a comprehensively designed community integrating the mixed-use components of the RMX-2 property with the clustered single-family detached homes of the R-200 property and further diversifying the range of dwelling units provided for this portion of Clarksburg. Significantly, this Application retains the mixed-use development pattern that was approved in the Project Plan with residential dwelling units over office and retail uses, a variety of housing options, and a convenient concentration of development that allows all dwelling units to be located within two blocks of the mixed-use areas.

Further, as noted above, this Application retains all of the amenities and design elements that were approved in the Project Plan. Specifically, the historical/architectural treatments, pedestrian and bicycle circulation amenities (sidewalks and bikeways), enhanced streetscapes and passive and active recreation areas will all be retained as approved in the Project Plan. The Project also enhances the grid pattern of the internal streets, which provide for efficient, direct access to the individual units and mixed-use area. As discussed below, a modified design for The Commons is proposed in the Application that will enhance The Commons' function as a significant, centrally located community amenity.

With regard to public services, the Clarksburg Transportation Policy Area, in which the Property is located, continues to have negative staging ceiling capacity for housing and jobs. In that regard, as proposed in the Project Plan, the Project will satisfy Adequate Public Facilities Ordinance ("APFO") requirements for policy area review through the payment of the Development Approval Excise Tax (for the retail and office development) and the Development Approval Payment (for the residential units). Information regarding the trip generation rates for the Project are provided in the attached Traffic Study prepared by Wells & Associates and dated

Mr. William H. Hussmann

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Page 4

March 9, 2001, Exhibit "F", as updated by letter dated March 16, 2001 from Wells & Associates, attached as Exhibit "G".¹ As previously noted, the Project must satisfy APFO requirements as determined at the time of the review of the Amended Preliminary Plan of Subdivision.

Finally, utility service, the proposed stormwater management system and the reforestation plan remain virtually unchanged in this Application from the Project Plan. Accordingly, to the extent that this Application conforms to the Project Plan, Centex relies on the evidence submitted into the record of the Project Plan with regard to compliance with the requirements for optional method of development in the RMX-2 Zone (Section 59-C-10-3.1 of the Zoning Ordinance) and the criteria for approval of project plans (Section 59-D-2.42 of the Zoning Ordinance).

Modifications to Density, Access, and The Commons

The Application enhances three components of the Project Plan: density, access, and the design of The Commons. As discussed in detail below, the proposed modifications of these three components comply with the applicable standards and requirements for optional method of redevelopment in the RMX-2 Zone and for project plan approval.

Density

The Application proposes adding 26 dwelling units to the Project, which includes 15 additional single-family attached townhouse units, 1 single-family detached unit, and 10 market rate condominium units located in one of the mixed-use buildings shown in the northwestern corner of the Property at the intersection of MD 355 and Stringtown Road. The mixed-use building will be designed with two story residential units over first floor retail shops. In order to accommodate the additional units in the mixed-use buildings, a third floor of office space will be shifted to one of the mixed-use buildings currently shown as 2 floors, although the approved commercial density of 31,960 square feet (retail and office) is unchanged by this Application. Further, of the 13 required MPDUs, 10 MPDUs will be located above the first floor retail shops in one of the three mixed-use buildings as originally approved in the Project Plan. The remaining 3 MPDUs will be located on the adjacent R-200 property.

The overall proposed density of the Project will be 5.7 dwelling units per residential acre, excluding the moderately priced dwelling units, and 6.3 dwelling units per residential acre including the MPDUs. The overall density is well within the 1994 Approved and Adopted Clarksburg Master Plan (the "Master Plan") recommendation of a range of residential density of

¹ It is noted that the Traffic Study was prepared for the application to amend the previously approved Preliminary Plan and includes trip generation rates for the entire "combined cluster" development.

Mr. William H. Hussmann

March 23, 2001

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5 to 7 dwelling units per acre. Accordingly, the increased density for the Project as proposed in the Application meets all applicable standards of the Code and the Master Plan.

Access

The Application modifies the access shown on the Project Plan by eliminating the access point on MD 355 in the southwestern corner of the Property. The two access points on Stringtown Road shown on the Project Plan will be retained in the Application, with the access driveway furthest west on Stringtown Road designed to primarily serve the mixed-use buildings and the access road to the east on Stringtown Road designed to primarily serve the residential development proposed for the Project, although access from this road to the mixed-use component of the Project will be available.

The modification of the proposed access for the Project is in part the result of the further review of the safety of the MD 355 access point by the State Highway Administration ("SHA") since the approval of the Project Plan. In its original review of the location MD 355 access point, SHA raised concerns that the access did not meet its standards for separation from Stringtown Road. However, at that time SHA determined that, because the access on MD 355 was serving both mixed-use and residential development, the reduced separation was acceptable. (The SHA requires less separation between streets serving mixed-use development than between streets serving exclusively residential development.) Upon further review of the proposed development after the Project Plan was approved, the SHA determined that the MD 355 entrance was in fact designed to serve the residential component of the proposed development almost exclusively. Accordingly, the proposed access on MD 355 no longer met SHA's standards for separation from the intersection at Stringtown Road. This led Centex to consider a vehicular circulation plan that eliminated the MD 355 access and retained the access points on Stringtown Road. Subsequent studies of these two access points on Stringtown Road show that they provide adequate and safe access into both the mixed-use component of the Project and the residential areas of the Project and the adjacent R-200 land.

The elimination of the potentially unsafe access point on MD 355 allows Centex to strengthen the grid pattern of the internal street network. By eliminating the section of the road outletting onto MD 355, the remaining section of this internal road can be straighter and intersect internal streets at a more perpendicular angle. Further, the elimination of this access point allows the frontage road along MD 355 proposed in the Project Plan to be eliminated and the single-family detached residential houses that were shown on the east side of the frontage road to be moved closer to MD 355. These houses will also be designed with facades that present as fronts along MD 355, even though the functional front of these houses is along an internal street. This design will provide a more aesthetically inviting streetscape for the Project along MD 355. In summary,

Mr. William H. Hussmann

March 23, 2001

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the elimination of the MD 355 access point addresses the safety concerns of the SHA and allows for an enhanced vehicular circulation system to be developed.

The Commons

The focal point of the Project continues to be a large centrally located common area, identified as The Commons on the Land Use Plan, that will serve as a town green for civic functions and provide space for active and passive recreation. As noted above, all amenities associated with The Commons, including the pavilion, sitting areas and landscaping, have been retained in the Application. However, the Project Plan proposes a modified design for The Commons that will enhance its function as a unifying element of the Project.

As approved in the Project Plan, The Commons was generally square in shape and contained approximately one acre. It was surrounded on all four sides by lateral streets or parking areas. As proposed in the Application, The Commons also contains one acre, but is longer and more rectangular, and runs from MD 355 through the center of the Project. This design is more free flowing than the previous configuration of The Commons. Further, The Commons now aligns with other common areas located across an internal street in the townhouse section of the Project to create a "green artery" through the Project. (The street crossing from The Commons to the townhouses will be safe and inviting for pedestrians.) This revised design makes The Commons a more universal amenity to be shared by the entire community. Further, this design extends the visual impact of The Commons, thereby enhancing its role as a buffer between the residential uses and the retail/office uses.

CONFORMANCE WITH THE ZONING ORDINANCE

Section 59-D-2.42(a)-(i) of the Zoning Ordinance states the required findings for approval of project plan approval.² With regard to the components of the Project Plan that have been modified in the Application, the following discussion analyzes how the Project meets the applicable findings required for approval of the Application:

- (a) *The Project complies the all intents and requirements of the RMX-2 Zone.*

² As noted above, to the extent that the Application conforms to the Project Plan, the Planning Board's previous findings with regard to the Project Plan's compliance with the requirements of the Zoning Ordinance remain valid. To that end, with regard to Section 59-D-2.42(h) and (i) regarding forest conservation requirements and water quality resource protection, respectively, the Application does not propose any significant changes to the approved elements of the Project Plan pertaining to those sections. Further, Section 59-D-2.42(g) of the Zoning Ordinance is not applicable to this Application.

Mr. William H. Hussmann

March 23, 2001

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Section 59-C-10.3.1 of the Zoning Ordinance identifies the intent of the optional method of development in the RMX-2 Zone, and states, in part, the following:

This optional method of development accommodates mixed-use development comprised of planned retail centers and residential uses at appropriate locations in the County. This method of development is a means to encourage development in accordance with the recommendations and guidelines of approved and adopted master plans.

Approval of this optional method of development is dependent upon the provision of certain public facilities and amenities by the developer. The requirement for public facilities and amenities is essential to support the mixture of uses at the increased densities of development allowed in this zone.

As noted above, this Application retains the mix of residential, retail and office uses in a tightly clustered, compact community as approved in the Project Plan. The modest increase in density ensures support for the retail uses and will foster a lively and viable community. Further, the extensive on-site amenities approved in the Project Plan are maintained in this Application. These amenities are located in close proximity to the mix of uses proposed in the Project to help integrate the amenities into the community. To that end, the modified design of The Commons enhances the role of this amenity in creating a sense of character and place within the Project. Accordingly, this Application conforms to the intent and purpose of the RMX-2 Zone.

(b) *The Project conforms to the 1994 Approved and Adopted Clarksburg Area Master Plan*

The Application conforms to the applicable recommendations of the Master Plan as follows:

Town Scale of Development: *This Plan envisions Clarksburg as a town, at a larger scale than proposed in the 1968 Germantown Master Plan, but smaller than a corridor city such as Germantown.*

As noted above, the modest increase in density proposed in this Application is within the acceptable range recommended in the Master Plan. Further, the additional townhouses and apartment units ensure an even greater mix of housing choices and incomes. Significantly, the

Mr. William H. Hussmann

March 23, 2001

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increased density will also allow greater opportunity for residential living near employment centers and retail shops. At the same time, the buildings are proposed at a human scale to evoke a small town setting, with the larger mixed-use buildings oriented toward the major streets adjacent to the Property, transitioning to less intense uses further back away from the streets. Overall, this design will create the scale envisioned in the Master Plan.

Hierarchy of Roads and Streets - This Plan proposes a street network which clearly differentiates between highways needed to accommodate regional through traffic and roads which provide sub-regional and local access.

This Application maintains the hierarchical delineation of streets through the use of trees, sidewalks of varied widths and building setbacks. The grid pattern of the internal streets will be maintained with tight radii and on-street parking, but it will also be enhanced through straighter streets and more perpendicular intersections. The internal street system provides convenient access for residents traveling in and out of the Project.

Transit- and pedestrian-oriented neighborhoods - This plan clusters development into a series of transit- and pedestrian-oriented neighborhoods.

As noted above, all elements of the pedestrian and bicycle circulation system are maintained in this Application. Further, this Application redesigns The Commons so that it functions as a central "green artery" for pedestrian circulation. Further, this Application orients additional townhouses along Stringtown Road, which will help to activate the streetscape by encouraging pedestrian interaction. Finally, all residential uses will be located within 2 blocks of the mixed-use area, which allows residents easy access to goods and services without the need for automobile use.

(c) Because of its location, size, intensity, design, operational characteristics and staging, the Project is compatible with and not detrimental to existing or potential development in the general neighborhood.

Although the Application proposes an increase in density, the overall density for the Project is well within the maximum density allowed by the Zoning Ordinance and the Master Plan. Further, the scale of the proposed buildings is both internally compatible and externally appropriate as a gateway to the adjacent Clarksburg Historical District and nearby Town Center. This goal is accomplished by orienting mixed-use and residential structures toward the major streets adjacent to the Property, which is consistent with the surrounding pattern of development. These structures successfully relate to the elevation of the surrounding residential areas, creating a compatible development scheme.

Mr. William H. Hussmann

March 23, 2001

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(d) The Project will not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter 42A, Article II, is subject to a traffic mitigation agreement that meets the requirements of that article.

As noted above, the Project will satisfy Adequate Public Facilities Ordinance ("APFO") requirements for policy area review through the payment of the Development Approval Excise Tax (for the retail and office development) and the Development Approval Payment (for the residential units). Information regarding the trip generation rates for the Project are provided in the attached Traffic Study prepared by Wells & Associates and dated March 9, 2001, as updated by letter dated March 16, 2001. Finally, the increased density will not overburden the capacity of such public services as schools, fire, or police.

(e) It would be more efficient and desirable than could be accomplished by the use of the standard method of development.

The Application, in a similar manner as the Project Plan, relies on the flexibility afforded under the optional method development in the RMX-2 Zone in terms the Project's density, the extensive amenity package, building design, and lot design. The resulting development is compact and contains an efficient mix of housing that will be affordable to a variety of income levels. A standard method development would not yield the amenities, or the clustered, mixed-use development, proposed in the Application. Accordingly, the Application proposes a mixed-use development that will be more desirable for both the residents of the Project and the surrounding community.

(f) The Project would include moderately priced dwelling units in accordance with Chapter 25A of this Code, if the requirements of that chapter apply.

As noted above, in accordance with Section 25A of the Code, the Application provides the 13 MPDUs, 10 of which will be provided in the Project and the 3 additional units will be provided on the R-200 zoned property as part of the "combined cluster" development.

In summary, for the reasons set forth above, this Application meets all applicable requirements for optional method of development in the RMX-2 Zone (Section 59-C-10-3.1 of the Zoning Ordinance) and the criteria for approval of project plans (Section 59-D-2.42 of the Zoning Ordinance).

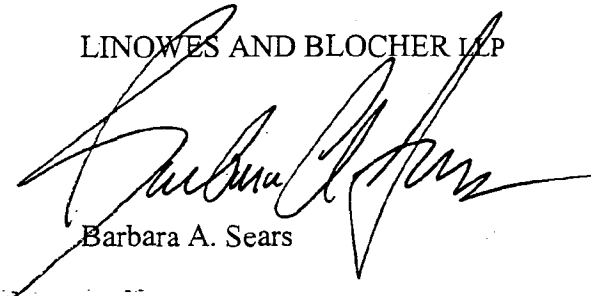
■ LINOWES BLOCHER

Mr. William H. Hussmann
March 23, 2001
Page 10

Enclosed herewith is a Project Plan Amendment Application, 25 copies of the amended Land Use Plan (Exhibit "B"), the Stormwater Concept Plan approval (Exhibit "D"), the Natural Resources Inventory/Forest Stand Delineation (Exhibit "E"), the Water Quality Concept Plan, a check for \$1,100 for the filing fee, and an adjoining and confronting property owners list. Thank you for your consideration of this Application. We look forward to presenting this Project to the Planning Board for review.

Very truly yours,

LINOWES AND BLOCHER LLP



Barbara A. Sears

Enclosures

cc: Mr. Robert Larkin
Mr. John Sekarek
Scott C. Wallace, Esquire



APPLICATION

Project Plan Review

For M-NCPPC Staff Use Only

Date Application Received	_____	Project Plan File Number	9 - _____
Date Application Complete	_____ by _____	NRI/FSD File Number	4 - _____
DRC Meeting Date	_____	Fee (Attach Fee Worksheet)	_____
MCPB Hearing Date	_____	Sign Deposit	_____
PPR Deadline	_____	Fees Received by	_____

I. Project Information:

Name of Proposed Project Plan Highlands at Clarksburg

Name of Preliminary Plan Highlands at Clarksburg No. 1- 98009

If previously Approved Project Plan, Number 9-98001

Date of Opinion 10/19/99

Status: _____ Void
 _____ Extended to (date) _____
 _____ Withdrawn
 Amended by this application

If no prior preliminary plan, check either:

- Preliminary Plan currently being reviewed
- Lot already recorded
- Loophole Property? (refer to MCC Bill #1-88, concerning timely APF review prior to issuance of a building permit)

If Record Plat recorded, M-NCPPC Record Plat book 1608 and page number _____

If special exception/variance Case #S- _____ or #A- _____ date adopted ____/____/____

Tax Account Number 1. 0200023502 2. 0200023513 3. 0200024335 4. _____

Tax Map Page Number EW

Location (pick either A or B):

- A. On _____ feet _____ of _____
Street Name N, E, S, W, etc. Street Name
- B. SE quadrant, intersection of Frederick Road (MD 355) and Stringtown Road
N, E, S, W, etc. Street Name Street Name

Planning Area Clarksburg & vicinity

Incorporated Municipality or Special Taxing District, if applicable _____

Is site on Locational Atlas and Index of Historic Sites? Yes No

Is site on Master Plan of Historic Preservation? Yes No

Project Plan Review Application

II. Data Summary Table:

Site Area:

Gross area of site	<u>16.1</u>	a.c.	<u>701,316</u>	s.f.
Area dedicated to Public Use	<u>1.0</u>	a.c.	<u>43,560</u>	s.f.
Total net area of Project Plan	<u>15.1</u>	a.c.	<u>657,756</u>	s.f.

Area by Zone:	Zone 1: <u>RMX-2</u>	<u>16.1</u>	a.c.	<u>701,316</u>	s.f.
	Zone 2: _____	_____	a.c.	_____	s.f.
	Zone 3: _____	_____	a.c.	_____	s.f.

	Required/Allowed	Proposed
Gross Floor Area (Sq. Ft.)		
Retail	<u>20,000</u>	<u>12,870</u>
Office	<u>20,000</u>	<u>18,590</u>
Residential	_____	_____
Other _____	_____	_____
Total	<u>40,000</u> (max.)	<u>31,460</u>

III. Signs:
 Sign Deposit - In accordance with the Zoning Ordinance Regulations, signs must be posted on the property within 3 days of application and maintained in good condition by the applicant until the final disposition of the application. The signs are obtained from M-NCPPC's Development Review Division. A deposit of \$70.00 per sign is required, and a refund of \$60.00 per sign is furnished upon return of the sign.

Dwelling Units

Efficiency	<u>0</u>
1 Bedroom	<u>0</u>
2/3 Bedroom	<u>20</u>
3 + Bedroom	<u>81</u>
Total	<u>91</u>

Density

Floor Area Ratio (FAR)	<u>0.5</u> (max.)	<u>.23</u>
Dwelling Units Per Acre	<u>30/40 (code) (max.)</u> 5-7 (M-P)	<u>6.3</u>

Building Height (Ft.)

<u>N/A</u> (max.)	<u>40'</u>
-------------------	------------

Parking Spaces

Retail	<u>38</u> (min.)	<u>52</u>
Office	<u>56</u> (min.)	<u>56</u>
Residential	<u>177</u> (min.)	<u>177</u>
Other _____	_____ (min.)	_____
Total	<u>271</u> (min.)	<u>285</u>

Public Use Space (Sq. Ft. & Percent of Net Lot)

On-Site Area	<u>50</u> (20% min.)	<u>350,658</u> Sq. Ft.	<u>50</u> %
Off-Site Area	_____	_____ Sq. Ft.	_____ %
Total	<u>50</u> (20% min.)	<u>350,658</u> Sq. Ft.	<u>50</u> %

Project Plan Review Application

Applicant Information:

1. Applicant (Owner or Contract Purchaser)

Centex Homes c/o Bowis Realty Investment Corp. Bob Larkin
Name Contact Person

Street Address

City State Zip Code
 () () ()

Phone No. Fax No.

2. Developer (if different from Applicant above)

Name Contact Person

Street Address

City State Zip Code
 () () ()

Phone No. Fax No.

3. Engineer

Macris, Hendricks & Glascock, P.A.
Name Contact Person

9220 Wightman Road, Suite 120
Street Address

Montgomery Village MD 20886
City State Zip Code

(301) 670-0840 (301) 948-0693
Phone No. Fax No.

4. Architect

Creaser & O'Brien
Name Contact Person

6 Montgomery Village Avenue, Suite 401
Street Address

Montgomery Village, MD 20886
City State Zip Code

(301) 948-8380 (301) 948-2180
Phone No. Fax No.

5. Landscape Architect

Macris, Hendricks & Glascock, P.A. Vic Bryant
Name Contact Person

9220 Wightman Road, Suite 120
Street Address

Montgomery Village MD 20886
City State Zip Code

(301-) 670-0840 (301) 948-0693
Phone No. Fax No.

6. Attorney


Linowes & Blocher, LLP Barbara Sears
Name Contact Person

1010 Wayne Avenue
Street Address

Silver Spring, MD 20910
City State Zip Code

(301) 650-7056 (301) 495-9044
Phone No. Fax No.

Signature of Applicant (Owner or Contract Purchaser)


Signature Date

ROBERT C. LARKIN
Name (Type or Print)

LAND ACQUISITION / DEVELOPMENT MANAGER
 D.C. Metro DIVISION MANAGED OPERATIONS



APPLICATION

Fee Schedule/Worksheet

To Be Completed By Applicant

Application Number: _____
 Applicant: Centex Homes c/o Bowis Investment Realty Corp.
 Proposed Project Name: Highlands at Clarksburg

Pre-Application Submission: Staff review only \$440 = \$ _____
 Staff and Planning Board Review \$660 = \$ _____

NRI/FSD Natural Resources Inventory/Forest Stand Delineation:
 Single-Family Residential \$100 = \$ _____
 Multi-Family, Commercial, Industrial, Institutional, Religious \$200 = \$ _____

Forest Conservation Plan:
 Single-Family Residential \$50 plus \$15/lot x _____ lots = \$ _____
 Multi-Family, Commercial, Industrial, Institutional, Religious \$100 plus \$30/acre x _____ acres = \$ _____

Preliminary Plan of Subdivision: Residential
 1 - 9 units \$1,100 = \$ _____
 10 - 49 units \$2,200 = \$ _____
 50 or more \$3,300 plus \$22 x _____ (# of units) > 50 units = \$ _____
Commercial/Industrial
 up to 9,999 s.f. \$1,650 = \$ _____
 10,000 to 24,999 s.f. \$2,200 = \$ _____
 25,000 s.f. or more \$3,300 plus \$0.02 x _____ s.f. > 25,000 s.f. = \$ _____
Institutional/Religious \$1,100 = \$ _____
 Amendments to Approved Plans \$1,100 = \$ _____
 Extensions of Approved Plans \$660 = \$ _____
 Variation from Subdivision Regulations \$660 = \$ _____

Project Plan: Residential (D.U.s) \$1,870 plus \$18 x _____ (# of dwelling units) = \$ _____
Commercial (GFA) \$1,870 plus \$0.015 x _____ s.f. = \$ _____
 Amendments \$1,100 = \$ 1,100.00
 Extensions \$660 = \$ _____
 Sign deposit: \$70.00 per sign (sign refund: \$60.00)

Site Plan: Residential
 1 - 9 units \$2,200 = \$ _____
 10 or more units \$3,300 plus \$22 x _____ (# of units) > 10 units = \$ _____
Commercial/Industrial
 up to 9,999 s.f. \$2,200 = \$ _____
 10,000 s.f. or more \$3,300 plus \$0.02 x _____ s.f. > 10,000 s.f. = \$ _____
Institutional/Religious \$2,200 = \$ _____
 Amendments to Approved Plans \$1,100 = \$ _____
 Extensions of Approved Plans \$660 = \$ _____

Record Plat: \$687 x _____ (# of plats) = \$ _____

Please make checks payable to: M-NCPPC

Date Received: _____ Received By: _____ TOTAL: = \$ _____

LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS

03/14/01

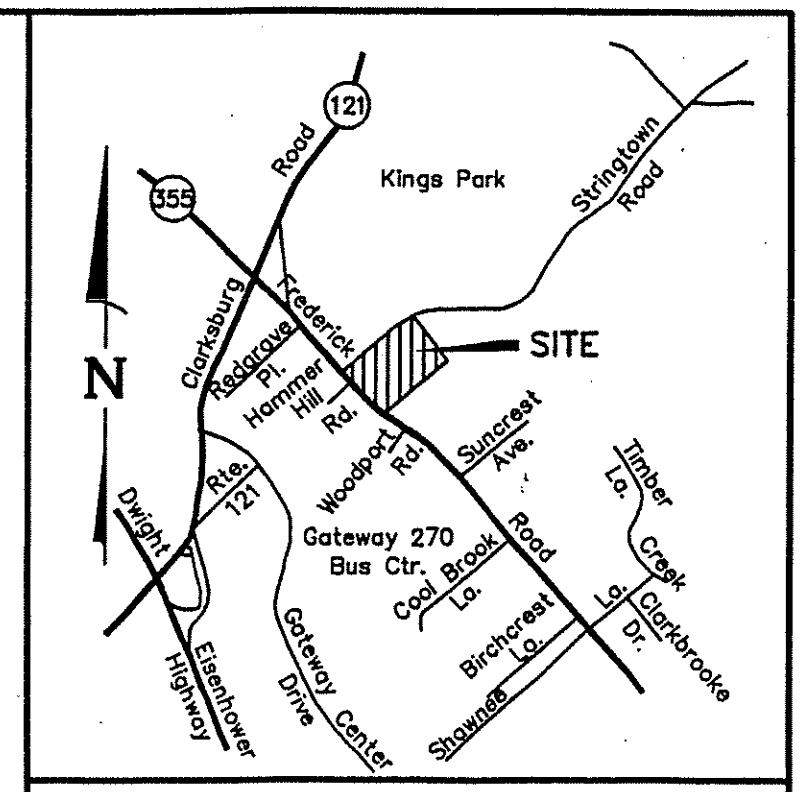
Tax Account No.	Name	Address	Lot/Parcel	Block
Subject Property				
02-00023502	Brickley's Land Co. LLC c/o Thomas D. Gibbons	6 Montgomery Village Ave. #402 Gaithersburg, MD 20879	1	
02-00023513	Brickley's Land Co. LLC c/o Thomas D. Gibbons	6 Montgomery Village Ave. #402 Gaithersburg, MD 20879	2	
02-00024335	Brickley's Land Co. LLC	974 Millwood Ln. Great Falls, VA 22066	3	
EW 31				
02-00023067	Sarah L. King et al	10534 Hessong Bridge Rd. Thurmont, MD 21788	4	
02-00018436	Rev. Sol Rudden Tr c/o Jerry N. Rudden et al	5600 Lake Cristopher Dr. Rockville, MD 20855	P198	
02-00021707	Farm Development Co- op LLC	21032 Cog Wheel Way Germantown, MD 20876	P340	
02-0169017	Clarksburg Investment c/o TOTAH	11500 Highland Farm Rd. Potomac, mD 20854	N396	
02-00030837	Mehdi Mohebbi	23214 Frederick Rd. Clarksburg, MD 20871	N414	
02-00021855	Henry C. & Ruth V. Hough	P.O. Box 43 Clarksburg, MD 20871	N452	
02-01659006	Clarksburg Investment c/o TOTAH	11500 Highland Farm Rd. Potomac, mD 20854	N466	
02-00028982	Robert S. Pell	23126 Frederick Rd. Clarksburg, MD 20871	N509	
02-00030930	Fotis & E. Kostaris et al	8800 Darnestown Rd. Rockville, MD 20850	P233	
02-00021673	Gary & M.E. Poole	23310 Frederick Rd. Clarksburg, MD 20871	P311	
02-00028982	Robert S. Pell	23126 Frederick Rd. Clarksburg, MD 20871	N509	
02-00020816	Marjorie F. Radey	23118 Frederick Rd. Clarksburg, MD 20871	N517	
02-00028925	Gerald Brown et al	23122 Frederick Rd. Clarksburg, MD 20871	N518	
02-00018653	Thomas WM & S.A. Conley	Box 210 23910 Clarksburg Rd. Clarksburg, MD 20871	1A	
EW 41				
02-00023078	Dorothy K. Dallas c/o Mary Ann Bandy	490 25 th St. SW Naples, FL 34117	5	
02-00022212	Chou Sumin c/o Piedmont Consortium	9008 Willow Valley Dr. Potomac, MD 20854	10	
02-00022223	Chou Sumin	9008 Willow Valley Dr.	11	

	c/o Piedmont Consortium	Potomac, MD 20854		
EW 42				
02-03282935	Terrabrook Clarksburg c/o Deloitte & Touche	P.O. Box 723427 Atlanta, GA 31139	P600	
Homeowners and Civic Associations				
885	Clarksburg Initiatives Association	Sarah Hay 23805 Peach Tree Rd. Clarksburg, MD 20871	301-972- 3353	
683	Northern Montgomery County Alliance	Julius Cinque 223 Slidell Rd. Boyd, MD 20841	301-972- 1098	
159	Clarksburg Civic Assn.	Steve Howie P.O. Box 325 Clarksburg, MD 20871	202-564- 4146	
159	Clarksburg Civic Assn.	John Faverby 26517 Aiken Dr. Clarksburg, MD 20871		
288	Sugarloaf Citizens Assn.	Bob Zametske 20900 Martinsburg Rd. Dickerson, MD 20842	301-407- 0764	
288	Sugarloaf Citizens Assn.	Jane Hunter P.O. Box 381 Beallsville, MD 20838	301-349- 5432	
238	Seneca Creek Watershed	Harry Leet 125 Central Ave. Gaithersburg, MD 20877	301-926- 3657	
672	Committee for the Up County	Ron Wohl 14501 Antigone Dr. Gaithersburg, MD 20878	301-340- 2821	
	Scott C. Wallace	Linowes and Blocher LLP 1010 Wayne Ave., 10 th Floor Silver Spring, MD 20910		

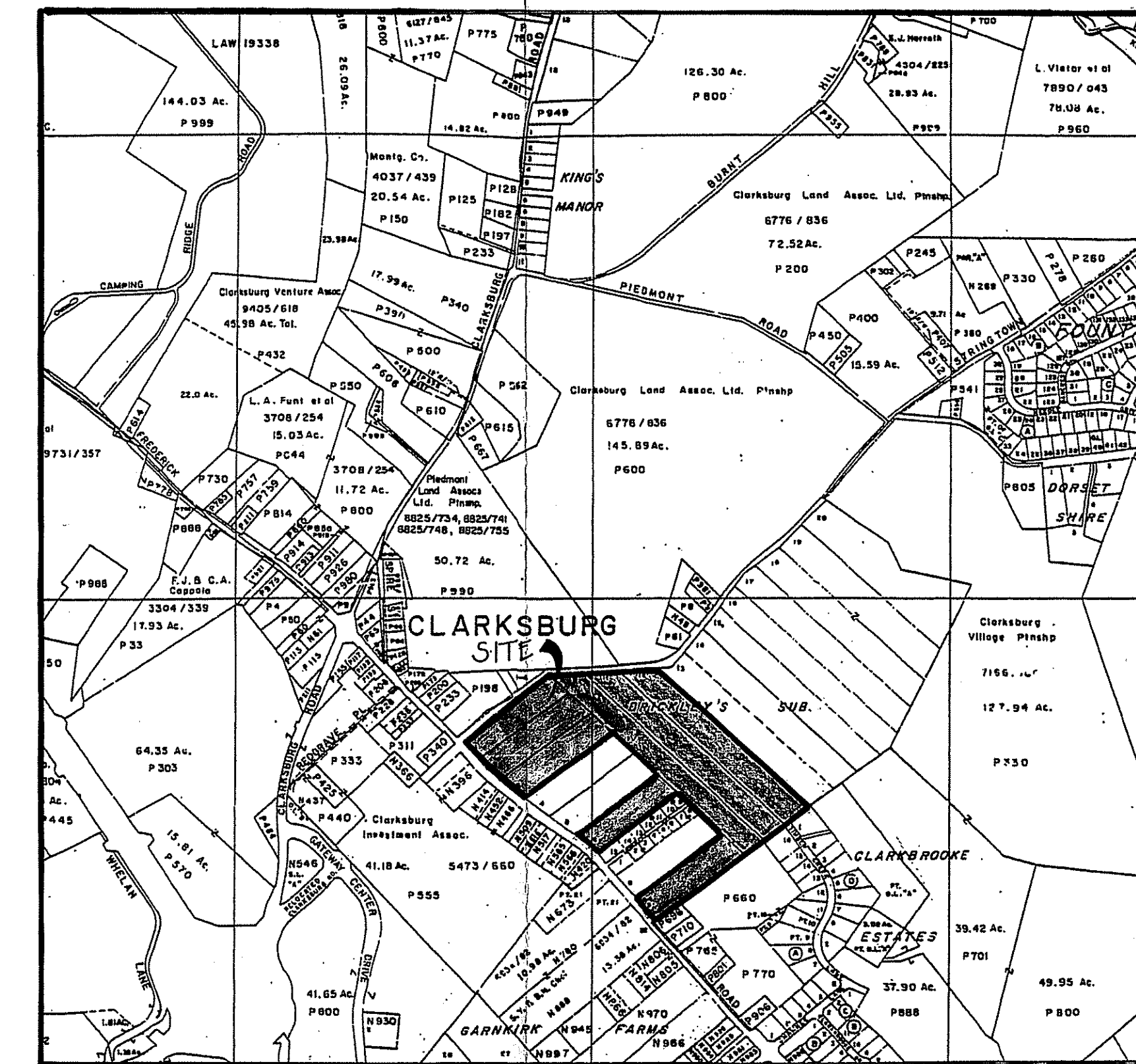


MNCPPC TOPO SHEET 53

SCALE: 1" = 200'

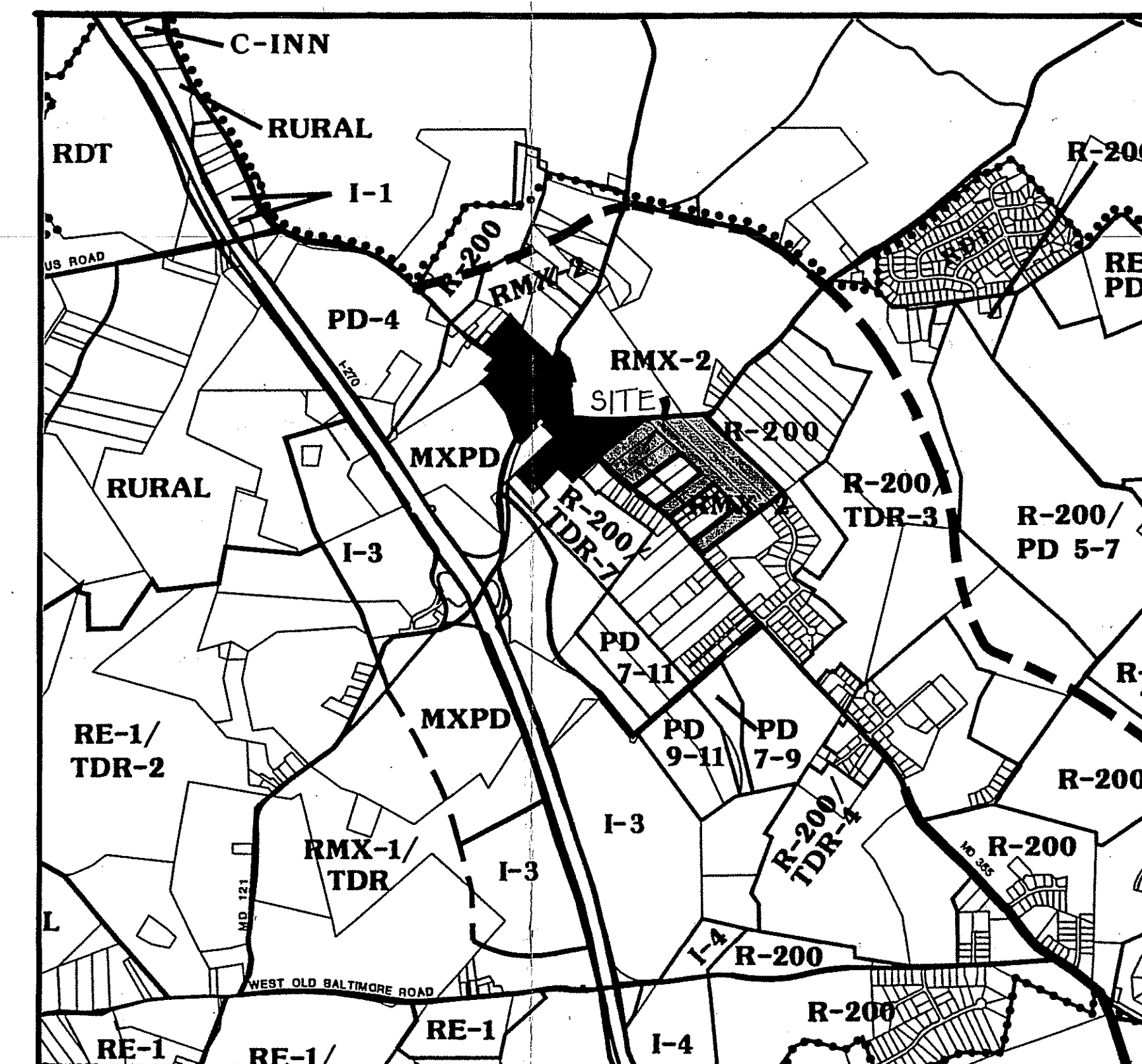


VICINITY MAP
SCALE 1" = 2,000'



TAX MAP - EW

SCALE: 1" = 600'



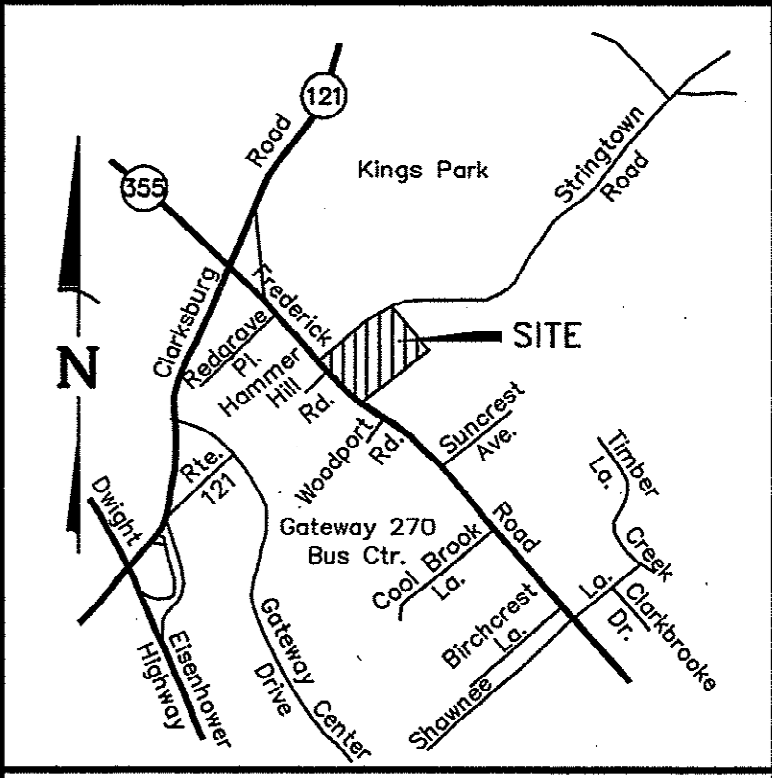
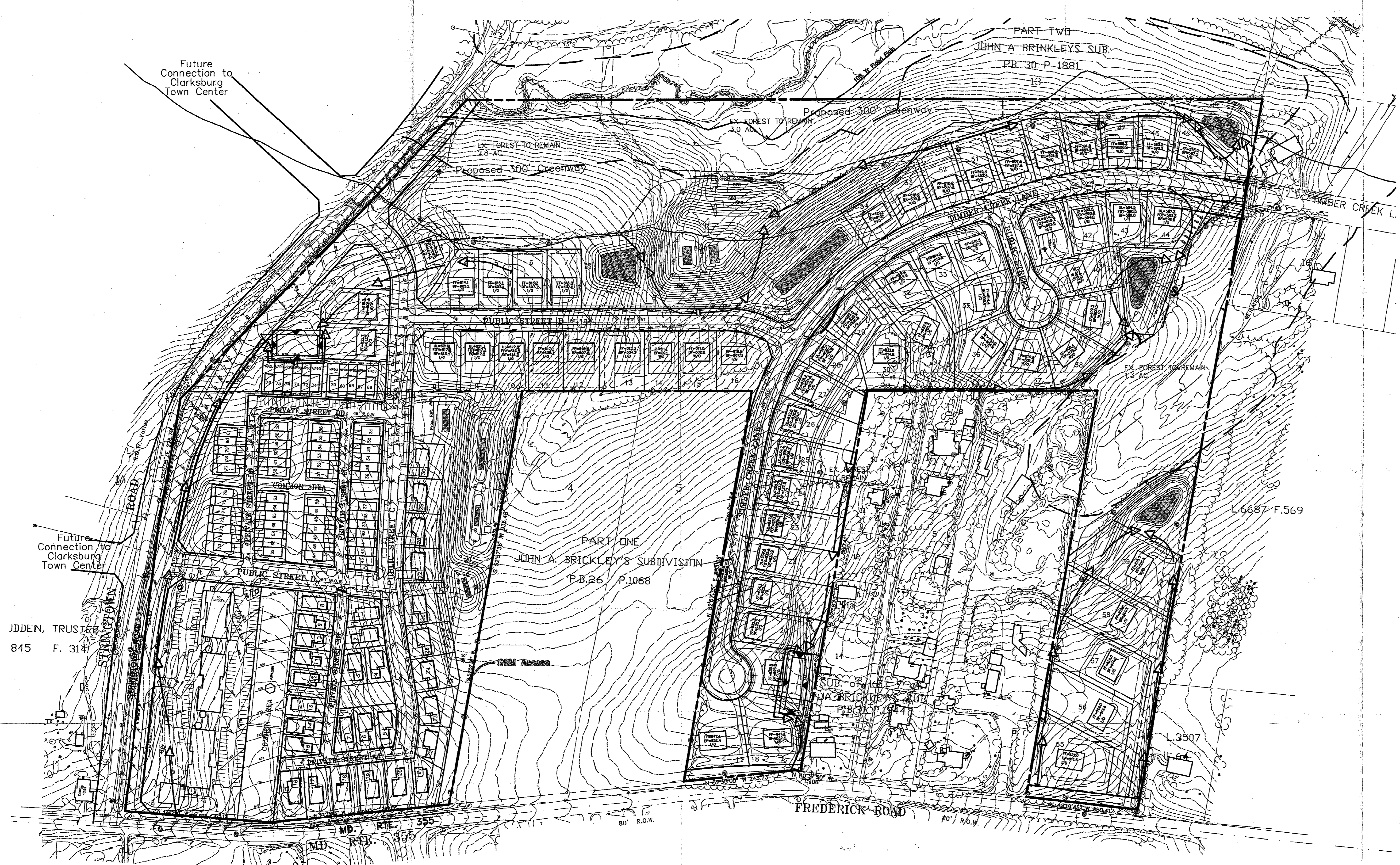
ZONING MAP

SCALE: 1" = 200'

VICINITY MAP
THE HIGHLANDS AT CLARKSBURG
 P.B. 26 P. 1068
 LOTS 1-3
 2ND ELECTION DISTRICT
 MONTGOMERY COUNTY - CLARKSBURG, MARYLAND

	Macris, Hendricks & Glascock, P.A. Engineers • Planners • Surveyors	Designed VSB	Drawn LM
	Suite 120 9220 Wightman Road Gaithersburg, Maryland 20879	Date 7/23/97	Scale AS NOTED
	(301) 670-0840 FAX (301) 948-0693	Job No. 95-307	Sheet 1 of 1

I:\Macris\p01\5630\Drawings\DWG_01 The Jul 31 11:24:08 1997 Copyright 1997-Harris, Hendricks & Glascock, P.A.



VICINITY MAP
SCALE 1" = 2,000'

FOREST CONSERVATION WORKSHEET - RMX-2 (residential)

A. Total area of tract:	12.5 ac.
B. Area within 100 year flood plain:	0.0 ac.
C. Area of land to be used for agriculture:	0.0 ac.
D. Area within WSSC or MCDOT row/easement responsibility:	0.0 ac.
E. Net tract area:	12.5 ac.
F. Land use category:	Residential RMX-2
G. Afforestation threshold:	15% of net tract area = 1.9 ac.
H. Conservation threshold:	20% of net tract area = 2.5 ac.
I. Existing forest cover:	1.7 ac.
J. Forest cover above afforestation threshold:	0.0 ac.
K. Forest cover above conservation threshold:	0.0 ac.

CALCULATION OF BREAK-EVEN POINT

L. Break even point:	NA ac.
M. Forest area to be retained:	0.0 ac.
N. Total area of forest to be cleared:	1.7 ac.

CALCULATION OF AFFORESTATION REQUIREMENT

P. Afforestation requirement:	0.1 ac.
-------------------------------	---------

CALCULATION OF REFORESTATION REQUIREMENT

Q. Area of forest above conservation threshold to be cleared:	0.0 ac.
R. Area of forest below conservation threshold to be cleared:	1.7 ac.
S. Forested area above conservation threshold to be saved:	0.0 ac.
T. Planting required for clearing above threshold:	0.0 ac.
U. Planting required for clearing below threshold:	3.5 ac.
V. Credit for forest saved above conservation threshold:	0.0 ac.
W. Total reforestation requirement:	3.5 ac.

TOTAL PLANTING REQUIREMENT

X. Afforestation and reforestation:	3.6 ac.
Y. Credit for trees and landscaping:	0.0 ac.
Landscaped Areas:	s.f. @ full credit = 0.0 ac. s.f. @ 1/4-credit = 0.0 ac.
Individual/Street Trees:	Full credit 45 trees @ 29 ft.dia.ea. @ 20 yrs. = 0.7 ac. 1/4 credit trees @ ft.dia.ea. @ 20 yrs. = 0.0 ac.
Specimen/Champion Trees	s.f. of C.R.Z. = 0.0 ac.
Z. Total forest planting requirement:	Total credit = 0.7 ac. 2.9 ac.

FOREST CONSERVATION WORKSHEET - RMX-2 (commercial)

A. Total area of tract:	3.6 ac.
B. Area within 100 year flood plain:	0.0 ac.
C. Area of land to be used for agriculture:	0.0 ac.
D. Area within WSSC or MCDOT row/easement responsibility:	0.0 ac.
E. Net tract area:	3.6 ac.
F. Land use category:	commercial RMX-2
G. Afforestation threshold:	15% of net tract area = 0.5 ac.
H. Conservation threshold:	15% of net tract area = 0.5 ac.
I. Existing forest cover:	0.0 ac.
J. Forest cover above afforestation threshold:	0.0 ac.
K. Forest cover above conservation threshold:	0.0 ac.

CALCULATION OF BREAK-EVEN POINT

L. Break even point:	NA ac.
M. Forest area to be retained:	0.0 ac.
N. Total area of forest to be cleared:	0.0 ac.

CALCULATION OF AFFORESTATION REQUIREMENT

P. Afforestation requirement:	0.5 ac.
-------------------------------	---------

CALCULATION OF REFORESTATION REQUIREMENT

Q. Area of forest above conservation threshold to be cleared:	0.0 ac.
R. Area of forest below conservation threshold to be cleared:	0.0 ac.
S. Forested area above conservation threshold to be saved:	0.0 ac.
T. Planting required for clearing above threshold:	0.0 ac.
U. Planting required for clearing below threshold:	0.0 ac.
V. Credit for forest saved above conservation threshold:	0.0 ac.
W. Total reforestation requirement:	0.0 ac.

TOTAL PLANTING REQUIREMENT

X. Afforestation and reforestation:	0.5 ac.
Y. Credit for trees and landscaping:	0.0 ac.
Landscaped Areas:	s.f. @ full credit = 0.0 ac. s.f. @ 1/4-credit = 0.0 ac.
Individual/Street Trees:	Full credit 35 trees @ 29 ft.dia.ea. @ 20 yrs. = 0.5 ac. 1/4 credit trees @ ft.dia.ea. @ 20 yrs. = 0.0 ac.
Specimen/Champion Trees	s.f. of C.R.Z. = 0.0 ac.
Z. Total forest planting requirement:	Total credit = 0.5 ac. 0.0 ac.

FOREST CONSERVATION WORKSHEET -R200 Cluster

A. Total area of tract:	40.4 ac.
B. Area within 100 year flood plain:	0.0 ac.
C. Area of land to be used for agriculture:	0.0 ac.
D. Area within WSSC or MCDOT row/easement responsibility:	39.8 ac.
E. Net tract area:	39.8 ac.
F. Land use category:	15% of Residential Cluster
G. Afforestation threshold:	15% of net tract area = 5.9 ac.
H. Conservation threshold:	20% of net tract area = 7.9 ac.
I. Existing forest cover:	39.8 ac.
J. Forest cover above afforestation threshold:	33.8 ac.
K. Forest cover above conservation threshold:	31.8 ac.

CALCULATION OF BREAK-EVEN POINT

L. Break even point:	14.2 ac.
M. Forest area to be retained:	7.9 ac.
N. Total area of forest to be cleared:	31.8 ac.

CALCULATION OF AFFORESTATION REQUIREMENT

P. Afforestation requirement:	0.0 ac.
-------------------------------	---------

CALCULATION OF REFORESTATION REQUIREMENT

Q. Area of forest above conservation threshold to be cleared:	31.8 ac.
R. Area of forest below conservation threshold to be cleared:	0.0 ac.
S. Forested area above conservation threshold to be saved:	0.0 ac.
T. Planting required for clearing above threshold:	7.9 ac.
U. Planting required for clearing below threshold:	0.0 ac.
V. Credit for forest saved above conservation threshold:	0.0 ac.
W. Total reforestation requirement:	7.9 ac.

TOTAL PLANTING REQUIREMENT

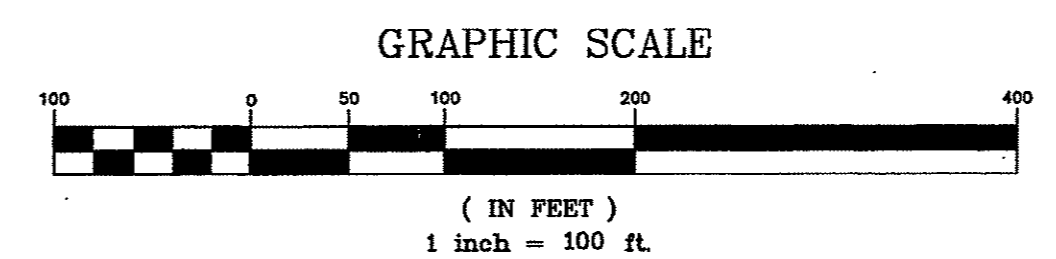
X. Afforestation and reforestation:	7.9 ac.
Y. Credit for trees and landscaping:	0.0 ac.
Landscaped Areas:	s.f. @ full credit = 0.0 ac. s.f. @ 1/4-credit = 0.0 ac.
Individual/Street Trees:	Full credit trees @ ft.dia.ea. @ 20 yrs. = 0.0 ac. 1/4 credit trees @ ft.dia.ea. @ 20 yrs. = 0.0 ac.
Specimen/Champion Trees	s.f. of C.R.Z. = 0.0 ac.
Z. Total forest planting requirement:	Total credit = 7.9 ac.

NOTES:
-Any apparent inconsistency of displayed totals due to value rounding.
-This spreadsheet format reflects the worksheet contained in the Approved Technical Manual, dated September, 1992, by the Montgomery County Planning Department.

NOTES:
-Any apparent inconsistency of displayed totals due to value rounding.
-This spreadsheet format reflects the worksheet contained in the Approved Technical Manual, dated September, 1992, by the Montgomery County Planning Department.
-The remaining 1.7 ac. of reforestation will be met off-site at a location to be determined.

PREPARED FOR
CENTEX HOMES
9007 SHADY GROVE COURT
GAITHERSBURG, MD 20877
PHONE: 301-987-2259
FAX: 301-987-2734
MR. BOB LARKIN

TAX MAP EW WSSC 232 NW 13
PRELIMINARY FOREST CONSERVATION PLAN
HIGHLANDS AT CLARKSBURG
BRICKLEYS SUBDIVISION
LOTS 1-3, 6, 9-12 PB.26 P.#
2ND ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

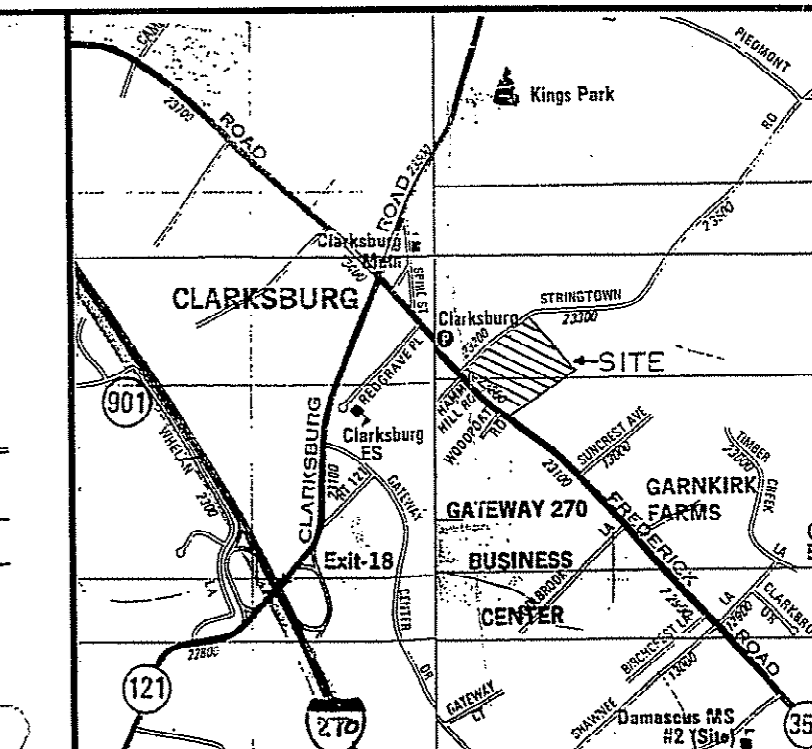


NO.	DATE	DESCRIPTION	BY

Macris, Hendricks & Glascock, P.A.
Engineers • Planners • Surveyors
(301) 670-0840 Suite 120
FAX (301) 948-0693 9220 Wightman Road
WWW.MHGA.COM Montgomery Village, Maryland
20856-1279

Designed VSB	Drawn VSB
Date 11.17.00	Scale 1"=100'
Job No. 95-307	Sheet 1 of 1

PIEDMONT LAND ASSOCIATES LIMITED PARTNERSHIP
L. 8825 F. 755



VICINITY MAP
SCALE 1"=200'
COPYRIGHT 1994 BY ADC OF ALEXANDRIA, INC.
PERMITTED USE NO. 20102133

- NATURAL RESOURCE INVENTORY / FOREST STAND DELINEATION NOTES
1. SITE AREA = 16.1 ACRES.
 2. TOPOGRAPHY TAKEN FROM AERIAL SURVEY PLANNED ON FEBRUARY 17, 1995 BY FORDHAM AERIAL SURVEYS OF ROCKVILLE, MARYLAND.
 3. BOUNDARY LOCATION FROM SURVEY PERFORMED BY THIS OFFICE ON FEBRUARY 29, 1995.
 4. SOILS ON-SITE CONSIST OF BRINKLOW-BLOCKTOWN CHANNERY SILT LOAMS (HAPPING UNITS 16B, 16C, & 16D) ACCORDING TO SHEET 7 OF THE SOIL SURVEY FOR MONTGOMERY COUNTY, MARYLAND (INTERIM REPORT DATED APRIL 1990).
 5. PROPERTY IS ZONED RMC-2 (RESIDENTIAL - MIXED USE DEVELOPMENT - SPECIALTY CENTER).
 6. THE SITE DRAINS TO AN UNNAMED TRIBUTARY OF LITTLE SENECA CREEK IN THE POTOMAC RIVER WATERSHED. THIS STATE OF MARYLAND HAS DESIGNATED THIS PORTION OF THE WATERSHED AS CLASS IV WATERS.
 7. THERE ARE NO SWEPS, SPRINGS, STREAMS, WETLANDS, FLOODPLAINS, STREAM VALLEY BUFFERS, OR STEEP SLOPES ON-SITE.
 8. FOREST AREA ON-SITE = 1.74 ACRES. STAND NO. 1 IS A 0.66 ACRE WOODED AREA THAT HAS GROWN UP AROUND THE FOUNDATIONS OF AN OLD FARMSTEAD. TREES OF HEAVEN (AILANTHUS ALTISSIMUS) IS AN INVASIVE/EXOTIC TREE THAT DOMINATES THE STAND. STAND NO. 2 IS A 0.82 ACRE EARLY SERIAL WOODLAND DOMINATED BY RED MAPLE (ACER RUBRUM) LOCATED IN THE NORTHERN PORTION OF THE SITE. STAND NO. 3 IS A 0.26 ACRE SPARSELY WOODED BLACK LOCUST (ROBINIA PSEUDOACACIA) COMMUNITY LOCATED AT THE EASTERN MOST CORNER OF THE PROPERTY. FOR SPECIFIC INFORMATION AND SAMPLING DATA SEE SITE MAPSHEET 2.
 9. AN APPARENT CISTERN AND QUARTZ STONE AND MORTAR FOUNDATIONS OF A BARN, SILO, AND OUT BUILDING ARE PRESENT ON-SITE BUT ARE NOT LISTED BY THE MDCR/PC IN THE MASTER PLAN FOR HISTORIC PRESERVATION.
 10. ALL INDIVIDUAL TREE LOCATIONS ARE APPROXIMATE. INDIVIDUAL TREES TO BE SAVED SHOULD BE LOCATED BY SURVEYORS WHEN GRADING IS TO OCCUR WITHIN 50 FEET OF LOCATION SHOWN. THERE ARE NO SPECIMEN TREES PRESENT ON-SITE.
 11. FIELD WORK FOR THIS INVENTORY WAS CONDUCTED 6/13/95.
 12. A 1% APPROPRIATION THRESHOLD AND 12 TO 20% CONSERVATION THRESHOLD WILL APPLY TO THIS SITE. RESIDENTIAL AND INSTITUTIONAL PORTIONS OF THE TRACT MUST MEET THE 20% CONSERVATION REQUIREMENT.
 13. THIS PLAN EXPIRES 2 YEARS FROM THE DATE OF MDCR/PC APPROVAL.

- KEY
- TREE
 - FOREST BOUNDARY
 - SOIL BOUNDARY
 - ⊙ TREE SAMPLE POINT

SOILS KEY

16B - Brinklow-Blocktown channery silt loams (Hydrologic Soil Group B/C/D) 3 to 8% slopes
16C - Brinklow-Blocktown channery silt loams (Hydrologic Soil Group B/C/D) 8 to 18% slopes
16D - Brinklow-Blocktown channery silt loams (Hydrologic Soil Group C/D) 15 to 25% slopes, very rocky

SPECIMEN & SIGNIFICANT TREES

ID	COMMON NAME	HEIGHT	BOTANICAL NAME	CONDITION/REMARKS
1.	Black cherry	13"-14"-15"	Prunus serotina	Fair - Virginia Creeper Vine & weak sprawling form.
2.	Black Locust	24"	Robinia pseudoacacia	Very Poor - Mostly dead; 14' height.
3.	Black Locust	17.5"	Robinia pseudoacacia	Fair - Fungus & dead branches.
4.	Black Locust	16"	Robinia pseudoacacia	Poor - Dead branches; small canopy.
5.	Ailanthus	22"	Ailanthus altissima	Dead - Fungus at base.
6.	Black Locust	25"	Robinia pseudoacacia	Fair - Fungus & small canopy.
7.	Red Maple	7"-12"-13"-13"	Acer rubrum	Good

Notes: Diameters are given for each trunk of multiple trunked trees when truncation occurs below 4.5 feet. If major truncation occurs above 4.5 feet only the trunk diameter at 4.5 feet is given. All tree locations are approximate.

NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

APPROVED
DATE: JUNE 19, 1995
SIGNATURE: J. D. Sievers
JOHN DOUGLAS SIEVERS
RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD DEPT. OF NATURAL RESOURCES

TAX MAP EW
NATURAL RESOURCE INVENTORY / FOREST STAND DELINEATION MAP
HIGHLANDS AT CLARKSBURG
PB. 26 P. 1068
LOTS 1-3
CLARKSBURG
2ND ELECTION DISTRICT MONTGOMERY COUNTY, MARYLAND

Macris, Hendricks and Glascock, P.A.
Engineers • Planners • Surveyors
9220 Wightman Road
Gaithersburg, Maryland 20879
(301) 670-0840

TOTAL FOREST AREA ON-SITE = 1.74 ACRES

KEY

- DRAINAGE DIVIDE
- ▨ SLOPES 8% TO 15%
- ▨ SLOPES 15% TO 25%
- ▨ SLOPES ≥ 25%

OWNER/APPLICANT
BONUS INVESTMENT REALTY CORPORATION
574 MILLWOOD LAURE
GREAT FALLS, VIRGINIA, 22066
PHONE: (703) 757-2242
FAX: (703) 757-2243

REVISION: ADDED 0.2 ACRE FOREST AREA ALONG OLD ENTRANCE FROM RTE. 355 AS REQUESTED BY MDCR/PC 7/31/95.
2. ADDED DRAINAGE DIVIDE & SLOPE RANGES AS REQUESTED BY MDCR/PC FOR SPECIAL PROTECTION AREA PRE-APPLICATION MEETING) 10/30/95.
ADDED EXISTING OBSERVATION WELL 3/8/00



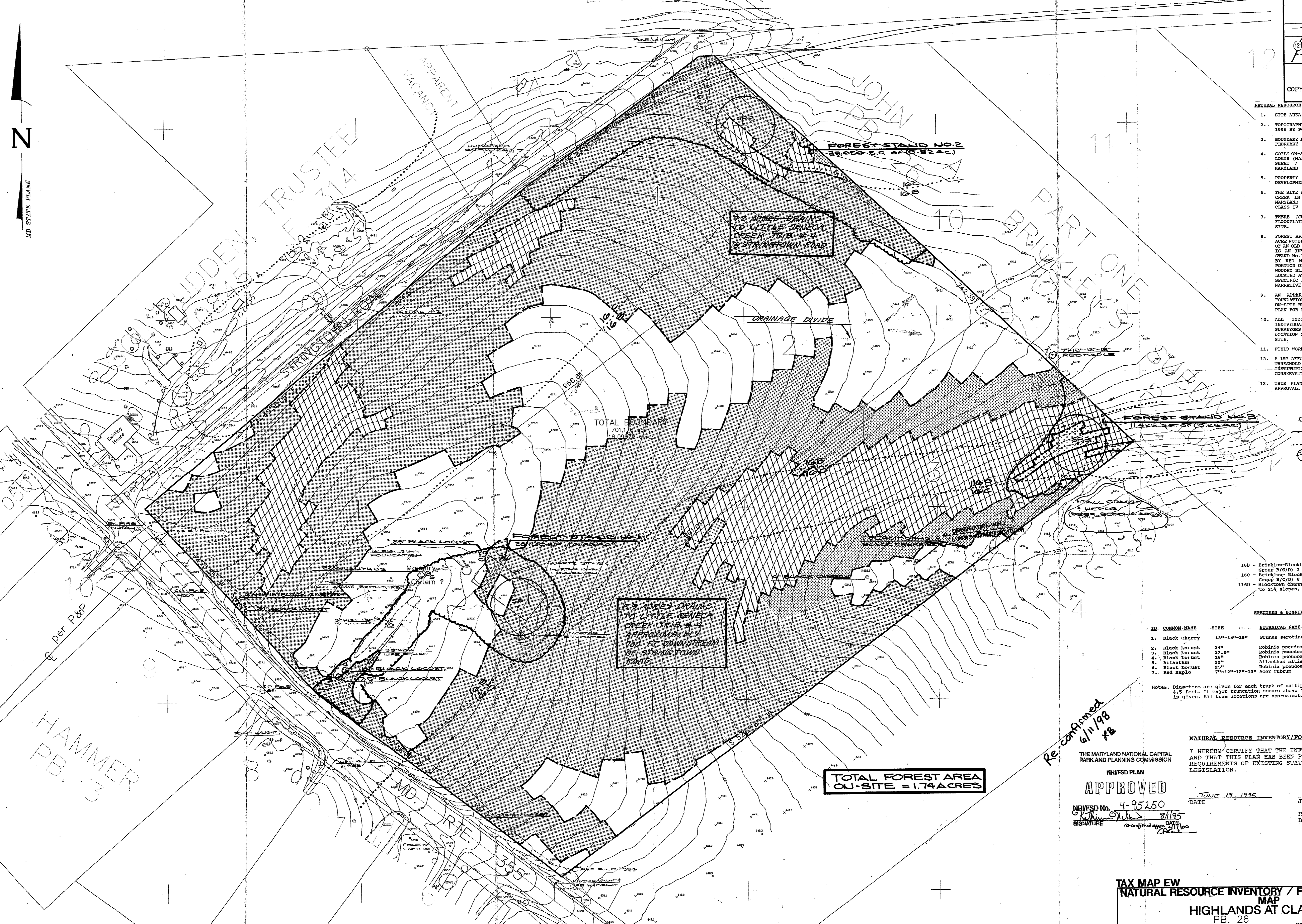
HAMMER
PB. 13

BLIDDEN, TRUSTEE
L. 7314

BRIAR PART ONE
SUBDIVISION

R.D. HOFFMAN
L. 3980 F. 0510

HILL
P. 289





DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

Robert C. Hubbard
Director

September 1, 1998

Mr. Steve Wilde
Macris, Hendicks, & Glascock
9220 Wightman Road, Suite 120
Gaithersburg, MD 20879-1226

Re: **Preliminary Water Quality Plan** for Highlands
at Clarksburg
Preliminary Plan #: 1-98009
SM File #: 1-98009
Tract Size/Zone: 16 Ac/RMX-2
Total Concept Area: 16 Ac
Tax Plate: EW
Montg. Co. Grid: 9, D-4
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Mr. Wilde:

Based on a review by the Department of Permitting Services Review Staff, the Preliminary Water Quality Plan (PWQP) for the above mentioned site is **conditionally** approved.

Site Description: The site is located on the South East quadrant of the Frederick Road (MD Route 355) and Stringtown Road. The proposed development includes commercial and office uses, along with single family and townhouse residential areas. The site is 16 acres in size and zoned RMX-2.

Stormwater Management: Water quantity control will be provided within a wetland/detention pond. The one and 2-year storm event will be controlled to predeveloped rates. The one year storm is controlled due to the lack of a continuous channel to the main stream. these requirements preclude an analysis of a bankfull discharge, which was agreed upon at the pre-application meeting. Water quality will be provided in a redundant "treatment train" consisting of water quality flow splitting, sand filters, wetland detention, and 12-hour extended detention.

Sediment Control: The sediment control concept utilizes the main pond and two separate rip-rap traps to provide the sediment control for this site. Phased grading, forebays, and redundancy will be utilized for controlling sediment during construction.

Performance Goals and Monitoring: The monitoring specifics have not yet been finalized and are being deferred until the Final Water Quality Plan (FWQP). The monitoring requirements were determined at the pre-application meeting. They are as follows:

1. Before development: Groundwater levels will be monitored one year prior to construction.
2. During construction: Monitor the inflow and outflow of one sediment trap.

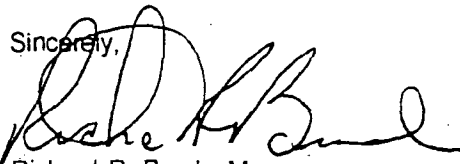
3. After development: The inflow and outflow of all the devices in a single typical "treatment train" will be monitored.

Conditions of Approval: The following items must be addressed during the submittal of the FWQP. This list may not be all inclusive and is based on the information provided with this submittal.

1. Dry wells proposed for the rear of lots 46 through 61 are not feasible. The main concern is the difficulty in maintenance and inspection with easements located on each private lot. Therefore, investigate locating a centralized facility within the open spaces at the northeast portion of the site. Additional soils testing may be necessary to determine the feasibility of infiltration. Should the above be proven infeasible, then further investigate the feasibility of piping runoff to the pond, or providing a sand filter.
2. Provide water quality pretreatment for the commercial area. Infiltration is to be the priority. Existing soil borings do not reflect this entire area. Therefore, additional soil borings should be obtained. If infiltration is proven infeasible, then provide a water quality inlet for pretreatment.
3. Provide a water quality treatment scheme for any improvements to Stringtown Road and MD Route 355 required of the developer of this site.
4. Provide forebays for redundant sediment control treatment.
5. Provide a plan to phase the grading of the site.
6. Provide an earthen level spreader at the outfall to the pond.

Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

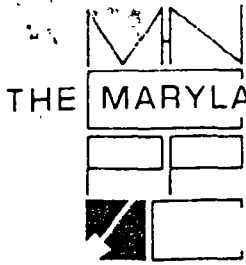
If you have any questions regarding these actions, please feel free to contact Blair Lough at (301)217-6314.

Sincerely,

Richard R. Brush, Manager
Division of Land Development Services
Water Resources Section

RRB:enm:CN198009

cc: L. Bachle
S. Federline
J. Davis †
L. Galanko
SM File # 1-98083
SM Log # 98-188

Date of Mailing: October 19, 1999



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

**MONTGOMERY COUNTY PLANNING BOARD
OPINION**

Project Plan No. 9-98001
Project Name: Highlands at Clarksburg
Date of Hearing: July 1, 1999

*Action: **APPROVAL SUBJECT TO CONDITIONS:** (Motion was made by Commissioner Richardson; seconded by Commissioner Perdue; with a vote of 3-0; Commissioners Hussmann, Richardson and Perdue voting in favor of the Motion; Commissioners Holmes and Bryant were necessarily absent).*

The date of this written opinion is October 19, 1999, (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 November 19, 1999 (which is thirty days from the date of this written opinion).

INTRODUCTION

On July 1, 1999, the Montgomery County Planning Board ("Board") held a public hearing to consider a Project Plan Application No. 9-98001 ("Application") and a Preliminary Plan of Subdivision Application No. 1-98009. The Application was filed by F&H Limited Partnership, and Bowis Investment Realty Corporation (collectively "Applicant") pursuant to Montgomery County Code ("Code"), Chapter 59 ("Zoning Ordinance"), Division 59-D-2. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the Application, including, but not limited to, the Application materials, the Certificate of Posting, the Commission's Development Review Division Staff Report dated June 17, 1999 ("Staff Report"), the Commission's Transportation Planning Division Memorandum dated June 15, 1999, the testimony of Applicant and its representatives, and the 1994 Approved and Adopted Clarksburg Master Plan.

The public hearing on this Application was consolidated with the public hearing on the Preliminary Plan application. This Opinion is for the Project Plan Application only, and the Board will issue a separate opinion approving the Preliminary Plan application. The

Exhibit "A"

findings and conclusions of the Board in the Preliminary Plan opinion are adopted and incorporated herein by reference.

THE SUBJECT PROPERTY

The Subject Property encompasses approximately 16 acres at the southeast corner of the intersection of Frederick Road and Stringtown Road in Clarksburg, Maryland. The Property is zoned RMX-2, and is generally bounded by Frederick Road to the southwest, Stringtown Road, the Clarksburg Historic District, and the proposed Clarksburg Town center property to the northwest, and farmland and wooded areas, zoned R-200, to the south and east. A former farmstead is centrally located on the Property.

The site is located within the Clarksburg Special Protection Area for the Little Seneca Creek Watershed. Applicant submitted a preliminary water quality plan, which meets all requirements of Chapter 19, Article V of the Code. There are no existing on-site streams, swales, wetlands or other hydrologic features on the Property. The forested area on-site is 1.54 acres, and there are no mature forest or specimen trees on the Property.

THE PROJECT PLAN APPLICATION

The Application proposes to redevelop the Property to accommodate a mixed-use, optional method development project. The plan for Highlands at Clarksburg is a 75 unit planned community adjacent to historic Clarksburg and the proposed Clarksburg Town Center. The proposed dwelling units consist of three varieties: 20 single family detached with attached garages, 30 single family attached, and 8 condominiums. The residential component (12.5 acres) is proposed to have a density of 6.3 du/acre and a green area of 70%. The commercial portion of the project is planned to operate within three buildings, and building use is proposed to consist of general office (18,590 square feet), retail (12,870 square feet), and 8 residential condominiums. One of the office/retail buildings is proposed at the intersection of MD-355 and Stringtown Road.

The Project includes many public amenities including a wall, historic architecture, a play area, several outdoor seating areas, landscape features, and upgraded streetscapes with special paving, landscaping and terracing. The architectural details for the commercial buildings within the project will resurrect a rural agricultural appearance utilizing barn-like roofs and stair towers that resemble silos. The Commons, the focal point of the project, incorporates many of the amenities of the Project, including a pavilion for concerts, tiered gardens, and special planting areas, and will provide a forum for civic functions and passive and active recreation. The Commons will also act as a visual buffer between the commercial and residential buildings. The boundary of the Commons will be defined by

~~a tree-lined walk with trees spaced 35' on center along an 8' wide sidewalk with special~~
~~parking spaces. Seating areas spaced along the walk will provide for passive~~
~~recreation. The trees and walk will define the edges of the lawn panel that can be used~~
for recreational uses such as soccer, kite flying or frisbee, or may be used for civic
functions such as festivals, picnics or fairs.

Separately from the amenities, the project will provide recreation areas for the residents. The recreational facilities for this project were designed to take full advantage of existing off-site recreational facilities while providing on-site amenities that will meet the everyday recreational needs of the residents. An all-ages play area, separate from but adjacent to the Commons will focus on activities for tots and adolescent children. Multiple play structures appropriate for a variety of age groups will provide for muscular and coordination type activities. A horticultural play area designed to stimulate the senses will provide for less structured play. In addition to these major play themes, seating, a picnic area, an open lawn and shade will be provided.

Access to the community will be via separate entrances on Stringtown Road and Maryland Route 355. These two entrances meet in the center of the community. The street layout is a series of through streets and alleys to re-create the feel of a small town while allowing for topography and program restraints. ~~In order to maintain the existing character~~
~~along Maryland Route 355, some residential structures have been oriented to address the~~
~~road. However, spacing requirements and sight visibility along Maryland Route 355 is~~
insufficient to allow for individual access to the proposed residential units, thus internal
access points are to be used. ~~The hierarchy of the roads is enhanced and reinforced by~~
~~the proximity of the buildings to the roadway. Narrow drive lanes, tight radii, parallel~~
parking, and driveways are integrated into the streetscape to reduce vehicular speeds and
make the street a more pedestrian friendly environment.

Creating a human scale streetscape to encourage pedestrian movement was a primary objective of the planning process. ~~To achieve a safe, inviting, pedestrian~~
~~environment, several techniques were used. Tree-lined streets with the trees placed~~
~~between the pedestrian and the vehicle to afford pedestrian safety and a sense of scale.~~
~~Location of buildings forward along the front of the property line, closer to the road, creates~~
~~an intimate scale that allows for interaction between pedestrians. Roads are laid out with~~
~~on-street parking and tight radii to reduce vehicle speeds. All amenities will be accessible~~
~~via sidewalks from all commercial and residential buildings. Connection points to the~~
~~hiker/biker trail from Highlands at Clarksburg will be provided at the intersection of MD 355~~
~~and Stringtown Road, and Public Street B and Stringtown Road. The hiker/biker trail,~~
which will parallel Stringtown Road on the northern side, will provide access to off-site
amenities such as area parks and the proposed greenway. In addition to providing

~~Residents with access to the surrounding Clarksburg area, on-site area residents can gain access to the public amenities, shops, and services offered at Highlands of Clarksburg via the hiker/biker trail further reducing auto dependency for the local area.~~

~~Storm Water Management and additional structures required to meet the special protection area regulations for the site are located along the south eastern boundary of the site. The site is~~ currently designated in water services category 1 and sewer service category 4 with advancement to sewer service category 3 pending Preliminary Plan of Subdivision approval.

PLANNING BOARD REVIEW

An application for project plan review requires the Planning Board to undertake its legislatively delegated authority under the Regional District Act and the Zoning Ordinance. The provisions for project plan approval are contained in Division 59-D of the Zoning Ordinance. Section 59-D-2.4 provides the procedure for action by the Planning Board. After presentation of the plan to the Planning Board, the Planning Board must act, within thirty days after the close of the record, to approve the plan, disapprove the plan, or approve the plan subject to modifications and necessary to bring the plan into accordance with the Code and all other applicable regulations.

When deliberating on an Application, the Planning Board must consider the factors contained in the Zoning Ordinance in Section 59-D-2.43 (Basis for consideration). Additionally, in order to approve a project plan application, the Planning Board must make the findings required by Section 59-D-2.42 (Findings required for approval).

At the public hearing, Staff presented information to the Planning Board on the Application, including a Staff Report which discussed the proposed Application, the requirements of the Zoning Ordinance, and the Application's conformance to the requirements of the Zoning Ordinance. In addition, the Applicant and its representatives testified on the Application, and as to its conformance to the requirements of the Zoning Ordinance.

Construction of Stringtown Road

As part of its recommendations on the Preliminary and Project Plan applications, Staff recommended that the proposed development be conditioned upon the dedication

and construction of two lanes of A260 (Stringtown Road) north of the existing two lanes.¹

At the public hearing, Applicant objected to the proposed condition - as to construction only - based on Section 50-24(b) of the Subdivision Regulations. Section 50-24(b) states, in part, that an applicant must construct "reasonable improvements to the road in front of such lots as necessary to serve the needs of such subdivision for access and traffic." Citing its traffic studies, and the provisions of the FY99 Annual Growth Policy ("AGP") regarding Pay-and-Go and DAP, Applicant argued that their project meets all Preliminary Plan and subdivision requirements, even without the construction of the two additional lanes of Stringtown Road.

In response to the Applicant's objection, Staff informed the Board that Stringtown Road provides access to the property, and that the requirement to construct is only for that portion of Stringtown Road which fronts the Property. Additionally, Staff stated that the Master Plan identifies Stringtown Road (A-260) as a four-lane divided arterial highway, and that there are currently only two-lanes constructed. Further, Staff reminded the Board that it is the Board's policy to require applicants to construct frontage roads in accordance with the relevant master plan's recommendations. Finally, Staff informed the Board that all subdivision approvals for property along Stringtown Road will require applicants to construct the additional two lanes along the frontage of their property, and that, in fact, the properties on the other side of Md 355 already have the requirement to construct these additional lanes as a condition of their subdivision approval.

PLANNING BOARD CONSIDERATIONS

In accordance with Section 59-D-2.43 of the Zoning Ordinance, in reaching its determination on the Application, and in making the required findings in Section 59-D-2.42, the Planning Board considers the following:

- (a) **The nature of the proposed site and development, including its size and shape, and the proposed size, shape, height, arrangement and design of structures.**

The Planning Board finds that the configuration of the lot, a square, creates a useable site with which to arrange the variety of land uses as proposed. The topography within the site and its relation to the adjoining roads presents more of

¹ Staff's proposed Project Plan Condition No. 3 states that Applicant must dedicate and construct the northern two lanes and the median and associated landscaping of Stringtown Road along the frontage of the subject property.

a development challenge. ~~The proposed commercial, retail and residential structures along Stringtown Road rise above the street and stack different land uses vertically to successfully transition to the elevation of the surrounding residential areas. The housing was sited to respect the surrounding views which includes the orientation of buildings to face the street. Townhouses were sited to be able to develop rear yard garages. The location of the SWM structures are sited away from public view at the site's lowest elevation to the south.~~

- (b) **Whether the open spaces, including developed open space, are of such size and location as to serve as convenient areas for recreation, relaxation and social activities for the residents and patrons of the development and are so planned, designed and situated as to function as necessary physical and aesthetic open areas among and between individual structures and groups of structures, and whether the setbacks, yards and related walkways are so located and of sufficient dimensions to provide for adequate light, air, pedestrian circulation and necessary vehicular access.**

~~The Commons, an open space amenity, is centrally located and will have convenient access from the adjoining residential and commercial uses alike. The Board finds that the proposed layout for the project includes sufficient area for sidewalks located within the public right-of-way and within the Commons or the commercial areas. The buildings, although located to provide great efficiency in density, also provide for adequate space for vehicular access to each unit and sufficient front and rear yards.~~

- (c) **Whether the vehicular circulation system, including access and off-street parking and loading, is so designed as to provide an efficient, safe and convenient transportation system.**

~~The vehicular system is patterned in a grid which provides for quick direct access to the individual units and commercial area. The entry from MD Route 355 requires reducing the height of an existing hill where the entry to this project is located. The proposed entry to Stringtown Road will align with the entry to the proposed Ruddin property on the north side. Parking is provided for the retail/office portion of the site at grade at each level and within the residential areas on each lot and within on street parking areas.~~

Regarding Applicant's objection to the requirement to construct two additional lanes of Stringtown Road, the Planning Board further finds that the requirement to construct the road and associated improvements is necessary for the Planning Board to make this finding.

The Board finds that the Clarksburg Master Plan designates Stringtown Road as an four-lane divided arterial highway which is to be constructed from I-270 (west of the Subject Property) to A-305 (east of the Subject Property). The Board further finds that only two lanes of Stringtown Road are currently constructed along the frontage of the Subject Property. If Applicant is not required to construct these two additional lanes, the vehicular circulation system within that area would be incompatible and fragmented, especially given that properties on the other side of Md 355 already have the requirement to construct these additional lanes as a condition of their subdivision approval.

- (d) **Whether the pedestrian circulation system is so located, designed and of sufficient size as to conveniently handle pedestrian traffic efficiently and without congestion; the extent to which the pedestrian circulation system is separated from vehicular roadways so as to be safe, pleasing and efficient for movement of pedestrians; and whether the pedestrian circulation system provides efficient, convenient and adequate linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities.**

~~The Planning Board finds that the pedestrian system will provide sidewalks along the two surrounding roadways and adjoining each street within the project, and that this will create a continuous pedestrian system, sized to allow resident connections to the commercial areas on and off site. Larger pedestrian areas are proposed within the commercial area to accommodate the higher density of users. Connections to the recreational area and the Commons, are also provided.~~

- (e) **The adequacy of landscaping, screening, parking and loading areas, service areas, lighting and signs, with relation to the type of use and neighborhood.**

~~The Planning Board finds that the layout of units allows for adequate space to provide landscape buffers towards the outer streets and adjoining lots. Parking areas for the commercial uses are located at two levels immediately next to the properties they serve. Parking spaces, in general, are disbursed evenly throughout the project for both commercial and residential areas. Buffering views of the project is achieved by distance and plantings along the southern and eastern boundaries.~~

- (f) **The adequacy of the provisions for the construction of moderately priced dwelling units in accordance with chapter 25A of this Code if applicable.**

The project tentatively proposes 12.5% MPDUs of the total 75 units proposed. The final number of MPDUs are approved by the Planning Board at the time of site plan

approval. The MPDUs are multi-family units located above the commercial uses and will be close to the services, future transit connections and amenities proposed for the site.

(g) The staging program and schedule of development.

The applicant proposes to build the residential portion of the project when traffic capacity is available and complete the commercial portions when there is a demand in the real estate market. Amenities will be phased in with the site development.

(h) The adequacy of forest conservation measures proposed to meet any requirements under Chapter 22A.

The proposed Forest Conservation Plan is under review and will be finalized with the future site plan. At this time, the applicant's obligation is to plant 3.1 acres of off-site reforestation.

(i) The adequacy of water resource protection measures proposed to meet any requirements under Chapter 19."

The proposed project plan is within the Clarksburg Special Protection Area and will require the Planning Board's approval of a Final Water Quality Plan at the time of Site Plan review. The Applicant has received a waiver from MCDPS from the requirement to use the open section roads and is permitted to use closed section streets on site due to the density of the site. MCDPS, when it issued the waiver, indicated that open section streets will be required for Stringtown Road.

PLANNING BOARD FINDINGS

In accordance with Section 59-D-2.42 of the Zoning Ordinance, in reaching its determination on the Application, and after consideration of the foregoing basis, the Planning Board makes the following findings:

(a) It would comply with all of the intents and requirements of the zone.

Section 59-C-10.3.1 of the Zoning Ordinance identifies the intent of the optional method of development in residential mixed-use zones, and states, in part, the following:

This optional method of development accommodates mixed use development comprised of planned retail centers and residential uses

at appropriate locations in the County. This method of development is a means to encourage development in accordance with the recommendations and guidelines of approved and adopted master plans.

Approval of this optional method of development is dependent upon the provision of certain public facilities and amenities by the developer. The requirement for public facilities and amenities is essential to support the mixture of uses at the increased densities of development allowed in this zone.

~~This development meets the intent of the optional method by presenting a mixture of retail, office, and residential uses at the intersection of Stringtown Road and MD 355, within an intensity that is in accordance with the approved 1994 Clarksburg Master Plan. The proposed development for Highlands at Clarksburg conforms with this recommendation and with the recommendations concerning character, open space, use, and density.~~

The Planning Board also finds that this development would provide public facilities and amenities in accordance with the Master Plan. ~~The amenities provided include a commons, architecture with a rural theme, green space setbacks to allow buildings to face the exterior streets, and a mixed use center that creates an appropriate gateway to the Clarksburg Historic District.~~

Additionally, the Planning Board finds that the proposed plan for Highlands at Clarksburg is in conformance with the standards of the RMX-2 Zone. The development standards are found both in the Zoning Ordinance and the Master Plan. Below is reproduced the Development Table from the Staff Report displaying the plans conformance with the development standards, which the Planning Board approved and adopts herein.

DEVELOPMENT DATA TABLE (CONTINUED)

- from Frederick & Stringtown Roads:

Commercial buildings:	0 ft. min. (Code)	25 ft.
	0 ft. min. (M.P.)	
Residential buildings:	0 ft. min. (Code)	70 ft.
	0 ft. min. (M.P.)	

(b) It would conform to the approved and adopted sector plan or an urban renewal plan approved under Chapter 56.

The Planning Board finds that the plan is in conformance with the Approved and Adopted Clarksburg Master Plan. The prime objective of the plan is to create a transit- and pedestrian-oriented community compatible with the character of the surrounding area. Through the use of innovative planning techniques and the optional method of development, Highlands at Clarksburg is a transit- and pedestrian-oriented community clustered among similar communities surrounded by open space.

The subject property is located in the Clarksburg Town Center District. At the time of the adoption of the 1994 Master Plan, ~~the property was zoned for high density apartments and neighborhood commercial.~~ Based on the Master Plan recommendations, the zoning was changed at the time of Sectional Map Amendment to RMX to promote an integrated mix of uses at a lower density.

The Master Plan contains policy points, each a critical planning issue for the development of Clarksburg, and land use recommendations for the Property. The Highlands at Clarksburg addresses and conforms with each of the policy points, and land use recommendations, as follows:

1. Master Plan Policy Statements

Town Scale of Development - *"This plan envisions Clarksburg as a town, at a larger scale than proposed in 1968 Clarksburg Master Plan but smaller than a corridor city such as Germantown."*

The project is seeking a reduction in the minimum setback for one-family residential zoning from one hundred feet to fifty feet for a small portion of the common property line. Most (88%) of the boundary adjoining R-200 zoned property meets or exceeds the standard 100 foot setback with an average setback of 200 feet. The effects of the reduced setback will be minimized by the planting of and protection of trees along the property lines. The Planning Board therefore approves a reduction in the setback as detailed in the Application.

~~The Highlands at Clarksburg has a density of 6.0 du/ac which is within the master plan proposed density of 5.7 du/ac.~~ The plan includes residential, commercial and office uses. There are three types of housing planned for the Property - single family detached, single family attached, and multifamily - assuring a mix of households and incomes.

Natural Environment - *"This plan recommends that Clarksburg's natural features, particularly stream valleys, be protected and recommends that Ten Mile Creek and Little Seneca Creek be afforded special protection as development proceeds."*

Although no stream valleys, springs, seeps or wetlands exist on site, ~~special considerations in the development and planning of the stormwater management facilities was taken.~~ ~~The facility will meet the stringent requirements for water quality that are afforded to special protection areas.~~ The use of vegetation in the stormwater management facilities in addition to the requirements is also proposed.

Greenway- Network - *"This plan recommends a multi-purpose greenway system along stream valleys."*

~~An eight-foot wide hiker/biker trail will be installed along the northern side of Stringtown Road. The trail will be integral to connecting the area around the intersection of MD Route 355 and Stringtown Road with the proposed greenways. The project will connect to the hiker/biker trail along Stringtown Road. A Class III Bikeway will also be provided along the eastern side of MD 355 and will connect into the above mentioned hiker/biker trail.~~

Transit System - *"This plan proposes a comprehensive transit system that will reduce dependence on the automobile."*

The master plan identifies bus routes and bikeways along highways as two alternative transit systems which will service the site. ~~A Class III bike path paralleling the site's boundaries along the northern side of Stringtown Road and MD Route 355 shall be implemented as part of this project.~~ According to the Master Plan, bus routes shall service both Stringtown Road and MD Route 355, and shall connect to the through-transit systems. Thus allowing residents of Highlands at Clarksburg access via public transportation to the Clarksburg Town Center and to more distant destinations such as the District of Columbia, Silver Spring, Frederick, etc.

Hierarchy of Roads & Streets - *"This plan proposes a street network which clearly differentiates between highways needed to accommodate regional through traffic and roads which provide sub-regional and local access."*

The hierarchy of streets on-site are established through the use of street trees, sidewalks widths, and building setbacks. The greater the building setbacks and wider the sidewalks, the higher the classification of street. Interconnecting streets with sidewalks paralleling the street on both sides will increase pedestrian mobility within the community. Street trees and on street parallel parking will buffer the pedestrian from vehicular traffic.

Transit- and pedestrian-oriented neighborhoods - *"This plan clusters development into a series of transit- and pedestrian-oriented neighborhoods."*

~~The project includes a mix of retail, office, single family and multi-family uses all clustered within a fifteen acre site. The proximity and density of the various use encourages pedestrian travel and increases the potential for nearby employment. Retail and multi-family uses will occupy the same building providing residents easy access to goods and services. Streets interconnect to create a network of sidewalks which will aid pedestrian mobility throughout the community. The proposed network of sidewalks will also connect into off-site sidewalks and trails providing access to the town center future transit areas and other off-site amenities.~~

Employment - *"Additional limited employment uses are recommended at transit stops, at the town center and in neighborhoods as part of a mixed-use land use pattern..."*

~~The project incorporates office and retail within two blocks of all proposed housing.~~

Staging - *"This plan recommends that development be staged to address fiscal concerns and to be responsive to community building and environmental protection objectives."*

~~The property is located in Stage 2 of the Clarksburg Master Plan, now underway. The proposed development will be serviced public sewer and water.~~

2. Master Plan Land Use Recommendations

The site falls along the northern boundary of the transit corridor district (990 acres). The land use plan recommends a density of 5-7 du/ac which the project meets with 6.0 du/ac. The Master Plan also recommends maintaining a residential character and a sense of community for this property. The Planning Board finds that the Application meets these objectives by fronting the residential facades along MD Route 355, thus continuing the residential character of the approach to Historic Clarksburg. Additionally, the Application proposes to face the commercial buildings toward Stringtown Road and its intersection with MD Route 355 create a transition to the greater densities of the town center.

(A) Construction of Stringtown Road

Regarding Applicant's objection to the requirement to construct two additional lanes of Stringtown Road, the Planning Board further finds that the requirement to construct the road and associated improvements is necessary to meet the requirements of the Zoning Ordinance.

As part of project plan approval, this section requires the Planning Board to find that a project plan "conform[s] to the approved and adopted [master] plan" prior to approving the plan. The 1994 Approved and Adopted Master Plan for Clarksburg is a guide to development of highways, transit routes, and bikeways/pathways to support future development. The intent of the Plan is to provide an extensive network of interconnected streets to provide local access within neighborhoods. It is also designed to develop an interconnected highway network in coordination with the existing and planned regional network that provides convenient access throughout Clarksburg and to the regional highway system.

The Board finds that the Clarksburg Master Plan designates Stringtown Road as an four-lane divided arterial highway which is to be constructed from I-270 (west of the Subject Property) to A-305 (east of the Subject Property). The Board further finds that only two lanes of Stringtown Road are currently constructed along the frontage of the Subject Property.

In order to be in compliance with the above cited section of the Zoning Ordinance, the Planning Board finds that it is authorized, and in fact required, to condition Applicant's Project Plan approval on the construction of the two additional lanes of Stringtown Road. If Applicant is not so required, the street patterns within that area would be incompatible and fragmented, especially given that properties on the other side of Md 355 already have the requirement to construct these additional lanes as a condition of their subdivision approval.

- (c) **Because of its location, size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood.**

The Planning Board finds that this project is compatible with and not detrimental to existing or potential development. The proposed development's location at the intersection of the edge of the Clarksburg Historic District and at the crossroads of two major routes within the area are an appropriate location for the density as proposed. ~~The mix of residential and commercial development and the two and three story height of the proposed buildings are consistent with the scale of existing buildings within the area. Surrounded by the R-200 zone, the project will transition well to less intense zones in light of the buffers established by separation and landscaping and tree preservation.~~

Additionally, the proposed design will connect well with existing development patterns within the Clarksburg Historic district by keeping commercial uses at the street edge and maintaining residential uses alongside. ~~The design of the project places the front or sides of all proposed buildings to all exterior streets, again consistent with other development in the area.~~ The buffers established towards adjacent property with setbacks and screen planting will create compatible situations with any future adjoining development. The service areas associated with the retail/commercial areas will be separated from residential uses on site by internal streets and parking areas. The retail/commercial area by Stringtown Road will also be separated by level for increased efficiency and compatibility. The location of the entry points to the site connect to planned off-site streets and to advantageous vistas. ~~The plan also allows for future connections to properties directly to the east.~~

~~This development will be built with each commercial/retail or residential component built concurrently with adjacent or related amenity area.~~ The amenities around the commercial /retail area will be built with those buildings; the Commons and related residentially used amenities will be phased to coincide with the residential areas.

The roads, sidewalks, stormwater management facilities will be built to adequately serve each phase.

- (d) **It would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under chapter 42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.**

The FY99 Annual Growth Policy provides guidelines for the determination of adequacy for public facilities.

Transportation: There is currently no staging ceiling capacity available in the Clarksburg Transportation Policy Area for either housing or jobs. A transportation statement has been provided, and is in the record, which indicates the number of trips generated by the proposed development. The proposed development must satisfy both Policy Area Transportation Review and Local Area Transportation Review prior to Planning Board approval of the Preliminary Plan of Subdivision. Based on the evidence contained in the staff report, and the testimony of Staff and the Applicant, the Planning Board concludes that the Application satisfies the APFO requirements since all nearby intersections are anticipated to operate within acceptable critical lane volumes with the identified improvements. Additionally, the Planning Board finds that the Applicant is satisfying policy area review by paying the EDA excise tax under the *FY 99 Annual Growth Policy* staging ceiling capacity.

Public Schools: The County Council has declared that school capacity is adequate for all school clusters at all grade levels.

Water and Sewer: Service is considered adequate if designated in Categories 1, 2 or 3. As stated earlier, the subject property is in water category 1 and sewer category 4 with administrative advancement to category 3 upon the approval of a Preliminary Plan of Subdivision.

Police, Fire and Health Services: The FY99 AGP indicates that these services are considered adequate county-wide.

- (e) **It would be more efficient and desirable than could be accomplished by the use of the standard method of development."** 5

The Planning Board finds that the optional method is more efficient and desirable

than could be accomplished by the use of the standard method of development. The standard method of development would promote suburban sprawl in a special protection area. The average density for R-200 is 1.5 du/ac., versus the 5-7 du/ac. recommended in the Master Plan. Additionally, the Master Plan objective is to conserve the rural and the natural environment of the area. The standard method would not conserve open or natural spaces, and would be out of character with the adjacent historic district. Lots of a minimum of 20,000 square feet are mandated under the R-200 zone. This puts more of the land into the hands of individual private landowners and reduces the area of publicly accessible open space. The larger lots and reduced density may increase the green area but will reduce and segment the productive open areas and wildlife habitats.

The optional method also permits compliance with the Master Plan. The R-200 zone requires a 40' building setback from any existing or proposed street. This is in direct conflict with the Clarksburg Master Plan recommendation to pull the buildings closer to MD Route 355 in order to mimic the existing character along that road. The side yard minimum setbacks of 12' on one side and the sum of both sides equal to 25' reduces the proximity of neighbors. These setbacks are a hindrance to developing what the Master Plan calls "community". Also, the Master Plan encourages mixed-use development in this location. Single-family detached housing would be the only housing type allowed in the R-200 zone, creating a modicum of diversity within the development. Additionally, the standard method density of 1.5 du/ac. is insufficient to reach the critical mass required to create a transit-oriented community. Transit use is one of the key elements promoted by the Clarksburg Master Plan.

Finally, the Zoning Ordinance requires that an optional method project provide public facilities and amenities. The amenities are required to negate the effects of the increased densities on existing public facilities. Although there are three regional parks within five miles of the site and closer local parks, ~~the project proposes passive and active recreation facilities within the confines of the community that will support the everyday activities of the community. Three structured activity areas are proposed for the site: a commons area, a play area, and landscape features.~~ Public amenities are not required by the R-200 zone. Public amenities such as community gathering areas would not be provided, thus losing an opportunity to create a forum that could enhance intra-community relations.

- (f) It would include moderately priced dwelling units in accordance with Chapter 25A of this Code, if the requirements of that chapter apply."

The Board finds that the Project meets the requirements of Chapter 25A of the Code. The proposed development includes moderately priced dwelling units (MPDUs) as required by Chapter 25A.

(g) When a project plan includes more than one lot under common ownership, or is a single lot containing two or more CBD zones, and is shown to transfer public open space or development density from one lot to another or transfer densities within a lot with two or more CBD zones, pursuant to the special standards of either section 59-C-6.2351 or 59-C-6.2352 (whichever is applicable), the project plan may be approved by the planning board based on the following findings:

- (1) The project will preserve an historic site, building, structure or area as shown on the Location Atlas and Index of Historic Sites or the Master Plan for Historic Preservation; and/or**
- (2) The project will implement an urban renewal plan adopted pursuant to Chapter 56 of the Montgomery County Code; and/or**
- (3) The project will result in an overall land use configuration that is significantly superior to that which could otherwise be achieved.**

~~The project includes one lot, and the entire lot is under the RMX-2 Zone. Therefore, the Board finds that this finding is not applicable to this Application.~~

(h) Any applicable requirements for forest conservation under Chapter 22A."

The Planning Board finds that the requirements for forest conservation and water quality resource protection are met by this plan. The forest conservation plan was prepared in accordance with Chapter 22A of the Montgomery County code minimizing forest removal and maximizing on-site reforestation /afforestation.

(i) Any applicable requirements for water quality resource protection under Chapter 19."

The water quality resource protection utilizes redundant water quality management practices as demonstrated by the Stormwater Management Concept Plan and the Preliminary Water Quality Plan to be reviewed and approved by Montgomery County.

CONCLUSION

Therefore, having considered all the testimony and evidence received into the Record, the Board finds the Project Plan to be in accordance with the requirements of the Zoning Ordinance, the applicable recommendations of the Master Plan, and the provisions of the Maryland Code Ann., Art. 28, and APPROVES Project Plan No. 9-98001, which consists of 12,870 square feet of retail, 18,590 square feet of office, 75 residential dwelling units, and associated public amenities, subject to the following conditions:

1. Development Ceiling

Limit Project Plan # 9-98001 to the following uses and density:

75 residential dwelling units; and
Approximately 18,590 square feet of office space, and approximately 12,870 square feet of retail space, for a total of 31,460 square feet of commercial retail and office.

2. Transportation Improvements

This Application shall satisfy Adequate Public Facilities Review by paying:

(1) the Expedited Development Approval Excise Tax (EDAET), as required by the alternative review procedures of the FY 99 Annual Growth Policy, for the commercial component; and

(2) the Development Approval Payment (DAP), as required by the Alternative Review Procedure for Limited Residential Development provision of the FY 99 Annual Growth Policy, for the residential component.

3. Dedication and construction of A- 260 (Stringtown Road)

A-260 (Stringtown Road) must be dedicated as shown to create a right-of-way of 110 feet and construction shall include improvements (two of four lanes with center median and associated landscaping) from the centerline to the edge of right-of-way for the frontage of the property.

4. Construction of improvements to MD 355 (Frederick Road)

Improvements to MD Route 355 as required by the May 11, 1999 Maryland State

Highway Administration's memorandum, and any revisions thereto, including, but not limited to, the requirements of reducing the over-vertical within the road, constructing a left turn storage lane and taper at the access drive, construction of the site entrance, widening MD Route 355 along the site frontage, and creating an exclusive westbound right turn lane for the MD 121 and MD 355 intersection.

5. **Provision of Amenities and Facilities**

The future site plans shall include the following amenities and facilities:

Rural/ Historic Architecture

The design of the commercial buildings shall be designed to conform to the rural/ historic architectural themes as indicated in the sketches included within the Project Plan Staff Report. The buildings shall include a corner focal point.

The Commons

A central open space (+/- 25,000 square feet) suitable for pedestrian recreation, enjoyment and circulation shall be provided. Amenities shall include tree lined sidewalks with special paving, historically appropriate site furniture and lighting, a lawn panel, a pavilion, a plaza with special paving, special landscape features and terracing.

Commercial Area Plaza

Open space amenities to include outdoor seating areas, special paving, wide sidewalks, special landscape planting areas, historically appropriate site furniture and lighting, and possible outdoor eating areas.

Site Features

Throughout the site, the amenities proposed include the historically appropriate light fixtures, special landscape areas, and the dedication of Stringtown Road so to preserve historic district and the orientation of the units to the surrounding streets.

6. **Staging of Amenities**

All street related amenities shown will be included with the adjoining phase of development. The Commons shall be constructed concurrently with the first 50 % of the residential units. The amenities associated with the commercial building shall be built concurrently with that structure. The project anticipates that the residential units will be built first.

7. **Maintenance**

The Site Plan Enforcement Agreement shall provide that maintenance of the private open space areas, stormwater management areas, civic spaces and all other

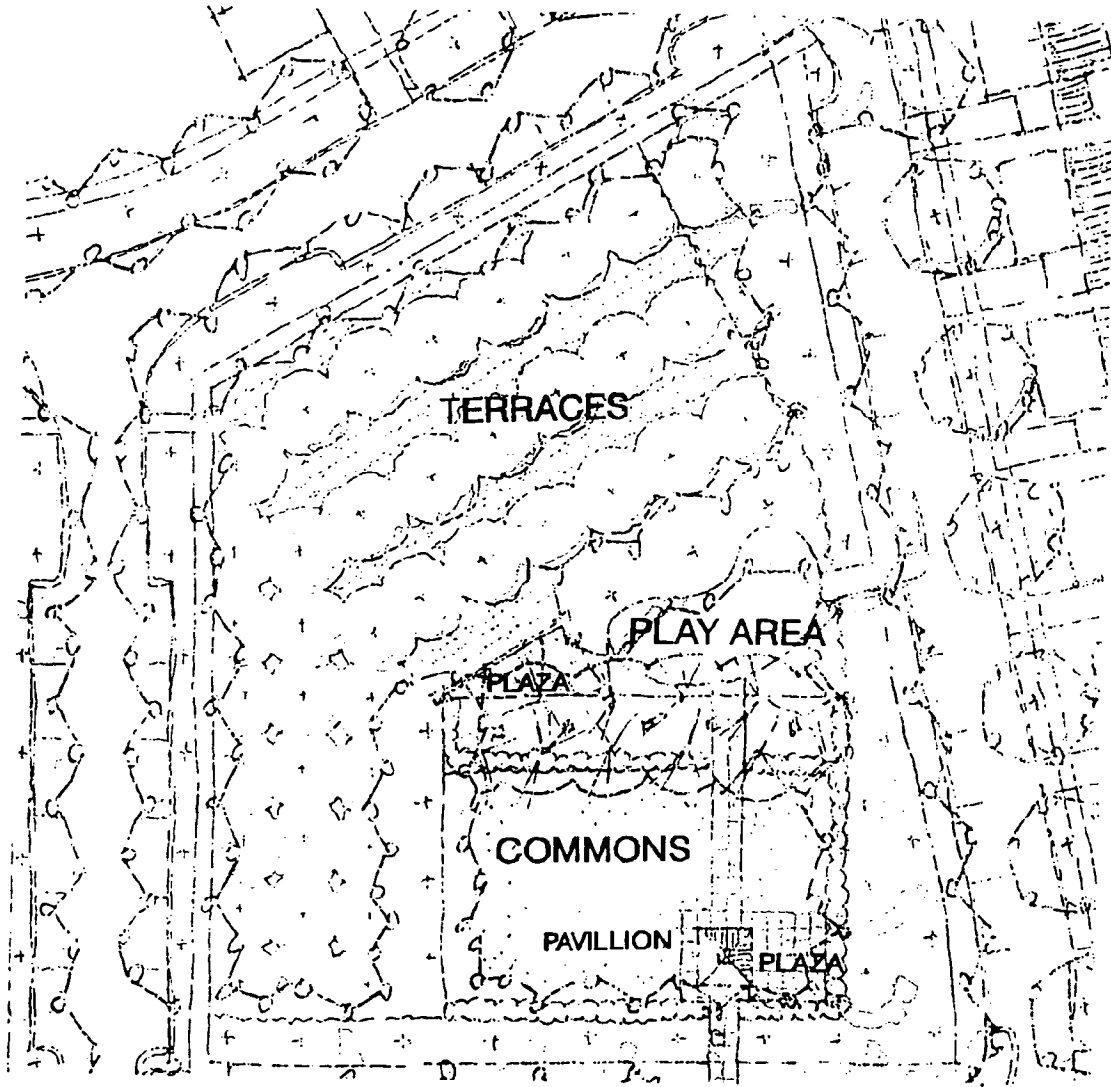
amenities on private land or within the public right-of-way, if applicable, shall be maintained by the entire development. Maintenance for all amenities shall be provided as they are installed.

8. Validity Period

An approved Project Plan will remain valid for up to 25 months from the initiation date, provided the Applicant has filed a complete site plan application, as determined by the Planning Board Staff, within 18 months of the initiation date; and, in the absence of governmental delay, received site plan approval within 6 months of the assigned complete application date. The timely approval of a Site Plan validates a Project Plan.

HIGHLANDS AT CLARKSBURG

MONTGOMERY COUNTY, MARYLAND



PROJECT PLAN

BOWIS INVESTMENT REALTY CORPORATION

October, 1998

Prepared by
Macris, Hendricks & Glascock, P.A.

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I. AN INTRODUCTION

A. Projection Description

Highlands at Clarksburg is a 75 unit planned community adjacent to historic Clarksburg and the proposed Clarksburg Town Center. A commercial component consisting of 18,590 square feet of professional offices and 12,870 square feet of retail space is integrated into the community to provide goods, service, and employment to its residence. A commons area, age-specific play areas, preserved natural habitats, greenway system access, and an entrance feature are some of the public amenities provided. The prime objective of the plan is to create a transit- and pedestrian-oriented community compatible with the character of the surrounding area.

1. Executive Summary

Through the use of innovative planning techniques and the optional method of development, Highlands at Clarksburg is a transit- and pedestrian-oriented community clustered among similar communities surrounded by open space. Highlands at Clarksburg meets the criteria set forth in the approved and adopted Clarksburg Master Plan (1994), and will be an integral part of the town setting that will one day be Clarksburg Town Center. (See Exhibit B, Appendix A)

The project consists of 75 dwelling units of three varieties: 29 single family detached, 38 single family attached, and 8 condominiums. All the single family dwelling units have a one car attached garage. The residential component (12.5 Ac.) has a density of 6.0 du/ac and a green area of 70%.

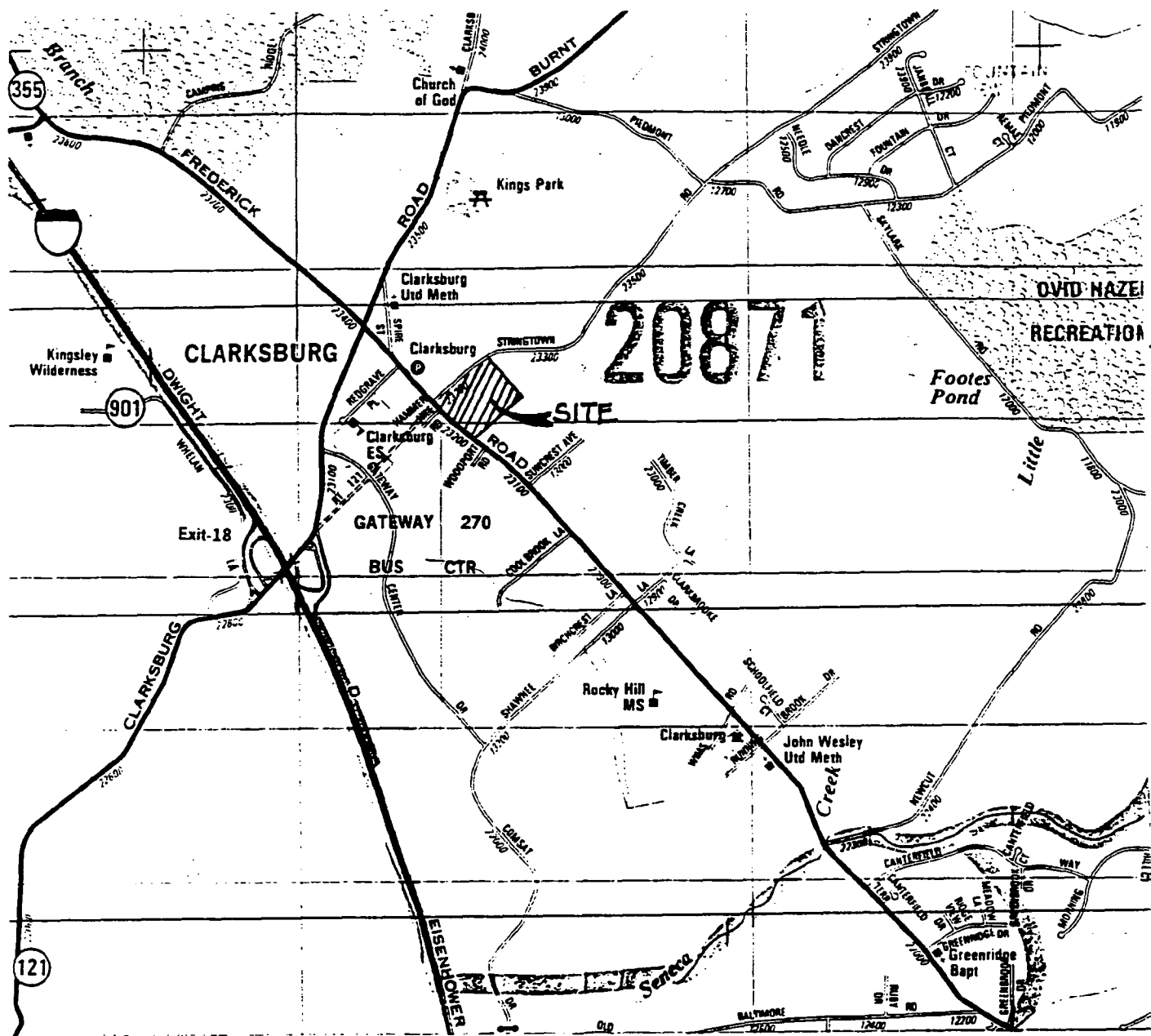
The commercial component (2.5 Ac.) has a FAR of 0.3 (31,460 GFA) and a green area of 49%. Building use will consist of general office (18,590 S.F.), retail (12,870 S.F.), and 8 residential condominiums (S.F. not considered in above calculations).

The project includes several public amenities including a commons area with a pavilion gazebo and gathering space, a play area, several seating areas, a bosque, and an upgraded streetscape. Stormwater management and forest conservation are also provided on-site.

II. THE PHYSICAL ENVIRONMENT

A. Property Location and Surrounding Features

The Highlands at Clarksburg is a 16 acre site in Northern Montgomery County located on the southeast corner of the intersection of Frederick Road (MD Route 355) and Stringtown Road (Route A-260) across from the Clarksburg Historic District and the



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HIGHLANDS
 of
Clarksburg

EXHIBIT 1 - Vicinity Map

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proposed Clarksburg Town Center Property (See Exhibit 1). The proximity of the property to both the historic district and the Clarksburg Town Center dictates a more urban framework. Stringtown Road is scheduled to be upgraded to a 4 lane divide road, which will connect with I-270 about one mile away. In addition to its location to major thoroughfares and the town center, the site is located within five miles of Little Bennett Regional Park, Blackhill Regional Park, and Ovid Hazen Wells Park.

B. Natural Resources

A former farmstead is centrally located on the property. It consists of what appears to be the scattered remnants of a masonry cistern and foundations of a silo, large barn, and outbuilding. Quartz rock is the main building material in the foundation and probably came from on-site. The adjacent fields contain a very high amount of channery material primarily consisting of quartz along with some schist and phyllite. The farmstead is not listed in the Maryland National Capital Park & Planning Commission (M-NCPPC) Master Plan for Historic Preservation or Locational Atlas. It is also absent from the 1879 Atlas of Montgomery County by G.M. Hopkins. Approximate locations of these foundations are shown on the Natural Resource Inventory/Forest Stand Delineation Map.

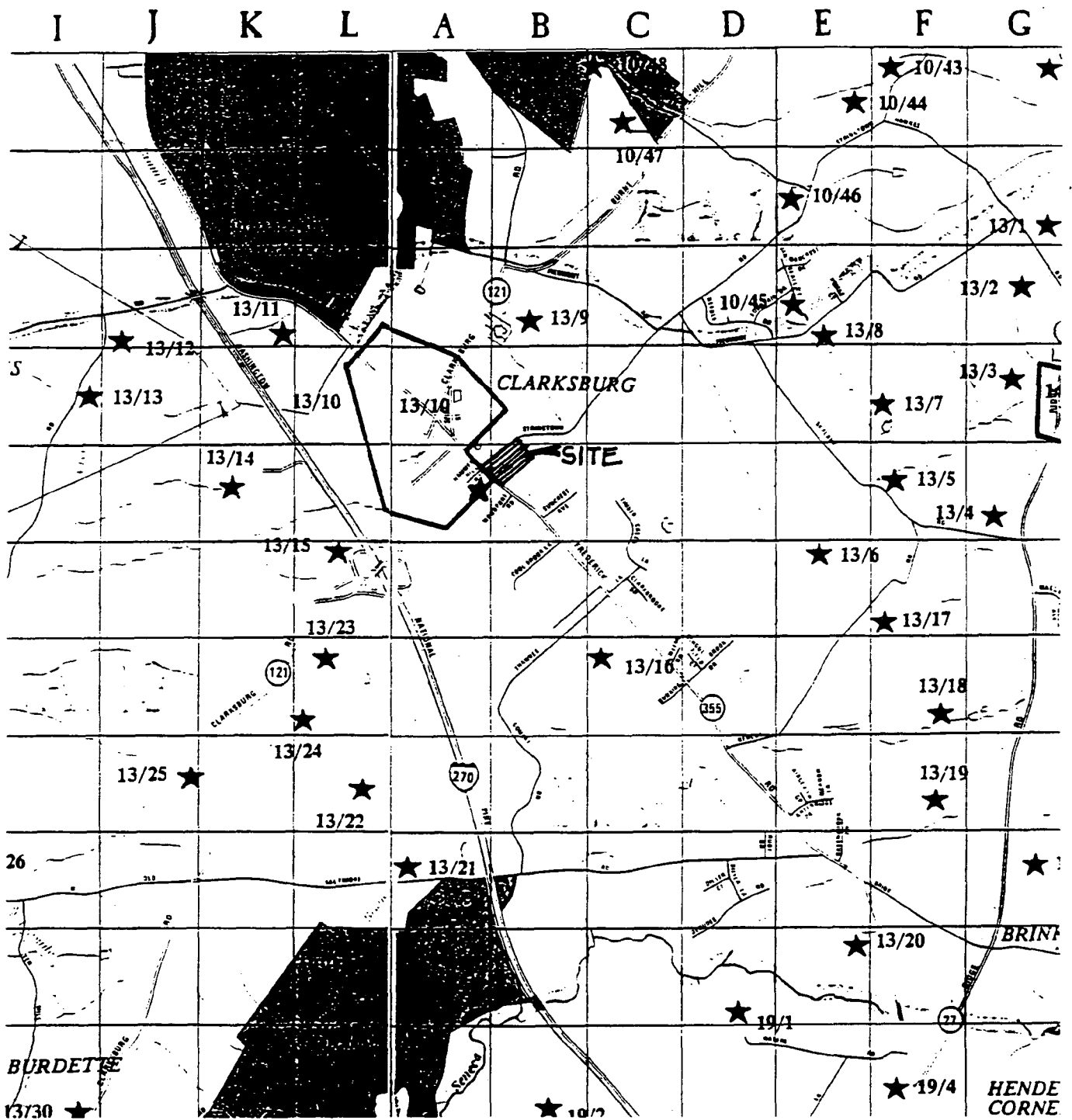
1. Soils and Geology

Hard phyllite bedrock is typically encountered below the Brinklow-Blocktown channery silt loams at depths varying between 21 inches and 35 inches. The large amount of milky quartz present both in the fields and in the barn foundation suggests that a major vein or veins of quartz is/are present under the site. Mica schist and phyllite are also present, but in lesser abundance than the quartz. No massive rock outcrops were observed on-site.

2. Watershed and Hydrology

There are no springs, seeps, streams, or wetlands present on-site. The site is elevated between 620 and 680 feet above mean sea level in most places. Drainage is generally to the east or northeast towards an unnamed tributary of Little Seneca Creek. This portion of the Potomac River Watershed has been designated as Class IV Waters by the State of Maryland.

The swale passing through the eastern corner of the property is the lowest land topographically present on-site. The site investigation included examination of vegetation, soils, and hydrologic condition of the swale extending to the forest edge off-site. No wetlands, seeps, or stream areas were observed within 300 feet of the property to confirm the absence of stream valley buffer area on-site.



Locational Atlas and Index of Historic Sites
in Montgomery County Maryland. Maps 6 & 7

HIGHLANDS
Clarksburg

EXHIBIT 2 - Historic Vicinity Map

Montgomery County, Maryland

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3. Ecology and Vegetation

The forested area on-site is 1.54 acres. Three areas were sampled and characterize the respective forest stand. No mature forest is present on-site nor are any specimen trees present (See Exhibit A, Appendix A). Stand Number 1 is a 0.46 acre abandoned farmstead area that is overgrown primarily with invasive vegetation. Tree of Heaven (*Ailanthus altissima*) dominates most of the area with Rose of Sharon (*Hibiscus syriacus*) and Amur Honeysuckle (*Lonicera maackii*) dominating the understory. Although the forest structure value is good (10) for Stand Number 1, well over 40 percent of the land is covered with exotic invasive species in the canopy. Therefore the stand is a Priority Area 4 (Disturbed) making it the lowest ranked wooded area on-site in terms of its worthiness for retention consideration.

Stand Number 2 is located along the northern and north-eastern fringe of the site. This 0.82 acre stand is dominated by Red Maple (*Acer rubrum*) canopy estimated at 60 feet above the ground. Black Cherry, Tulip Poplar (*Liriodendron tulipifera*), and Sycamore (*Platanus occidentalis*) are also present as are old field and edge species such as Red Cedar (*Juniperus virginiana*), Mulberry (*Morus* sp.) and Tree of Heaven (*Ailanthus altissima*). The forest structure value is good for Stand Number 2. A moderate consideration for retention is justified for this area (Priority Area 2) due to the good forest structural diversity and the larger adjoining forested area off-site.

Forest Stand Number 3 is a 0.26 acre sparsely wooded pioneer Black Locust (*Robinia pseudoacacia*) community. Located at the eastern most corner of the property, this woodland also adjoins the larger off-site woodland to the east. Forest Structure Value is poor in this area and a Priority Area 3 (Low) status is recommended. The woodland is too sparse and young to warrant more than a low consideration for retention.

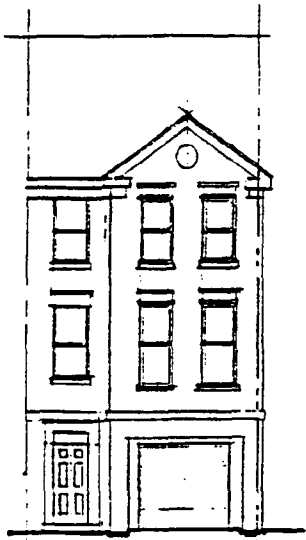
There are no forested areas on-site of high priority value and no specimen trees. The site's only resource is the high amount of quartz rock present in spite of the lack of any massive outcrops.

C. Historic Context

This site is located just outside the southern boundary of the Clarksburg Historic District and across Route 355 from Dowden's Ordinary site and marker (See Exhibit 2). Dowden's Ordinary's history is rich in events, relating to the founding of our country. It also served as a gathering place for the citizens of Clarksburg. Clarksburg's historic district has a rich history of having been a flourishing trading, transportation, and industrial center for Montgomery County (See Exhibit 3). The project intends to respond



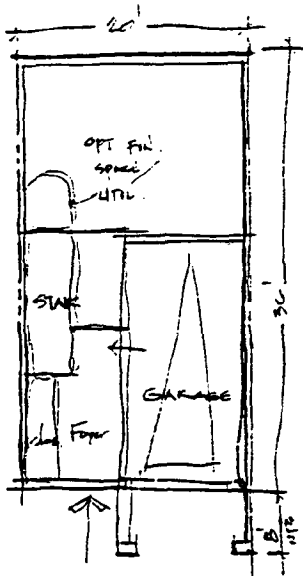
**HISTORIC
CLARKSBURG**



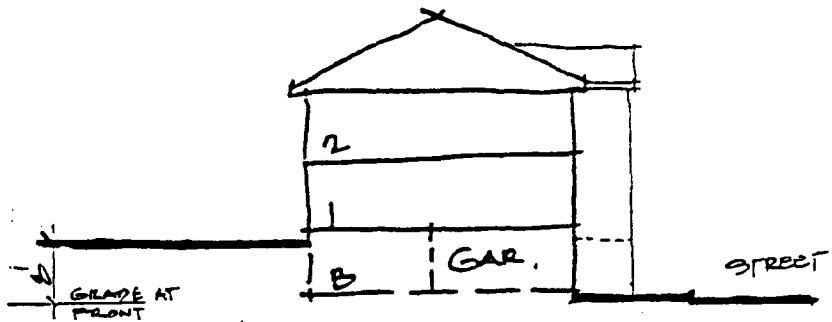
FRONT ELEVATION

II. Townhouse - TYPE B

- Site Key: W/U . WALK-UP
- Lot Size: 1500 SF TYPICAL
- Lot Dimensions: 20' x 75' TYPICAL
- Unit Size: 2352 SF
- Finished Space: 1730 - 2050 SF
- Levels: 3
- Floor Dimensions: 20' x 44'
- Bedroom Count: 3
- Bathroom Count: 2 1/2
- Garage: 1 CAR
- Exterior Material: SIDING / BRICK



PLAN



SECTION

LAYOUT AS SHOWN ON THIS PLAN IS FOR REFERENCE PURPOSES ONLY AND IS SUBJECT TO CHANGE.

NOT TO SCALE

EXHIBIT 4 - Residential Architecture

HIGHLANDS
Clarksbury

Montgomery County, Maryland

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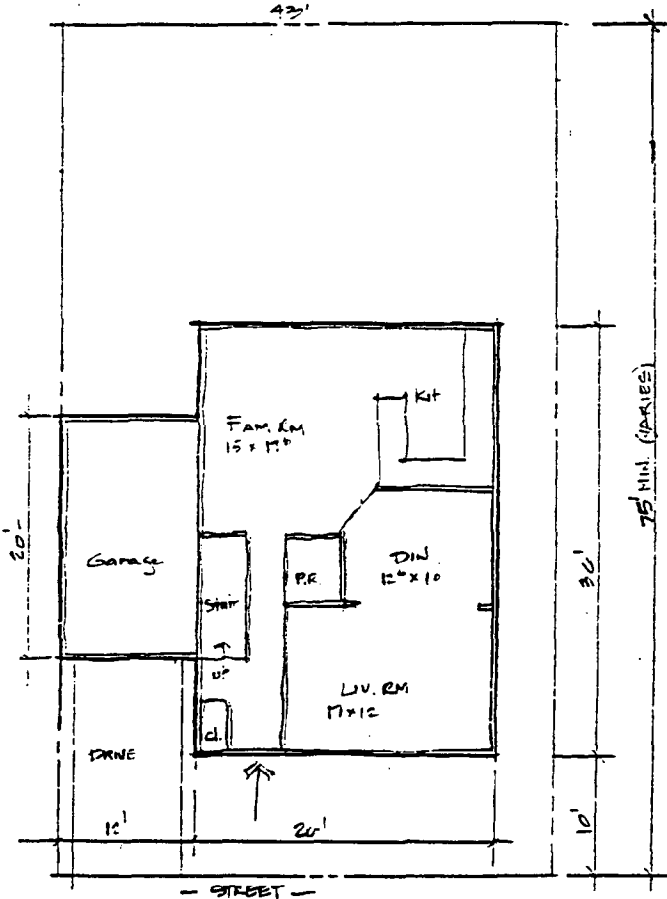
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NOTE:
ROOF FORM
VARIES



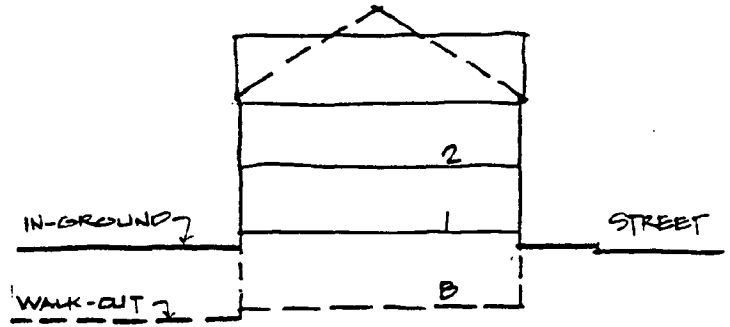
FRONT ELEVATION



PLAN

I. Single Family Detached

- Site Key: W/O. WALK-OUT
1/2. IN-GROUND
- Lot Size: 3225 SF MIN.
- Lot Dimensions: 43' x 75' MIN.
- Unit Size: 3048-3233 SF
- Finished Space: 1850-2035 SF
- Levels: 3
- Floor Dimensions: 26' x 36'
- Bedroom Count: 3
- Bathroom Count: 2 1/2
- Garage: 1 CAR
- Exterior Material: SIDING / BRICK



SECTION

LAYOUT AS SHOWN ON THIS PLAN IS FOR REFERENCE PURPOSES ONLY AND IS SUBJECT TO CHANGE.

NOT TO SCALE

EXHIBIT 5 - Residential Architecture

HIGHLANDS
ClarksbuRG

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to the historic context of its surroundings by reflecting the same sense of pride and involvement in community while adding new commerce and skilled professions to continue the area's history as a center of trade, industry, and transportation.

III. THE PLAN PROPOSAL - A SENSE OF COMMUNITY

A. Architecture

The architecture of the commercial and residential buildings will be complimentary to the vernacular architecture and landscape of the adjacent historic district while reflecting the current trends in the community.

The architecture of the commercial buildings pulls from the vernacular landscape of barns, sheds, and out buildings. The material will consist of wood, metal, stone, and iron. Elements of the architecture will consist of standing seam metal roofs, outbuildings, silos, copulas, and stone foundations with wood sided upper floors, all with a modern interpretation of its vernacular roots. Building will be stepped to modulate mass and create unique spaces between buildings. A signature building, at the corner of Stringtown Road and Maryland Route 355, will be used to create a gateway into the Clarksburg area. The signature building resembles an old school house (See Exhibit 8) that visually acts as a manor house to the other commercial buildings. The emphasis of the streetscape on both levels of the commercial area will be on trees, plants, and lawn areas in an effort to capture the more rural nature of the area. The hardscape will consist of stone walls, special paving, street lights, benches, and other site furniture. The outdoor commercial spaces will respond to the demands of the user, while maintaining a cohesive design throughout. Outdoor dining, display areas, etc. will be more clearly defined as users come on board.

Though office and retail will make up the bulk of the three commercial buildings, eight MPDU's will occupy the 2nd and 3rd floors of one of the three large retail buildings. This will create a dynamic mix of residential, retail, and office use, while creating a link between the residential neighborhood and the commercial center (See Exhibits 6 and 7).

The architecture of the residential buildings is more in keeping with the proposed town center, creating a blend of the vernacular (commercial) and the new (residential). The building masses will be low and dense, allowing the facades to define the edges of the streetscape. The majority of residential housing will be comprised of single family detached and attached homes. The single family units will all have attached garages with street access. A variety of in-ground, walk-up, and walk-out units will be used to take full advantage of the topography of the site and to minimize on-site grading (See Exhibits 4 & 5).

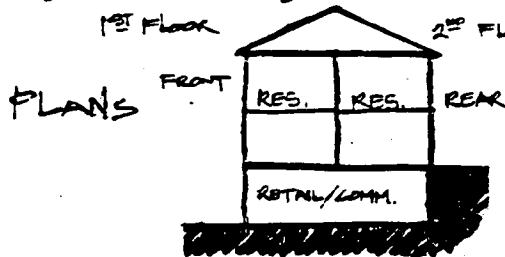
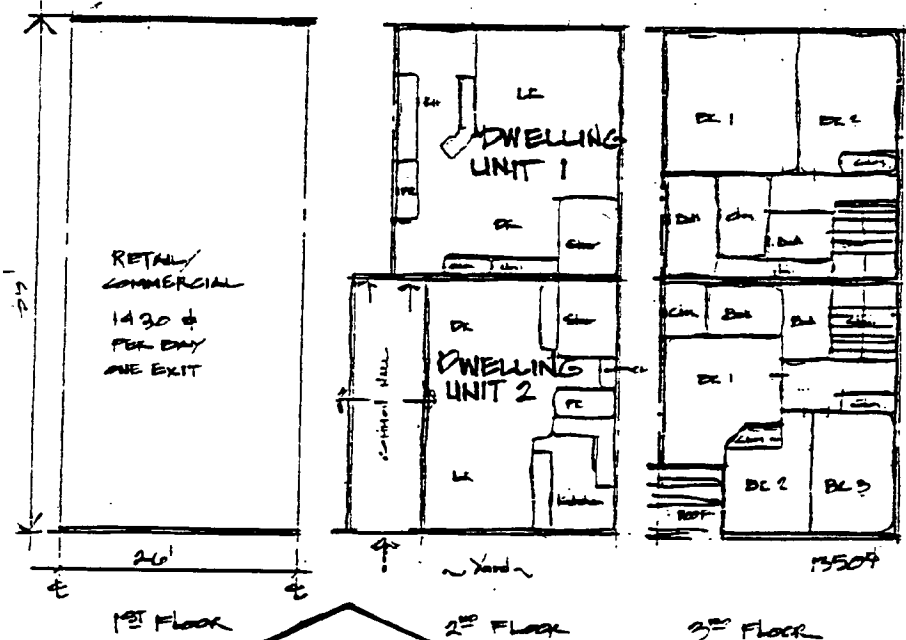
The architecture will also help define the various space throughout the community. The close-knit spacing of the units will help create a sense of community by creating opportunities for planned and unplanned interaction of residents, and will create corridors that link the streetscapes with the public areas, the private areas, and the environmental



FRONT ELEVATION

SPRINKLER RM.

III. Retail/Condominium - TYPE 1



NOT TO SCALE

- Site Key: RETAIL/CONDO
- Lot Size: SEE SITE PLAN
- Lot Dimensions: SEE SITE PLAN
- Unit Size: OFFICE: 20'x55'
D/U : 20'x27'-6"
- Finished Space: OFFICE: 1430 SF
D/U 1: 1430 D/U 2: 1950
- Levels: OFFICE: 1 D/U: 2
- Floor Dimensions: SEE UNIT SIZE
- Bedroom Count: D/U 1: 2 D/U 2: 3
- Bathroom Count: D/U 1 & 2: 2 1/2
- Garage: - 0 -
- Exterior Material: SIDING/STONE

LAYOUT AS SHOWN ON THIS PLAN IS FOR REFERENCE PURPOSES ONLY AND IS SUBJECT TO CHANGE.

EXHIBIT 6 - Retail/Condominium Architecture

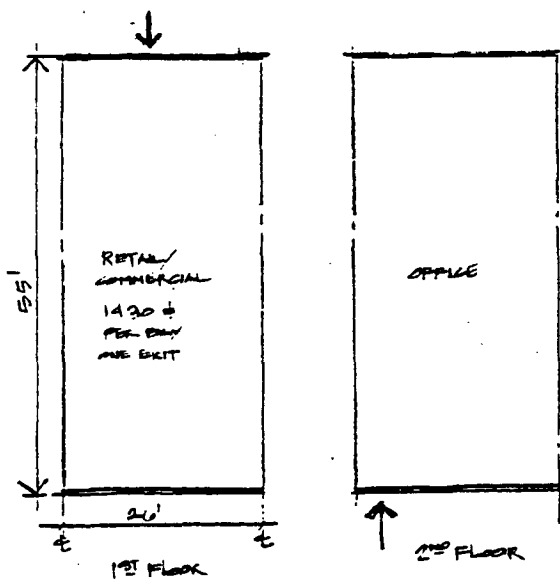
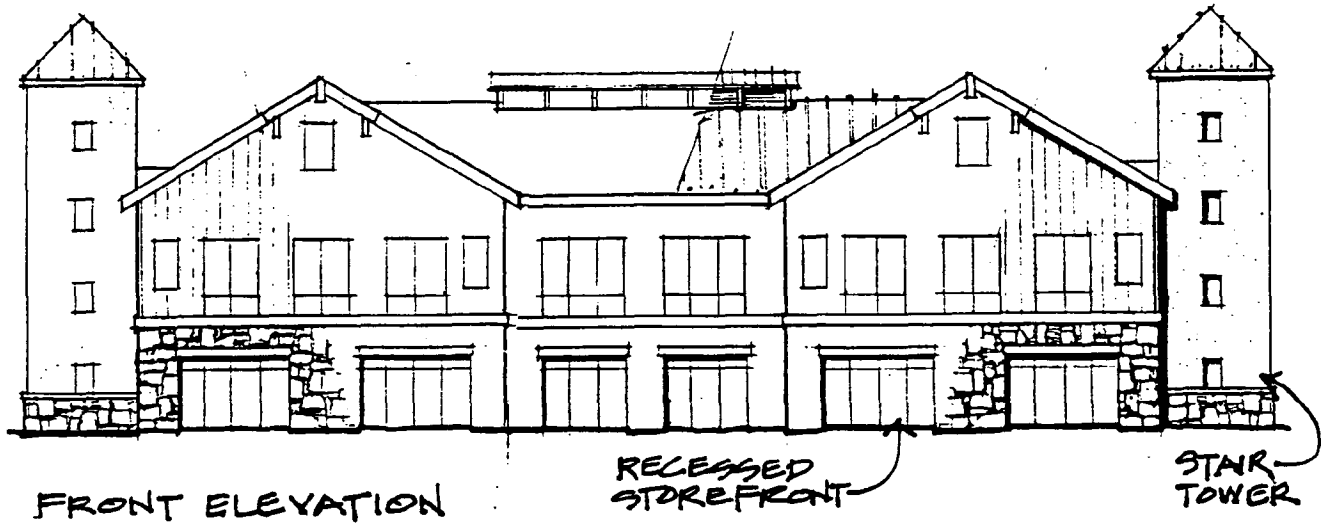
HIGHLANDS
Clarksbury

Montgomery County, Maryland

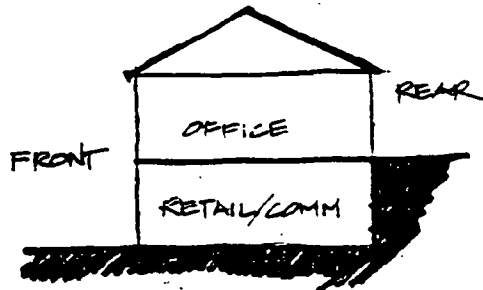
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(301) 649-8380

Bovin Investment Realty Corp.
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(703) 787-2842



PLANS



SECTION - N.T.S.

IV. Office/Retail - TYPE II

- Site Key: OFFICE/RETAIL
- Lot Size: SEE SITE PLAN
- Lot Dimensions: SEE SITE PLAN
- Unit Size: 26' x 55'
- Finished Space: 1430 SF PER BAY
- Levels: 2
- Floor Dimensions: 26' x 55'
- Exterior Material: SIDING/STONE/STUCCO

LAYOUT AS SHOWN ON THIS PLAN IS FOR REFERENCE PURPOSES ONLY AND IS SUBJECT TO CHANGE.

NOT TO SCALE

EXHIBIT 7 - Office/Retail Architecture

HIGHLANDS
of
Clarksburg

Montgomery County, Maryland

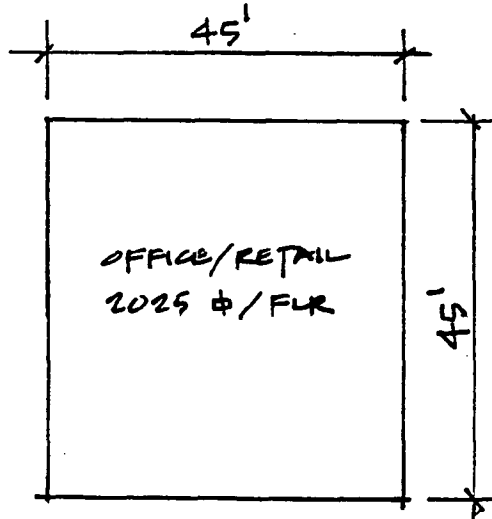
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6220 Nightman Road, Suite 120
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Brown Investment Realty Corp.
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Great Falls, VA 22030
(703) 757-2242



FRONT ELEVATION



PLAN

NOT TO SCALE

- IV. Office/Retail TYPE II
- Site Key: OFFICE/RETAIL
 - Lot Size: SEE SITE PLAN
 - Lot Dimensions: SEE SITE PLAN
 - Unit Size: 45' x 45'
 - Finished Space: 2025 SF PER FLR
 - Levels: 2
 - Floor Dimensions: 45' x 45'
 - Exterior Material: SIDING

LAYOUT AS SHOWN ON THIS PLAN IS FOR REFERENCE PURPOSES ONLY AND IS SUBJECT TO CHANGE.

EXHIBIT 8 - Office/Retail Architecture

HIGHLANDS
ClarksbuRG

Montgomery County, Maryland

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874 Millwood Lane
Great Falls, VA 22066
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areas. A sense of spatial definition will be created by massing the architecture. The facades of the buildings will function as the edges of the streetscape achieving a sense of pedestrian-scaled enclosure. Commercial and residential units will face out toward the commons creating a link between the uses, while defining the edge of the common space.

B. Circulation

1. Vehicular

Access to the community will be via separate entrances on Stringtown Road and Maryland Route 355. (See Exhibit D, Appendix A) These two entrances meet in the center of the community. The street layout is a series of through streets and alleys to recreate the feel of a small town while allowing for topography and program restraints.

In order to maintain the existing character along Maryland Route 355, the fronts of residence have been oriented to address the road. However, sight visibility along Maryland Route 355 is insufficient to allow for individual access to the proposed residential units, thus a frontage road parallel to Maryland Route 355 is utilized to make the residential units orientation viable. The frontage road will be one-way, south.

The hierarchy of the roads is enhanced and reinforced by the proximity of the buildings to the roadway. The closer the buildings the more intimate the scale, the lower the volume of traffic. Narrow drive lanes, tight radii, parallel parking, and driveways are integrated into the streetscape to reduce vehicular speeds and make the street a more pedestrian friendly environment.

2. Pedestrian

Creating a human scale streetscape to encourage pedestrian movement was a primary objective of the planning process. To achieve a safe inviting pedestrian environment, several techniques were used. Tree lined streets with the trees placed between the pedestrian and the vehicle to afford protection and a sense of scale. The locating of buildings forward along the front of the property line, closer to the road, creates an intimate scale that allows for interaction between pedestrians. Roads are laid out with on-street parking and tight radii to reduce vehicle speeds. All amenities will be accessible via sidewalks from all commercial and residential buildings (See Exhibits 10 & 11).

The street scape will have upgraded amenities: Trees will be spaced 35' O.C., light fixtures will be in scale and compatible with the architecture, sidewalks will have special paving, benches will be provided at nodes and mailbox clusters, and plant material will be used to delineate differing uses.

Project: Highlands at Clarksburg
 Recreational Facility Guidelines Computations
 Macris, Hendricks and Glascock, P.A.
 MHG File No.: 95-307 /RECCALC
 28-Apr-98 Data date

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DEMAND POINTS
Population Categories
Unit Type      D.U.s      Tots Children  Teens  Adults  Seniors  Total
              0-4        5-11         12-17  18-64   65+
-----
S.F.Detached I      29      2.90      5.80      6.38     24.65     2.32     42.05
S.F.Detached II     0      0.00      0.00      0.00      0.00      0.00      0.00
S.F.Detached III    0      0.00      0.00      0.00      0.00      0.00      0.00
Townhouse           38      6.46      8.36      6.84     49.02      3.42     74.10
Garden Apartment     8      0.88      1.12      0.96      9.44      1.28     13.68
Hi-rise Apartment   0      0.00      0.00      0.00      0.00      0.00      0.00
Other                0
-----
Demand Totals      75     10.24     15.28     14.18     83.11      7.02    129.83
  
```

Run date: 4/28/98

EXHIBIT 9 - RECREATIONAL FACILITY GUIDELINES COMPUTATIONS

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SUPPLY POINTS

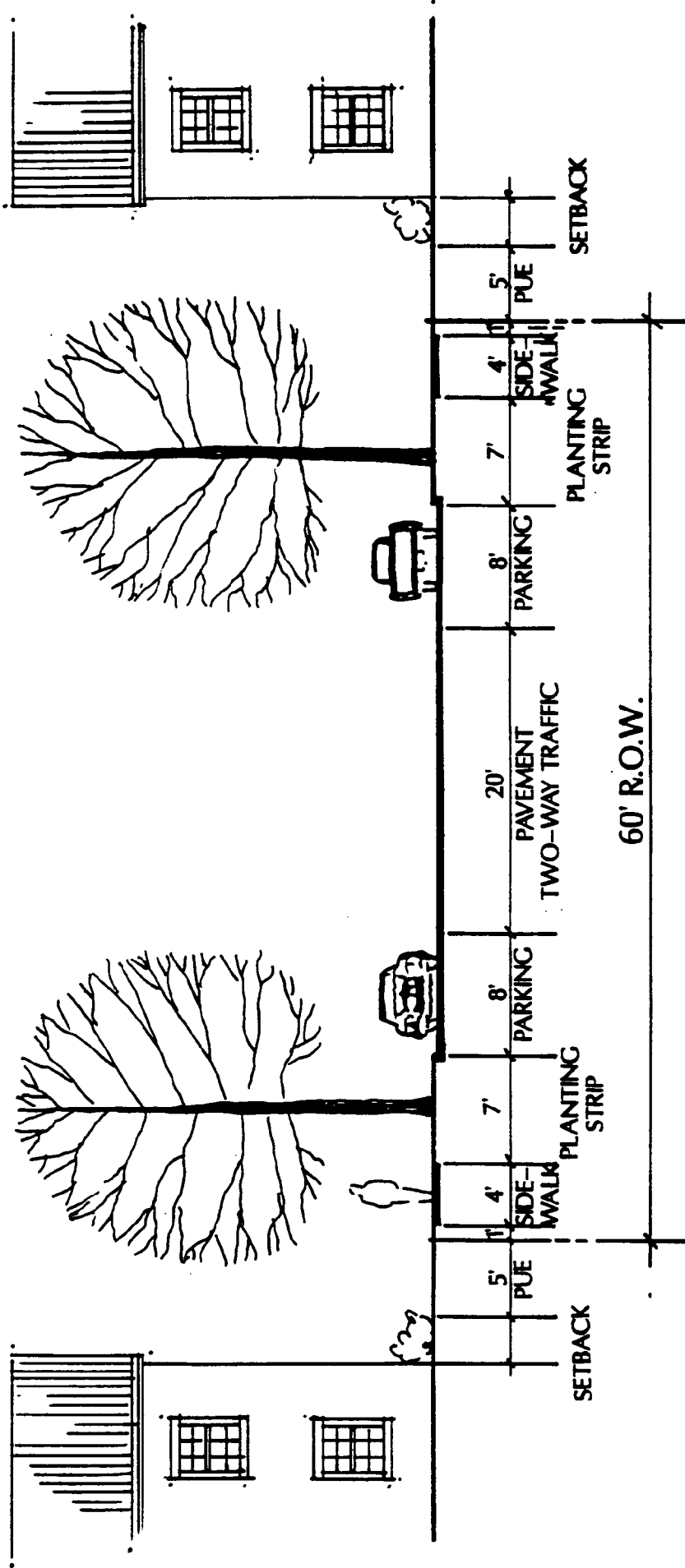
On-site Rec. Fac.	Qty.	Tots	Children	Teens	Adults	Seniors	Total
Tot Lot (0 to 6)	0	0.00	0.00	0.00	0.00	0.00	0.00
Play Lot (5 to 14)	0	0.00	0.00	0.00	0.00	0.00	0.00
Multi-age Playgrnd.	1	9.00	11.00	3.00	7.00	1.00	31.00
Picnic/Sitting Area	6	6.00	6.00	9.00	30.00	12.00	63.00
Open Play Area I	0	0.00	0.00	0.00	0.00	0.00	0.00
Open Play Area II	1	3.00	4.00	4.00	10.00	1.00	22.00
Volleyball Court	0	0.00	0.00	0.00	0.00	0.00	0.00
Multipurpose Court	0	0.00	0.00	0.00	0.00	0.00	0.00
Half MP Court I	0	0.00	0.00	0.00	0.00	0.00	0.00
Half MP Court II	0	0.00	0.00	0.00	0.00	0.00	0.00
Tennis Court	0	0.00	0.00	0.00	0.00	0.00	0.00
Handball Court	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Racquetball	0	0.00	0.00	0.00	0.00	0.00	0.00
Horseshoes	0	0.00	0.00	0.00	0.00	0.00	0.00
Soccer, Regulation	0	0.00	0.00	0.00	0.00	0.00	0.00
Soccer, Junior	0	0.00	0.00	0.00	0.00	0.00	0.00
Softball, Regulatn.	0	0.00	0.00	0.00	0.00	0.00	0.00
Softball, Junior	0	0.00	0.00	0.00	0.00	0.00	0.00
Baseball, Regulatn.	0	0.00	0.00	0.00	0.00	0.00	0.00
Baseball, Junior	0	0.00	0.00	0.00	0.00	0.00	0.00
Football, Regulatn.	0	0.00	0.00	0.00	0.00	0.00	0.00
Football, Junior	0	0.00	0.00	0.00	0.00	0.00	0.00
Bike System	0	0.00	0.00	0.00	0.00	0.00	0.00
Pedestrian System	1	1.02	3.06	2.84	37.40	3.16	47.47
Nature Trails	0	0.00	0.00	0.00	0.00	0.00	0.00
Natural Areas	0	0.00	0.00	0.00	0.00	0.00	0.00
Swimming Pool	0	0.00	0.00	0.00	0.00	0.00	0.00
Wading Pool	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Swim. Pool	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Comm. Space	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Exercise Rm.	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Fitness Fac.	0	0.00	0.00	0.00	0.00	0.00	0.00
Community Garden	0	0.00	0.00	0.00	0.00	0.00	0.00
Vita Course	0	0.00	0.00	0.00	0.00	0.00	0.00
Other	0						0.00
On-site Totals		19.02	24.06	18.84	84.40	17.16	163.47
% of Demand		186%	157%	133%	102%	244%	126%

|::

Supply Points (cont.)

Off-site Rec. Fac.	Qty.	Tots	Children	Teens	Adults	Seniors	Total
Tot Lot (0 to 6)	0	0.00	0.00	0.00	0.00	0.00	0.00
Play Lot (5 to 14)	0	0.00	0.00	0.00	0.00	0.00	0.00
Multi-age Playgrnd.	1	9.00	11.00	3.00	7.00	1.00	31.00
Picnic/Sitting Area	1	1.00	1.00	1.50	5.00	2.00	10.50
Open Play Area I	0	0.00	0.00	0.00	0.00	0.00	0.00
Open Play Area II	0	0.00	0.00	0.00	0.00	0.00	0.00
Volleyball Court	0	0.00	0.00	0.00	0.00	0.00	0.00
Multipurpose Court	0	0.00	0.00	0.00	0.00	0.00	0.00
Half MP Court I	0	0.00	0.00	0.00	0.00	0.00	0.00
Half MP Court II	0	0.00	0.00	0.00	0.00	0.00	0.00
Tennis Court	0	0.00	0.00	0.00	0.00	0.00	0.00
Handball Court	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Racquetball	0	0.00	0.00	0.00	0.00	0.00	0.00
Horseshoes	0	0.00	0.00	0.00	0.00	0.00	0.00
Soccer, Regulation	0	0.00	0.00	0.00	0.00	0.00	0.00
Soccer, Junior	0	0.00	0.00	0.00	0.00	0.00	0.00
Softball, Regulatn.	1	2.00	15.00	20.00	40.00	2.00	79.00
Softball, Junior	0	0.00	0.00	0.00	0.00	0.00	0.00
Baseball, Regulatn.	0	0.00	0.00	0.00	0.00	0.00	0.00
Baseball, Junior	0	0.00	0.00	0.00	0.00	0.00	0.00
Football, Regulatn.	1	2.00	15.00	20.00	40.00	2.00	79.00
Football, Junior	0	0.00	0.00	0.00	0.00	0.00	0.00
Bike System	0	0.00	0.00	0.00	0.00	0.00	0.00
Pedestrian System	0	0.00	0.00	0.00	0.00	0.00	0.00
Nature Trails	0	0.00	0.00	0.00	0.00	0.00	0.00
Natural Areas	1	0.00	0.76	1.42	8.31	0.35	10.84
Swimming Pool	0	0.00	0.00	0.00	0.00	0.00	0.00
Wading Pool	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Swim. Pool	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Comm. Space	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Exercise Rm.	0	0.00	0.00	0.00	0.00	0.00	0.00
Indoor Fitness Fac.	0	0.00	0.00	0.00	0.00	0.00	0.00
Community Garden	0	0.00	0.00	0.00	0.00	0.00	0.00
Vita Course	0	0.00	0.00	0.00	0.00	0.00	0.00
Other	0						0.00
ff-site Supply Tot.		14.00	42.76	45.92	100.31	7.35	210.34
% of Demand (35% max.)		35%	35%	35%	35%	35%	35%
Supply Totals		33.02	66.82	64.75	184.71	24.51	373.82
% of Demand		221%	192%	168%	137%	279%	161%

RESIDENTIAL STREET - 60' R.O.W.
 SECONDARY RESIDENTIAL ROAD - TWO-WAY



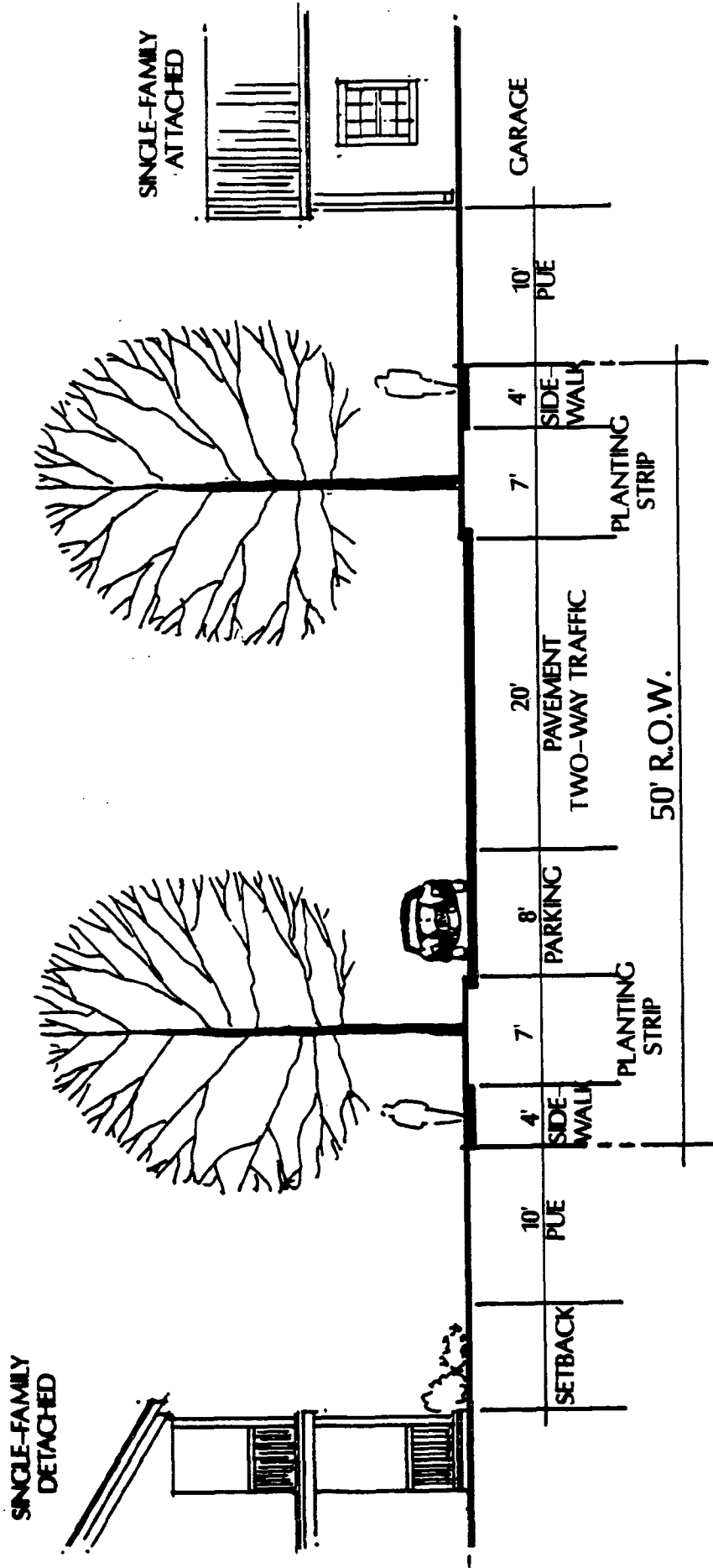
Montgomery County, Maryland

Boris Investment Realty Corp.
 974 Millwood Lane
 Great Falls, VA 22066
 (703) 787-2242

Cesner/O'Brian Architects
 8510 Wightman Road, Suite 400
 Gaithersburg, Md 20878
 (301) 948-8980

Macrie, Rendricks, & Glascock, P.A.
 9220 Wightman Road, Suite 120
 Gaithersburg, Md 20878
 (301) 670-0840

RESIDENTIAL STREET - 50' R.O.W.
 TERTIARY RESIDENTIAL ROAD - TWO-WAY



HIGHLANDS
 Clarkburg

Montgomery County, Maryland

EXHIBIT 11 - R.O.W.

Macris, Bandricka, & Clascocok, P.A.
 9220 Wightman Road, Suite 120
 Gaithersburg, Md 20878
 (301) 670-0840

Greaser/O'Brian Architects
 9210 Wightman Road, Suite 400
 Gaithersburg, Md 20878
 (301) 640-8380

Bovis Investment Realty Corp.
 974 Millwood Lane
 Great Falls, VA 22066
 (703) 767-2242

Connection points to the hiker/biker trail from Highlands at Clarksburg will be provided at the intersection of MD 355 and Stringtown Road, and Public Street B and Stringtown Road. The hiker/biker trail will provide access to off-site amenities such as area parks and the proposed greenway. The hiker/biker trail shall parallel Stringtown Road on the northern side (See Exhibit D, Appendix A). In addition to providing residents with access to the surrounding Clarksburg area, off-site area residents can gain access to the public amenities, shops, and services offered at Highlands of Clarksburg via the hiker/biker trail. Further reducing auto dependency for the local area.

C. Community Common Areas

A variety of active and passive recreational amenities will be provided for in the common areas, while also enhancing and screening the surrounding uses from one another. All common areas will be pedestrian accessible from the residences, the commercial areas and the greater surrounding community.

The focal point of the project is The Commons located between the commercial and residential buildings to act as a visual buffer while providing a linkage for similar uses (See Exhibit 12). The Commons will provide a forum for civic functions and passive and active recreation. The boundary of the commons will be defined by a tree-lined walk with trees spaced 35' on-center along an 8' wide sidewalk with special paving. Small, intimate scale seating areas spaced along the walk will provide for passive recreation. The trees and walk will define the edges of the lawn panel that can be used for recreational uses such as soccer, kite flying or frisbee, and can be used for civic functions such as festivals, picnics or fairs. A pavilion for concerts, sitting, or other activities will be sited on The Commons and act as a unifying element.

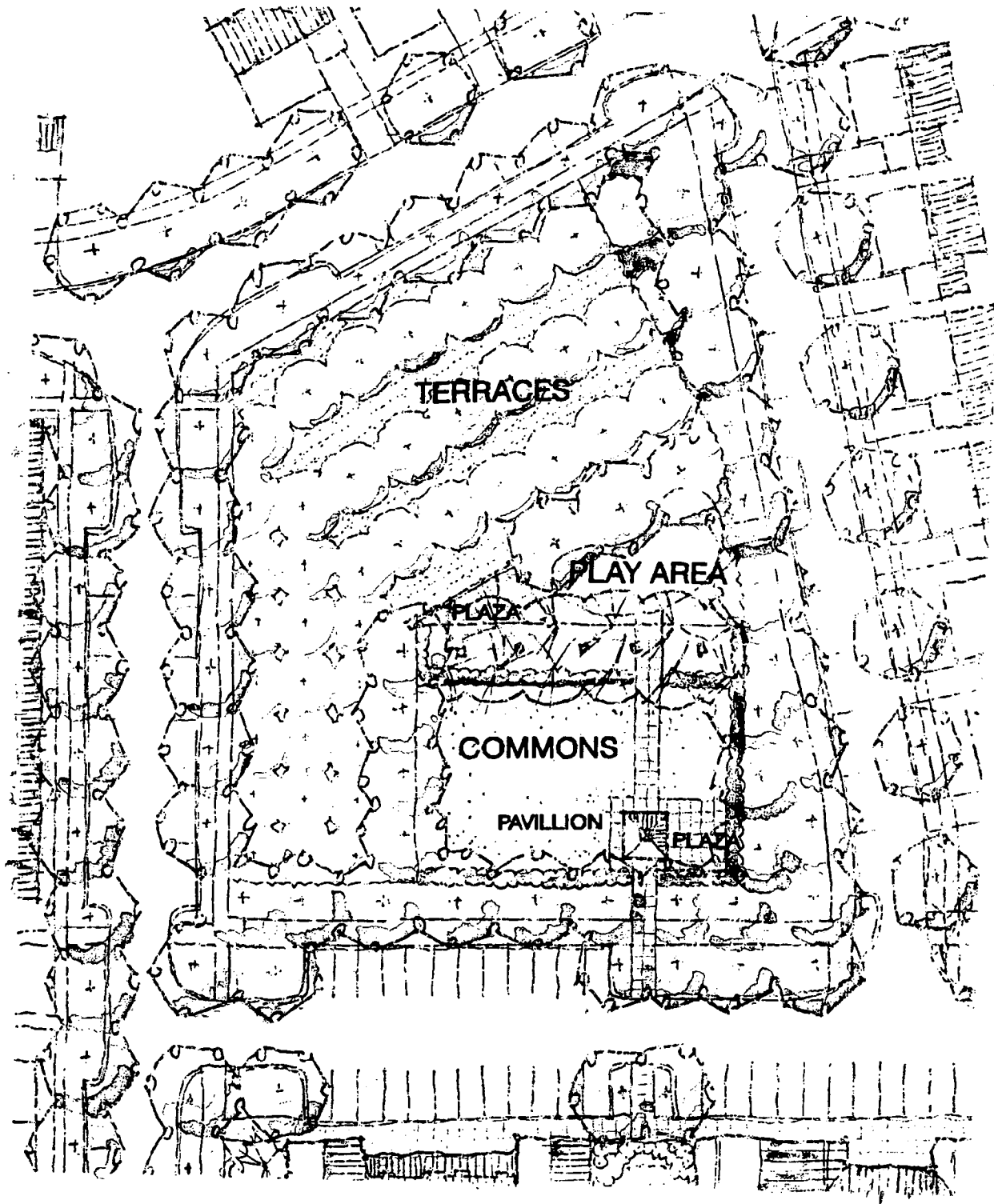
Topography is a defining factor in the layout of the project. To allow for a level area for large scale activities, (The Commons) grade must be made up to the south of The Commons. A terraced bosque (See Exhibit 13) will compensate for the terrain while providing a functional space. Flowering trees will be used to provide shade and accentuate the terraces. The bosque will provide a more intimate area in contrast to the commons and may function as a passive recreation area for reading, sitting, resting or eating.

A network of walks linking residential, commercial, and common areas has been planned. In addition to providing access, amenities in the form of landscaping and seating will be provided along the walks.

1. Recreational Facilities

The recreational facilities for this project were designed to take full advantage of existing off-site recreational facilities while providing on-site amenities that met

AS SHOWN ON THIS PLAN IS FOR REFERENCE
PURPOSES ONLY AND IS SUBJECT TO CHANGE



HIGHLANDS
Clarksburg

EXHIBIT 12 - The Commons

Montgomery County, Maryland

Maoric, Henderson, & Silverbrook, P.A.
9220 Nightingale Road, Suite 120
Bethesda, Maryland 20814
(301) 370-2040

Conroy/O'Brien Architects
6210 Nightingale Road, Suite 400
College Park, Maryland 20740
(301) 417-0300

B. W. Lee, Agent Realty Corp.
614 Millwood Lane
Springfield, Virginia 22153
(703) 739-2022

LAYOUT AS SHOWN ON THIS PLAN IS FOR REFERENCE
PURPOSES ONLY AND IS SUBJECT TO CHANGE

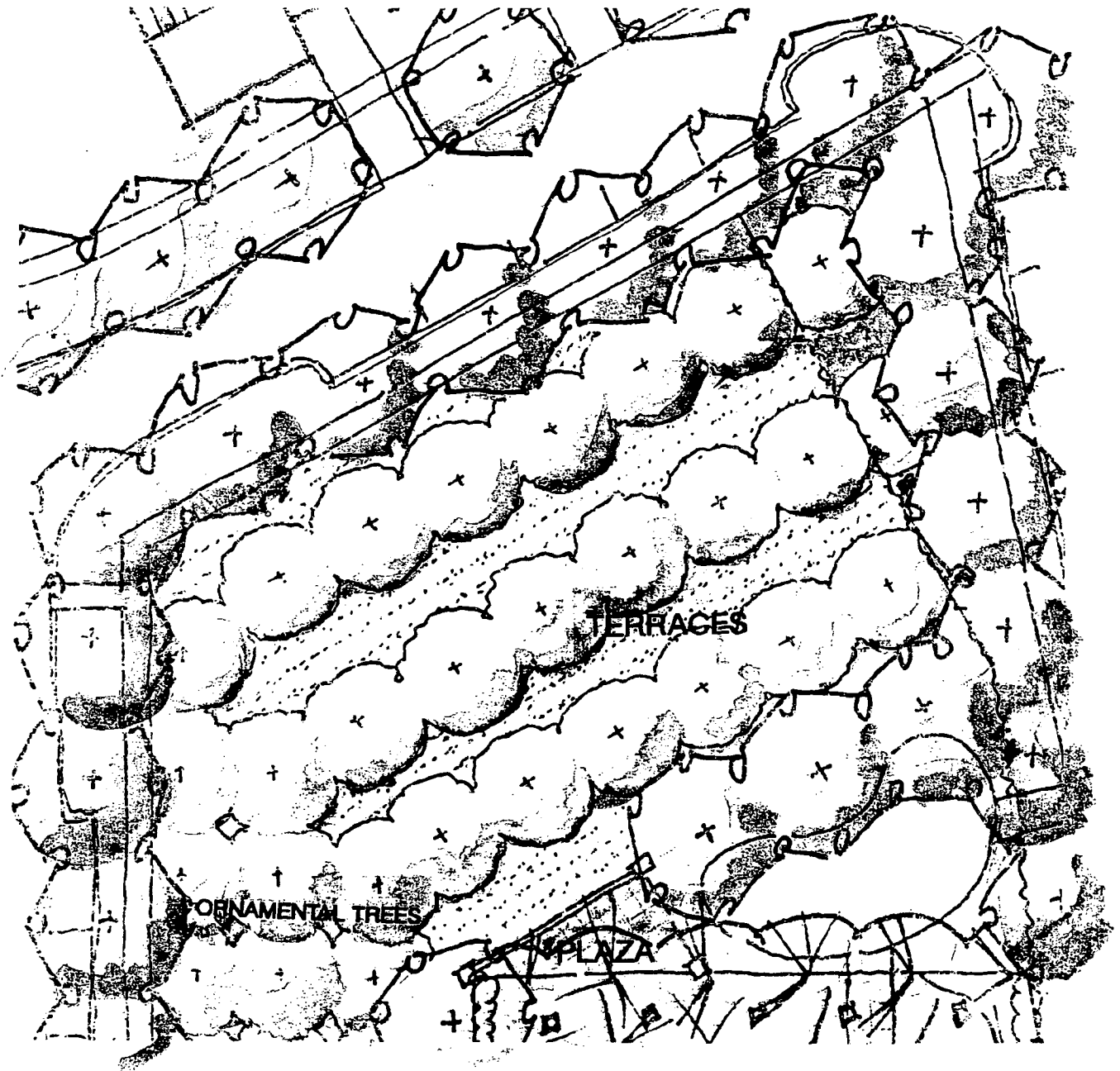


EXHIBIT 13 - Terraced Bosque

HIGHLANDS
Clarksbury

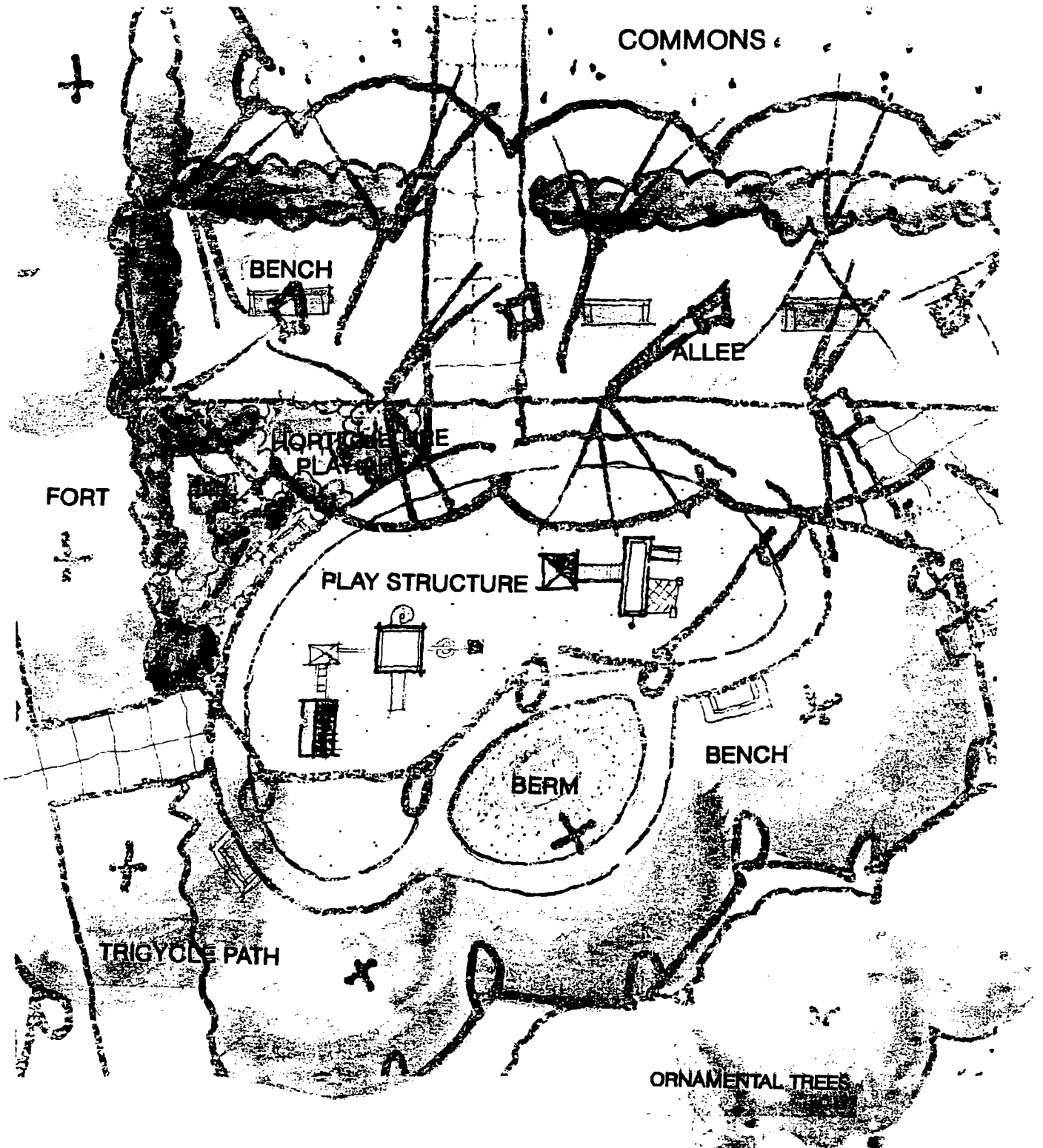
Montgomery County, Maryland

Meoris, Hendricks, & Glascock, P.A.
9220 Wightman Road, Suite 120
Gaithersburg, Md 20879
(301) 870-0840

Cresser/O'Brian Architects
9210 Wightman Road, Suite 400
Gaithersburg, Md 20879
(301) 948-8300

Bowis Investment Realty Corp.
174 Hillwood Lane
Great Falls, VA 22086
(703) 787-2242

EXHIBIT AS SHOWN ON THIS PLAN IS FOR REFERENCE
ONLY. POSTS, CURB AND IS SUBJECT TO CHANGE



HIGHLANDS
CLARKSBURG

EXHIBIT 14 - All Ages Play Area

Montgomery County, Maryland

Morris, Sandrick, & Starzook, P.A.
622 Nighthawk Road, Suite 120
Gaithersburg, Md 20879
(301) 670-3300

Greene/Cutler Architects
6210 Kightree Road, Suite 400
Gaithersburg, Md 20879
(301) 918-2300

Swire Investment Realty Corp.
674 Millwood Lane
Great Falls, VA 22064
(703) 611-2242

the everyday recreational needs of the residents. An all-ages play area, separate from but adjacent to the Commons will focus on activities for tots and adolescent children (See Exhibit 14). Multiple play structures appropriate for a variety of age groups will provide for muscular and coordination type activities. A horticultural play area designed to stimulate the senses will provide for less structured play. In addition to these major play themes, seating, a picnic area, an open lawn and shade will be planned.

The site is located between three regional parks (Little Bennett, Black Hill, Ovid Hazen Wells) and two local parks (Kings, Clarksburg) is accessible to the proposed greenway via the proposed hiker/biker trail, and is adjacent to the Clarksburg Town Center with its elementary school, various playgrounds, and pond.

The off-site amenities are varied and numerous and supplement the on-site amenities. The Recreational Facility Guidelines Computations (see Exhibit 9) shows that more than adequate on-site and off-site amenities exist to support the development's recreational needs and quality of life issues.

D. Environmental Protection and Enhancement

1. Forest Conservation Planning

As identified in Section II, the existing forest is of marginal value, it is overrun with invasive exotics and is dominated by inferior tree species. The site lies within a special protection area and is tributary to a Class IV stream. Given these facts and the land needs required to create a density capable of sustaining a healthy sense of community, only existing forest along the perimeter of the property is to remain (See Exhibit F, Appendix A). The most beneficial plan is to place proposed reforestation along the lower elevations of the Northeast and Southeast property lines where contiguous forest exists, overland water naturally flows, and screening of off-site/on-site uses can be achieved. In addition, the proposed forest would help control soil erosion on the steeper slopes that exist along these boundaries and the stormwater management facility. Trees will also be planted to shade the stormwater management pond to reduce thermal heating.

2. Stormwater Management

The site lies within the Clarksburg special protection area. The reduction of the thermal heating of all water leaving the site and thus minimizing impacts to the environment is the primary goal of the stormwater management practices employed on-site. Management practices that will be employed to reduce thermal heating are detention and topsoil and seeded rip rap. Redundant quality management in the form of surface sand filter(s), stormceptor(s), and vegetative filtering will be implemented to exceed County standards. Quantity requirements will be met (See Exhibit E, Appendix A).

3. Public Water and Sewer

The site is currently designated in water services category 1 and sewer service category 4 with advancement to S-3 pending Preliminary Plan of Subdivision approval (Amendment 94G-CKB-01).

Water service will be connected to the existing water line in the MD Route 355 right-of-way and the existing water line in the Stringtown Road right-of-way.

Sanitary sewer service will be provided by the proposed outfall on the north side of Stringtown Road. The proposed sewer will exit at the northeast corner of the property and connect to the sewer lines within the Stringtown Road right-of-way.

E. Transportation Summary

A staging ceiling capacity is not available for the Clarksburg Transportation Policy Area according to the FY98 Annual Growth Policy. The site can expect 101 am peak-hour trips and 204 pm peak-hour trips as stated in the revised Transportation Statement in Appendix B. A traffic study is being prepared for the Preliminary Plan of Subdivision application.

IV. Compliance Evaluation

A. Master Plan Conformance

The master plan is divided into 10 policy points, each a critical planning issue for the development of Clarksburg. The Highlands at Clarksburg addresses and conforms with each of the policy points as follows:

1. Policy Statements

Town Scale of Development - "This plan envisions Clarksburg as a town, at a larger scale than proposed in 1968 Clarksburg Master Plan but smaller than a corridor city such as Germantown."

- The Highlands at Clarksburg has a density of 6.0 du/ac which is within the master plan proposed density of 5-7 du/ac. The use of neighborhood planning techniques, such as zero lot lines has allowed for the conservation of open space through the massing of buildings.
- The plan includes three types of housing, single family detached, single family attached, and multifamily assuring a mix of households and incomes.
- The project abuts the Historic District and the Town Center. The architecture is complementary to the historic district while the density is

consistent with the Town Center. The integration of these aspects into the project creates a continuity among the three areas.

- The commercial portions of the project front Stringtown Road and provide a link between the general public requiring goods and services and the residential community of Highlands at Clarksburg.

Natural Environment - "This plan recommends that Clarksburg's natural features, particularly stream valleys, be protected and recommends that Ten Mile Creek and Little Seneca Creek be afforded special protection as development proceeds."

- Although no stream valleys, springs, seeps or wetlands exist on site, special considerations in the development and planning of the stormwater management facilities was taken. The facility will meet the stringent requirements for water quality that are afforded to special protection areas. The use of vegetation in the stormwater management facilities in addition to the requirements is also proposed.

Greenway- Network - "This plan recommends a multi-purpose greenway system along stream valleys."

- An eight foot wide higher/biker trail will be installed along the northern side of Stringtown Road. The trail will be integral to connecting the area around the intersection of MD Route 355 and Stringtown Road with the proposed greenways. The project will connect to the hiker/biker trail along Stringtown Road.
- A Class III Bikeway will also be provided along the eastern side of MD 355 and will connect into the above mentioned hiker/biker trail.

Transit System - "This plan proposes a comprehensive transit system that will reduce dependence on the automobile."

- The master plan identifies bus routes and bikeways along highways as two alternative transit systems which will service the site. A Class III bike path paralleling the site's boundaries along the northern side of Stringtown Road and MD Route 355 shall be implemented as part of this project. According to the Master Plan, bus routes shall service both Stringtown Road and MD Route 355, and shall connect to the through-transit systems. Thus allowing residents of Highlands at Clarksburg access via public transportation to the Clarksburg Town Center and to more distant destinations such as the District of Columbia, Silver Spring, Frederick, etc.

Hierarchy of Roads & Streets - "This plan proposes a street network which clearly differentiates between highways needed to accommodate regional through traffic and roads which provide sub-regional and local access."

- The hierarchy of streets on-site are established through the use of street trees, sidewalks widths, and building setbacks. The greater the building set-backs and wider the sidewalks, the higher the classification of street.
- Interconnecting streets with sidewalks paralleling the street on both sides will increase pedestrian mobility within the community. Street trees and on street parallel parking will buffer the pedestrian from vehicular traffic.
- The building frontage along MD Route 355 will enhance and continue the "town scale" theme, especially with the proposed re-classification of MD Route 355 to Business.

Town Center - "This plan proposes a transit-oriented multi-use Town Center which is compatible with the scale and character of the Clarksburg Historic District."

- The neo-traditional layout of the community compliments the character of the historic district, thus acting as a buffer against potential inappropriate development.
- An extensive sidewalk system connecting to off-site pedestrian systems promotes the use of alternative transportation in the town center.
- The orientation of buildings outward toward the surrounding streets, especially the commercial buildings, will promote pedestrian access and reduce dependency on the automobile.

Transit- and pedestrian-oriented neighborhoods - "This plan clusters development into a series of transit- and pedestrian-oriented neighborhoods."

- The project includes a mix of retail, office, single family and multi-family uses all clustered within a fifteen acre site. The proximity and density of the various use encourages pedestrian travel and increases the potential for nearby employment. Retail and multi-family uses will occupy the same building providing residents easy access to goods and services.
- Streets interconnect to create a network of sidewalks which will aid pedestrian mobility throughout the community. The proposed network of sidewalks will also connect into off-site sidewalks and trails providing access to the town center and other off-site amenities.
- A diverse mix of housing units is provided to foster a sense of community through a variety of incomes and households. The ratio of the various types of residences was designed to create a viable community while offering an economically feasible project.

- A pedestrian friendly environment is achieved by creating human scale streetscapes. To provide a pedestrian-oriented community. Buildings are clustered with their facades pushed toward the street.

Employment - "Additional limited employment uses are recommended at transit stops, at the town center and in neighborhoods as part of a mixed-use land use pattern..."

- The project incorporates office and retail within two blocks of all proposed housing.

Farmland Preservation - "This plan supports and reinforces county policies which seek to preserve a critical mass of farmland."

- Although this project is not directly related to the preservation of farmland, the development standards proposed makes efficient use of land thus helping reduce the sprawl that so frequently destroys farmland.

Staging - "This plan recommends that development be staged to address fiscal concerns and to be responsive to community building and environmental protection objectives."

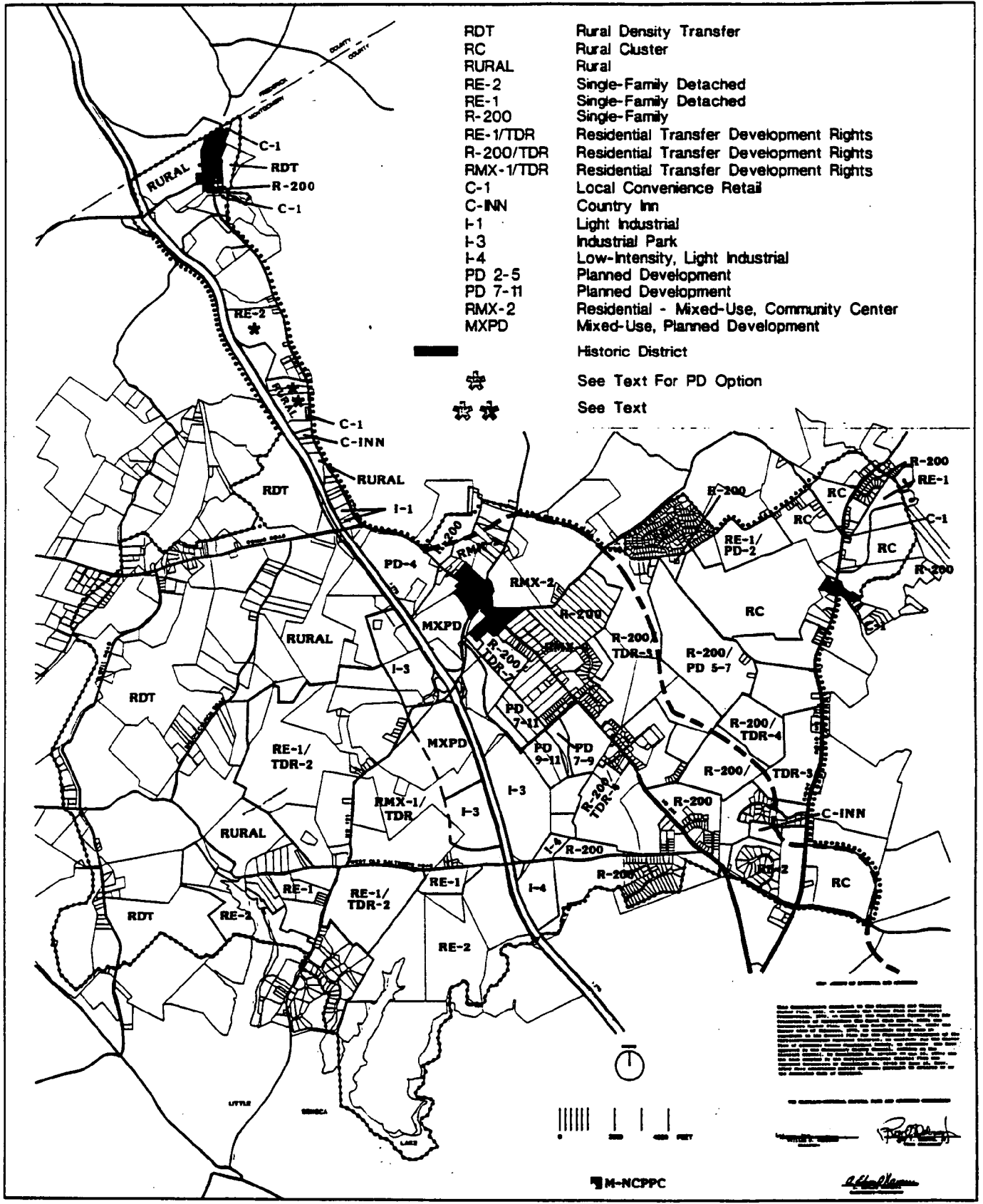
- The project will address its development responses to the transportation staging ceiling capacity when a capacity has been developed for the Policy Area.
- The proposed development will be serviced by public sewer and water.

2. Land Use Recommendations

The site falls along the northern boundary of the transit corridor district (990 acres) (See Exhibit C, Appendix A). The land use plan recommends a density of 5-7 du/ac which the project meets with 6.0 du/ac. Maintaining a residential character and a sense of community are key plan objectives.

The location of the site along the cusp of the transit corridor and the town center affords unique opportunities to implement a mixed-use neighborhood plan. Residential facades fronting MD Route 355 continue the residential character of the approach to Historic Clarksburg while the commercial buildings facing Stringtown Road and it's intersection with MD Route 355 create a transition to the greater densities of the town center. As a property within the transit corridor, the promotion of transit use and access is an integral part of the plan. The increased density allowed by the optional method provides the critical mass necessary to support mass transit, while providing set-backs, facades, and amenities that maintain the character of the area.

ZONING PLAN



B. RMX-2 Zone Purposes and Conformance

The purpose of the RMX-2 zone optional method is to allow for the design of a mixed-used development controlled through a rigorous review process. The zone provides flexibility in regards to housing mix, setbacks, and more. Flexibility combined with creative planning allows the developer to design a project with a sense of character, place and community. The Highlands of Clarksburg achieves this dynamic mix of character, place and community by capitalizing on the flexibility of the RMX-2 zone.

The RMX-2 zone is recommended by the 1994 Clarksburg Master Plan for the three lots that make up Highlands at Clarksburg (See Exhibit 15). The proposed development for Highlands at Clarksburg conforms with this recommendation and with the recommendations concerning character, open space, use, and density.

A density of 6.0 du/ac. consisting of single family attached and detached residential and multi-family residential is inter-mingled with 18,590 square feet of office and 12,870 square feet of retail space. The master plan calls for a residential density of 5-7 du/ac. and a maximum commercial density of 0.5 FAR.

Buildings with architecture complimentary to the existing structures along MD Route 355 are sited close to the street through the use of zero setbacks creating building/road relationships characteristic of Clarksburg. One of the major objectives of the master plan, a pedestrian friendly environment, can be realized by emulating this relationship.

The RMX-2 zone requires a minimum of 15% and 50% commercial and residential green areas respectively. Through the use of zero lot lines, modified rights-of-way, and smaller lots a total of 49% commercial and 70% residential green area was obtained. The green area provides amenities to the residents and public at large in the form of a commons area, two play areas, a forest conservation area, an entrance feature, and landscaping.

The relationship of the site to the adjoining properties is governed by the minimum setbacks set forth in section 59-C-10.3.8 (see below).

Required/Permitted/Provided¹

Offices (59-C-10.3.2):

- Professional, and Business: 20,000 s.f. max.0 s.f.
- General: 20,000 s.f. max.18,590 s.f.

Green Area or Outside Amenity Area (59-C-10.3.3):

- (a) w/in commercial portion
(2.718 ac.): 15% min.49%
- (b) w/in residential portion
(12.155 ac.): 50% min.70%

	<u>Required/Permitted</u>	<u>Provided</u> ¹
Commercial Density (59-C-10.3.4): (31,460 s.f. GFA)	0.5 FAR max.	0.3 FAR
Gross Leasable Area (59-C-10.3.5):	600,000 s.f. max.	31,460 s.f.
Number of Dwelling Units (59-C-10.3.6):	NA min. (<30 ac.)	75 d.u.'s
Residential Density (59-C-10.3.7):	30 d.u./ac. max. (Code)	6.0 d.u./ac. ³ 5 to 7 d.u./ac. (M.P.) ²
Building Setbacks (59-C-10.3.8):		
- from adj. R-200 properties:		
Commercial buildings:	100 ft. min. ⁴	100 ft.
Residential buildings:	100 ft. min. ⁴	50 ft.
Building Setbacks (59-C-10.3.8):		
- from Frederick & Stringtown Roads:		
Commercial buildings:	0 ft. min. (Code)	25 ft.
	0 ft. min. (M.P.)	
Residential buildings:	0 ft. min. (Code)	70 ft.
	0 ft. min. (M.P.)	

¹ Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-D-3) not to exceed the amounts required/permitted.

² The abbreviation M.P. refers to standards recommended in the 1994 Clarksburg Master Plan

³ Excluding M.P.D.U.'s (59-C-10.3.7(b)).

⁴ The Planning Board may reduce the minimum setbacks no greater than 50% of 100'.

The project will be seeking a reduction in the minimum setback for one-family residential zoning from one hundred feet to fifty feet for a small portion of the common property line. 88% of the boundary adjoining R-200 zoned property meets or exceeds the standard 100 foot setback with an average setback of 200 feet. The effects of the reduced setback will be minimized by the planting of and protection of trees along the property lines.

The property conforms to the optional method of development for the RMX-2 zone and provides for a higher quality of living than conformance with the standard method would allow.

C. Development Benefit Statement

1. Standard Method Alternative

The standard method for RMX-2 zones must comply with the standards and requirements of the R-200 zone. The standard method requires lower density, greater setbacks, larger lots, no public amenities or open space, and a single housing type, all in stark contract to the recommendations of the Master Plan.

The average density for R-200 is 1.5 du/ac. verses the 5-7 du/ac. recommended in the master plan. A density of 1.5 du/ac. is insufficient to reach the critical mass required to create a transit-oriented community. Transit use is one of the key elements promoted by the Clarksburg Master Plan.

The R-200 zone requires a 40' building setback from any existing or proposed street. This is in direct conflict with the Clarksburg Master Plan recommendation to pull the buildings closer to MD Route 355 in order to mimic the existing character along that road. The side yard minimum setbacks of 12' on one side and the sum of both sides equal to 25' reduces the proximity of neighbors. These setbacks are a hinderance to developing what the Master Plan calls "community".

Lots of a minimum of 20,000 square feet are mandated under the R-200 zone. This puts more of the land into the hands of individual private landowners and reduces the area of publicly accessible open space. The larger lots and reduced density may increase the green area but will reduce and segment the productive open areas and wildlife habitats.

Open space to maintain the rural character of the area is one of the important components to the Clarksburg Master Plan. The R-200 zone limits coverage to 25% of the lot, but does not mandate accessible open space. Coverage refers strictly to the building footprint and does not encourage a layout that provides for massing of building to maximize land use efficiency. Public amenities are not required by the R-200 zone. Public amenities such as community gathering areas would not be provided, thus losing an opportunity to create a forum that could enhance intra-community relations.

Single-family detached housing would be the only housing type allowed in the R-200 zone, creating a modicum of diversity within the development.

2. Optional Method Alternative

The optional method is the preferred method of development according to the recommendations and guidelines of the 1994 Clarksburg Master Plan. It encourages mixed-use development in approved areas of the county. The optional method allows and/or requires increased densities, modifies right-of-ways, reduced setbacks, mixed uses, public amenities, open space, and multi-modal access.

The master plan calls for a residential density of 5-7 du/ac. The proposed plan for Highlands of Clarksburg has a density of 6.0 du/ac based on the net tract area of the site with the commercial component subtracted. The higher densities will sustain public transportation to a greater degree than the standard method maximum density of 2.0 du/ac. Higher densities produce greater levels of activity within the community which translates into a vitality not found in standard subdivisions. The commercial density must not exceed 0.5 FAR. The proposed plan has a commercial FAR of 0.3. FAR was determined by dividing the gross floor area of the commercial buildings, excluding the condominiums, by the gross tract area of the commercial component.

Modification of the right-of-ways to create a streetscape that encourages pedestrian movement is allowed by the master plan. Right-of-ways on this plan have been modified to transform the roads from an automobile oriented transportation system to a multi-modal transportation system conducive to pedestrian and bicycle movement. On-street parallel parking, spacious sidewalks, street trees and site amenities are related to the human scale, and are elements of the modified right-of-way. Building setbacks along the fronts of lots are reduced to zero under the optional method. Facades can be moved forward to closely front a street helping to foster a sense of enclosure, scale and protection which in turn promotes pedestrian use of the streetscape. Side lot setbacks are also reduced to zero allowing for closer grouping of residences. This provides two opportunities to enhance development: conservation of open space and promotion of a close knit neighborhood.

Highlands at Clarksburg integrates commercial and residential land uses to promote pedestrian mobility, resident convenience, and reduce automobile use. The commercial component will support retail and office space as well as provide employment and goods and services to the surrounding community. The master plan advocates a "mix of unit types at the neighborhood level" that "avoids large concentrations of any single type of housing..." (Clarksburg Master Plan & Hyattstown Special Study Area, page 28). Three types of housing units are proposed for Highlands at Clarksburg: single-family detached, single-family attached, and multi-family. The single-family detached and attached are split 43%/57% respectively with the multi-family reflecting 12.5% minimum of the total housing units.

In order to obtain approval for the optional method of development, the project must provide public facilities and amenities. The amenities are required to negate the effects of the increased densities on existing public facilities. Although there are three regional parks within five miles of the site and closer local parks, the project proposes passive and active recreation facilities within the confines of the community that will support the everyday activities of the community. Three structured activity areas are proposed for the site: a commons area, a play area, and a bosque.

The commons is designed to replicate the commons of the northeast, a large tree-lined grassy area surrounded by streets. The commons will provide an area for planned and spontaneous civic and recreational functions. A pavilion, sidewalks, seating, lawn panel, and landscaping will provide the structure for the space.

The all-ages play areas will be designed for two different age groups: toddlers and all-ages. The toddler area will be designed to accommodate the needs of small children requiring intense parental supervision and the all-ages area will provide for less supervised play between more self-sufficient children. Play structures, a horticultural interest area, seating, and a picnic area are the planned components of the play areas.

In addition to these amenities more passive amenities will be provided in the form of forest conservation, a stormwater management pond, an entrance feature, and attractive landscaping of the community areas. A minimum green area or outside amenity area of 15% and 50% is required for the commercial and residential portions respectively, of RMX-2 zone. The plan exceeds these requirements by at least 40% for each component. The commercial green area is 49%, while the residential green area is 70%.

A transit- and pedestrian-oriented neighborhood is a re-occurring theme of the Clarksburg Master Plan. The proposed project incorporates the elements of mixed-uses, interconnected streets, diverse housing types and street-oriented buildings to establish a multi-model neighborhood connected via trails, walks and transit with similar neighborhoods within Clarksburg.

D. Development Program Sequence

The development of Highlands at Clarksburg is subject to the staging recommendations laid out in the Clarksburg Master Plan. Development of the residential portion along with the Commons of the project will begin as transportation ceiling capacity is available. The development of the tot lot and play lot will accompany the construction of the residential component adjacent to their designated area. The commercial component will follow the residential portion and the market demand for office/retail in the area.

E. Findings Required for Approval of Project Plan

Montgomery County Code 59-D 2.42 requires an application for development be approved or approved with modifications only if specific requirements are met by the development. The proposed plan meets all applicable requirements as defined in section 59-D-2.42.(a)-(f),(h)(i).

"(a) It would comply with all the intents and requirements of the zone"

As stated in section IV, the intents and requirements of the optional method of the RMX-2 zone have been met. The plan provides for mixed-use development, public facilities and amenities, generous green area, allowable commercial FAR and gross leasable floor area, appropriate residential density and minimum building setbacks.

"(b) It would conform to the approved and adopted sector plan"

The project conforms to the approved and adopted 1994 Clarksburg Master plan and Hyattstown Special Study Area. The recommendations of the master plan were incorporated into the proposed plan for Highland of Clarksburg, including increased densities, mixed-use development, pedestrian- and transit-oriented neighborhood, hierarchy of streets, access to green-way system, employment opportunities and staging.

"(c) Because of its location, size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to existing or potential development in the general neighborhood."

The Master Plan has identified the site as an area appropriate for mixed-use development. The proximity to the town center, transit, and major access roads justify the required intensity of the plan. The site falls within the proposed staging area for Clarksburg. The design, size, and characteristic are complimentary to the surrounding area, especially the adjacent historic district.

"(d) It would not overburden existing public services nor those programmed for availability concurrently with each stage of construction..."

The FY98 Annual Growth Policy provides guidelines for the determination of adequacy for public facilities.

Transportation: There is currently no staging ceiling capacity available in the Clarksburg Transportation Policy Area for either housing or jobs. A transportation statement has been provided (Appendix B) indicating the number of trips generated by the proposed development. A traffic study will be prepared once staging ceiling capacity becomes available. The traffic study will be reviewed by the Planning Board in its administration of Local Area Transportation Review. The proposed development must satisfy both Policy Area Transportation Review and Local Area Transportation Review prior to Planning Board approval of the Preliminary Plan of Subdivision.

Public Schools: The County Council has declared that school capacity is adequate for all school clusters at all grade levels.

Water and Sewer: Service is considered adequate if designated in Categories 1,2 or 3. As stated earlier, the subject property is in water category 1 and sewer

category 4 with administrative advancement to category 3 upon the approval of a Preliminary Plan of Subdivision.

Police, Fire and Health Services: The FY98 A.G.P. indicates that these services are considered adequate county-wide.

- "(e) It would be more efficient and desirable than could be accomplished by the use of the standard method of development."**

The standard method of development would promote suburban sprawl in a special protection area with a master plan whose objective is to conserve the rural and the natural environment of the area. The standard method would not conserve open or natural spaces, and would be out of character with the adjacent historic district. The optional method would be in compliance with the approved and accepted master plan. The plan makes efficient use of land providing 29% more green space than required. The layout for Highlands at Clarksburg is in character with the adjacent historic district and the proposed town center.

- "(f) It would include moderately priced dwelling units in accordance with Chapter 25A of this code, if the requirements of that chapter apply."**

Eight moderately priced dwelling units are provided in accordance with Chapter 25A of the Montgomery County code.

- "(g) Not Applicable."**

- "(h) Any applicable requirements for forest conservation under Chapter 22A."**

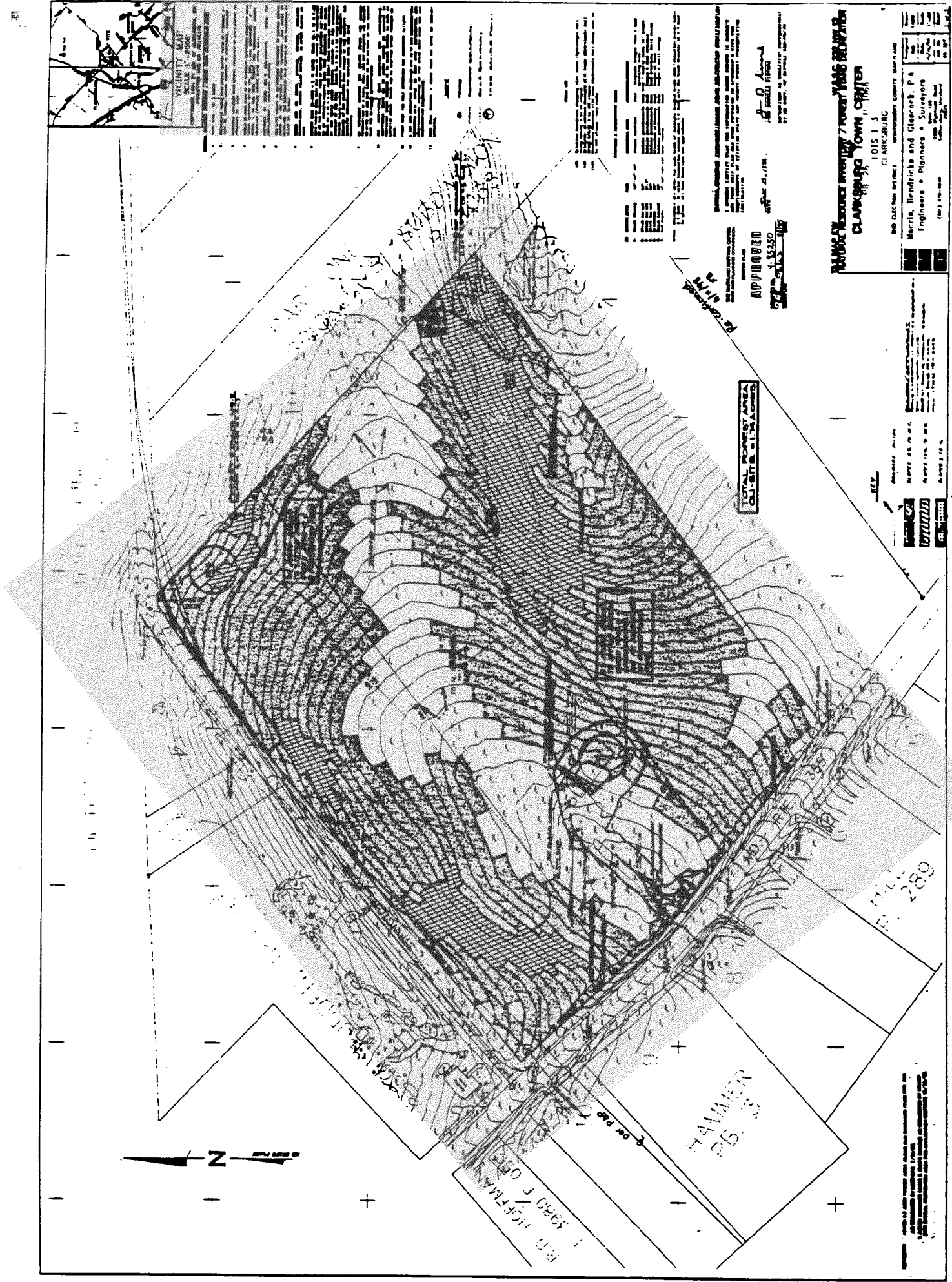
Requirements for forest conservation and water quality resource protection are met by this plan. The forest conservation plan was prepared in accordance with Chapter 22A of the Montgomery County code minimizing forest removal and maximizing on-site reforestation /afforestation.

- "(i) Any applicable requirements for water quality resource protection under Chapter 19."**

The water quality resource protection utilizes redundant water quality management practices as demonstrated by the Stormwater Management Concept Plan and the Preliminary Water Quality Plan to be reviewed and approved by Montgomery County.

APPENDIX A

MAPS AND PLANS



N

VICINITY MAP
SCALE 1" = 1 MILE
DATE: 11/15/88

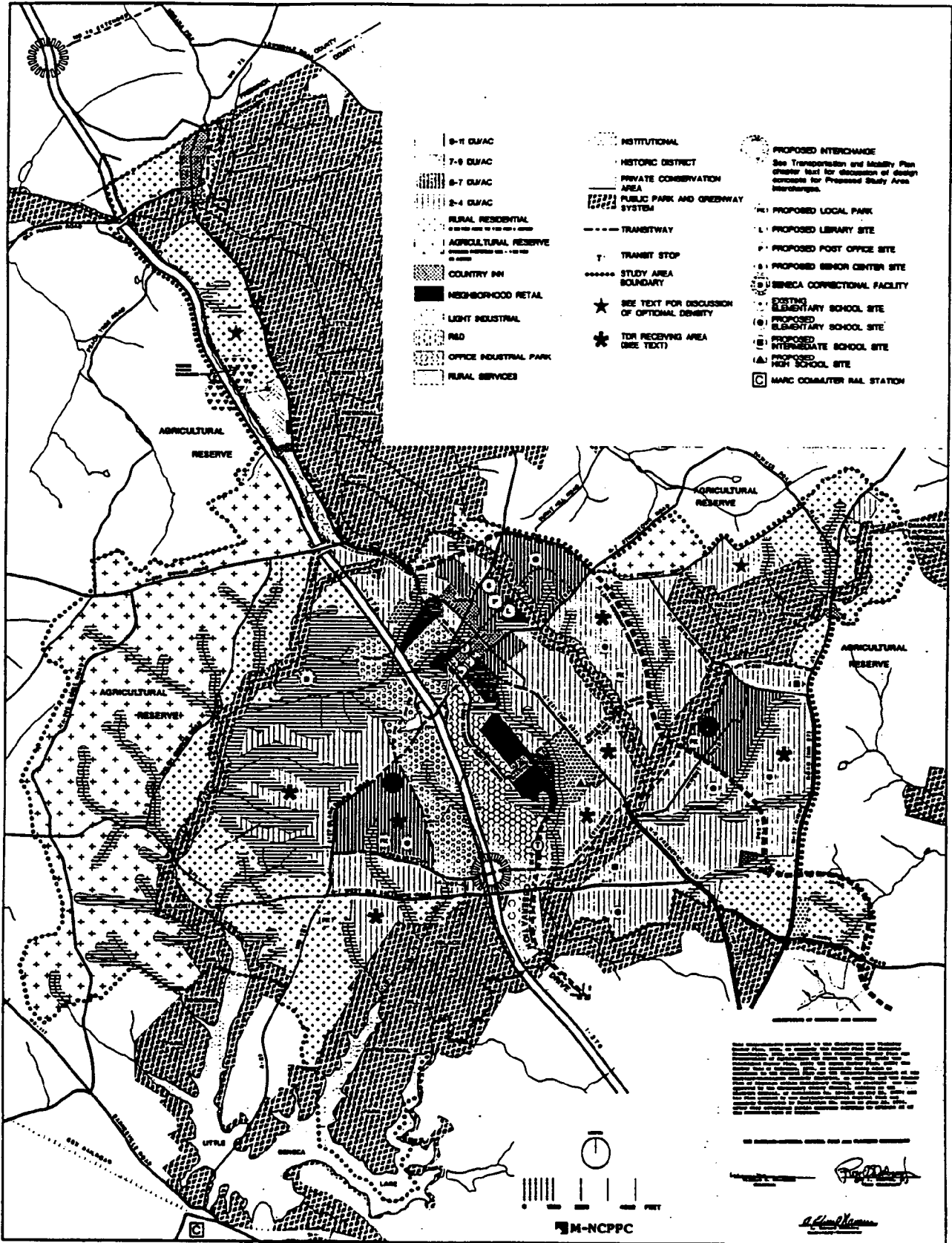
TOTAL FOREST AREA
13,350 ACRES

CLARKSBURG TOWN CENTER
CLARKSBURG, WEST VIRGINIA
COUNTY: CLARK
PROJECT NO. 88-001

McGraw-Hill Construction Information Group
McGraw-Hill Construction Information Group
1221 Avenue of the Americas
New York, NY 10020-1396
Tel: (212) 512-2000
Fax: (212) 512-2001

EXHIBIT A

PROPOSED LAND USE AND TRANSPORTATION PLAN



KEY

- Existing Forest
- Existing Forest to be Regulated
- Restoration Area
- Shade Tree
- Expansion Tree

VICINITY MAP
SCALE 1" = 2,000'

Project name: Highlands at Clarksburg

Scale: 1" = 2,000'

Lot No.	Area (Ac.)	Area (Sq. Ft.)	Notes
1	0.10	4,356	
2	0.10	4,356	
3	0.10	4,356	
4	0.10	4,356	
5	0.10	4,356	
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94	0.10	4,356	
95	0.10	4,356	
96	0.10	4,356	
97	0.10	4,356	
98	0.10	4,356	
99	0.10	4,356	
100	0.10	4,356	

Project name: Highlands at Clarksburg

Scale: 1" = 2,000'

Lot No.	Area (Ac.)	Area (Sq. Ft.)	Notes
101	0.10	4,356	
102	0.10	4,356	
103	0.10	4,356	
104	0.10	4,356	
105	0.10	4,356	
106	0.10	4,356	
107	0.10	4,356	
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139	0.10	4,356	
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144	0.10	4,356	
145	0.10	4,356	
146	0.10	4,356	
147	0.10	4,356	
148	0.10	4,356	
149	0.10	4,356	
150	0.10	4,356	

GRAPHIC SCALE
1" = 2,000'

WSSC 232NWT13

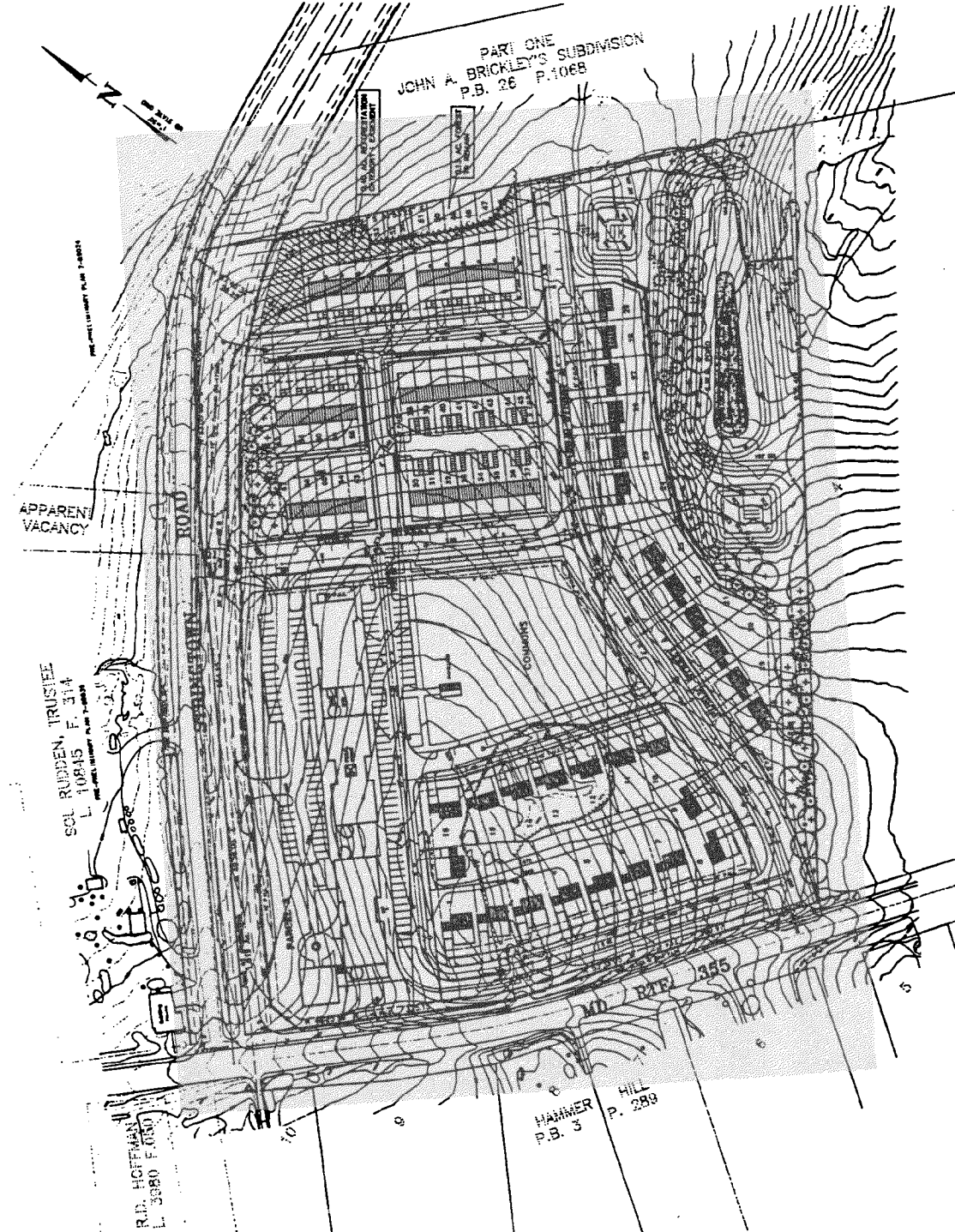
PRELIMINARY FOREST CONSERVATION PLAN
HIGHLANDS AT CLARKSBURG
P.B. 26 LOTS 1-15
P. 1068

ENVIRONMENTAL COMMITTEE - CLARKSBURG, MARYLAND

Macris, Hendricks & Glascock, P.A.
Engineers • Planners • Surveyors

(410) 874-4444
12125 Lutz Road, Clarksburg, MD 20740

Lot No.	Area (Ac.)	Area (Sq. Ft.)	Notes
1	0.10	4,356	
2	0.10	4,356	
3	0.10	4,356	
4	0.10	4,356	
5	0.10	4,356	
6	0.10	4,356	
7	0.10	4,356	
8	0.10	4,356	
9	0.10	4,356	
10	0.10	4,356	
11	0.10	4,356	
12	0.10	4,356	
13	0.10	4,356	
14	0.10	4,356	
15	0.10	4,356	



NOTE: THE PLACE OF REPRODUCTION FOR THE RESIDENTIAL AREA SHALL BE SET OFF-ITE.

EXHIBIT F

APPENDIX B

TRAFFIC STATEMENT



Macris, Hendricks and Glascock, P.A.

Engineers • Planners • Surveyors

April 23, 1998

REVISED TRANSPORTATION STATEMENT

Mr. Joe Davis
Development Review Division
M-NCPPC/Silver Spring
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Highlands at Clarksburg
MHG Project No. 95-307

Dear Mr. Davis:

We have revised the Preliminary Plan of Subdivision application for the referenced property in response to discussion with M-NCPPC staff. We provide the following revised Transportation Statement which reflects the plan revisions for your use.

Policy Area Transportation Review:

The site is located in the Clarksburg Transportation Policy Area. There is no staging ceiling capacity available for this policy area according to the FY98 Annual Growth Policy.

Local Area Transportation Review:

The proposed mixed-use community will generate 101 AM peak-hour trips and 204 PM peak hour trips based on the formulas and rates contained in the 1996 Local Area Transportation Review Guidelines.

General Office Use:

AM: 18,590 S.F. GFA @ 1.38 trips per 1,000 S.F. = 26 Trips
PM: 18,590 S.F. GFA @ 2.24 trips per 1,000 S.F. = 42 Trips

Retail Use (Without Major Food Chain Store):

AM: 93 P.M. peak-hour trips @ 25% = 24 Trips
PM: 12,870 S.F. GLA @ 12.36 trips per 1,00 S.F.
(0.05 + (0.002 * (200 - (12,870 S.F./1,000)))) = 93 Trips

Mr. Joe Davis
Development Review Division
M-NCPPC/Silver Spring
April 23, 1998
Page 2

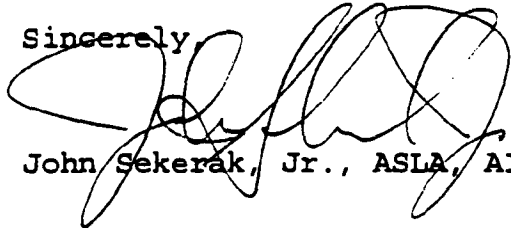
Residential Use:

•	Single Family Detached:		
	AM: 29 D.U.'s @ 0.95 trips per unit =		28 Trips
	PM: 29 D.U.'s @ 1.11 trips per unit =		33 Trips
•	Townhouses:		
	AM: 38 D.U.'s @ 0.48 trips per unit =		19 Trips
	PM: 38 D.U.'s @ 0.83 trips per unit =		32 Trips
•	Garden Apartments (Condominiums):		
	AM: 8 D.U.'s @ 0.44 trips per unit =		4 Trips
	PM: 8 D.U.'s @ 0.48 trips per unit =		4 Trips
			<hr/>
	Total AM:		101 Trips
	Total PM:		204 Trips

We understand that once staging ceiling becomes available for this policy area, a traffic study must be submitted within six months.

If you have any questions or need any additional information, please feel free to call.

Sincerely,



John Sekerak, Jr., ASLA, AICP

cc: Mr. Hank Bowis
Ms. Cindy Bar, Esq.
Mr. Steve Peterson

APPENDIX C

**PROJECT PLANNING AND
DESIGN TEAM DIRECTORY**

PROJECT PLANNING AND DESIGN TEAM DIRECTORY

Owner/Applicant:

F & H Investments, L.P.
c/o Bowis Investment Realty Corporation
974 Millwood Lane
Great Falls, Virginia 22066
Phone: (703) 757-2242
Fax: (703) 757-2243
Contact: Mr. Henry Bowis

Legal Council:

Lerch, Early and Brewer, Chartered
3 Bethesda Metro Center, Suite 380
Bethesda, Maryland 20814-5367
Phone: (301) 986-1300
Fax: (301) 986-0332
Contact: Mr. Harry W. Lerch, Esq.
Ms. Cynthia M. Bar, Esq.

Land Planner/Civil Engineer/Landscape Architect/Surveyor:

Macris, Hendricks and Glascock, P.A.
9220 Wightman Road, Suite 120
Gaithersburg, Maryland 20879-1226
Phone: (301) 670-0840
Fax: (301) 948-0693
Contact: Mr. John Sekerak, Jr., ASLA, AICP
Mr. James Glascock, P.E.
Mr. Douglass Riggs, III, Professional Land Surveyor

Architect:

Creaser/O'Brien Architects
9210 Wightman Road, Suite 400
Gaithersburg, Maryland 20879
Phone: (301) 948-8380
Fax: (301) 948-2180
Contact: Mr. Randall J. Creaser, AIA

Transportation Planner:

Street Traffic Studies, Limited
16626 South Westland Drive
Gaithersburg, Maryland 20877
Phone: (301) 948-1754
Fax: (301) 258-0558
Contact: Mr. Steve Petersen

Geotechnical Engineer:

Schnable Engineer
10215 Fernwood Road, Suite 250
Bethesda, Maryland 20817
Phone: (301) 564-9355
Fax: (301) 530-6376
Contact: Jean Marie Stangert

HOUSING TYPES AND QUANTITIES	
TYPE	QUANTITY
SINGLE FAMILY DETACHED (3 Bedroom)	29
SINGLE FAMILY ATTACHED (3 Bedroom)	38
COOP/MINIMUMS (MPDU) (4-2 Bedroom & 4-3 Bedroom)	8
TOTALS	75

VICINITY MAP
SCALE 1" = 2,000'

DEVELOPMENT STANDARDS	Required/Permitted	Provided ¹
Offices (59-C-10.3.2): - Professional, and Business: - General:	20,000 s.f. max. 20,000 s.f. max.	0 s.f. 18,500 s.f.
Green Area or Outside Amenity Area (59-C-10.3.3): - (a) w/in commercial portion (2,718 ac.): - (b) w/in residential portion (12,155 ac.):	15% min. 50% min.	49% 70%
Commercial Density (59-C-10.3.4):	0.5 FAR max.	(31,460 s.f. GFA)
Gross Leasable Area (59-C-10.3.5):	600,000 s.f. max.	31,460 s.f.
Number of Dwelling Units (59-C-10.3.6):	NA min. (<30 ac.)	75 d.u.'s
Residential Density (59-C-10.3.7):	30 d.u./ac. max. (Code) 5 to 7 d.u./ac. (M.P.) ²	6.0 d.u./ac. ³
Building Setbacks (59-C-10.3.8): - From adj. R-200 properties: Commercial buildings: Residential buildings: - From Frederick & Stringtown Roads: Commercial buildings: Residential buildings:	100 ft. min. 100 ft. min. 0 ft. min. (Code) 0 ft. min. (Code) 0 ft. min. (M.P.)	100 ft. 501ft. 25 ft. 70 ft.

- Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-D-3) not to exceed the amounts required/permitted.
- The abbreviation M.P. refers to standards recommended in the 1994 Clarksburg Master Plan.
- Excluding M.P.D.U.'s (59-C-10.3.7(b)).
- The Planning Board may reduce the minimum setbacks no greater than 50% of 100'.

- NOTES
- Boundary from field survey by Macris, Hendricks & Glascock, P.A. (MHG).
 - Topography by photogrammetric methods by MHG, 2 foot contour interval.
 - Property is zoned RMX-2 (Residential - Mixed Use Development, Specialty Center) by 204 E-57 & E-58.
 - Water and sewer category: W-1 & S-4, respectively. Service Area Category advancement to S-3 pending preliminary plan approval per 94G - 9XB-01.
 - Area tabulation:
- Area previously dedicated to public use (indeterminable) = 0.000 ac.
- 100 year flood plain (> 30 ac.) = 0.000 ac.
- Area to be dedicated to public use = 1.044 ac.
- Net tract area = 10,078 ac.
 - This plan proposes the development of a maximum of 31,460 s.f. GFA and 75 dwelling units. The specific land use(s), lot size and configuration, and building size and configuration will be determined at the Site Plan stage of review.
 - Development of the residential portion along with the Commons of the project will begin as transportation ceiling capacity is available. The development of the lot lot will accompany the construction of the residential components adjacent to their designated area. The commercial component will follow the residential portion and the market demand for retail/retail in the area.
 - This site is within the Clarksburg and Vicinity planning area.
 - This site is within the Clarksburg transportation policy area.
 - This site is within the Little Seneca Creek Watershed (Class IV) and within the Clarksburg Special Protection Area.
 - A Natural Resources Inventory Map/Forest Stand Delineation Plan has been approved by M-NDP/PC Environmental Planning Division, Reference No. 4-95250.
 - Service utility companies are:
- Water and Sewer: WSSC
- Electric: Potomac Edison
- Telephone: Bell Atlantic
- Natural Gas: Washington Gas
 - The locations of existing underground utilities are shown in their approximate locations as per available utility company records. The exact location of all underground utilities should be verified by "Miss Utility" (1-800-357-7777) prior to any excavation. Macris, Hendricks and Glascock, P.A. does not express or imply any guarantee or warranty as to the location or existence of any underground utility.

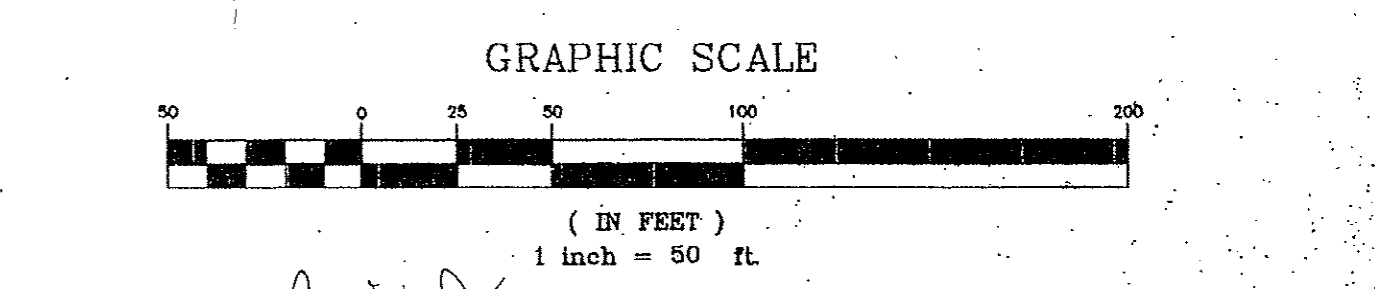
PARKING SPACE REQUIREMENTS FOR MIXED USE COMMERCIAL

	WEEKDAYS		WEEKENDS		NIGHT
	DAY	EVENINGS	DAY	EVENINGS	
OFFICE	56	6	6	3	3
RETAIL	38	58	64	45	3
MULTI-FAM'LY	7	14	14	14	14
TOTALS	101	78	84	66	20

114 PARKING SPACES PROVIDED

PARKING SPACE REQUIREMENTS FOR RESIDENTIAL UNITS

	SPACES/UNIT REQUIRED	TOTAL UNITS REQUIRED	TOTAL PROVIDED
SINGLE FAMILY DETACHED (1 garage & 1 driveway space)	2	58	92
SINGLE FAMILY ATTACHED (1 garage & 1 driveway space)	2	76	97
TOTALS		134	189



KEY

- = PRIMARY VEHICULAR CIRCULATION
- = SECONDARY VEHICULAR CIRCULATION
- = LAND USE
- = PEDESTRIAN CIRCULATION
- = ACCESS POINT
- = HIKER / BIKER TRAIL

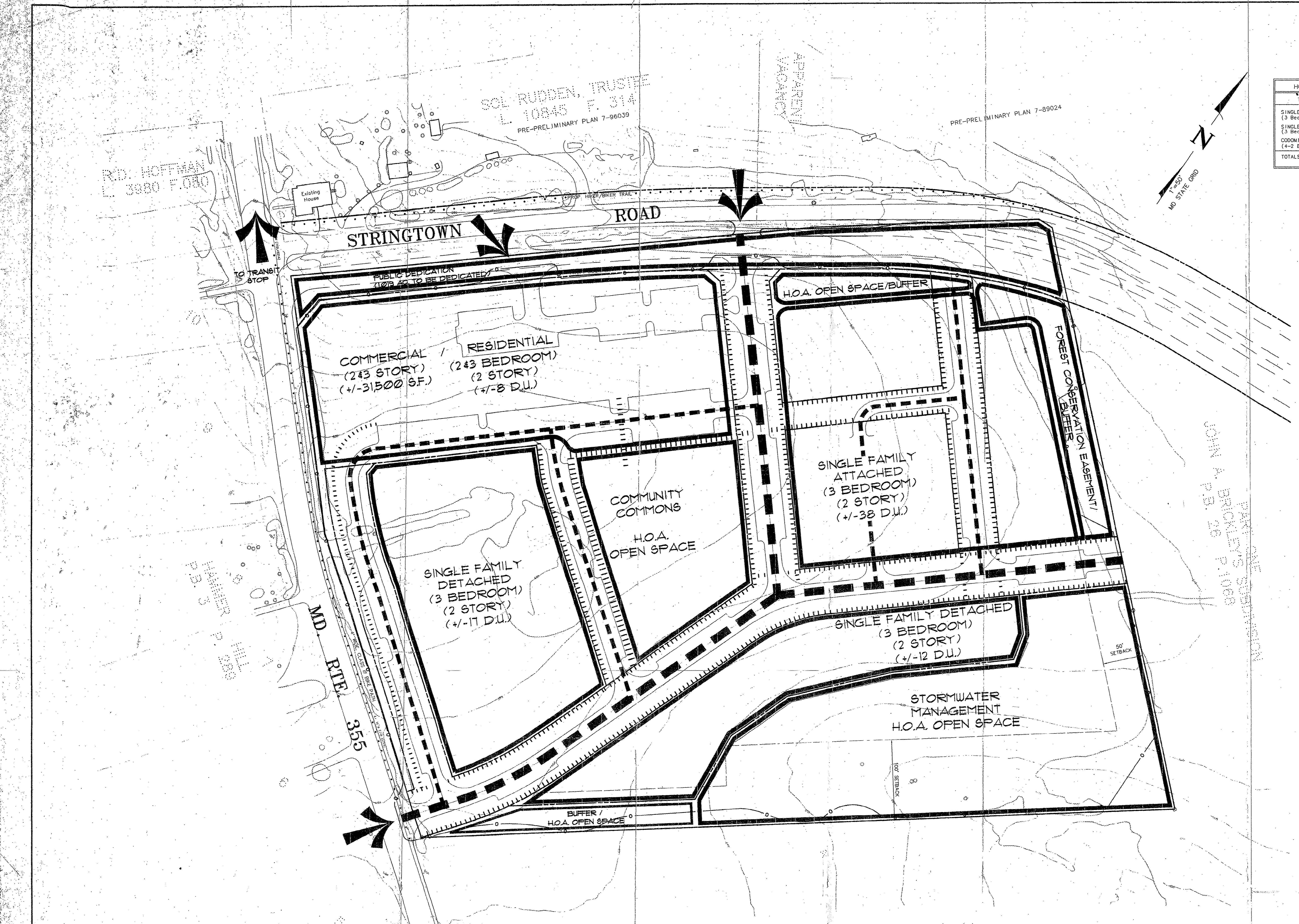
NO.	DATE	DESCRIPTION	BY
1	9-16-98	Revised per new layout	VSB

EW *Clarks* WSSC 232NW13

LAND USE PLAN
HIGHLANDS AT CLARKSBURG
P.B. 26 P. 1068
LOTS 1-3
2ND ELECTION DISTRICT
MONTGOMERY COUNTY - CLARKSBURG, MARYLAND

Macris, Hendricks & Glascock, P.A.
Engineers • Planners • Surveyors
Suite 120
9220 Wightman Road
Gaithersburg, Maryland
20879
(301) 670-0840
FAX (301) 948-0893

Designed VSB	Drawn CW
Date 4-23-98	Scale 1" = 50'
Job No. 95-307	Sheet 1 of 1



R.D. HOFFMAN L. 3800 F. 030

SOL RUDDEN, TRUSTEE L. 10845 F. 314 PRE-PRELIMINARY PLAN 7-96039

PRE-PRELIMINARY PLAN 7-89024

MD STATE CRD

TO TRANSIT STOP

MD. RTE. 335

50' SETBACK

100' SETBACK

JOHN A. BROOKS & ASSOCIATES, P.A. 26 P. 1068

Copyright 1998 by Macris, Hendricks & Glascock, P.A.

Exhibit 'C'

C O V E R

S H E E T

FAX

ROCK CREEK REGIONAL PARK
M-NCPFC
6700 Needwood Road
Derwood, MD 20855
301-948-5053

FAX: 301-948-3471

To: Robin Ziek

From: _____

Fax #: 301-563-3412

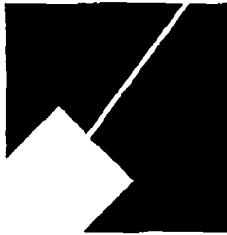
Subject: Dowden's Ordinance

Date: 3 June 26, 01

Pages: _____ (including this cover sheet)

COMMENTS:

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

TO: Wynn Witthans: Site Plan Coordinator, M-NCPPC

FROM: James D. Sorensen, Ph.D., Archaeologist, M-NCCPC

SUBJECT: Route 355 Road Alignment

Having consulted with the people at our Historic Preservation Commission (The contact was Michele Naru.), we feel that the best alternative to the road widening and leveling in front of the site of Dowden's Ordinary would be the one that has the least impact to the site, itself. Michele Naru reminded me that the historic D.A.R. marker on the site is the earliest one in the County (1915), and its current location should be considered historical in its own right.

If adjustments to the road alignment, so as not to impact the present bank, are not feasible, we would suggest that the present bank edge be considered as the limits of disturbance and all work impact be kept to the east of that edge. Perhaps, a retaining wall along the current bank edge is the next best alternative.

*Issue response
Return Approve - J.D.S.*



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks, Montgomery County, Maryland
9500 Brunett Avenue • Silver Spring, Maryland 20901

TO: Gwen Marcus Wright, Historic Preservation Co-ordinator

FROM: James D. Sorensen, Ph.D., Archaeologist, County-wide Planning

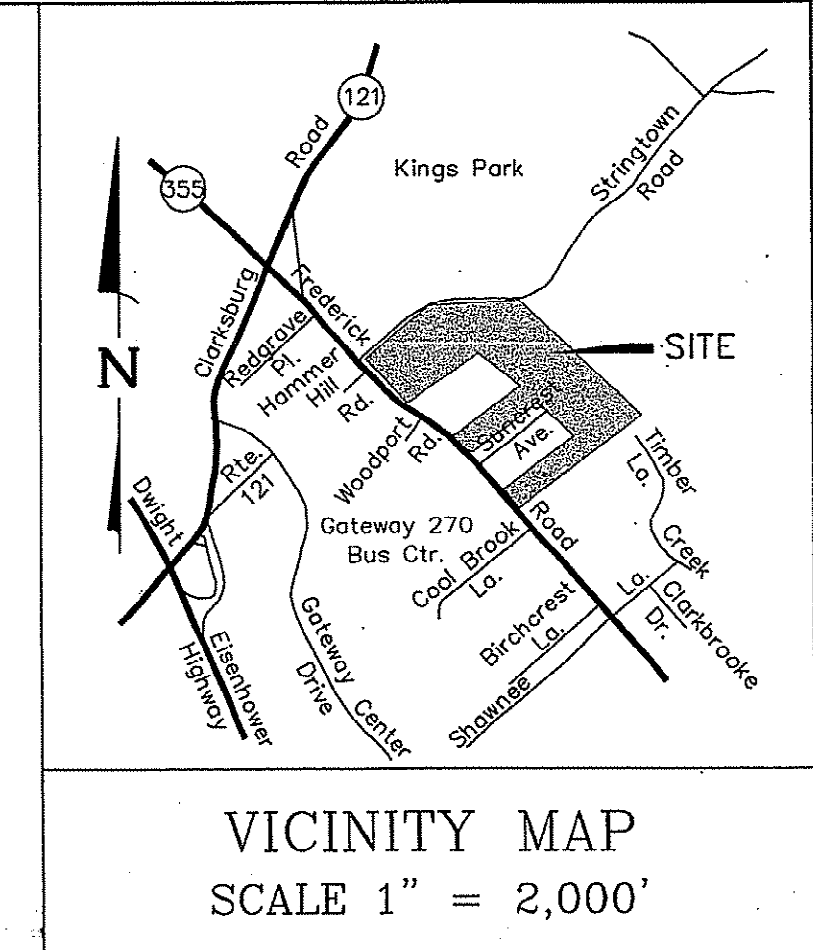
SUBJECT: Stringtown Road Extension

Because the extension of Stringtown Road across Rt. 355 adjoins Parcel N 396, the location of Dowden's Ordinary, which was used as an encampment by British General Edward Braddock during the French and Indian War in 1755, the right of way is deemed to have archaeological potential as a military campsite. Parcel 396 is scheduled to be acquired by the Park and Planning Commission.

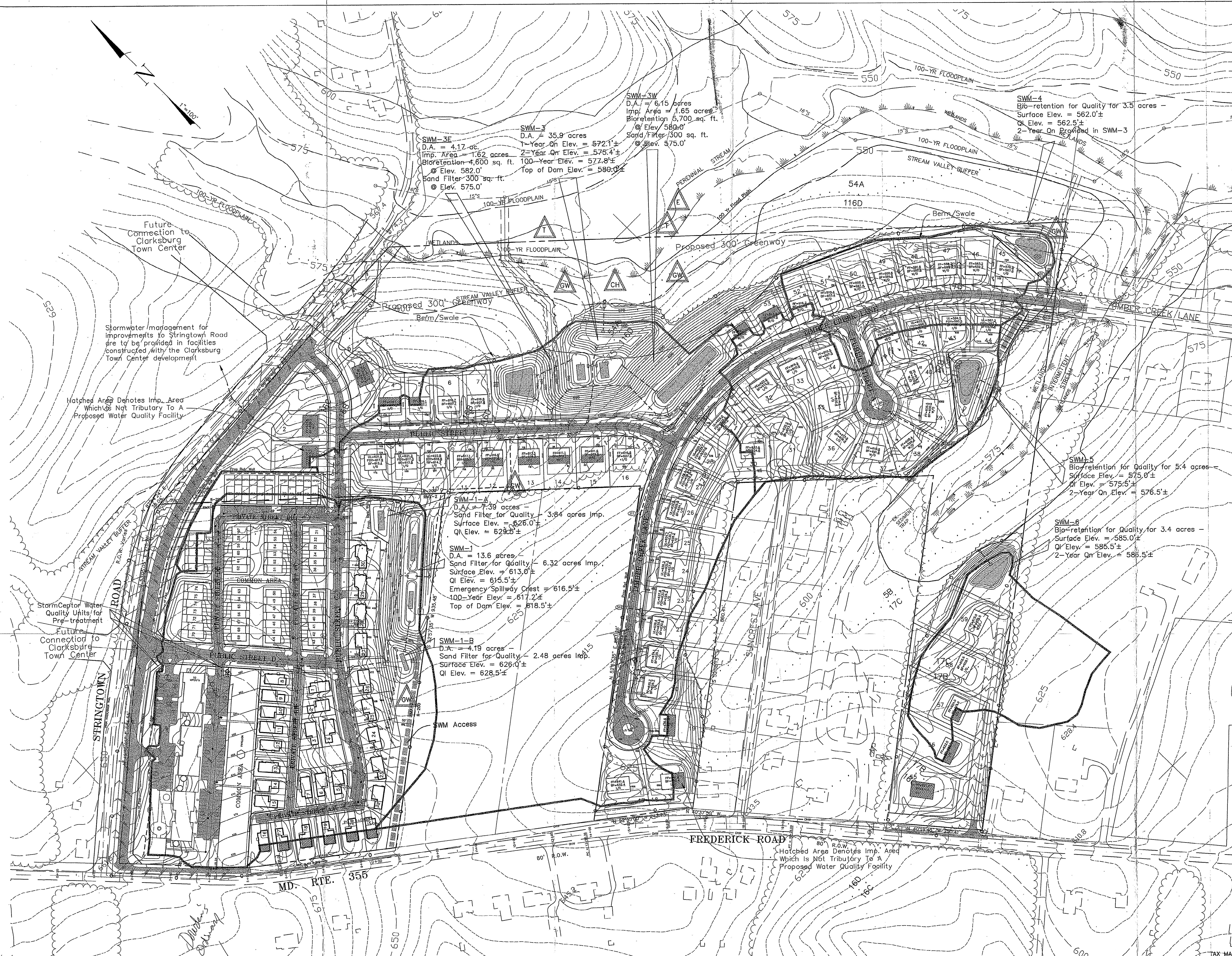
In the absence of Federal or State financing or permitting, which requires an archaeological survey of the area, Phase I, discovery-oriented site investigations along the right-of-way to retrieve camp-related artifacts or map related features should be carried out prior to construction, perhaps conducted through or by our office.

Yours for life

MONTGOMERY COUNTY PARKS



- ▲ MONITORING STATION LOCATION
- ▲ E EMBEDDEDNESS
 - ▲ T TEMPERATURE
 - ▲ GW GROUNDWATER TABLE
 - ▲ SS TOTAL SUSPENDED SOLIDS
 - ▲ CH CHANNEL CONDITION

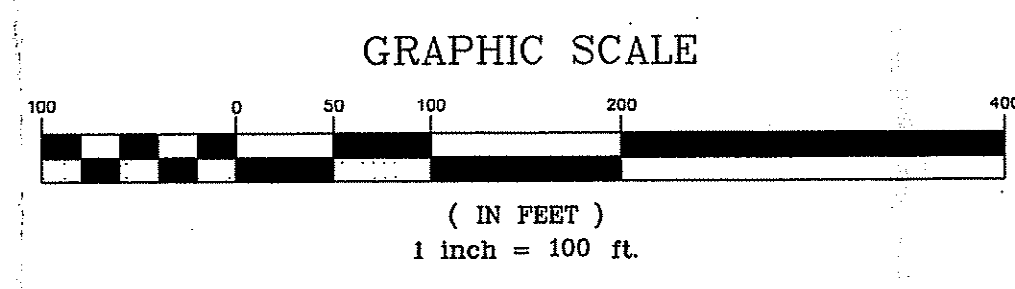


Macris, Hendricks & Glascock, P.A. 2001

Check to Greg Cole with proposal of factoring of 85%

Check to Greg Cole with proposal of factoring of 85%

Check to Greg Cole with proposal of factoring of 85%



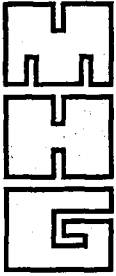
TAX MAP 2EW 341 WSSC 232 NW 13

Stormwater Management Concept/Preliminary Water Quality Plan

HIGHLANDS AT CLARKSBURG

2nd ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

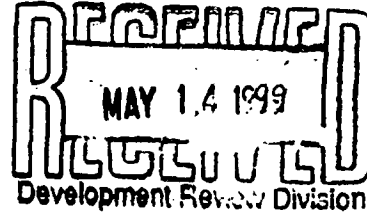
	Macris, Hendricks & Glascock, P.A. Engineers • Planners • Surveyors (301) 670-0840 Suite 120 9220 Wightman Road FAX (301) 948-0693 Montgomery Village, Maryland 20886-1279	Designed M.J.W./S.L.W. Date 5/9/01	Drawn M.J.W./S.L.W. Scale 1"=100' Job No. 1995.307.20 Sheet 1 of 1
	<p>1 of 1</p>		



Macris, Hendricks and Glascock, P.A.
Engineers • Planners • Surveyors

May 13, 1999

Mr. Malcolm Shaneman
Ms. Wynn Witthans
Maryland National Capital Park and
Planning Commission
Development Review Division
8787 Georgia Avenue
Silver Spring, MD 20910



Re: Highlands at Clarksburg
MNCPPC File Nos.: 1-98009 and 9-98001
MHG File No. 95-307

Dear Mr. Shaneman and Ms. Witthans:

As requested, enclosed are 50 additional copies each of the Preliminary Plan of Sub-division and the Land Use Plan. The plans incorporate the revisions requested by, and previously provided to, Ms. Brooke Farquhar. In summary the revisions include:

- Oriented townhomes along Stringtown Road toward Stringtown Road and the surrounding community.
- Created buffer area between rear of townhomes on eastern property line and neighboring lot.
- Removed traffic circle
- Enlarged commons area
- Provided alley for townhomes facing commons area.

A traffic study has also been previously provided by Mr. Steve Peterson and is under review by the Transportation Planning Department.

Thank you for your time and efforts concerning this plan.

Sincerely,

John Sekerak, Jr., ASLA, AICP

enclosures: a/s

cc: Mr. Hank Bowis
Ms. Cindy Bar
Mr. Steve Peterson

L018JES.DOC

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue, Silver Spring, Maryland 20910

Development Review Division Transmittal

DATE MAILED: 5/21/99

TO:

PROJECT

Site Plan Review #9-98001

Preliminary Plan #1-98009

Zone: RMX-2

Project: HIGHLANDS @ CLARKSBURG

Location: CLARKSBURG

SCHEDULE

Development Review Committee: 6/7/99
Tentative Planning Board Agenda: 7/1/99

ACTION

- Information
- Review and Comments by
- Other

ENCLOSURES

Copy of: Supporting Material As Appropriate

RESPONSE

- No Comment
 - Comments Attached/Separate Cover
 - Comments as follows:
-
-
-
-
-
-
-
-
-
-

For more information, contact: WYNN WITTAN at (301)495-4595.

HOUSING TYPES AND QUANTITIES	
TYPE	QUANTITY
SINGLE FAMILY DETACHED (3 Bedroom)	29
SINGLE FAMILY ATTACHED (3 Bedroom)	38
CO-OP/CONDO (MPDU) (4-2 Bedroom & 4-3 Bedroom)	8
TOTALS	75

VICINITY MAP
SCALE 1" = 2,000'

DEVELOPMENT STANDARDS	Required/Permitted	Provided
Offices (59-C-10.3.2): - Professional, and Business: - General:	20,000 s.f. max. 20,000 s.f. max.	0 s.f. 18,900 s.f.
Green Area or Outside Amenity Area (59-C-10.3.3): - (a) w/in commercial portion: - (b) w/in residential portion (12.155 ac.):	10% min. 50% min.	49% 70%
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.3 FAR (31,460 s.f. GFA)
Gross Leasable Area (59-C-10.3.5):	600,000 s.f. max.	31,460 s.f.
Number of Dwelling Units (59-C-10.3.6):	NA min. (<30 ac.)	75 d.u.'s
Residential Density (59-C-10.3.7):	30 d.u./ac. max. (Code) 5 to 7 d.u./ac. (M.P.)	6.0 d.u./ac.3
Building Setbacks (59-C-10.3.8): - from adj. R-200 properties: Commercial buildings: Residential buildings: - from Frederick & Stringtown Roads: Commercial buildings: Residential buildings:	100 ft. min. 100 ft. min. 0 ft. min. (Code) 0 ft. min. (Code) 0 ft. min. (Code) 0 ft. min. (M.P.)	100 ft. 50 ft. 25 ft. 70 ft.

- Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-B-3) not to exceed the amounts required/permitted.
 - The abbreviation M.P.D.U.'s (59-C-10.3.7(b)).
 - Excluding M.P.D.U.'s (59-C-10.3.7(b)).
 - The Planning Board may reduce the minimum setbacks no greater than 50% OF 100'.
- NOTES
- Boundary from field survey by Macris, Hendricks & Glascock, P.A. (MHC).
 - Topography by photogrammetric methods by MHC, 2 foot contour interval.
 - Property is zoned RMX-2 (Residential - Mixed Use Development, Specialty Center) by SMA E-57 & E-58.
 - Water and sewer category: W-1 & S-4, respectively. Service Area Category advancement to S-3 pending preliminary plan approval per 94G CRB-01.
 - Area tabulation:
- Area previously dedicated to public use (indeterminable) = 0.000 ac.
- 100 year flood plain (> 50 ac.) = 0.000 ac.
- Area to be dedicated to public use = 1.019 ac.
Net tract area = 15.078 ac.
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 - A Natural Resources Inventory Map/Forest Stand-Delineation-Plan has been approved by M-NCPPC Environmental Planning Division, Reference No. X-95250.
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- Electric: Potomac Edison
- Telephone: Bell Atlantic
- Natural Gas: Washington Gas
 - The locations of existing underground utilities are shown in their approximate locations as per available utility company records. The exact location of all underground utilities should be verified by "Miss Utility (1-800-257-7777)" prior to any excavation. Macris, Hendricks and Glascock, P.A. does not express or imply any guarantee or warranty as to the location or existence of any underground utility.

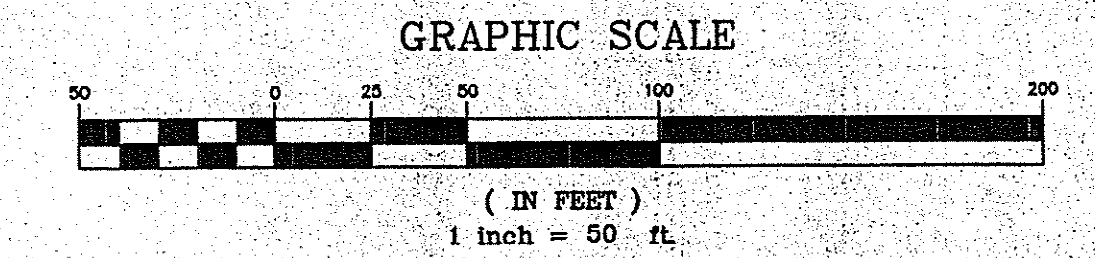
PARKING SPACE REQUIREMENTS FOR MIXED USE COMMERCIAL

	WEEKDAYS		WEEKENDS		NIGHT
	DAY	EVENINGS	DAY	EVENINGS	
OFFICE	56	6	6	3	3
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114 PARKING SPACES PROVIDED

PARKING SPACE REQUIREMENTS FOR RESIDENTIAL UNITS

	SPACES/UNIT REQUIRED	TOTAL UNITS REQUIRED	TOTAL PROVIDED
SINGLE FAMILY DETACHED (1 garage & 1 driveway space)	2	58	92
SINGLE FAMILY ATTACHED (1 garage & 1 driveway space)	2	76	97
TOTALS		134	189



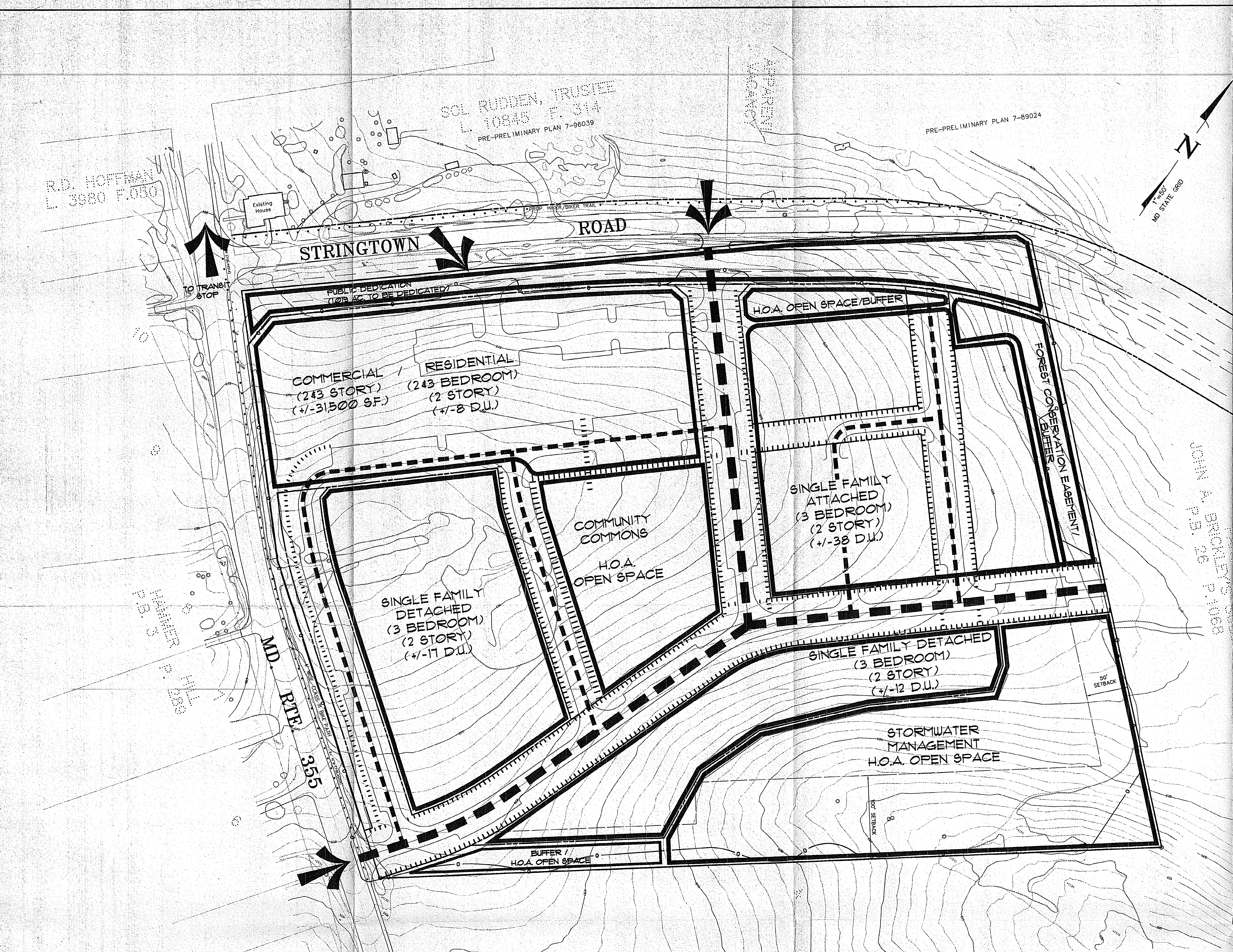
EW WSSC 232NW13

LAND USE PLAN
HIGHLANDS AT CLARKSBURG
P.B. 26 P. 1068
LOTS 1-3
2ND ELECTION DISTRICT
MONTGOMERY COUNTY - CLARKSBURG, MARYLAND

Macris, Hendricks & Glascock, P.A.
Engineers • Planners • Surveyors

9220 Wightman Road
Galliersburg, Maryland 20879
(301) 670-0840
FAX (301) 948-0693

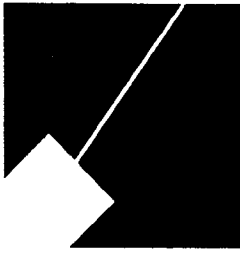
Designed VSB	Drawn CW
Date 4-23-98	Scale 1"=50'
Job No. 95-307	Sheet 1 of 1



KEY

- = PRIMARY VEHICULAR CIRCULATION
- = SECONDARY VEHICULAR CIRCULATION
- = LAND USE
- = PEDESTRIAN CIRCULATION
- = ACCESS POINT
- = HIKER / BIKER TRAIL

NO.	DATE	DESCRIPTION	BY
1	9-16-98	Revised per new layout.	VSB



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

June 1, 1998

MEMORANDUM

TO: Joe Davis
Malcolm Shaneman
Development Review Division

FROM: Gwen Wright, Historic Preservation Coordinator
202 Robin D. Ziek, Historic Preservation Planner
Historic Preservation Section

SUBJECT: Review of Subdivision Plans

We have reviewed the following subdivision plans and found them not to involve any identified historic resources:

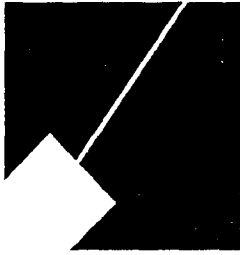
#1-86182	Centerway Business Center
#1-98083	Peters Property
#1-98085	Byrd Property
#1-98087	SGLSC Otsuka American Pharmaceuticals
[8-98031]	
#1-98090	Drumeldra Hills
#7-98033	Parcel J - North Germantown
#7-98034	Bradley Hills, Lot 40 & 41, Block 3A
#8-91019A	Plantations
#8-98032	Bethesda Place II

The following zoning cases involve identified historic resources:

#1-980860 Solomon Simpson 1783 Plantation - The proposed new construction involves Locational Atlas site #17/21 The W.T. Jones House. It is adjacent to Locational Atlas Resource #17/22, the Hilliard/Hunter Farm. It was discussed in 1996 as a subdivision with a somewhat different layout. The new proposal would have to go to the HPC for their review in terms of the reduction of the environmental setting for the W.T. Jones House, and for consideration of the impact on the Hilliard/Hunter Farm, and for the character of the entry drive off of Beallsville Road which is a development of the original drive for the W. T. Jones House.

- ~~#9-98001~~ **Highlands at Clarksburg** - the Preliminary Plan of Subdivision indicates right-of-way through one of the structures in the Clarksburg Historic District. This does not reflect previous discussions to maintain the right-of-way with a setback from the historic district. The drawing should also reflect discussions concerning the width of Stringtown Road, and the proposed locations of public utilities and public facilities, such as the bike path.
- #1-98009
- #1-98082 **Fertile Meadows Lots 21 & 22** - The proposed subdivision may raise concerns about the encroachment on the viewshed from/to the Master Plan Site #14/59 which was laid out in the original subdivision in 1993.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Yes

FROM: Development Review Division, M-NCPPC

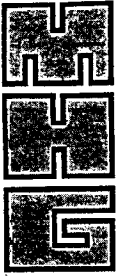
NAME: HIGHLANDS AT CLARKSBURG

FILE No.: 1-98009

Enclosed please find the information checked below. This material will be discussed at the Development Review Committee meeting of 6/1, 198 (no meeting scheduled if blank).

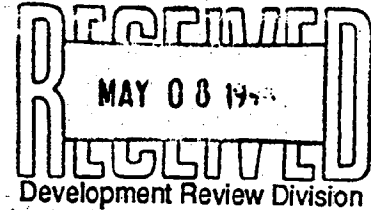
- New Preliminary Plan application with supporting material as appropriate
- Supporting material for previously reviewed Preliminary Plan
- Revised Preliminary Plan drawing & PROJECT PLAN
- New Pre-Preliminary Plan application
- Request for Waiver
- Discussion Item
- Comments due by _____
- Planning Board date (if available) _____ (date subject to change)

Brooke Farguhar



Macris, Hendricks and Glascock, P.A.
Engineers • Planners • Surveyors

April 28, 1998



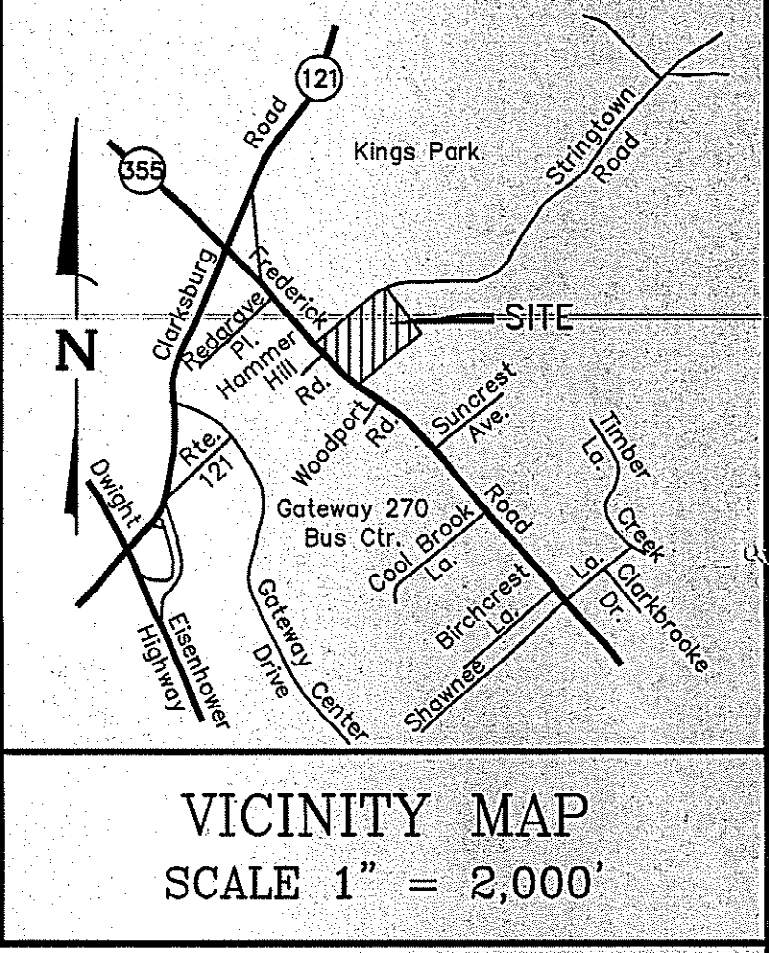
Ms. Brooke Farquhar
Mr. Joe Davis
Maryland-National Capital
Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Highlands at Clarksburg
MHG Project No. 95-307-11

Dear Mr. Davis and Ms. Farquhar:

Please accept this revised submission of the Project Plan and Preliminary Plan of Sub-division for review. The submission was revised in response to comments from the Development Review Committee and to address road alignment issues. The most significant changes are listed below.

- MD Route 355 entrance to the community has been moved to the southern most corner of the property to allow for desired intersection separation.
- Revised dedication of right-of-way for Stringtown Road to reflect most current centerline alignment and right-of-way widths.
- Revised interior roadway network to reflect the change in entrance location, and to address circulation issues raised by Development Review.
- Revised commercial layout to provide a signature building at corner of Stringtown Road and MD Route 355, to reduce the visual impact of vehicles on the surrounding area and to modulate building masses.
- Revised dwelling unit layout in response to changes in roadway patterns. Resulted in the lost of 6 single family attached units and an increase of 4 single family detached units for an overall loss of 2 dwelling units.
- Revised Forest Conservation Plan, Road Profiles and Conceptual Stormwater Management Plan to reflect above listed changes to layout.



HOUSING TYPES AND QUANTITIES	
TYPE	QUANTITY
SINGLE FAMILY DETACHED (3 Bedroom)	29
SINGLE FAMILY ATTACHED (3 Bedroom)	38
CO-OP/CONDO (4-2 Bedroom & 4-3 Bedroom)	8
TOTALS	75

DEVELOPMENT STANDARDS	Required/Permitted	Provided
Offices (59-C-10.3.2): - Professional, and Business: - General:	20,000 s.f. max. 20,000 max.	0 s.f. 18,999 s.f.
Green Area or Outside Amenity Area (59-C-10.3.3): - (a) w/in commercial portion (2.718 ac.): 15% min. - (b) w/in residential portion (12.155 ac.): 50% min.		49% 70%
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.3 FAR (31.460 s.f./ac.)
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Building Setbacks (59-C-10.3.8): Commercial buildings: Residential buildings: - from Frederick & Stringtown Roads: Commercial buildings: Residential buildings:	from adj. R-200 properties: 100 ft. min. 100 ft. min. 0 ft. min. (Code) 0 ft. min. (Code) 0 ft. min. (M.P.) 0 ft. min. (Code) 0 ft. min. (M.P.)	100 ft. 50 ft. 25 ft. 70 ft.

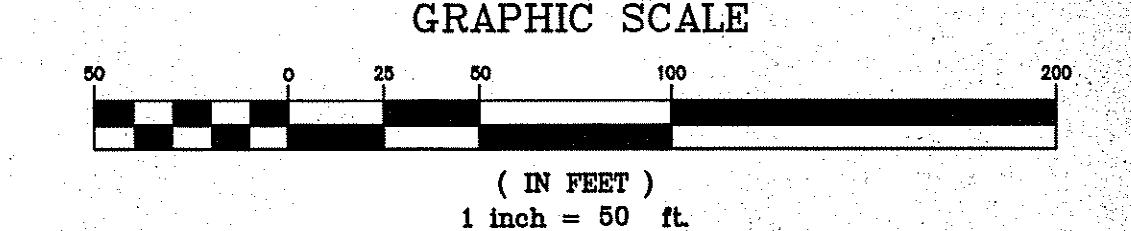
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- Excluding M.P.D.U.'s (59-C-10.3.7(b)).
- The Planning Board may reduce the minimum setbacks no greater than 50% of 100'.

- NOTES**
- Boundary from field survey by Macris, Hendricks & Glascock, P.A. (MHG).
 - Topography by photogrammetric methods by MHG. 2 foot contour interval.
 - Property is zoned RM-2 (Residential - Mixed Use Development, Specialty Center) by SMA E-57 & E-58.
 - Water and sewer category: W-1 & S-4, respectively. Service Area Category advancement to S-3 pending preliminary plan approval per 949-CB-01.
 - Area tabulation:
- Area previously dedicated to public use (Indeterminable) = 0.000 ac.
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TOTALS	101	78	84	66	20

114 PARKING SPACES PROVIDED

	SPACES/UNIT REQUIRED		TOTAL UNITS REQUIRED	TOTAL PROVIDED
	REQUIRE	PROVIDED		
SINGLE FAMILY DETACHED (1 garage & 1 driveway space)	2	58	79	
SINGLE FAMILY ATTACHED (1 garage & 1 driveway space)	2	76	104	
TOTALS		134	183	

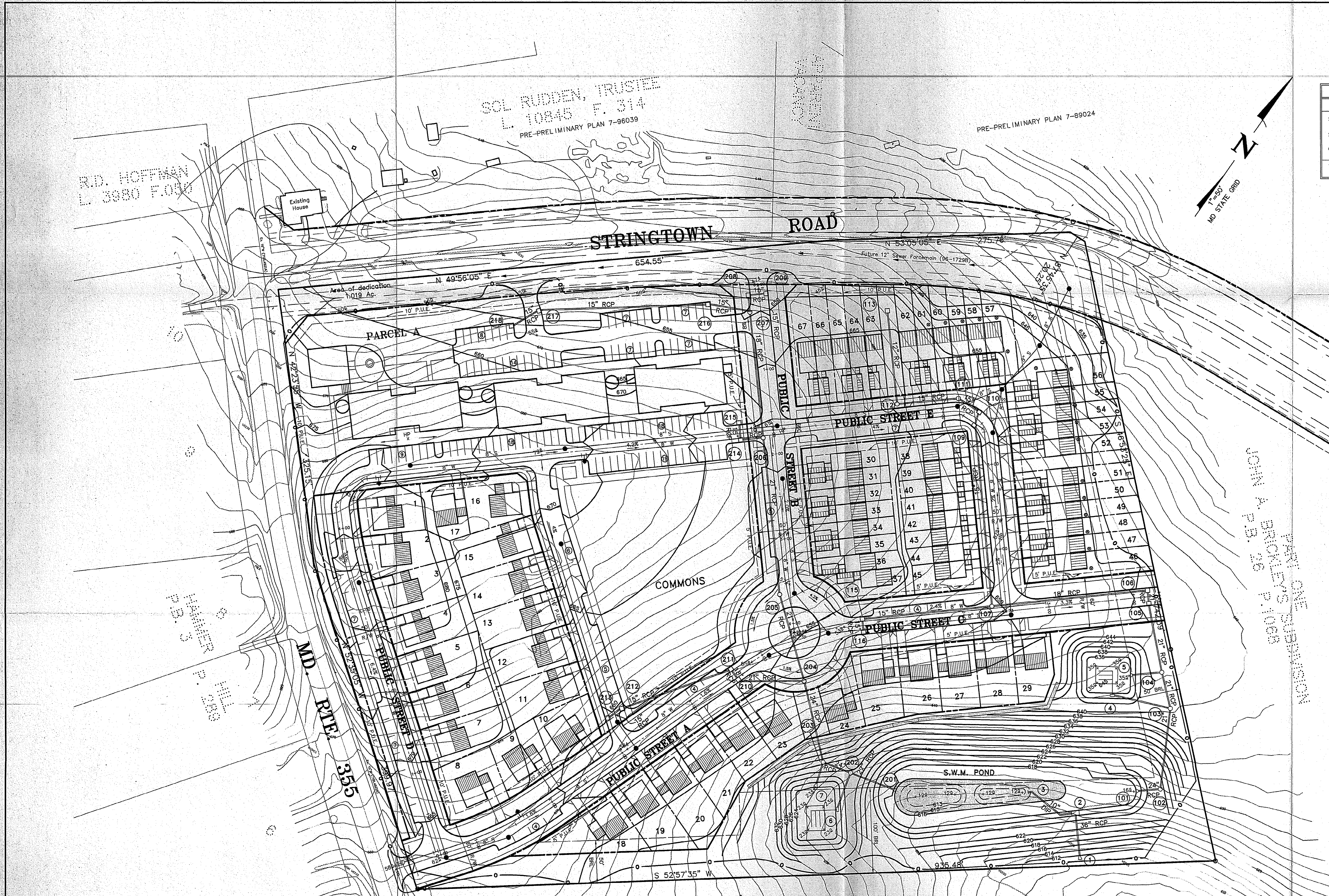


EW WSSC 232NW13
PRELIMINARY PLAN OF SUBDIVISION
HIGHLANDS AT CLARKSBURG
 P.B. 26 P. 1068
 LOTS 1-3
 2ND ELECTION DISTRICT
 MONTGOMERY COUNTY - CLARKSBURG, MARYLAND

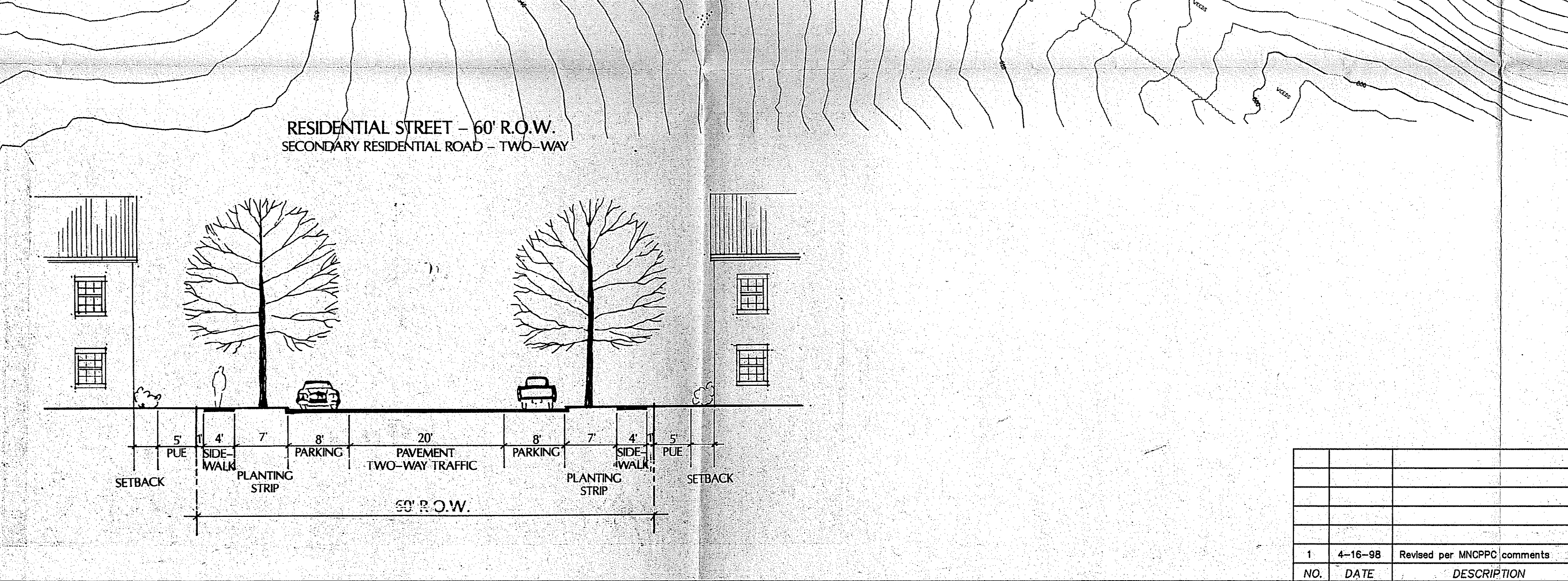
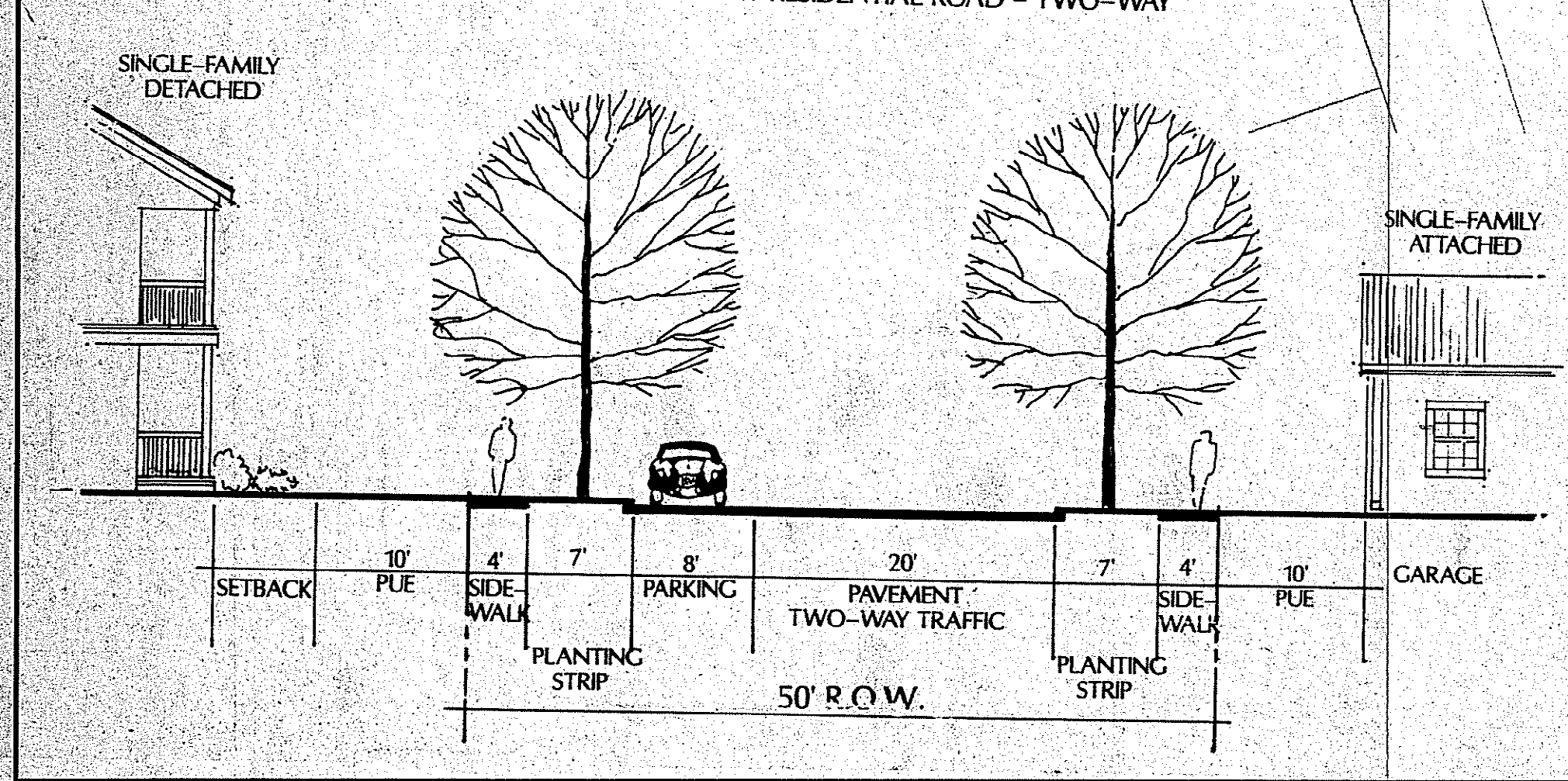
Macris, Hendricks & Glascock, P.A.
 Engineers • Planners • Surveyors
 Suite 120
 9220 Wightman Road
 Gaithersburg, Maryland 20879
 (301) 670-0840
 FAX (301) 948-0693

Designed VSB	Drawn CW
Date 4-23-98	Scale 1"=50'
Job No. 95-307	Sheet 1 of 1

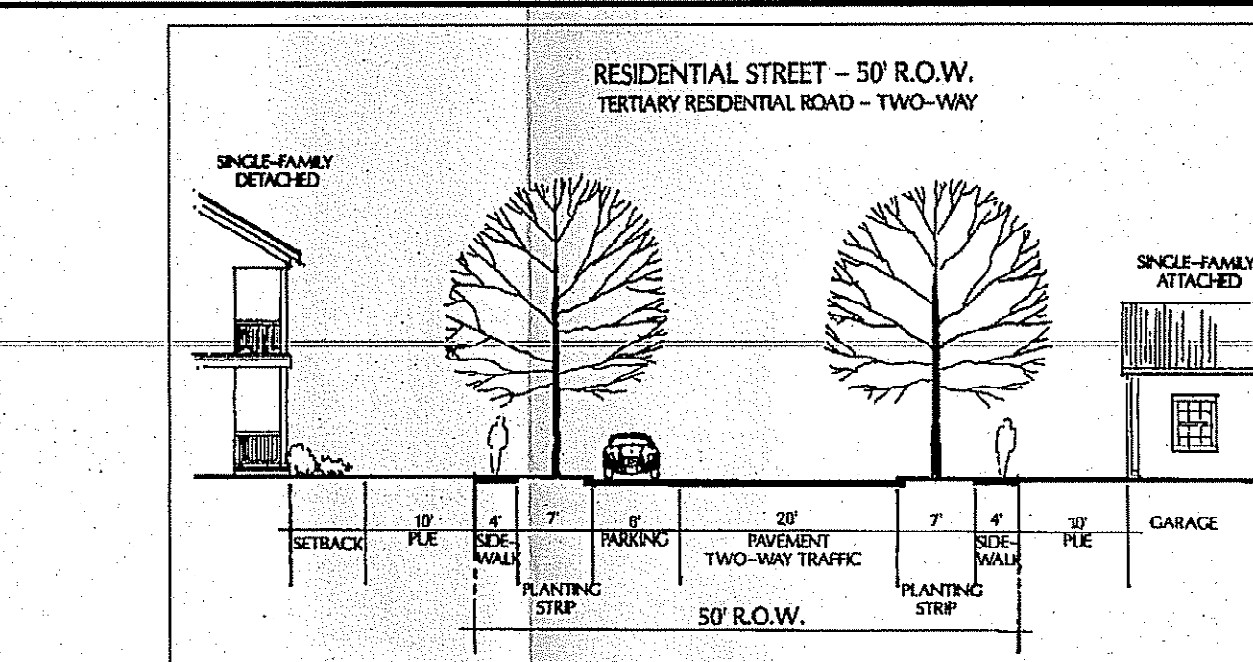
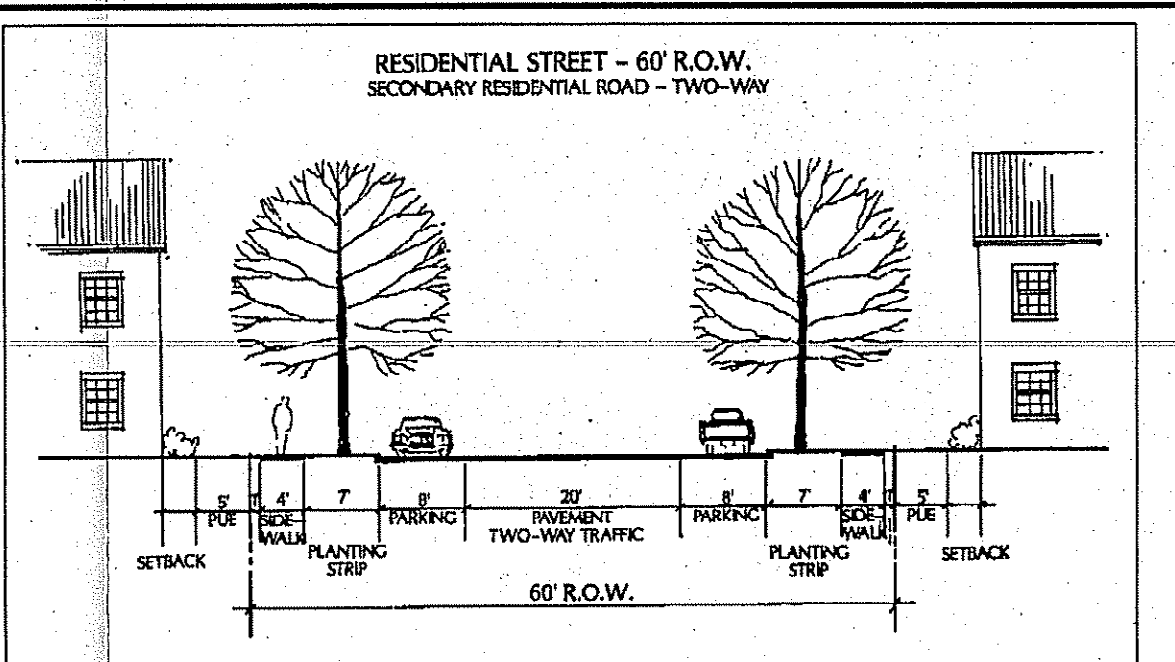
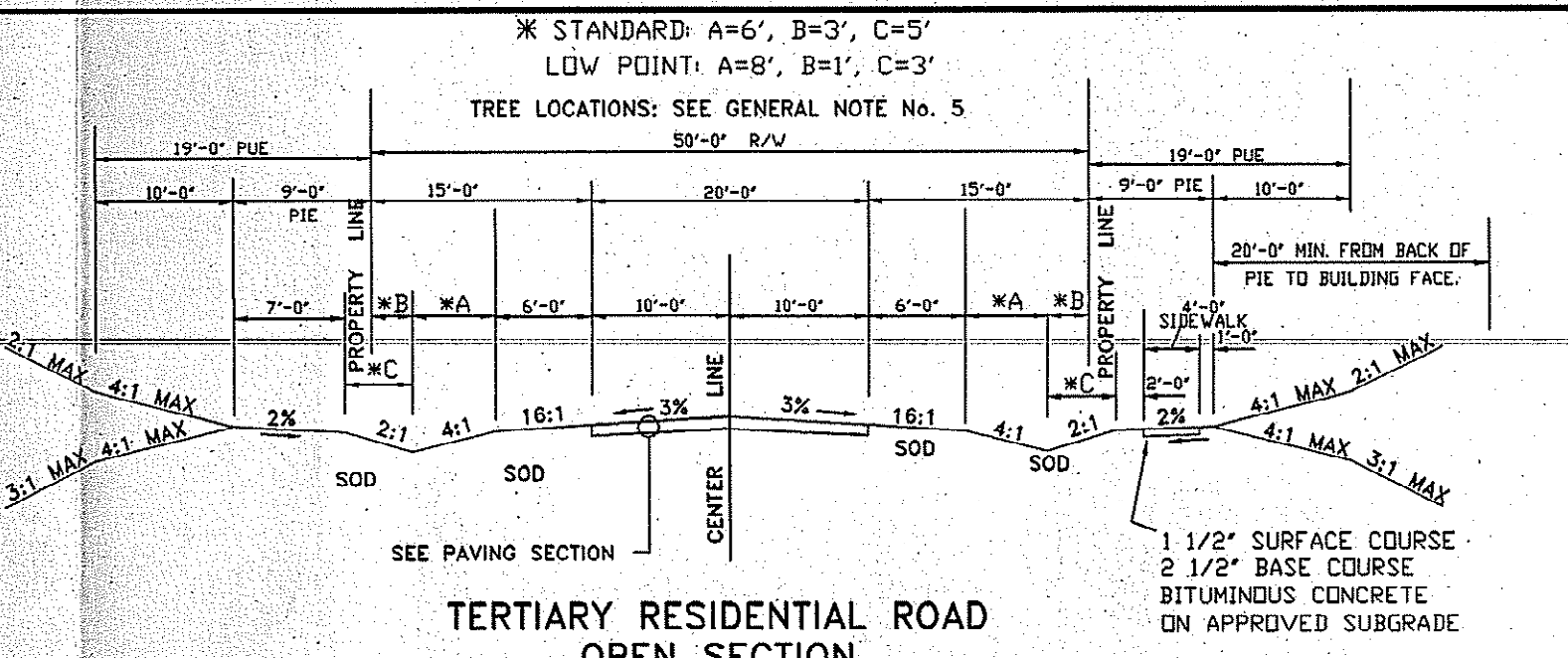
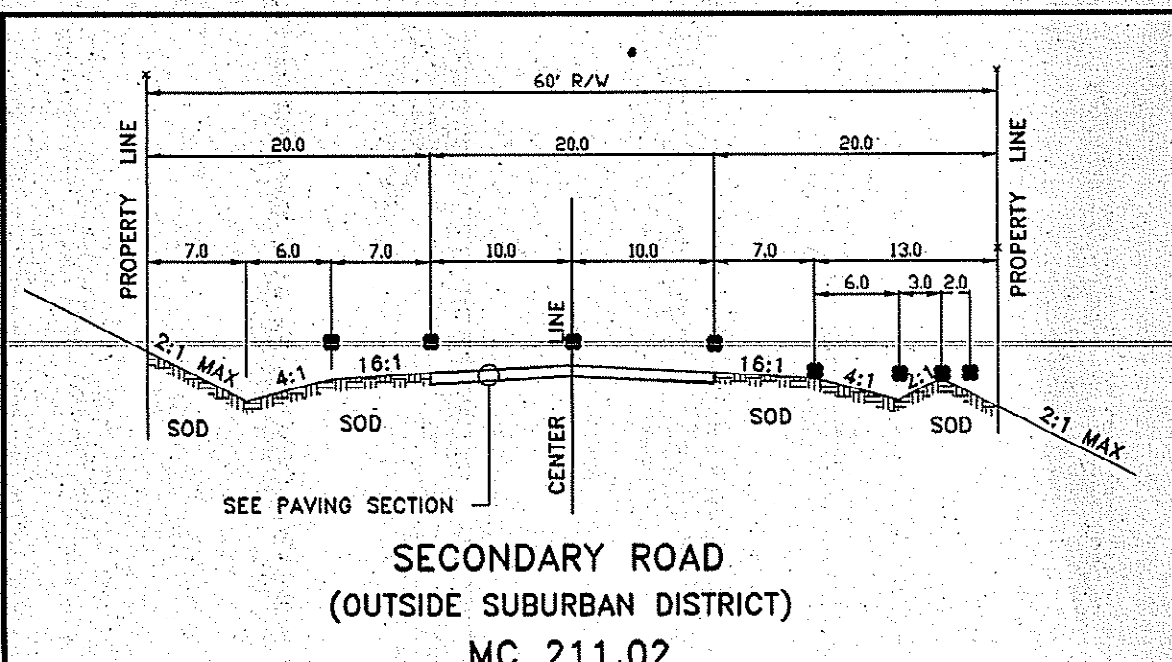
NO.	DATE	DESCRIPTION	BY
1	4-16-98	Revised per MNCPPC comments	VSB



SURVEYOR'S CERTIFICATE
 I hereby certify that the boundary shown hereon is correct based on a field survey performed by Macris, Hendricks and Glascock, P.A. on 3/27/98. Topography from aerial photogrammetric survey performed by photogrammetric Data Services, Inc. on 2/17/95.
 May 8, 1998
 Douglas H. Wigg
 Professional Land Surveyor
 MD. Reg. No. 10712



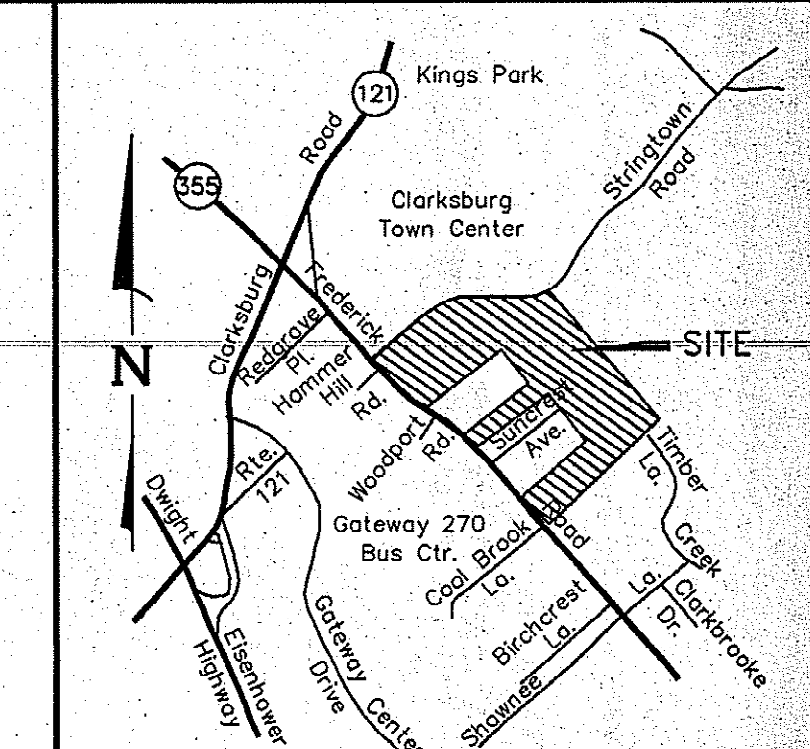
E:\Data\SSA\9801\WSSC\232NW13\1-3.Plan.dwg (P.L. 07-10-98) Copyright 1998 Macris, Hendricks & Glascock, P.A.



PARKING SPACE REQUIREMENTS FOR MIXED USE COMMERCIAL *

	WEEKDAYS		WEEKENDS		NIGHT
	DAY	EVENINGS	DAY	EVENINGS	
OFFICE	49	5	3	3	
RETAIL	67	100	14	78	6
MULTI-FAMILY	9	18	18	18	18
TOTALS	125	123	35	99	27

* Tabulations based on requirements set forth in section 59-E-3.1



DEVELOPMENT STANDARDS (RMX-2, Optional Method of Development)

	Required/Permitted	Provided ¹
Offices (59-C-10.3.2):		
- Professional and Business:	20,000 s.f. max.	0 s.f.
- General:	20,000 s.f. max.	18,590 s.f.
Green Area or Outside Amenity Area (59-C-10.3.3):		
- (a) w/in commercial portion (2,718 ac.):	15% min.	43%
- (b) w/in residential portion (12,155 ac.):	50% min.	70%
Commercial Density (59-C-10.3.4):	0.5 FAR max.	0.3 FAR (31,480 s.f. GFA)
Gross Leasable Area (59-C-10.3.5):	600,000 s.f. max.	38,370 s.f.
Number of Dwelling Units (59-C-10.3.6):	NA min. (<30 ac.)	91 d.u.'s
Residential Density (59-C-10.3.7):	30 d.u./ac. max. (Code)	6.3 d.u./ac. ³
	5 to 7 d.u./ac. (M.P.) ²	
Building Setbacks (59-C-10.3.8):		
- from adj. R-200 properties:	100 ft. min. ⁴	100 ft.
- from adj. R-200 properties:	100 ft. min. ⁴	50 ft.
- from Residential buildings:	0 ft. min. (Code)	25 ft. (min.)
- from Commercial buildings:	0 ft. min. (Code)	0 ft. min. (Code)
- from Residential buildings:	0 ft. min. (M.P.)	28 ft. (min.)
- from Commercial buildings:	0 ft. min. (M.P.)	28 ft. (min.)

- Amounts indicated as provided reflect the development as graphically shown on the Preliminary Subdivision Plan and Project Plan. Final amounts will be determined at Site Plan (59-D-3) not to exceed the amounts required/permitted.
- The abbreviation M.P. refers to standards recommended in the 1994 Clarkburg Master Plan.
- Excluding M.P.D.U.'s (59-C-10.3.7(b)).
- The Planning Board may reduce the minimum setbacks no greater than 50% at 100'. This plan reflects reductions made and agreed upon by the Planning Board.

DEVELOPMENT STANDARDS (R-200, Cluster Option) (Does not include MPDU units, see MPDU section)

	Required/Permitted	Proposed
Minimum Area of development (59-C-1.532):	5 Ac.	40.4 d.u./Ac.
Density of development per Usable Acre (59-C-1.533):	2 d.u./ac.	1.9 d.u./Ac.
Net Lot Area (59-C-1.535):	10,000 s.f. min.	10,000 s.f. min.
Lot Width (59-C-1.535):		
- At Front Building Line:	n/a	75 ft. min.
- At Street Line:	25 ft. min.	25 ft. min.
Setback From Street (59-C-1.534):	25 ft. min.	25 ft. min.
Setback From Adjoining Lot (59-C-1.535):		
- side adjoining subdivision boundary:	See adjoining zone	
- Rear adjoining subdivision boundary:	40 ft. min.	40 ft. min.
Building Height (59-C-1.327):	50 ft. max.	50 ft. max.
Building Coverage (59-C-1.328):	25% max.	25% max.

DEVELOPMENT STANDARDS (MPDU, within R-200)

	Required/Permitted	Proposed
Lot Area (59-C-1.625(a)(3): (Townhouse)	1,500 s.f. min.	1,500 s.f. min.
Setback From Public Street (59-C-1.623):	25 ft. min.	25 ft. min.*
Yard requirements (59-C-1.623):	20 ft. min. rear	20 ft. min. rear**
Green Area (59-C-1.627):	2,000 s.f./Townhouse	22,000 s.f.

* If designated as a MPDU, setback from a public street must not be less than 15'
 ** If adjacent lot not developed under section 59-C-1.6, side or rear setback must be equal to that yard required for the abutting lot.

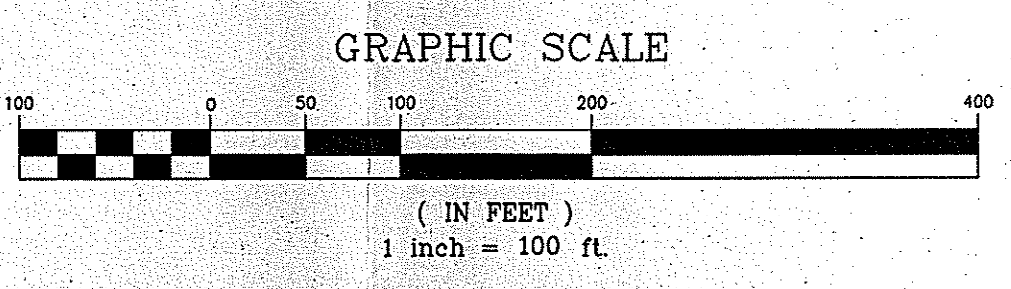
AREA TABULATION

Area RMX-2 (Commercial Component)	= 16.0 ac.
(Residential Component)	= (338,315 sq ft) / (558,845 sq ft)
Area R-200	= 40.4 ac.
Area of previous public use dedication - undeterminable	
Gross Tract Area (GTA)	= 56.4 ac.
Area to be dedicated to public use RMX-2 - Stringtown Road dedication	subtotal = 1.0 ac.
Area to be dedicated to public use R-200 - Stringtown Road dedication	= 0.8 ac.
- Frederick Road MD 355	subtotal = 0.3 ac.
Net Tract Area (NTA)	= 54.3 ac.
Usable Area	= 54.3 ac.
- Net Tract Area	= 54.3 ac.
- Interior Street dedication	= 2.8 ac.
- Greenway dedication	= 6.8 ac.
subtotal	= 44.7 ac.

HOUSING TYPES AND QUANTITIES

TYPE	QUANTITY
SINGLE FAMILY DETACHED	95
SINGLE FAMILY ATTACHED	51
SINGLE FAMILY ATTACHED (MPDU)	11
CO-OP/TOWNHOMES (MPDU)	10
TOTALS	167

PREPARED FOR
 CENTEX HOMES
 9007 SHADY GROVE COURT
 GAITHERSBURG, MD 20877
 PHONE: 301-987-2259
 FAX: 301-987-2734
 MR. BOB LARKIN



- NOTES
- Boundary from field survey by Macris, Hendricks & Glascock, P.A. (MHG) and from Deeds and Plats of record.
 - Topography from MNCPPC 200 scale topographic sheets with 5' contours.
 - Properties are zoned RMX-2 (Residential - Mixed Use Development, Specialty Center, by SMA E-57 & E-58) and R-200.
 - Water and sewer category:
 - Lots 1-3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
 - This plan proposes the development of a maximum of 38,370 s.f. GFA and 160 dwelling units. The specific land use(s), lot size and configuration, and building size and configuration will be determined at the Site Plan stage of review.
 - This site is within the Clarkburg and Vicinity planning area.
 - This plan is not for construction purposes.
 - Property line and areas are subject to adjustment at final plot computations.

SURVEYOR'S CERTIFICATE
 I hereby certify that the boundary shown hereon is correct based on a field survey performed by Macris, Hendricks & Glascock, P.A. on 3/7/95. Topography from aerial photogrammetric survey performed by photogrammetric Data Services, Inc. on 2/17/95.
 Date: Nov 20, 2000
 Douglas H. Ridge
 Professional Land Surveyor
 MD. Reg. No. 10712

TAX MAP EW 198009A WSSC 232 NW 13

PRELIMINARY PLAN OF SUBDIVISION
HIGHLANDS OF CLARKSBURG
 BRICKLEYS SUBDIVISION
 LOTS 1-3, 6, 9-12 PB.26 P.1068
 2ND ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

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 Engineers • Planners • Surveyors
 (301) 670-0840 Suite 120
 FAX (301) 948-0693 9220 Wighman Road
 WWW.MHGPA.COM Montgomery Village, Maryland
 20886-1279

NO.	DATE	DESCRIPTION	BY

DESIGNED	DATE	SCALE
MJW	Nov 2000	1"=100'
DRAWN	DATE	SCALE
MJW	Nov 2000	1"=100'
JOB NO.	SHEET	NO. OF SHEETS
95-307.30	1	1