

## **No developer found for Clarksburg Town Center retail district**

Residential builder cites plan requirements as obstacle to finding partner

by Susan Singer-Bart | Staff Writer

After meeting with more than 50 retail developers, Clarksburg developer Newland Communities has not found a partner to build a retail district.

The economic climate is not conducive to finding a developer for a 10-12 acre retail project, but conditions of the approved plan also make the process difficult, Newland Vice President Douglas Delano told the Montgomery County Planning Board last week.

Newland gave its required quarterly progress report to the Planning Board on Thursday, reiterating points from its last report.

Potential development partners do not like the requirement for garage parking, he said.

"We believe interest will occur or increase if the Planning Board will indicate a willingness to consider adjustments in the plan," he said.

Newly built or planned Harris Teeter, Wegmans and Safeway grocery stores in the county have garages, Clarksburg Town Center resident Barry Fantle said Monday. Fantle is also president of the Clarksburg Civic Association.

"There's no way to get rid of that parking garage without getting rid of a good amount of square footage of the retail," he said.

The garage was part of the plan for the retail district drawn up by Newland's design team in 2008.

Developers have said there are not enough houses to support a grocery store, Delano said, and a grocery store would be the magnet to attract other retailers.

According to the Clarksburg Master Plan, the town center retail district should be more than a shopping center and serve the entire upcounty, Fantle said.

The plan requires that the retail district be built before the 901st residential building permit will be issued; 783 houses are built or under construction.

"It seems to me there are plenty of [houses] there," said Commissioner Joseph Alfandre, who is also a developer. "I don't know why you're having such a hard time."

The retail district faces competition from a Wegmans grocery store planned for Germantown, Delano said, and the Montgomery County Council might allow construction of a retail district in Clarksburg Village before the town center – even though the master plan gives the town center priority.

Newland spent \$5 million building county roads required by the approved plan, expecting reimbursement when the county established a special taxing district for the Clarksburg Town Center, Delano reminded the board.

The County Council voted Tuesday to eliminate the district and set up a work group to find another funding mechanism.

No one can build the retail district before a portion of Clarksburg Road is built and Newland will not build the road without county money, Delano said.

"The way your plan is structured, you're responsible for building roads for the county, but you thought you were going to be reimbursed through the bonds?" asked Rose Krasnow, chief of the board's development review division.

"That's correct," Delano said.

She asked if he was saying that without the anticipation of payment from the county, Newland would not build the roads.

"Correct," Delano said.

Planning Board Chairwoman Francoise Carrier asked if Newland had a legal obligation to build the roads as stated in the approved plan.

"Those within the tax district are the obligation of the county, not the developer," Delano said.

Development review division supervisor Robert Kronenberg said the plan states that roads should be built based on the number of residential permits issued.

"I don't believe [the plan] says the county has to build those roads," he said. "I believe it's the developer's obligation."

Developers often are required to build roads to handle expected traffic as a condition of project approval, without any expectation of reimbursement, Carrier said.