

The forest conservation requirements are being satisfied for Lot E through on-site planting and credits for preservation in the overall development in the remaining Lots A-D.

PLANNING BOARD ACTION AND CONDITIONS

The Montgomery County Planning Board APPROVES Site Plan No. 8-05034 for 312 multi-family dwelling units, including 39 MPDUs and 61,246 square feet of retail, on 3.83 acres, and approval of a parking waiver for 36 parking spaces for the retail use. All site elements of the Bethesda Center North, Lot E plans stamped by the M-NCCPC on July 1, 2005, shall be required except as modified by the following conditions:

1. Development Plan Conformance

The proposed development shall comply with the certified Development Plan G-801, dated May 19, 2003, and associated binding elements.

2. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan 1-04049 as listed in the Planning Board opinion dated March 22, 2005.

3. Site Design

- a. Provide directional signs posting 'Do Not Enter' for the one-way drive aisle from the surface parking lot to Old Georgetown Road.
- b. Extend the median break on Citadel Avenue to the Old Georgetown Road right-of-way and by approximately 20 feet south on Citadel Avenue, consistent to recommendations from Montgomery County Department of Permitting Services.
- c. The garage entrance drive shall be perpendicular to Park Avenue.

4. Landscaping

- a. Provide streetscape improvements on Citadel Avenue, Park Avenue and Main Street Circle consistent with the Bethesda Streetscape Standards, unless otherwise amended by staff to provide a unique environment for this site.
- b. Provide minimum dimensions on the site plan for the sidewalk widths adjacent to the proposed curb and the building. Pedestrian sidewalks adjacent to Citadel

Avenue, Park Avenue and Main Street Circle shall be a minimum of 15-foot-wide, inclusive of the 5-foot-wide tree pit.

- c. Spacing of street trees shall be a minimum of 30 feet on-center.
- d. Street trees along Citadel Avenue, Park Avenue and Main Street shall be 4-inch caliper.

5. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for commercial development for the surface parking lot.
- b. All light fixtures in the surface parking lot shall be full cut-off fixtures or equipped with refractors, reflectors or deflectors causing potential glare or excess illumination, especially on the perimeter fixtures abutting the county roads.
- c. The height of the light poles shall not exceed 20 feet including the mounting base for the surface parking lot facility and 16 feet for the streets, as shown on the site plan.
- d. The light fixtures (Washington Globe, approximately 60 feet on-center) on Citadel Avenue and Park Avenue shall be in accordance with MC Department of Public Works and Transportation standards and consistent with the Bethesda Streetscape standards.

6. Pedestrian Circulation

- a. Provide a 5-foot-wide sidewalk connection from the southern terminus of proposed Citadel Avenue for Lot 'E', through Lot 'D' to the northern portion of Citadel Avenue being constructed as part of the WMATA parking garage.
- b. Provide 12-foot-wide crosswalks connecting all four corners of the intersection, consistent to approvals from Montgomery County Department of Permitting Services.

7. Recreation Facilities

Provide a tot-lot, (6) picnic/sitting areas, an open play area, swimming pool on the roof top, an indoor community space and community garden.

8. Open Space

- a. Provide a 3,850-square-foot outdoor public plaza (public use space) at the southwestern boundary of the site between the building footprint and Main Street Circle.
- b. The proposed public use space shall be easily and readily accessible to the general public and used for public enjoyment.

9. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated May 26, 2004.

10. Moderately Priced Dwelling Units

The Applicant shall provide 39 Moderately Priced Dwelling Units (12.5% of the total number of units) within the building, consistent with Chapter 25A.

11. Maintenance of Common Areas

Prior to signature set approval of site plan, the Applicant shall execute and record among the Land Records of Montgomery County an agreement with the Planning Board requiring the Applicants to provide maintenance of all areas intended to be used for recreational or other common or quasi-public purposes and all public amenity space, including the Urban Amenity-Open Space adjacent to Building Block 'D' and the Open Space at the eastern end of the site, as shown on the Development Plan/Land Use Plan.

12. Forest Conservation

The proposed development shall comply with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.

13. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to

M-NCPPC staff prior to issuance of the 1st building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.

14. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:

- a. Street tree planting shall progress as street construction is completed, but no later than six months after completion of the building.
- b. Community-wide pedestrian pathways, including the 5-foot-wide connector along Citadel Avenue shall be completed upon completion of the building and roads, but prior to occupancy of the building.
- c. Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
- d. The public use space, including the seating areas associated with plaza shall be completed as construction of the building and roads are completed.
- e. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- f. Provide each section of the development with necessary roads.
- g. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
- h. Recreation facilities shall be completed and operational upon completion of the building, but prior to occupancy of the building.

15. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

16. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion.
- b. Limits of disturbance.

- c. Methods and locations of tree protection.
- d. Note stating the M-NCPPC staff must inspect protection devices prior to clearing and grading.
- e. Details of the private recreational facilities and their locations within the structure of the building.
- f. Provide a final streetscape plan to include all streetscape elements (such as bollards, benches, trash receptacles) to establish a streetscape concept for the White Flint Town Center.

* * * * *

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

ATTESTED AS TO LEGAL SUFFICIENCY
DYD 12/12/05
M-NCPPC LEGAL DEPARTMENT

Bethesda Center North, Lot E
Site Plan No. 8-05034
Page 18

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PLAT NO. 220061620

Fall Creek Farm, East (Preliminary Plan: Ruppert Nurseries Fall Creek Farm East)

Located on Laytonsville Road, 1500 feet south of Hawkins Creamery Road

RDT Zone, 1 Lot

Private Well, Private Septic

Master Plan Area: Olney

Fall Creek LLC, Applicant

The record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120050900, formerly 1-05090, as approved by the Board; and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the preliminary plan.

RECORD PLAT REVIEW SHEET

Rupert Nurseries

Plan Name: Fall Creek Farm, East Plan Number: 120050900
 Plat Name: Fall Creek Farm, East Plat Number: 220061620
 Plat Submission Date: 2/3/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: RW (Richard Weaver)

Initial DRD Review:

Signed Preliminary Plan - Date 3/14/06 Checked: Initial TA Date 3/15/06
 Planning Board Opinion - Date 1/25/06 Checked: Initial TA Date 3/15/06
 Site Plan Req'd for Development? Yes No Verified By: (initial)
 Site Plan Name: Site Plan Number:
 Planning Board Opinion - Date Checked: Initial Date
 Site Plan Signature Set - Date Checked: Initial Date
 Site Plan Reviewer Plat Approval: Checked: Initial Date

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths Easements Open Space N/A
 Non-standard BRLs N/A Adjoining Land Vicinity Map Septic/Wells
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M. Pfeiffer</u>	<u>2/1/06</u>	<u>3/3</u>	<u>3/14/06</u>	<u>OK</u>
Research	<u>Bobby Fleury</u>	<u>2/1/06</u>	<u>3/3</u>	<u>3/17/06</u>	<u>xx mark-up</u>
SHA	<u>Doug Mills</u>	<u>2/1/06</u>	<u>3/3</u>	<u>N/C</u>	<u>N/C</u>
PEPCO	<u>Jose Washington</u>	<u>2/1/06</u>	<u>3/3</u>	<u>N/C</u>	<u>N/C</u>
Parks	<u>Doug Powell</u>	<u>2/1/06</u>	<u>3/3</u>	<u>N/A</u>	<u>N/C</u>
DRD	<u>Steve Smith</u>	<u>2/1/06</u>	<u>3/3</u>	<u>3/21/06</u>	<u>Change plat name</u>

Final DRD Review:

DRD Review Complete: Initial RW Date 6/21/06
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): Initial TA Date 3/15/06
 Final Mylar w/Mark-up & PDF Rec'd: Initial TA Date 5/30/06
Board Approval of Plat:
 Plat Agenda: Initial TA Date 6/22/06
 Planning Board Approval: Initial TA Date 6/22/06
 Chairman's Signature: _____
DPS Approval of Plat:
 Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____
Plat Reproduction:
 Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

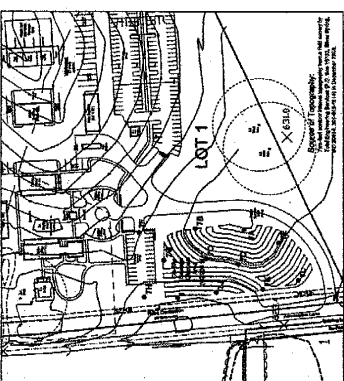
No. _____



date: April 4, 2005
scale: 1"=200'

B&A
Berling & Associates, Inc.
Professional Land Surveyors
10000 Rockledge Road
Montgomery County, Maryland
410-378-8800
www.berling.com

PRELIMINARY PLAN
RUPPERT NURSERIES: FALL CREEK FARM EAST
Montgomery County, Maryland



ISOTOPIC DETAIL VIEW
(See Note on Survey)

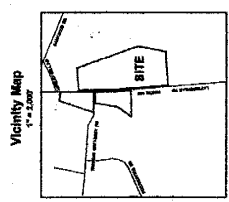
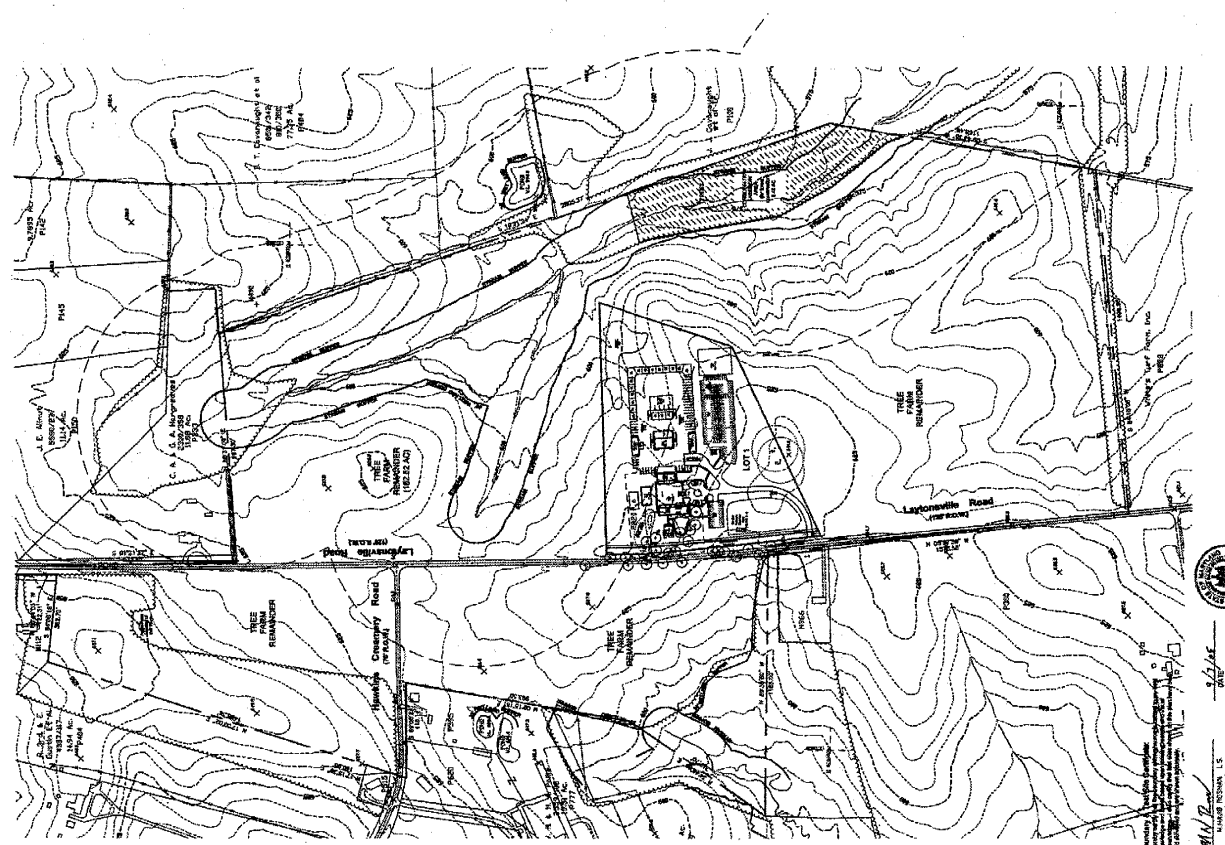
FALL CREEK FARM EAST: WATER USE DATA

Uses at Farm	Pst.	18 Wks. Water Consumption (GPD)	Total Water Use (GPD)
Dwelling	1.5	120	120
Garage	0.5	40	40
Office	0.5	40	40
Shed	0.5	40	40
Tractor	0.5	40	40
Other	0.5	40	40
TOTAL WATER USE (GPD)		300	300

Assumes 55% of water is on site at any 17% month
but subject to site and flow zero water usage

- Septic System Design Notes:**
1. Foundation beds shown tested / completed in December 2004.
 2. Estimated design flow for household consisting of 4 persons based upon number of proposed employees for 15-year plan (see chart).
 3. Ultimate design flow for household consisting of 4 persons based upon number of proposed employees for 15-year plan (see chart).
 4. Design flow = 1,278 gpd = 1,500 gpd.
 5. On-site sewage disposal system installed @ 10,000 of 1500 gpd = 40,000 gpd.
 6. Application rate @ 30 minutes per inch = 0.249 gpd/inch.
 7. LMI area required = 1,800 gpd / 0.249 = 7,200 sq ft.
 8. Length of trench required for better system = 7,200 sq ft / 4.0 = 1,800 ft.
 9. Total length of system = 1,800 ft.
 10. Total length of system = 1,800 ft.
 11. Soil texture = silty clay loam.
 12. System type = alternating beds with conventional aerial circulation.
 13. Final design including location of septic tanks and trenches to be determined at permit.

- GENERAL NOTES:**
1. ZONING OF SUBJECT PROPERTY - RDT (Rural Density Transfer)
 2. AREA OF PROPERTY - 178.45 AC.
 3. AREA EXCLUDED FROM SUBDIVISION (FARM REMAINDERS) - 162.52 AC.
 4. NET TRACT AREA - 16.93 AC.
 5. AREA IN FUTURE ROAD DEDICATION - 0.57 AC.
 6. NUMBER OF LOTS PROPOSED - 1.
 7. AREA OF PROPOSED LOT - 16.04 AC.
 8. PROPOSED USE - LANDSCAPE CONTRACTOR (as permitted by Special Exception per Sec. 69-C-2.30.00)
 9. EXISTING USE IS SUBJECT TO THE APPROVAL OF SPECIAL EXCEPTION CASE #S-2036
 10. EXISTING BEWER AND WATER SERVICE CATEGORIES: S-6 & W-9
 11. PROPERTY TO BE SERVED BY INDIVIDUAL WELL & ON-SITE SEWAGE DISPOSAL SYSTEM
 12. SITE LOCATED IN GREAT SENECA CREEK WATERSHED (CLASS I) & HAWKINGS RIVER WATERSHED (Class IV)
 13. AREA WITHIN HAWKINGS RIVER WATERSHED IS SUBJECT TO "PRIMARY MANAGEMENT AREA" GUIDELINES



Vicinity Map
Scale: 1"=200'

PREPARED BY:
FALL CREEK FARM EAST LLC
14500 GANTHER ROAD
GANTHERSBURG, MARYLAND 20882
301-482-0000

Primary Management Area (PMA) Notes:

1. A portion of the subject site is located within the Potomac River Watershed Primary Management Area (PMA).
2. Areas of PMA include all areas of the subject site.
3. Areas of PMA include all areas of the subject site.
4. Percentage of PMA subject to the subject property's transfer, area 1.1% to 0.6%.

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