



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed: July 3, 2003

Action: Approved Staff Recommendation

**Motion of Comm. Bryant, seconded by
Comm. Wellington with a vote of 5-0;**

**Comms. Berlage, Bryant, Perdue,
Robinson and Wellington voting
in favor**

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-03057

NAME OF PLAN: CIDER BARREL PROPERTY

On 1/23/03, STRINGTOWN INVESTMENTS, L.L.C. submitted an application for the approval of a preliminary plan of subdivision of property in the R-60/TDR-15/C-5 zone. The application proposed to create 2 lots on 17.69 acres of land. The application was designated Preliminary Plan 1-03057. On 6/05/03, Preliminary Plan 1-03057 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-03057 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-03057.

Approval, Including a Waiver Pursuant to Section 59-C-1.395 of the Montgomery County Zoning Ordinance, for the Special Provisions for TDR Development and the Maximum Percentage of Single-Family Attached Units, and Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to a maximum of 316 multi-family dwelling units
- 2) The applicant shall provide trip mitigation measures which include providing two bus shelters and two real-time transit information signs and constructing 1,690 feet of sidewalk (including on-site credit). The location of the bus shelters and real-time transit information signs is to be determined by the Montgomery County Department of Public Works and Transportation (DPWT). The sidewalk location(s) shall also be determined by DPWT, the Maryland State Highway Administration (SHA), and the applicant
- 3) The applicant shall construct a five-foot sidewalk on MD 118 across the property frontage
- 4) The applicant shall construct eight-foot asphalt bike path on MD 355 along the property frontage
- 5) The applicant shall provide access and improvements along MD 355 and MD 118 as required by SHA, specifically a deceleration lane on MD 118 and an acceleration lane on MD 355
- 6) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits

- 7) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Germantown Master Plan unless otherwise designated on the preliminary plan
- 8) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Germantown Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition
- 9) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 10) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas
- 11) Compliance with the conditions of approval of the MCDPS stormwater management approval dated, April 22, 2002
- 12) Access and improvements, as required, to be approved by MCDPWT under letter dated May 21, 2003, unless otherwise amended
- 13) Access and improvements as approved by MCDPWT prior to recordation of plat(s) and MDSHA prior to issuance of access permits
- 14) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 15) Final approval of the number and location of the dwelling units, on-site parking, site circulation and sidewalks connections will be determined at site plan
- 16) A landscape and lighting plan must be submitted as part of the site plan application for review and approval unless concept grading plan is approved at the time of Site Plan
- 17) Provide a minimum of 87 TDR's and 48 MPDU's pursuant to condition # 15 above
- 18) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 19) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 20) Other necessary easements