



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

MONTGOMERY COUNTY PLANNING BOARD

O P I N I O N

DATE MAILED: March 2, 1993

SITE PLAN REVIEW #8-90060

PROJECT: Cloverleaf Center, Phase I

Action: Approval subject to conditions. Motion was made by Commissioner Richardson, seconded by Commissioner Aron, with a vote of 4-1, Commissioners Aron, Baptiste, Bauman, and Richardson voting for. Commissioner Floreen voting against.

The date of this written opinion is February 25, 1993, (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 March 27, 1993, (which is thirty days from the date of this written opinion). If no administrative appeal is filed, then this site plan unless otherwise provided for in the adopted Guidelines and Policies for Site Plan Extensions, shall remain valid until April 30, 1995 (which is the date that the validity period associated with the preliminary plan is set to expire as of the date of this opinion).

On October 3, 1990, Creamore Germantown Associates submitted an application for the approval of a site plan for property in the I-3 zone. The application was designated Site Plan Review #8-90060.

On October 10, 1991, the Site Plan went to public hearing before the Montgomery County Planning Board. Following the public hearing, at the request of the applicant, the Board agreed to defer taking a final action on the site plan until certain events of relevance to the applicant had occurred. At the request of the applicant, the site plan returned to the Planning Board for its consideration of such additional evidence which the applicant wanted to present to the Board. On December 10, 1992, the Planning Board resumed its public hearing on the site plan to consider applicant's additional testimony and evidence. The purpose of such presentation was to seek approval by the Board to revise certain terms and conditions originally associated with the action to conditionally approve proposed by the Board in the course of its October 10, 1991, public hearing. The Board, thereafter, reviewed all of the accumulated evidence of record. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, and which is make a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan meets all of the requirements of the zone in which it is located.
2. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.
3. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

The Montgomery County Planning Board approves Site Plan Review #8-90060 as follows:

403,657 square feet - office

subject to the following conditions:

1. Submit a Site Plan Enforcement Agreement, and Development Program for review prior to approval of the initial building permit as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Street tree planting must progress as street construction is completed.
 - 2) Clearing and grading schedule.
 - b. Development Program to include tree preservation schedule.
2. Submit a phasing plan as follows:
 - a. Phasing for all clearing and grading that will correspond to the construction schedule and reduce soil erosion.
 - b. Phasing of each section of the development.
 - c. Phasing of stormwater management facilities.
3. Submit a tree preservation plan to staff for review and approval prior to approval of the signature set. Tree preservation program shall appear on the tree preservation plan.
4. Tree-save areas and protection devices to be inspected by staff prior to any clearing or grading. The tree-save line must be shown on the approved sediment and erosion control plan.
5. No clearing or grading prior to Planning Department approval of signature set of plans.
6. Applicant to install sixty street trees approximately forty feet on center along the east side of Crystal Rock Drive for the length of the site plan. Trees to match the size and species of those to be installed by MCDOT on the west side of Crystal Rock Drive opposite the site plan.

7. Applicant to provide a four-foot wide easement along their west property line to accommodate the future construction by others of bikeway in the configuration described in sketch B of the staff report.
8. Applicant to provide Trip Reduction Program in accordance with TDP memo dated December 7, 1992, (as revised by the Planning Board). Applicant to execute an agreement, prior to release of any building permit, providing for applicant's compliance with operating the Trip Reduction Program and maintaining the assigned trip reduction goal.