

APPROVED
PLANNING BOARD
of HOWARD COUNTY

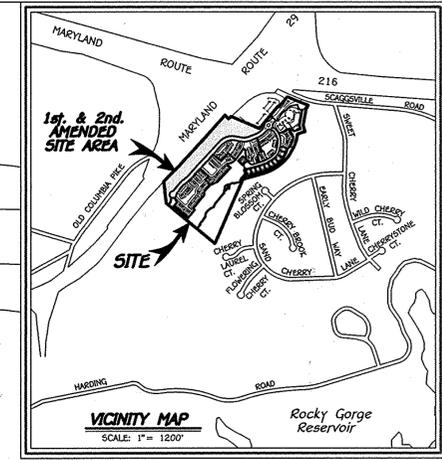
DATE: 2-26-15
PB CASE No.: 411

TENTATIVELY APPROVED
DEPARTMENT OF PLANNING AND ZONING
HOWARD COUNTY

PLANNING DIRECTOR: *Mark A. Weyler* DATE: 3/16/15

COLUMBIA PIKE US ROUTE 29

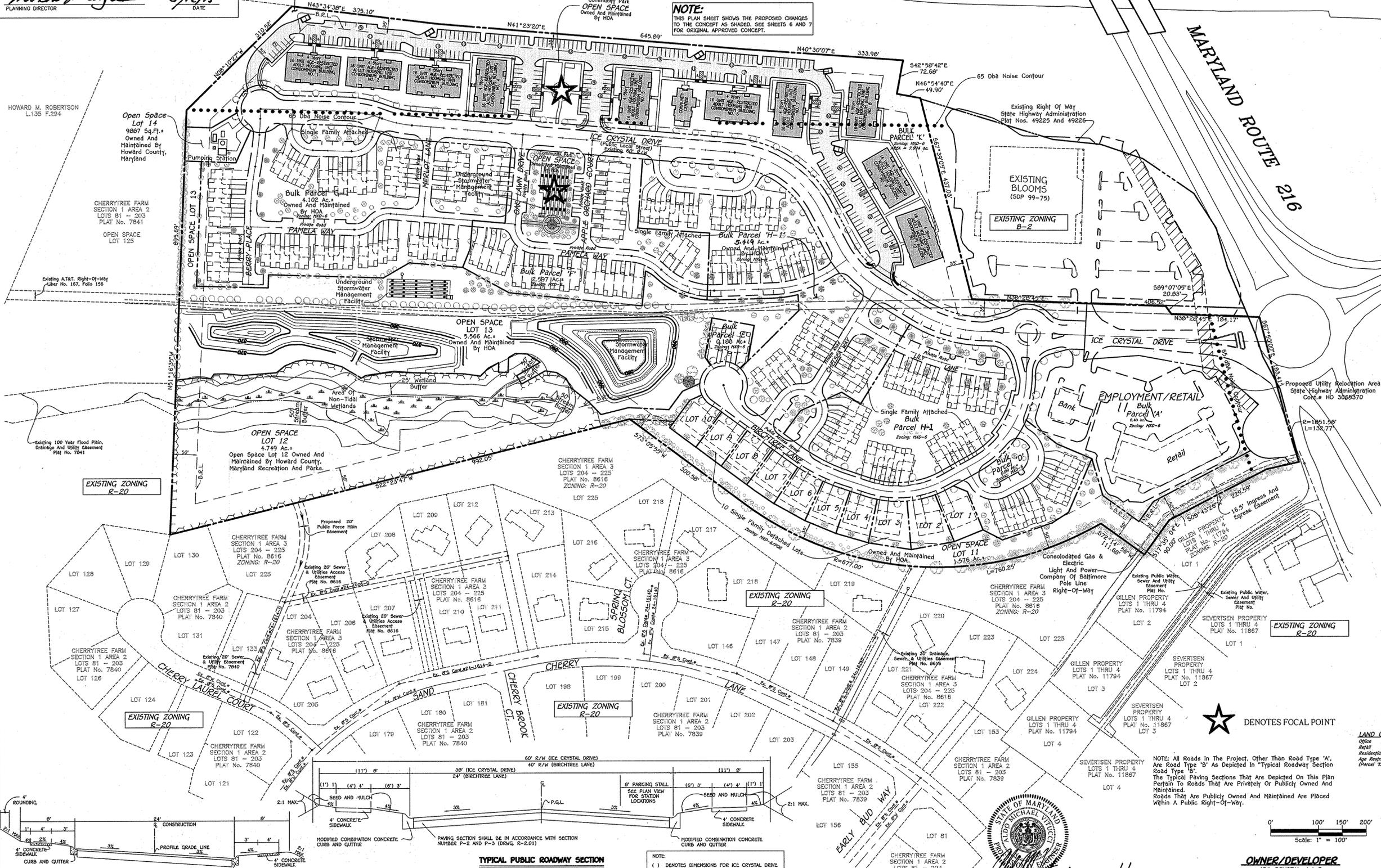
MARYLAND ROUTE 216



BULK PARCEL 'K'
Zoning: MD-6
AREA: 7.994 ac.

(Principal Arterial)
R/W Varies
(SHA Plat No. 39896)

NOTE:
THIS PLAN SHEET SHOWS THE PROPOSED CHANGES TO THE CONCEPT AS SHOWN. SEE SHEETS 6 AND 7 FOR ORIGINAL APPROVED CONCEPT.



SITE TABULATION (PER ORIGINAL ZB 973M, APPROVED 10/28/98)

LAND USE	DENSITY RANGE	ACREAGE	PERCENT
Residential			
Single Family Detached 7 Units		12.81 ac.	29.7%
Single Family Attached 163 Units			
Employment/Retail			
Office	201,500 SF Maximum	10.04 ac.	25.0%
Employment/Retail	10,500 SF Maximum		
Open Space		116.53 ac.	39.0%
Community Open Space (Commercial/Residential)		16.70 ac.	
Howard County Recreation and Parks			
Other Land Use			
Public Road R.O.M.	170 Units Maximum	2.41 ac.	5.2%
TOTALS	214,000 SF Maximum	142.41 ac.	100%

PARKING REQUIREMENT

LAND USE	MINIMUM PARKING REQUIRED	PARKING PROVIDED
Office	663 Spaces	663 Spaces
Employment/Retail	64 Spaces	64 Spaces
Residential	340 Spaces	340 Spaces

PROPOSED DOUBLE DECK PARKING
As per Appendix B with Howard County Design Manual Volume II Parking Along One Side of a 24' Wide or Greater Street is Allowed. 112 Out of The Total of 217 Parking Spaces are Provided Along One Side of One Side of The Street. 65 Parking Spaces are Provided in Unimproved Parallel Parking Spots and 340 Spaces are Provided in The Garage And On The Driveway of Each Lot. This results in an average of three spaces per residential unit, exceeding the 2.5 space per unit required under county's parking regulations.

SITE TABULATION (FIRST AMENDED per ALT. No. 2 OF ZB-1042 M, APPROVED 1/25/06)

GROSS AREA OF SITE = 41,070 AC +/-

LAND USE	DENSITY RANGE	ACREAGE	PERCENT
Residential			
Single Family Detached 10 Units (PER F-01-114)		12.41 ac.	30.2%
Single Family Attached 150 Units (PER SGP-02-111, SGP-03-52 & SGP-05-22)			
Employment/Retail (BULK PARCELS 'A'-'K')		10.07 ac.	25.5%
Office	233,900 SF Maximum	14.27 ac.	35.0%
Age Restricted Adult Housing	120 Units Maximum	11.30 ac.	28.0%
Open Space		19.04 ac.	47.0%
Community Open Space (Commercial/Residential)		19.70 ac.	
Howard County Recreation and Parks			
Other Land Use			
Public Road R.O.M.	224 Units Maximum	2.82 ac.	7.0%
TOTALS	244,252 SF Maximum	41.070 ac.	100%

* CHANGE IN TOTAL AREA FROM ORIGINAL POP DUE TO FINAL BOUNDARY SURVEY

PARKING REQUIREMENT (ALT. NO. 2)

LAND USE	MINIMUM PARKING REQUIRED	PARKING PROVIDED
Office	126 Spaces	126 Spaces
Residential	91 Spaces	114 Spaces (SGP 04-002)
Age Restricted Housing	340 Spaces	312 Spaces
Age Restricted Housing	240 Spaces	240 Spaces

SITE TABULATION (SECOND AMENDED) 5P-15-007

GROSS AREA OF SITE = 41,070 AC +/- (PARCEL 'C')

LAND USE	DENSITY RANGE	ACREAGE	PERCENT
Residential			
Single Family Detached 10 Units (PER F-01-114)		12.41 ac.	30.2%
Single Family Attached 150 Units (PER SGP-02-111, SGP-03-52 & SGP-05-22)			
Employment/Retail (BULK PARCELS 'A'-'K')		2.40 ac.	5.9%
Office	233,900 SF Maximum	14.27 ac.	35.0%
Age Restricted Adult Housing	120 Units Maximum	11.30 ac.	28.0%
Open Space		19.04 ac.	47.0%
Community Open Space (Commercial/Residential)		19.70 ac.	
Howard County Recreation and Parks			
Other Land Use			
Public Road R.O.M.	330 Units Maximum	2.82 ac.	7.0%
TOTALS	244,252 SF Maximum	41.070 ac.	100%

* CHANGE IN TOTAL AREA FROM ORIGINAL POP DUE TO FINAL BOUNDARY SURVEY

PARKING REQUIREMENT

LAND USE	MINIMUM PARKING REQUIRED	PARKING PROVIDED
Office	N/A	
Residential	91 Spaces	114 Spaces (SGP 04-002)
Age Restricted Housing	340 Spaces	312 Spaces
Age Restricted Housing	240 Spaces	240 Spaces

PURPOSE NOTE: THE PURPOSE OF THIS AMENDED DEVELOPMENT PLAN IS TO REMOVE THE OFFICE BUILDING FROM PARCEL 'K' AND ADD TWO ADDITIONAL AGE RESTRICTED CONDOMINIUM BUILDINGS (A+10).

SECOND AMENDED DEVELOPMENT PLAN AND CRITERIA
CHERRYTREE PARK, LLC
Buildable Lots 1 Thru 10, Open Space Lots 11 Thru 14 And Bulk Parcels 'A', 'D', 'E', 'F', 'G-1', 'H-1' & 'K'.
(Single Family Detached, Single Family Attached, Age Restricted Adult Housing And Office/Retail Buildings)
Tax Map No. 48 Parcel No. 156 Grid No. 4
Existing Zoning MD-6
March 2, 2015
Sheet 1 OF 7

FISHER, COLLINS & CARTER, INC.
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS
333 CENTRAL SQUARE OFFICE PARK - 10272 BALDWIN NATIONAL FEE
ELICOTT CITY, MARYLAND 21046
(410) 461-2099

TYPICAL ROADWAY SECTION
PRIVATE ROADWAYS
NO SCALE

TYPICAL PUBLIC ROADWAY SECTION
NO SCALE

ROADWAY INFORMATION CHART

ROAD NAME	CLASSIFICATION	DESIGN SPEED	ZONING	% STATION LIMITS	PAVING SECTION
ICE CRYSTAL DRIVE	PUBLIC LOCAL STREET	30 MPH	MD-6	0+00 TO 10+24.00	P-2
BIRCHTREE LANE	PUBLIC ACCESS STREET	25 MPH	MD-6	0+00 TO 9+24.16	P-2



ALDO H. VITUCCI, P.E.
DATE: 3/16/15
"Professional certification. I hereby certify that these documents were prepared by me, and that I am a duly Licensed Professional Engineer under the laws of the State of Maryland, License No. 20749, Expiration Date 2-22-17."

OWNER/DEVELOPER
ICE CRYSTAL, LLC
c/o TUC REAL ESTATE GROUP
2805 O'DONNELL STREET, SUITE 203
BALTIMORE, MARYLAND 21224
(410) 977-0578
ATTN: MR. NICK LIPARINI

Howard County Zoning Board Case No. 973M
Certificate of Zoning Board

Pursuant to 127.0.6.6(2) of the Zoning Regulation of Howard County, Maryland, the members of the Zoning Board of Howard County signify below hereby certify this 24th day of July, 2006 that this document constitutes a portion of the Preliminary Development Plan and Criteria for the Cherrytree Park, LLC Mixed Use Development as approved in the Decision and Order for Zoning Board Case No. 973M on January 25, 2006.

Christopher J. Merdon 7/31/06
Chairperson Date

Gay Guyton 7/31/06
Vice Chairperson Date

Calvin Ball 7/31/06
Date

Charles C. ... 7/31/06
Date

Ken ... 7/31/06
Date

Robert ... 7/31/06
Administrative Assistant Date

Joint Addendum Document To PDP & Criteria

The petitioner Cherrytree Park LLC, Winchester Homes, Inc., and CTFNO have agreed to support the following conditions. These conditions are jointly requested by the petitioner and CTFNO to be added by the Zoning Board as additional requirements to the Preliminary Development Plan (PDP) or Preliminary Development Criteria, as appropriate.

The following conditions were jointly developed to improve the compatibility with surrounding neighborhoods, enhance designated open space and environmental areas, and are protective of the natural elements of the landscape.

Seven or more single family homes along the border of the two developments. In the commercial (retail) areas disallow uses that would be after 12:00 midnight and before 6:00 AM.

Adopt a lighting scheme that focuses the light down in a way that contains the light in the needed area and doesn't spill over into the surrounding neighborhood.

Any signage should be small and unobtrusive.

Install jogging paths in the open spaces.

Install dense screening bushes including evergreens to limit the entrance of youngsters into the storm water management ponds.

Locate dense screening bushes and mature trees along the boundary between the new development and the existing Cherrytree Farm development. This dense screening to be located on top of a 3 foot berm to be constructed along the border between Cherrytree Park and Cherrytree Farm.

As stated in the PDP Fast Food establishments will not occur on this development. This does not preclude sandwich shops etc. within an employment building.

These conditions are agreed to this 24th day of July 1998 and signed by persons fully authorized by their organizations. Furthermore, these conditions are also attached to the preliminary development plan for case ZB #973M and are included as written conditions on the PDP as part of the decision and order of the Howard County Zoning Board.

Addendum #1 to agreement

The following items are in addition to the items previously agreed. All previous written agreed items are still fully agreed.

Specific to the berm between the existing neighborhoods and the Cherrytree Park development, the following items are also agreed to:

The berm will run from Route 216 along the east border of Cherrytree Park and continue across the southern border and end at the existing wooded area.

At the point along the berm adjacent to the retail/commercial area, the berm will also extend 20 feet into the Cherrytree Park development. This extension will serve to wrap the commercial area and also provide screening to the new townhomes.

The berm and the planting of dense screening shrubbery and trees is to occur at the beginning of the first phase of the development.

A solid board fence, six feet in height, is to be erected on the commercial side of the berm from 216 south along the Cherrytree Park border and then follow the berm as it extends into the Cherrytree Park development between the commercial and the new townhomes. This fence is to be erected when the commercial area development is started.

Residential & Commercial Construction Phasing

Therefore, the Board finds, that for purposes of this decision's requirements, that all of the residential and no more than 50% of the commercial development of the subject property, as proposed by the Petitioner for the first phase, may be completed before the US Route 29/MD Route 216 intersection is required to be completed and open to traffic. The Board finds that the remainder of the development's approval will have to be coordinated by DPZ with the actual completion of the Relocation of MD Route 216 project. The Board notes that this condition does not override stricter phasing and/or APFO requirements imposed by the Planning Board and/or the DPZ, as applicable, during the CSP stage or subdivision approval process.

Permitted And Prohibited Uses

The Petitioner, pursuant to Section 127C.4.b. of the HCZR proposes the following permitted uses on the PDP, based principally on the comments of the Planning Board:

Uses permitted as a matter of right in the POR District, except:

- Adult live entertainment establishments
- Carnivals and fairs
- Catering establishments and banquet facilities
- Concert halls
- Convents and monasteries used for residential purposes
- Executive golf training and recreation centers
- Farming
- Legitimate theaters and dinner theaters
- Fast food restaurants
- Riding academies and stables

Uses permitted as a matter of right in the B-1 District, except:

- Adult book or video stores
- Animal hospital, completely enclosed
- Carnivals and fairs
- Mobile home and modular home sales and rentals
- One dwelling unit per business establishment
- Swimming pools

One single-family detached dwelling unit per lot.

One zero lot line dwelling unit per lot.

Single-family attached dwelling units.

Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities. Two-family dwellings.

Other uses, similar to those above, approved by the Zoning Board on the Preliminary Development Plan.

The Board finds that the elimination of the various permitted uses, as proposed by the Petitioner, results in a sufficient number and mix of permitted uses that are appropriate for this MXD District. The Board notes that the Petitioner, in particular, has been responsive to the Planning Board's recommendation that fast food restaurants be eliminated as a permitted use from the subject property, and the Board finds that this deletion to be appropriate.



DEVELOPMENT CRITERIA PER APPROVED PDP "ZB-973-M"

	MINIMUM LOT, YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL LOTS		
	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED	
NET LOT AREA	6,000 SF.	N/A	
FRONT YARD (MIN.)	10'	N/A	
LOT WIDTH MINIMUM AT FRONTAGE	25'	N/A	
LOT WIDTH MINIMUM AT BUILDING RESTRICTION LINE	40'	N/A	
REAR YARD MINIMUM (WITH OR WITHOUT PERPENDICULAR PARKING)	25'	N/A	
SIDE YARDS (MIN.)			
ONE	0'	N/A	
BOTH	N/A	N/A	
MIN. SPACE BETWEEN END BUILDINGS*	8'	12'	
MAXIMUM HEIGHT	35'	38'	
*MIN. SEPARATION BETWEEN BUILDINGS WILL BE PROVIDED PER APPLICABLE FIRE CODE AT FINAL DESIGN PLANS.			
MINIMUM BUILDING SETBACKS			
	SFD	SFA	OTHER USES*
FROM ARTERIAL STREET (RTE. 29) R.O.W.	N/A	N/A	35'
FROM LOCAL STREET R.O.W.	10'	10'	10'
FROM ACCESS STREET R.O.W.	10'	10'	10'
FROM MULTI-FAMILY/COMM. DRIVEWAY FACE OF CURB	N/A	11'	11'
FROM RESIDENTIAL STREET FACE OF CURB	N/A	10'	N/A
FROM B-2 ZONING	35'	50'	50'
FROM B-2 ZONING	N/A	N/A	35'
FROM OFF-SITE OPEN SPACE	N/A	35'	35'
FROM PUMP STATION BUILDING (FRONT)	20'	20'	20'
FROM PUMP STATION BUILDING (SIDE)	5'	5'	5'
FROM PUMP STATION BUILDING (REAR)	25'	25'	25'
* DOES NOT INCLUDE STORMWATER MANAGEMENT FACILITIES, PRIVATE OR PUBLIC STREETS OR THEIR RIGHT OF WAYS, OR UTILITIES.			
DENSITY ANALYSIS			
RESIDENTIAL DENSITY ALLOWED PER MXD-6 OVERLAY DISTRICT:			
AREA WITHIN THE MXD-6 ZONE	42.41 AC.±	GROSS ACRES	
RESIDENTIAL ALLOWED	6 UNITS/ACRE		
TOTAL NUMBER OF UNITS ALLOWED	246 UNITS		
RESIDENTIAL DENSITY PROPOSED:			
AREA WITHIN THE MXD-6 ZONE	42.41 AC.±	GROSS ACRES	
RESIDENTIAL PROPOSED	4 UNITS/ACRE		
TOTAL NUMBER OF UNITS PROPOSED	170 UNITS MAXIMUM (*)	SEE NOTE BELOW	
COMMERCIAL DENSITY ALLOWED:			
COMMERCIAL AREA WITHIN THE MXD-6 ZONE	10.84 AC.±		
TOTAL EMPLOYMENT SQUARE FOOTAGE ALLOWED (0.5 FAR MAXIMUM)	236,095 SF.		
TOTAL RETAIL SQUARE FOOTAGE ALLOWED (250 SF. PER GROSS ACRE MAXIMUM)	10,602 SF.		
COMMERCIAL DENSITY PROPOSED:			
COMMERCIAL AREA WITHIN THE MXD-6 ZONE	10.84 AC.±		
MAXIMUM DENSITY PROPOSED @ 0.46 FAR	218,652 SF.±		
* INCLUDES A MAXIMUM OF 10,602 SF. OF RETAIL USE.			
OPEN SPACE ANALYSIS			
GROSS AREA OF THE SITE WITHIN THE MXD-6 ZONE			
AREA IN RESIDENTIAL	42.41 AC.±		
AREA IN EMPLOYMENT/RETAIL	12.16 AC.±		
AREA IN EMPLOYMENT/RETAIL	10.84 AC.±		
OPEN SPACE PER MXD OVERLAY DISTRICT:			
AREA WITHIN THE MXD OVERLAY DISTRICT	41.078 AC.±		
MINIMUM AREA REQUIRED	39%		
REQUIRED OPEN SPACE AREA	14.38 AC.±		
OPEN SPACE PROPOSED:			
PROPOSED OPEN SPACE AREA PROVIDED	16.88 AC.±		
FORMAL GREENS/COMMUNITY PARK	1.38 AC.±		
RESIDENTIAL/COMMERCIAL OPEN SPACE	10.55 AC.±		
OPEN SPACE DEDICATION TO HOWARD COUNTY RECREATION AND PARKS	4.749 AC.±		
ACTIVE RECREATIONAL OPEN SPACE REQUIRED (10% OF GROSS OPEN SPACE AREA)	1.67 AC.±		
ACTIVE/PASSIVE RECREATIONAL OPEN SPACE PROVIDED:			
CREDIT FOR PEDESTRIAN JOGGING/BIKING PATHWAY (2200 L.F. x 4' WIDE x 3 S.F. PER 1 S.F. = 26,400 SQ.FT. OR 0.61 AC.±)			
CREDIT FOR GAZEBO (PICNIC TABLE + 4 BENCHES = 1300 SQ.FT. OR 0.03 AC.±)			
CREDIT FOR PASSIVE WOODED ENVIRONMENTAL AREA (ON 0.5 LOT 11 = 4.62 AC.± OF FOREST CONSERVATION)			
TOTAL ACTIVE RECREATIONAL OPEN SPACE PROVIDED FOR PHASE I = 5.26 AC.			
TOTAL ACTIVE RECREATIONAL OPEN SPACE PROVIDED FOR PHASE II = 0.38 AC. (AT FOCAL POINT)			
EMPLOYMENT ANALYSIS			
OFFICE/RETAIL			
RETAIL PROPOSED	10,602 SF.		
OFFICE PROPOSED	208,050 SF.		
TOTAL EMPLOYMENT PROPOSED	218,652 SF.		
POTENTIAL JOBS GENERATED			
EMPLOYMENT USE	AREA (SF.)	EMPLOYEE (SF.)	POTENTIAL JOBS GENERATED
RETAIL	10,602	1 PER 400 SF.	26
OFFICE	208,050	1 PER 200 SF.	1,040
TOTAL POTENTIAL JOBS			1,066
* NOTE: IN ACCORDANCE WITH SECTION 127.C.6.B. OF THE HOWARD COUNTY ZONING REGULATIONS, 17 OF THE SFA DWELLING UNITS ARE PROPOSED AS MODERATE INCOME HOUSING UNITS BASED ON 10% OF THE TOTAL DWELLING UNITS FOR THIS MXD ZONING DISTRICT DEVELOPMENT.			

FIRST AMENDED DEVELOPMENT CRITERIA (ALTERNATE NO. 1)

	MINIMUM LOT, YARD AND HEIGHT REQUIREMENTS FOR RESIDENTIAL LOTS		
	SINGLE-FAMILY DETACHED	SINGLE-FAMILY ATTACHED	
NET LOT AREA	6,000 SF.	N/A	
FRONT YARD (MIN.)	10'	N/A	
LOT WIDTH MINIMUM AT FRONTAGE	25'	N/A	
LOT WIDTH MINIMUM AT BUILDING RESTRICTION LINE	40'	N/A	
REAR YARD MINIMUM (WITH OR WITHOUT PERPENDICULAR PARKING)	25'	N/A	
SIDE YARDS (MIN.)			
ONE	0'	N/A	
BOTH	8'	N/A	
MIN. SPACE BETWEEN END BUILDINGS*	N/A	12'	
MAXIMUM HEIGHT	35'	38'	
*MIN. SEPARATION BETWEEN BUILDINGS WILL BE PROVIDED PER APPLICABLE FIRE CODE AT FINAL DESIGN PLANS.			
MINIMUM BUILDING SETBACKS			
	SFD	SFA	OTHER USES*
FROM ARTERIAL STREET (RTE. 29) R.O.W.	N/A	N/A	35'
FROM LOCAL STREET R.O.W.	10'	10'	10'
FROM ACCESS STREET R.O.W.	10'	10'	10'
FROM MULTI-FAMILY/COMM. DRIVEWAY FACE OF CURB	N/A	11'	11'
FROM RESIDENTIAL STREET FACE OF CURB	N/A	10'	N/A
FROM B-2 ZONING	35'	50'	50'
FROM B-2 ZONING	N/A	N/A	35'
FROM OFF-SITE OPEN SPACE	N/A	35'	35'
FROM PUMP STATION BUILDING (FRONT)	20'	20'	20'
FROM PUMP STATION BUILDING (SIDE)	5'	5'	5'
FROM PUMP STATION BUILDING (REAR)	25'	25'	25'
* DOES NOT INCLUDE STORMWATER MANAGEMENT FACILITIES, PRIVATE OR PUBLIC STREETS OR THEIR RIGHT OF WAYS, OR UTILITIES.			
DENSITY ANALYSIS			
RESIDENTIAL DENSITY ALLOWED PER MXD-6 OVERLAY DISTRICT:			
AREA WITHIN THE MXD-6 ZONE	41.078 AC.±	GROSS ACRES	
RESIDENTIAL ALLOWED	6 UNITS/ACRE		
TOTAL NUMBER OF UNITS ALLOWED	246 UNITS		
RESIDENTIAL DENSITY PROPOSED:			
AREA WITHIN THE MXD-6 ZONE	41.078 AC.±	GROSS ACRES	
RESIDENTIAL PROPOSED	6 UNITS/ACRE		
TOTAL NUMBER OF UNITS PROPOSED	246 UNITS MAXIMUM (*)	SEE NOTE BELOW	
COMMERCIAL DENSITY ALLOWED:			
COMMERCIAL AREA WITHIN THE MXD-6 ZONE	6.162 AC.±	(BULK PARCELS A AND D)	
TOTAL EMPLOYMENT SQUARE FOOTAGE ALLOWED (0.5 FAR MAXIMUM PER ZONING REGULATIONS)	134,208 SF.		
TOTAL RETAIL SQUARE FOOTAGE ALLOWED (250 SF. PER GROSS ACRE MAXIMUM)	10,270 SF.		
COMMERCIAL DENSITY PROPOSED:			
COMMERCIAL AREA WITHIN THE MXD-6 ZONE	6.162 AC.±		
MAXIMUM DENSITY ALLOWED @ 0.46 FAR (PER ORIG. PDP)	112,870 + 10,602 (SDP 04-02) = 123,472		
COMMERCIAL AREA PROPOSED	78,634 SF.		
EMPLOYMENT ANALYSIS			
OFFICE/RETAIL			
RETAIL PROPOSED	10,602 SF. (PARCEL 'A', SDP 04-02)		
OFFICE PROPOSED	68,032 SF. + 9032 SF. (PARCEL 'A') = 68,032 SF.		
TOTAL EMPLOYMENT PROPOSED	78,634 SF.		
POTENTIAL JOBS GENERATED			
EMPLOYMENT USE	AREA (SF.)	EMPLOYEE (SF.)	POTENTIAL JOBS GENERATED
RETAIL	10,602	1 PER 400 SF.	26
OFFICE	68,032	1 PER 200 SF.	341
TOTAL POTENTIAL JOBS			368
* NOTE: IN ACCORDANCE WITH SECTION 127.C.6.B. OF THE HOWARD COUNTY ZONING REGULATIONS, 25 OF THE SFA DWELLING UNITS ARE PROPOSED AS MODERATE INCOME HOUSING UNITS BASED ON 10% OF THE TOTAL DWELLING UNITS FOR THIS MXD ZONING DISTRICT DEVELOPMENT.			

SAME AS ALT. NO. 1 EXCEPT FOR AS NOTED BELOW

	TOTAL NUMBER OF UNITS PROPOSED	170 UNITS MAXIMUM
COMMERCIAL AREA PROPOSED	48,634 SF.	
AGE RESTRICTED ADULT HOUSING PROPOSED	128 UNITS	
OFFICE/RETAIL		
RETAIL PROPOSED	10,602 SF. (PARCEL 'A')	
OFFICE PROPOSED	68,032 SF. + 9032 SF. (PARCEL 'A') = 68,032 SF.	
TOTAL EMPLOYMENT PROPOSED	48,634 SF.	
TOTAL AGE RESTRICTED ADULT HOUSING	128 UNITS	

NOTE: BOLD AND ITALIC DENOTES CHANGE FROM ORIGINAL PDP CRITERIA.

FIRST AMENDED DEVELOPMENT PLAN AND CRITERIA
CHERRYTREE PARK, LLC
HOWARD COUNTY, MARYLAND

Tax Map No. 46 Parcel No. 146 Grid No. 4
Existing Zoning POR-MXD-6
March 2, 2015
Sheet 5 OF 7



OWNER/DEVELOPER

CHERRYTREE PARK, LLC
8630-M GUILFORD ROAD
COLUMBIA, MARYLAND 21046

Joint Addendum Document To PDP & Criteria

The petitioner Cherrytree Park LLC, Winchester Homes, Inc., and CTNO have agreed to support the following conditions. These conditions are jointly requested by the petitioner and CTNO to be added by the Zoning Board as additional requirements to the Preliminary Development Plan (PDP) or Preliminary Development Criteria, as appropriate. The following conditions were jointly developed to improve the compatibility with surrounding neighborhoods, enhance designated open space and environmental areas, and are protective of the natural elements of the landscape. Seven or more single family homes along the border of the two developments. In the commercial (retail) areas disallow uses that would be after 12:00 midnight and before 6:00 AM. Adopt a lighting scheme that focuses the light down in a way that contains the light in the needed area and doesn't spill over into the surrounding neighborhood. Any signage should be small and unobtrusive. Install jogging paths in the open spaces. Install dense screening bushes including evergreens to limit the entrance of youngsters into the storm water management ponds. Locate dense screening bushes and mature trees along the boundary between the new development and the existing Cherrytree Farm development. This dense screening to be located on top of a 3 foot berm to be constructed along the border between Cherrytree Park and Cherrytree Farm. As stated in the PDP Fast Food establishments will not occur on this development. This does not preclude sandwich shops etc. within an employment building. These conditions are agreed to this 24th day of July 1998 and signed by persons fully authorized by their organizations. Furthermore, these conditions are also attached to the preliminary development plan for case ZB #973M and are included as written conditions on the PDP as part of the decision and order of the Howard County Zoning Board.

Addendum #1 to agreement

The following items are in addition to the items previously agreed. All previous written agreed items are still fully agreed. Specific to the berm between the existing neighborhoods and the Cherrytree Park development, the following items are also agreed to: The berm will run from Route 216 along the east border of Cherrytree Park and continue across the southern border and end at the existing wooded area. At the point along the berm adjacent to the retail/commercial area, the berm will also extend 20 feet into the Cherrytree Park development. This extension will serve to wrap the commercial area and also provide screening to the new townhomes. The berm and the planting of dense screening shrubbery and trees is to occur at the beginning of the first phase of the development. A solid board fence, six feet in height, is to be erected on the commercial side of the berm from 216 south along the Cherrytree Park border and then follow the berm as it extends into the Cherrytree Park development between the commercial and the new townhomes. This fence is to be erected when the commercial area development is started.

Residential & Commercial Construction Phasing

Therefore, the Board finds, that for purposes of this decision's requirements, that all of the residential and no more than 50% of the commercial development of the subject property, as proposed by the Petitioner for the first phase, may be completed before the US Route 29/MD Route 216 intersection is required to be completed and open to traffic. The Board finds that the remainder of the development's approval will have to be coordinated by DPZ with the actual completion of the relocation of MD Route 216 project. The Board notes that this condition does not override stricter phasing and/or APFO requirements imposed by the Planning Board and/or the DPZ, as applicable, during the CSP stage or subdivision approval process.

Permitted And Prohibited Uses

The Petitioner, pursuant to Section 127C.4.b. of the HCZR proposes the following permitted uses on the PDP, based principally on the comments of the Planning Board:

Uses permitted as a matter of right in the POR District, except:

- Adult live entertainment establishments
- Carnivals and fairs
- Catering establishments and banquet facilities
- Concert halls
- Convents and monasteries used for residential purposes
- Executive golf training and recreation centers
- Farming
- Legitimate theaters and dinner theaters
- Fast food restaurants
- Riding academies and stables

Uses permitted as a matter of right in the B-1 District, except:

- Adult book or video stores
- Animal hospital, completely enclosed
- Carnivals and fairs
- Mobile home and modular home sales and rentals
- One dwelling unit per business establishment
- Swimming pools

- One single-family detached dwelling unit per lot.
- One zero lot line dwelling unit per lot.
- Single-family attached dwelling units.
- Private recreational facilities, such as swimming pools, basketball courts and tennis courts, reserved for the use of on-site residents and their guests. Such facilities may be located within condominium developments as well as within communities where all properties are included within recorded covenants and liens which govern and provide financial support for operation of the facilities.
- Two-family dwellings.
- Other uses, similar to those above, approved by the Zoning Board on the Preliminary Development Plan.

The Board finds that the elimination of the various permitted uses, as proposed by the Petitioner, results in a sufficient number and mix of permitted uses that are appropriate for this MD District. The Board notes that the Petitioner, in particular, has been responsive to the Planning Board's recommendation that fast food restaurants be eliminated as a permitted use from the subject property, and the Board finds that this deletion to be appropriate.

Howard County Zoning Board Case No. 973M
Certificate of Zoning Board

Pursuant to §127.0.6.B(2) of the Zoning Regulation of Howard County, Maryland, the members of the Zoning Board of Howard County signing below hereby certify this 24th day of July, 1998 that this document constitutes a portion of the Preliminary Development Plan and Criteria for the Cherrytree Park, LLC Mixed Use Development as approved by the Declaration Order for Zoning Board Case No. 973M on September 14, 1998.

David Brown 10/24/98
David Brown, Chairperson Date

Dennis E. Schrader 10/24/98
Dennis E. Schrader, Vice Chairperson Date

Charles E. Fagan 10-23-98
Charles E. Fagan Date

William Gray 10-24-98
William Gray Date

Mary C. Loring 10/25/98
Mary C. Loring Date

ATTEST
Robin Reager 10/25/98
Robin Reager, Administrative Assistant Date

I:\2000\04041\dwg\second amended development plan\04041 SHEET 7.dwg, 3/2/2015 11:03:38 AM, 11



OWNER/DEVELOPER
CHERRYTREE PARK, LLC
8630-M GUILFORD ROAD
COLUMBIA, MARYLAND 21046

APPROVED PRELIMINARY DEVELOPMENT PLAN AND CRITERIA
CHERRYTREE PARK, LLC (ZB 973M)
HOWARD COUNTY, MARYLAND
Tax Map 46 Parcel 146 Grid 4
Existing Zoning POR-MXD-6
March 2, 2015
Sheet 7 of 7