

GARDEN OF REMEMBRANCE MEMORIAL PARK PRELIMINARY PLAN AMENDMENT NO. 12000004B



Description

Request to remove portions of an existing Category I Conservation Easement and replace it onsite. Staff recommends approval of the amendment with conditions.

NO. 12000004B

COMPLETED: 1-5-2022

MCPB

Consent Item

January 20, 2022

2425 Reedie Drive

Floor 13

Wheaton, MD 20902

KEN	Katherine Nelson, Planner Coordinator, Upcounty, Katherine.Nelson@montgomeryplanning.org , (301) 495-4622
SP	Sandra Pereira, Supervisor, Upcounty Planning, Sandra.Pereira@montgomeryplanning.org , (301) 495-2186
PB	Patrick Butler, Division Chief, Upcounty Planning, Patrick.Butler@montgomeryplanning.org , (301) 495-4561

LOCATION

14321 Comus Road, Clarksburg
1600 feet west of Frederick Road

MASTER PLAN/ ZONE

1994 *Clarksburg Master Plan & Hyattstown Special Study Area and 2014 Ten Mile Creek Area Limited Amendment/ AR Zone*

PROPERTY SIZE

152 Acres

APPLICANT

Garden of Remembrance Memorial Park

ACCEPTANCE DATE

July 26, 2021

REVIEW BASIS

Chapters 22A & 50



Summary

- Staff recommends approval of the Final Forest Conservation Plan Amendment No. 12000004B to remove 2.75 acres of existing Category I Conservation Easement from the margins of the existing easement and mitigate it onsite with 4.01 acres of new Easement over existing forest. Per Planning Board policy, mitigation will be provided at a minimum 1:1 ratio.
- Final Forest Conservation Plan No. 120000040 was approved as part of a Preliminary Plan for the creation of a memorial park. The Category I Conservation Easement was recorded at that time, but it was irregular in places and did not allow the proposed naturalized burial area to be inserted into the existing forest. The Applicant proposes to exceed the mitigation requirement with other areas of forest onsite.

SECTION 1

RECOMMENDATIONS AND CONDITIONS

Staff recommends approval of the limited Preliminary Plan Amendment No. 12000004B and associated Final Forest Conservation Plan, subject to the following conditions.

1. Within ninety (90) days of the mailing of the Planning Board Resolution approving 12000004B, the Applicant must submit a complete record plat application that delineates the revised conservation easement and references the Book/Page of the recorded deed for the new revised Category I Conservation Easements. The existing Conservation Easement remains in full force and effect until the record plat is recorded in the Montgomery County Land Records by the Applicant.
2. The revised Record Plat must be recorded in the Montgomery County Land Records within 365 days of the mailing date of the Planning Board Resolution approving the amendment to the Final Forest Conservation Plan.
3. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
4. All other conditions of Preliminary Plan and Final Forest Conservation Plan No. 120000040, as contained in the Planning Board's Opinion dated January 27, 2000, as amended, that were not modified herein remain in full force and effect.

SECTION 2

BACKGROUND

The Montgomery County Planning Board approved Preliminary Plan No. 120000040 “Garden of Remembrance Cemetery” on October 11, 1999 (Attachment A). That approval was for a cemetery on 152.23 acres of land in the RDT zone. The Property was subject to the Forest Conservation Law (Chapter 22A of the County Code) and a forest conservation plan was approved as part of the Preliminary Plan. The Forest Conservation Plan was approved with 36.06 acres of the existing forest protected by a Category I Conservation Easement. Only 13.48 acres were to be initially cleared but the plan allowed that forest disturbance could take place in the unprotected forest areas in the future. The first amendment to this plan occurred due to an adjustment in the utility right-of-way that goes through the western side of the Property. This amendment, designated Preliminary Plan Amendment No. 12000004A, was approved administratively on November 17, 2017.

The Applicant realized that on the periphery of protected forest areas encroachment had taken place with “Forest Glade” burial plots. These plots were meant for families wishing for a tranquil setting surrounded by forest. Although the encroachment is limited, pathways that accommodate vehicles were built, and markers set within the forest. The Applicant approached planning staff to seek a remedy for this encroachment, resulting in the proposed forest conservation plan amendment and the proposed rearrangement of onsite easements.

SECTION 3

SITE LOCATION AND DESCRIPTION

The Property is identified as Parcel A, located at 14321 Comus Road (“Property” or “Subject Property”) (Figure 1). The Property is approximately 152 acres developed as a cemetery. The Property is within the Use III Little Bennett watershed (92%) and the Use I Ten Mile Creek watershed (8%) on the Property’s southern boundaries. The Property is not located within the Ten Mile Creek Special Protection Area.



Figure 1 – Property outlined in white with existing Category I Conservation Easement in green pattern

SECTION 4

PROPOSAL

The Application proposes to remove 2.75 acres of Category I Conservation Easement from the periphery of the existing 36.46-acre easement area to accommodate the existing “Forest Glade” encroachment and to make the easement edge more uniform and easier to recognize and enforce if necessary. The Applicant proposes to mitigate for the easement removal onsite with 4.01 acres of forest protection. Although the onsite requirement is to mitigate 1:1, the Applicant has provided more than the required acreage resulting in a protected area of 37.73 acres.

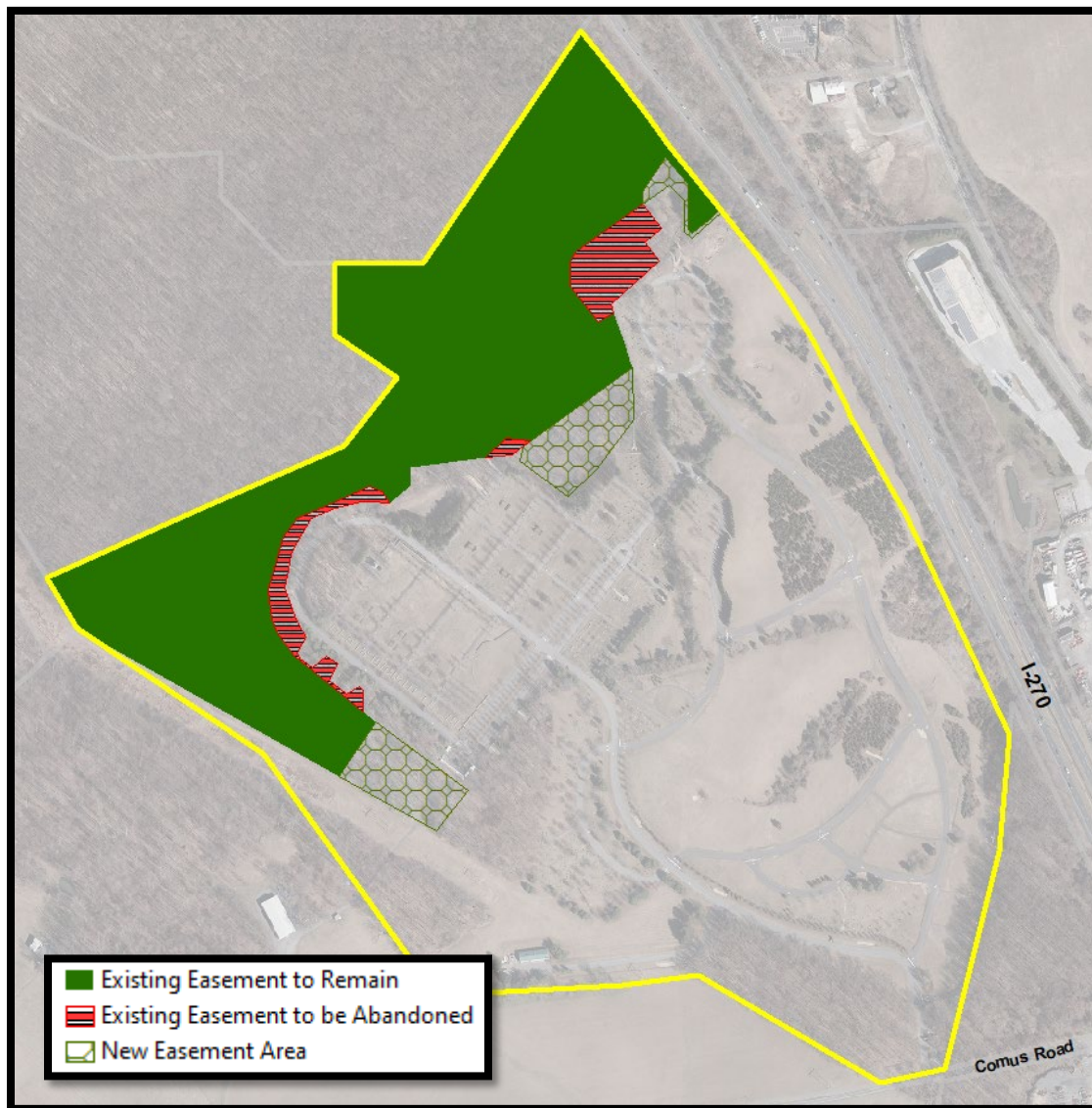


Figure 2 – Property outlined in yellow with Existing, Abandoned and New Category I Conservation Easements

SECTION 5

ANALYSIS AND FINDINGS

Section 22A.00.01.13 of the Montgomery County Forest Conservation Regulations states that “removal of any conservation easement must be reviewed by the Planning Board”. Onsite mitigation of easement removal is generally preferable to offsite mitigation because it provides in-kind replacement for the removal. If the easement can be relocated onsite, the Planning Board has found this to be acceptable at a 1:1 ratio. However, if opportunities to mitigate onsite are not available or preferred, the Planning Board may allow mitigation offsite at a 2:1 ratio. This mitigation policy was established by the Planning Board in November 2008.

The Final Forest Conservation Plan was originally approved in 1999. Although the encroachment of non-paved roads and burial sites has been minimal, this type of permanent encroachment is not permitted within easement areas (Figure 3). In addition, Staff’s practice of requiring conservation easements has evolved in recent years. Experience has shown that a margin of non-protected area is necessary to accommodate necessary use and maintenance of the developed area. The requirement for easement signage will also help to keep these areas protected.

For these reasons, Staff recommends the Planning Board approve the Applicant’s request to abandon the 2.75 acres of existing Category I Conservation Easement and mitigate for its removal at a minimum 1:1 ratio onsite. As conditioned, the Applicant exceeds this requirement by proposing 4.01 acres of existing forest onsite to be protected with a Category I Conservation Easement. This will result in a total easement area of 37.73 acres on the Subject Property.



Figure 3 – Forest Glade Encroachment Area

SECTION 6

NOTIFICATION AND OUTREACH

The Applicant has met all proper signage and noticing requirements for the submitted Application. As of the date of this Staff Report, Staff has not received any correspondence related to this Application.

SECTION 7

CONCLUSION

As conditioned, the Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. Therefore, Staff recommends approval of the Limited Preliminary Plan Amendment No. 12000004B to revise the associated Final Forest Conservation Plan, with the conditions cited in this Staff Report.

ATTACHMENTS

Attachment A: MCPB Opinion 120000040

Attachment B: Applicant Easement Graphic



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

OFFICE OF
THE GENERAL COUNSEL

(301) 495-4646
FAX (301) 495-2173

March 14, 2000 *MS*

Notice

To Whom It May Concern:

RE: **Corrected Version**
Garden of Remembrance Cemetery Opinion
Preliminary Plan No. 1-00004

Dear Madam/Sir:

Enclosed are two corrected pages for the above-mentioned Opinion mailed on January 27, 2000. **Please *discard pages 1 and 2, and replace both with the enclosed corrected pages 1 and 2.*** I apologize for any inconvenience this may have caused.

If you have any questions or need any additional information please contact my office at (301) 495-4646.

Sincerely,

Tara K. Lehner
Associate General Counsel

Enclosure

cc: Public File
Preliminary Plan No. 1-00004

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

**MONTGOMERY COUNTY PLANNING BOARD
OPINION**

Corrected Version

Preliminary Plan No.: 1-00004
Project: Garden of Remembrance Cemetery
Date of Hearing: October 11, 1999

Action: ***APPROVAL SUBJECT TO CONDITIONS.*** (Motion to approve was made by Commissioner Perdue; duly seconded by Commissioner Bryant; with a vote of 5-0, Commissioners Perdue, Bryant, Holmes, Wellington and Hussmann voting in favor.)

INTRODUCTION

On July 12, 1999, Washington Hebrew Congregation ("Applicant") filed a preliminary plan application seeking the creation of one (1) lot on 152.23 acres of land in the Rural Density Transfer ("RDT") Zone. The application was designated Preliminary Plan No. 1-00004.

After due notice, the Montgomery County Planning Board ("Planning Board") held a public hearing on the application on October 11, 1999, in accordance with the requirements of Maryland Code Ann., Art. 28 ("Regional District Act"), the Montgomery County Code ("Code") Chapter 50, and the Planning Board's Rules of Procedure. At the public hearing, the Planning Board heard testimony from its expert technical staff ("Staff"), the Applicant, a representative of Trail Riders of Today, and a neighboring property owner, and received evidence into the record on the application.

In presenting the application to the Planning Board, Staff prepared packets of information including plan drawings, vicinity maps, and correspondence from the Applicant and the community. Staff distributed the information packets to the Planning Board and they are part of the record on the application.

THE SUBJECT PROPERTY

The Subject Property is located on the north side of Comus Road (a public road), west of Interstate 270 ("I-270"). The site is zoned RDT (Rural Density Transfer Zone, with a minimum lot size of 25 acres). The property has 200 feet of frontage on Comus Road and is irregular in shape and unimproved. The property lies within the Little Bennett watershed and is characterized by gently rolling topography, with approximately 60 acres of tree cover and the remainder in open fields dotted with fencerows of trees and shrubs. A stream is located along the northwestern boundary of the site. The Allegheny Power Company has an easement that crosses through the western portion of the site.

The surrounding area is primarily rural in character. The site is bordered on the east by I-270. Further east, across I-270, a trucking warehouse, a small church, a rural service facility and the headquarters for an excavation company are located at the intersection of Comus Road and Frederick Road. The nearest occupied house is located approximately 600 feet from the site, across Comus Road at the I-270 overpass. There are no other nearby homes on the west side of I-270. The land uses to the south, west and north of the site include a mix of agriculture, open fields and woodland.

The Applicant proposes the creation of one (1) lot on 152.23 acres to allow the construction of a memorial garden. The cemetery will be accessed from Comus Road via a gated, stone monumental entrance. ~~The entrance drive will progress 100 to 200 feet through a wooded area and then through open areas of grass to a memorial chapel/administration building. The main building will consist of a chapel with seating for 250, an administrative wing for staff offices and a central vestibule and reception area, totalling approximately 4,865 square feet. Parking will be provided for 75 vehicles. Beyond the main structure, the site will be divided into several burial garden areas, including one area with six mausoleums. A smaller memorial chapel for small group services and ceremonies may be built in the future further within the site. A 3,200-square-foot~~ Inside the cemetery gates, the property will be divided into various burial areas, some with themes (Founders' Garden). Improvements in the cemetery include a memorial chapel/administrative building with associated parking; internal roadways; a future mausoleum and a maintenance and storage building will to be located in the southwestern corner of the site, away from the burial areas.

The Applicant proposed significant screening for the property by the maintenance of existing forest and landscape berms. A substantial portion of the site (approximately 36 acres) will be preserved in forest. Additional screening will be provided around the site perimeter to create a buffer area between the cemetery and adjoining properties. A 25-to-35-foot landscaped berm will be constructed along I-270 to further screen memorial services from noise and fumes. Staff recommended approval of the Applicant's preliminary forest conservation plan, and Applicant's stormwater management plan, as approved by MCDPS, which consists of on-site water quantity and quality control.

The subject property is located within the area covered by the Clarksburg Master Plan and Hyattstown Special Study Area ("Master Plan"). The Master Plan is silent as to the proposed cemetery use, but recommends open space and limited structures for the site area. The Master Plan also states that the property is unsuitable for the type of high technology office employment envisioned along the I-270 Corridor.

The proposed use requires special exception approval by the Montgomery County Council, sitting as the District Council ("District Council"), pursuant to Sections 59-G-1.13 and 2.12 of the Code. After a public hearing on the application, and review and recommendation of approval by the Hearing Examiner, the District Council adopted a resolution approving the special exception, subject to conditions (Resolution No. 13-1331, dated June 23, 1998). Thereafter, an adjacent landowner filed an appeal to the Circuit

Court for Montgomery County, seeking access across the subject site to the neighbor's allegedly landlocked property. On February 8, 1999, the Circuit Court denied the appeal and affirmed the special exception approval.

THE SUBDIVISION CRITERIA

An application for subdivision requires the Planning Board to undertake its legislatively delegated authority under the Regional District Act and the Montgomery County Code ("Code"). The Planning Board administers Chapters 50 ("Subdivision Regulations") and 59 ("Zoning Ordinance") of the Code. In order to gain approval, the application must meet the requirements of the Subdivision Regulations and the Zoning Ordinance applicable to the subject preliminary plan.

The general provisions for lot design for a subdivision are set forth in Section 50-29 of the Subdivision Regulations. Lot size, width, shape and orientation must be appropriate for the location of the subdivision and for the type of use contemplated in order to be approved by the Planning Board. Lots must also abut a dedicated street or public road.

Section 50-35 of the Subdivision Regulations provides the approval procedure for preliminary plans of subdivision. After a hearing on the Preliminary Plan, the Planning Board must act to approve or disapprove the plan, or approve the plan subject to conditions and/or modifications necessary to bring the plan into accordance with the Code and all other applicable regulations.

The record on the subject application includes information about the lot size, width, shape and orientation of the proposed subdivision and the relationship of the lot to public roads. Specifically, Staff advised the Board that the proposed lot conforms with the Zoning Ordinance requirements, and that it abuts a public road. The record also contains uncontested information as to the Preliminary Plan's conformance with the development standards for the RDT Zone. As for the adequacy of public facilities, the record displays that although the proposed use of the property is expected to generate 719 average daily vehicular trips (based on the acreage of the site), most of the traffic volume will occur sporadically throughout the day. Accordingly, neither a traffic study nor Local Area Transportation Review is required. Further, because the subject property is located in the Clarksburg/Hyattstown Special Study Area of the Agriculture and Rural Policy Area, it is exempt from any job or housing ceiling regulations. Finally, the stormwater management plan, as approved by MCDPS, and the preliminary forest conservation plan, as approved by Staff, were uncontested elements of the record.

DISCUSSION OF ISSUES

During the Planning Board hearing two issues were raised and discussed. The issues were the creation of an access easement and a public trail easement through the western portion of the site.

Access Easement

Through public hearing testimony, and through written correspondence to the Planning Board, JMJ Properties (hereinafter "Owner"), the owner of the adjoining northern properties (Parcels 500 and 800 (hereinafter "Parcels")) of the Subject Property expressed concern that the development of the Subject Property would effectively "landlock" the adjoining Parcels. JMJ Properties' representative (hereinafter "Owner") also testified that these Parcels did not abut a public street, and thus needed an access easement across the Applicant's Subject Property to Comus Road. Owner requested that the Planning Board condition Applicant's Preliminary Plan approval on granting an access easement along the western boundary of the Subject Property to the benefit of the Parcels, and stated that an access easement in this location would respect the purpose and objectives of the Applicant and would not disrupt the sanctity of the cemetery. In addition, Owner advised the Planning Board that the number of vehicular trips involved would be relatively few because the Parcels can be improved with a maximum of five dwelling units under the existing RDT zoning.

As support for the requested access easement, Owner noted that an objective of the Subdivision Regulations is the coordination of roads within a proposed subdivision with adjacent undeveloped properties. Accordingly, Owner stated that in reviewing an application for a Preliminary Plan, the Planning Board is authorized to include conditions to aid the orderly development of adjacent properties.

Through correspondence with the Planning Board, and through testimony at the hearing, the Applicant objected to the granting of an easement through the Subject Property as being unnecessary and inappropriate. Applicant advised the Board that the Parcels have two possible alternative means of access to a public street, specifically easements to Peach Tree and Slidell Roads. Additionally, Applicant noted that the Parcels never had access across the Subject Property. The Applicant explained that, although at one time the properties were under common ownership, the properties were separately owned prior to their common ownership and were never commingled into a single tract.

The Applicant further testified that providing access to neighboring residential properties through the Subject Property would be incompatible with the proposed use for burials, memorial services and gravesite visits. Applicant argued that the setting should allow solitude and contemplation and that additional traffic through the Subject Property would disturb the tranquility and security of the cemetery.

The Applicant also stated that the Subject Property has limited road frontage (only 200 feet of frontage on Comus Road), and Applicant plans to locate a monumental gated entrance feature at this location, thus leaving no room for an access easement at Comus Road. Applicant further testified that construction of a road along either side of the Subject Property, crossing into the adjoining Parcels would be environmentally unsound because of steep slopes, stream crossings, disturbance of the forest conservation area and tree loss.

In response to the Applicant's assertion that access could be provided across other neighboring properties, Owner acknowledged the possibility, but stated that there are no existing easements that connect the Parcels to a public road. In addition, Owner testified that Slidell Road and Peach Tree Road are prescriptive easements of irregular width, made of gravel and dirt, inconsistently maintained by adjoining owners, characterized by potholes and washouts, and lack graded shoulders or side ditches. He also noted that Montgomery County would have to condemn adjacent property to bring those roads up to standard. Therefore, Owner contended that the proposed easement along the western side of the Subject Property would provide more appropriate and safer ingress and egress to the Parcels.

After describing the Subject Property, the proposal, the surrounding area and the existing and proposed road network, Staff expressed similar concerns regarding the Applicant's suggested alternative means of access for the Parcels. Staff agreed that portions of Peach Tree Road and Slidell Road are prescriptive rights-of-way, which have not been dedicated for public use, are not full-width right-of-ways, and are substandard. In addition, Staff does not know if the Montgomery County Departments of Public Works & Transportation and/or Fire and Rescue would permit development of the Parcels with access to these substandard roads. Therefore, Staff recommended a condition to the Planning Board which would require Applicant and Owner to negotiate in good faith for an access easement across the Subject Property to Comus Road.

Trail Easement

The Montgomery County representative of Trail Riders of Today ("TROT"), who resides in the site area, testified before the Board that an easement for an equestrian trail should be located across the Subject Property. He stated that the trail would help the equestrians in their efforts to link the major parks in the area by providing access to Comus Road and the bridge over I-270, linking Black Hills and Little Bennett Regional Parks. He noted that this link is important because the Comus Road bridge is the only way to cross I-270 to Little Bennett Regional Park.

The Applicant opposed the location of a pedestrian and/or equestrian trail on the Subject Property. The Applicant explained its concern about maintaining a serene and

somber setting for the cemetery and noted that use of a trail by hikers, bikers and equestrians would not be compatible with the solemnity of memorial services or the Applicant's need to maintain security. The Applicant further testified that there is no existing or master-planned equestrian trail on the Subject Property.

In response to questions from the Commissioners, Staff testified that a trail along the western portion of the Subject Property, adjacent to the Allegheny Power Company power line right-of-way, would be beneficial to the area's trail system. Staff advised the Board that any trail would be four feet wide with two feet of brush clearing on either side. Staff explained that, although there is not an existing trail on the Subject Property, there is a lot of equestrian activity in the area. Further, Staff noted that the Montgomery County Master Plan of Park Trails (adopted by the Planning Board in July of 1998) recommends a natural surface trail connection from Frederick County to Little Bennett Regional Park and the 10-Mile Creek corridor, which could be achieved partially by the proposed trail easement on the Subject Property. By way of aside, Frederick County's recently issued Master Plan of Trails seeks a connection from Frederick County to Little Bennett Regional Park for which the corridor along the Allegheny Power Company power line right-of-way appears to be the best location.

FINDINGS

After review and consideration of the evidence of record, including testimony given at the public hearing, the Planning Board finds that Preliminary Plan No. 1-00004 is in accordance with the Subdivision Regulations, the Zoning Ordinance and the Regional District Act. The Planning Board further finds that: (1) the proposed lot is appropriate with regard to lot size, width, shape and orientation for the location of the subdivision and the contemplated use; (2) the proposed lot abuts a public road; (3) the Preliminary Plan meets the development standards of the RDT Zone; and (4) the Preliminary Plan is in accordance with the Master Plan. The Planning Board also finds that the proposed conditions, as modified, will ensure the appropriate use of the Subject Property and adequate access and road improvements, forest conservation measures, stormwater management and screening. Therefore, the Planning Board adopts Staff's conditions, as modified.

Regarding the issue of access to the adjoining Parcels 500 and 800, the Planning Board finds that Owner bought a landlocked piece of land and the subject Preliminary Plan does not exacerbate an already existing situation. The Planning Board also agrees that the proposed use requires a tranquil and secure setting. Nevertheless, the Planning Board notes that the purpose of the Subdivisions Regulations and the preliminary plan process is to ensure harmonious and coordinated development of land within the County. Additionally, Section 50-35(k)(5)(d) of the Subdivision Regulations provides that the Planning Board must find that existing or proposed street access within the area of the

application is adequate, and does "not result in the inability to develop adjacent lands in conformity with sound planning practices." Accordingly, the Planning Board finds that this ingress/egress easement is necessary to ensure that the development of these adjoining Parcels is not significantly impaired.

Taking into consideration the current substandard condition of portions of Slidell Road and Peach Tree Road, and the substantial road improvements that would be necessary to provide safe access via those roads, the Planning Board cannot find that the suggested alternative means of access will be adequate to support and service the potential development of Parcels 500 and 800. Therefore, the Planning Board finds that an access easement across the western portion of the Subject Property is necessary and appropriate to facilitate orderly development in the site area. Recognizing the need to minimize any encroachment upon the operation of the cemetery and its entrance, the Planning Board further finds that the access easement need not extend all the way through the Subject Property to Comus Road, but should extend only from the northwestern corner of the property to the rear of the maintenance and storage building shown on the illustrative plan. (See Attachment One.) It will then be Owner's responsibility to obtain an easement to Comus Road from the adjoining property owner.

Regarding the requested pedestrian and equestrian trails, the Planning Board again recognizes the Applicant's concerns about visual encroachment and maintaining security. However, the Planning Board finds that a trail easement across the western portion of the subject property would provide a desirable connection between Frederick County, along the power line corridor and the Comus Road bridge over I-270, to access Little Bennett Regional Park. The Board finds that the power line corridor is the only unifying open space north of the site. In addition, Section 50-30(c)(3) of the Subdivision Regulations authorizes the Planning Board to require the "dedication to public use of rights-of-way or platting of easements of land necessary for such public uses as pedestrian paths, equestrian trails," The Planning Board also finds that the subject property is located in a rural area and that some accommodation of rural agricultural uses, including horses and equestrians, is appropriate. Therefore, the Planning Board finds that the inclusion of a right-of-way for pedestrian and equestrian use in the easement area required by modified Condition No. 2 is appropriate.

The Planning Board therefore finds that recommended Condition No. 2 should be modified to require the provision of a 50-foot easement along the western edge of the Subject Property from the northwestern corner of the property to the rear of the maintenance and storage building shown on the illustrative plan (see Attachment One) for both the trail and access to the adjoining Parcels.

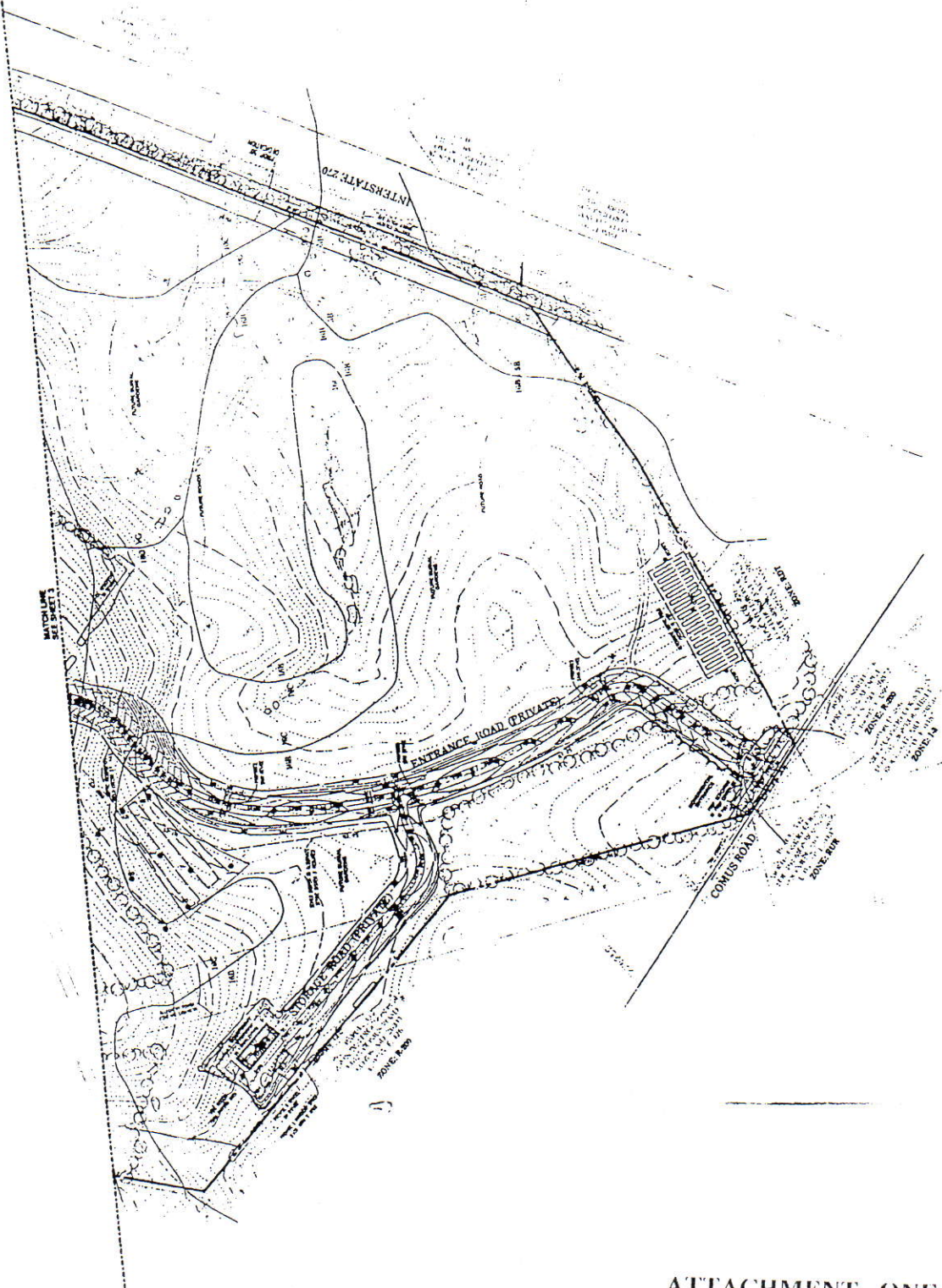
The Planning Board further finds that the construction of an access road and/or a trail in the easement area may accelerate the need for construction of a fence to provide separation and security for the cemetery. Therefore, the Planning Board finds that when

a road and/or pathway/trail is constructed in the easement area, if the Applicant has not already erected a fence, the responsible entity also should be responsible for the construction of a fence and screening that is acceptable to the Applicant, Staff and the Planning Board.

CONCLUSION

Based on the testimony, evidence and exhibits presented, as well as the contents of the Preliminary Plan file, the Planning Board finds Preliminary Plan No. 1-00004 to be in accordance with the Subdivision Regulations of the Montgomery County Code and the provisions of the Maryland Code Ann., Art. 28. Therefore, the Planning Board approves Preliminary Plan No. 1-00004, subject to the following conditions:

- 1) Compliance with the conditions of approval of the preliminary forest conservation plan. The Applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit, as appropriate.
- 2) Record plat to create a 50 foot wide vehicular, pedestrian, and natural surface equestrian easement along the western boundary of Applicant's property, adjacent to Parcel 333, from the northwestern corner of the property to the rear of the maintenance and storage building shown on the illustrative plan. The vehicular ingress/egress easement and the equestrian trail easement shall each be 25 feet wide. Unless Applicant has already constructed a fence in this location, the first party (the Commission or the owner(s) of Parcels 500 and 800) to improve the easement for a roadway, driveway, or trail/pathway, shall provide a fence and associated landscaping and plant materials, of a style, design, and in a location approved by Staff and the Applicant, which approval shall not be unreasonably withheld, along the easement/cemetery boundary to screen the easement uses from the cemetery on Applicant's property.
- 3) Provide public utility easement along Comus Road.
- 4) Other necessary easements.
- 5) This preliminary plan will remain valid until February 27, 2003 (37 months from the date of mailing which is January 27, 2000). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.



ATTACHMENT ONE

APPLICANT:
FRASERSON INTERIOR CONSTRUCTION
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GARDEN OF REMEMBRANCE
(TEMPLE)
Quilcher, Manfred

प्रमाणित

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R-126

R-126



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DATE	12/15/2010
SCALE	1" = 100'
SHEET	3 of 3
PROJECT	GARDEN OF REMEMBRANCE CEMETERY
CLIENT	DAVIDSON, MARSH & COMPANY, INC.
LOCATION	10000 N. W. 10th Ave., Suite 100, Fort Lauderdale, FL 33309

PRELIMINARY PLAN
GARDEN OF REMEMBRANCE CEMETERY
DAVIDSON, MARSH & COMPANY, INC.
10000 N. W. 10th Ave., Suite 100, Fort Lauderdale, FL 33309

DESIGNED BY: GREENBERG & O'NEILL, INC.
ARCHITECTS
10000 N. W. 10th Ave., Suite 100, Fort Lauderdale, FL 33309
PHOTOGRAPHY: GREENBERG & O'NEILL, INC.
10000 N. W. 10th Ave., Suite 100, Fort Lauderdale, FL 33309

NO.	DATE	REVISION
1	12/15/2010	ISSUED FOR PERMIT

APPROVED FOR CONSTRUCTION
12/15/2010
10000 N. W. 10th Ave., Suite 100, Fort Lauderdale, FL 33309
12/15/2010



Attachment B

Garden of Remembrance Conservation Easement (CE) Area Tabulation

Existing Category I Forest CE	=	31.46 ac.
FCE area impacted by ex. Forest Glades	=	2.03 ac.
Proposed area for future Forest Glades	=	1.71 ac.
Area removed from ex. Category I FCE	=	2.75 ac.
Potential new Category I CE - area A	=	1.26 ac.
Potential new Category I CE - area B	=	1.89 ac.
Potential new Category I CE - area C	=	1.86 ac.
Total new Category I CE	=	4.01 ac.
Proposed Total Category I CE	=	31.73 ac.

150 75 0 150 300
SCALE: 1"=150'



LEGEND

- EXISTING SVB
- EXISTING TREELINE
- EXISTING CAT. I.C.E.
- Prop. adjusted CAT. I.C.E. based on existing encroachments
- Prop. adjusted CAT. I.C.E. based on future burials
- Prop. CAT. I.C.E. for mitigation

