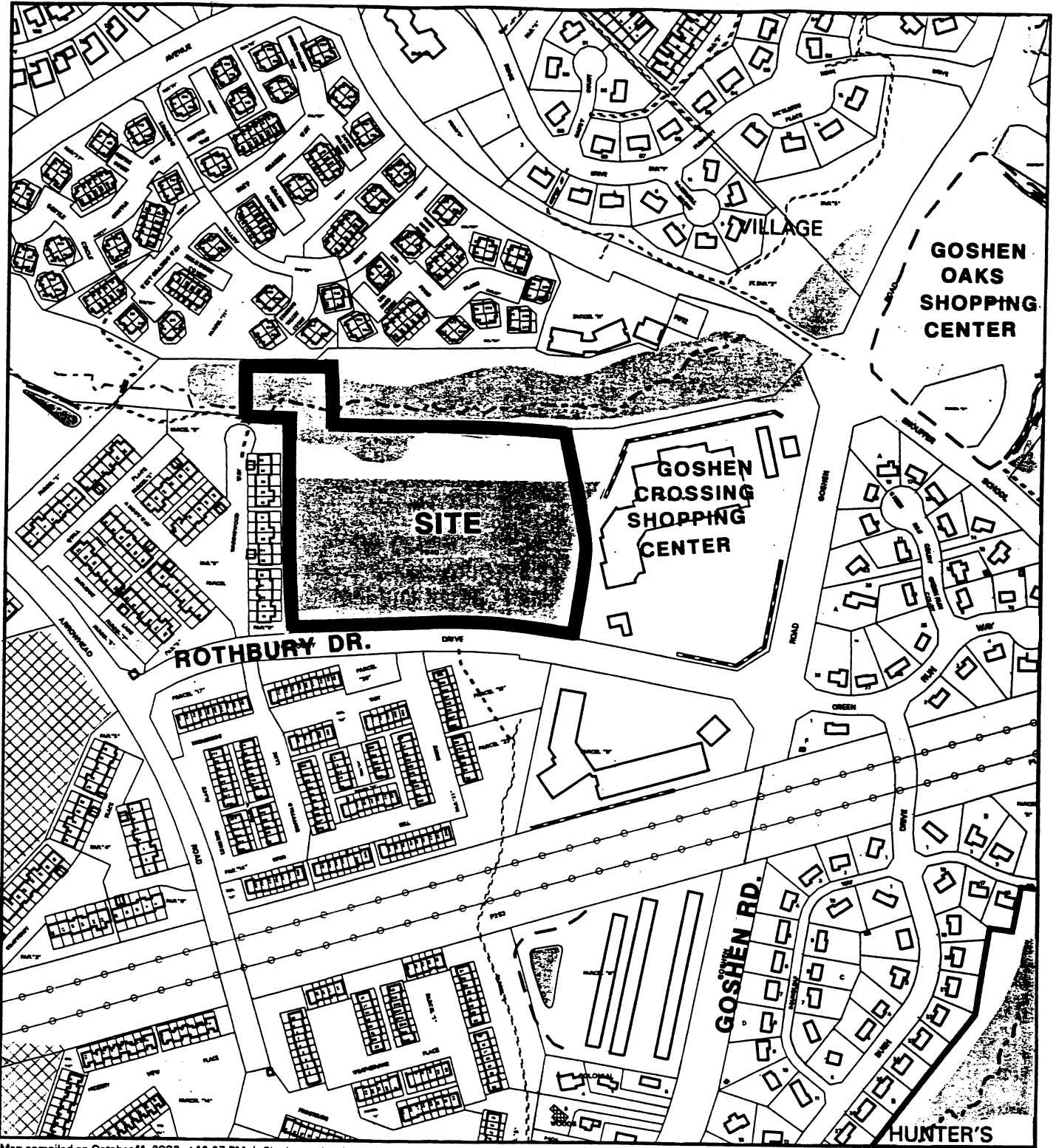


VICINITY MAP FOR
DPA-02-2



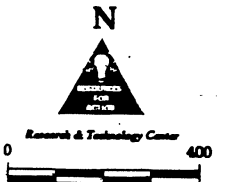
Map compiled on October 11, 2002 at 12:27 PM | Site located on base sheet no - 227NW09

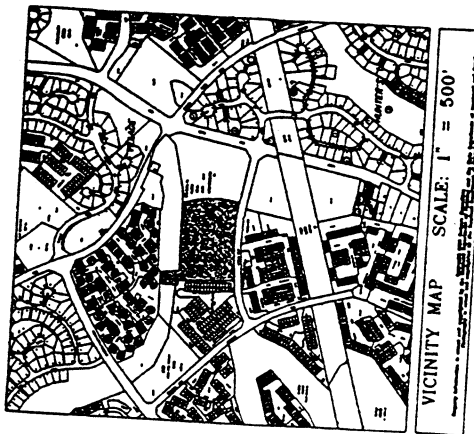
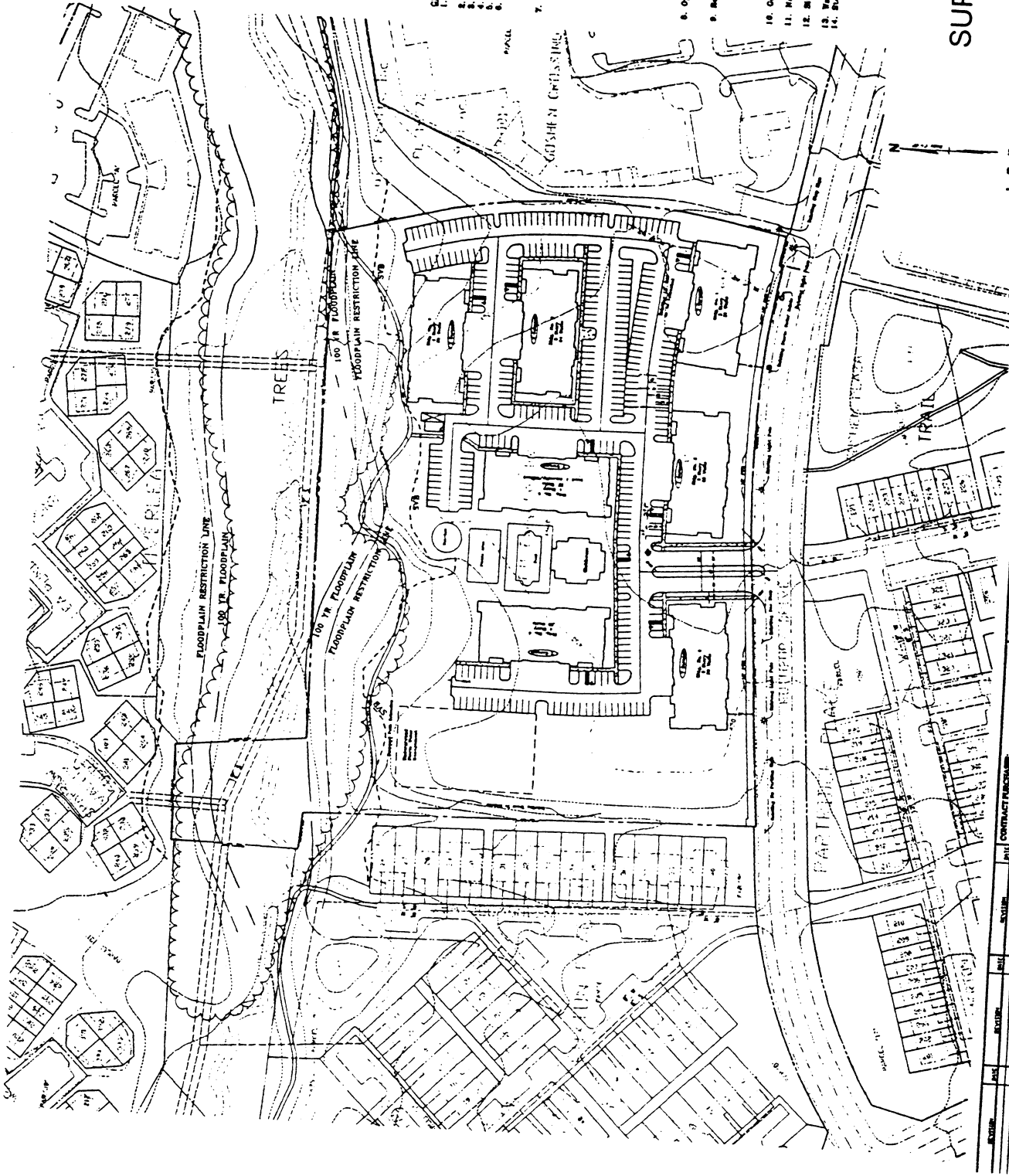
NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998





- VICINITY MAP SCALE: 1" = 500'**
- GENERAL NOTES:**
1. Boundary Survey for the property was obtained from M-NCCPC on 12-21-01.
 2. Topography was obtained from M-NCCPC on 12-21-01.
 3. Elevation of natural ground is 8'.
 4. Property zoned R-1000.
 5. Plot area is 11.79 Ac ±.
 6. Proposed Development:
 - a. 208 Units
 - b. (Includes 41 MPDU's, 208)
 - c. (Four story) buildings
 7. Parking Requirements:
 - a. 208 Spaces
 - b. 208 Spaces
 - c. 208 Spaces
 - d. 208 Spaces
 - e. 208 Spaces
 - f. 208 Spaces
 - g. 208 Spaces
 - h. 208 Spaces
 - i. 208 Spaces
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 - r. 208 Spaces
 - s. 208 Spaces
 - t. 208 Spaces
 - u. 208 Spaces
 - v. 208 Spaces
 - w. 208 Spaces
 - x. 208 Spaces
 - y. 208 Spaces
 - z. 208 Spaces
 8. Open Space Requirements:
 - a. 208 Spaces
 - b. 208 Spaces
 - c. 208 Spaces
 - d. 208 Spaces
 - e. 208 Spaces
 - f. 208 Spaces
 - g. 208 Spaces
 - h. 208 Spaces
 - i. 208 Spaces
 - j. 208 Spaces
 - k. 208 Spaces
 - l. 208 Spaces
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 - s. 208 Spaces
 - t. 208 Spaces
 - u. 208 Spaces
 - v. 208 Spaces
 - w. 208 Spaces
 - x. 208 Spaces
 - y. 208 Spaces
 - z. 208 Spaces
 9. Recreation Provided:
 - a. 208 Spaces
 - b. 208 Spaces
 - c. 208 Spaces
 - d. 208 Spaces
 - e. 208 Spaces
 - f. 208 Spaces
 - g. 208 Spaces
 - h. 208 Spaces
 - i. 208 Spaces
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 - t. 208 Spaces
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 - v. 208 Spaces
 - w. 208 Spaces
 - x. 208 Spaces
 - y. 208 Spaces
 - z. 208 Spaces
 10. Open Space:
 - a. 208 Spaces
 - b. 208 Spaces
 - c. 208 Spaces
 - d. 208 Spaces
 - e. 208 Spaces
 - f. 208 Spaces
 - g. 208 Spaces
 - h. 208 Spaces
 - i. 208 Spaces
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 - v. 208 Spaces
 - w. 208 Spaces
 - x. 208 Spaces
 - y. 208 Spaces
 - z. 208 Spaces
 11. Natural Resource Inventory conducted by Rodgers Consulting, Inc.
 12. Montgomerie in West Village, Part of III-P
 13. Water and Sewer in vicinity adjacent to site.
 14. Stormwater management facilities are provided on site.

AMENDED SUPPLEMENTARY PLAN

EXHIBIT "B"

MONTGOMERY VILLAGE, WEST VILLAGE, PART OF III-P
GABLES ROTHBURY SQUARE
 FOR THE PROJECTS IN THE
 MONTGOMERY COUNTY, MARYLAND

RODGERS CONSULTING
 CONSULTING ENGINEERS
 1000 GAITHERSBURG ROAD, SUITE 200
 GAITHERSBURG, MARYLAND 20878
 TEL: 301-281-1000 FAX: 301-281-1001
 WWW.RODGERSCONSULTING.COM
 PREPARED FOR THE CLIENT BY THE ENGINEER
 DATE: 12/21/01
 SCALE: AS SHOWN
 SHEET NO. 1 OF 1
 RELEASE TO: []

GABLES ROTHBURY SQUARE SUPPLEMENTARY PLAN

CONTRACT NUMBER: GABLES ROTHBURY SQUARE
 OWNER: GABLES ROTHBURY SQUARE
 1000 GAITHERSBURG ROAD, SUITE 200
 GAITHERSBURG, MARYLAND 20878
 DATE: 12/21/01
 SCALE: AS SHOWN
 SHEET NO. 1 OF 1
 RELEASE TO: []

NO.	DATE	DESCRIPTION
1	12/21/01	ISSUED FOR PERMITTING
2	12/21/01	ISSUED FOR PERMITTING
3	12/21/01	ISSUED FOR PERMITTING
4	12/21/01	ISSUED FOR PERMITTING
5	12/21/01	ISSUED FOR PERMITTING
6	12/21/01	ISSUED FOR PERMITTING
7	12/21/01	ISSUED FOR PERMITTING
8	12/21/01	ISSUED FOR PERMITTING
9	12/21/01	ISSUED FOR PERMITTING
10	12/21/01	ISSUED FOR PERMITTING
11	12/21/01	ISSUED FOR PERMITTING
12	12/21/01	ISSUED FOR PERMITTING
13	12/21/01	ISSUED FOR PERMITTING
14	12/21/01	ISSUED FOR PERMITTING
15	12/21/01	ISSUED FOR PERMITTING
16	12/21/01	ISSUED FOR PERMITTING
17	12/21/01	ISSUED FOR PERMITTING
18	12/21/01	ISSUED FOR PERMITTING
19	12/21/01	ISSUED FOR PERMITTING
20	12/21/01	ISSUED FOR PERMITTING

DPA 02-02; ROTHBURY SQUARE
(GABLES RESIDENTIAL – THE “APPLICANT”) -
PROPOSED BINDING ELEMENTS

1. The project shall be limited to 203 multi-family dwelling units, consisting of three, three-story apartment buildings, plus loft space, fronting along Rothbury Drive, two, four-story buildings, plus loft space, located in the center of the subject property (to the east and west of a swimming pool), a freestanding clubhouse (providing amenity and management office space), located immediately to the south of the swimming pool, a three-story building, plus loft space, located along the eastern half of the property, and a four story apartment building, plus loft space, located in the north-east corner of the subject property (the “Project”). The Project shall also provide the greater of one parking space per bedroom or the number of parking spaces required by Article 59-E of the Montgomery County Code.
2. At the time of recordation of a subdivision plat, the Applicant shall subdivide and deed to Montgomery Village Foundation (the “Foundation”), the 2± acres of stream valley on the north side of the proposed project (as shown on the supplemental plan). Prior to deeding of the stream valley, the developer will install within the property limits a natural surface pedestrian path (with minimal grading) along the stream valley connecting to the existing path to the west. The Applicant shall also, consistent with recommendations of the Environmental Division of the Planning Staff: 1) mitigate its construction in the stream valley buffer by removing invasive species throughout the stream valley buffer on the property; 2) limit grading for other structures and facilities, including stormwater management facilities (aside from unavoidable outfalls) to outside the stream valley buffer; and 3) grant a conservation easement, for the stream valley on the property, to the Maryland-National Capital Park and Planning Commission. The Foundation shall assume maintenance responsibility for the stream valley (in accordance with the above) after it has been deeded to the Foundation.
3. At the time of recordation of a subdivision plat, the Applicant shall record a restrictive covenant over the 2± acres of land on the western side of the subject property, between Patton Ridge Townhomes and the parking facility serving the Project, which land shall be maintained by the Applicant as open space and which shall be landscaped pursuant to a landscape plan to be mutually agreed upon by Foundation, the Applicant and the Technical Staff of M-NCPPC (the “Technical Staff”) prior to site plan approval¹. The Applicant will take all reasonable steps to preserve existing trees along the western property line near the Patton Ridge Homes Corporation.
4. The Applicant shall provide landscape and buffering to the perimeter edges of all parking facilities serving the Project, with particular attention to the provision of adequate

¹ The Applicant reserves the right to design, construct, install and perpetually maintain a stormwater management facility within this area in accordance with the requirements and approvals of Montgomery County.

plantings, berms, buffering and other screening techniques to screen the parking facilities on the southern and western boundaries of the property. Foundation input shall be provided in the development of the screening plans at the time of site plan approval.

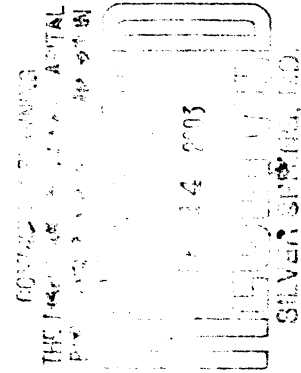
5. Subject to Montgomery County approval, egress/ingress to the Project shall be by a single divided monumental entrance consisting of two ingress and two egress lanes (each lane approximately 10 feet in width) (while trying to maintain street parking on Rothbury Drive). In the event Montgomery County does not approve the use of a single divided monumental entrance, egress/ingress to the Project shall be by two entrances (in which case street parking is unlikely), either of which shall be designed to accommodate free flow of traffic onto the site without impeding through traffic on Rothbury Drive and to permit adequate stacking and safe egress for vehicles departing the site.
6. The Applicant shall join and be a participating member of the Foundation.
7. The Project will be subject to the commercial architectural review process of the Foundation in accordance with the adopted guidelines of the Commercial Architectural Committee.
8. Maintenance standards for maintenance of the Project shall be equivalent to or more stringent than the building maintenance standards of the Patton Ridge Homes Corporation and the adopted landscape maintenance guidelines of the Foundation.
9. The Applicant, prior to subdivision approval for the Project, shall conduct a traffic signal warrant analysis for the intersection of Rothbury Drive and Goshen Road pursuant to Montgomery County's standards for traffic signal warrant analyses. If a signal is warranted pursuant to County standards, the Applicant shall design, permit and construct said traffic signal, including appropriate pedestrian controls. In the event that a traffic signal is not warranted under County standards, the Applicant will pay to the Foundation or Patton Ridge Homes Corporation (to be determined by those entities) the sum of Seventy-Five Thousand Dollars (\$75,000.00) to be applied toward the evaluation and improvement of on-site parking conditions for the existing residential uses comprising the Patton Ridge Homes Corporation properties.
10. Setbacks for the three apartment buildings fronting along Rothbury Drive shall be increased from that proposed in the supplementary plan dated April 2002 to that provided in the revised supplementary plan, approved by the Montgomery County Planning Board on October 17, 2002.

These proposed Binding Elements are contingent upon the Applicant receiving all final approvals for the Project including 20% of the dwelling units being approved and reserved for affordable housing, pursuant to the Special Ceiling Element for Affordable Housing as outlined in the Montgomery County Annual Growth Policy.

**Montgomery Village / Town Sector Zone
Multi-Family Density & Parking Summary
November 8th, 2002**

Key: Subdivision Name	Unit Count	**Total # of Spaces	Spaces / Unit	Gross Acreage	Gross Density
A Horizon Run	154 Units	310 Spaces	2.0 spaces/unit	16.7 ac	9.2 du/ac
B Cider Mill Apts.	864 Units	1,364 Spaces	1.6 spaces/unit	42.1 ac	20.5 du/ac
C Christopher Court	266 Units	403 Spaces	1.5 spaces/unit	8.9 ac	29.9 du/ac
D Bayberry	235 Units	375 Spaces	1.6 spaces/unit	8.9 ac	26.4 du/ac
E The Verandahs	186 Units	310 Spaces	1.7 spaces/unit	17.6 ac	10.6 du/ac
F Park Place	152 Units	258 Spaces	1.7 spaces/unit	8.1 ac	18.8 du/ac
G Walker's Choice	645 Units	1,004 Spaces	1.6 spaces/unit	31.4 ac	20.5 du/ac
H Mills Choice	406 Units	640 Spaces	1.6 spaces/unit	23.1 ac	17.6 du/ac
I Center Court	132 Units	227 Spaces	1.7 spaces/unit	6.2 ac	21.3 du/ac
J Thomas Choice	643 Units	816 Spaces	1.3 spaces/unit	36.9 ac	17.4 du/ac
K Village House	149 Units	92 Spaces	0.6 spaces/unit	3.2 ac	46.6 du/ac
L Proposed Rothbury Square	203 Units	379 Spaces	1.9 spaces/unit	11.8 ac	17.2 du/ac

**Note: Parking space count from 11/05/02 site visits.



**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
IN MONTGOMERY COUNTY**

IN THE MATTER OF:
GABLES RESIDENTIAL, INC.
Applicant

*
*
*
*
*

Development Plan Amendment (DPA)
02-2

ORDER OF REMAND

It is hereby ordered this 21st day of January, 2003, by the County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County, Maryland, that this matter be remanded to the Hearing Examiner to reopen the record for the following purposes:

(1) To permit the Applicant to amend its application to provide additional or revised evidence concerning compatibility (particularly considering possible changes in overall density and the size and bulk of buildings), Master Plan compliance, recommendations made by Environmental Staff of the M-NCPPC, the adequacy of proposed on-site parking, and the documents intended to show the ownership and method of assuring perpetual maintenance of the stream valley buffer.

(2) To provide the Planning Board or its Technical Staff an opportunity for further comment and recommendation on the application in light of any amendment to the application submitted following this remand.

All parties will be permitted an opportunity for written comment on any amendment to the application submitted and any comment or recommendation by the Planning Board. After the close of the record, the Hearing Examiner will provide the Council with a brief supplemental report.



Michael L. Subin, President
Montgomery County Council