



MONTGOMERY COUNTY PLANNING DEPARTMENT

100 North 10th Street, Suite 200, Rockville, MD 20850

MCPB
Item #
09/06/07

MEMORANDUM

DATE: August 22, 2007

TO: Montgomery County Planning Board

VIA: Catherine Conlon, Supervisor *CC*
Development Review Division
(301) 495-4542

FROM: Stephen Smith *SS*
Development Review Division
(301) 495-4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for September 6, 2007

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plan and site plan, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code. Attached are specific recommendations and copies of plan drawings for the record plat. The following plats are included:

220070090 **Rock Spring Park**
220070420 **Plungar**
220070480 **The Quarry**
220071070 **Cabin John Park**
220071080 **Brookmont**
220071100 - 220071110 **Mangums Branch**
220071130 **Rocky Road Park**
220071370 **West Chevy Chase Heights**
220071390 **Atwood Knolls**
220071420 **Unity**
220071660 **II.M. Martins 3rd Addition to Chevy Chase**

PLAT NO. 220070090

Rock Spring Park

Located in the northeast quadrant of the intersection of Rock Forest Drive and Rockledge Boulevard

MXPD zone: 1 parcel

Community Water, Community Sewer

Master Plan Area: North Bethesda – Garrett Park

Camalier Limited Partnership, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(5)** of the Subdivision Regulations, which states:

Plat of Correction. A plat may be recorded under the minor subdivision procedure to correct inaccurate or incomplete information shown on a previously recorded subdivision plat. The plat may correct drafting or dimensional errors on the drawing; failure to include a required note, dedication, easement or other restriction; incorrect or omitted signatures; and/or other information normally required to be shown on a recorded plat. All owners and trustees of the land affected by the correction must sign the revised plat. In addition, the plat of correction must clearly identify the original plat that is being replaced and contain a note identifying the nature of the correction. The purpose of this plat is to correct the conservation easement area in accordance with the approved final forest conservation plan.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Rock Spring Park Plat Number: 220070090
 Plat Submission Date: 07/17/06
 DRD Plat Reviewer: T. Alam
 DRD Prelim Plan Reviewer: N/A

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. N/A Checked: Initial - Date -
 Preliminary Plan No. - Checked: Initial - Date -
 Planning Board Opinion - Date - Checked: Initial - Date -
 Site Plan Name if applicable: - Site Plan Number: -
 Planning Board Opinion - Date - Checked: Initial - Date -

Lot # & Layout ok Lot Area ok Zoning ok Bearings & Distances ok Coordinates ok
 Plan # ✓ Road/Alley Widths ok Easements ✓ Open Space N/A Non-standard
 BRLs N/A Adjoining Land ok Vicinity Map ok Septic Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert ok Owner Cert ok Tax Map ok
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>En-Pl.</u>	<u>7/27/06</u>	<u>8/11/06</u>	<u>8-11-06</u>	<u>OK</u>
Research	Bobby Fleury			<u>7-31-06</u>	<u>OK</u>
SHA	Doug Mills				
PEPCO	Jose Washington				
Parks	Doug Powell				
DRD	Steve Smith			<u>8-11-06</u>	<u>Review See Plat</u>

Final DRD Review:

	Initial	Date
DRD Review Complete:	<u>SJS</u>	<u>8-16-07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>TBA</u>	<u>8-8-06</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SJD</u>	<u>7-12-07</u>
Board Approval of Plat:		
Plat Agenda:	<u>SJS</u>	<u>9-6-07</u>
Planning Board Approval:	<u>_____</u>	<u>_____</u>
Chairman's Signature:	<u>_____</u>	<u>_____</u>
DPS Approval of Plat:		
Engineer Pick-up for DPS Signature:	<u>_____</u>	<u>_____</u>
Final Mylar for Reproduction Rec'd:	<u>_____</u>	<u>_____</u>
Plat Reproduction:		
Addressing:	<u>_____</u>	<u>_____</u>
File Card Update:	<u>_____</u>	<u>_____</u>
Final Zoning Book Check:	<u>_____</u>	<u>_____</u>
Update Address Books with Plat #:	<u>_____</u>	<u>_____</u>
Update Green Books for Resubdivision:	<u>_____</u>	<u>_____</u>
Notify Engineer to Seal Plats:	<u>_____</u>	<u>_____</u>
Engineer Seal Complete:	<u>_____</u>	<u>_____</u>
Complete Reproduction:	<u>_____</u>	<u>_____</u>
Sent to Courthouse for Recordation:	<u>_____</u>	<u>_____</u>

No. _____

RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Plat Name: _____
Plat Number: _____
Plat Submission Date: _____
DRD Plat Reviewer: _____

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: _____

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____ ✓
- b) Original Plat identified: _____ ✓

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____
- g) Approved Special Exception: _____

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

- a) Number of Lots: _____
- b) Written MCDPS approval of proposed septic area: _____
- c) Required street dedication: _____
- d) Easement for balance of property noting density and TDRS: _____
- e) Average lot size of 5 acres: _____
- f) Forest Conservation requirements met: _____

PLAT NO. 220070420

Plungar

Located in the northeast quadrant of the intersection of Scenery Drive and Frederick Road (MD 355)

C-1 zone; 1 parcel

Community Water, Community Sewer

Master Plan Area: Germantown

Robert G. Garrison Revocable Trust, Applicant

The record plat has been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120060840 and Site Plan No. 820070120, as approved by the Board, and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the aforesaid plans.

Note: The reduced site plan included in the following pages has not been signed by Development Review Chief, Rose Krasnow. Technical staff has reviewed the site plan and will ascertain all appropriate signatures on the plan prior to the requesting Chairman Hanson's signature on the record plat mylar.

RECORD PLAT REVIEW SHEET

Plan Name: Platting Lot 22 Plan Number: 1200010
 Plat Name: Platting Lot 22 Plat Number: 0110120
 Plat Submission Date: 10/4/06
 DRD Plat Reviewer: [Signature]
 DRD Prelim Plan Reviewer: [Signature]

Initial DRD Review:

Signed Preliminary Plan - Date 9/27/06 Checked: Initial [Signature] Date 10/24/06
 Planning Board Opinion - Date 11/18/06 Checked: Initial [Signature] Date 10/24/06
 Site Plan Req'd for Development? Yes No Verified By: SJS (initial)
 Site Plan Name: Commerce Blvd - Government Site Plan Number: 820070120
 Planning Board Opinion - Date 8-10-07 Checked: Initial SJS Date 8-15-07
 Site Plan Signature Set - Date _____ Checked: Initial _____ Date _____
 Site Plan Reviewer Plat Approval: Checked: Initial RAK Date 8-24-07

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths Easements Open Space
 Non-standard BRLs N/A Adjoining Land ok Vicinity Map ok Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert ok Owner Cert ok Tax Map ok

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	[Signature]	10/6	10/27	✓	no comment
Resear/cn	Bobby Fleury			—	—
SHA	Doug Mills			—	—
PEPCO	Steve Baxter			—	—
Parks	Doug Powell			—	—
DRD	Steve Smith			10/27/06	See PLAT

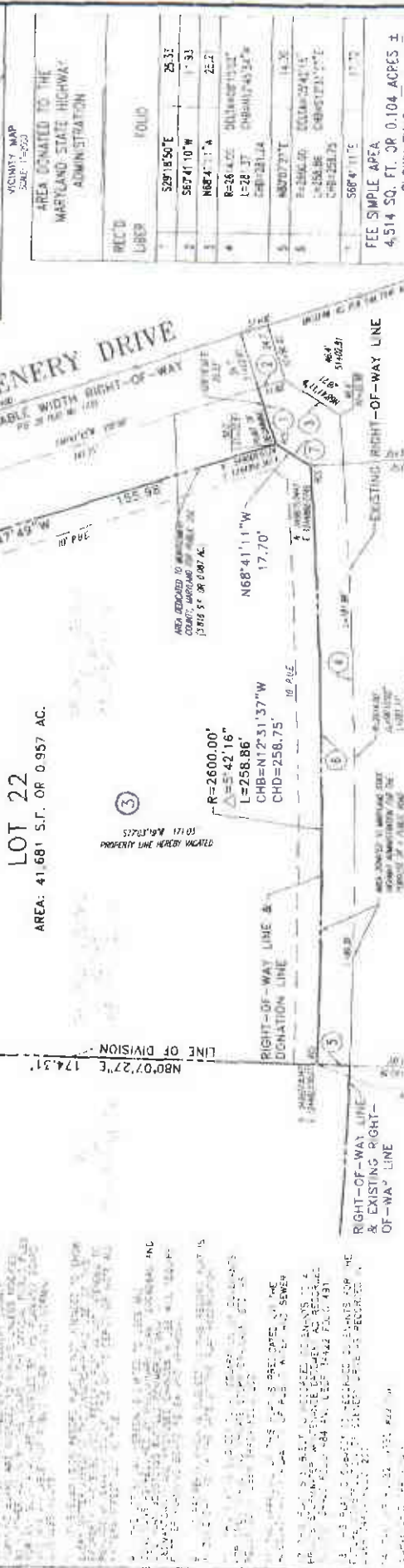
Final DRD Review:

	Initial	Date
DRD Review Complete:	<u>[Signature]</u>	<u>8-24-07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SJS</u>	<u>8-3-07</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SJS</u>	<u>8-13-07</u>
Board Approval of Plat:		
Plat Agenda:	<u>SJS</u>	<u>9-6-07</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
DPS Approval of Plat:		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
Plat Reproduction:		
Addressing:	_____	_____
File Card Update:	_____	_____
Final Zoning Book Check:	_____	_____
Update Address Books with Plat #:	_____	_____
Update Green Books for Resubdivision:	_____	_____
Notify Engineer to Seal Plats:	_____	_____
Engineer Seal Complete:	_____	_____
Complete Reproduction:	_____	_____
Sent to Courthouse for Recordation:	_____	_____

No. _____

RECORD NO. 123456789
SUBDIVISION RECORD PLAT
LOT 22, BLOCK 3
PLUMGAR

AREA TABULATION
LOT 22 41,681 S.F. OR 0.957 AC
ROADWAY/PUBLIC USE 3,314 S.F. OR 0.104 AC
STATE 3,845 S.F. OR 0.083 AC
COUNTY 18,011 S.F. OR 0.414 AC
TOTAL 66,851 S.F. OR 1.538 AC



LOT 22
AREA: 41,681 S.F. OR 0.957 AC.

FREDERICK ROAD - MD RTE. 355

VARIABLE WIDTH RIGHT-OF-WAY

RIGHT-OF-WAY LINE & EXISTING RIGHT-OF-WAY LINE

SCENERY DRIVE

PLUMGAR

9TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

DATE: AUGUST 7, 2007

CONTROL POINT

GRAPHIC SCALE

APPROVED _____ DATE _____
ASST. SECRETARY - RECORDER _____
DIRECTOR _____

APPROVED _____ DATE _____
MONTGOMERY COUNTY PLANNING BOARD

APPROVED _____ DATE _____
MONTGOMERY COUNTY PLANNING BOARD



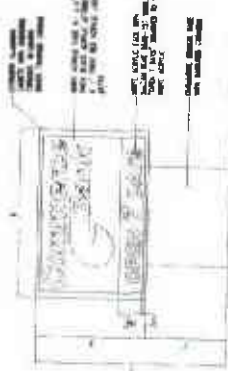
ENGINEERING, P.C.

1950

ONRACE BANK OF BRANSON
 PRELIMINARY PLAN
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 BRANSON, MO



SITE
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TRINIDAD MONUMENT BRAN BRAN

GENERAL NOTES

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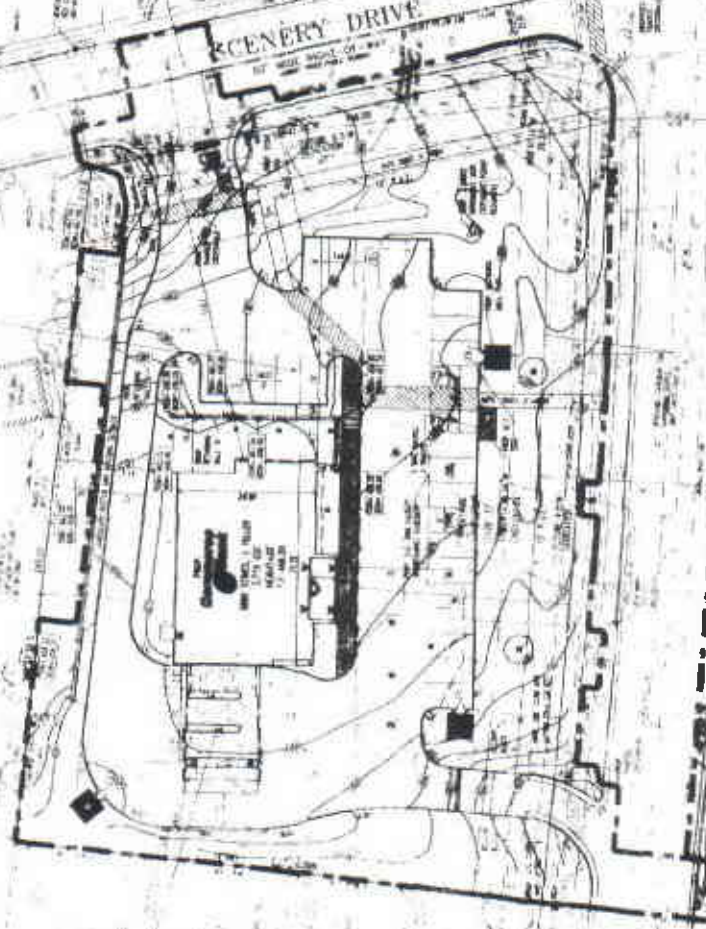


MISSOURI
 PROFESSIONAL ENGINEER
 No. 12345
 State of Missouri

GRAPHIC SCALE
 1" = 100'

DATE: 1950
 1950

1950



FREDERICK ROAD - MD. RTE. 355

1950

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

Date Mailed: JUL 18 2006

Hearing Date: June 8, 2006

**Action: Approved Staff
Recommendation**

**Motion of Commissioner Wellington,
seconded by Commissioner Bryant,
with a vote of 4-0;**

**Chairman Berlage and Commissioners
Bryant, Wellington, and Robinson voting
in favor. Commissioner Perdue absent.**

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan No. 120060840

NAME OF PLAN: Commerce Bank Germantown II

*The date of this written opinion is **JUL 18 2006** (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 within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).*

INTRODUCTION

On 2/17/06, Robert G. Garrison, Trustee ("Applicant") submitted an application for the approval of a preliminary plan of subdivision of property in the C-1 zone. The application proposed to create 1 lot on 1.16 acres of land located at the northeast quadrant of the intersection of Frederick Road (MD 355) and Scenery Drive, in the Germantown Master Plan area ("Subject Property"). The application was designated Preliminary Plan 120060840 ("Preliminary Plan"). On 6/8/06, the Preliminary Plan was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the

application received by the Planning Board or its staff following submission of the application and prior to the Board's action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

SITE DESCRIPTION

The Subject Property, identified as Lot 1 and Lot 2, was approved as part of the subdivision entitled Block 1, 2, and 3 Plumgar which was recorded in 1949. The Subject Property is located at the northeast quadrant of the intersection of Frederick Road (MD 355) and Scenery Drive. The Subject Property contains 1.16 acres and is zoned C-1.

PROJECT DESCRIPTION

This is a preliminary plan application to create one (1) lot for the construction of a 4,100 square foot bank with four (4) drive-thru aisles. Access to the site will be from Scenery Drive with an exit only on Frederick Road (MD 355), unless otherwise amended by the State Highway Administration (SHA). The Subject Property contains no environmental features and is exempt from forest conservation.

MASTER PLAN COMPLIANCE

The Germantown Master Plan ("Master Plan") does not specifically identify the Subject Property, but includes it within the Middlebrook Village analysis area. The Middlebrook Village analysis area is a combination of C-1 and C-3 zoning with predominantly convenience retail and some auto-related uses. The Master Plan recommends retaining the existing zoning. The Preliminary Plan complies with the recommendations adopted in the Master Plan in that it proposes the convenience commercial drive-thru bank.

In addition to the Master Plan, the proposed development must comply with the Germantown Streetscape Concept Plan (March 1984) ("Concept Plan"). The Concept Plan includes streetscape guidelines that encourage pedestrian, landscaping and lighting treatments that are feasible within available space. The Preliminary Plan proposes a sidewalk along MD 355, with appropriate lawn strip and street trees, to provide pedestrian access to the residential projects along Scenery Drive and the Fox Chapel retail center.

TRANSPORTATION

Site Location and Pedestrian/Vehicular Access

The Subject Property is located east side of Frederick Road and north of Scenery Drive with vehicular access from both roadways. The site will gain a right in and right out only access from Scenery Road and an egress from Frederick Road. The Applicant will provide 5-foot wide sidewalks on both Frederick Road and Scenery Drive with appropriate lead-in sidewalks connecting to the internal walkways.

Roadway Classifications

Frederick Road is classified as a Major Highway (M-6) with a recommended right-of-way of 150 feet with a shared-used path on the opposite side of the street and sidewalks on both sides. Scenery Drive is classified as an Arterial Roadway with a recommended right-of-way of 100 feet with sidewalks on both sides.

Local Area Transportation Review (LATR)

A traffic study was submitted to satisfy Local Area Transportation Review and to determine the impact of the proposed development on the area transportation system. The Subject Property is projected to generate 41 and 108 new trips, and 37 and 96 pass-by trips during typical peak hours in the morning and evening peak periods, respectively. A total of five intersections were identified in the study area for analysis with this development. Trips from the Subject Property were added to the existing and background traffic (trips from approved but un-built developments) to form the total future traffic condition. Traffic was assigned to the five intersections and the results show all intersections will operate within the congestion standard of 1,450 Critical Lane Volume for the Germantown-Clarksburg Policy Area, therefore, the application passes LATR.

ENVIRONMENTAL

There are no environmentally sensitive features on the Subject Property. The site was granted an exemption from forest conservation on January 4, 2006 with a condition requiring a tree save plan.

There are 13 trees which are 24 inches and greater in diameter at breast height (DBH) on the Subject Property. Only five (5) of these trees are in good condition. Based on the location of the trees on the Subject Property, it is impossible to save any of the specimen trees. However, the Applicant has submitted a tree save plan that ensures survival of all trees on the adjoining properties. This will be accomplished by pulling the limits of disturbance away from the property line and using retaining walls to limit disturbance to the critical root zones of the trees on the adjoining properties. Tree protection fencing and root-pruning is also shown to protect the trees.

STAFF RECOMMENDATION

Staff found that the Preliminary Plan conforms to the Germantown Master Plan and meets all necessary requirements of the Subdivision Regulations. As such, Staff recommended approval of the Preliminary Plan, subject to conditions.

FINDINGS

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies¹; the Applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds, based on the uncontested evidence of record and with the conditions of approval, that:

- a) The Preliminary Plan No. 120060840 substantially conforms to the Germantown Master Plan.
- b) Public facilities will be adequate to support and service the area of the proposed subdivision.
- c) The size, width, shape, and orientation of the proposed lot are appropriate for the location of the subdivision.
- d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.
- e) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.
- e) The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

¹ The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 120060840 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 120060840, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to a 4,100 square foot bank with a maximum of four (4) drive-thru windows.
- 2) Compliance with the conditions of the tree save plan dated May 24, 2006.
- 3) Submit a plan that demonstrates compliance with the Germantown Streetscape Concept Plan and provides appropriate plantings which buffers the neighboring properties for staff review and approval prior to issuance of building permit.
- 4) The plat shall reflect dedication of 50 feet of right-of-way from the centerline of Scenery Drive for a total of a 100-foot right-of-way width required for this arterial roadway.
- 5) The Applicant shall design and construct the access point from Frederick Road to allow for egress only as required by Maryland State Highway Administration, unless otherwise amended by SHA.
- 6) The Applicant shall provide:
 - a) Lead-in sidewalks from Frederick Road and Scenery Drive into the site's internal walkways.
 - b) A 5-foot sidewalk along the frontage of the property on Scenery Drive.
 - c) Handicapped ramps at all curbs surrounding the site.
 - d) Two inverted "U" bike racks for four bike parking spaces in front of the bank.
- 7) Compliance with conditions of MCDPWT letter dated, May 1, 2006, unless otherwise amended.
- 8) Access and improvements as required to be approved by MDSHA prior to issuance of access permits.
- 9) Compliance with the conditions of approval of the MCDPS stormwater management approval dated March 27, 2006.
- 10) 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.
- 11) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

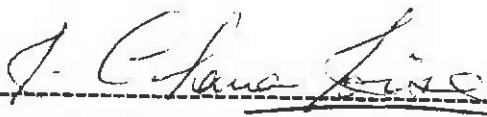
* * * * *

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

APPROVED AS TO LEGAL SUFFICIENCY
DND 7/10/06
MONTGOMERY COUNTY LEGAL DEPARTMENT

CERTIFICATION OF BOARD VOTE ADOPTING OPINION

At its regular meeting, held on **Thursday July 13, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commission Bryant seconded by Chairman Berlage by a vote of 4-0, with Commissioner Perdue not eligible to vote, and Commissioners Berlage, Bryant, Wellington, and Robinson present, **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminary Plan No. 120060840, Commerce Bank Germantown II.**



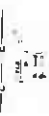
Certification As To Vote of Adoption
M. Clara Moise, Technical Writer



CERTIFIED SITE PLAN
BLOCK 3, LOTS P1 & P2
19501, 19505 FREDERICK ROAD
GERMANTOWN, MONTGOMERY COUNTY, MARYLAND, 20876
P.B. 28 PLAT NO. 1733
9TH ELECTION DISTRICT

11/15/11

4 Feet



SECTION 1.1
PROPOSED DEVELOPMENT
COMMERCIAL - ADMINISTRATIVE

1.1.1 The proposed development is a new building to be constructed on the site shown on the site plan. The building will be used for administrative purposes and will consist of approximately 10,000 square feet of space. The building will be constructed in accordance with the applicable zoning regulations and will be designed to blend with the surrounding area.

1.1.2 The proposed development is consistent with the Comprehensive Zoning Ordinance, Article 21, Section 21-101, which allows for the construction of new buildings for administrative purposes in the C-1000 zoning district.

1.1.3 The proposed development is also consistent with the Comprehensive Zoning Ordinance, Article 21, Section 21-102, which requires that the proposed development be designed to be aesthetically pleasing and compatible with the surrounding area.

1.1.4 The proposed development will be constructed in accordance with the applicable zoning regulations and will be designed to blend with the surrounding area.

1.1.5 The proposed development will be constructed in accordance with the applicable zoning regulations and will be designed to blend with the surrounding area.

1.1.6 The proposed development will be constructed in accordance with the applicable zoning regulations and will be designed to blend with the surrounding area.

1.1.7 The proposed development will be constructed in accordance with the applicable zoning regulations and will be designed to blend with the surrounding area.



ISLAND MAP
DATE: 11/15/11
SCALE: 1" = 100'

OWNER
DEVELOPER/APPPLICANT



PREPARED BY:
BOHLER ENGINEERING, P.C.
22630 DAVIS DRIVE, SUITE 200
STERLING, VIRGINIA 20164
(703) 709-8500
ATTN: AARON ARMSTRONG

- SHEET INDEX - CERTIFIED SITE PLAN**
- 1. SITE PLAN
 - 2. DEVELOPMENT COUNTY ZONING REGULATIONS
 - 3. DEVELOPMENT PROGRAM
 - 4. SITE PLAN AND TITLE BLOCK
 - 5. DEVELOPMENT PLAN
 - 6. SITE PLAN
 - 7. LAYOUT PLAN
 - 8. TRAFFIC PLAN
 - 9. TRAFFIC SIGNAL CONTROL PLAN
 - 10. TRAFFIC SIGNAL CONTROL PLAN
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 - 19. TRAFFIC SIGNAL CONTROL PLAN
 - 20. TRAFFIC SIGNAL CONTROL PLAN

DEVELOPER'S CERTIFICATE

I, the undersigned, hereby certify that the information furnished to the Planning Board is true and correct to the best of my knowledge and belief, and that the proposed development is in accordance with the applicable zoning regulations and the Comprehensive Zoning Ordinance, Article 21, Sections 21-101 and 21-102.

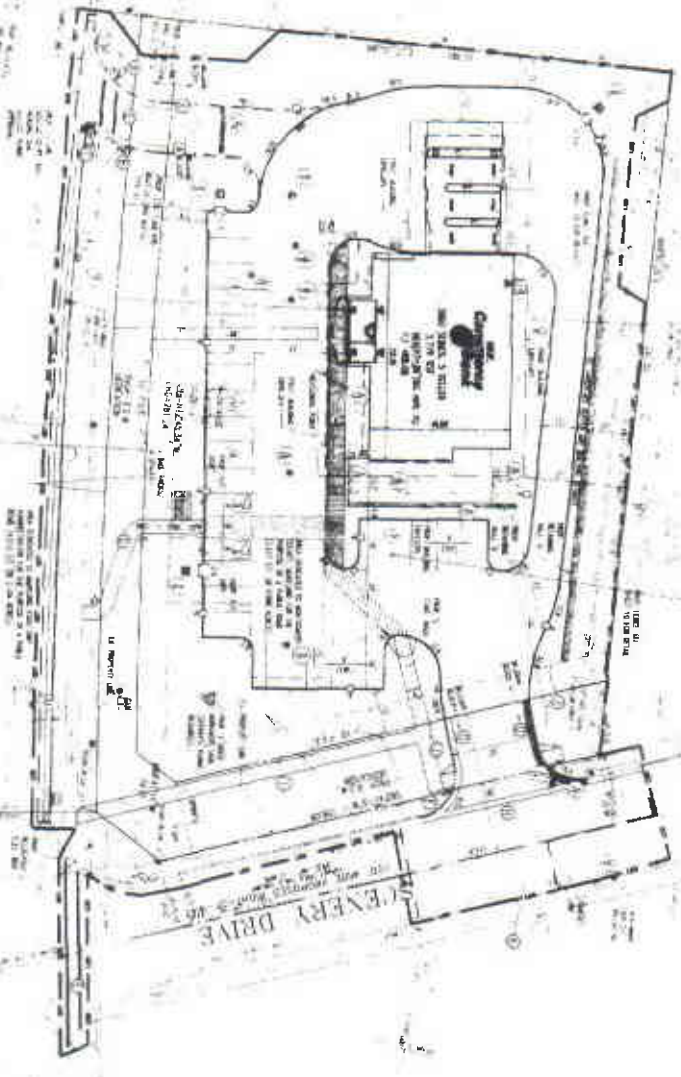
DATE: 11/15/11
SIGNATURE: [Signature]

M-NCPPC APPROVAL STAMP
APPROVED CERTIFIED SITE PLAN
DATE: 11/15/11
OFFICIAL: [Signature]

NON-CONFORMING APPROVAL STAMP
 APPROVED FOR THE
 COUNTY OF MONTGOMERY

DEVELOPER'S CERTIFICATE
 I, the undersigned, certify that the information furnished herein is true and correct to the best of my knowledge and belief, and that I am the owner of the property described herein.

FREDERICK ROAD - MD. RTE. 355
 ADJACENT TO THE NORTH OF THE



OWNER'S INFORMATION
 PROJECT: LANDS 801
 4471 CENERY DRIVE
 GAITHERSBURG, MD 20878
 AREA: 21.6445
 DATE: 11/14/85

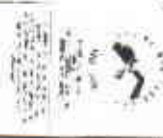
CONSTRUCTION DETAILS

1	SEE SHEET 101 FOR CONSTRUCTION DETAILS
2	SEE SHEET 102 FOR CONSTRUCTION DETAILS
3	SEE SHEET 103 FOR CONSTRUCTION DETAILS
4	SEE SHEET 104 FOR CONSTRUCTION DETAILS
5	SEE SHEET 105 FOR CONSTRUCTION DETAILS

CONSTRUCTION DETAILS (CONTINUED)

6	SEE SHEET 106 FOR CONSTRUCTION DETAILS
7	SEE SHEET 107 FOR CONSTRUCTION DETAILS
8	SEE SHEET 108 FOR CONSTRUCTION DETAILS
9	SEE SHEET 109 FOR CONSTRUCTION DETAILS
10	SEE SHEET 110 FOR CONSTRUCTION DETAILS

GENERAL NOTES
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY ZONING AND SUBDIVISION REGULATIONS.
 2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE SITE PLAN SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR REVIEW AND APPROVAL.
 4. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 5. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.
 6. THE DEVELOPER SHALL MAINTAIN THE EXISTING TREES AND LANDSCAPE TO THE MAXIMUM EXTENT POSSIBLE.
 7. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF ALL SIGNAGE.
 8. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES FROM DAMAGE DURING CONSTRUCTION.
 9. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES FROM POLLUTION DURING CONSTRUCTION.
 10. THE DEVELOPER SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES FROM NOISE DURING CONSTRUCTION.



BOHLER ENGINEERING, P.C.
 1000 W. WASHINGTON BLVD.
 SUITE 200
 GAITHERSBURG, MD 20878
 (301) 251-1100

D.M. DUKE
 1000 W. WASHINGTON BLVD.
 SUITE 200
 GAITHERSBURG, MD 20878
 (301) 251-1100

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 COMMERCIAL BANK OF MONTGOMERY
 1000 W. WASHINGTON BLVD.
 GAITHERSBURG, MD



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 07-111
Site Plan No. 820070120
Commerce Bank-Germantown II
Date of Hearing: May 17, 2007

AUG 10 2007

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review site plan applications; and

WHEREAS, on January 9, 2007, Commerce Bank ("Applicant"), filed an application for approval of a site plan for a 3,719 square foot bank with a maximum of four drive-thru windows. ("Site Plan" or "Plan") on 1.15 acres of C-1 zoned-land, located at the northeast quadrant of the intersection Frederick Road (MD 355) and Scenery Drive in Germantown, Maryland and identified as Lot 1 and 2, part of the subdivision entitled Block 1, 2 and 3 Plumgar, and recorded in 1949 ("Property" or "Subject Property"); and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820070120, Commerce Bank II, Germantown (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated May 4, 2007, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staffs of other governmental agencies, on May 17, 2007 the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, on May 17, 2007, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

Approved as to
Legal Sufficiency:


M-NCPPC Legal Department

WHEREAS, on May 17, 2007 the Planning Board approved the Application on the motion of Commissioner Robinson, seconded by Commissioner Bryant, with a vote of 5-0, Commissioners Bryant, Hanson, Perdue, Robinson and Wellington voting in favor.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820070120 for a 3,719 square foot bank with a maximum of four drive-thru windows, on 1.15 gross acres in the C-1 Zone, subject to the following conditions:

1. Preliminary Plan Conformance
The proposed development shall comply with the conditions of approval for Preliminary Plan 120060840 as listed in the Planning Board opinion dated July 18, 2006.
2. Landscaping
Relocate the shrubs adjacent to the parking areas and the retaining wall outside the public utility easement.
3. Lighting
 - a. Provide a revised lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for commercial development.
 - b. All light fixtures shall be cut-off fixtures and able to be equipped with deflectors, refractors or shields.
 - c. Deflectors, reflectors or refractors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent commercial properties.
 - d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads.
 - e. The height of the light poles on the eastern boundary shall not exceed 12 feet including the mounting base, and shall not exceed 14 feet throughout the remainder of the site, including the mounting base.
 - f. Relocate light fixtures outside of the public utility easement.
4. Pedestrian Circulation
The Applicant shall record a covenant in the land records ensuring that the Applicant or any successor owner of the Subject Property will fund and construct a missing segment of the 5' sidewalk to be ADA compliant along the Scenery Drive frontage, from the proposed driveway entrance to the eastern boundary, when and if the adjoining property is developed.
5. State Highway Administration
The proposed development is subject to State Highway Administration conditions in letters dated December 22, 2006 and April 3, 2007 to the extent applicable. Access to MD 355 is subject to access permit issuance. The property may be

developed as depicted on the site plan with or without access to MD 355. Building permits may be issued prior to access permit approval.

6. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated March 27, 2006, unless otherwise amended by DPS.

7. Development Program

Applicant shall construct the proposed development in accordance with a Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the certified site plan. The Development Program shall include a phasing schedule as follows:

- a. Street tree planting and the sidewalks for Frederick and Scenery Roads shall progress as site construction is completed, but no later than six months after completion of the building.
- b. Landscaping associated with the parking lot and building shall be completed as construction of each facility is completed, but no later than six months after completion of the building.
- c. Pedestrian pathways, including the 5-foot-wide lead-walks to the existing sidewalk on Frederick Road and Scenery Drive, shall be completed as construction of the building is completed.
- d. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- e. Phasing of dedications, parking, stormwater management, sediment/erosion control, or other features.

8. Clearing and Grading

Clearing and grading activities shall be permitted prior to M-NCPPC approval of the certified site plans and immediately following the public hearing, subject to approval of a Sediment and Erosion Control Plan and Tree Save Plan. A pre-construction meeting shall be conducted on site with the Department of Permitting Services and the M-NCPPC prior to commencement of clearing and grading activities.

9. Certified Site Plan

Prior to approval of the certified site plan the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Resolution.
- b. Revised data table deleting the +/- from the proposed distances.
- c. Detail of the proposed light fixtures.
- d. Note stating the M-NCPPC staff must inspect protection devices prior to clearing and grading.
- e. Revised landscaping on the eastern perimeter to incorporate recommendations by adjacent property owner.
- f. All other items for landscaping, lighting and pedestrian circulation in the conditions of approval above.

BE IT FURTHER RESOLVED that all site development elements as shown on Commerce Bank-Germantown II drawings stamped by the M-NCPPC on April 16, 2007, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

An approved development plan or a project plan is not required for the subject development.

2. *The Site Plan meets all of the requirements of the zone in which it is located and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the C-1 Zone as demonstrated in the project Data Table below.

Requirements of the C-1 Zone

The Staff Report contains a data table that lists the Zoning Ordinance required development standards and the developments standards proposed for approval. The Board finds, based on the aforementioned data table, and other evidence and testimony of record, that the Application meets all of the applicable requirements of the C-1 Zone. The following data table sets forth the development standards approved by the Planning Board and binding on the Applicant.

Data Table

Development Standard Approved by
 the Board and Binding on the
 Applicant

Min. Tract Area (ac.):	1.15
Max. Square Footage of Development (sf.)	3,719
Min. Building Setbacks (ft.) ¹	
From street	0
(Frederick Road)	58.2
Scenery Drive	77.6
Other lot lines ²	14
Northern Boundary (Commercial)	22.7
Eastern Boundary (Residential)	37.3
Min. Green Area (%)	42
Max. Building Height (ft.):	28 ³
Parking Spaces	
Bank @ 3/1000	26
(3,719 sf x 5 =25,480/1000)	

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. **Buildings and Structures**

The proposed building is located in an optimal area of the site to provide visibility from MD 355, and to physically separate the parking and drive-thru functions from the adjoining residential properties. The location of retaining walls is placed to accommodate grading and provide a physical

¹ Building setbacks shown are provided by establishing a building envelope.

² Setback 0' but not less than 10' if a setback is provide

³ Building height is measured from the average elevation of finished grade surface along the base of the front, rear and side of the building to the highest point of the roof surface, but no greater than 28 feet.

separation to the adjoining uses, along with planting for visual appearance.

b. Open Spaces

The location of the building and parking facilities are safe, adequate and efficient.

The Applicant is exceeding the required 10 percent of green space for the C-1 Zone. The plan proposes 0.44 acres of green space, or 42 percent of the property, on the perimeters of the site and within the planting islands that separate the parking spaces. The green space, as well as the proposed trees along Frederick Road and Scenery Drive will visually enhance the streetscape and provide a buffer to the adjacent properties. The green space adjacent to the existing residence to the east is being enhanced with plantings for screening of the property.

c. Landscaping and Lighting

The proposed landscaping on the site consists of foundation planting to accentuate the entrance to the building and evergreen hedges along the perimeter of the parking lot adjacent to both public roads. Shade trees are proposed within the planting islands of the parking lot. The perimeter of the drive aisle from Scenery Drive, adjacent to the existing residential use, contains evergreen trees, providing a visual buffer as well as a physical separation with the retaining wall. The planting on this edge was discussed at the hearing and will consist of plant material accepted by the adjacent property owner.

The streetscape for both roadways includes shade trees along the frontage of the property behind the proposed sidewalks. The Application is providing 6.4 percent of the parking lot area toward green area, satisfying the minimum internal green space requirement of 5 percent.

The lighting plan consists of shoebox style fixtures, two of which are located on the east side of the proposed bank building. Staff has recommended that the lights be removed to negate potential glare caused on the adjacent residential property. Staff also recommends revisions to the lighting plan to reduce the height of the fixtures and better placement of the poles on the site. The light fixtures will be mounted on 12 and 14-foot-tall poles and equipped with shields to avoid spillover to county roads and the adjacent residential property.

d. Recreation Facilities

Recreation facilities are not required for commercial properties.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian access is safe, adequate and efficient.

The site proposes a full movement access point from Scenery Drive. An egress only (driveway), from the site to Frederick Road, is proposed as an alternate design, if approved by the State Highway Administration. The internal circulation is efficient, with or without the alternate egress point; however, the site is more accommodating with the secondary access point. The primary access point is a safe distance from the intersection of Frederick Road and provides full turning movements in and out of the subject site onto Scenery Drive. Frederick Road is classified as a Major Highway with a right-of-way of 150 feet and a shared-use path on the opposite side of the street, and sidewalks on both sides.

The site plan proposes improved pedestrian access on both roadways and from the proposed parking and building to the street. Six-foot-wide internal sidewalks will also be provided to facilitate pedestrian circulation around the perimeter of the building and to the sidewalks on Frederick Road and Scenery Drive.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed building and parking is compatible with the surrounding commercial establishments and residential properties.

The proposed development encourages revitalization of C-1 zoned properties along a major roadway. The development has minimized impacts to the adjacent property located directly east of the site through retaining walls to mitigate the grading and landscaping to assist in buffering the building from the one-story residence. The location of the proposed building responds to the surrounding one-family homes, with respect to distance from the boundary and size of the structure. The location of the parking is physically separated from the adjoining residential property and the drive-thru is located on the northern perimeter to mitigate noise, traffic and activity from the eastern boundary. The planned parking area becomes more compatible with the adjacent parking facilities and buildings on the adjacent commercial and residential properties to the north and east of the site, respectively. Additionally, the height of the

building compliments the surrounding residences and commercial buildings represented on Frederick Road.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The subject property contains no significant environmental features and is exempt (4-06154E) from forest conservation requirements; however, a tree save plan is required to ensure survivability of all trees on the adjoining properties to the north and west. The limits of disturbance have been carefully calculated and retaining walls have been proposed on the property lines to limit disturbance to the critical root zones of the trees on the adjoining properties. Tree protection fencing and root pruning is also shown to protect the trees.

The proposed stormwater management concept consists of on-site water quality control through the use of a Stormfilter, and pretreatment is provided in a Hydrodynamic device. Recharge is provided through the use of drywells. Channel protection is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

BE IT FURTHER RESOLVED, that this resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

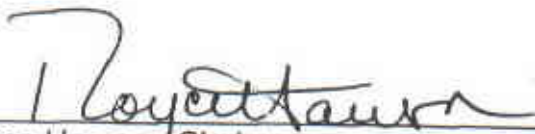
BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

AUG 10 2007 BE IT FURTHER RESOLVED, that the date of this Resolution is _____ (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

At its regular meeting, held on Tuesday, August 7, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Commissioner Robinson, seconded by Commissioner Bryant with Chairman Hanson, Vice Chair Robinson, and Commissioner Bryant voting in favor. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Site Plan No. 820070120, Commerce Bank – Germantown II.



Royce Hanson, Chairman
Montgomery County Planning Board

Vertical text on the left side of the page, possibly a page number or reference code.

Section 1: Introduction and purpose of the study. The study was conducted to determine the feasibility of the proposed project. The results of the study are presented in the following sections.

Section 2: Methodology. The study was conducted using a combination of primary and secondary data. Primary data was collected through interviews and surveys, while secondary data was obtained from published sources.

Section 3: Results and Discussion. The results of the study indicate that the proposed project is feasible. The discussion section provides a detailed analysis of the findings and their implications.

Section 4: Conclusion. The study concludes that the proposed project is a viable investment opportunity. The findings of the study provide a solid foundation for decision-making.

Section 5: Recommendations. Based on the findings of the study, the following recommendations are made: the project should be approved, and the necessary resources should be allocated to ensure its successful implementation.

M-NCPIC ARCHIVAL STAMP
AMONG OTHERS IN FILE
DATE: 1/15/2003
BY: [Name]

DEVELOPER'S CERTIFICATE
I hereby certify that the above information is true and correct to the best of my knowledge and belief.
Signature: [Name]
Date: [Date]



CERTIFIED CITY PLAN
COMMUNITY MAP - GERMANTOWN II
APPROVED BY ZONING PLANNING BOARD MEETING
PROCESSED THROUGH PD
GERMANTOWN, MO 65036

HILLIER
ENGINEERING, P.C.
11111
11111
11111

D.M. DUKE
11111
11111
11111



PLAT NO. 220070480

The Quarry

Located on the north side of River Road (MD 190) approximately 1000 feet west of Seven Locks Road

RMX-1/TDR-6 zone; 1 lot; 1 parcel

Community Water, Community Sewer

Master Plan Area: Potomac

W.M. Rickman Construction Company, LLC, Applicant

The record plat has been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120040420 (formerly 1-04042) and Site Plan No. 820050290 (formerly 8-05029), as approved by the Board, and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the aforesaid plans.

RECORD PLAT REVIEW SHEET

Plan Name: The Quarry Plan Number: 120040420
 Plat Name: Quarry lots 1+2 Plat Number: 2 20070480
 Plat Submission Date: 10/23/06
 DRD Plat Reviewer: PS
 DRD Prelim Plan Reviewer: Peaver

Initial DRD Review:

Signed Preliminary Plan - Date 2/16/05 Checked: Initial RW Date 11/21/06
 Planning Board Opinion - Date 6/7/04 Checked: Initial PS Date 11/6
 Site Plan Req'd for Development? Yes No Verified By: PS (initial)
 Site Plan Name: The Quarry Site Plan Number: 820050290
 Planning Board Opinion - Date 9/17/06 Checked: Initial PS Date 11/6
 Site Plan Signature Set - Date 6/26/07 Checked: Initial SR Date 7-2-07
 Site Plan Reviewer Plat Approval: Checked: Initial PS Date 8-17-07

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths N/A Easements OK Open Space N/A
 Non-standard BRLs N/A Adjoining Land OK Vicinity Map Septic/Wells N/A
 TDR note Child Lot note N/A Surveyor Cert OK Owner Cert OK Tax Map OK

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>A. Landry</u>	<u>11/21/06</u>	<u>11/17/06</u>	<u>11-17-06</u>	<u>No Comment</u>
Research	<u>Bobby Fleury</u>	↓	↓	↓	↓
SHA	<u>Doug Mills</u>	↓	↓	↓	↓
PEPCO	<u>Steve Baxter</u>	↓	↓	↓	↓
Parks	<u>Doug Powell</u>	↓	↓	↓	↓
DRD	<u>Steve Smith</u>	↓	↓	↓	<u>see notes on plat</u>

Final DRD Review:

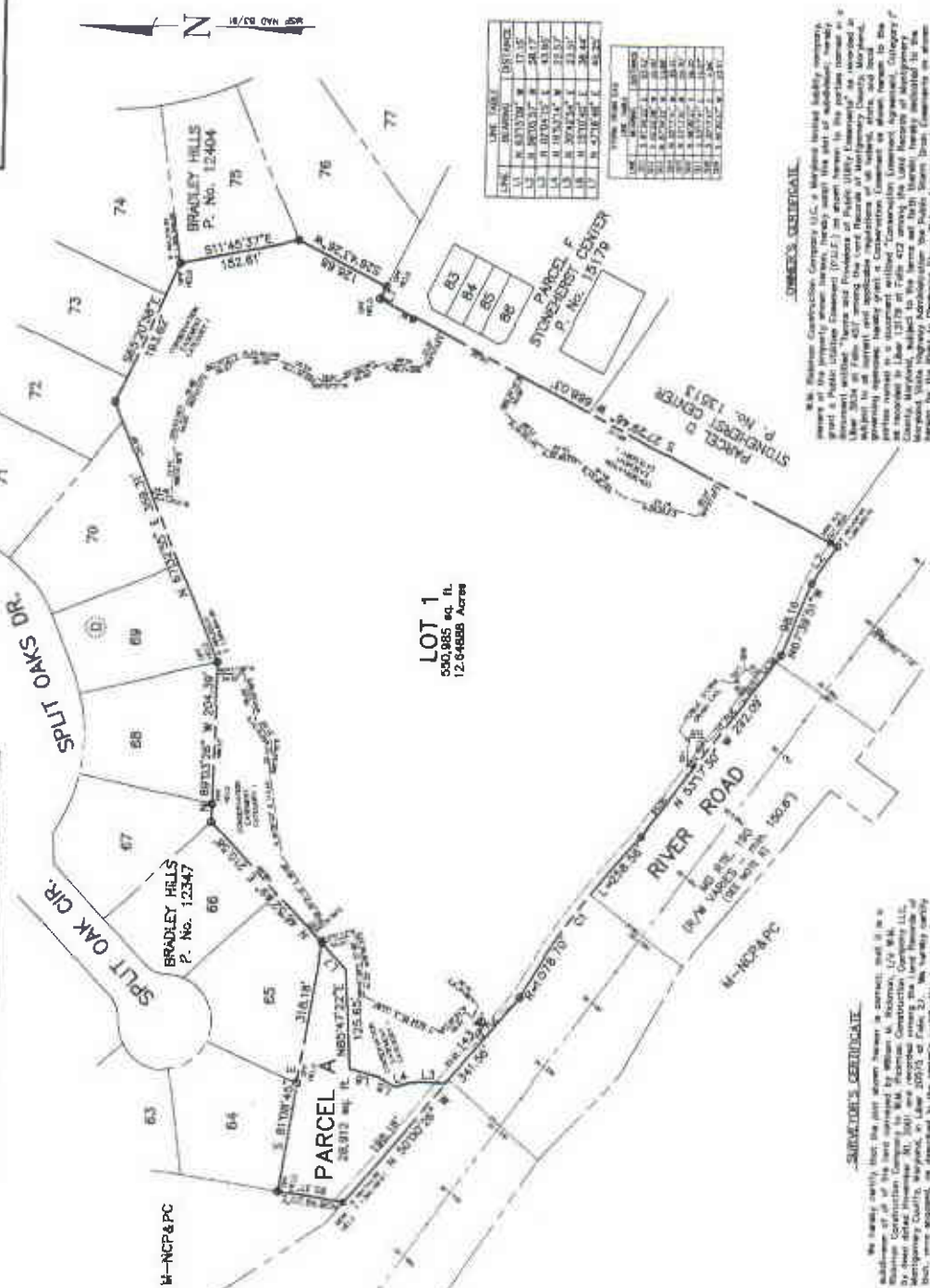
DRD Review Complete: Initial PS Date 8-16-07
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): —
 Final Mylar w/Mark-up & PDF Rec'd: Initial BA Date 12/18/06
Board Approval of Plat:
 Plat Agenda: Initial PS Date 9-6-07
 Planning Board Approval: —
 Chairman's Signature: —
DPS Approval of Plat:
 Engineer Pick-up for DPS Signature: —
 Final Mylar for Reproduction Rec'd: —
Plat Reproduction:
 Addressing: —
 File Card Update: —
 Final Zoning Book Check: —
 Update Address Books with Plat #: —
 Update Green Books for Resubdivision: —
 Notify Engineer to Seal Plats: —
 Engineer Seal Complete: —
 Complete Reproduction: —
 Sent to Courthouse for Recordation: —

No. _____

PLAT No.

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
1	178.71'	256.94'	179.91°	128.90'	N 54.00° E 114.24'	203.84'



LOT 1
 530,985 sq. ft.
 12.04688 Acres

LINE	BEARING	DISTANCE
1	N 83°13'30" W	171.52'
2	N 89°03'30" E	241.17'
3	N 10°03'30" E	63.89'
4	N 89°03'30" W	241.17'
5	N 83°13'30" W	171.52'
6	N 83°13'30" W	171.52'
7	N 89°03'30" E	241.17'
8	N 10°03'30" E	63.89'
9	N 89°03'30" W	241.17'
10	N 83°13'30" W	171.52'



TAX MAP No. GN123

Notes

- The property is shown as being in the unincorporated area of Montgomery County, Maryland.
- The address of this plat is to be ascertained by the utility of public water and sewer prior to the construction of same.
- This plat is subject to all laws and ordinances relating to the Plat, Eminent Domain, and the Uniform Gifts to Minors Act, 25 U.S.C. § 2511-2514, and the Uniform Gifts to Minors Act, 25 U.S.C. § 2511-2514, and the Uniform Gifts to Minors Act, 25 U.S.C. § 2511-2514.
- The property shown herein is subject to the easements of Chapter 22A of the Montgomery County Code, and the easements of Chapter 22A of the Montgomery County Code, and the easements of Chapter 22A of the Montgomery County Code.
- Unless expressly contemplated by the plat or otherwise, all taxes, assessments, liens, mortgages, and other encumbrances shall remain in full force and effect on the property shown herein, and shall be the responsibility of the grantee.
- Unless expressly contemplated by the plat or otherwise, all taxes, assessments, liens, mortgages, and other encumbrances shall remain in full force and effect on the property shown herein, and shall be the responsibility of the grantee.
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- Unless expressly contemplated by the plat or otherwise, all taxes, assessments, liens, mortgages, and other encumbrances shall remain in full force and effect on the property shown herein, and shall be the responsibility of the grantee.

DEED INFORMATION

Number of Lots	1
Number of Parcels	530,985 sq. ft.
Area of Parcel	28,975 sq. ft.
Area of Street	530,985 sq. ft.
TOTAL AREA	1,137,260 sq. ft.

DEED INFORMATION

12/18/06
 Date

12/18/06
 Date

FOR PUBLIC WATER AND SEWER ONLY

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD

APPROVED: _____

SECRETARY-TREASURER

FOR PUBLIC WATER AND SEWER ONLY

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD

APPROVED: _____

SECRETARY-TREASURER

FOR PUBLIC WATER AND SEWER ONLY

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD

APPROVED: _____

SECRETARY-TREASURER

GRAPHIC SCALE

1" = 100'

1" = 30.48 m

DEED INFORMATION

12/18/06
 Date

12/18/06
 Date

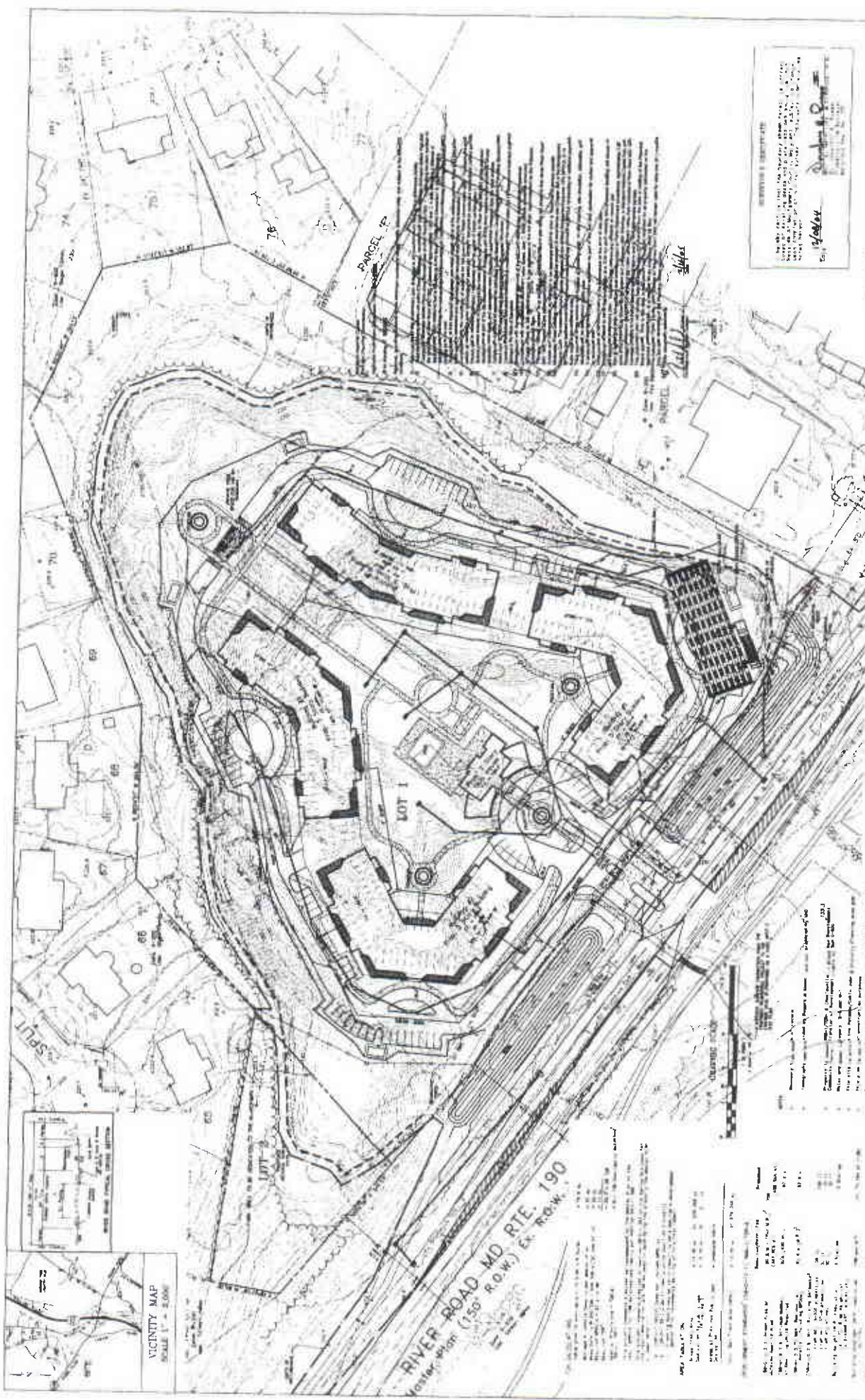
SUBDIVISION RECORD PLAT
LOT 1 AND PARCEL A
THE QUARRY
 ELECTION DISTRICT No. 10
 MONTGOMERY COUNTY, MARYLAND
 SCALE: 1" = 100' DECEMBER, 2006

MACRIS, HENDRICKS & GLASCOCK, P.A.
 Macris, Hendricks & Glascock, P.A.
 Engineers, Planners, Surveyors
 Landscape Architects • Surveyors

MHG
 Macris, Hendricks & Glascock, P.A.
 Engineers, Planners, Surveyors
 Landscape Architects • Surveyors

10110 Midway Road, Suite 100
 Bethesda, MD 20814
 Phone: 301.463.4400
 Fax: 301.463.4401
 www.mhgc.com

01-2005.22



VICINITY MAP
SCALE 1" = 1000'

PROJECT: THE QUARRY
RESIDENTIAL DEVELOPMENT
150' R.O.W.
EX. ROW.

RIVER ROAD MD RTE. 190
150' R.O.W.
EX. ROW.

DATE: 10/2/1979
DRAWN BY: [Name]
CHECKED BY: [Name]

THE QUARRY
RESIDENTIAL DEVELOPMENT
150' R.O.W.
EX. ROW.

PRELIMINARY PLAN OF SUBDIVISION
The Quarry
Residence at Quarry Park
THE QUARRY PROJECT
APPROXIMATELY 100 UNITS - 100 LOTS

IMHG
MAGUIRE, HENNINGSON & COLANON, P.A.
PLANNERS, ARCHITECTS & ENGINEERS
1000 W. BROADWAY, SUITE 200
NEW YORK, N.Y. 10014

DATE: 10/2/1979

NO.	REVISION	DATE

CONTRACT APPROVAL
M.M. MCGRAW-HILL
C/O WOODBRIDGE VENTURES CO
P.O. BOX 2123A
BETHESDA, MARYLAND 20814-2123A
PHONE: (301) 656-6647

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Date Mailed: June 7, 2004

Action: Approved Staff Recommendation
Motion of Comm. Bryant, seconded by
Comm. Perdue with a vote of 4-0;
Comms. Berlage, Bryant, Perdue and
Robinson voting in favor; Comm.
Wellington absent

MONTGOMERY COUNTY PLANNING BOARD **RECEIVED**

OPINION

Preliminary Plan 1-04042

NAME OF PLAN: THE QUARRY

On 11/19/03, W.M. RICKMAN CONSTRUCTION submitted an application for the approval of a preliminary plan of subdivision of property in the RMX-1/TDR-6 zone. The application proposed to create 2 lots on 13.31 acres of land. The application was designated Preliminary Plan 1-04042. On 05/20/04, Preliminary Plan 1-04042 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 1-04042 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-04042.

Approval, including a waiver of the minimum number of single-family detached units, and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 97 condominium units and a clubhouse facility
- 2) Build the following shared use paths (Class I Bikeways), consistent with both the Potomac Subregion Master Plan and Countywide Bikeways Master Plans along the north side of River Road (MD190):
 1. A path along the site's frontage on the north side of River Road (MD 190), a distance of approximately 1,000 feet;
 2. A path extending a distance of approximately 1,200 additional feet to the east up to the Seven Locks Road intersection;
 3. A path extending approximately 300 feet to the west up to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) parking lot to the west
- 3) The applicant, at their expense, shall design and install a traffic signal at the entrance on River Road (MD 190) if the traffic signal is warranted and approved by the Maryland State Highway Administration.
- 4) 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
- 5) Record plat to reflect a Category I easement over all areas of forest conservation

- 6) Submit a noise analysis to determine the noise impact level of traffic on River Road (MD 190) on the proposed development as part of the site plan submission; include as part of the study baseline noise conditions, 20-year projected noise levels, and appropriate noise mitigation if determined necessary from the noise analysis
- 7) Comply with conditions of approval as delineated by the Montgomery County Department of Permitting Services letter, dated April 12, 2004, concerning Special Inspections/Complex Structures
- 8) Construct fill placement and quarry wall securing systems under the supervision of a DPS-approved technical engineer licensed in the State of Maryland
- 9) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 10) Compliance with conditions of MCDPWT letter dated, May 7, 2004, unless otherwise amended
- 11) All roads shown on the preliminary plan to be dedicated to the full width recommended by the Potomac Subregion Master Plan.
- 12) The term "denied access" is to be placed on the final record plat along the property that abuts River Road (MD 190), except at the approved entrance
- 13) Access and improvements as required to be approved MDSA prior to issuance of access permits
- 14) Moderately Priced Dwelling Units (MPDUs), shall be provided in accordance with Chapter 25A of the Montgomery County Code. The maximum bonus density proposed for the subject development requires 15% MPDUs, or 15 MPDUs; the applicant must fulfill the requirements for off-site provision of MPDUs by providing an additional payment-in-lieu equal to two additional units
- 15) Final approval of the number and location of dwelling units, on-site parking, site circulation, sidewalks, and bikepaths 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 by technical staff
- 17) Final number of MPDU's/TDR's to be determined at the time of site plan
- 18) Provide an affidavit to verify the availability of a TDR for each existing and proposed dwelling unit shown on the approved preliminary plan. Include a note referencing affidavit on record plat
- 19) Prior to recording of plats, the applicant shall convey, subject to Parks Department acceptance, approximately 0.85 acres of the property, as shown on the project and preliminary plan drawings, to Maryland-National Capital Park and Planning Commission (M-NCPPC), as part of the Cabin John Stream Valley Park northeast of River Road (MD 190). Conveyed property to be free of trash or unnatural debris and to have appropriate signage.
- 20) 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
- 21) 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
- 22) Other necessary easements

THE QUARRY

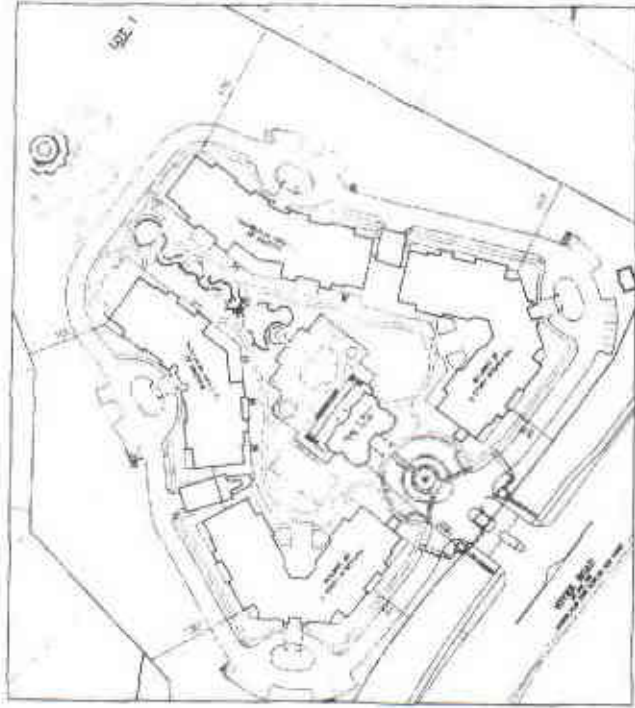
MONTGOMERY COUNTY, MARYLAND

M-NCPPC SITE PLAN FILE NO. 820050290

PREVIOUS APPROVALS:
 PROJECT PLAN NO. 920040040
 PRELIMINARY PLAN NO. 120040420
 NRI/FSD NO. 404038
 FCP NO. 805029



VICINITY MAP
 SCALE 1" = 2 MILES



BUILDING SETBACK EXHIBIT
 SCALE 1" = 80'

Legend

Symbol	Description
[Symbol]	Proposed Building
[Symbol]	Proposed Parking
[Symbol]	Proposed Driveway
[Symbol]	Proposed Access Road
[Symbol]	Proposed Utility
[Symbol]	Proposed Easement
[Symbol]	Proposed Setback
[Symbol]	Proposed Boundary
[Symbol]	Proposed Utility
[Symbol]	Proposed Easement
[Symbol]	Proposed Setback
[Symbol]	Proposed Boundary

NOTES

1. ALL PROPOSED BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING REGULATIONS.
2. ALL PROPOSED PARKING SPACES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING REGULATIONS.
3. ALL PROPOSED DRIVEWAYS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING REGULATIONS.
4. ALL PROPOSED ACCESS ROADS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING REGULATIONS.
5. ALL PROPOSED UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING REGULATIONS.
6. ALL PROPOSED EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING REGULATIONS.
7. ALL PROPOSED SETBACKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING REGULATIONS.
8. ALL PROPOSED BOUNDARIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE MONTGOMERY COUNTY ZONING REGULATIONS.

CS-1

The Quarry
 LOT 1 & PARCEL A

1270 EASTERN AVENUE, WASHINGTON, DC 20004

MHG
 MONTGOMERY HARBOR GROUP

DATE	DESCRIPTION
10/15/2010	PRELIMINARY PLAN NO. 120040420
10/15/2010	NRI/FSD NO. 404038
10/15/2010	FCP NO. 805029
10/15/2010	PROJECT PLAN NO. 920040040
10/15/2010	M-NCPPC SITE PLAN FILE NO. 820050290

SHEET INDEX - SITE PLANS

1.0	Site Plan (1 OF 2)
2.0	Site Plan (2 OF 2)
3.0	Site Development Plan (1 OF 5)
4.0	Site Development Plan (2 OF 5)
5.0	Site Development Plan (3 OF 5)
6.0	Site Development Plan (4 OF 5)
7.0	Site Development Plan (5 OF 5)
8.0	Landscape Plan (1 OF 12)
9.0	Landscape Plan (2 OF 12)
10.0	Landscape Plan (3 OF 12)
11.0	Landscape Plan (4 OF 12)
12.0	Landscape Plan (5 OF 12)
13.0	Landscape Plan (6 OF 12)
14.0	Landscape Plan (7 OF 12)
15.0	Landscape Plan (8 OF 12)
16.0	Landscape Plan (9 OF 12)
17.0	Landscape Plan (10 OF 12)
18.0	Landscape Plan (11 OF 12)
19.0	Lighting Plan (1 OF 1)

DESIGN TEAM

ARCHITECT
 WALTERS ARCHITECTS & PLANNERS
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 WASHINGTON, DC 20004
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 FAX: 202-331-1001

ENGINEER
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APPROVALS

DESIGNER
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 1000 W. WASHINGTON BLVD., SUITE 200
 WASHINGTON, DC 20004
 TEL: 202-331-1000
 FAX: 202-331-1001

DATE
 10/15/2010

SCALE
 1" = 80'

PROJECT
 THE QUARRY
 LOT 1 & PARCEL A

PROJECT NO.
 820050290

PROJECT ADDRESS
 1270 EASTERN AVENUE, WASHINGTON, DC 20004

PROJECT CONTACT
 WALTERS ARCHITECTS & PLANNERS
 1000 W. WASHINGTON BLVD., SUITE 200
 WASHINGTON, DC 20004
 TEL: 202-331-1000
 FAX: 202-331-1001

NO.	DESCRIPTION	DATE	BY
1
2
3
4
5
6
7
8
9
10



W.M. BROWN, CO.
 1700 WOODS DRIVE
 WASHINGTON, D.C. 20004
 PHONE (202) 462-4400

EMIG
 Environmental Management
 Inc.

SF 1
 The Quarry
 SITE PLAN

SCALE: 1" = 100'-0" (AS SHOWN)
 DATE: 11/15/88
 DRAWN BY: [Name]
 CHECKED BY: [Name]

PROJECT NO.: [Number]
 SHEET NO.: [Number] OF [Total]

SEP 07 2006

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

SEP 07 2006

MCPB No. 06-10
Site Plan No. 820050290
Project: The Quarry

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board" or "Board") is required to review site plan applications; and

WHEREAS, pursuant to Montgomery County Code § 59-D-3.4(b), following a public hearing on the application, the Planning Board must, by resolution, approve, approve with conditions or disapprove a proposed site plan; and

WHEREAS, on March 24, 2005, W.M. Rickman Construction c/o Woodside Ventures ("Applicant"), filed an application for approval of a Site Plan for 97 multi-family dwelling units, including 15 MPDUs and 28 TDRs on 13.31 gross acres in the MXPD Zone on River Road, approximately 2000 feet west of the intersection with Seven Locks Road in Potomac, Maryland, an operational stone quarry, improved with temporary structures consisting of trailers and sheds ("Property" or "Subject Property"); and

WHEREAS, on June 10, 2005, the Planning Board approved Project Plan No. 920040040 and Preliminary Plan No. 120040420 for the proposed development; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820050290, The Quarry (the "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on March 23, 2006, Staff presented the Application to the Planning Board at a public hearing for its review and action (the "Hearing"); and

WHEREAS, prior to the Hearing, on March 10, 2006, Staff had issued a memorandum to the Board setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

¹ This Resolution satisfies the requirement for an opinion under the former language of § 59-D-3.8.

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application and approved the Application on the motion of Commission Bryant, seconded by Commissioner Wellington, with Commissioners Perdue, Bryant, Wellington, and Robinson voting in favor of the motion and Chairman Berlage absent, at its regular meeting held on Thursday, March 23, 2006, in Silver Spring, Maryland.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board approved Site Plan No. 820050290 for 97 multi-family dwelling units, including 15 MPDUs and 28 TDRs, on 13.31 gross acres in the MXP Zone, based on the uncontested evidence of record, subject to the following conditions:

1. Project Plan Conformance

The proposed development shall comply with the conditions of approval for Project Plan No. 920040040 as listed in the Planning Board opinion dated August 20, 2004.

2. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan No. 120040420 as listed in the Planning Board opinion dated June 7, 2004.

3. Landscaping

- a. Provide masonry screening for each generator proposed on the site to complement the exterior façade of each building. Evergreen trees shall also screen the generators with dedicated access points to the private road.
- b. Provide 2.5" caliper shade trees at 50 feet on center within the proposed lawn panel that separates the curb and the 8-foot-wide path along River Road, in accordance with standards of approval from the MD State Highway Administration.

4. Building Height

- a. The maximum height of the proposed buildings shall not exceed 225 feet above sea level to the median of the roof as shown on Applicant's Exhibit 1, Building Height, attached hereto.
- b. The height of the proposed buildings shall not exceed 75 feet as measured from the base of the mid point of the building to the mean height level between eaves and ridge of gable, as defined in the Montgomery County Zoning Ordinance.

5. Lighting

- a. Provide a lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for residential development.
- b. All light fixtures shall be full cut-off fixtures or able to be equipped with shields, refractors or reflectors.
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, especially on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting adjacent residential properties.
- e. The height of the light poles shall not exceed 14 feet including the mounting base.

6. Pedestrian Circulation

- a. Provide an 8-foot-wide bituminous path parallel to River Road along the frontage of the property, extended north and west to the existing gravel parking area and extended south and east to the intersection with Seven Locks Road, in accordance with the approvals from the Maryland State Highway Administration.
- b. Provide a 5-foot-wide paved path from the north end of the private ring road to the sunrise terrace and fountain. Alignment of the path shall be coordinated and field walked by the Applicant and M-NCPPC.
- c. Provide a 5-foot-wide internal paver walkway that links the proposed buildings with the proposed clubhouse and pool area.
- d. Provide a 5-foot-wide paved walk from the internal ring road to the 8-foot-wide bituminous path along River Road.

7. Recreation Facilities

- a. Provide the recreation calculations in accordance with the M-NCPPC Recreation Guidelines.
- b. Provide a clubhouse, outdoor pool and associated deck and seating areas, indoor community space and pedestrian system.
- c. Provide verification that the indoor community space satisfies the square footage requirements for the number of units proposed as outlined in the M-NCPPC Recreation Guidelines.

8. M-NCPPC Park Facility

The Applicant shall comply with the following conditions of approval from M-NCPPC-Park Planning and Research Analysis in the memorandum dated March 6, 2006:

- a. Applicant to construct parking area improvements to the existing gravel parking area within the state right-of-way, located at the new hard surface trail's western terminus, by paving the existing gravel parking area, which will be sufficiently sized to accommodate at least six (6) cars. Paving of parking area is contingent on SHA approval, which approval Applicant agrees to use reasonable effort to secure.
- b. Applicant to adequately sign the newly constructed trail to direct the user to existing park trails located north and south of River Road. Trail signage to be acceptable to M-NCPPC park staff.
- c. Land that was identified for possible park dedication in the Project Plan (lot 2) to be owned by the project's Homeowner Association.

9. Public Utility Easement

Applicant to provide conduit, as required by utilities within the public utility easement (PUE) adjacent to the public right-of-way, in accordance with Pepco and Verizon approval letter dated March 3, 2006.

10. Forest Conservation

The Applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandum dated March 3, 2006:

- a. The proposed development shall comply with the conditions of the final forest conservation plan. The Applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
- b. Record plat of subdivision shall reflect a Category 1 conservation easement over all areas of stream buffers and forest conservation.
- c. The Applicant shall develop and implement a non-native and invasive management plan as part of the final forest conservation plan.

11. Noise Attenuation

The Applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandum dated March 3, 2006:

- a. The proposed development shall comply with the recommendations of the March 22, 2005 noise analysis, as refined on January 20, 2006. Applicant to mitigate the noise levels as recommended with the noise analyses.
- b. The Applicant shall comply with the conditions of approval as delineated by the Montgomery County Department of Permitting Services letter dated January 26, 2004 concerning Special Inspections/Complex Structures.

12. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated January 26, 2004.

13. Fire Marshall

The proposed development shall comply with the approval dated February 15, 2006 and based only upon information contained on the plan submitted February 20, 2006.

14. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff prior to issuance of the 3rd building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.

15. Development Program

Applicant shall construct the proposed development in accordance with the Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of certified site plan. The Development Program shall be developed in five phases and will include a phasing schedule as follows:

- a. Street tree planting shall progress as street construction is completed, but no later than six months after completion of the buildings adjacent to those streets.
- b. Community-wide recreation facilities including the clubhouse, pool, and multi-function lawn area shall be completed prior to issuance of the 3rd building permit.
- c. Community-wide pedestrian pathways, including the 8-foot-wide bituminous path parallel to River Road from the existing gravel parking area to the intersection with Seven Locks Road and the 5-foot-wide sidewalk connection

- from the Ring Road to the 8-foot-wide bituminous path shall be completed prior to issuance of the 3rd building permit.
- d. Perimeter retaining walls shall be completed upon completion of the Ring Road
 - e. Landscaping associated with each parking lot and building shall be completed as construction of each parking lot and building is completed.
 - f. Pedestrian pathways including the 5-foot-wide internal paver walkway shall be completed as construction of buildings 2, 3 and 4 is completed. The 5-foot-wide internal paver walkway for Building 1 (southeast corner) shall be completed upon completion of this building.
 - g. The entry courtyard fountain shall be installed upon completion of the circular drive between buildings 1 and 2.
 - h. The sunrise terrace and decorative fountain, as well as the 5-foot-wide hard surface path leading from the Ring Road to the terrace, shall be completed upon completion of the Ring Road.
 - i. Upper and lower stream pools and associated pool shoulders and rock/masonry retaining walls shall be constructed upon completion of buildings 3 and 4.
 - j. The 5-foot-wide connector wooden bridge shall be constructed upon completion of the stream pools to connect buildings 3 and 4 via the 5-foot-wide internal paver walkway.
 - k. Provide the necessary roads with the construction of each development phase.
 - l. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.

16. Clearing and Grading

Clearing, site grading and stormwater management facility construction, in addition to that already permitted under the existing reclamation mining permit issued by the Department of Natural Resources, will be allowed prior to M-NCPPC approval of the certified site plan, provided the Montgomery County Department of Permitting Services has approved the Soil Erosion, Sediment Control and Stormwater Management Plans and M-NCPPC has approved the Forest Conservation Plan.

17. Certified Site Plan

Prior to approval of the certified site plan the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion.
- b. Limits of disturbance.
- c. Methods and locations of tree protection.

- d. Forest Conservation easement areas.
- e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- f. Location of outfalls away from tree preservation areas.
- g. Provide the 45 dBA Ldn demarcation line to the impacted buildings.
- h. Provide details of the generator enclosure.
- i. Provide detailed specifications of the wooden footbridge, the picket fence connections to the masonry piers, and the trellis.
- j. Provide detail specifications of the proposed lighting poles and fixtures.
- k. Provide a letter from the appropriate utility company indicating approval of the conduit within the public utility easement.

BE IT FURTHER RESOLVED, that all site development elements shown on The Quarry (March 3, 2006) plans stamped by M-NCPPC on March 8, 2006, shall be required except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that the Planning Board's approval of the Application is based on the following findings:

1. *The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required.*

With the approved conditions, the proposed development is consistent with the approved Sectional Map Amendment (G-800) and Project Plan No. 920040040 in land use, density, location, building height and development guidelines. The number of parking spaces and the building coverage are consistent with the Master Plan caps and the requirements of the zone.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan provides for multi-family development, adequate green area, appropriate density, minimum building setbacks and maximum height limitations and meets all of the requirements of the RMX-1/TDR-6 Zone with the binding limitations on development as set forth in the following project Data Table:

PROJECT DATA TABLE (RMX-1/TDR-6 Zone)

		Development Standards Approved by Planning Board and Binding on the Applicant
Gross Site Area (ac.):		13.31
Net Site Area (ac.):		13.31
Dedication of River Road (ac.):		0.00
M-NCPPC Park Dedication (ac.):		0.00
Max. Density of Development		Up to 50,000
<u>Non-Residential:</u> Clubhouse (sf.):		
<u>Residential</u>		
Residential Base Density (R-200)		2 du./ac.
(26 du's)		(26 du's)
Residential Density/Acre		7.2
Max. Base Residential Density		80
Max. Density Bonus (22% Bonus)		17
(80 x 1.22)		
Total Residential (du's)		97
Total MPDUs Provided:		15
(97 x 15%)		
<u>Transfer Development Rights (TDR's)</u>		
(RMX-1/TDR-6 13.31 ac. x 6)		
Maximum TDR's Required:		28
(see chart on following page)		
Min. Building Setbacks (ft.)		
From one-family residential (R-200)		100
From other residential (RT-8)		30
From any public street		30
Buildings from property line		
<u>Building 1</u>		
From River Road R/W		57
From eastern property line		117
<u>Building 2</u>		
From River Road R/W		55
From western property line		130
<u>Building 3</u>		
From western property line		100
<u>Building 4</u>		
From eastern property line		170
Clubhouse		160
(from River Road R/W)		
Monumental Entrance (Guardhse)		0
Max. Building coverage (%):		17
Max. Building coverage (sf.):		94,280
Min. Green Area (%):		70
Min. Green Area (sf.):		405,544
Internal Parking lot landscaping (%/sf.):		12% (1,680 sf)

		Development Standards Approved by Planning Board and Binding on the Applicant
--	--	---

Max. Building Height (ft.): Buildings 1-4 Clubhouse Parking Spaces Multi-family units (97 3-bdrm @ 2 sp/du) Surface/visitor parking Motorcycle Total Parking Spaces Bicycle Spaces	225 ft. elevation* Above sea level (75 feet)** 225 ft. elevation* Above sea level (35 feet)** 201 spaces 48 spaces <u>4 spaces</u> 253 spaces 10
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* The maximum height of the proposed buildings shall not exceed 225 feet above sea level to the median of the roof . For Buildings 1-4, the measurement at height shall be in accordance with Applicant's Exhibit 1, Building Height, attached hereto.

**The height of Buildings 1-4 shall not exceed 75 feet and the Clubhouse shall not exceed 35 feet as measured from the base of the mid point of the building to the mean height level between eaves and ridge of gable, as defined in the Montgomery County Zoning Ordinance.

Transfer Development Rights (TDRs)

Maximum TDRs Required:	79 TDRs
Maximum Density Permitted:	97 dwelling units (80 x 1.22)
Base Density (R-200 Zone) subtracted:	<u>-26 dwelling units</u> (2 dwelling units/acre)
Subtotal of Required TDRs:	71 TDR units
MPDUs (15%) Subtracted:	-15 dwelling units
Subtotal of Required TDRs:	56 TDR units
Credit (50%) for Multi-family	<u>-28 TDR units</u>
Total TDRs Required:	28 TDR units

3. *The locations of the buildings and structures, the open spaces, the landscaping, the recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. **Buildings and Structures**

The locations of the buildings and structures are adequate, safe, and efficient. The proposed Site Plan includes four 5-story (approximately 75 feet) multi-family buildings that conform to the shape of the developable area on the site. The site is irregularly shaped due to the rock face walls created during the quarry activity on the site. The two buildings closest to River Road are U-shaped with the primary entrances to those buildings at the corners of the site. The remaining buildings to the north are linear in nature; however, the midsection of the buildings is bumped out conforming to the internal ring road, which corresponds to the lot configuration.

The guardhouse is located at the entrance to the site, flanked by columns that emphasize the vehicular and pedestrian access into and out of the site. The guardhouse is also the foreground to the 2-story clubhouse framed by the two ends of buildings 1 and 2. The clubhouse is proposed for up to 50,000 square feet and is not calculated in the residential density of the development. The Planning Board expressly finds that the Project Plan approved a clubhouse of up to 50,000 square feet and that the clubhouse proposed as part of this Site Plan is, therefore, in conformance with the Project Plan approval.

Proposed structures, including the terraced rock face walls, are located at the perimeter of the north, west and eastern portion of the site, adjacent to the ring road. The walls range in height from 8 feet to over 30 feet. As part of the approval from DPS, the Applicant is required to stabilize the existing and proposed rock quarry walls. The stability of the walls will require a review under special inspections of complex structures, pursuant to DPS approval dated January 26, 2004.

The Site Plan specifies building coverage of approximately 17%, consistent with the binding element of the zoning case.

The measurement of the building shall not exceed an elevation of 225 feet above sea level as conditioned in the binding elements of the zoning case and project plan, and as consistent with the zoning ordinance. The height is measured to the median of the roof. Based upon the 225-foot elevation, the maximum building height for proposed 5-story buildings will be 75 feet, as measured from the front of the building on the ring road.

b. Open Spaces

The open spaces are adequate, safe, and efficient. The Site Plan specifies that 70 percent of the net tract area will be green area. The binding elements of the approved zoning case and the Project Plan conditions of approval require that a minimum green area of 60 percent and 70 percent, respectively, be provided on the site. The underlying zone (RMX-1) requires a minimum of 50 percent of green area to be attributed toward the application.

Park staff has fully evaluated the 0.85 acres of land that was proposed for dedication in the Project Plan, subject to park staff acceptance. Park staff concluded and the Planning Board agrees that the proposed dedication would be of no benefit to the park system and in fact, would likely be a maintenance liability due to its close proximity to existing homes and steep walls of the quarry. This land will, therefore, be included as HOA property.

The proposed stormwater management concept consists of on-site water quality and recharge control via grass swales, dry swales, a modified dry swale, drywells and a surface sand filter. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

c. Landscaping and Lighting

The landscaping and lighting is adequate, safe, and efficient. The proposed landscaping on the site consists of a mix of shade, evergreen and flowering trees along the frontage of the Subject Property between the 7-foot-tall picket fence with masonry piers on the property line and the improved 8-foot-wide bituminous path adjacent to River Road. The entrance to the site is ornately landscaped with flowering shrubs as a foreground to the stone entry signs and a masonry and picket fence stretching along the entire frontage of the site. The entrance to the site frames the clubhouse and presents a fountain in the center island.

The Planning Board required the Applicant to amend the Site Plan to include street trees within the variable lawn panel along the frontage of the Subject Property adjacent to River Road that separates the curb and proposed 8-foot-wide path.

The circular ring road around the perimeter of the buildings contains Red Oaks spaced approximately 40 feet on center within a minimum 6-foot-wide lawn panel, except where head-in parking disrupts the pattern and spacing. The entry to the proposed buildings is accentuated with flowering trees and marked with special pavers that announce the primary pedestrian access. A mixture of shrubs, shade, flowering and evergreen trees have been integrated into the design of the terraced rock face walls to further break up the shear height of the walls. The rear of lot 65 in the adjacent Bradley Hills subdivision to the northwest also includes additional planting to buffer the development and soften views.

The lighting plan consists of two separate pole mounted fixtures ranging in height from 10 to 12 feet. The majority of the upright fixtures are located around the private ring road and at the entrance to the site. The plan also provides for bollard lighting for pedestrian safety adjacent to the sidewalks and uplighting for illumination of the landscape material. Light fixtures have been selectively placed to illuminate key areas of the site and have been minimized in terms of height to negate glare or direct focus on the adjacent communities.

d. Recreation Facilities

The recreation facilities are adequate, safe, and efficient. Recreation demand is satisfied in accordance with the Recreation Guidelines. The recreation provided with this application consists of a 2-story clubhouse and associated swimming pool, lawn area and seating areas and internal community space in building 2. The clubhouse area has an internal paved pedestrian system and wooden footbridge that connects the recreation facilities and residences. Two natural pool areas are being created between buildings 3 and 4 to simulate a natural stream and meandering path. The upper stream pool is located near the northern end of the ring road, winding down to a central gathering area near the pool.

An additional 5-foot-wide pedestrian path is situated to the north of the ring road that switchbacks upward to a sunrise terrace and decorative fountain that will overlook the development and is oriented toward River Road.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is safe, adequate and efficient. A single vehicular access point to the site is being provided from River Road. Vehicular access into the site consists of a dedicated and protected left turn lane into the site on eastbound River Road, as well as an 11-foot-wide deceleration lane on westbound River Road. The outbound traffic from the site onto River Road is proposed for a dedicated and protected turn lane into eastbound traffic and an acceleration lane merging into westbound traffic.

The proposed access point at the site entrance is 22-foot-wide inbound and 25-foot-wide outbound, with wider tapers near the intersection with River Road. The monumental entrance contains a guardhouse and immediately spurs off to the east and west into the internal 22-foot-wide ring road. A one-way circular drop-off with parallel parking is located between buildings 1 and 2, terminating at the entrance to the clubhouse and pool area. The ring road completely encircles the proposed buildings on the site and is located at the base of the rock face walls on the northern, eastern and western perimeters of the site.

Pedestrian access includes an 8-foot-wide bituminous path that parallels the improvements on River Road along the frontage of the Property and extends to a gravel parking area on the northwest end to the intersection with Seven Locks Road to the southeast. The gravel parking area is within the River Road right-of-way. A 5-foot-wide sidewalk is being extended

internally from the ring road to the aforementioned 8-foot-wide bituminous path. The inside of the ring road contains a continuous 5-foot-wide sidewalk that provides access from the visitor parking area to the individual buildings. A 5-foot-wide pedestrian paver walkway is proposed within the interior building envelope to provide for pedestrian linkages throughout the site.

Additionally, a meandering 5-foot-wide path is located at the northern end of the Property connecting the internal development to an outdoor terrace that contains a fountain. A 4-foot-wide natural surface path is located on Lot 2 (M-NCPPC property) providing a scenic overlook to the proposed path along River Road. This path does not connect to the proposed development.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The Site Plan is compatible with other uses and existing developments within the surrounding vicinity and adjacent communities in terms of height, massing, building location and density.

The building configuration of the proposed multi-family dwellings offers a higher level of compatibility than would have been permitted under a standard one-family detached type of development in terms of an appropriate setting for the buildings and level of scale to the surrounding communities. The views from River Road are enhanced through a compatible scale.

The wooded buffer of approximately 80-100 feet in depth, along with the additional forest planting requirement, provide for an effective buffer between the existing communities and the proposed development, offering a more desirable relationship.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) was prepared by the Applicant and approved by staff in January, 2004. The NRI/FSD indicates there are no streams, wetlands, floodplains or environmental buffers on the site. The Subject Property contains 2.76 acres of existing forest.

The site contains more forest than the afforestation threshold; therefore, it must be reforested up to the conservation threshold, under the optional method of development. The Applicant will be removing 0.50 acres of forest for stabilization efforts and has a planting requirement of 0.76 acres. The Applicant will meet

these planting requirements on-site through on-site reforestation, landscape credits and supplemental plantings within existing forest.

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written opinion is SEP 07 2006 (which is the date that this opinion is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

At its regular meeting, held on Thursday, July 27, 2006, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, with four Commissioners present, and Commissioner Robinson abstaining, and Commissioner Bryant necessarily absent, ADOPTED the above Resolution which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Site Plan No. 820050290, The Quarry.

Adopted by the Montgomery County Planning Board this 27th day of July, 2006.




Derick P. Berlage
Chair, Montgomery County Planning Board



Trudye M. Johnson
Executive Director

DPB:TMJ:dyd:df

APPROVED AS TO LEGAL SUFFICIENCY



MONTGOMERY COUNTY PLANNING BOARD

PLAT NO. 220071070

Cabin John Park

Located on the south side of Riverside Drive approximately 400 feet east of Clara Barton Parkway

R-90 zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Bethesda – Chevy Chase

Neil R. Helm, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this property and concludes that the proposed subdivision complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and supports this minor subdivision record plat.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Cabon Lake Park Plat Number: 2-20071070
 Plat Submission Date: 2-6-07
 DRD Plat Reviewer: S Smith
 DRD Prelim Plan Reviewer: N/A
 *For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. N/A Checked: Initial N/A Date N/A
 Preliminary Plan No. N/A Checked: Initial N/A Date N/A
 Planning Board Opinion - Date N/A Checked: Initial N/A Date N/A
 Site Plan Name if applicable: N/A Site Plan Number: N/A
 Planning Board Opinion - Date N/A Checked: Initial N/A Date N/A

Lot # & Layout Lot Area Zoning Bearings & Distances Coordinates
 Plan # N/A Road/Alley Widths ok Easements Open Space N/A Non-standard
 BRLs N/A Adjoining Land ok Vicinity Map ok Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert ok Owner Cert ok Tax Map
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>MP</u>	<u>2-9-07</u>	<u>2-27-07</u>	<u>2-21-07</u>	<u>No Comment</u>
Research	<u>Bobby Feury</u>	<u>↓</u>	<u>↓</u>	<u>2-22-07</u>	<u>NAD/83-91</u>
SHA	<u>Doug Mills</u>	<u>↓</u>	<u>↓</u>	<u>—</u>	<u>—</u>
PEPCO	<u>Steve Baxter</u>	<u>↓</u>	<u>↓</u>	<u>—</u>	<u>—</u>
Parks	<u>Doug Powell</u>	<u>↓</u>	<u>↓</u>	<u>—</u>	<u>—</u>
DRD	<u>Steve Smith</u>	<u>↓</u>	<u>↓</u>	<u>2-20-07</u>	<u>Reuse Plat</u>

Final DRD Review:

DRD Review Complete: SJS 8-3-07
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): SJS 3/5/07
 Final Mylar w/Mark-up & PDF Rec'd: SJS 7/27/07
Board Approval of Plat:
 Plat Agenda: SJS 9-6-07

Planning Board Approval: _____
 Chairman's Signature: _____
DPS Approval of Plat:
 Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____
Plat Reproduction:
 Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

No. _____

RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: _____

*Per '58 Plat ok ✓
N/A (Abandonment)*

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____
- b) Original Plat identified: _____

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____

g) Approved Special Exception:

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

a) Number of Lots:

b) Written MCDPS approval of proposed septic area:

c) Required street dedication:

d) Easement for balance of property noting density and TDRS:

e) Average lot size of 5 acres:

f) Forest Conservation requirements met:

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF AND THAT IT IS A RESUBDIVISION OF LOT 38, BLOCK 3, PLAT 158, SUBDIVISION 7048 AND THE WESTERN PORTION OF WOODROW AVENUE, NOW KNOWN AS 79TH STREET, AS SHOWN ON THE RECORDS OF THE MONTGOMERY COUNTY PLANNING BOARD, MONTGOMERY COUNTY, MARYLAND, DATED OCTOBER 3, 1987 IN EQUITY. IT IS ALSO THE LAND OWNED BY WELLS HELM AND SON, INC. AND THE LAND RECORDED IN MONTGOMERY COUNTY, MARYLAND, BOOK 14, FOLIO 2, RECORDED UNDER THE ASSIGNMENT (LAND) RECORDS AND THAT PROPERTY MARKET VALUE IS \$1,185,528.31. THE RESUBDIVISION IS 24,177 SQUARE FEET OR 0.5500 ACRES, NONE OF WHICH IS DESIGNATED TO PUBLIC USE.

07-19-7
DATE

John A. Wells
 JOHN A. WELLS
 MONTGOMERY REGISTERED PROFESSIONAL LAND SURVEYOR 31158

OWNER'S CERTIFICATION

WE, WELLS HELM AND SON, INC. HELM OWNERS OF THE PROPERTY OWNED AND DESCRIBED HEREON HEREBY SUBMIT THIS PLAN OF RESUBDIVISION AND ESTABLISH THE BOUNDARY SURVEY RESTRICTION LINE WE FORFEIT OUR RIGHT TO A FIVE FOOT WIDE PUBLIC UTILITY EASEMENT, BEGINNING WITH THE POINT TO BE EASEMENT, AS DESCRIBED IN THEIR DEED AT FOLIO 451 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

WHERE ARE WE SURE TO TAKE ACTIONS AT LAW, LEASES, LIENS OR TRUSTS AFFECTING THIS PROPERTY, EXCEPT AS MENTIONED HEREON, SHALL BE LIMITED TO FEBRUARY 20, 2005 AT FOLIO 149, AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

WITNESSES:
 WITNESS: *John A. Wells* 07-19-7
 WITNESS: *Lillian Kwon* 07-19-7

NOTES:

1. THIS SUBDIVISION RECORDS PLAN IS NOT INTENDED TO SHOW THE PROPERTY LINES, THE BOUNDARY AND USE FOR EVERY PART OF THE PROPERTY. THE PROPERTY LINES, THE BOUNDARY AND USE FOR EVERY PART OF THE PROPERTY ARE SHOWN ON THE RECORDS OF THE MONTGOMERY COUNTY PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
2. ALL SETBACKS AND PROPOSED DEVELOPMENT ON THIS PROPERTY SHALL BE SUBJECT TO THE REQUIREMENTS OF CHAPTER 22A OF THE MONTGOMERY COUNTY ZONING ORDINANCE, SECTION 22-101-101 TO 22-101-104.
3. THE PROPERTY IS SHOWN ON THE MAP NO. 0701.
4. ALL ZONING, CONDITIONAL AGREEMENTS, EASEMENTS, AND REQUIREMENTS OF OTHER PLANS, INCLUDING DEVELOPMENT OF PLAN, PROJECTS, PLANS, AND PERMITS, SHALL BE SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
5. THIS PLAN IS FOR PUBLIC WATER AND SEWER SERVICE ONLY.
6. THIS PLAN COMPLIES WITH REQUIREMENTS OF SECTION 22-101-101 OF THE MONTGOMERY COUNTY ZONING ORDINANCE, CHAPTER 22A, AND COMPLIES WITH THE REQUIREMENTS OF SECTION 22-101-102 OF THE MONTGOMERY COUNTY ZONING ORDINANCE, CHAPTER 22A, AND COMPLIES WITH THE REQUIREMENTS OF SECTION 22-101-103 OF THE MONTGOMERY COUNTY ZONING ORDINANCE, CHAPTER 22A.
7. THE PROPERTY SHOWN HEREON IS NOT SUBJECT TO THE REQUIREMENTS OF CHAPTER 22A OF THE MONTGOMERY COUNTY CODE.

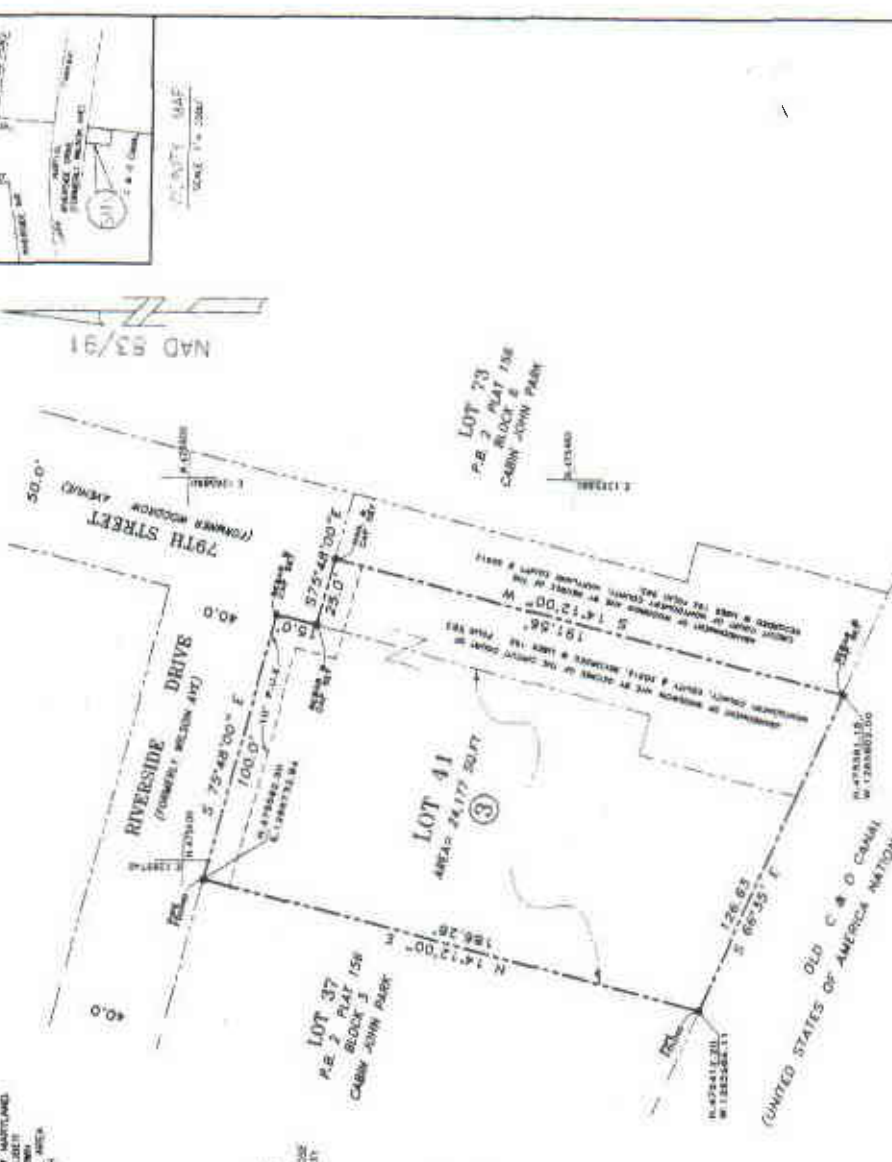
MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
 MONTGOMERY COUNTY, PLANNING BOARD
 APPROVED

COMMISSIONER: _____
 PLANNING BOARD: _____

DEPARTMENT OF PERMITTING SERVICES
 MONTGOMERY COUNTY, MARYLAND

APPROVED: _____
 DATE/TIME: _____

PLAT NO. _____



SUBDIVISION RECORD PLAT
 LOT 41 BLOCK 3
 SECTION 4
CABIN JOHN PARK
 BEING A RESUBDIVISION OF
 LOT 38 BLOCK 3 & ABANDONED PORTION
 OF WOODROW AVE (79TH STREET)

FILED IN 2007
 MONTGOMERY COUNTY, MARYLAND
 SCALE 1" = 30'
 OCTOBER 2007

WCG
 4424 MONTGOMERY AVENUE
 BETHESDA, MARYLAND 20814
 (301) 444-7070 FAX (301) 444-7100

PLAT NO. _____
 SHEET NO. _____
 SCALE 1" = 30'

PLAT NO. 220071080

Brookmont

Located on the west side of Broad Street approximately 75 feet north of 63rd Street

R-60 zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Bethesda – Chevy Chase

Jason Wade, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this property and concludes that the proposed subdivision complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and supports this minor subdivision record plat.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Broomont Plat Number: 2-20-71080

Plat Submission Date: 2-6-07

DRD Plat Reviewer: S Smith

DRD Prelim Plan Reviewer: N/A

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. N/A Checked: Initial N/A Date N/A

Preliminary Plan No. N/A Checked: Initial N/A Date N/A

Planning Board Opinion - Date N/A Checked: Initial N/A Date N/A

Site Plan Name if applicable: N/A Site Plan Number: N/A

Planning Board Opinion - Date N/A Checked: Initial N/A Date N/A

Lot # & Layout Lot Area Zoning Bearings & Distances Coordinates
 Plan # N/A Road/Alley Widths ok Easements ok Open Space N/A Non-standard
 BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map ok
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>MP</u>	<u>2-9-07</u>	<u>2-21-07</u>	<u>2-21-07</u>	<u>ok</u>
Research	Bobby Fleury			<u>ok</u>	<u>ok</u> ✓
SHA	Doug Mills	↓	↓		
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Steve Smith			<u>2-20-07</u>	<u>Revise Plat</u>

Final DRD Review:

DRD Review Complete:

(All comments rec'd and incorporated into mark-up)

Engineer Notified (Pick up Mark-up):

Final Mylar w/Mark-up & PDF Rec'd:

Board Approval of Plat:

Plat Agenda:

Planning Board Approval:

Chairman's Signature:

DPS Approval of Plat:

Engineer Pick-up for DPS Signature:

Final Mylar for Reproduction Rec'd:

Plat Reproduction:

Addressing:

File Card Update:

Final Zoning Book Check:

Update Address Books with Plat #:

Update Green Books for Resubdivision:

Notify Engineer to Seal Plats:

Engineer Seal Complete:

Complete Reproduction:

Sent to Courthouse for Recordation:

Initial

SS

SS

SS

SS

SS

SS

Date

3/3/07

3/5/07

7/27/07

9-6-07

No. _____

RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: 1925 Plat ok ✓
N/A

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____
- b) Original Plat identified: _____

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____

g) Approved Special Exception:

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

- a) Number of Lots:
- b) Written MCDPS approval of proposed septic area:
- c) Required street dedication:
- d) Easement for balance of property noting density and TDRS:
- e) Average lot size of 5 acres:
- f) Forest Conservation requirements met:

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF OF THE FACTS AND CONDITIONS AS TO THE ACCURACY OF THE SURVEY AND THE LOCATION OF THE PROPERTY DESCRIBED THEREON. I HAVE BEEN DULY SWORN TO AND MY COMMISSION IS VALID AND UNREVOKED. I HAVE BEEN DULY SWORN TO AND MY COMMISSION IS VALID AND UNREVOKED. I HAVE BEEN DULY SWORN TO AND MY COMMISSION IS VALID AND UNREVOKED.

DATE: 10/15/10
 SURVEYOR: [Signature]
 REGISTERED PROFESSIONAL LAND SURVEYOR #21888

OWNER'S CERTIFICATION

WE, THE SIGNER(S) HEREON, HAVE READ AND UNDERSTAND THE CONTENTS OF THIS PLAT AND THE PROPERTY DESCRIBED THEREON. WE HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

DATE: 10/15/10
 SIGNER(S): [Signatures]
 REGISTERED PROFESSIONAL LAND SURVEYOR #21888

WE HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

DATE: 10/15/10
 SIGNER(S): [Signatures]
 REGISTERED PROFESSIONAL LAND SURVEYOR #21888

NOTES:

1. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

2. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

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8. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

9. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

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11. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

12. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

13. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

14. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. ALL INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.



BROAD STREET
 120' R/W
 P.B. 4 PLAT 305

SUBDIVISION RECORD PLAT
LOT 37
BLOCK 8
SECTION TWO
BROOKMONT
 BEING A RESUBDIVISION OF
 LOT 7, 8 & 9 BLOCK 8
 7TH ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 20'
 OCTOBER 2008

WCG
 AREA MONTGOMERY COUNTY, MARYLAND
 WETTERDA, MARYLAND 38184
 410-534-7967 Fax 410-534-7968



PLAT NO. _____	PLAT DATE _____
SCALE 1" = 20'	SCALE 1" = 20'
APPROVED: _____	APPROVED: _____
FOR THE SURVEYOR	FOR THE SURVEYOR

PLAT NO. 220071100 - 220071110

Mangums Branch

Located on the west side of Old Columbia Pike, approximately 1,700 feet north of Spencerville Road (MD 198)

RC zone; 4 lots; 2 parcels

Private Well, Private Septic

Master Plan Area: Fairland

15820 O.P., LLC, Applicants

The record plats have been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plats comply with Preliminary Plan No. 120060380, as approved by the Board, and that any minor modifications reflected on the plats do not alter the intent of the Board's previous approval of the aforesaid plan.

RECORD PLAT REVIEW SHEET

Plan Name: Bernstein Property Plan Number: 17006 0380
 Plat Name: Mangums Branch Plat Number: 220071100
 Plat Submission Date: 2/7/07
 DRD Plat Reviewer: Steve Smith
 DRD Prelim Plan Reviewed: Lacey Center Dolores Kinney

Initial DRD Review:

Signed Preliminary Plan - Date 11/15/06 Checked: Initial SJS Date 3-6-07
 Planning Board Opinion - Date 10/24/06 Checked: Initial SJS Date 3-6-07
 Site Plan Req'd for Development? Yes No Verified By: SJS (initial)
 Site Plan Name: N/A Site Plan Number: N/A
 Planning Board Opinion - Date NA Checked: Initial N/A Date N/A
 Site Plan Signature Set - Date N/A Checked: Initial N/A Date N/A
 Site Plan Reviewer Plat Approval: Checked: Initial N/A Date N/A

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths Easements Open Space
 Non-standard BRLs Adjoining Land Vicinity Map Septic/Wells
 TDR note Child/Lot note Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	A.L.	2-9-07	2-27-07	7-31-07	ok per C. Bunnagey
Research	Bobby Fleury	↓	↓	↓	↓
SHA	Doug Mills	↓	↓	↓	↓
PEPCO	Steve Baxter	↓	↓	↓	↓
Parks	Doug Powell	↓	↓	↓	↓
DRD	Steve Smith	↓	↓	2-22-07	Add Chapter Note

Final DRD Review:

DRD Review Complete: Initial SJS Date 8-3-07
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): Initial SJS Date 5/1/07
 Final Mylar w/Mark-up & PDF Rec'd: Initial SJS Date 8-2-07
Board Approval of Plat:
 Plat Agenda: Initial SJS Date 9-6-07
 Planning Board Approval: _____
 Chair's Signature: _____
DPS Approval of Plat:
 Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____
Plat Reproduction:
 Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

No. _____

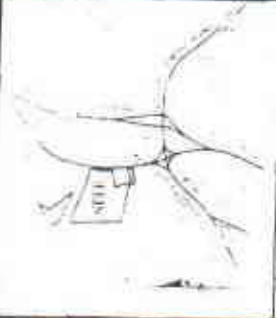
PLAT NO



CURVE TABULATION

LINE NO.	CHORD	ARC	ANGLE	PIVOT
1	10.00	10.00	90°	100.00
2	10.00	10.00	90°	100.00
3	10.00	10.00	90°	100.00
4	10.00	10.00	90°	100.00

VICINITY MAP



NOTES

1. THE CURVE DATA IS BASED ON THE FIELD SURVEY AND IS SUBJECT TO THE ACCURACY OF THE SURVEY.
2. THE CURVE DATA IS SUBJECT TO THE ACCURACY OF THE SURVEY.
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10. THE CURVE DATA IS SUBJECT TO THE ACCURACY OF THE SURVEY.

RECORDS SECTION AT
 LOTS 1 - 4, BLOCK "A"
 MANGUMS BRANCH
 WASHINGTON COUNTY, MISSISSIPPI

GLW GEORGE W. LITTLE & COMPANY, INC.
 ENGINEERS, ARCHITECTS, SURVEYORS, PLANNERS
 1000 MARKET STREET, SUITE 100, WASHINGTON, MISSISSIPPI 39201
 PHONE: (601) 533-1100



LINE TABULATION

LINE NO.	BEARING	DIST.
1	S 89° 59' 57" W	100.00
2	S 89° 59' 57" W	100.00
3	S 89° 59' 57" W	100.00
4	S 89° 59' 57" W	100.00

AREA TABULATION

AREA NO.	AREA
1	100.00
2	100.00
3	100.00
4	100.00

CONVEYANCE CERTIFICATE

THIS CERTIFICATE IS A PART OF THE RECORDING OF THE DEED TO WHICH IT RELATES AND IS SUBJECT TO THE TERMS AND CONDITIONS THEREOF.

THE SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS ACCURATE AND CORRECT AS FAR AS THE SURVEYING IS CONCERNED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL AT THE CITY OF MEMPHIS, TENNESSEE, THIS 10TH DAY OF MAY, 1954.

George W. Little
 GEORGE W. LITTLE & COMPANY, INC.
 ENGINEERS, ARCHITECTS, SURVEYORS, PLANNERS

SURVEYORS CERTIFICATE

WE, THE UNDERSIGNED SURVEYORS, HEREBY CERTIFY THAT THE SURVEY WAS MADE BY US OR UNDER OUR SUPERVISION AND IS ACCURATE AND CORRECT AS FAR AS THE SURVEYING IS CONCERNED.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS AT THE CITY OF MEMPHIS, TENNESSEE, THIS 10TH DAY OF MAY, 1954.

George W. Little
 GEORGE W. LITTLE & COMPANY, INC.
 ENGINEERS, ARCHITECTS, SURVEYORS, PLANNERS

IS MAY EAST - D. W. Little

ENGINEER, ARCHITECT, SURVEYOR, PLANNER

FOR PRIVATE BILLS AND INSTRUMENTS, EPTIC SYSTEMS ONLY
 IN ANY OTHER CASES, FOR A CHANGE OF NAME

APPROVED	DATE	RECORDED	PLAT NO.
LIBRARY	FILE	RECORDED BY	DATE
MANGUMS BRANCH		WASHINGTON COUNTY, MISSISSIPPI	
MANGUMS BRANCH		WASHINGTON COUNTY, MISSISSIPPI	

RECORD PLAT REVIEW SHEET

Plan Name: Bernstein Property Plan Number: 120060380
 Plat Name: Hangers Brandt Plat Number: 220071110
 Plat Submission Date: 2-7-07
 DRD Plat Reviewer: S.S mitz
 DRD Prelim Plan Reviewer: Cathy Carter Dolores Kinney

Initial DRD Review:

Signed Preliminary Plan - Date 11/15/06 Checked: Initial DM Date 3/15/07
 Planning Board Opinion - Date 10-24-06 Checked: Initial SJS Date 8/3/07
 Site Plan Req'd for Development? Yes No Verified By: (initial)
 Site Plan Name: N/A Site Plan Number: N/A
 Planning Board Opinion - Date N/A Checked: Initial N/A Date N/A
 Site Plan Signature Set - Date N/A Checked: Initial N/A Date N/A
 Site Plan Reviewer Plat Approval: Checked: Initial N/A Date N/A

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths Easements Open Space
 Non-standard BRLs Adjoining Land Vicinity Map Septic/Wells
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>A.L.</u>	<u>2-9-07</u>	<u>2-27-07</u>	<u>7-31-07</u>	<u>OK per C Bunning</u>
Research	Bobby Fleury				
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Steve Smith			<u>2-20-07</u>	<u>Cost. Note Review</u>

Final DRD Review:

DRD Review Complete:	Initial <u>SJS</u>	Date <u>8-3-07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SJS</u>	<u>5-1-07</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SJS</u>	<u>8/1/07</u>
Board Approval of Plat:		
Plat Agenda:	<u>SJS</u>	<u>9-6-07</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
DPS Approval of Plat:		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
Plat Reproduction:		
Addressing:	_____	_____
File Card Update:	_____	_____
Final Zoning Book Check:	_____	_____
Update Address Books with Plat #:	_____	_____
Update Green Books for Resubdivision:	_____	_____
Notify Engineer to Seal Plats:	_____	_____
Engineer Seal Complete:	_____	_____
Complete Reproduction:	_____	_____
Sent to Courthouse for Recordation:	_____	_____

No _____

OWNER'S CERTIFICATE

I hereby certify that the above described property is not subject to any unpaid taxes, special assessments, or other charges or liens, and that the same is not under any court order, writ, injunction, or other process, and that the same is not subject to any other claims or demands of any kind or nature, and that the same is not under any court order, writ, injunction, or other process, and that the same is not subject to any other claims or demands of any kind or nature, and that the same is not under any court order, writ, injunction, or other process, and that the same is not subject to any other claims or demands of any kind or nature.

WITNESSED

[Handwritten Signature]

[Handwritten Date]

NO.	DESCRIPTION	DATE
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SURVEYOR'S CERTIFICATE

I hereby certify that the above described property is not subject to any unpaid taxes, special assessments, or other charges or liens, and that the same is not under any court order, writ, injunction, or other process, and that the same is not subject to any other claims or demands of any kind or nature, and that the same is not under any court order, writ, injunction, or other process, and that the same is not subject to any other claims or demands of any kind or nature.

[Handwritten Signature]

PLAT No.



CURVE TABULATION

CHORD	BEARING	ANGULAR DISTANCE	LENGTH	BEARING	LENGTH
1-2	N 75° 30' W	60° 00' 00"	100.00	N 15° 30' W	200.00
2-3	N 15° 30' W	60° 00' 00"	200.00	N 75° 30' W	100.00
3-4	N 75° 30' W	60° 00' 00"	100.00	N 15° 30' W	200.00
4-5	N 15° 30' W	60° 00' 00"	200.00	N 75° 30' W	100.00



VICINITY MAP
SCALE: 1" = 1 MILE

- NOTES**
1. THE SURVEY, MEASUREMENTS, AND CALCULATIONS WERE MADE BY THE SURVEYOR USING A SENSITIVE AUTOMATIC LEVEL AND A TRANSIT.
 2. THE SURVEY WAS MADE ON THE 15TH DAY OF MAY, 1917.
 3. THE SURVEY WAS MADE IN THE PRESENCE OF THE NEAREST ADJACENT OWNERS.
 4. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ACTS OF THE LEGISLATURE.
 5. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ACTS OF THE LEGISLATURE.
 6. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ACTS OF THE LEGISLATURE.
 7. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ACTS OF THE LEGISLATURE.

SUBDIVISION RELEASER PLAT
PARCELS 'A' AND 'B', BLOCK 'A'
MANGELMS BRANCH
COLUMBIA COUNTY, MISSOURI
MAY 20, 1917

GLW CITY-BLOCK LETTER A-W-100-1



AREA TABULATION

DESCRIPTION	AREA	PERCENT
Parcel A
Parcel B
Total	...	100%

VICINITY MAP

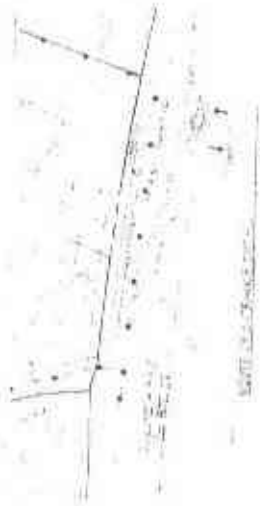


Textual notes and descriptions in the vicinity map section, including a legend with symbols for various features.

Large title text at the top center of the page, possibly 'PROJEKT' or similar, in a stylized font.



Textual notes and descriptions in the upper right quadrant, including a scale bar.



CLW 6000 8000 10000 12000 14000 16000 18000 20000



RELIABLE PROPERTY
REPRESENTATIVE

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

Date Mailed: OCT 24 2006
Hearing Date: July 27, 2006
Action: Approved Staff Recommendation
Motion of Commissioner Robinson,
seconded by Commissioner Wellington,
with a vote of 4-0;
Commissioners Berlage, Perdue,
Wellington, and Robinson voting in favor.
Commissioner Bryant absent.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan: 120060380
NAME OF PLAN: Bernstein Property

The date of this written opinion is OCT 24 2006 (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 within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

I. INTRODUCTION

On September 23, 2005, 15820 OP L.L.C. ("Applicant") submitted an application for the approval of a Preliminary Plan for subdivision to create four (4) residential lots in an RC zone ("Preliminary Plan" or "Plan"). The Preliminary Plan was designated Preliminary Plan No. 120060380. On July 27, 2006 Preliminary Plan No. 120060380 was brought before the Montgomery County Planning Board ("Planning Board" or "Board") for a public hearing. At the public hearing, the Planning Board heard testimony and received evidence submitted into the record on the application. Prior to the public hearing, Planning Board staff ("Staff") analyzed and provided recommendations

regarding the Preliminary Plan in a memorandum sent to the Planning Board on June 30, 2006 ("Staff Report" or "Report").

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board Staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its Staff from the Applicant, public agencies and the community following submission of the application and prior to the Board's action at the conclusion of the public hearing; all correspondence and any other written or graphic information issued by Planning Board Staff, prior to the Board's action following the public hearing, concerning the application; and all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

II. SITE DESCRIPTION

The property, identified as Parcel 141, is located in the Patuxent Watershed, on the west side of Columbia Pike (US 29), approximately 1,100 feet north of the intersection with Spencerville Raid (MD 198) ("Subject Property"). The Subject Property is zoned Rural Cluster (RC) and contains 36.55 acres. The property contains streams and forested areas and is divided by a Potomac Electric Power Company (PEPCO) right-of-way.

III. PLAN DESCRIPTION

This Preliminary Plan proposes to subdivide the Subject Property into four (4) clustered lots and two (2) parcels. Private wells and standard private septic will serve the proposed lots. Access to the proposed lots will be via a share driveway from Columbia Pike (US 29). The RC zone requires a minimum of 60% open space. The Preliminary Plan proposes preserving approximately 67% of the entire site for open space. Staff has determined that this Preliminary Plan is subject to forest conservation regulations.

1. ENVIRONMENT

The Subject Property lies within the Patuxent River Watershed (Use I waters). A PEPCO transmission line right-of-way bisects the property. The majority of the Subject Property is forested (35.61 acres) and four tributary streams to the Patuxent River flow through the site. The environment buffer areas for these streams include wetlands and steep slopes.

a. Forest Conservation

The preliminary forest conservation plan required for this application proposes to clear 8.69 acres of forest. Under that plan, the remaining 26.92 acres will be retained and protected through Category I conservation easements. About 24.34 acres of forest retention will lie within the proposed common opens space parcels, and 2.58 acres will lie within private lots. Staff found that this amount of forest retention exceeds the break-even point of 21.74 acres. Staff advised the Board that the Preliminary Plan meets forest conservation requirements, and that no forest planting is required.

b. Environmental Buffers

Environmental buffers comprise 16.38 acres of the site. All of the buffers will be located within the open space parcels and will be protected by Category I conservation easements, as recommended by the Environmental Guidelines approved by the Planning Board.

c. Patuxent River Primary Management Area (PMA)

Staff noted that the Environmental Guidelines recommend the application of a 10 percent imperviousness limit for land development projects that lie within the PMA and are reviewed by the Planning Board. This Preliminary Plan proposes an imperviousness of 2.6 percent over the Subject Property, as shown in the Applicant's impervious area plan included with the application. Staff found that this amount meets the PMA imperviousness guideline limit.

2. MASTER PLAN COMPLIANCE

The Fairland Master Plan does not specifically identify the Subject Property for discussion but does provide general guidance and recommendations to maintain the low-density residential character of the RC zone. The Preliminary Plan complies with the Master Plan goals by proposing low-density, one-family residential detached dwellings, appropriate for the RC zone. Staff found that the proposed subdivision complies with the recommendations adopted in the master plan in that it proposes one-family residential lots.

3. PROPOSED LOT DIMENSIONS

In its Report, Staff presented a map of the current lots in the surrounding subdivision as well as the proposed dimensions of the four (4) proposed lots under the Preliminary Plan (Attachment A and B of the Staff Report). Staff found that the size, width, shape and orientation of the proposed lots are appropriate for the location of the subdivision and will conform to the minimum requirements of the RC zone.

4. STAFF RECOMMENDATIONS

Staff found that the proposed Preliminary Plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations and Chapter 59, the Zoning Ordinance, that public facilities will be adequate to support and service the area of the proposed and that the Preliminary Plan is compatible with the Fairland Master Plan. Staff recommended the approval of the Preliminary Plan subject to conditions.

IV. Findings

Having given full consideration to the recommendations of its Staff, the recommendations of the applicable public agencies,¹ the Applicant's position, and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds, based on the uncontested evidence of record, and with the conditions of approval, that:

- 1) The Preliminary Plan No. 120060380 substantially conforms to the Fairland Master Plan.
- 2) Public facilities will be adequate to support and service the area of the proposed subdivision.
- 3) The size, width, shape, and orientation of the proposed lot[s] are appropriate for the location of the subdivision.
- 4) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. This finding is subject to the applicable condition(s) of approval.
- 5) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.

¹ The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission ("WSSC"), the Montgomery County Department of Public Works and Transportation ("MCDPWT"), the Montgomery County Department of Permitting Services ("MCDPS" or "DPS"), and the various public utilities. None of these agencies objected to approval of the application.

- 6) The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

V. CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 120060380 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board APPROVES Preliminary Plan No. 120060380, subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to four (4) lots and four (4) residential dwelling units.
- 2) The proposed development shall comply with the conditions for approval of the preliminary forest conservation plan. The conditions of this plan include, but are not limited to, the following:
 - a. The final forest conservation plan shall include the following elements:
 - i. Design and location of permanent markers (such as permanent fences or signs) to clearly identify boundaries of the Category I conservation easements that lie within the lots.
 - ii. A tree protection plan for individual trees 24 inches and greater in diameter at breast height.
- 3) The record plat shall reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 4) The record plat shall contain the following note, "The land hereon is within an approved cluster development. Subdivision or resubdivision is not permitted after property is developed."
- 5) Prior to the issuance of the last building permit, the Applicant shall construct an eight-foot shared use path and a tree panel along the frontage of Lots 3 and 4 from the proposed private driveway to the PECO right-of-way, unless already constructed as part of the Burtonsville Shopping Center project. The shared use path shall be offset two feet from the property line.
- 6) The Applicant shall dedicate all road rights-of-way shown on the approved Preliminary Plan to the full width mandated by the Master Plan unless otherwise designated on the Preliminary Plan.

- 7) The proposed development shall comply with the conditions of the MCDPWT letter dated December 16, 2005, unless otherwise amended.
- 8) The record plat shall reflect common ingress/egress and utility easements over all shared driveways.
- 9) The proposed development shall comply with the conditions in the MCDPS stormwater management approval dated September 9, 2005.
- 10) The proposed development shall comply with the conditions of the MCDPS (Health Dept.) septic approval dated June 9, 2006.
- 11) The proposed development shall include the access and improvements as required to be approved by the Maryland State Highway Administration prior to issuance of access permits.
- 12) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.


* * * * *

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

MML 9/1/06
Approved for legal sufficiency
M-NCPPC Office of General Counsel

CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on **Thursday, September 7, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, **ADOPTED** the above opinion, on motion of Commissioner Perdue, seconded by Commissioner Wellington, with Commissioners Perdue, Robinson, and Wellington voting in favor, and with Chairman Hanson and Commissioner Bryant abstaining. This Opinion constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminary Plan No. 120060380, Bernstein Property.**



Certification As To Vote of Adoption
E. Ann Daly, Technical Writer

PLAT NO. 220071130

Rocky Road Park

Located at the terminus of Rocky Valley Drive, approximately 300 feet north of Rocky Road

RDT zone; 1 lot

Private Well, Private Septic

Master Plan Area: Agriculture and Rural Open Space

James R. Quick, Applicant

The record plat has been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Pre-preliminary Plan No. 720040370 (formerly 7-04037), and pursuant to Section 50-35A (a)(8) of the subdivision regulations (as shown below), supports this minor subdivision record plat.

Plats for Certain Residential Lots located in the Rural Density Transfer Zone. Up to five lots are permitted under the minor subdivision procedure in the RDT zone provided that a pre-preliminary plan is submitted and approved by either the Planning Board or Planning Board staff, in accordance with the procedures for submission and approval of a pre-preliminary plan of subdivision. In addition:

1. Written approval for a proposed septic area must be received from the Montgomery County Department of Permitting Services, Well and Septic Section prior to recordation of the plat;
2. Any required street dedications along the frontage of the proposed lots must be shown on the record plat;
3. An easement must be recorded for the balance of the property noting that density and TDRs have been utilized for the new lots. Reference to this easement must be reflected on the record plat for the lots; and
4. Lots created in the RDT Zone through the minor subdivision procedure must not exceed an average lot size of five (5) acres in size unless approved by the Planning Board in the review of a pre-preliminary plan of subdivision.
5. Forest conservation requirements must be satisfied prior to recording the plat

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Pokey Road Park Plat Number: 220071130
 Plat Submission Date: 2/16/07
 DRD Plat Reviewer: Steve Smith
 DRD Prelim Plan Reviewer: _____

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. 720040370 Checked: Initial SS Date 8-2-07
 Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Name if applicable: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____

Lot # & Layout Lot Area Zoning ok Bearings & Distances ok Coordinates ok
 Plan # ok Road/Alley Widths ok Easements ok Open Space N/A Non-standard
 BRLs N/A Adjoining Land ok Vicinity Map ok Septic/Wells ok
 TDR note Child Lot note N/A Surveyor Cert Owner Cert Tax Map ok
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>A. Lindsey</u>	<u>3-12-07</u>	<u>3-28-07</u>	<u>3-26-07</u>	<u>Move Alt. Well Location</u>
Research	<u>Bobby Fleury</u>				<u>N/C</u>
SHA	<u>Doug Mills</u>				
PEPCO	<u>Steve Baxter</u>				
Parks	<u>Doug Powell</u>				
DRD	<u>Steve Smith</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>See Mark-up</u>

CAT I

Final DRD Review:

	Initial	Date
DRD Review Complete:	<u>SS</u>	<u>8-2-07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SB</u>	<u>7/26/07</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SSD</u>	<u>7-26-07</u>
Board Approval of Plat:		
Plat Agenda:	<u>SSD</u>	<u>7-6-07</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
DPS Approval of Plat:		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
Plat Reproduction:		
Addressing:	_____	_____
File Card Update:	_____	_____
Final Zoning Book Check:	_____	_____
Update Address Books with Plat #:	_____	_____
Update Green Books for Resubdivision:	_____	_____
Notify Engineer to Seal Plats:	_____	_____
Engineer Seal Complete:	_____	_____
Complete Reproduction:	_____	_____
Sent to Courthouse for Recordation:	_____	_____

No. _____

RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: _____

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot
Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____
- b) Original Plat identified: _____

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____

g) Approved Special Exception:

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

- a) Number of Lots:
- b) Written MCDPS approval of proposed septic area:
- c) Required street dedication:
- d) Easement for balance of property noting density and TDRS:
- e) Average lot size of 5 acres:
- f) Forest Conservation requirements met:

1 Lot ok
dc

59-C-9.74 ok
ok

8. Pre-Preliminary Plan No. 7-04037 – Quick Property

RDT Zone; 6.3 acres; one (1) lot requested; one single-family detached dwelling unit

Private well and private septic

Located between the unimproved rights of way of Rocky Creek Drive and Rocky Valley Drive, approximately 250 feet north of Rocky Road

Policy Area: Goshen

Applicant: Robert Quick

Engineer: Benning and Associates, Inc.

Staff Recommendation: No objection to the submission of a complete Record Plat Application, pursuant to Section 50-35A of the Subdivision Regulations (Minor Subdivision) subject to the following conditions:

- 1) Prior to the submission of complete record plat application provide Natural Resources Inventory and Forest Conservation plan
- 2) Prior to recording of plat obtain final approval from the Department of Permitting Services for sewage disposal and well location
- 3) Record plat to reflect all appropriate conservation easements and roadway dedications

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: NO OBJECTION TO SUBMISSION OF A RECORD PLAT APPLICATION AS NOTED ABOVE.

In presenting the pre-preliminary plan, Development Review staff noted that the applicant has requested that the Board consider this proposal to create one 6.3-acre lot in the RDT Zone as a minor subdivision, which would require record plat only, rather than full subdivision review. Staff supports consideration as a minor subdivision. Staff noted that the property is undergoing percolation tests for a septic system and approval of a septic system must be secured prior to record plat.

Mr. David McKee, the applicant's engineer, concurred in the staff recommendation.

Ms. Judy Horton, owner of adjacent property, stated that Rocky Creek forms the western boundary of the proposed lot, although it is shown on the plans as a road. She said that the Development Review Committee recommends that Rocky Creek Drive and Rocky Valley Drive, both "paper" roads, be abandoned and she supports that recommendation.

Staff verified that the stream and stream buffer are shown on the plan and will be protected by a conservation easement. The access has been relocated to address that issue.

PLAT NO. 220071370

West Chevy Chase Heights

Located on the north side of West Virginia Avenue, approximately 60 feet east of Kentucky Avenue

R-60 zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Bethesda – Chevy Chase

Matthew Holahan, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this property and concludes that the proposed subdivision complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and supports this minor subdivision record plat.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: West Cherry Chase Heights Plat Number: 220071370
 Plat Submission Date: 4/19/07
 DRD Plat Reviewer: T. Adams
 DRD Prelim Plan Reviewer: N/A

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Name if applicable: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____

Lot # & Layout Lot Area Zoning Bearings & Distances Coordinates N/A
 Plan # N/A Road/Alley Widths Easements Open Space N/A Non-standard
 BRLs N/A Adjoining Land Vicinity Map Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert Owner Cert Tax Map
 SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>A. Lindsey</u>	<u>5-14-07</u>	<u>6-1-07</u>	_____	<u>No Comments</u>
Research	Bobby Fleury	_____	_____	<u>5-15-07</u>	<u>Bearings Needed</u>
SHA	Doug Mills	_____	_____	_____	_____
PEPCO	Steve Baxter	_____	_____	_____	_____
Parks	Doug Powell	_____	_____	_____	_____
DRD	Steve Smith	_____	_____	<u>5-30-07</u>	<u>ok</u>

Final DRD Review:

DRD Review Complete: _____ Initial SS Date 5-2-07
 (All comments rec'd and incorporated into mark-up)

Engineer Notified (Pick up Mark-up): _____ Initial SS Date 6-4-07

Final Mylar w/Mark-up & PDF Rec'd: _____ Initial SS Date 7-24-07

Board Approval of Plat:

Plat Agenda: _____ Initial SS Date 7/6/07

Planning Board Approval: _____

Chairman's Signature: _____

DPS Approval of Plat:

Engineer Pick-up for DPS Signature: _____

Final Mylar for Reproduction Rec'd: _____

Plat Reproduction:

Addressing: _____

File Card Update: _____

Final Zoning Book Check: _____

Update Address Books with Plat #: _____

Update Green Books for Resubdivision: _____

Notify Engineer to Seal Plats: _____

Engineer Seal Complete: _____

Complete Reproduction: _____

Sent to Courthouse for Recordation: _____

No. _____

RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: N/A

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot
Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____
- b) Original Plat identified: _____

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____

g) Approved Special Exception:

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

a) Number of Lots:

b) Written MCDPS approval of proposed septic area:

c) Required street dedication:

d) Easement for balance of property noting density and TDRS:

e) Average lot size of 5 acres:

f) Forest Conservation requirements met:

PLAT NO. 220071390

Atwood Knolls

Located on the east side of Layhill Road (MD 182) approximately 450 south of
Queensguard Road

R-200 zone; 2 lots

Community Water, Community Sewer

Master Plan Area: Aspen Hill

Alex-Anders, Inc, Applicant

The record plat has been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120030440 (formerly 1-03044), as approved by the Board, and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the aforesaid plan.

RECORD PLAT REVIEW SHEET

Plan Name: LAYMILL Plan Number: 120030440
 Plat Name: ATWOOD KNOLLS Plat Number: 220071390
 Plat Submission Date: 4-26-07
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: R. Weaver

EXTENSION REQUEST ✓

Initial DRD Review:

Signed Preliminary Plan - Date 3-6-07 Checked: Initial W Date 8/21/07
 Planning Board Opinion - Date 4-8-07 Checked: Initial SJS Date 6-7-07
 Site Plan Req'd for Development? Yes No Verified By: SJS (initial)
 Site Plan Name: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Signature Set - Date _____ Checked: Initial _____ Date _____
 Site Plan Reviewer Plat Approval: Checked: Initial _____ Date _____

Review Items: Lot # & Layout ✓ Lot Area ✓ Zoning ok Bearings & Distances ok
 Coordinates ok Plan # ok Road/Alley Widths ok Easements ok Open Space N/A
 Non-standard BRLs N/A Adjoining Land ok Vicinity Map ok Septic/Wells N/A
 TDR note N/A Child Lot note N/A Surveyor Cert ✓ Owner Cert ✓ Tax Map ok

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment		<u>5-14-07</u>	<u>6-1-07</u>	<u>6-21-07</u>	<u>ok</u>
Research	Bobby Fleury	↓	↓	<u>5-15-07</u>	<u>ok</u>
SHA	Doug Mills	↓	↓	<u>---</u>	<u>---</u>
PEPCO	Steve Baxter	↓	↓	<u>---</u>	<u>---</u>
Parks	Doug Powell	↓	↓	<u>---</u>	<u>---</u>
DRD	Steve Smith	↓	↓	<u>5-30-07</u>	<u>ok</u>

Final DRD Review:

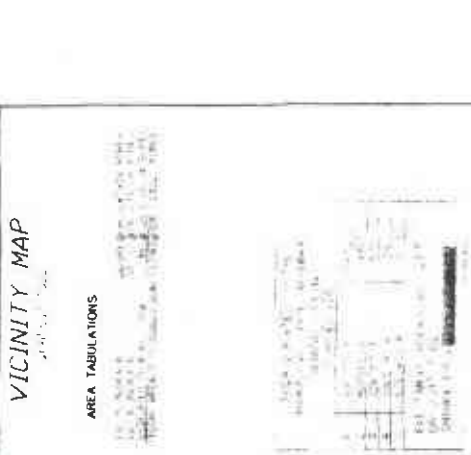
DRD Review Complete:	Initial <u>SJS</u>	Date <u>8/21/07</u>
(All comments rec'd and incorporated into mark-up)		
Engineer Notified (Pick up Mark-up):	<u>SJS</u>	<u>6-14-07</u>
Final Mylar w/Mark-up & PDF Rec'd:	<u>SJS</u>	<u>7-27-07</u>
Board Approval of Plat:		
Plat Agenda:	<u>SJS</u>	<u>9/6/07</u>
Planning Board Approval:	_____	_____
Chairman's Signature:	_____	_____
DPS Approval of Plat:		
Engineer Pick-up for DPS Signature:	_____	_____
Final Mylar for Reproduction Rec'd:	_____	_____
Plat Reproduction:		
Addressing:	_____	_____
File Card Update:	_____	_____
Final Zoning Book Check:	_____	_____
Update Address Books with Plat #:	_____	_____
Update Green Books for Resubdivision:	_____	_____
Notify Engineer to Seal Plats:	_____	_____
Engineer Seal Complete:	_____	_____
Complete Reproduction:	_____	_____
Sent to Courthouse for Recordation:	_____	_____

No. _____

PLAN NO.
DATE



VICINITY MAP



AREA TABULATIONS

Table with columns for Lot No., Area (Acres), and Area (Sq. Ft.). Lot 5 is 0.27 acres (11,800 sq. ft.) and Lot 6 is 0.26 acres (11,200 sq. ft.). Total area is 0.53 acres (23,000 sq. ft.).

SUBDIVISION RECORD PLAT
LOTS 5 & 6, BLOCK B
ATWOOD KNOLLS
ELECTION DISTRICT NO. 13
MONTGOMERY COUNTY, MARYLAND
APRIL 2007 SCALE 1"=30'

MERRIDAY SURVEYS, INC.
6001 L...
C...
P...

OWNER'S CERTIFICATE
We hereby certify that the within plat was prepared by Merriday Surveys, Inc., a duly licensed surveyor in the State of Maryland, and that the same is a true and correct representation of the facts as shown by the field notes and other documents and records in the possession of the said surveyor. The survey was made on or about the 15th day of March, 2007. The boundaries of the lots shown on this plat are as shown by the field notes and other documents and records in the possession of the said surveyor. The survey was made on or about the 15th day of March, 2007. The boundaries of the lots shown on this plat are as shown by the field notes and other documents and records in the possession of the said surveyor. The survey was made on or about the 15th day of March, 2007. The boundaries of the lots shown on this plat are as shown by the field notes and other documents and records in the possession of the said surveyor.

Alan Christman
Alan Christman
1508 79, 2007

MD. RT. 182
(Layhill Road)
The Plat Shows

SURVEYOR'S CERTIFICATE
I, the undersigned, being a duly licensed surveyor in the State of Maryland, do hereby certify that the within plat was prepared by Merriday Surveys, Inc., a duly licensed surveyor in the State of Maryland, and that the same is a true and correct representation of the facts as shown by the field notes and other documents and records in the possession of the said surveyor. The survey was made on or about the 15th day of March, 2007. The boundaries of the lots shown on this plat are as shown by the field notes and other documents and records in the possession of the said surveyor. The survey was made on or about the 15th day of March, 2007. The boundaries of the lots shown on this plat are as shown by the field notes and other documents and records in the possession of the said surveyor.

Robert J. Merriday
Robert J. Merriday
Surveyor

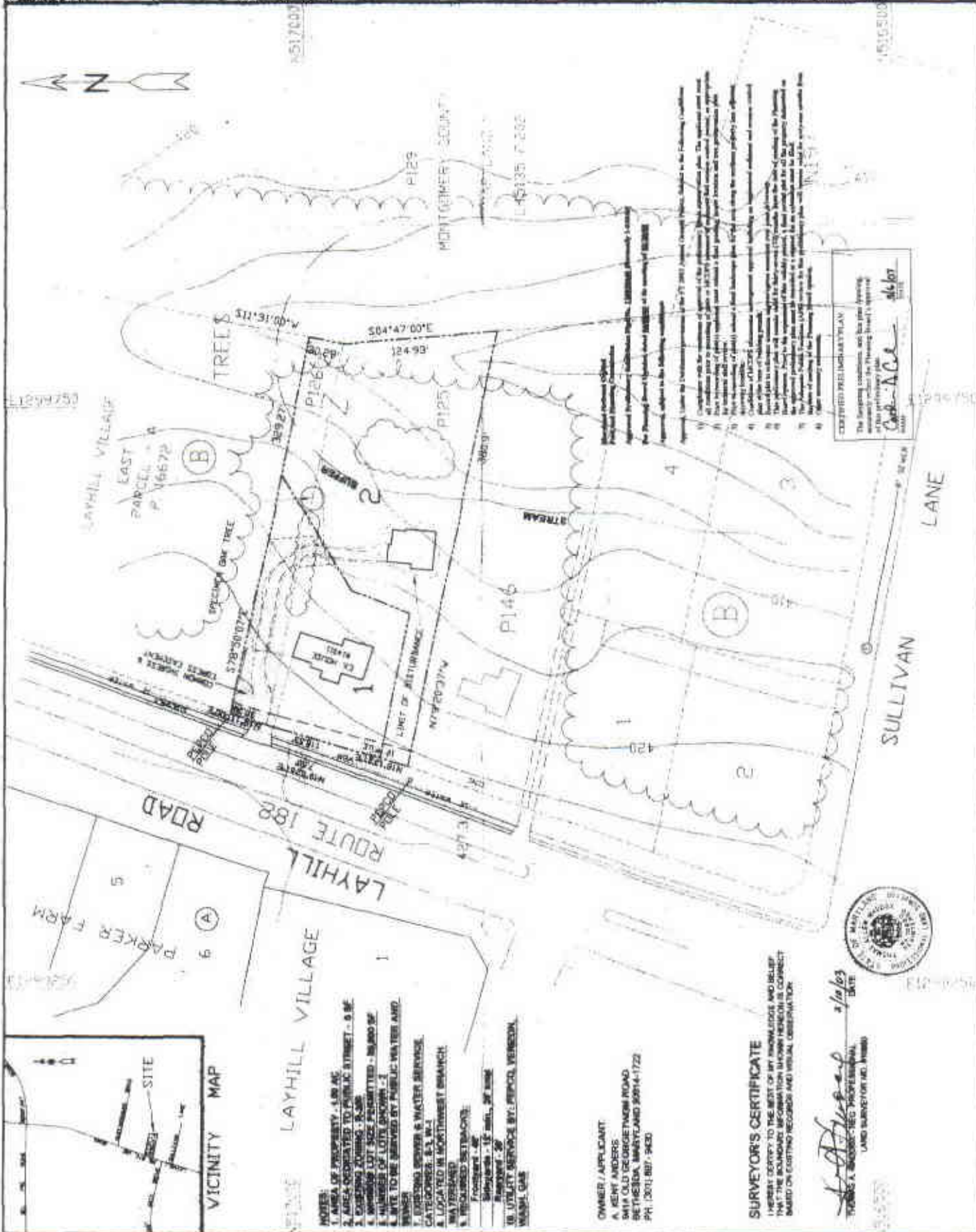
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
MONTGOMERY COUNTY PLANNING BOARD
SERVICES
APPROVED: _____
DATE: _____
DEPARTMENT OF
PERMITTING SERVICES
MONTGOMERY COUNTY, MD
APPROVED: _____
DATE: _____

PRELIMINARY PLAN
 "LAYHILL"
 ELECTON DISTRICT NO. 13
 MONTGOMERY COUNTY, MARYLAND

THOMAS A. MADDOX
 PROFESSIONAL LAND SURVEYOR
 1000 WOODLY GREEN DRIVE
 GAITHERSBURG, MD 20878
 (301) 941-1844

DATE APR 2002
 SCALE 1" = 50'

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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CERTIFIED PRELIMINARY PLAN
 The foregoing conditions are true and correct as shown on this preliminary plan and were approved by the Planning Board of Montgomery County, Maryland.
 Date: 4/16/02
 Signature: [Signature]

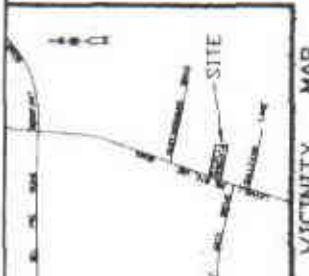


SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE BOUNDARY INFORMATION SHOWN HEREON IS CORRECT BASED ON EXISTING RECORDS AND VISUAL OBSERVATION.

Thomas A. Maddox
 THOMAS A. MADDOX, REG. PROFESSIONAL
 LAND SURVEYOR, NO. 10083
 DATE: 4/16/02

OWNER / APPLICANT
 A. RENT ANDERS
 5414 OLD GEORGETOWN ROAD
 BETHESDA, MARYLAND 20814-1722
 PH: (301) 887-9430

- NOTES:**
1. AREA OF PROPERTY - 4.89 AC
 2. AREA ADJACENT TO PUBLIC STREET - 0.86 AC
 3. EXISTING ZONING - R-50R
 4. MINIMUM LOT SIZE PERMITTED - 10,000 SF
 5. NUMBER OF LOTS PROPOSED - 1
 6. LOTS TO BE SERVED BY PUBLIC WATER AND SEWER
 7. EXISTING SEWER & WATER SERVICE
 8. CATERPILLER, S.I. W-1
 9. LOCATED IN NORTHWEST BRANCH
 10. WA FRESHEN
 11. REQUIRED SETBACKS:
 Frontyard - 40'
 Sideyard - 10' min., 20' max.
 Rearyard - 30'
 12. UTILITY SERVICE BY: PENNS. PENNSCO, VERBODEN, NASH, GAS





Action: Approved Staff Recommendation
Motion of Comm. Perdue, seconded by
Comm. Robinson with a vote of 5-0;

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

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-03044
NAME OF PLAN: LAYHILL

On 12/23/02, ALEX-ANDERS ASSOCIATES, INC. submitted an application for the approval of a preliminary plan of subdivision of property in the R-200 zone. The application proposed to create 2 lots on 4.30 acres of land. The application was designated Preliminary Plan 1-03044. On 02/20/03, Preliminary Plan 1-03044 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 1-03044 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-03044.

Approval, Under the DeMinimis provisions of the FY 2003 Annual Growth Policy, 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 plats or MCDPS issuance of sediment and erosion control permit, as appropriate
- (2) Prior to recording of plat(s) applicant must submit a final grading, house location and tree preservation plan for technical staff review
- (3) Prior to recording of plat(s) submit a final landscape plan for the area along the northern property line adjacent driveway location
- (4) Conditions of MCDPS stormwater management approval including an engineered sediment and erosion control plan at the time of building permit
- (5) Record plat to reference common ingress/egress easement over joint driveway
- (6) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all the property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- (7) The Adequate Public Facilities (APF) review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- (8) Other necessary easements

PLAT NO. 220071420

Unity

Located on the east side of Howard Chapel Road, approximately 2,300 feet north of Damascus Road (MD 650)

RDT zone; 1 lot

Private Well, Private Septic

Master Plan Area: Olney

Jeffery McGowan, Applicant

The record plat has been reviewed by M-NCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120060190, as approved by the Board, and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the aforesaid plan.

RECORD PLAT REVIEW SHEET

Plan Name: Mc Gowen Subdivision Plan Number: 120060190
 Plat Name: UNITY Plat Number: 220071420
 Plat Submission Date: 5-1-07
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: D. Kenney

Initial DRD Review:

Signed Preliminary Plan - Date 4/26/06 Checked: Initial SM Date 6/5/07
 Planning Board Opinion - Date 8/14/06 Checked: Initial SM Date 6-7-07
 Site Plan Req'd for Development? Yes No Verified By: SM (initial)
 Site Plan Name: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Signature Set - Date _____ Checked: Initial _____ Date _____
 Site Plan Reviewer Plat Approval: Checked: Initial _____ Date _____

Review Items: Lot # & Layout Lot Area Zoning Bearings & Distances
 Coordinates Plan # Road/Alley Widths Easements ok Open Space N/A
 Non-standard BRLs N/A Adjoining Land ok Vicinity Map ok Septic/Wells ok
 TDR note _____ Child Lot note N/A Surveyor Cert ok Owner Cert ok Tax Map

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>Almuday</u>	<u>5-14-07</u>	<u>6-1-07</u>	—	<u>No Comments</u>
Research	Bobby Fleury	↓	↓	<u>5-15-07</u>	<u>ok</u>
SHA	Doug Mills	↓	↓	—	—
PEPCO	Steve Baxter	↓	↓	—	—
Parks	Doug Powell	↓	↓	—	—
DRD	Steve Smith	↓	↓	<u>5-30-07</u>	<u>ok</u>

Final DRD Review:

DRD Review Complete: Initial ~~SM~~ SM Date 6/2/07
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): SM 6-7-07
 Final Mylar w/Mark-up & PDF Rec'd: SM 7-27-07
Board Approval of Plat:
 Plat Agenda: SM 9-6-07
 Planning Board Approval: _____
 Chairman's Signature: _____
DPS Approval of Plat:
 Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____
Plat Reproduction:
 Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

No. _____

OWNERS CERTIFICATE

Handwritten text in the Owners Certificate section, including names and dates.

CURVE TABLE with columns for stationing and curve data.

FLAT NO.

SURVEYOR'S CERTIFICATE

Text in the Surveyor's Certificate section, detailing the survey process.

Handwritten signatures and dates in the lower right section.

NOTES

Notes section containing technical details and observations.



AREA OF DEDICATION

Howard Chapel Road

ENGINEER'S CERTIFICATE
7/26/07
Handwritten signature

VICINITY MAP



SUBDIVISION RECORD PLAT
LOT 5
UNITY
ELECTION DISTRICT NO. 1
MONTGOMERY COUNTY, MARYLAND
JUNE, 2006 SCALE 1" = 100'

AREA TABULATION

Table with columns for area and volume calculations.

GRAPHIC SCALE



MADDOX
ENGINEERS & SURVEYORS
10000 WOODBURN ROAD
BETHESDA, MARYLAND 20814



Handwritten notes and signatures in the bottom right corner.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

Date Mailed: AUG - 4 2006
Hearing Date: April 27, 2006
Action: Approved Staff Recommendation
Motion of Commissioner Wellington,
seconded by Commissioner Robinson, with a
vote of 4-0;
Chairman Berlage and Commissioners
Perdue, Robinson, and Wellington voting in
favor. Commissioner Bryant absent.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan No. 120060190
NAME OF PLAN: McGowan Subdivision

The date of this written opinion is AUG - 4 2006 (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 within 30 days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

INTRODUCTION

On August 15, 2005, Jeffrey W. McGowan ("Applicant") submitted an application for the approval of a preliminary plan of subdivision of property in the Rural Density Transfer (RDT) zone. The application proposes to create one (1) lot on 11.35 acres of land located at the east side of Howard Chapel Road, approximately 2,400 feet north of the intersection with Damascus Road (MD 650), within the *Olney Master Plan* area ("Subject Property" or "Property"). The application was designated Preliminary Plan No. 120060190 (formerly 1-06019) ("Application"). On April 27, 2006, the Application was brought before the Montgomery County Planning Board ("Planning Board" or "Board") for a public hearing. At the public hearing, the Planning Board heard testimony and received evidence submitted in the record on the Application.

The record for this Application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the

information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the Application received by the Planning Board or its staff following submission of the Application and prior to the Board's action at the conclusion of the public hearing, from the Applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff ("Staff") concerning the Application, prior to the Board's action following the public hearing; and all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

SITE DESCRIPTION

The Subject Property, also known as "Parcel 279," is located on the east side of Howard Chapel Road, approximately 2,400 feet north of the intersection with Damascus Road (MD 650). Currently vacant, the Property is zoned RDT and consists of 11.35 acres.

PROJECT DESCRIPTION

The Application is for a preliminary plan of subdivision to create one (1) residential lot, for the construction of one (1) one-family detached dwelling unit. The proposed lot will be served by a private well and standard septic system. A driveway from Howard Chapel Road will provide access to the proposed lot. The Property will be subject to forest conservation requirements.

Generally, properties in the RDT zone must meet a minimum lot size requirement of 40,000 square feet and a density requirement of one (1) dwelling unit per 25 acres. The Subject Property consists of 11.35 acres. As such, the Application is submitted for review under the grandfathering provisions of Section 59-C-9.74(b)(2) of the Zoning Ordinance, as discussed below.

MASTER PLAN COMPLIANCE

Although the *Olney Master Plan* does not specifically identify the Subject Property for discussion, it does recommend retaining the existing zoning for this area and protecting local agricultural and natural resources. The Application proposes low-density residential development, which is appropriate for the RDT zone. The Application preserves rural open space associated with the stream buffers and protects existing forest resources. The existing environmentally sensitive area limits the opportunities for active agriculture on the Property.

SECTION 59-C-9.74 OF THE ZONING ORDINANCE

As previously stated, the RDT zone provides a minimum lot size requirement of 40,000 square feet and a minimum density requirement of 1 dwelling unit per 25 acres. Although the Subject Property consists of only 11.35 acres, it qualifies for an exemption under Section 59-C-9.74 (b)(2) of the Zoning Ordinance, which states:

- (b) The following lots are exempt from the area and dimensional requirements of Section 59-C-9.4 but must meet the requirements of the zone applicable to them prior to their classification in the Rural Density Transfer zone.

* * *

- (2) A lot created by deed executed on or before the approval date of the sectional map amendment, which initially zoned the property to the Rural Density Transfer Zone.

The RDT zone was established in the 1980s. The Applicant submitted for the Record a copy of a deed demonstrating that the Property has existed in its current configuration since at least 1974. As such, Section 59-C-9.74(b)(2) applies and the Subject Property is exempt from the minimum lot size requirement of the RDT zone.

FOREST CONSERVATION

The Applicant submitted a Preliminary Forest Conservation Plan as part of the Application. Under Montgomery County Code ("Code") Section 22A-12(f), properties within agricultural resource areas must plant or retain a certain percentage of the forest onsite. The Applicant will exceed both the 25 percent retention threshold and the break-even point by preserving 8.57 acres of existing forest on the Property. A Category I Forest Conservation Easement will protect this forested area permanently.

STAFF RECOMMENDATION

Staff recommended approval of the Application based on the findings and subject to the conditions listed in its memorandum dated March 31, 2006 ("Staff Report" or "Report").

FINDINGS

Having given full consideration to the recommendations of its Staff, the recommendations of the applicable public agencies,¹ the Applicant's position, and other

¹ The Application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission (WSSC), the Montgomery County Department of Public Works and Transportation (MCDPWT), the Montgomery County

evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board, based on the uncontested evidence of record and with the conditions of approval, finds:

- a) Pursuant to Code Section 50-35(l), that Preliminary Plan No. 120060190 substantially conforms to the Olney Master Plan.
- b) Pursuant to Code Section 50-35(k), that public facilities will be adequate to support and service the area of the proposed subdivision.
- c) Pursuant to Code Section 50-29(a)(1), that the size, width, shape, and orientation of the proposed lot are appropriate for the location of the subdivision. The Planning Board hereby adopts the analysis set forth in detail above regarding the Property's exemption status under §59-C-9.74 (b)(2).
- d) That the Application satisfies all the applicable requirements of the Forest Conservation Law contained in Code Chapter 22A. Based on a concern raised by an adjacent property owner at the hearing regarding buffering between her property and the Subject Property, the Planning Board added Condition No. 3.
- e) That the Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services (MCDPS) that the Stormwater Management Concept Plan meets MCDPS standards.
- f) The Board further finds that any objection concerning a substantive issue that was not raised prior to the closing of the Record is waived.

CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 120060190 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 120060190, subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to one (1) residential lot.
- 2) Compliance with all conditions of approval of the preliminary forest conservation plan per Environmental Planning memo dated March 31, 2006 including split-rail fencing to be placed to the west of the proposed driveway along its entire length where it adjoins the conservation easement. The Applicant shall satisfy all conditions prior to recording of plat(s), or Montgomery County Department of

Department of Permitting Services, and the various public utilities, all of which recommended approval of the Application.

Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.

- 3) Prior to the issuance of a building permit the Applicant shall submit and Staff shall review and approve tree save measures for specimen trees shown outside of the limit of disturbance (LOD).
- 4) Record plat of subdivision shall reflect a Category 1 Forest Conservation Easement over all protected forest and environmental buffer areas as shown on the preliminary forest conservation plan (PFCP).
- 5) Compliance with conditions of MCDPWT letter dated, October 25, 2005, unless otherwise amended.
- 6) The Applicant shall dedicate all road rights-of-way shown on the approved Preliminary Plan to the full width mandated by the Master Plan unless otherwise designated on the Preliminary Plan.
- 7) Compliance with the conditions of the MCDPS stormwater management approval dated January 27, 2006.
- 8) Compliance with conditions of MCDPS (Health Dept.) septic approval dated March 3, 2006.
- 9) Include in submission of record plat an affidavit to verify the availability of a TDR for each existing and proposed dwelling unit shown on the approved Preliminary Plan. Include a note referencing affidavit on record plat.
- 10) Revise the Preliminary Plan drawing to include a note stating the 10% Primary Management Area (PMA) imperviousness requirement for the site, and the proposed imperviousness of the Preliminary Plan.
- 11) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.


* * * * *

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

APPROVED AS TO LEGAL SUFFICIENCY
[Signature]
MONTGOMERY COUNTY LEGAL DEPARTMENT

CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on **Thursday, July 27, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, with four Commissioners present, and Commissioner Byrant necessarily absent, **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Preliminary Plan Review No. 120060190, McGowan Subdivision.**



Certification As To Vote of Adoption
M. Clara Moise, Technical Writer

PLAT NO. 220071660

H.M. Martin's 3rd Addition to Chevy Chase

Located in the northeast quadrant of the intersection of Raymond Street and Brookville Road (MD186)

R-60 zone; 1 lot

Community Water, Community Sewer

Master Plan Area: Bethesda – Chevy Chase

McNamara LLC, Applicant

Staff recommends approval of this minor subdivision plat pursuant to section **50-35A (a)(3)** of the Subdivision Regulations, which states:

Consolidation of Two or More Lots or a Part of a lot into One Lot. Consolidating more than one lot into a single lot is permitted under the minor subdivision procedure provided:

- a. Any conditions applicable to the original subdivision remain in full force and effect and the number of trips generated on the new lot do not exceed those permitted for the original lots or as limited by an Adequate Public Facilities agreement.
- b. Any consolidation involving a part of a lot may occur under the minor subdivision process if the part of a lot was created by deed recorded prior to June 1, 1958

Staff applied the above-noted minor subdivision criteria for this property and concludes that the proposed subdivision complies with the criteria of Section 50-35A (a)(3) of the subdivision regulations and supports this minor subdivision record plat.

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: HM Martin's 3rd Addition Plat Number: 120071460
 Plat Submission Date: 6-29-07
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: _____

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Name if applicable: _____ Site Plan Number: _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____

Lot # & Layout Lot Area Zoning Bearings & Distances Coordinates
 Plan # N/A Road/Alley Widths ok Easements ok Open Space N/A Non-standard
 BRLs N/A Adjoining Land ok Vicinity Map ok Septic/Wells N/A TDR note N/A
 Child Lot note N/A Surveyor Cert ok Owner Cert ok Tax Map ok SPA N/A

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>E.P.</u>	<u>7-10-07</u>	<u>7-27-07</u>	<u>7-11-07</u>	<u>No comments</u>
Research	Bobby Fleury				<u>OK</u>
SHA	Doug Mills				
PEPCO	Steve Baxter				
Parks	Doug Powell				
DRD	Nellie Carey			<u>7-26-07</u>	<u>OK</u>

Final DRD Review:

DRD Review Complete:
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up):
 Final Mylar w/Mark-up & PDF Rec'd:

Initial	Date
<u>SJS</u>	<u>8/21/07</u>
<u>CS</u>	<u>8-1-07</u>
<u>SJS</u>	<u>8-20-07</u>

Board Approval of Plat:

Plat Agenda:
 Planning Board Approval:
 Chairman's Signature:

<u>SJS</u>	<u>9-6-07</u>
_____	_____
_____	_____

DPS Approval of Plat:

Engineer Pick-up for DPS Signature:
 Final Mylar for Reproduction Rec'd:

_____	_____
_____	_____

Plat Reproduction:

Addressing:
 File Card Update:
 Final Zoning Book Check:
 Update Address Books with Plat #:
 Update Green Books for Resubdivision:
 Notify Engineer to Seal Plats:
 Engineer Seal Complete:
 Complete Reproduction:
 Sent to Courthouse for Recordation:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

No. _____

RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: _____

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____
- b) Original Plat identified: _____

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____

g) **Approved Special Exception:**

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

a) **Number of Lots:**

b) **Written MCDPS approval of proposed septic area:**

c) **Required street dedication:**

d) **Easement for balance of property noting density and TDRS:**

e) **Average lot size of 5 acres:**

f) **Forest Conservation requirements met:**

PLAT NO.

OWNERS' CERTIFICATE

WE, MANAMA, LLC, A MARYLAND LIMITED LIABILITY CORP., OWNERS OF THE PROPERTY, SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND ESTABLISH THE TEN (10) FOOT PUBLIC UTILITY EASEMENT SHOWN HEREON AS 10' P.U.E. FOR THE PARTIES NAMED IN THE DOCUMENT ENTITLED "SUBDIVISION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" RECORDED IN LIBER 3834 AT FOLIO 437 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND. THERE ARE NO LEASES, LENS OR TRUSTS ON THE PROPERTY INCLUDED ON THIS PLAN OF SUBDIVISION EXCEPT FOR A CERTAIN DEED OF TRUST HELD BY FIRST SAVINGS MORTGAGE CORP. AND THE PARTIES OF INTEREST THEREIN HEREBY ASSENT TO THIS PLAN OF SUBDIVISION.

DATE

ROBERT MANAMA, PRESIDENT
MANAMA, LLC, MARYLAND
LIMITED LIABILITY CORPORATION

WE HEREBY ASSENT TO THIS PLAN OF SUBDIVISION.

7-15-07
DATE

FIRST SAVINGS MORTGAGE CORP.
LARRY PULIN, PRESIDENT

WITNESS

Edmond

H W C

VICINITY MAP
ADC MAP PAGE 38
GRID D-13
SCALE: 1" = 2000'



GENERAL NOTES

1. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE UNLESS MODIFIED BY FURTHER ACTIONS BY THE BOARD. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
2. THIS PLAT CONFORMS WITH REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS CONTAINED IN SECTION 50-35.4 OF THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING CHAPTER 30 OF THE COUNTY CODE. THIS PLAT INVOLVES A CONSOLIDATION OF TWO OR MORE LOTS OR PARTS OF LOTS INTO ONE LOT AS PROVIDED FOR IN SECTION 50-35.4 (G)(3).
3. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE THE EXAMINATION OF TITLE OR TO DEPECT OR NOTE ALL MATTERS AFFECTING TITLE.
4. THE APPROVAL OF THIS PLAT IS PREDICATED ON THE ADEQUACY AND AVAILABILITY OF PUBLIC WATER AND SEWER.
5. THIS PROPERTY IS CURRENTLY ZONED R-60.
6. ALL EXISTING AND PROPOSED DEVELOPMENT ON THIS PROPERTY IS SUBJECT TO THE STANDARDS UNDER MONTGOMERY COUNTY ZONING ORDINANCE R-60 ZONE.
7. LOTS SHOWN HEREON APPEAR ON MONTGOMERY COUNTY TAX MAP HN 563 AND W.S.C. SHEET #209 NW 01.
8. THIS PROPERTY IS NOT SUBJECT TO CHAPTER 22A MONTGOMERY COUNTY FOREST CONSERVATION LAW.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT IT IS A RESUBDIVISION OF ALL OF THE LANDS CONVERTED TO MANAMA, LLC, KNOWN AS LOT 39 AND LOT 40 AS SHOWN ON A PLAN OF SUBDIVISION OF H.M. MARTINS THIRD ADDITION TO CHEVY CHASE AND BEING RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN PLAT BOOK 1, PLAT NO. 70. SAID LOT 39 AND LOT 40 HAVING BEEN CONVEYED BY DEED TO THE POWER OF ATTORNEY REPRESENTATIVE OF THE ESTATE OF HARRIET H. ESON BY DEED DATED JUNE 20, 2007, AS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY IN LIBER 34464, FOLIO 325, AND THAT PROPERTY CORNERS MARKED TRUS ARE IN PLACE AS SHOWN HEREON. THE TOTAL AREA INCLUDED ON THIS PLAN OF SUBDIVISION IS 14,008.0 SQUARE FEET, NONE OF WHICH IS DEDICATED TO PUBLIC USE.

Edward E. Patis
JERRY L. OSBER
PROFESSIONAL LAND SURVEYOR
MARYLAND REG. #17129

6/16/2007
DATE

M-NCPCC Record File No.:

Department of Permitting Services Montgomery County, Maryland	Received: _____ Plat No: _____	Drafted: A.L.W. Checked: J.E.S. Job No: 07-2003MRP
Maryland National Capital Park and Planning Commission Montgomery County Planning Board		
Approved: _____	Chairman _____	Secretary - Treasurer _____

Lot 158	Area Tabulation
Dedication Area =	14,008.0 S.F. or 0.3216 Acres
Total Area =	14,008.0 S.F. or 0.3216 Acres



SUBDIVISION RECORD PLAT
LOT 158
H.M. MARTINS THIRD ADDITION
TO
CHEVY CHASE
BETHESDA (7th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 20' JUNE 2007

Prepared by
SNIDER & ASSOCIATES
LAND SURVEYORS
20270 Goldenrod Lane, Suite 110
Germantown, Maryland 20876
301/948-5100 Fax 301/948-1286