



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

MCPB
Item #
04/05/07

MEMORANDUM

DATE: March 20, 2007

TO: Montgomery County Planning Board

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

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for April 05, 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 plat drawings for the record plat. The following plats are included:

220070460 - 220070470 – Greenway Village (2)

PLAT NO. 220070460 - 22007047

Greenway Village (Preliminary Plan: Greenway Village)

Located on the north quadrant, intersection of Skylark Road and Ridge Road

PD-4 zone; 6 Parcels

Community Water, Community Sewer

Master Plan Area: Clarksburg Vicinity

The Artery Group, Applicant

This record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Record Plat Review Sheet. Staff has determined that the plat complies with Preliminary Plan Nos. 12002033A, 12002033B and Site Plan No. 82004022A, 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 preliminary and site plan.

RECORD PLAT REVIEW SHEET

Plan Name: Greenway Village Plan Number: 1-02033A/1-02033B
 Plat Name: Parcel 1, 2, & 3 Plat Number: 220070460
 Plat Submission Date: 10/23/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Cathy Wilson / Shanahan

Initial DRD Review:

Signed Preliminary Plan - Date 7/24/06 Checked: Initial CAC Date 12/11/06
 Planning Board Opinion - Date 10/07/06 Checked: Initial PW Date 11/13/06
 Site Plan Req'd for Development? Yes No Verified By: PW (initial)
 Site Plan Name: Greenway Village Site Plan Number: S 2004022A
 Planning Board Opinion - Date 8/09/06 Checked: Initial PW Date 11/13/06
 Site Plan Signature Set - Date 9/11/06 Checked: Initial RAH Date 12.12.06
 Site Plan Reviewer Plat Approval: Checked: Initial RAH Date 12.12.06

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M.P.</u>	<u>11/1/06</u>	<u>11/17/06</u>	<u>11/15/06</u>	<u>see 10th review</u>
Research	Bobby Fleury			<u>11/17/06</u>	<u>OK</u>
SHA	Doug Mills			<u>NC</u>	<u>OK</u>
PEPCO	Steve Baxter			<u>NC</u>	<u>OK</u>
Parks	Doug Powell			<u>NC</u>	<u>OK</u>
DRD	Steve Smith			<u>11/17/06</u>	<u>see 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:

Initial TA Date 3/19/07
TA 12/12/06
TA 3/15/07

Board Approval of Plat:

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

TA 4/5/07

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

Plan Name: Greenway Village Plan Number: 1.02033A / 1.02033B
 Plat Name: Parces M, N + O Plat Number: 220070470
 Plat Submission Date: 10/23/06
 DRD Plat Reviewer: PW
 DRD Prelim Plan Reviewer: Cathy Lohan / Shaneman

Initial DRD Review:

Signed Preliminary Plan - Date 7/24/06 Checked: Initial _____ Date _____
 Planning Board Opinion - Date 10/07/06 Checked: Initial PW Date 11/13/06
 Site Plan Req'd for Development? Yes No _____ Verified By: PW (initial)
 Site Plan Name: Greenway Village Site Plan Number: S 2004022A
 Planning Board Opinion - Date 8/09/06 Checked: Initial PW Date 11/13/06
 Site Plan Signature Set - Date 9/11/06 Checked: Initial PAK Date 12.12.06
 Site Plan Reviewer Plat Approval: Checked: Initial PAK Date 12.12.06

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>MP</u>	<u>11/1/07</u>	<u>11/17/06</u>	<u>11/15/06</u>	<u>see comment</u>
Research	Bobby Fleury	↓	↓	<u>11/16/06</u>	<u>OK</u>
SHA	Doug Mills			<u>NC</u>	<u>OK</u>
PEPCO	Steve Baxter			<u>NC</u>	<u>OK</u>
Parks	Doug Powell			<u>NC</u>	<u>OK</u>
DRD	Steve Smith			<u>11/17/06</u>	<u>see 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:

Initial	Date
<u>TA</u>	<u>3/17/07</u>
<u>TA</u>	<u>12/12/06</u>
<u>TA</u>	<u>3/15/07</u>
<u>TA</u>	<u>4/5/07</u>

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:

No. _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF PART OF THE PROPERTY ACQUIRED BY CLARKSBURG SKYLARK, L.L.C., A MARYLAND LIMITED LIABILITY COMPANY FROM ESTELLE D'AMARO, ET AL., BY DEED DATED MARCH 26, 2001 AND RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, IN LIBER 19158 AT FOLIO 440; I FURTHER CERTIFY THAT IF ENGAGED, I WILL SET ALL PROPERTY CORNER MARKERS IN ACCORDANCE WITH SECTION 50-24(C) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

THAT THE TOTAL AREA INCLUDED IN THIS SUBDIVISION RECORD PLAT IS 304,763 SQUARE FEET OR 7.00 ACRES OF LAND. THERE IS NO STREET DEDICATION BY THIS PLAT.

DATE: 2-20-2007

[Signature]
 RONALD L. COLLIER
 PROFESSIONAL LAND SURVEYOR
 MARYLAND No. 25014

SCALE: 1"=60'
 MARYLAND STATE PLANE
 DATUM (AND 83/91)

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE PROPERTY SHOWN HEREON, AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPTS THIS SUBDIVISION RECORD PLAT, ESTABLISHES THE MINIMUM BUILDING RESTRICTION LINES; GRANTS PUBLIC UTILITY EASEMENTS, AS SHOWN HEREON AND DESIGNATED AS "P.U.E." TO THE PARTIES LISTED AND WITH THE TERMS AND PROVISIONS BEING SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "DECLARATION OF PUBLIC UTILITY EASEMENT", RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, IN LIBER 3834 AT FOLIO 457, WHICH SAID TERMS AND PROVISIONS ARE INCORPORATED HEREIN, BY THIS REFERENCE; GRANTS TO MONTGOMERY COUNTY, MARYLAND, PUBLIC IMPROVEMENT EASEMENTS, AS SHOWN HEREON, AND DESIGNATED AS "P.I.E." WITH THE TERMS AND PROVISIONS OF SAID EASEMENTS BEING SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "DECLARATION OF PUBLIC IMPROVEMENT EASEMENTS" RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 22417 AT FOLIO 812, WHICH SAID TERMS AND PROVISIONS ARE INCORPORATED HEREIN BY THIS REFERENCE; GRANTS TO MONTGOMERY COUNTY, MARYLAND TEMPORARY SLOPE EASEMENTS AS SHOWN HEREON, ADJACENT, CONTIGUOUS, AND PARALLEL TO THE STREET RIGHT OF WAY LINES, SAID SLOPE EASEMENTS SHALL BE TERMINATED AFTER ALL PUBLIC IMPROVEMENTS ABUTTING SAID EASEMENTS HAVE BEEN LAWFULLY COMPLETED AND ACCEPTED FOR MAINTENANCE BY MONTGOMERY COUNTY, MARYLAND; ESTABLISH THE CATEGORY 1 CONSERVATION EASEMENTS SHOWN HEREON WITH THE TERMS AND PROVISIONS OF SAID EASEMENTS BEING SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "CONSERVATION EASEMENT", CATEGORY 1 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 13178 AT FOLIO 412; SUBJECT TO ALL CURRENT AND APPLICABLE REGULATIONS OF ALL FEDERAL, STATE AND LOCAL GOVERNING AGENCIES.

THE OWNER CERTIFIES THAT A LICENSED LAND SURVEYOR WILL BE ENGAGED TO SET ALL PROPERTY CORNER MARKERS IN ACCORDANCE WITH SECTION 50-24(c) OF THE MONTGOMERY COUNTY CODE.

THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS OR TRUSTS ON THE PROPERTY INCLUDED IN THIS SUBDIVISION RECORD PLAT, EXCEPT A CERTAIN DEED OF TRUST AND THE PARTIES IN INTEREST THEREIN HAVE BELOW INDICATED THEIR ASSENT.

CLARKSBURG SKYLARK, L.L.C.
 A MARYLAND LIMITED LIABILITY COMPANY
 BY: ARTERY-BEAZER CLARKSBURG, L.L.C.
 A MARYLAND LIMITED LIABILITY COMPANY, MEMBER

BEAZER CLARKSBURG, L.L.C.
 A MARYLAND LIMITED LIABILITY COMPANY,
 MEMBER OF ARTERY-BEAZER CLARKSBURG, L.L.C.
 BY: BEAZER HOMES CORP.,
 A TENNESSEE CORPORATION, SOLE MEMBER

BY: ARTERY CLARKSBURG, L.L.C.
 A MARYLAND LIMITED LIABILITY COMPANY, MEMBER
 MEMBER OF ARTERY-BEAZER CLARKSBURG, L.L.C.
 BY: THE ARTERY GROUP, L.L.C.
 A MARYLAND LIMITED LIABILITY COMPANY, MANAGING MEMBER

DATE: 2/26/07

DATE: 2/2/07

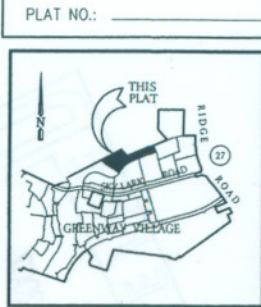
WITNESS: *[Signature]* BY: *[Signature]*
 BERNARD J. RAFFERTY,
 SR. VICE PRESIDENT

WITNESS: *[Signature]* BY: *[Signature]*
 DAVID L. CARNEY, PRESIDENT
 MARYLAND DIVISION

WE HEREBY ASSENT TO THIS PLAT OF SUBDIVISION.
 DATE: 3/2/2007 *[Signature]*
 M. BERENTHOS, TRUSTEE

DATE: 3/2/2007 *[Signature]*
 Terence C. SHANKS, TRUSTEE

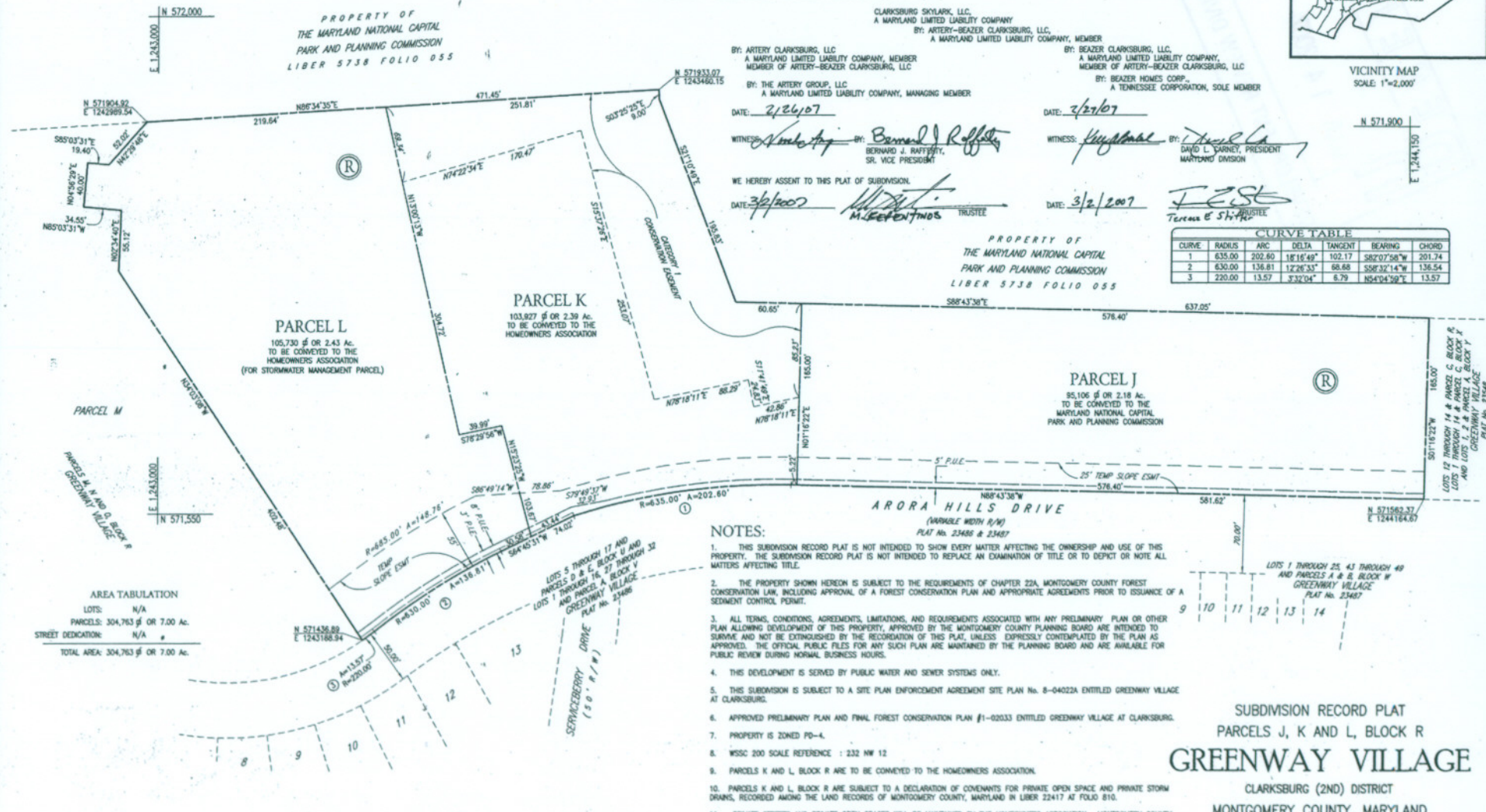
PROPERTY OF
 THE MARYLAND NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION
 LIBER 5738 FOLIO 055



VICINITY MAP
 SCALE: 1"=2,000'

N 571,900
 E 1,244,150

CURVE TABLE					
CURVE	RADIUS	ARC	DELTA	TANGENT	CHORD
1	635.00	202.80	18°16'49"	102.17	S82°07'58"W 201.74
2	630.00	138.81	1°26'33"	68.88	S58°32'14"W 138.54
3	220.00	13.57	3°32'04"	6.79	N54°04'39"E 13.57



NOTES:

- THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
- THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF CHAPTER 22A, MONTGOMERY COUNTY FOREST CONSERVATION LAW, INCLUDING APPROVAL OF A FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEDIMENT CONTROL PERMIT.
- ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDED OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- THIS DEVELOPMENT IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS ONLY.
- THIS SUBDIVISION IS SUBJECT TO A SITE PLAN ENFORCEMENT AGREEMENT SITE PLAN No. 8-04022A ENTITLED GREENWAY VILLAGE AT CLARKSBURG.
- APPROVED PRELIMINARY PLAN AND FINAL FOREST CONSERVATION PLAN #1-02033 ENTITLED GREENWAY VILLAGE AT CLARKSBURG.
- PROPERTY IS ZONED PD-4.
- WSSC 200 SCALE REFERENCE: 1:232 NW 12
- PARCELS K AND L, BLOCK R ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION.
- PARCELS K AND L, BLOCK R ARE SUBJECT TO A DECLARATION OF COVENANTS FOR PRIVATE OPEN SPACE AND PRIVATE STORM DRAINS, RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 22417 AT FOLIO 810.
- PRIVATE STREETS AND PRIVATE OPEN SPACES WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. MONTGOMERY COUNTY, MARYLAND WILL NOT PARTICIPATE IN THE MAINTENANCE OF THESE PRIVATE FACILITIES.
- THIS SITE IS SUBJECT TO AN AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD REGARDING ADEQUATE PUBLIC FACILITIES.

FOR PUBLIC WATER AND SEWER SYSTEMS ONLY
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 MONTGOMERY COUNTY PLANNING BOARD
 APPROVED: _____
 CHAIRMAN ASST. SECRETARY-TREASURER

DEPARTMENT OF PERMITTING SERVICES, MONTGOMERY COUNTY
 APPROVED: _____ DATE _____
 DIRECTOR

3 PARCELS TAX MAP EW
 RECORDED: _____
 PLAT NO.: _____

SUBDIVISION RECORD PLAT
 PARCELS J, K AND L, BLOCK R
GREENWAY VILLAGE
 CLARKSBURG (2ND) DISTRICT
 MONTGOMERY COUNTY, MARYLAND
 FEBRUARY, 2007
 SCALE: 1"=60'

CPI Charles F. Johnson & Associates, Inc.
 800 and Environmental Systems - Member - Landmark Software - Surveyors
 1000 Old Mill Rd., Suite 100, Clarksville, MD 21031
 410-326-1100 • Fax: 410-326-1101 • www.cpi-surveyors.com

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE PROPERTY SHOWN HEREON, AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPTS THIS SUBDIVISION RECORD PLAT, ESTABLISHES THE MINIMUM BUILDING RESTRICTION LINES, GRANTS PUBLIC UTILITY EASEMENTS, AS SHOWN HEREON AND DESIGNATED AS "P.U.E." TO THE PARTIES LISTED AND WITH THE TERMS AND PROVISIONS BEING SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "DECLARATION OF PUBLIC UTILITY EASEMENT" RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 3834 AT FOLIO 457, WHICH SAID TERMS AND PROVISIONS ARE INCORPORATED HEREIN, BY THIS REFERENCE; GRANTS TO MONTGOMERY COUNTY, MARYLAND, PUBLIC IMPROVEMENT EASEMENTS, AS SHOWN HEREON, AND DESIGNATED AS "P.I.E." WITH THE TERMS AND PROVISIONS OF SAID EASEMENTS BEING SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED "DECLARATION OF PUBLIC IMPROVEMENT EASEMENTS" RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 22417 AT FOLIO 812, WHICH SAID TERMS AND PROVISIONS ARE INCORPORATED HEREIN BY THIS REFERENCE; GRANTS TO MONTGOMERY COUNTY, MARYLAND TEMPORARY SLOPE EASEMENTS AS SHOWN HEREON, ADJACENT, CONTIGUOUS, AND PARALLEL TO THE STREET RIGHT OF WAY LINES, SAID SLOPE EASEMENTS SHALL BE TERMINATED AFTER ALL PUBLIC IMPROVEMENTS RESULTING SAID EASEMENTS HAVE BEEN LAWFULLY COMPLETED AND ACCEPTED FOR MAINTENANCE BY MONTGOMERY COUNTY, MARYLAND; SUBJECT TO ALL CURRENT AND APPLICABLE REGULATIONS OF ALL FEDERAL, STATE AND LOCAL GOVERNING AGENCIES.

THE OWNER CERTIFIES THAT A LICENSED LAND SURVEYOR WILL BE ENGAGED TO SET ALL PROPERTY CORNER MARKERS IN ACCORDANCE WITH SECTION 50-24(e) OF THE MONTGOMERY COUNTY CODE.

THERE ARE NO SUIUS, ACTIONS AT LAW, LEASES, LIENS OR TRUSTS ON THE PROPERTY INCLUDED IN THIS SUBDIVISION RECORD PLAT, EXCEPT A CERTAIN DEED OF TRUST AND THE PARTIES IN INTEREST THEREIN HAVE BELOW INDICATED THEIR ASSENT.

CLARKSBURG SKYLARK, LLC,
A MARYLAND LIMITED LIABILITY COMPANY

BY: ARTERY CLARKSBURG, LLC
A MARYLAND LIMITED LIABILITY COMPANY, MEMBER

BY: THE ARTERY GROUP, LLC
A MARYLAND LIMITED LIABILITY COMPANY, MANAGING MEMBER

DATE: 2/26/07

WITNESSES: *Bernard J. Rafferty*
BERNARD J. RAFFERTY,
SR. VICE PRESIDENT

WE HEREBY ASSENT TO THIS PLAT OF SUBDIVISION.

DATE: 3/2/2007

A. G. Roberts
TRUSTEE

BY: BEAZER CLARKSBURG, LLC,
A MARYLAND LIMITED LIABILITY COMPANY, MEMBER

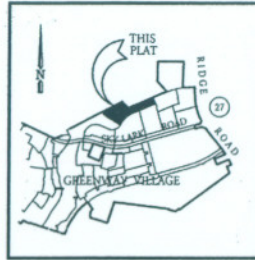
BY: BEAZER HOMES CORP.,
A TENNESSEE CORPORATION, SOLE MEMBER

DATE: 2/26/07

WITNESSES: *David L. Earnest*
DAVID L. EARNEST, PRESIDENT
MARYLAND DIVISION

DATE: 3/2/2007

Terence G. St. Pierre
TRUSTEE



VICINITY MAP
SCALE: 1"=2,000'

SCALE: 1"=80'
MARYLAND STATE PLANE
GTRM (NAD 83/91)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF PART OF THE PROPERTY ACQUIRED BY CLARKSBURG SKYLARK, L.L.C., A MARYLAND LIMITED LIABILITY COMPANY FROM ESTELLE DANAHO, ET AL., BY DEED DATED MARCH 26, 2001 AND RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 19156 AT FOLIO 440; THAT IT IS ALSO A RESUBDIVISION OF PARCEL B, BLOCK R AS SHOWN ON A SUBDIVISION RECORD PLAT ENTITLED "PARCELS G & H, BLOCK D AND PARCEL B, BLOCK K" AND RECORDED AMONG THE AFORESAID LAND RECORDS AS PLAT No. 23024. I FURTHER CERTIFY THAT IF ENGAGED, I WILL SET ALL PROPERTY CORNER MARKERS IN ACCORDANCE WITH SECTION 50-24(e) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

I FURTHER CERTIFY THAT THE 100 YEAR FLOOD PLAIN SHOWN HEREON IS AN ACCURATE REPRESENTATION OF THE FLOOD PLAN STUDY REFERENCED IN NOTE #14.

THAT THE TOTAL AREA INCLUDED IN THIS SUBDIVISION RECORD PLAT IS 339,057 SQUARE FEET OR 7.78 ACRES OF LAND. THERE IS NO STREET DEDICATION BY THIS PLAT.

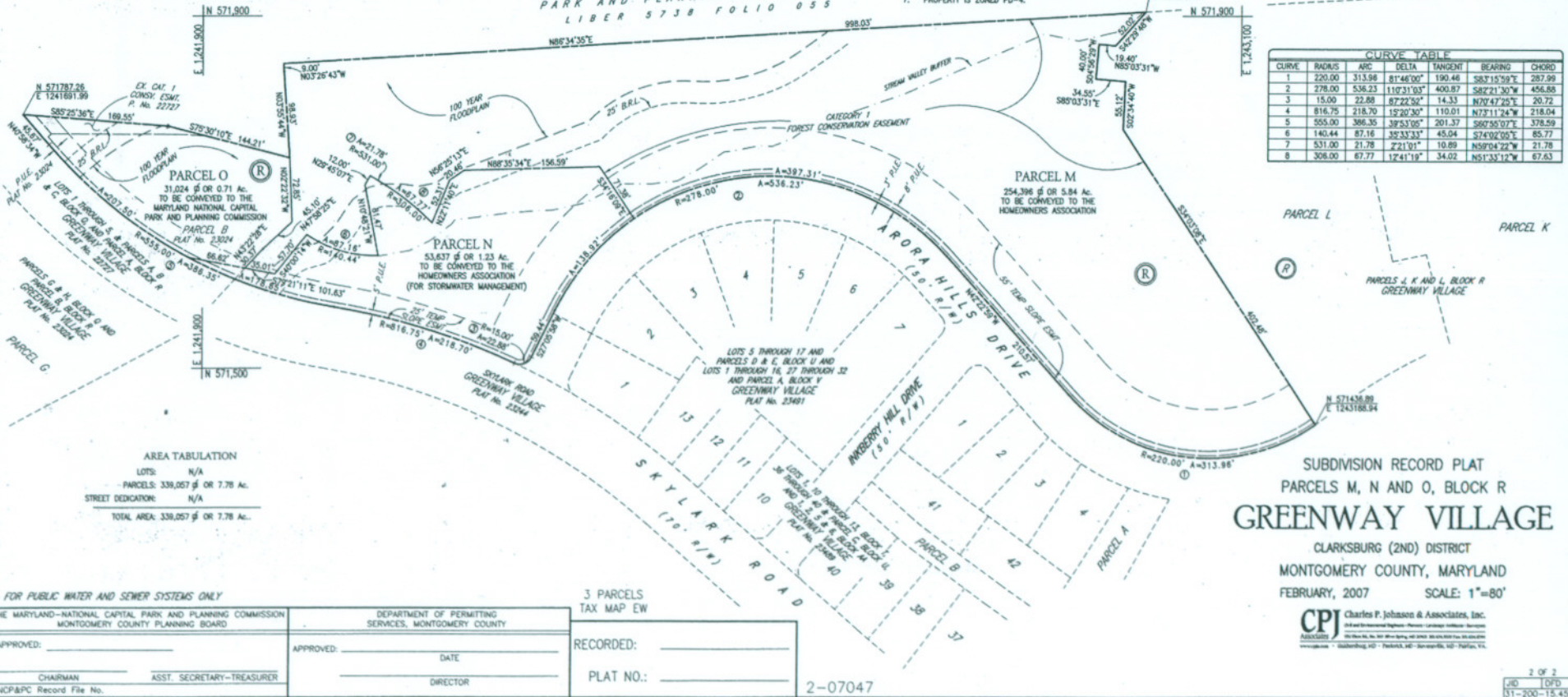
DATE: 2-20-2007

Ronald L. Collier
RONALD L. COLLIER
PROFESSIONAL LAND SURVEYOR
MARYLAND No. 20014

NOTES:

- THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY WATER AFFECTING THE OWNERSHIP AND USE OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPECT OR NOTE ALL MATTERS AFFECTING TITLE.
- THE PROPERTY SHOWN HEREON IS SUBJECT TO CHAPTER 22A, REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW, INCLUDING APPROVAL OF A FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEDIMENT CONTROL PERMIT.
- ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN OR OTHER PLAN ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED. THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- THIS DEVELOPMENT IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS ONLY.
- THIS SUBDIVISION IS SUBJECT TO A SITE PLAN ENFORCEMENT AGREEMENT - SITE PLAN No. 8-040224 ENTITLED GREENWAY VILLAGE AT CLARKSBURG.
- APPROVED PRELIMINARY PLAN AND FINAL FOREST CONSERVATION PLAN #1-02033 ENTITLED GREENWAY VILLAGE AT CLARKSBURG.
- PROPERTY IS ZONED PO-4.
- WSSC 200 SCALE REFERENCE : 232 NW 12
- PARCELS M AND H, BLOCK R ARE TO BE CONVEYED TO THE HOMEOWNERS ASSOCIATION.
- PARCELS M AND H, BLOCK R ARE SUBJECT TO A DECLARATION OF COVENANTS FOR PRIVATE OPEN SPACE AND PRIVATE STORM DRAINS, RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN LIBER 22417 AT FOLIO 810.
- PRIVATE STREETS AND PRIVATE OPEN SPACES WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. MONTGOMERY COUNTY, MARYLAND WILL NOT PARTICIPATE IN THE MAINTENANCE OF THESE PRIVATE FACILITIES.
- THIS SITE IS SUBJECT TO AN AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD REGARDING ADEQUATE PUBLIC FACILITIES.
- THE SOURCE OF THE 100 YEAR FLOOD PLAIN SHOWN HEREON IS A FLOOD PLAN STUDY BY CHARLES P. JOHNSON & ASSOC., DATED NOVEMBER, 2001 AND APPROVED BY DPS IN A LETTER DATED FEBRUARY 13, 2002.
- VEHICULAR ACCESS TO SKYLARK ROAD IS DENIED EXCEPT AT APPROVED INTERSECTIONS.

PROPERTY OF
THE MARYLAND NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
LIBER 5738 FOLIO 055



CURVE TABLE						
CURVE	RADIUS	ARC	DELTA	TANGENT	BEARING	CHORD
1	220.00	313.96	81°46'00"	190.46	S83°15'59"W	287.99
2	278.00	536.23	110°31'03"	400.87	S82°21'30"W	456.88
3	15.00	22.88	87°22'52"	14.33	N70°47'28"E	20.72
4	816.75	218.70	15°20'30"	110.01	N79°11'24"W	218.04
5	555.00	386.35	38°53'00"	201.37	S67°55'07"E	378.59
6	140.44	87.16	38°33'33"	45.04	S74°00'00"E	85.77
7	531.00	21.78	2°21'01"	10.89	N59°04'22"W	21.78
8	308.00	67.77	12°41'19"	34.02	N51°33'12"W	67.63

AREA TABULATION
LOTS: N/A
PARCELS: 339,057 sq. ft. OR 7.78 AC.
STREET DEDICATION: N/A
TOTAL AREA: 339,057 sq. ft. OR 7.78 AC.

SUBDIVISION RECORD PLAT
PARCELS M, N AND O, BLOCK R
GREENWAY VILLAGE
CLARKSBURG (2ND) DISTRICT
MONTGOMERY COUNTY, MARYLAND
FEBRUARY, 2007
SCALE: 1"=80'

CPJ Charles P. Johnson & Associates, Inc.
200 West International Highway, Pikesville, Maryland 21076
Tel: 410-326-1100 Fax: 410-326-1101
www.cpj-surveyors.com

FOR PUBLIC WATER AND SEWER SYSTEMS ONLY

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION MONTGOMERY COUNTY PLANNING BOARD	DEPARTMENT OF PERMITTING SERVICES, MONTGOMERY COUNTY	3 PARCELS TAX MAP EW
APPROVED: _____	APPROVED: _____ DATE: _____	RECORDED: _____
CHAIRMAN _____ ASST. SECRETARY-TREASURER _____	DIRECTOR _____	PLAT NO.: _____

2-07047

2 of 2
JOB 107D
11-200-15,45A

DATE	7/1/2007
PROJECT NO.	07-001
DATE	7/1/2007
PROJECT NO.	07-001
DATE	7/1/2007
PROJECT NO.	07-001
DATE	7/1/2007
PROJECT NO.	07-001

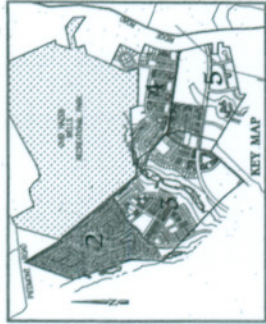
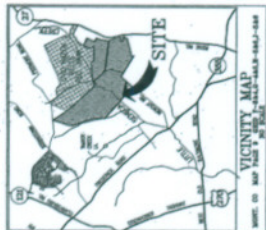


TABLE 1: PROPOSED UNIT TYPES

Unit Type	Count	Area (sq ft)	Volume (cu ft)
1-BR	100	100,000	1,000,000
2-BR	200	200,000	2,000,000
3-BR	300	300,000	3,000,000
4-BR	100	100,000	1,000,000
5-BR	50	50,000	500,000
6-BR	20	20,000	200,000
7-BR	10	10,000	100,000
8-BR	5	5,000	50,000
9-BR	2	2,000	20,000
10-BR	1	1,000	10,000

TABLE 2: PROPOSED UNIT TYPES (continued)

Unit Type	Count	Area (sq ft)	Volume (cu ft)
11-BR	1	1,000	10,000
12-BR	1	1,000	10,000
13-BR	1	1,000	10,000
14-BR	1	1,000	10,000
15-BR	1	1,000	10,000
16-BR	1	1,000	10,000
17-BR	1	1,000	10,000
18-BR	1	1,000	10,000
19-BR	1	1,000	10,000
20-BR	1	1,000	10,000

TABLE 3: PROPOSED UNIT TYPES (continued)

Unit Type	Count	Area (sq ft)	Volume (cu ft)
21-BR	1	1,000	10,000
22-BR	1	1,000	10,000
23-BR	1	1,000	10,000
24-BR	1	1,000	10,000
25-BR	1	1,000	10,000
26-BR	1	1,000	10,000
27-BR	1	1,000	10,000
28-BR	1	1,000	10,000
29-BR	1	1,000	10,000
30-BR	1	1,000	10,000

PROPOSED UNIT TYPES (continued)

1. All units shall be constructed in accordance with the applicable codes and regulations of Montgomery County, Maryland, and the State of Maryland.

2. All units shall be constructed in accordance with the applicable codes and regulations of Montgomery County, Maryland, and the State of Maryland.

3. All units shall be constructed in accordance with the applicable codes and regulations of Montgomery County, Maryland, and the State of Maryland.

4. All units shall be constructed in accordance with the applicable codes and regulations of Montgomery County, Maryland, and the State of Maryland.

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29. All units shall be constructed in accordance with the applicable codes and regulations of Montgomery County, Maryland, and the State of Maryland.

30. All units shall be constructed in accordance with the applicable codes and regulations of Montgomery County, Maryland, and the State of Maryland.

DEVELOPER CERTIFICATE
 I, the undersigned, hereby certify that the information furnished in this plan is true and correct to the best of my knowledge and belief.

APPLICANT CERTIFICATE
 I, the undersigned, hereby certify that I am the owner of the property described in this plan and that I have the authority to execute this plan.

RECORDING OFFICER CERTIFICATE
 I, the undersigned, hereby certify that this plan has been recorded in accordance with the applicable laws and regulations of Montgomery County, Maryland.

FILE COPY



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed: November 7, 2002
Action: Approved Staff Recommendation
Motion of Comm. Wellington, seconded b
Comm. Robinson with a vote of 3-(
Comms Berlage, Robinson, and
Wellington voting in favor with
Comms. Bryant absent and Perdu
temporarily absent

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-02033A
NAME OF PLAN: GREENWAY VILLAGE AT CLARKSBURG

On 09/20/2002, CLARKSBURG SKYLARK, L.L.C. submitted an amendment to the previously approved preliminary plan application in the PD-4 zone. The previous application proposed to create 1330 units (600 single family detached, 386 single family attached, 344 multi-family units and 89,000 square feet of retail) on 374.08 acres of land. The application was designated Preliminary Plan 1-02033A. On 10/10/02, Preliminary Plan 1-02033A 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 1-02033A to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-02033A.

Approval of Preliminary Plan, Pursuant to the FY 2002 Annual Growth Policy for Ceiling Flexibility for Developer Participation Projects, and Including a Preliminary Water Quality Plan, and Waiver of Street Frontage Pursuant to Section 50-29(a)(2), and Waiver of Minimum Radii Pursuant to Section 50-26(f), Subject to the Following Conditions:

- 1) Compliance with the conditions of approval of the January 31, 2002, Transportation Planning memorandum which includes the following conditions:
I. Total development under this preliminary plan application is limited to the following uses and density:
1,330 dwelling units
89,000 square feet of retail space
2,000 square feet of community space
II. To satisfy Policy Area Transportation Review (PATR)
a. The applicant shall participate in widening MD 27; (1) to six through travel lanes from Observation Drive in Germantown through the Brink Road intersection, (2) to six through travel lanes through the A-305 intersection; and including dedication of 120' right-of-way, 60' from the centerline, along the site frontage.

This improvement along MD 27 is consistent with the master plan recommendation. If, after master dedication along the west side of MD 27, sufficient right-of-way is not available for the proposed widening, the applicant has to either acquire additional right-of-way on the east side of MD 27 or dedicate additional right-of-way and widen MD 27 on their development side.

- b. The applicant shall dedicate on-site portions and participate in construction Relocated Newcut Road (A-302) as a two lane divided arterial or business district roadway between MD 27 and the A-305 intersection and as a four lane divided arterial roadway between A-305 and MD 355.
 - c. The applicant shall participate in constructing A-305 as a four lane divided arterial roadway between MD 27 and Stringtown Road.
 - d. The applicant shall dedicate and participate in constructing Foreman Boulevard as a two lane arterial roadway from its current terminus at Timber Creek Lane to A-305.
- III. To satisfy Local Area Transportation Review (LATR)
- a. The applicant shall participate in construction a second left-turn lane from northbound MD 355 to westbound MD 27.
 - b. The applicant shall participate in constructing additional turn/approach on MD 27 and Brink Road at the intersection of MD 27/Brink Road.
 - c. The applicant shall participate in providing a separate left-turn lane from southbound MD 355 to eastbound Brink Road as a separate left-turn lane from westbound Brink Road to southbound MD 355.
 - d. The applicant shall widen existing Skylark Road by four to six feet, for a total roadway width of 24 feet, from Piedmont Road to the Greenway and construct Relocate Skylark Road from the Greenway to MD 27, including a five-foot sidewalk on the south side.
- IV. The applicant shall agree that the roadway improvement listed as conditions of approval are under construction in accordance with the phasing of road improvements for Clarksburg/DiMaio development as described in David D. Berward Rafferty's letter dated August 05, 2002 and confirmed in Transportation Planning's letter date August 22, 2002. The locations of the above roadway improvements (except for condition 3d_ are shown in the attached Exhibit 1.
- V. The applicant shall construct a roundabout on A-302 at Street "P3-Q".
- VI. The applicant shall construct A-302 as a business district street between A-305 and the roundabout in accordance with DPWT Standard No. MC-219.02, and as a two lane arterial street between the roundabout and MD 27 in accordance with DPWT Standard No. MC-213.04."
- VII. The issuance of building permits is predicated on the applicant participating with Preliminary Plan No. 1-01030 Clarksburg Village. The total number of building permits that may be granted for the combined projects shall be limited as follows:
- a) MD27-Observation Drive to MD 355 plus turn lane on MD 355 to westbound MD 27- 700 Dwelling units

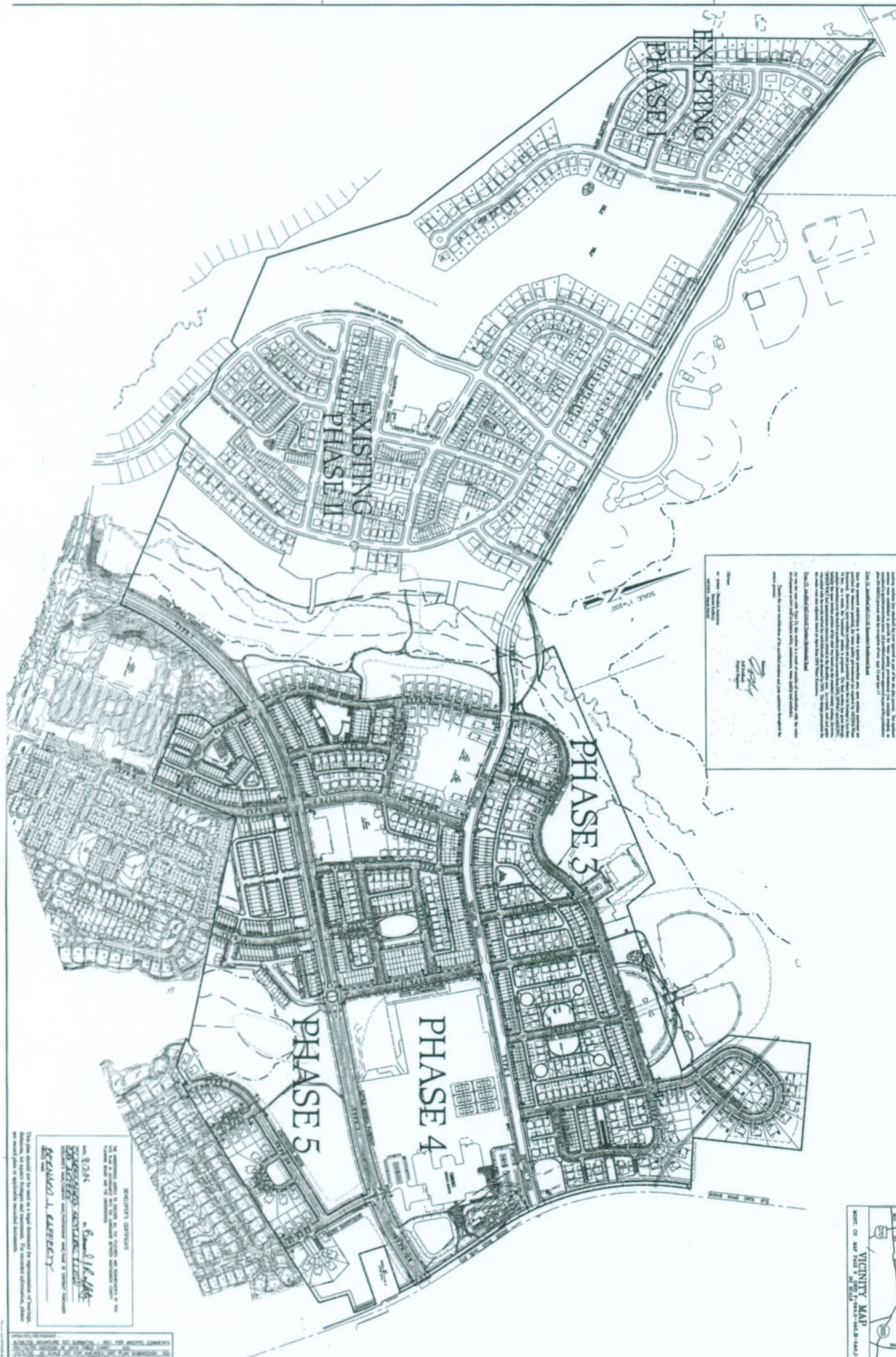
- b) MD 27- MD 355 to Brink Road plus turn at MD 27/Brink Road – 700 Dwelling units
- c) MD 27-Brink Road to A-305 plus turn Lanes at MD 355/Brink – 600 dwelling units

On-Site Improvements

- a) -305: Stringtown Road to Forman Boulevard, Forman Boulevard: MD 355 to A-305 - 500 Dwelling units
 - b) A-305: Forman Boulevard to A-302
 - c) A-302: MD 27 to A-305 - 500 Dwelling units
 - d) A-305: MD 27to A-302 - 500 Dwelling units
 - e) A-302: A-305 to MD 355 - Remaining Residential/Retail/Commercial
- 2) Prior to Planning Board review of a Site Plan applicant shall submit an “Infrastructure Plan” for Planning Board review. The plan shall include the following:
- a. Location and types of stormwater management facilities for quality and quantity controls that comply with the conditions of MCDPS’ preliminary water quality plan
 - b. Delineate bike and pedestrian access pathways including all at grade and below grade crossings along all road rights of way and at stream crossings
 - c. All roadway networks including both private and public connections, streetscape, lighting, sidewalks and paving materials
 - d. Delineation of “Greenway” and other open space areas including all environmental buffers
 - e. School sites and Park dedication sites
 - f. Recreation guideline concept plan
 - g. Proposed schedule for clearing and grading of site
- 3) No clearing, grading, unless designated on the “Infrastructure Plan” and no recording of plats prior to site plan enforcement agreement approval
- 4) Compliance with the conditions of the Revised Preliminary Water Quality Plan approval letter, dated, January 30, 2002, from the Montgomery County Department of Permitting Service
- 5) Compliance with the conditions of the Preliminary Forest Conservation Plan. Conditions must be satisfied prior to recordation of plat(s) or MCDPS issuance of sediment and erosion control permits
- 6) Access and improvement as outlined in MCDPWT letter dated January 31, 2002
- 7) Access and improvements as outlined in MDSHA letter dated, November 6, 2001
- 8) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Clarksburg Master Plan, unless otherwise designated on the preliminary plan
- 9) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Clarksburg Master Plan, and to the design standards imposed by all applicable road codes or as approved by MCDPWT
- 10) Abandonment of unused portion of Skylark Road to be approved, by appropriate agency, subsequent to construction and release of relocated Skylark Road to Montgomery County
- 11) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation

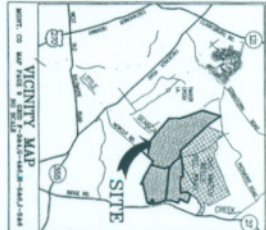
- 12) Record plat to provide for dedication of local road network as outlined in conditions #1, #6 and #7 above and depicted on the approved preliminary plan
- 13) Record plat to reflect common ingress/egress easements over all shared access locations
- 14) Record plat to reflect note limiting uses of dedicated school site to school construction or park use only
- 15) Prior to record plat, dedication to M-NCPPC, the following areas as outlined in January 31, 2002 Park Planning and Resource Analysis Unit memo:
 - Area identified as "Park 6" as shown on plan, to be an area with a minimum 600 ft. width with adequate area outside of stream buffer to accommodate the needed Greenway trails
 - Land north of relocated Skylark Road and Street P3-A adjacent to Ovid Hazen Wells. Not to include stormwater ponds of swimming pool facility areas.
 - Areas identified "Park 1" and "Park 9" and "Park 12" as shown on plan
- 16) Construction of two (2) full size baseball fields, one (1) full size basketball court, one (1) multi-age playground and an adequately sized parking lot by applicant within "park 12". Facilities to be constructed to park standards and layout to be coordinated with M-NCPPC staff at Site Plan. It is noted that this park is part of a pending application for the Clarksburg/Skylark Development District
- 17) Dedication of the proposed Middle School site west of Ridge Rd. (MD 27) to Montgomery County Public Schools
- 18) The school site will be graded, surfaced with topsoil, fine graded to a maximum of +/- 6" over 100', and seeded as appropriate in accordance with Montgomery County Public School standards
- 19) Phasing of dedication of the school site and park sites shall be incorporated as part of the phasing schedule included with Site Plan approval
- 20) Applicant to construct eight (8) foot wide master plan paved, mixed use trail within the Clarksburg Greenway as approved by the Site Plan
- 21) Final approval of the number and location of buildings, including location of multi-family dwelling units and design of commercial center to be determined at Site Plan
- 22) Final alignment, design and landscaping of trails, greenway trails and entrance features to be determined at Site Plan
- 23) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 24) Final number of MPDU's to be determined at the time of site plan dependent on Condition # 20 above
- 25) Waiver of over length cul-de-sac and appropriate sidewalk waivers to be reviewed and approved at Site Plan
- 26) This preliminary plan will remain valid until February 7, 2014 and shall be phased for recordation of lots as follows:
 1. Phase One: 350 lots by February 7, 2005
 2. Phase Two: 700 lots by February 7, 2008
 3. Phase Three: 1050 lots by February 7, 2011
 4. Phase Four: All remaining lots by February 7, 2014

Prior to the expiration period, the final record plat for all remaining lots within each phase must be recorded, or a request for an extension must be filed
- 27) Other necessary easements



Charles P. Johnson & Associates, Inc.
CPI
 10000 Rockville Pike, Suite 100
 Rockville, MD 20850
 Phone: (301) 761-1000
 Fax: (301) 761-1001
 Website: www.cpiassoc.com

John P. Johnson
 President



REVISIONS

NO.	DATE	DESCRIPTION
1	02/11/04	ISSUE FOR PERMITS
2	02/11/04	ISSUE FOR PERMITS
3	02/11/04	ISSUE FOR PERMITS

APPROVED FOR PERMITS
Michael L. Kasperczyk
 Michael L. Kasperczyk

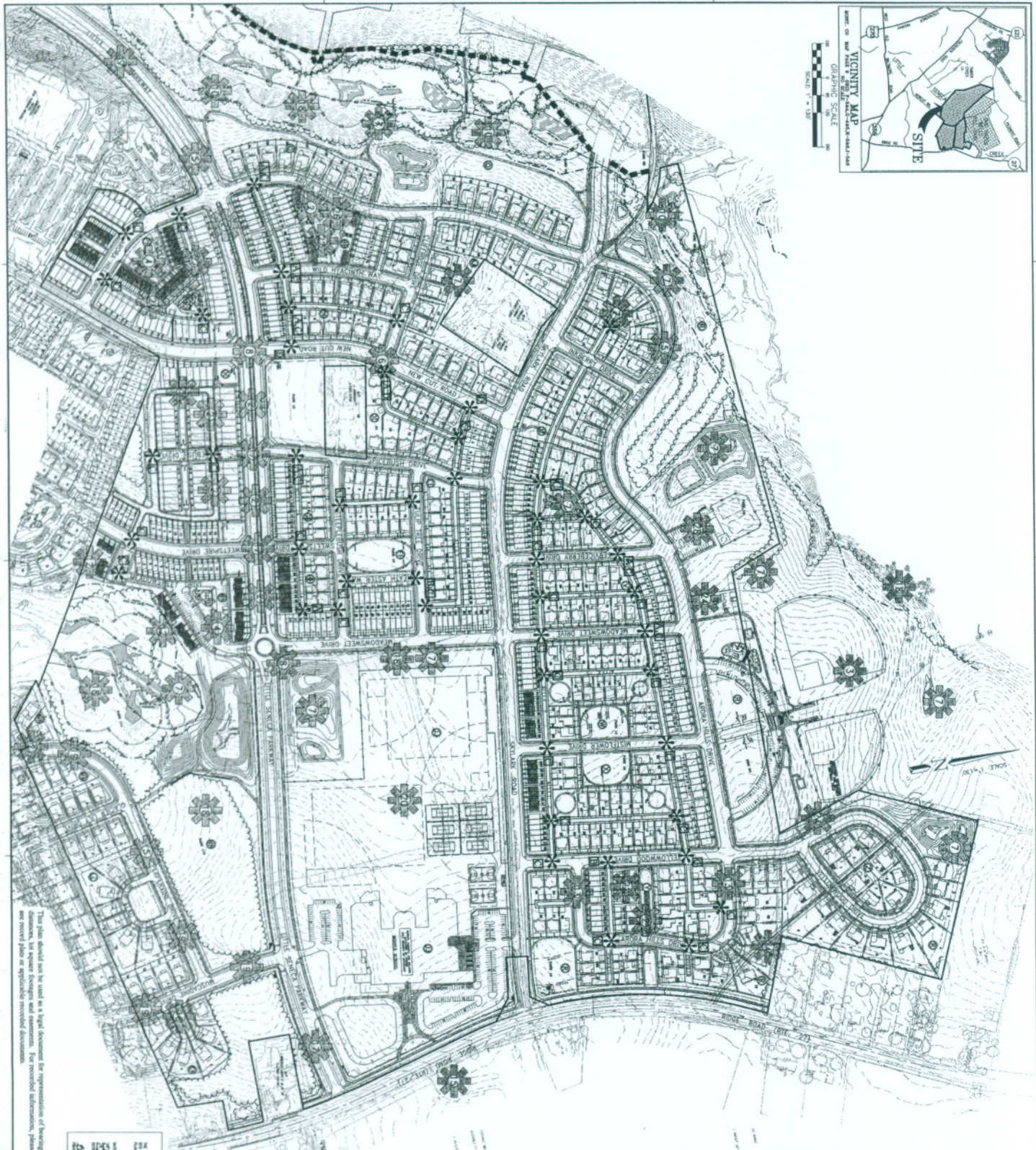
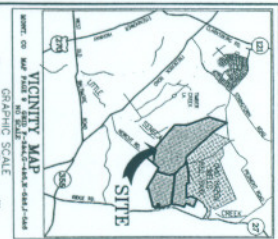
Site Plan & FCP #82004022A
 Prelim. Plan #1-02033A
 NRI-FSD #4-02076

AMENDED SITE DEVELOPMENT PLAN
 STREET TYPE LAYOUT - PHASES III, IV & V
GREENWAY VILLAGE AT CLARKSBURG
 CLARKSBURG (2nd) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

APPROVED SITE PLAN
 FILE NO. 02-212-P
 MONTGOMERY COUNTY PLANNING BOARD
 APPROVED 02/11/04



CPI Associates
 Charles P. Johnson & Associates, Inc.
 PLANNING ENGINEER - LANDSCAPE ARCHITECT - SURVEYOR
 10000 ROCKVILLE PIKE, SUITE 100, ROCKVILLE, MARYLAND 20850
 PHONE: (301) 761-1000 FAX: (301) 761-1001
 WWW: www.cpiassoc.com



This plan should not be used as a legal document for representation of boundary, dimensions, lot square footages and easements. For provided information, please see record plans or applicable recorded documents.

REVISIONS

NO.	DATE	DESCRIPTION
1	08/13/13	ISSUED FOR PERMITS
2	09/11/13	REVISIONS TO PERMIT PLAN
3	09/11/13	REVISIONS TO PERMIT PLAN
4	09/11/13	REVISIONS TO PERMIT PLAN
5	09/11/13	REVISIONS TO PERMIT PLAN
6	09/11/13	REVISIONS TO PERMIT PLAN
7	09/11/13	REVISIONS TO PERMIT PLAN
8	09/11/13	REVISIONS TO PERMIT PLAN
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23	09/11/13	REVISIONS TO PERMIT PLAN
24	09/11/13	REVISIONS TO PERMIT PLAN
25	09/11/13	REVISIONS TO PERMIT PLAN

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL ENERGY CODE, THE INTERNATIONAL SWEET'S CATALOG, THE INTERNATIONAL SYMBOLS FOR ARCHITECTS AND ENGINEERS, AND THE INTERNATIONAL SYSTEM OF UNITS.
- 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY ZONING AND SUBDIVISION REGULATIONS.
- 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY PUBLIC UTILITIES REGULATIONS.
- 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY HEALTH DEPARTMENT REGULATIONS.
- 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY ENVIRONMENTAL REGULATIONS.
- 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY TRANSPORTATION REGULATIONS.
- 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY UTILITIES REGULATIONS.
- 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY FIRE DEPARTMENT REGULATIONS.
- 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY POLICE DEPARTMENT REGULATIONS.
- 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY SOCIAL SERVICES REGULATIONS.
- 11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY EDUCATION REGULATIONS.
- 12. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY HEALTH CARE REGULATIONS.
- 13. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY RECREATION REGULATIONS.
- 14. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY CULTURAL REGULATIONS.
- 15. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY HISTORIC REGULATIONS.
- 16. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY LANDMARK REGULATIONS.
- 17. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY ARCHITECTURAL REGULATIONS.
- 18. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY ENGINEERING REGULATIONS.
- 19. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY SURVEYING REGULATIONS.
- 20. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY PLANNING REGULATIONS.
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- 34. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY SURVEYING REGULATIONS.
- 35. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MONTGOMERY COUNTY PLANNING REGULATIONS.

DATE	08/13/13
BY	CPJ
SCALE	AS SHOWN
PROJECT	GREENWAY VILLAGE AT CLARKSBURG
CLIENT	GREENWAY DEVELOPMENT LLC
DESIGNER	CHARLES P. JOHNSON & ASSOCIATES, INC.
DATE	08/13/13
BY	CPJ
SCALE	AS SHOWN
PROJECT	GREENWAY VILLAGE AT CLARKSBURG
CLIENT	GREENWAY DEVELOPMENT LLC
DESIGNER	CHARLES P. JOHNSON & ASSOCIATES, INC.

Site Plan & FCP #82004022A
 Prelim. Plan #1-02033A
 NRI-FSD #4-02076

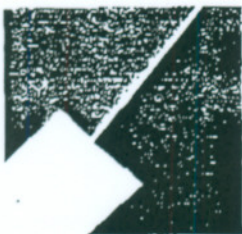
AMENDED SITE DEVELOPMENT PLAN - PHASES 3, 4 AND 5 CHANGES
GREENWAY VILLAGE AT CLARKSBURG
 CLARKSBURG (2nd) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

APPROVED SITE PLAN
 PREPARED BY
 MONTGOMERY COUNTY PLANNING BOARD
 SEP 7 2013
 DEVELOPMENT REVIEW



CPI Associates
 Charles P. Johnson & Associates, Inc.
 PLANNERS - DESIGNERS - LANDSCAPE ARCHITECTS - SURVEYORS
 215 BIRCH ROAD SUITE 200 SILVER SPRING, MARYLAND 20910
 TEL: 301.584.1900 FAX: 301.584.1901 www.cpiassoc.com

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

AUG - 9 2006

MCPB No. 06-57
Site Plan No. 82004022A
Greenway Village - Phases 3, 4, 5

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code ("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 Code Section 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, Code Section 59-D-3.4(b) defines the required contents of a Planning Board resolution regarding a site plan; and

WHEREAS, the Planning Board, in reaching its decision on a site plan, must determine that the site plan meets all the requirements of Code Section 59-D-3.4(c); and

WHEREAS, on July 15, 2005, Clarksburg Skylark, LLC ("Applicant") filed an application for amendment of a site plan for a maximum of 844 dwelling units, of which 118 are Moderately Priced Dwelling Units (MPDUs), including 276 one-family detached dwelling units, 320 townhouse dwelling units, and 248 multi-family dwelling units, on 209.27 gross acres of PD-4-zoned land ("Site Plan") in the vicinity of the intersection of Skylark and Newcut Roads and west of Ridge Road within the Newcut Road Neighborhood of the Clarksburg Master Plan area ("Property" or "Subject Property"); and

WHEREAS, on February 7, 2002, the Planning Board approved Preliminary Plan No. 120020330 (formerly 1-02033) for the proposed development; and

MCPB No. 06-57
Site Plan No. 82004022A
Greenway Village - Phases 3, 4, 5
Page 2

WHEREAS, on October 10, 2002, the Planning Board approved Preliminary Plan No. 12002033A (formerly 1-02033A) as an amendment to Preliminary Plan No. 120020330 for the proposed development; and

WHEREAS, on July 22, 2004, the Planning Board approved Site Plan No. 820040220 (formerly 8-04022) for the proposed development; and

WHEREAS, the Applicant's site plan amendment application was designated Site Plan No. 82004022A, Greenway Village - Phases 3, 4, 5 (the "Amendment"); and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other governmental agencies, on June 8, 2006, Staff presented the Amendment to the Planning Board at a public hearing for its review and action (the "Hearing"); and

WHEREAS, prior to the Hearing, on May 26, 2006, Staff had issued a memorandum to the Board setting forth its analysis and recommendation for approval of the Amendment subject to certain conditions ("Staff Report"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record ("Record") on the Amendment and approved the Amendment on the motion of Commissioner Robinson, seconded by Commissioner Bryant, with Chairman Berlage and Commissioners Bryant and Robinson voting in favor of the motion, Commissioner Wellington voting against the motion, and Commissioner Perdue being absent.

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. 82004022A for a maximum of 844 dwelling units, of which 118 are MPDUs, including 276 one-family detached dwelling units, 320 townhouse dwelling units, and 248 multi-family dwelling units, subject to the following conditions:

1. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan No. 12002033A for Greenway Village at Clarksburg listed in the Planning Board opinion dated November 7, 2002, and with any subsequent preliminary plan amendments.

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Site Plan No. 82004022A
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2. Fire and Rescue Services

The development shall conform to changes mandated by the Montgomery County Fire and Rescue Service in accordance with the memorandum dated December 30, 2005.

3. Development Program

The Development Program and Site Plan Enforcement Agreement approved for Site Plan No. 820040220 shall be amended by the Applicant and reviewed and approved by Staff prior to approval of the Certified Site Plan. The Applicant shall construct the development in accordance with the amended and approved Development Program and the amended and approved Site Plan Enforcement Agreement.

The amended and approved Development Program must include the following phasing schedule:

- a. Street trees shall be planted as street construction is completed, but no later than six months after completion of units adjacent to that street.
- b. Community-wide pedestrian pathways shall be completed or bonded prior to the issuance of the 676th building permit.
- c. Recreation facilities shall be completed prior to the issuance of the 676th building permit.
- d. Landscaping associated with open spaces and streets shall be completed as construction of adjacent homes is completed.
- e. Pedestrian pathways and seating areas associated with each recreation area shall be completed as construction of adjacent homes is completed.
- f. Right-of-way and other dedications, stormwater management facilities, sediment and erosion control plans, recreation areas, community and other paths, and other features shall be completed as approved.

4. Certified Site Plan

The Applicant shall submit a Certified Site Plan that reflects the conditions of approval contained in this Site Plan No. 82004022A. The Certified Site Plan must include landscape and lighting plans, forest conservation plans, and sediment and erosion control plans. The Certified Site Plan must:

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- a. Include the data table approved with Site Plan No. 82004022A, setting out the development standards for the proposed development, including the area under development; the number of dwelling units; the minimum lot areas for each housing type; front, side, and rear yard setbacks; lot coverage; and building heights, which must be delineated in feet.
- b. Include a Height and Setback Exhibit that will be the formal mechanism for determining which units may exceed 35 feet for one-family detached units, 40 feet for townhouses, and 40 feet for 2-over-2 multifamily units. This Exhibit shall also indicate for each unit the point from which height will be measured, as approved by the Planning Board.
- c. Provide the size in square feet for each lot depicted on the Certified Site Plan.
- d. Provide a development program, inspection schedule, and amended Site Plan Enforcement Agreement for approval by M-NCPPC staff.
- e. Show limits of disturbance.
- f. Indicate methods and locations of tree protection.
- g. Include a note stating that M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- h. Ensure that outfalls are located away from tree preservation areas.

5. Environmental Planning

The Applicant shall:

- a. Comply with the conditions of the Final Forest Conservation Plan approved on October 7, 2005. The Applicant must satisfy all conditions of the Final Forest Conservation Plan before recording plats or receiving sediment and erosion control permits from the Montgomery County Department of Permitting Services (DPS).
- b. Comply with the conditions of the Final Water Quality Plan approved concurrently with Site Plan No. 820040220 on July 22, 2004.
- c. Show on all relevant record plats a Category I conservation easement over all stream buffers and forest conservation areas.

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- d. Consider first priority for reforestation to be areas within the same watershed as the development and within the Clarksburg Special Protection Area (SPA); second priority to be areas only within the Clarksburg SPA; and third priority to be areas within the same watershed as the development but outside the SPA. If no planting sites are available in a priority location, the Applicant may use the fee-in-lieu option to meet offsite planting requirements.
- e. Begin reforestation of stream buffer areas in the first planting season after DPS issues the first grading permit.
- f. Obtain Planning Board approval of encroachment into stream buffers for stormwater management or sediment control facilities, except for necessary outfalls and temporary sediment control facilities in non-forested stream buffers. If later review of facility design shows that a facility is improperly sized and must be enlarged to accommodate proposed drainage areas, the Applicant must find the needed additional space outside of stream buffers, even if facilities must be reconfigured and developable areas lost as a result.
- g. Prepare and submit a complete noise analysis that identifies the 60 dbA and 65 dbA Ldn noise contours and indicates the method necessary to attenuate exterior noise levels to 60 dbA for the usable portion of residential lots.
- h. Certify, using an engineering firm experienced in acoustical analysis, that the building shell for residential units that will be built inside the unmitigated 60 dbA Ldn noise contour is designed to attenuate projected exterior noise levels to an interior level that does not exceed 45 dbA Ldn. An acoustical engineering firm must certify that any revision meets the aforementioned requirements, and Environmental Planning staff must approve any such revision prior to its implementation.
- i. Conduct an outdoor-to-indoor noise analysis, after completion of residential units and before occupancy, to ensure that the 45 dbA Ldn interior noise level has been achieved for residential units inside the unmitigated 60 dbA Ldn noise contour. The Applicant must submit the results of each analysis to Environmental Planning staff.
- j. Disclose in writing to prospective purchasers of all residential dwelling units inside the unmitigated 60 dbA Ldn noise contour that existing and future highway noise will have an impact on the unit. To meet this requirement, the notification shall be included in at least one of the

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following: sales contracts on display in any sales-related office, homeowners association documents, subdivision plans and site plans, or Deeds of Conveyance.

6. Parks

The Applicant shall apply for and receive construction permits from the Parks Department prior to beginning construction of park facilities. The Applicant also shall:

- a. Dedicate to M-NCPPC the areas identified on the Certified Site Plan as Park 6, Park 11, and Park 19. The dedication of Park 6 and Park 11 must not include any stormwater management ponds or facilities. The dedicated areas must be conveyed at the time plats are recorded for project areas including the parks, adjacent roads, and lots. The dedicated property must be conveyed free of trash and unnatural debris. All boundaries must be adequately staked and signed to delineate private property from parkland.
- b. Engineer and construct the master planned eight foot wide, hard surface Greenway Trail from the southern boundary of Park 6, through the parkland along the east side of the tributary to Little Seneca Creek, to the intersection of Skylark Road and Arora Hills Drive. The trail is to cross Skylark Road at this intersection and continue along the alignment of the original Skylark Road and connect with trails in Ovid Hazen Wells Recreational Park. The exact location of the trail alignment and construction specifications must be coordinated with and approved by Planning Department and Parks Department staff in compliance with Special Protection Area guidelines. The trail is to connect at its southern end with the Greenway Trail being constructed in connection with the Clarksburg Village development project.
- c. Engineer and construct an eight foot wide, hard surface trail through Park 6 between Cypress Spring Road and the Greenway Trail, with a connection to Arora Hills Drive. This trail shall include a bridge and boardwalk as determined by Planning Department and Parks Department staff in compliance with Special Protection Area guidelines. This trail must be built to park standards and specifications and must include adequate signage.
- d. Engineer and construct, to park standards and specifications, the following Local Park facilities and amenities in the dedicated Park 19 and adjacent areas now part of Ovid Hazen Wells Recreational Park:

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- i. One adult sized baseball field and one adult sized softball field with appropriate fencing, backstops, benches, grading, seeding, and landscaping as determined by Parks Department staff to meet park field standards and specifications. The exact size of the baseball fields will be determined by Parks Department staff.
- ii. One adult sized basketball court, at least 56 feet by 92 feet, with poles, backboards, hoops, nets, court surfacing, and benches, as determined by Parks Department staff to meet park field standards and specifications.
- iii. Two picnic shelters each of sufficient size to accommodate at least four picnic tables. Four picnic tables must be installed in each shelter.
- iv. A centrally located water line with a diameter of at least 1.5 inches and hose/irrigation system connections from said water line to each field. The Applicant shall install a drinking fountain at a central location and coordinate location of the irrigation system connection and the drinking fountain with Parks Department staff.
- v. Raised grass berms at locations to be determined by Parks Department staff.
- vi. A multi-age play area, with equipment, multi-height pergola, structures, and seating to be determined by Parks Department staff.
- vii. A centrally located linear grass mall or green boulevard with paved walkways on both sides, seating, decorative stamped or colored concrete paving areas, bollards and/or stone piers, and a central feature or features, such as a pavilion, kiosk or other visual focus. The choice and details of structures and features shall be determined by Parks Department staff in compliance with Special Protection Area guidelines.
- viii. A curved parking lot with tree islands interspersed throughout and with curbs and wheel stops of types to be determined by Parks Department staff.
- ix. Concrete pads for portable toilets at locations and in sizes to be determined by Parks Department staff.

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- x. Landscaping, benches, seating areas, curbs, bollards, bike racks, trails, walls, and fencing throughout the park as determined by Parks Department staff to be necessary to meet park users' needs and create an aesthetically pleasing park experience.
- e. Provide engineering for Local Park site grading, construction and necessary stormwater management facilities. Engineering and design plans for the grading and construction of the Local Park and its facilities must be approved by Parks Department staff. Grading must avoid stream buffers and sensitive resources as deemed necessary by Parks Department staff and comply with Special Protection Area guidelines. Grading must be engineered to avoid slopes greater than 3:1 unless otherwise approved by Parks Department staff.
- f. Begin Local Park construction before work begins on any of the 39 dwelling units located on Arora Hills Drive and Yellowwood Drive and adjacent to the park. All park facilities and amenities must be of a style, design, quality, and location acceptable to Parks Department staff. The Local Park shall be completed prior to receiving the 28th building permit for these 39 dwelling units. The 39 dwelling units are located on the following lots: Block R, Lots 11-14; Block V, Lots 6-9; Block W, Lots 1-14; Block X, Lots 1-14; and Block Z, Lots 1-3.
- g. Notify prospective purchasers of homes adjacent to Ovid Hazen Wells Recreational Park and the new Local Park that houses will be located in the vicinity of active recreational areas.

7. Site Plan

The Applicant shall:

- a. Construct eight foot wide bike path segments along each piece of the Subject Property's frontage along Ridge Road.
- b. Indicate, prior to approval of the Certified Site Plan, any property required from adjacent owners for rights-of-way, green space or other improvements by the Applicant that will be secured before recording of plats.
- c. Maintain the unit orientation to major streets shown on submitted plans, in conformance to the grid pattern consistent with the neighborhood's neo-traditional design.

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- d. Ensure that garages for front loaded dwelling units do not protrude beyond the front elevation of the most forward portion of the building, i.e. the front porch.

8. Transportation

The Applicant shall:

- a. Limit development under this site plan to 844 dwelling units so that the total residential development of Greenway Village at Clarksburg does not exceed 1,330 dwelling units.
- b. In accordance with Local Area Transportation Review (LATR) guidelines and the revised phasing of roadway improvements for the Clarksburg Village and Greenway Village at Clarksburg development projects described in the August 22, 2002 letter to David Flanagan and Bernard Rafferty from Transportation Planning staff (attached hereto as Attachment 1), construct offsite improvements to widen MD 27 to six through travel lanes from MD 355 to Brink Road, including additional turn/approach lanes on MD 27 and Brink Road at their intersection. These improvements must be bonded, under construction, or under contract for construction prior to the issuance of building permits for the new development.

9. School Dedication

Dedication of the parcel designated for the future middle school shall be completed prior to recording the last plat for the development.

BE IT FURTHER RESOLVED, that all site development elements shown on the Greenway Village - Phases 3, 4, 5 plans stamped by M-NCPPC on May 26, 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 Amendment is based on the following findings:

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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 Montgomery County Code § 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 modified any element of the project plan.*

The Planning Board finds that the Amendment, as modified by the conditions, remains consistent with the Development Plan approved in 2001 by the District Council as part of Local Map Amendment G-735 and also with Development Plan Amendment 04-3, which the District Council approved in 2004.

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 Planning Board finds that the Amendment, as modified by the conditions, meets all of the requirements of the PD zone. The Planning Board further finds that establishing comprehensive standards, including limits on building heights and setbacks, is necessary to achieve the purposes of the PD zone. These purposes, as provided in Code Section 59-C-7.11, include promoting both "flexibility of design" and "the integration of mutually compatible uses and optimum land planning with greater efficiency" than permitted under conventional zoning categories. A further purpose of the PD zone is to ensure "a maximum of safety, convenience and amenity for both the residents of each development and the residents of neighboring areas, and, furthermore, to assure compatibility and coordination of each development with existing and proposed surrounding land uses." Aside from setting requirements for building heights and setbacks, the Amendment establishes standards for more detailed categories such as the minimum distance between adjacent end units of main buildings and setbacks for accessory buildings. The Planning Board finds that this comprehensive set of development standards achieves the purposes of the PD zone by promoting the safety, convenience, and compatibility of the proposed development. The development standards approved by the Board are set forth in the table on the following pages.

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Development Data Table

Development Standard	Approved by Planning Board for Site Plan No. 82004022A and Binding on Applicant
Zone	PD-4
Area of Development	209 acres
Dwelling Units	844
One-family Detached	276
Townhouse	320
Multi-family (2-over-2 units)	248
MPDUs	118
Minimum Lot Area (square feet)	
One-family Detached	3,700
Townhouse	1,500
MPDU Townhouse	1,150
Minimum Lot Width at Front Building Line	18 feet
Setback from Public Street	
One-family Detached	15 feet
One-family Detached lot where adjacent house does not front on street	5 feet
Townhouse	5 feet
2-over-2 units	10 feet
Rear Yard	
One-family Detached with front garage	20 feet
One-family Detached with rear garage	0 feet
Townhouse with rear garage	0 feet
2-over-2 units	0 feet
Side Yard	
One-family Detached with front garage	4 feet
One-family Detached with rear garage	3 feet
Townhouse	0 feet
2-over-2 units	0 feet

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Development Standard	Approved by Planning Board for Site Plan No. 82004022A and Binding on Applicant
Lot Coverage	
One-family Detached	60 percent
Townhouse	75 percent
Maximum Building Height	
One-family Detached	35 feet, except for 23 houses as indicated on Height and Setback Exhibit* which may not exceed 40 feet
Townhouse	40 feet, except for 70 houses as indicated on Height and Setback Exhibit* which may not exceed 45 feet
2-over-2 units	40 feet, except for 60 structures (120 units) that may not exceed 50 feet and 38 structures (76 units) that may not exceed 55 feet, all as indicated on Height and Setback Exhibit*
Green Space	57 percent (120 acres)
Distance between Adjacent End Units	
Townhouse	8 feet
2-over-2 units	8 feet
Setbacks for Accessory Buildings	
From the public street line	
One-family Detached	60 feet from street parallel to front of house
One-family Detached lot where adjacent house does not front on street	5 feet
From rear and side lot lines	
Detached garage	0 feet
All other structures	5 feet

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

The Planning Board finds that the locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems proposed by the Amendment, as modified by the conditions,

* The Height and Setback Exhibit is attached hereto as Attachment 2.

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are adequate, safe, and efficient. The Board further finds that the Amendment remains consistent with the approval for Site Plan No. 820040220 in this regard.

a. Buildings and Structures

As described in Code Section 59-C-7.11, one of the purposes of the PD zone is "to facilitate and encourage a maximum of social and community interaction and activity" within subject developments. The one-family detached and townhouse dwelling units will be arranged predominantly in grids to create a pedestrian oriented neo-traditional community. The front doors of most dwelling units will face major streets, allowing for greater consolidation of open space areas. Tighter spacing of dwelling units will promote a more pedestrian friendly environment along the public sidewalks. The creation of parks in open spaces throughout the proposed development will create a community focus for recreation and interaction.

b. Open Spaces

According to Code Section 59-C-7.11, another purpose for PD zone development is

. . . to encourage and provide for open space not only for use as setbacks and yards surrounding structures and related walkways, but also conveniently located with respect to points of residential and commercial concentration so as to function for the general benefit of the community and public at large as places for relaxation, recreation and social activity. . . .

Furthermore, "open space should be so situated as part of the plan and design of each development as to achieve the physical and aesthetic integration of the uses and activities within each development." The open spaces will feature central greens, sitting areas, shade trees, and decorative planting. As mentioned above, the Applicant has located buildings and structures within the proposed development in such a way as to promote the use of open spaces for community interaction. The establishment of detailed development standards will serve to protect the open spaces from residential encroachment.

c. Landscaping

The landscaping in the proposed development will feature street tree planting, preservation of forested areas, enhancement of buffer planting at the project's perimeter, shrub masses at the perimeters of neighborhood open space areas, and other decorative planting areas. The landscaping and curvilinear grading associated with the stormwater management

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ponds will provide a visual relief from the functional form that the ponds typically take. In addition, the landscaping will provide attractive streetscapes and views to adjacent open areas as well as screening for rear yards that would otherwise be visible from public streets, parkland, and bike paths.

d. Recreation Facilities

The Amendment includes the construction of the Clarksburg Greenway, a major regional recreational link, as well as several tributary bike paths within the proposed development. Play areas will be interspersed throughout the open areas within the housing area and parkland adjacent to the homes. In addition, the conditions contain detailed requirements for the construction of Park 19, which will feature baseball fields, basketball courts, and picnic shelters, among other amenities. To limit encroachment upon a forested stream valley buffer, the Applicant has revised the location of the baseball fields and the design of the semi-circular driveway at the entrance to the park.

e. Pedestrian and Vehicular Circulation Systems

The street layout proposed in the Amendment, as modified by the conditions, provides for uniform access for both pedestrians and vehicles throughout the development. Public and private alleys provide access to the backyards of homes with rear loaded garages, thereby allowing for more uniform parking and pedestrian access next to the street within the fronts of lots.

Pursuant to its review of the Amendment, the Montgomery County Fire and Rescue Service mandated certain changes to the street design within the proposed development to improve access for emergency vehicles. These changes, including, for example, the addition of grasscrete pavers to the open space between two groups of townhouses, are incorporated by reference in the conditions. In addition, the Amendment includes modifications required by agencies such as DPS, DPWT, and the Maryland State Highway Administration (SHA). These modifications include, among others: revising street grades, sidewalk ramp locations, and the turning radii of some streets; altering the design of Little Seneca Parkway (A-302) to redirect storm drainage and to include median breaks at certain intersections; and changing from open to closed certain sections of Little Seneca Parkway and Peppervine and Muscadine Drives. The Planning Board finds that these modifications enhance the adequacy,

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safety, and efficiency of the pedestrian and vehicular circulation systems in the proposed development.

Further, Code Section 59-C-7.11 lists among the purposes of the PD zone the following:

[T]o encourage and provide for the development of comprehensive, pedestrian circulation networks, separated from vehicular roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities, and thereby minimize reliance upon the automobile as a means of transportation.

Paths located within unit blocks link play areas and open spaces to sidewalks. Beyond the unit blocks, bike and pedestrian paths link open spaces with both street-oriented and offsite bike paths within Ovid Hazen Wells Recreational Park and the Clarksburg Greenway trail system. The provision of bike path segments along Ridge Road lays the groundwork for a continuous pedestrian and bike connection to the proposed school, parks, and shopping areas.

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

The Planning Board finds that each structure and use proposed for development in the Amendment, as modified by the conditions, is compatible with other uses and site plans as well as existing and proposed adjacent development. The Board further finds that the Amendment remains consistent with the approval for Site Plan No. 820040220 in this regard.

As mentioned above, buildings within the proposed development are arranged in a grid pattern of lots and blocks with centralized pockets of open space. The Board finds that this standardized treatment allows for a mix of unit types and effective transitions between one-family detached and townhouse dwelling units, which, in turn, satisfies the purposes of the PD zone by providing and encouraging "a broad range of housing types, comprising owner and rental occupancy units, and one-family, multiple-family and other structural types" while maintaining compatibility. The Board notes that the unit mix presented in the Amendment differs from that approved for Site Plan No. 820040220, especially with regard to the number of townhouse and multi-family dwelling units, and finds that the proposed unit mix further advances the goal of encouraging "a broad range of housing types" without impairing the compatibility of the proposed development with other site plans and adjacent development.

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Landscaping will enhance the buffer between dwelling units in the proposed development and adjacent existing homes along the eastern boundary of the project. The construction of community-wide bike path and trail networks that will connect to adjacent subdivisions, coupled with the acceptance of detailed development standards, reflects the Applicant's efforts to accommodate proposed neighboring development projects.

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 Board finds that the development proposed in the Amendment, as modified by the conditions, meets all applicable requirements of Chapters 22A and 19, respectively.

As stated in the conditions, the Amendment is subject to the Final Forest Conservation Plan approved on October 7, 2005. Pursuant to Code Section 59-C-7.11, an application for development in the PD zone should strive to "preserve and take the greatest possible aesthetic advantage of trees." As mentioned above, forest retention constitutes an element of the Applicant's landscaping design. With regard to reforestation, first priority will be given to those areas within the same watershed as the development and within the Clarksburg Special Protection Area (SPA), second priority will be given to those areas only within the Clarksburg SPA, and third priority will be given to those areas within the same watershed as the development but outside the SPA.

The Amendment remains subject to the Final Water Quality Plan approved concurrently with Site Plan No. 820040220. According to the June 17, 2004 letter from DPS approving the Final Water Quality Plan, water quality control for the proposed development will be provided by a treatment train consisting of vegetated conveyance swales, dry swales (vegetated swales underlain with infiltration structures), bio-retention structures (for small drainage areas), surface sand filters, underground filtering structures, water quality inlets, and recharge structures. Pursuant to requests received from DPS and the Montgomery County Department of Public Works and Transportation (DPWT), and in response to modifications to the stormwater management systems, the Applicant has modified the design of the storm drain system along a portion of Newcut Road. Additional revisions to grading, outfall locations, and access points for several stormwater management facilities within the proposed development will serve to minimize the impact of grading and tree clearing.

In addition, the Applicant will be required to obtain Planning Board approval before encroaching into stream buffers for stormwater management or sediment

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control purposes, unless such encroachment is required in non-forested stream buffers for necessary outfalls and temporary sediment control facilities. Where a later design review determines that a facility is improperly sized and must be enlarged to accommodate proposed drainage areas, the Applicant will be required to find additional space outside of stream buffers regardless of whether the facility in question must be reconfigured and developable areas would be lost as a result.

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


BE IT FURTHER RESOLVED, that the date of this written opinion is ~~AUG 9 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).

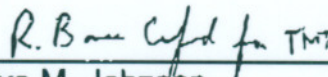
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At its regular meeting, held on Thursday, July 27, 2006, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, with four Commissioners present, and Commissioner 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. 82004022A, Greenway Village, Phases 3, 4, 5.

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

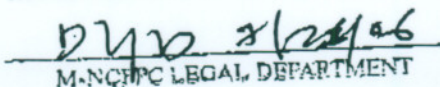


Derrick P. Berlage
Chair, Montgomery County Planning Board



Trudye M. Johnson
Executive Director

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC LEGAL DEPARTMENT