



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

MCPB
Item No.:
Date:

Way Station: Conditional Use Request for Residential Care Facility for 9-16 Persons

<i>ET</i> Elsbett Tesfaye, Planner Coordinator, Area-3	Elsbett.Tesfaye@montgomeryplanning.org	301-495-1301
<i>BCB</i> Benjamin Berbert, Acting Supervisor, Area 3	Benjamin.Berbert@montgomeryplanning.org	301-495-4664
<i>RAW</i> Richard Weaver, Chief, Area 3	Richard.Weaver@montgomeryplanning.org	301-495-4544

Completed: April 3, 2020

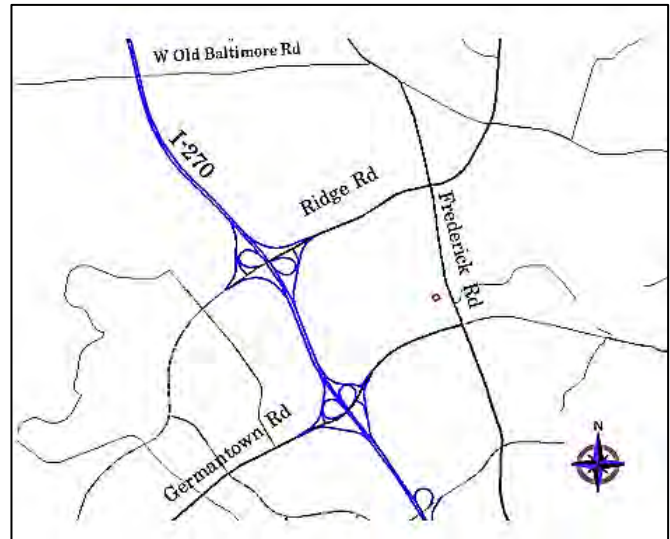
Description

Request for a Conditional Use to operate a residential care facility for 9-16 Persons, on a 0.56 acre lot located at 20629 Boland Farm Road, Germantown, identified as Lot 95 Mary J. Boland Subdivision Tax Account No. 09-03047093, 0.56 acres, R-200 zone, south side of Boland Farm Road, west of the intersection with Frederick Road (MD 355), 2009 Germantown Employment Area Sector Plan.

Staff Recommendation: Approval with conditions

Application Filed: January 24, 2020
OZAH Public Hearing: May 1, 2020
Planning Board Hearing: April 16, 2020

Applicant: Way Station, Inc.



Summary

- With the recommended conditions, the subject use conforms to all applicable requirements and regulations for approval of a residential care facility Conditional Use for 9-16 Persons, **Section 59.3.2.E** of Montgomery County Zoning Ordinance and the applicable development standards under the R-200 Zone (**Section 59.4.4.7.B**)
- The subject use is consistent with the recommendations of the 2009 Germantown Employment Area Sector Plan and compatible with the character of the surrounding area.
- Approval of the requested Conditional Use will not cause undue harm or adverse impact on the immediate neighborhood.
- There are no traffic, circulation, noise or environmental issues associated with the Application, provided that the recommended conditions are satisfied.
- This Application complies with the Montgomery County Environmental Guidelines.
- The Applicant is requesting a waiver from the parking setback requirements under Section 6.2.10. Staff supports the requested waiver.
- Approval of the proposed Residential Care Facility Conditional Use will not substantially change the nature, character, scope or intensity that has been established by the Medical Practitioner Office use that operated on the property for the past 20 years.
- Staff received no community correspondence expressing issues and concerns regarding the proposed use. Compatibility
- The Conditional Use Application is exempt from Forest Conservation Plan requirements under 22A-5 (q) (1) of the Forest Conservation Law
- There will be no external alteration or modification to the existing house (except ADA required elevator addition) to accommodate the proposed Residential Care Facility.

SECTION I: STAFF RECOMMENDATION AND CONDITIONS OF APPROVAL

Staff recommends approval of CU-20-01 subject to the following conditions:

1. The Residential Care Facility must be limited to a maximum of 16 residents and eight employees on site at any one time.
2. The maximum total number of part-and full-time employees must not exceed 13.
3. An identification sign must not be placed on the property.
4. The Applicant must provide marked crosswalks from the drive aisle/parking areas to the building front and rear entrances.
5. No special events shall be held on the facility's premises.
6. There shall be no more than six food and supply deliveries to the facility per month.
7. Landscaping must be in accordance with the Landscape Plan revised on March 16, 2020.
8. The Tree Save Plan must be in accordance with the Tree Save Plan revised on March 16, 2020 and shall be consistent with the Landscape and Lighting and Conditional Use Site Plans with revision date of March 30, 2020.
9. The Existing Conditional Use S-2415 must be vacated upon approval of this conditional use (CU-20-01).
10. The Applicant must file for an amendment to Preliminary Plan No 11993011 after the publication of the Hearing Examiner's decision to approve the Conditional Use Application CU-20-01.
11. The Applicant must obtain and satisfy the requirements of all licenses including a use and occupancy permit.

SECTION II: PROJECT DESCRIPTION

A. Site Description

The subject property is located at 20629 Boland Farm Road, Germantown, on the south side of Boland Farm Road 335 feet west of its intersection with Frederick Road (MD 355) and 900 feet east of its intersection with Observation Drive. The property consists of approximately 0.56 acres (24,255 Square feet) of land and is improved with a large two-story plus basement residential building with approximately 7,900 square feet of footprint. The property is zoned R-200.



Figure 1: The Subject Site

The property is rectangularly shaped, generally flat with smooth slopes, and is heavily paved. It has approximately 150 feet of frontage on Boland Farm Road. A portion of the front yard and the west side yard contain shrub and matured trees. There are no streams, wetland areas, 100-year floodplains or highly erodible soils on the property. There are no rare, threatened or endangered species on the property.

B. Neighborhood Description

For purposes of this Application, staff defines the surrounding neighborhood boundaries as follows:

North:	Shakespeare Blvd
East:	Fredrick Road (MD-355)
South	Germantown Road (MD-118)
West	Observation Drive and the eastern boundary of CRT-0.75 zoned properties between Observation Drive and Shakespeare Boulevard



Figure 2: Neighborhood Boundaries



Figure 2.1 Applicant's Defined Neighborhood Boundaries

Staff's definition of the neighborhood slightly differs from that of the Applicant's. The Applicant's boundaries replicate boundaries defined in 2011 for an Accessory Apartment Conditional Use S-2789 that is located on the same block as the subject property. Staff's defined neighborhood boundaries cover a larger area taking into consideration the nature of the proposed use and existing characteristics of the surrounding area.

The neighborhood is predominantly residential with single-family detached residences, townhouses, and multi-family dwellings in the R-200, R-200/TDR, and R-20 Zones. The neighborhood also contains two enclaves of retail and service uses at the northwest

corner of Boland Farm Road and MD 355 in the NR Zone and the northwest corner of MD 118 and MD 355 in the GR Zone.

The subject property is located in the southeast portion of the defined neighborhood separated from MD 355 to the east by Montgomery County Fire and Rescue Station #34. The property is surrounded by a residential property to the west and by the Fire and Rescue Service Station #34 to the east and south, all in the R-200 Zone. To the north, across Boland Farm Road, directly across the subject property, are single-family detached dwellings within the Seneca Vista Subdivision, in the R-200/TDR Zone. Confronting the property to the northeast (diagonally across Boland Farm Road) is an automobile filling station in the NR Zone.

C. Zoning and Land Use History



Figure 3: Existing Zoning

The 1974 Sectional Map Amendment (F-939) for Germantown placed the subject property in the R-200 Zone. The 1984 (G-404) and the 2010 (G-887) Sectional Map Amendments (SMA) for the Approved and Adopted Sector Plan for the Germantown Employment Area confirmed the R-200 zoning of the site.

The property was the subject of Special Exception S-2415 that was approved on March 17, 2000 for a Non-Residence Medical Practitioner Office. The Medical Practitioner Office had been in operation until recently.

The defined neighborhood also contains the following active Conditional Use/Special Exception uses:

- S-2789: To allow an accessory apartment in the basement of an existing house at 20601 Boland Farm RD, Germantown, 2011
- S-1630: To permit a gasoline station at 20700 Frederick Road, 1989

Both Conditional Uses are located within less than a block from the subject property.

D. Proposed Use

The Applicant, Way Station, Inc., is the contract purchaser of the subject property. The Applicant proposes to establish a Residential Care Facility use converting the existing

Medical Practitioner Office/ dwelling to provide housing and mental health services to up to 16 adults with mental health conditions. The Application proposes 11 on-site parking spaces, consisting of two parallel, eight regular, and one van-accessible spaces located in both the front and rear yards.



Figure 4: The Subject Site (outlined in blue) -View from above

This proposed facility will provide services to meet the special needs of individuals suffering with mental health issues. The Applicant's Statement of Justification (SOJ) provides descriptions of the nature and purpose of the proposed Residential Care Facility as follows:

Way Station embraces the philosophy of recovery and resiliency that in its experience can be achieved most effectively in a residential setting. ...Residents of the Germantown house will receive counseling, case management, and assistance in developing skills to manage the limitations and symptoms of their disabilities so that they can return to their communities to live and work. All Way Station residents of the Germantown facility will be adults voluntarily residing there. This program provides supportive housing and mental health services to individuals with disabilities ...

The facility will have a maximum of eight regular shift staff members (up to four managers and four general staff) working on three shifts around the clock, seven days a week. On occasion, other members of the company will visit the facility. The Applicant indicated that the typical shift hours on 24-hours/ seven-day week will be:

Morning Shift: 7:00 am to 3:00 p.m. except for one staff member whose shift is from 10:00 am to until 6:00 p.m.
Evening Shift: 2:00 p.m. to 10:00 p.m.
Overnight Shift: 10:00 p.m. to 8:00 a.m. except for one employee whose shift ends at 6:00 a.m.

NOTE

- ***The facility's managers work a 9:00 a.m. to 5:00 p.m. shift.***
- ***The Facility will have a maximum of 13 part and full-time total employees***

The Applicant's statement indicates that at full capacity, the facility will maintain a 1:4 staff to-resident ratio for both the day and night shifts.

No special events will be held on the facility's premises.

SECTION III: ANALYSIS

A. Master Plan Compliance

The property is located within the *2009 Germantown Employment Area Sector Plan* in the *Seneca Meadows/Milestone District*. The property is part of the residentially zoned portion of the Seneca Meadows/ Milestone District located adjacent the west side of MD 355 between MD 118 (south) and Ridge Road (MD 27-north). The Seneca Meadows District also contains Germantown's largest retail center (850,000SF area) at the corner of MD 355 and MD 27. The District also contains the Seneca Meadows Corporate Center (Industrial Park) on the east side of 1-270.



Figure 5: 2009 Germantown Employment Area Sector Plan

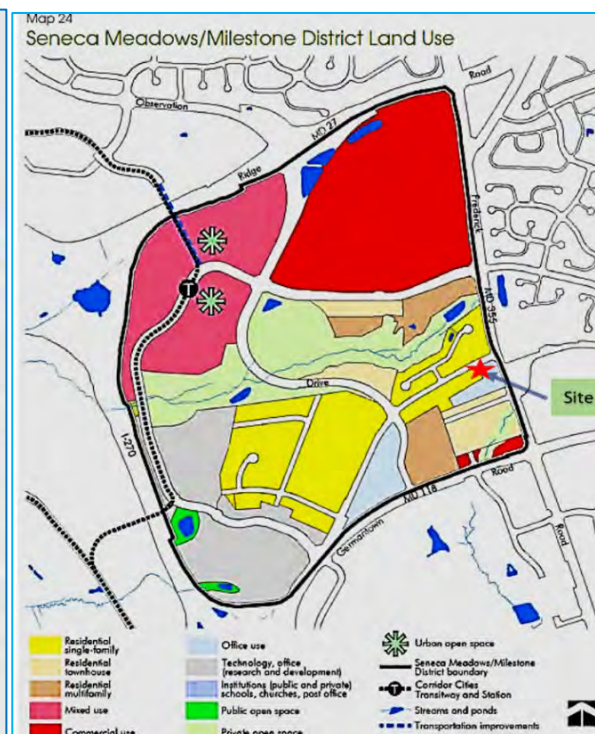


Figure 6: Seneca Meadows/Milestone District Land Use

The section for the *Seneca Meadows/Milestone District Land Use* recommendation of the Sector Plan (P 66) reflects that the Sector Plan retained the existing single-family dwelling development along with its R-200 zoning. As it was the case with the previously approved Conditional Use, the Proposed Conditional Use does not propose to modify the existing residential building with the exception of an elevator shaft addition for ADA compliance. The Conditional Use proposes tree planting and landscaping to rehabilitate the property that is currently covered with asphalt in violation of the previously approved Special Exception. In

addition, by its nature, the proposed use is residential, re-purposes the existing residential structure, and is less intense than some Conditional Uses that could be allowed in the zone.

B. Development Standards

The following table summarizes the R-200 Zone development standards:

Table 1: Development Standards

R-200 Zone Development Standards	Zoning Ordinance 59-4.4.7.B	Proposed
Minimum Lot Area	20,000 SF	24,225 SF (0.56 ac)
Minimum Lot width: <ul style="list-style-type: none"> ▪ at front building line ▪ at front lot line 	100 ft 25 ft	128 ft 128 ft
Maximum lot Coverage	25 percent	17 percent
Minimum Building Setback Principal Building: <ul style="list-style-type: none"> • front • Side <ul style="list-style-type: none"> • One side • Sum of both sides • rear yard 	40 ft 12 ft 25 ft 30 ft	66 ft 14 ft 43 ft 36 ft.
Maximum Building Height	35 ft	30 \pm ft
Parking: 59-6.2.4.B		
Min. Vehicle Parking spaces *16x.25 + 13 x 0.5= 4+7=11 (See Table 4 below under: D Parking)	11 sp	11 sp

**In supplemental Information furnished via-email, the Applicant clarified that there will be a maximum of Eight employees (four management and Four general Staff) at the facility at any given time. However, the parking table on the CU Site Plan as well as the traffic statement based their tabulation on a maximum total of 13 employees.*

C. Transportation

Site Access, Parking, and Public Transportation

The site is located on the south side of Boland Farm Road approximately 315 feet to the west of the intersection of Boland Farm Road and MD 355. The Applicant included a Transportation statement as part of this Application.

The proposed Residential Care Facility with a maximum of 13 employees does not trigger LATR and therefore, the Applicant is not required to provide a LATR study. Staff recommends that the total number of full-and part-time employees must not exceed 13.

The property is accessed from Boland Farm Road via the existing driveway access.

The Applicant is requesting a parking waiver from the side and rear yard setback requirements under Section 6.2.10.

D. Parking

In general, the Application meets the applicable requirements of Article 59-6. The parking table in **Section 59.6.2.4** requires a base minimum of 0.50 spaces per employee plus .25 space per each vehicle operated in connection with the proposed Residential Care Facility use located within the R-200 Zone:

Table 2: Required Parking

Section 59.6.2.4 Parking	Required	Provided
Vehicle spaces .25 sp/bed + 0.50 sp/employee	16X.25 + 13 X .50 = 11 sp including 1 van-accessible handicapped spaces	11 sp including 1 van- accessible Handicapped spaces

The Applicant has indicated that none of the residents of the facility will be driving. The Application provides adequate parking for the proposed use, however, a waiver to the parking setbacks is described below.

1. Section 6.2.5. Vehicle Parking Design Standards

6.2.5.B.

Location: Each required parking space must be within ¼ mile of an entrance to the establishment served by such facilities.

All proposed parking spaces are within 150 feet, or 0.03 miles, of the entrance to the facility.

6.2.5.C.

Access: Each parking space must have access to a street or alley open to use by the public. Vehicle access crossing primary pedestrian, bicycle, or transit routes must be limited wherever feasible.

All proposed parking spaces will directly be accessed from Boland Farm Road via a single driveway located at the northeastern corner of the property.

6.2.5.D.

Marking

1. Any off-street parking area must be arranged and marked to provide for orderly and safe loading, unloading, parking, and storage of vehicles.
2. Each individual parking space must be clearly marked, and directional arrows and traffic signs must be provided as necessary for traffic control.
3. Each space or area for compact parking must be clearly marked to indicate the intended use.

The drive lanes serving the parking spaces will be arranged and marked to allow for safe, adequate and efficient circulation within the parking areas.

Table 3: Parking Space Minimum Dimensional Requirements

59-6.2.5.E:	Standard Space		Compact Space	
Parking Angle	Width	Length	Width	Length
Perpendicular	8.5'	18'	7.5'	16.5'
60 to 75 degrees	10'	23'	8.5'	21'
45 to 59 degrees	12'	26.5'	not allowed	not allowed
Parallel	7'	21'	6'	19.5'

No compact spaces are proposed. Eight perpendicular spaces (8'.5" X 18') and three parallel parking spaces (7' X21") and one van-accessible handicap space (8'X18'+ 8' aisle) are provided. The typical dimensions of spaces are identified on the Conditional Use Plan and will be clearly marked and identified in the field when installed.

6.2.5.H.

Parking Separation

1. Each parking space must be separated from any road, street, alley, or sidewalk by curbing or wheel stops.
2. Any road, street, alley, sidewalk, or other public right-of-way must be protected from vehicular overhang by wheel stops, curbs, spacing between the right-of-way line and the parking area, or other method approved by DPS.

The three parking spaces located adjacent to the road are separated from the road, by a setback, utility easement, and landscaped island.

6.2.5.I.

Walkways

An off-street parking facility must have pedestrian walkways or sidewalks as needed for pedestrian safety. A pedestrian walkway or sidewalk must be distinguished by stripes, wheel stops, curbs, or other methods approved by the applicable deciding body.

The Conditional Use Plan shows a four-foot lead walkway providing pedestrian access from Boland Farm Road to the Residential Care Facility. The Applicant must provide marked crosswalks from the drive aisle/parking lot to the building front and rear entrances to provide safe and adequate pedestrian access for residence.

6.2.5.K

Facilities for Conditional Uses in Residential Detached Zones

Any off-street parking facility for a conditional use that is located in a Residential Detached Zone where 3 or more parking spaces are provided must satisfy the following standards:

- 1. Location: Each parking facility must be located to maintain a residential character and a pedestrian-friendly street.**

The parking areas are located in a manner where direct views of the spaces from the road are restricted by landscaping, setbacks, and the placement of the existing building on the property.

2. Setbacks

- a. The minimum rear parking setback equals the minimum rear setback required for the detached house.**
- b. The minimum side parking setback equals 2 times the minimum side setback required for the detached house.**
- c. In addition to the required setbacks for each parking facility:**
 - i. the required side and rear parking setbacks must be increased by 5 feet for a parking facility with 150 to 199 parking spaces; and**
 - ii. the required side and rear parking setbacks must be increased by 10 feet for a parking facility with more than 199 parking spaces.**

Parking Setback Waiver

As mentioned above, the proposed parking lot does not meet the requirement of 6.2.5.k.2.b that specifies “the minimum side parking setback equals 2 times the minimum side setback required for the detached house.” The side setback requirement for a detached house in the R-200 Zone is 12 feet and therefore, the minimum side parking setback for the proposed Conditional Use is 24 feet. As Part of this Application, the Applicant is requesting a parking waiver, under Section 6.2.10, to reduce the 24-foot minimum side parking setback requirement to three (3) feet. The eastern side yard abuts a small parking lot and a driveway of the adjacent Fire Station. The Fire Station’s parking facility is set back 11 to 15 feet from the edge of the eastern property line of the subject property.

The proposed parking lot that is located in the rear yard also fails to meet the setback requirements of 6.2.5.k.2.a, which states that “the minimum rear parking setback equals the minimum rear setback required for the detached house.”

All proposed seven spaces in the rear yard are positioned entirely hidden from views from adjacent properties.

Moreover, these parking spaces abut a parking facility of the adjoining Fire Station which has a minimum of 20 feet wide set back that includes a row of mature Leyland Cypress (erroneously identified as Cedar trees on the plan) that provide screening of the Fire Station from the subject property.

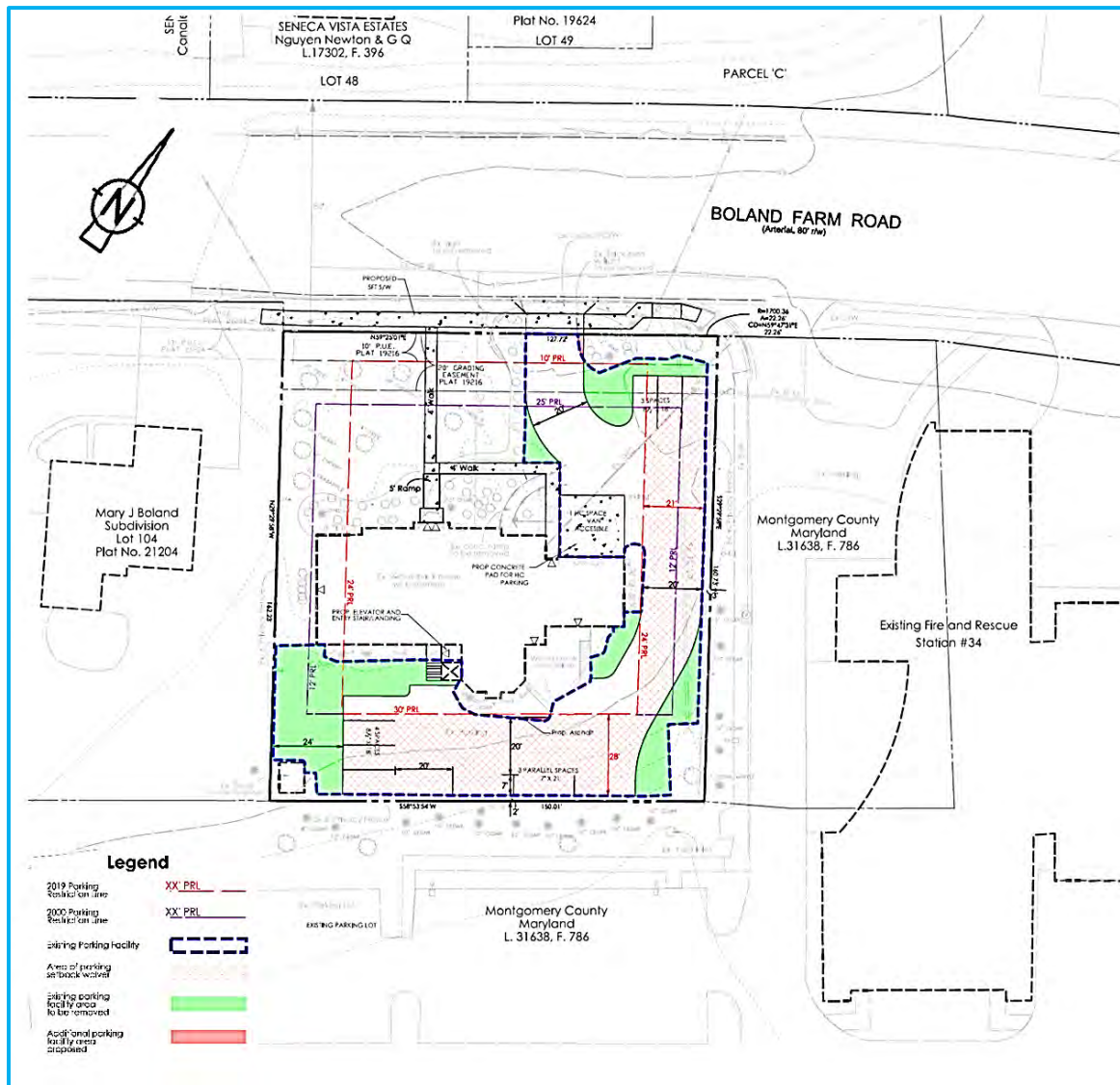


Figure 7: Parking Waiver Exhibit

The eastern side yard and the rear yard have been paved with asphalt and used as a driveway and parking lot for at least six years. Most of the asphalt paving was installed in violation of the previous Conditional Use S-2415. However, the current proposal to modify the asphalted areas will allow an organized internal circulation system while providing the required parking spaces thereby, reducing potential on-street congestion near and on the property. Moreover, the proposal will increase landscaping and trees,

and will remove patches of asphalted areas in the front and rear yards, enhancing the property's aesthetic appeal in keeping with the character of the residential neighborhood.

Staff supports this waiver because the proposed driveway access point provides for the safest and most efficient access to the site while also using the existing driveway apron to access parking spaces in the rear portion of the property. As noted, the subject property abuts Fire Rescue Station No.34 on both its eastern and southern (rear) property lines (Figures 7 and 8).

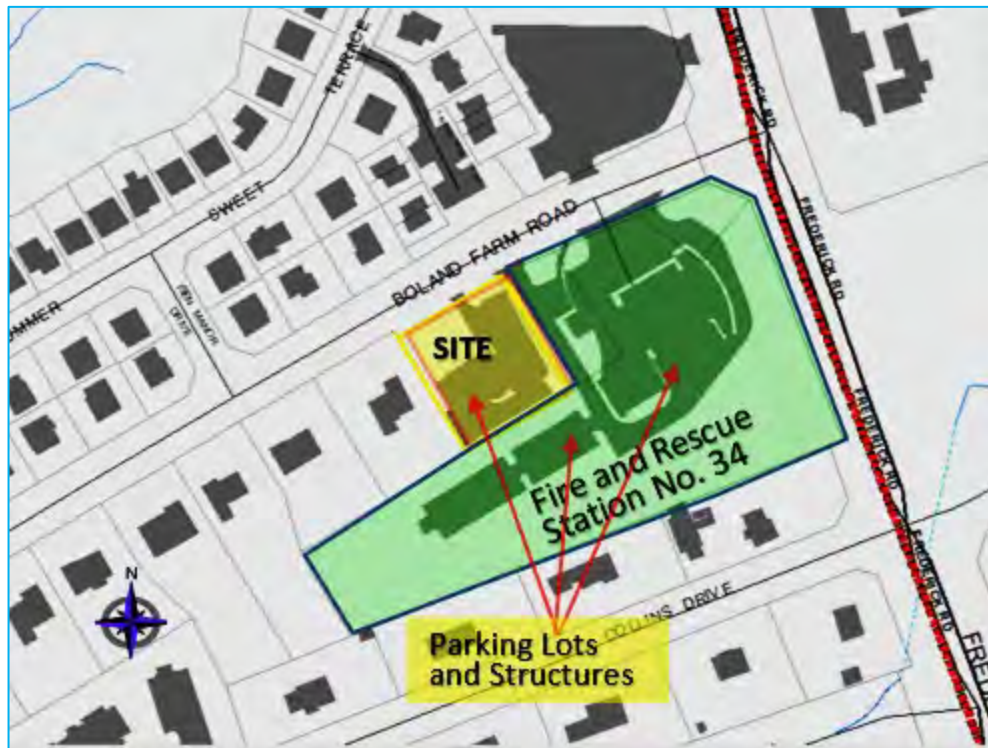


Figure 8: Existing Parking Lots and structures on the Subject Site and Adjoining Property

In response to staff's suggestion, the Applicant has revised the Landscape and Lighting Plan adding additional planting on the northwest corner of the building. The proposed and existing trees in the front yard, will help to minimize and mitigate potential impacts of glare and noise on the adjoining property to the west.

With the requested waiver and recommended conditions, the proposed design meets the intent of Section 6.2.1 to ensure that adequate parking is provided in a safe and efficient manner.

E. Landscaping

Section 6.2.9.C. Parking Lot Requirements for 10 or More Spaces

1. Landscaped Area

- a. A surface parking lot must have landscaped islands that are a minimum of 100 contiguous square feet each comprising a minimum of 5 percent of the total area**

of the surface parking lot. Where possible, any existing tree must be protected and incorporated into the design of the parking lot.

- b. A maximum of 20 parking spaces may be located between islands.**
- c. A landscaped area may be used for a stormwater management ESD facility.**

The submitted Landscape Plan revised on March 16, 2020 satisfies these requirements.

The Applicant is proposing to remove sections of the existing asphalt as shown by the green colored areas in Figure 7 and replace them with topsoil and groundcovers thereby creating landscaped areas in the parking lot. The Application complies with the 100 square-foot and five percent requirement for the size of landscaped islands.

2. Tree Canopy

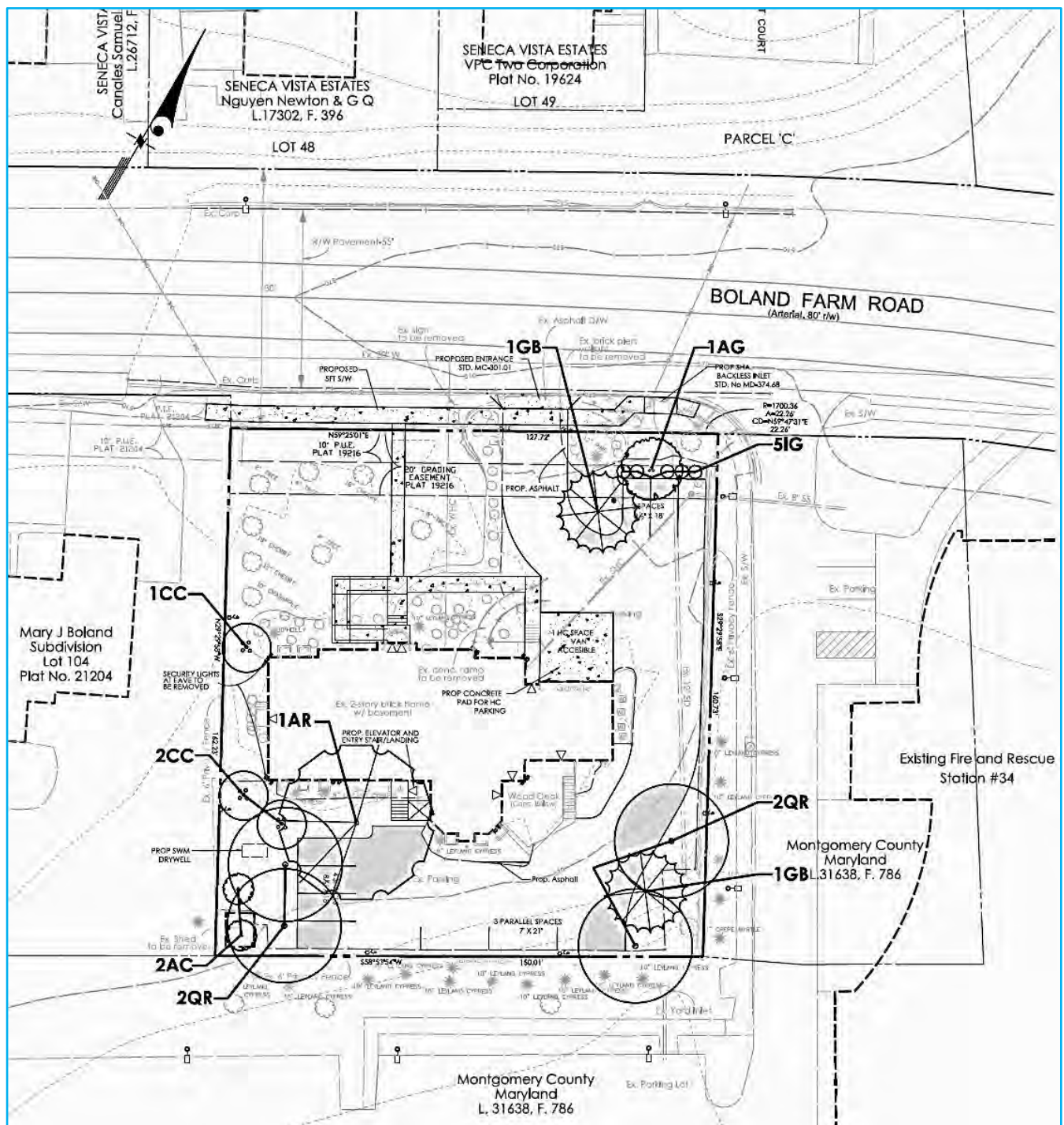
Each parking lot must maintain a minimum tree canopy of 25 percent coverage at 20 years of growth, as defined by the Planning Board's Trees Technical Manual, as amended.

The proposed landscaping meets or exceeds the standards set in Sections 6.2.9.C.1 and 2 of the current Zoning Ordinance for Landscape Area and Tree Canopy Coverage. The Applicant is proposing the installation of eight overstory trees which will provide the required 25% parking lot coverage.

3. Perimeter Planting

- a. The perimeter planting area for a property that abuts an Agricultural, Rural Residential, or Residential Detached zoned property that is vacant or improved with an agricultural or residential use must:**
 - i. Be a minimum of 10 feet wide;**
 - ii. Contain a hedge, fence, or wall a minimum of 6 feet high;**
 - iii. Have a canopy tree planted every 30 feet on center; and**
 - iv. Have a minimum of 2 understory trees planted for every canopy tree.**

The parking areas are located in the front and rear yards. The driveway traverses the eastern side yard to access the parking spaces in the rear yard, behind the building. The eastern and the rear yards abut the Fire Rescue Station No. 34 's property. The subject property is surrounded by a six-foot-high privacy (vinyl) fence on three sides.



Given the nonresidential nature of the Fire Station, a provision of perimeter planting along the eastern and southern property lines is not needed. However, it should be noted that the Fire Station's parking lot that is abutting the subject property at the rear contains a row of 11 mature Leyland Cypress trees that provide screening of the parking lot from the subject property. In addition, the parking lot perimeter screening on the Fire Station property wraps around the subject property's southeastern side where five additional Leyland Cypress trees are located, along with perimeter fencing providing screening of the Fire Station's driveway.

For the small parking area in the southwest corner of the project, the Applicant is proposing to provide enhanced screening in the form of three overstory trees, two understory trees, and two large shrubs, in addition to the existing six-foot privacy fence surrounding this area. The application meets or exceeds the screening requirements under Section 6.2.9.

Section 59-6.4.3: General Landscaping Requirements specifies and defines the types of plant materials, canopy trees, understory trees, and evergreen trees.

The Applicant's revised landscaping meets the General Landscape Requirements as defined and specified under Section 59-6.4.3., Section 6.5.3.A: Location, and 6.5.3.C.7 Screening Requirements by Building Types.

F. Lighting

Pursuant to **Section 59 6.4.4.E, outdoor lighting for Conditional Uses must be directed, shielded or screened to ensure that the illumination is 0.1 foot-candles or less at any lot line that abuts a lot with a detached house building type, not located in a Commercial/Residential or employment zone.**

The Lighting Plan is adequate and safe for vehicular and employee movement. The Applicant proposes no new lighting for this conditional use. Currently, the property has eight existing light fixtures mounted to the top of the privacy fence and seven security lights mounted to the corners of the existing building structure. The existing building security lights are motion activated and will remain that way. The Applicant's revised Landscape and Lighting Plan proposes to remove all eight existing light fixtures that are mounted to the privacy fence as well as two of the building security lights mounted on the west side of the structure closest to the adjoining residential lot to the west. The remaining security light fixtures are directed at a downward angle and their illumination will not generate more than 0.1 foot-candles at any lot line.

G. Screening

Section 6.5.2.B specifies, in the Agricultural, Rural Residential, and Residential Detached zones, a conditional use in any building type, except a single-family detached house, must provide screening under Section 6.5.3 if the subject lot abuts property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved

with an agricultural or residential use. All conditional uses must have screening that ensures compatibility with the surrounding neighborhood.

The property is within a Residential Detached Zone and abuts other properties within the same zone that are improved with a public service use (Fire Station) and a residential use. The proposed Residential Care Facility will be housed within the existing dwelling with no modification proposed to the exterior of the dwelling. Therefore, Section 6.5.3 does not apply. However, the proposed use must have screening that ensures compatibility with the surrounding neighborhood.

Because there is abutting property improved with a residential use to both the east and the south of the property, the applicant must ensure adequate screening in these directions. Existing trees that are in the front and west side yards and that are also part of the Tree Save Plan, remain onsite and will provide sufficient screening of the facility from the adjacent (west) and confronting residential dwellings.

As noted, the property is currently enclosed with a six-foot privacy fence and there is existing vegetation along the western lot line screening the subject property from the single-family residential structure to the west. The existing vegetation consists of five mature Holly, Cherry, and Crabapple trees ranging in size from 10-inches to 18-inches in diameter at breast height. In addition, there are approximately 10 mature large shrubs between the Conditional Use structure and the six-foot-high privacy fence abutting the existing residential lot to the west. The Applicant is also proposing to install a three-inch caliper Redbud (*Cercis canadensis*) approximately 10 feet northwest of the house, between the house and the fence, which will enhance the existing screening vegetation.

The landscaping meets or exceeds the lot screening requirements under Section 59-6.5.2.B

H. Signage

There will be no signage identifying the proposed use on the property.

I. Environment

Consistency with Environmental Guidelines

There are no environmental issues or concerns associated with the subject proposal. The Application is not subject to the Forest Conservation Plan Requirements under 22A-5 (q) (1) of the Forest Conservation Law. The proposed Conditional Use has been granted an exemption from the Montgomery County Forest Conservation Plan requirements (Attachment-B).

Tree Save Plan

As part of this Application the Applicant has submitted a revised Tree Save Plan.
(Attachment A)

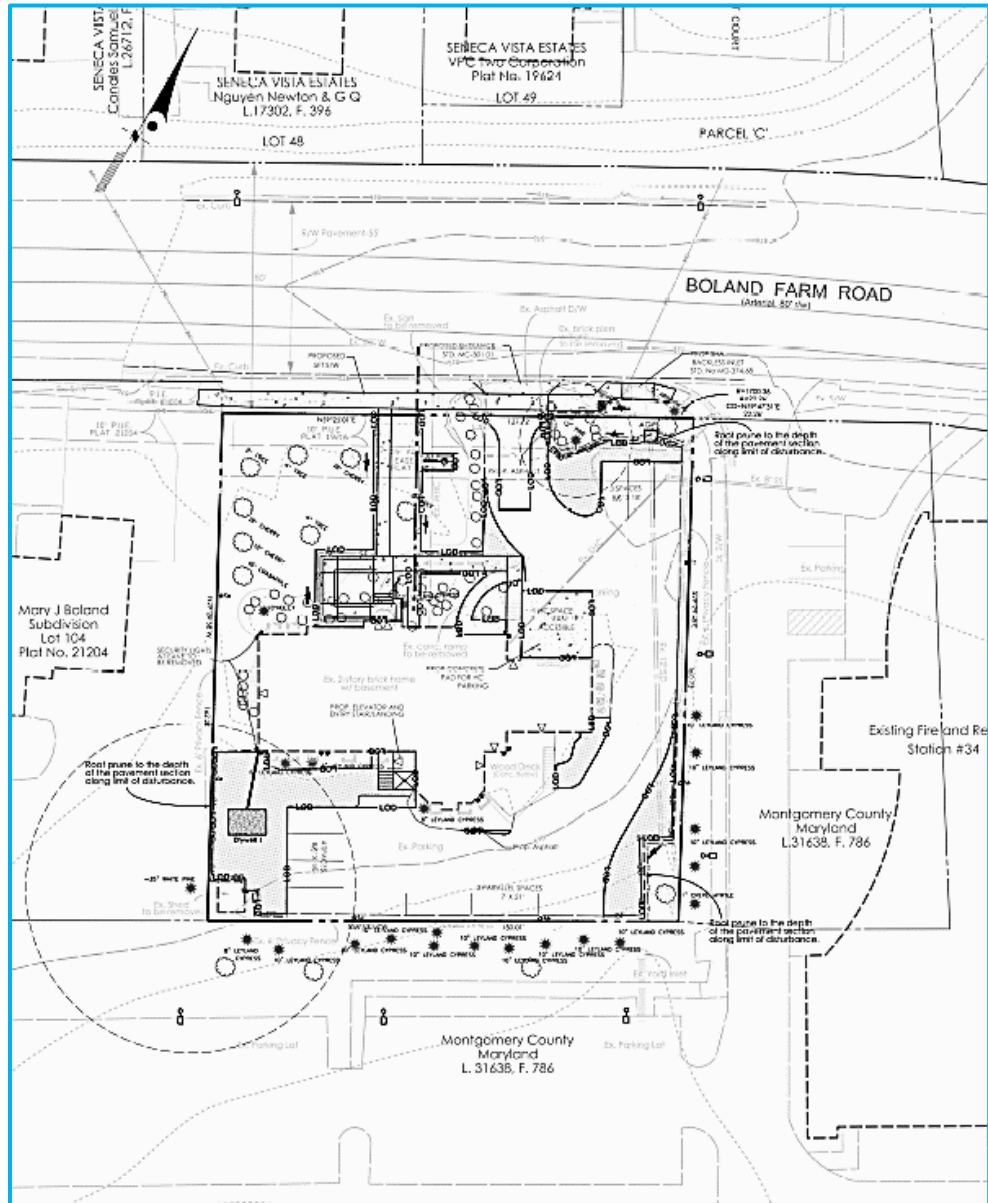


Exhibit 10: Proposed Tree Save Plan

In supplemental submission the Applicant stated that the revision to the Tree Save Plan are a function of the recent changes made to the Conditional Use Site Plan and the Landscape and Lighting Plan. The applicable revisions include:

- Moved the fire hydrant from within public r/w to onto the subject property since it is now proposed to be private as WSSC directed.

- Added a new ramp by the front door for ADA access.
- Some minor graphic clarity improvements (made existing lights less prominent and corrected label of existing Cedars to Leyland Cypress on Fire Dept. property)

The Limit of Disturbance (LOD) was adjusted to reflect these changes to the proposed site improvements. Please see the Landscape and Lighting Plan for information regarding the proposed plantings.

Staff recommends approval of the revised Tree Save Plan.

J. Community Concerns

At the time of this report, no communication has been received from the community either in support or in opposition of the proposed Conditional Use. The Applicant's Attorney has submitted supplemental information (via e-mail March 13, 2020) to show community outreach efforts concerning the proposed Residential Care Facility (Attachment C).

SECTION IV: COMPLIANCE WITH THE NECESSARY FINDINGS IN SECTION 59.7.3.1.E AND SPECIFIC CONDITIONAL USE REQUIREMENTS IN SECTION 59-3

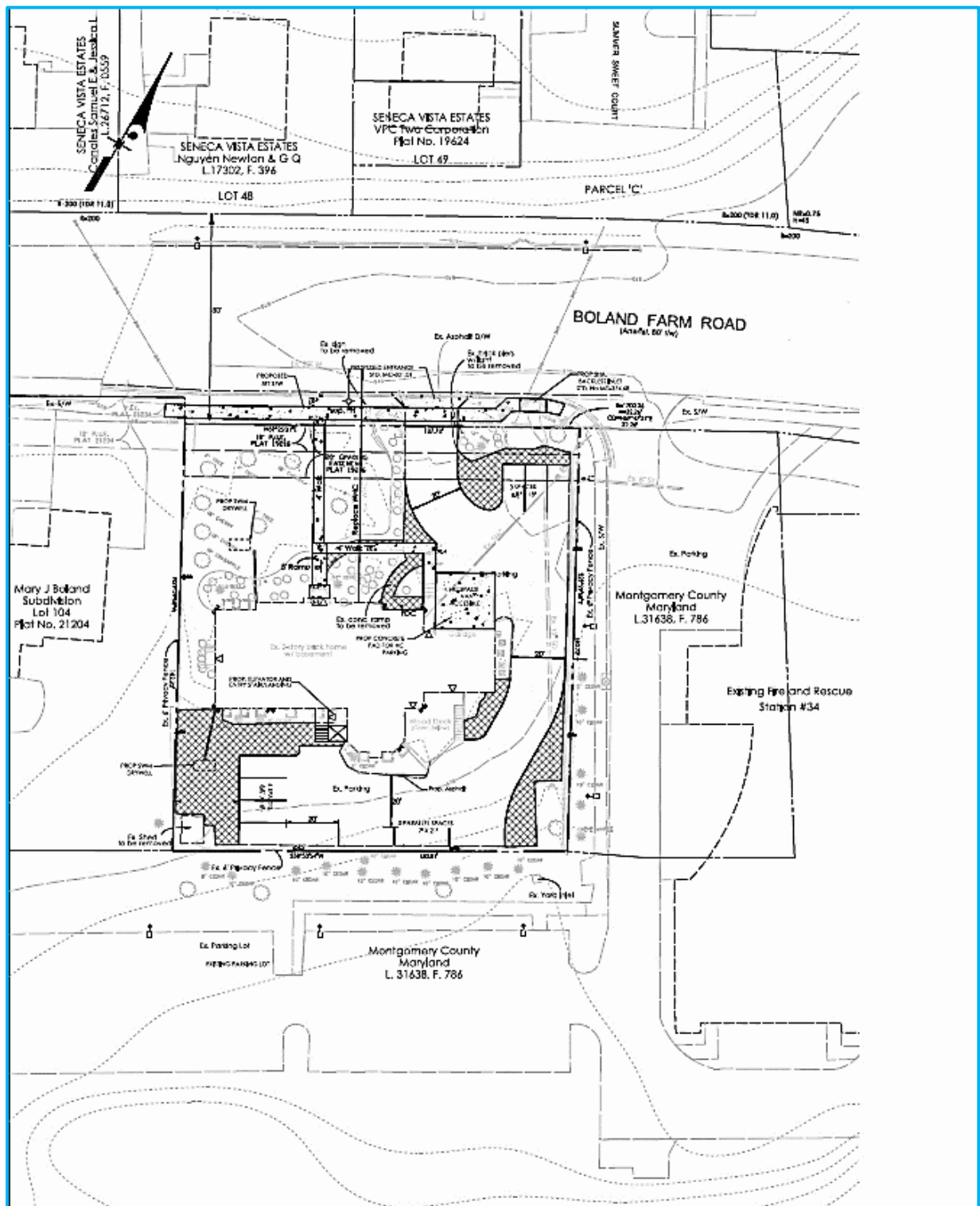


Figure 11: Conditional Use Plan (Attachment A)

Section 59.7.1.E. Necessary Findings

- 1. Section 59.7.3.1.E.1 states that, to approve a Conditional Use application, the Hearing Examiner must find that the proposed development satisfies the following requirements of Sections 59.7.1.E.a through g.**

- a. Satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended.**

Currently, there is a prior Conditional Use associated with the subject property. The existing Conditional Use was approved in 2000 by Special Exception S-2415, for a *Medical Practitioner's office for use of other than a resident of the building*. There is no relationship between the existing Conditional Use (S-2415) and the proposed Residential Care Facility (CU-20-01). If the proposed Residential Care use is approved, the Applicant must request the Board of Appeals to remove S-2415 from the property. The Applicant intends to amend the existing approved Preliminary Plan of Subdivision upon approval of the proposed conditional use (CU-20-01). The amendment to the previously approved plan is to reflect the change in the use of the building and to recognize any changes to the adequacy of public facilities.

- b. Satisfies the requirements of the zone under Division 59-3, the use standards (Division 4), and applicable general requirements under Article 59-6.**

With Staff's recommended conditions of approval, the proposal satisfies the specific Conditional Use standards and requirements of Section 59.3.3.2.E: Residential Care Facility (9 to 16 persons). As shown on the Use Standard Table in Section III of this report, the Application meets the requirements of the R-200 Zone development standards per Section 59.4.4.7.B and the applicable parking, screening, perimeter landscaping, and sign requirements of Article 6, with the exception of a parking setback requirement for which a waiver is requested. Staff supports the requested waiver.

59. 3.3.2.E: Residential Care Facility (9 to 16 persons): Specific Conditional Use Requirements:

1. Defined, in General

Residential Care Facility means a group care or similar arrangement for the care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual, in which:

- a. the facility must meet all applicable Federal, State, and County certificate, licensure, and regulatory requirements.**

- b. resident staff necessary for operation of the facility are allowed to live on-site; and
- c. the number of residents includes members of the staff who reside at the facility but does not include infants younger than 2 months old.

2. Use Standards

b. Residential Care Facility (9 - 16 Persons)

- i. **Where a Residential Care Facility (9 - 16 Persons) is allowed as a limited use, and the subject lot abuts or confronts a property zoned Agricultural, Rural Residential, or Residential Detached that is vacant or improved with an agricultural or residential use, site plan approval is required under Section 7.3.4.**

The Applicant is proposing a Residential Care Facility for up to 16 adults with mental health conditions. The Application meets the definition for a Residential Care Facility (9-16 persons). The Application is allowed as a Conditional Use.

- ii. **Where a Residential Care Facility (9 - 16 Persons) is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1, Conditional Use, and the following standards:**

- (a) **A group home for children must provide ample outdoor play space, free from hazard and appropriately equipped for the age and number of children to be cared for.**

The group home provides services to adults only, specifically, for persons with mental health problems.

- (b) **Height, density, coverage, and parking standards must be compatible with surrounding uses and the Hearing Examiner may modify any standards to maximize the compatibility of the building with the residential character of the surrounding neighborhood.**

The property is of sufficient size to accommodate the proposed number of residents. The property has been used as a Medical Practitioner's Office for Nonresidential Practitioner with a second-floor residential use. With the proposed conditional use, the facility will have a maximum of 16 beds. The facility can be accommodated within the existing structure. There will be no external modification to the existing residential building. The Applicant's SOJ indicates that the only internal

modifications will be limited to installing an elevator in compliance with ADA requirements.

(c) In the AR zone, this use may be prohibited under Section 3.1.5, Transferable Development Rights.

The property is zoned R-200.

c. Substantially conforms to the recommendations of the applicable Master Plan.

The Application substantially conforms to the recommendations of the *2009 Germantown Employment Area Sector Plan* and is compatible with the character of the surrounding area as discussed under *SECTION III. A: Master Plan Compliance*.

There are no major Master Plan concerns that are associated with this application. The proposed Residential Care facility is consistent with the land use objectives of the 2009 Germantown Employment Area Sector Plan. The proposed project is compatible with the existing development pattern of the adjoining uses as well as the immediate neighborhood, in terms of height, size, scale, traffic and visual impacts.

d. Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan.

With the recommended conditions, the proposed use will be in harmony with the general character of the neighborhood. The proposed use will be operated in such a manner that it will not interfere with the orderly use, development, and improvement of surrounding properties. The Conditional Use Plan provides for sufficient off-street parking. In addition, there is available unrestricted on street parking. The proposed facility replaces another Conditional Use that was operating on the site for at least 20 years. The proposed Conditional Use is not likely to result in any notable negative impact on the residential neighborhood, in terms of increased traffic and noise.

The Applicant indicated that the facility will not have a large trash dumpster. Instead, the facility will have multiple residential trash bins that will be stored and concealed underneath the deck in the rear of the building. The trash bins will be wheeled outside and back to the building in appropriate time before and after the regular trash pick-up. Trash will be picked up twice a week by a private service company.

Deliveries to the property include every two weeks delivery of food products and supplies during normal business hours.

Staff recommends that there will be no more than six food and supply deliveries to the facility per month.



Figure 12: The Subject Property and Proposed Landscaping

- e. **Will not, when evaluated in conjunction with existing and approved Conditional Uses in any neighboring Residential Detached zone, increase the number, intensity or scope of Conditional Uses sufficiently to affect the area adversely or alter the predominately residential nature of the area; a Conditional Use application that conforms with the recommendations of a Master Plan does not alter the nature of the area.**

There are two active Conditional Uses in the immediate neighborhood: Special Exception S-2789, approved in 2011 for an accessory apartment at 20601 Boland Farm Road and S-1630 for a gasoline station at 20700 Frederick Road, 1989. The proposed Conditional Use is replacing an existing Conditional Use, S-2415. The proposed use will have no adverse impact on the residential nature of the property and the immediate neighborhood.

- f. **Will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the Conditional Use is equal or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:**

- i. If a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, or storm drainage; or
- ii. If a preliminary plan of subdivision is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water , sanitary sewer, public roads, and storm drainage.

The property is a recorded lot, but amendment to the last approved Preliminary Plan of Subdivision (11993011) will be required to allow the proposed use; therefore if the Conditional Use is approved, the property will be subject to **59.7.3.1.E.1 f.ii** above.

The proposed use will have a minimal impact on public facilities. The proposed development will be served by adequate public facilities.

a. Water and Sewer Service

The subject property, a platted lot, is served by public water and sewer service.

b. Storm Water Concept Plan

The Stormwater Management Concept Plan proposes to meet required stormwater management goals using a drywell and an alternative surface. The stormwater management concept plan has been submitted to the Montgomery County Department of Permitting Services (MCDPS) Water Resource Section. By a letter dated January 7, 2020 MCDPS Water Resource Section has indicated that the Applicant's storm management concept is acceptable provided certain conditions are addressed during the detailed Sediment Control/SWM plan stage (see-Attachment C).

c. Transportation

Adequate Public Facilities Review (APF) and Local Area Transportation Review (LATR)

Based on the 2016-2020 Subdivision Staging Policy transportation impact criteria, the proposed use generates fewer than 50 peak-hour person trips; therefore, the application is not subject to a Local Area Transportation Review analysis.

The proposed access to the site is adequate to serve the traffic generated by the development. The internal pedestrian circulation and walkways, with the recommended conditions, will provide adequate movement of pedestrian traffic.

Fire Access

The Applicant submitted a Fire Access Plan to MCDPS Fire Department Access and Water Supply Office. The Office approved the proposed fire access plan on March 5, 2020 (Attachment C)

(d) Other Facilities

The Montgomery County Fire and Rescue station 34 is located on the adjoining property to the east of the subject Property. The Montgomery County Police Department 5D is located at 2000 Aircraft Drive, Germantown, Maryland. 1.6 miles southwest of the property.

Due to its nature, the Conditional Use does not generate any school aged children; therefore, school facilities review is not necessary.

- g. Will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:**
- i. The use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood.**
 - ii. Traffic, noise, odors, dust, illumination or lack of parking; or**
 - iii. The health, safety or welfare of neighboring residents, visitors or employees.**

The inherent, generic physical and operational characteristics associated with a Residential Care Facility include (1) a building large enough to house the proposed number of residents, (2) on-site parking sufficient to meet the requirements of the use and of the Zoning Ordinance, (3) outdoor lighting consistent with residential standards and adequate for safe vehicular and pedestrian access at night, (4) vehicular trips to and from the site by employees, visitors, residents, delivery, and trash pick-up. (5) a modest level of outdoor activities associated with use of passive recreation area, and (6) noise from ambulances in emergency situations.

The scale of the building, the proposed access point, the internal vehicular circulation system and the onsite parking area are operational characteristics typically associated with a residential care facility (9-12 persons) and would not be unusual in any respect. Staff, however, considers the fact that the property is approximately 75 percent paved with asphalt, in violation of the previous Conditional Use conditions of approval, to be a non-inherent characteristic. However, Staff believes that this non-inherent characteristic does not rise to a

level that warrants a denial given the fact that the current application proposes to rehabilitate the existing conditions on the property by planting additional trees and landscape materials and reducing impervious surfaces by removing asphalted areas at various locations. As noted, the Applicant is requesting a waiver from the side yard setback requirement for parking facilities to allow the proposed driveway as well as on-site parking located at the back of the existing dwelling.

With the recommended conditions of approval, the inherent and non-inherent impacts associated with the proposed uses do not rise to a level sufficient to warrant a denial of the Application.

There will be no external alterations or modifications (with the exception of installation of an ADA required elevator) to the existing house to accommodate the proposed use. The proposed Residential Care Facility will not adversely affect the preservation of the existing residential character of the immediate neighborhood. Adequate off-street parking is provided to serve the proposed facility. As noted, there is on-site parking for 11 cars which will be attained with approval of a waiver from side and rear yard setback requirements. In addition, off-site parking is available along the Property's frontage on Boland Farm Road.

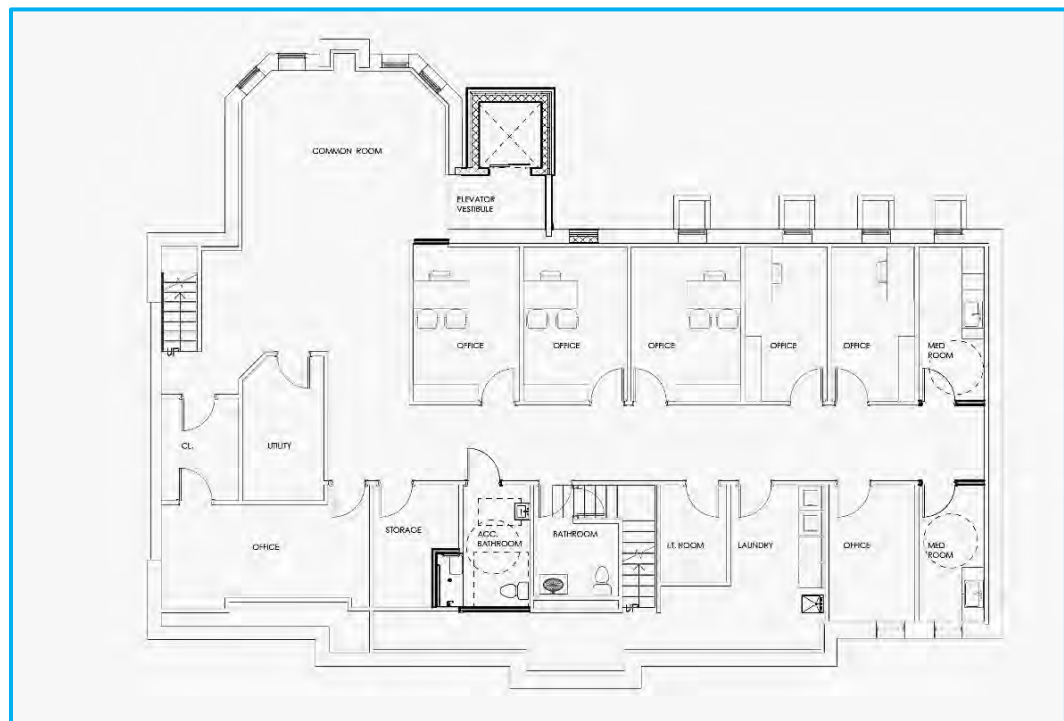


Figure 13: Basement Floor Plan

The size, scale, and scope of the proposed Residential Care Facility will not adversely affect the residential character of the neighborhood or result in any unacceptable noise, traffic disruption, or environmental impact. Thus, there are no inherent or non-inherent adverse effects associated with this Application sufficient to warrant a denial of the proposed Conditional Use.

2. **Section 7.3.1.E.2:** Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.

No change is proposed to the exterior of the existing dwelling, which was constructed in 1995 and is generally consistent with the prevailing character of the neighborhood in terms of design and building materials.

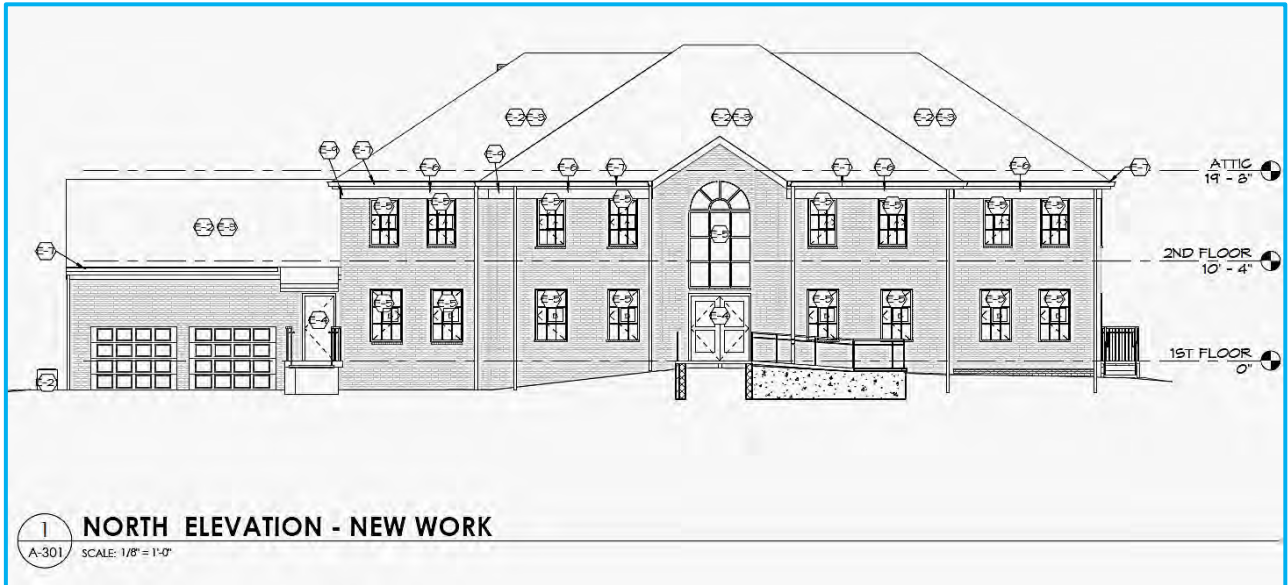


Figure 14: North Elevation

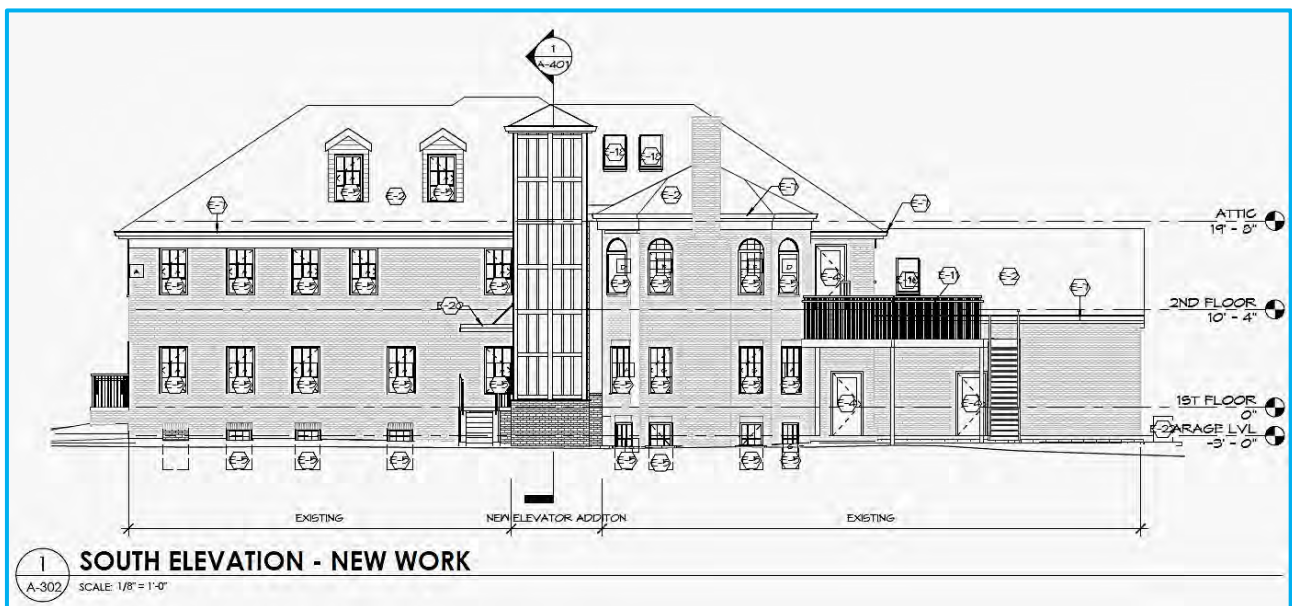


Figure 14.1: South Elevation

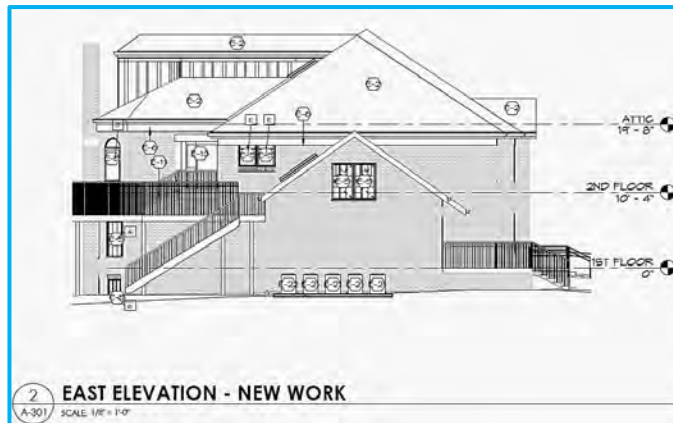


Figure 14.2 East Elevation

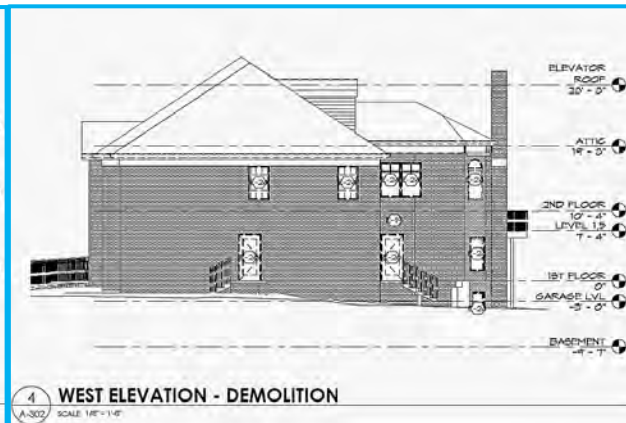


Figure 14.3: West Elevation

SECTION V. CONCLUSION

The proposed Conditional Use satisfies all applicable requirements for approval of a Conditional Use as specified in the 2014 Montgomery County Zoning Ordinance. The proposed use is consistent with the recommendations of the *2009 Germantown Employment Area Sector Plan*. There are no unacceptable traffic, circulation, noise or environmental impacts associated with the Application provided that the recommended conditions are satisfied.

Based on the foregoing analysis, Staff recommends Approval of Conditional Use CU-20-01, subject to the conditions found on Page 2 of this report.

ATTACHMENTS

- A. Plans and Drawings
- B. Forest Conservation Plan Exemption
- C. Supplemental Information and Supporting Documents

A. Plan and Drawings

Attachment A

GENERAL NOTES: DEMOLITION

- GC SHALL NOTIFY THE ARCHITECT OF ANY CONCEALED CONDITIONS UNCOVERED DURING DEMOLITION THAT IMPEDES THE EXECUTION OF THE DESIGN AS INDICATED ON THE DOCUMENTS OR POSES ANY HEALTH AND/OR LIFE-SAFETY HAZARDS.
- GC SHALL MINIMIZE DAMAGE TO FINISHES ADJACENT TO DEMOLITION AREAS, GC SHALL BE RESPONSIBLE FOR RESTORING ALL FINISHES AFFECTED BY THEIR WORK.
- REFER TO MECHANICAL, ELECTRICAL, AND PLUMBING COMPONENTS FOR DEMOLITION OF SUCH MATERIALS, EQUIPMENT & SYSTEMS.
- DIMENSIONS ARE BASED ON FIELD SURVEYS BY ARCHITECT. ANY DISCREPANCIES IN DIMENSIONS THAT CONFLICT WITH DESIGN AS DRAWN MUST BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY.
- NOTIFY LANDLORD/OWNER IN WRITING 72 HOURS PRIOR TO COMMENCING WORK ON ANY PROJECT PHASE OR PERFORMING ANY WORK THAT WILL IN ANY WAY IMPACT THE LANDLORD/OWNER (SUCH AS CONSTRUCTION OF TEMPORARY BARRICADES, TEMPORARY UTILITY SHUT DOWNS). DO NOT PROCEED WITH SUCH WORK IF THE LANDLORD/OWNER DOES NOT GRANT PERMISSION.
- PERFORM ALL WORK IN ACCORDANCE WITH ALL APPLICABLE CODES AND PERMITS, NOT LIMITED TO THOSE REFERENCED HEREIN.
- PRIOR TO PROCEEDING WITH DEMOLITION GC TO REVIEW HAZARDOUS MATERIALS TESTING REPORT. GC MUST NOTIFY LANDLORD/OWNER AND ARCHITECT WHEN HAZARDOUS MATERIALS NOT INCLUDED IN THE REPORT ARE DISCOVERED PRIOR TO PROCEEDING WITH REMOVAL ACCORDING TO FEDERAL, STATE AND LOCAL LAWS.
- VERIFY EXTENT OF EXISTING CONSTRUCTION IN FIELD, IMMEDIATELY NOTIFY ARCHITECT OF ANY DISCREPANCIES.
- GC IS RESPONSIBLE FOR PROTECTION OF THE EXPOSED BUILDING, INTERIOR MATERIALS AND FINISHES SUBJECT TO WEATHER, WATER AND MOISTURE, EXTREME TEMPERATURES DURING THE TERM OF THE CONSTRUCTION PERIOD. REFER TO SPECIFICATION SECTION 015000 TEMPORARY FACILITIES AND CONTROLS FOR SPECIFICS. GC IS RESPONSIBLE FOR THE MEANS OF A PROTECTION PLAN.
- PRIOR TO STRUCTURAL MODIFICATIONS INDICATED HEREIN OR OTHERWISE, GC IS RESPONSIBLE FOR PROVIDING ENGINEERED MEANS FOR TEMPORARY SHORING.

GENERAL NOTES: DEMOLITION

GENERAL NOTES: EXTERIOR ELEVATIONS

NEW CONSTRUCTION:

- ALL DIMENSIONS REFER TO FINISHED SURFACES, U.N.O.
- ALL DIMENSIONS AT DOORS AND WINDOWS REFER TO NOMINAL OPENINGS, U.N.O.
- SEE A-___ FOR WINDOW SCHEDULE AND ELEVATIONS.
- REFER TO ELECTRICAL DRAWINGS FOR BUILDING MOUNTED AND POLE MOUNTED SITE LIGHTING HEIGHTS, U.N.O.
- FOR DOOR TAGS REFER TO FLOOR PLANS.

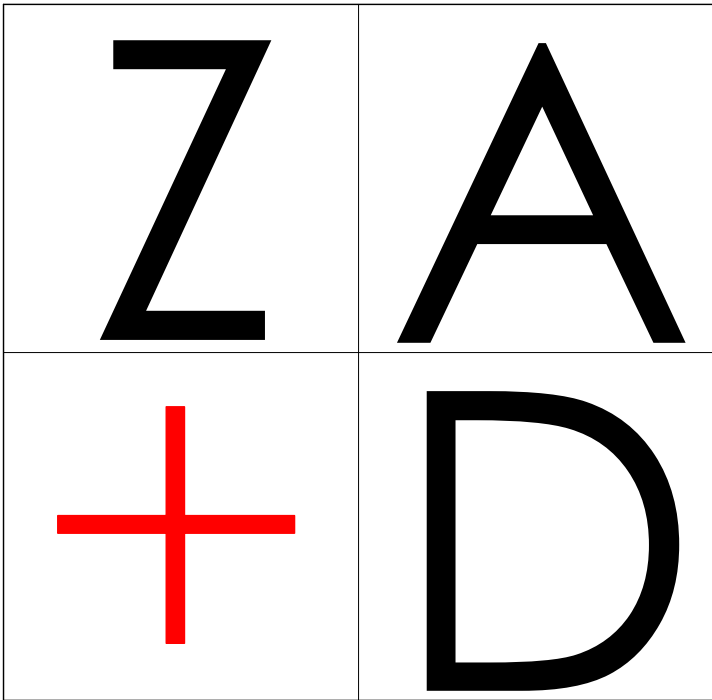
EXISTING BUILDING:

- ALL DIMENSIONS REFER TO FINISHED SURFACES, U.N.O.
- ALL DIMENSIONS AT DOORS AND WINDOWS REFER TO NOMINAL OPENINGS, U.N.O.
- SEE A-___ FOR WINDOW SCHEDULE AND ELEVATIONS.
- ALL EXISTING WINDOWS AND DOORS ARE TO BE REPLACED WITH NEW, SEE WINDOW SCHEDULE FOR SIZE, CONFIGURATION AND HARDWARE SPECIFICATIONS.
- GC SHALL VERIFY EXISTING OPENINGS AND FLOOR TO FLOOR HEIGHTS. REPORT VARIANCES FROM DOCUMENTS TO THE ARCHITECT.
- FOR DOOR TAGS REFER TO FLOOR PLANS.

GENERAL NOTES: EXTERIOR ELEVATIONS

KEYED NOTES

E-1	REMOVE EXISTING SHINGLE ROOF DOWN TO SHEATHING INCL. GUTTERS/DOWNSPOUTS
E-2	PROVIDE NEW 30 YEAR WARRANTED FIBERGLASS 3 TAB SHINGLE ROOF
E-3	IDENTIFY AND REPLACE SHEATHING WHERE REQUIRED
E-4	PROVIDE NEW EXTERIOR FIBERGLASS OR STEEL INSULATED DOOR
E-5	REPLACE EXISTING WINDOWS W/ NEW THERMALLY BROKEN ENERGY STAR CERTIFIED WINDOWS WITH INSULATED GLAZING
E-6	PROVIDE NEW WOOD FASCIA BOARD & SOFFIT
E-7	PROVIDE NEW GUTTERS AND DOWNSPOUTS, TYP.
E-9	PROVIDE NEW EXTERIOR LED LIGHTING AT EXISTING FIXTURE LOCATION. SEE ELECTRICAL DRAWINGS
E-10	REMOVE EXISTING SIGNAGE FROM BUILDING FACADE
E-11	PROVIDE NEW COMPOSITE OR VINYL GUARDRAIL AND HANDRAIL (AT STAIRS). COORD. WITH OWNER FOR REQUIRED HEIGHT ABOVE AND BEYOND CODE REQUIREMENT
E-13	PROVIDE NEW SLIDING GLASS DOOR
E-14	REMOVE EXISTING DORMER IN ITS ENTIRETY
E-21	REPLACE ACCU UNIT W/ NEW. SEE MECHANICAL DRAWINGS
E-22	PROVIDE NEW ACCU UNIT. SEE MECHANICAL DRAWINGS
E-23	REMOVE SLIDING GLASS DOOR
E-24	REMOVE WINDOW
E-25	REMOVE ACCU UNIT
E-26	REMOVE EXTERIOR DOOR



ZA+D design

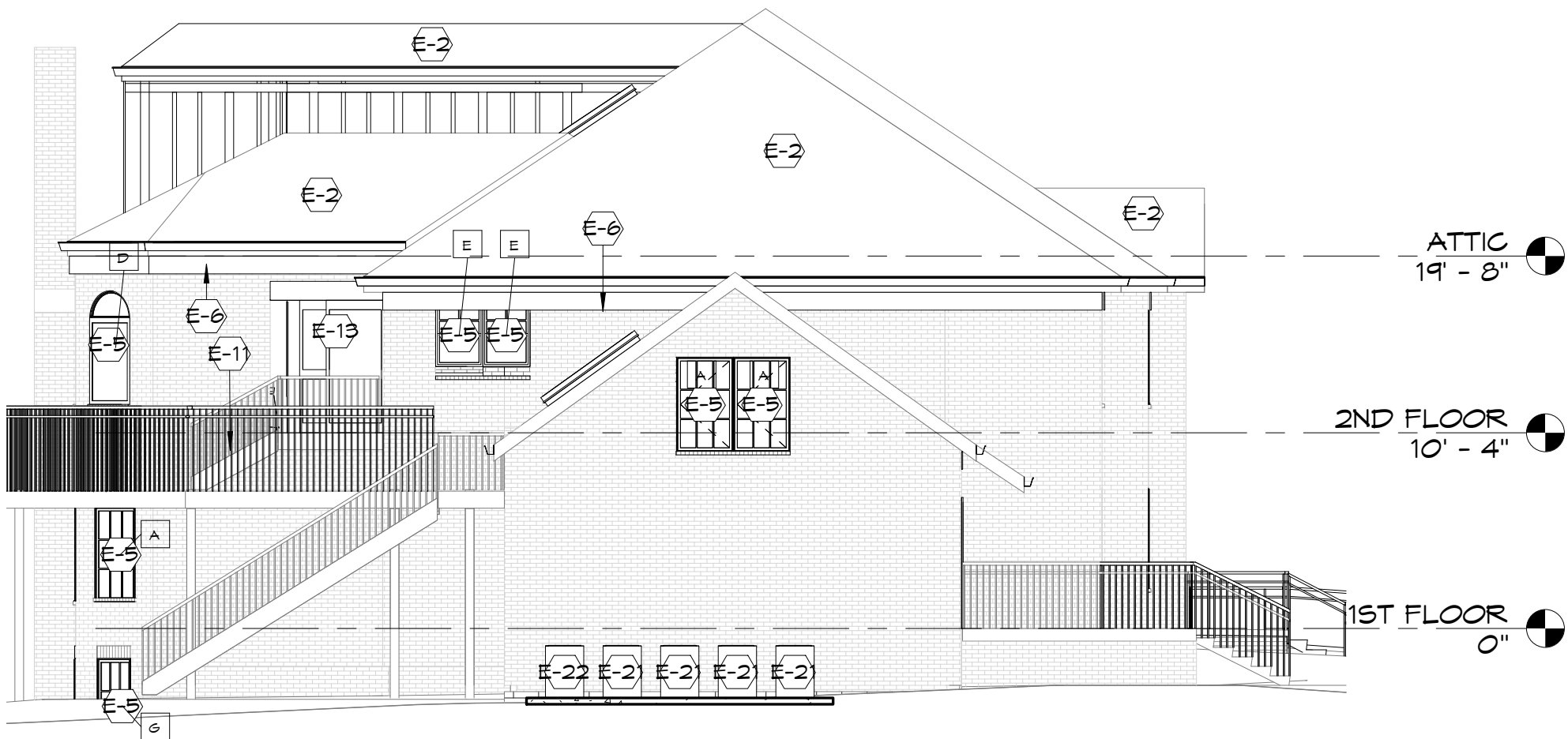
ZA+D interiors

ZA+D passiv

Redefining the Building Potential

PRINTS ISSUED

NO.	DESCRIPTION	DATE
1	BD SET	03/31/2020



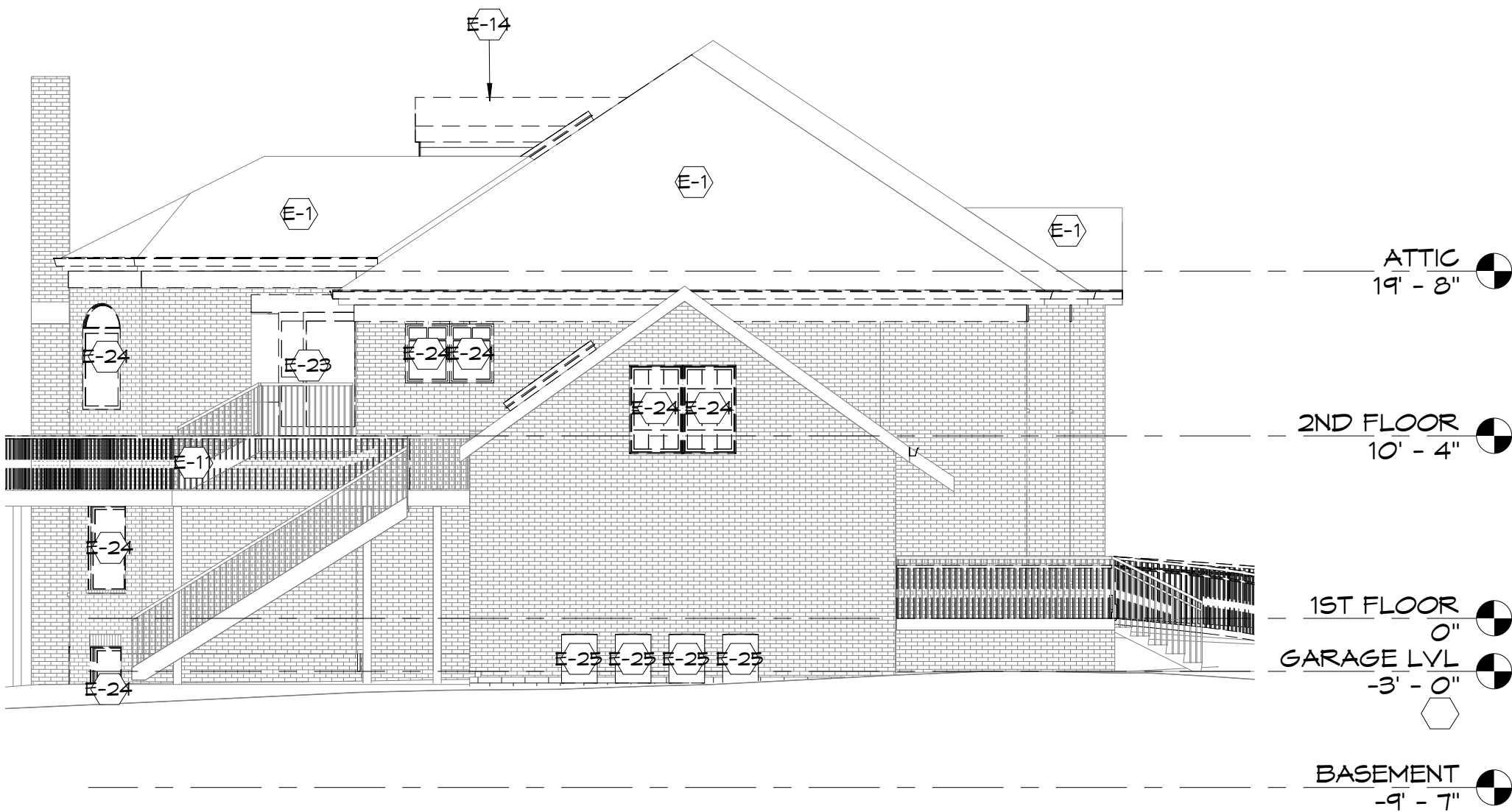
2 EAST ELEVATION - NEW WORK

A-301 SCALE: 1/8" = 1'-0"



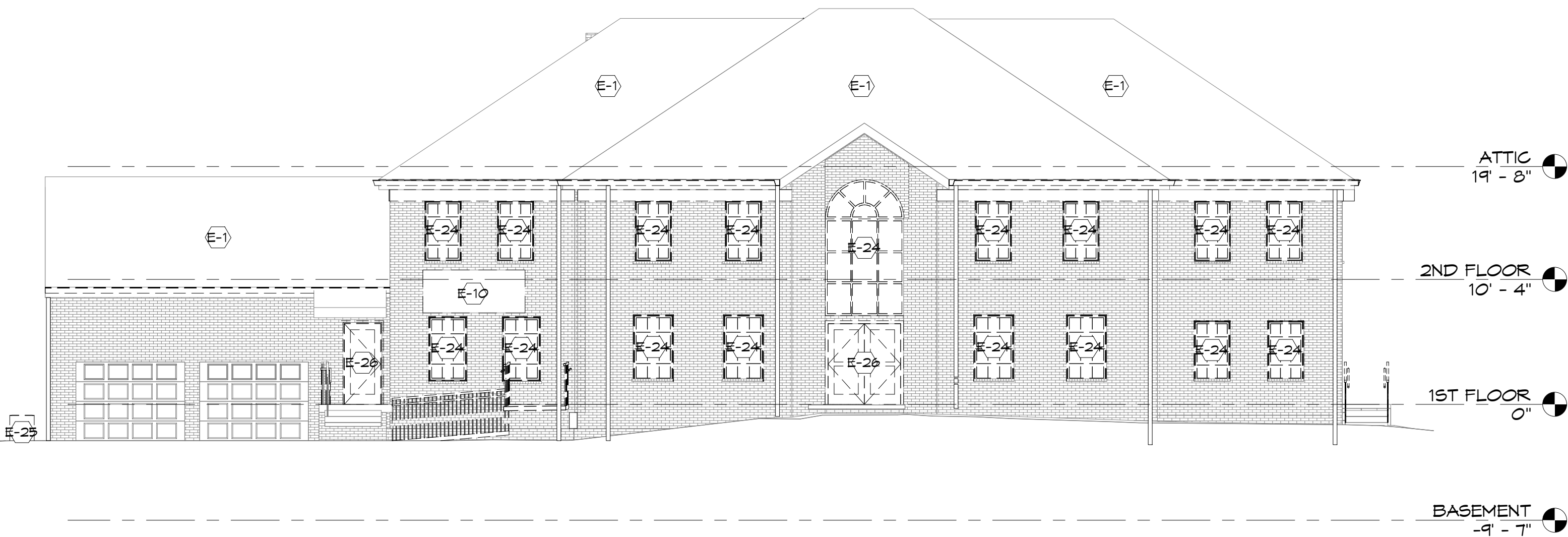
1 NORTH ELEVATION - NEW WORK

A-301 SCALE: 1/8" = 1'-0"



4 EAST ELEVATION - DEMOLITION

A-301 SCALE: 1/8" = 1'-0"



3 N ELEVATION - DEMOLITION

A-301 SCALE: 1/8" = 1'-0"

ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR COORDINATION OF ALL DIMENSIONS. ALL REQUIRED PERMITS SHALL BE ACQUIRED PRIOR TO COMMENCEMENT OF WORK. ARCHITECT HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER WHATSOEVER, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF ZAVOS ARCHITECTURE + DESIGN, LLC. WORK ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING SAID WRITTEN PERMISSION AND CONSENT.

COPYRIGHT 2020 © ZAVOS ARCHITECTURE + DESIGN, LLC.

QUALITY CONTROL REVIEW

SD REVIEWER INITIALS	DATE
DD REVIEWER INITIALS	DATE
CD REVIEWER INITIALS	DATE

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NUMBER 10627, EXPIRATION DATE 10-27-12

WAY STATION

PROJECT ADDRESS:
20629 Boland Farm Rd
Germantown MD, 20874

SHEET NAME:
EXTERIOR ELEVATIONS

JOB NUMBER: 19207

DRAWING NUMBER:

A-301

323 WEST PATRICK ST.
FREDERICK, MD 21701
P.301.698.0020 F.301.698.0920
www.za-d.com

GENERAL NOTES: DEMOLITION

- GC SHALL NOTIFY THE ARCHITECT OF ANY CONCEALED CONDITIONS UNCOVERED DURING DEMOLITION THAT IMPEDES THE EXECUTION OF THE DESIGN AS INDICATED ON THE DOCUMENTS OR POSES ANY HEALTH AND/OR LIFE-SAFETY HAZARDS.
- GC SHALL MINIMIZE DAMAGE TO FINISHES ADJACENT TO DEMOLITION AREAS, GC SHALL BE RESPONSIBLE FOR RESTORING ALL FINISHES AFFECTED BY THEIR WORK.
- REFER TO MECHANICAL, ELECTRICAL, AND PLUMBING COMPONENTS FOR DEMOLITION OF SUCH MATERIALS, EQUIPMENT & SYSTEMS.
- DIMENSIONS ARE BASED ON FIELD SURVEYS BY ARCHITECT. ANY DISCREPANCIES IN DIMENSIONS THAT CONFLICT WITH DESIGN AS DRAWN MUST BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY.
- NOTIFY LANDLORD/OWNER IN WRITING 72 HOURS PRIOR TO COMMENCING WORK ON ANY PROJECT PHASE OR PERFORMING ANY WORK THAT WILL IN ANY WAY IMPACT THE LANDLORD/OWNER (SUCH AS CONSTRUCTION OF TEMPORARY BARRICADES, TEMPORARY UTILITY SHUT DOWNS). DO NOT PROCEED WITH SUCH WORK IF THE LANDLORD/OWNER DOES NOT GRANT PERMISSION.
- PERFORM ALL WORK IN ACCORDANCE WITH ALL APPLICABLE CODES AND PERMITS, NOT LIMITED TO THOSE REFERENCED HEREIN.
- PRIOR TO PROCEEDING WITH DEMOLITION GC TO REVIEW HAZARDOUS MATERIALS TESTING REPORT. GC MUST NOTIFY LANDLORD/OWNER AND ARCHITECT WHEN HAZARDOUS MATERIALS NOT INCLUDED IN THE REPORT ARE DISCOVERED PRIOR TO PROCEEDING WITH REMOVAL ACCORDING TO FEDERAL, STATE AND LOCAL LAWS.
- VERIFY EXTENT OF EXISTING CONSTRUCTION IN FIELD, IMMEDIATELY NOTIFY ARCHITECT OF ANY DISCREPANCIES.
- GC IS RESPONSIBLE FOR PROTECTION OF THE EXPOSED BUILDING, INTERIOR MATERIALS AND FINISHES SUBJECT TO WEATHER, WATER AND MOISTURE, EXTREME TEMPERATURES DURING THE TERM OF THE CONSTRUCTION PERIOD. REFER TO SPECIFICATION SECTION 015000 TEMPORARY FACILITIES AND CONTROLS FOR SPECIFICS. GC IS RESPONSIBLE FOR THE MEANS OF A PROTECTION PLAN.
- PRIOR TO STRUCTURAL MODIFICATIONS INDICATED HEREIN OR OTHERWISE, GC IS RESPONSIBLE FOR PROVIDING ENGINEERED MEANS FOR TEMPORARY SHORING.

GENERAL NOTES: DEMOLITION

GENERAL NOTES: EXTERIOR ELEVATIONS

NEW CONSTRUCTION:

- ALL DIMENSIONS REFER TO FINISHED SURFACES, U.N.O.
- ALL DIMENSIONS AT DOORS AND WINDOWS REFER TO NOMINAL OPENINGS, U.N.O.
- SEE A-___ FOR WINDOW SCHEDULE AND ELEVATIONS.
- REFER TO ELECTRICAL DRAWINGS FOR BUILDING MOUNTED AND POLE MOUNTED SITE LIGHTING HEIGHTS, U.N.O.
- FOR DOOR TAGS REFER TO FLOOR PLANS.

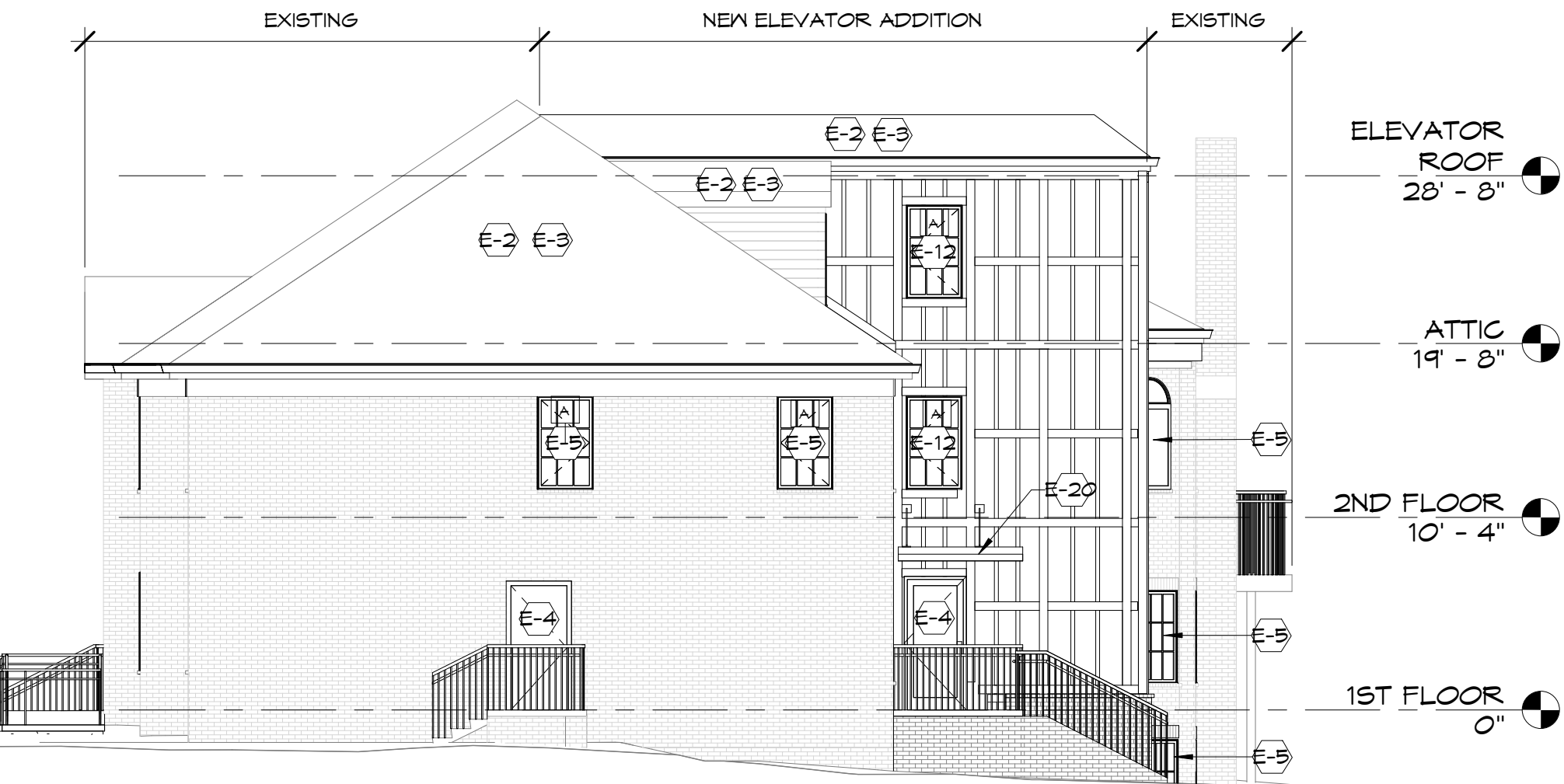
EXISTING BUILDING:

- ALL DIMENSIONS REFER TO FINISHED SURFACES, U.N.O.
- ALL DIMENSIONS AT DOORS AND WINDOWS REFER TO NOMINAL OPENINGS, U.N.O.
- SEE A-___ FOR WINDOW SCHEDULE AND ELEVATIONS.
- ALL EXISTING WINDOWS AND DOORS ARE TO BE REPLACED WITH NEW, SEE WINDOW SCHEDULE FOR SIZE, CONFIGURATION AND HARDWARE SPECIFICATIONS.
- GC SHALL VERIFY EXISTING OPENINGS AND FLOOR TO FLOOR HEIGHTS. REPORT VARIANCES FROM DOCUMENTS TO THE ARCHITECT.
- FOR DOOR TAGS REFER TO FLOOR PLANS.

GENERAL NOTES: EXTERIOR ELEVATIONS

KEYED NOTES

- | | |
|------|---|
| E-1 | REMOVE EXISTING SHINGLE ROOF DOWN TO SHEATHING INCL. GUTTERS/DOWNSPOUTS |
| E-2 | PROVIDE NEW 30 YEAR WARRANTED FIBERGLASS 3 TAB SHINGLE ROOF |
| E-3 | IDENTIFY AND REPLACE SHEATHING WHERE REQUIRED |
| E-4 | PROVIDE NEW EXTERIOR FIBERGLASS OR STEEL INSULATED DOOR |
| E-5 | REPLACE EXISTING WINDOWS W/ NEW THERMALLY BROKEN ENERGY STAR CERTIFIED WINDOWS WITH INSULATED GLAZING |
| E-7 | PROVIDE NEW GUTTERS AND DOWNSPOUTS, TYP. |
| E-11 | PROVIDE NEW COMPOSITE OR VINYL GUARDRAIL AND HANDRAIL (AT STAIRS). COORD. WITH OWNER FOR REQUIRED HEIGHT ABOVE AND BEYOND CODE REQUIREMENT |
| E-12 | PROVIDE NEW 36"x60" CASEMENT WINDOW AT NEW ADDITION. WINDOW TO MATCH REPLACEMENT WINDOWS, BUT MEET NEW CONSTRUCTION INSTALLATION REQUIREMENTS |
| E-14 | REMOVE EXISTING DORMER IN ITS ENTIRETY |
| E-16 | REMOVE PORTION OF ROOF FRAMING. REFER TO STRUCTURAL |
| E-17 | REMOVE EXISTING SKYLIGHT |
| E-18 | REPLACE EXISTING SKYLIGHT. INSTALL FLASHING PER MANUFACTURER'S REQUIREMENTS |
| E-19 | REMOVE SECTION OF WALL AND WINDOWS |
| E-20 | PROVIDE NEW CANOPY OVER ENTRANCE DOOR |
| E-22 | PROVIDE NEW ACQU UNIT. SEE MECHANICAL DRAWINGS |
| E-24 | REMOVE WINDOW |
| E-25 | REMOVE ACQU UNIT |
| E-26 | REMOVE EXTERIOR DOOR |



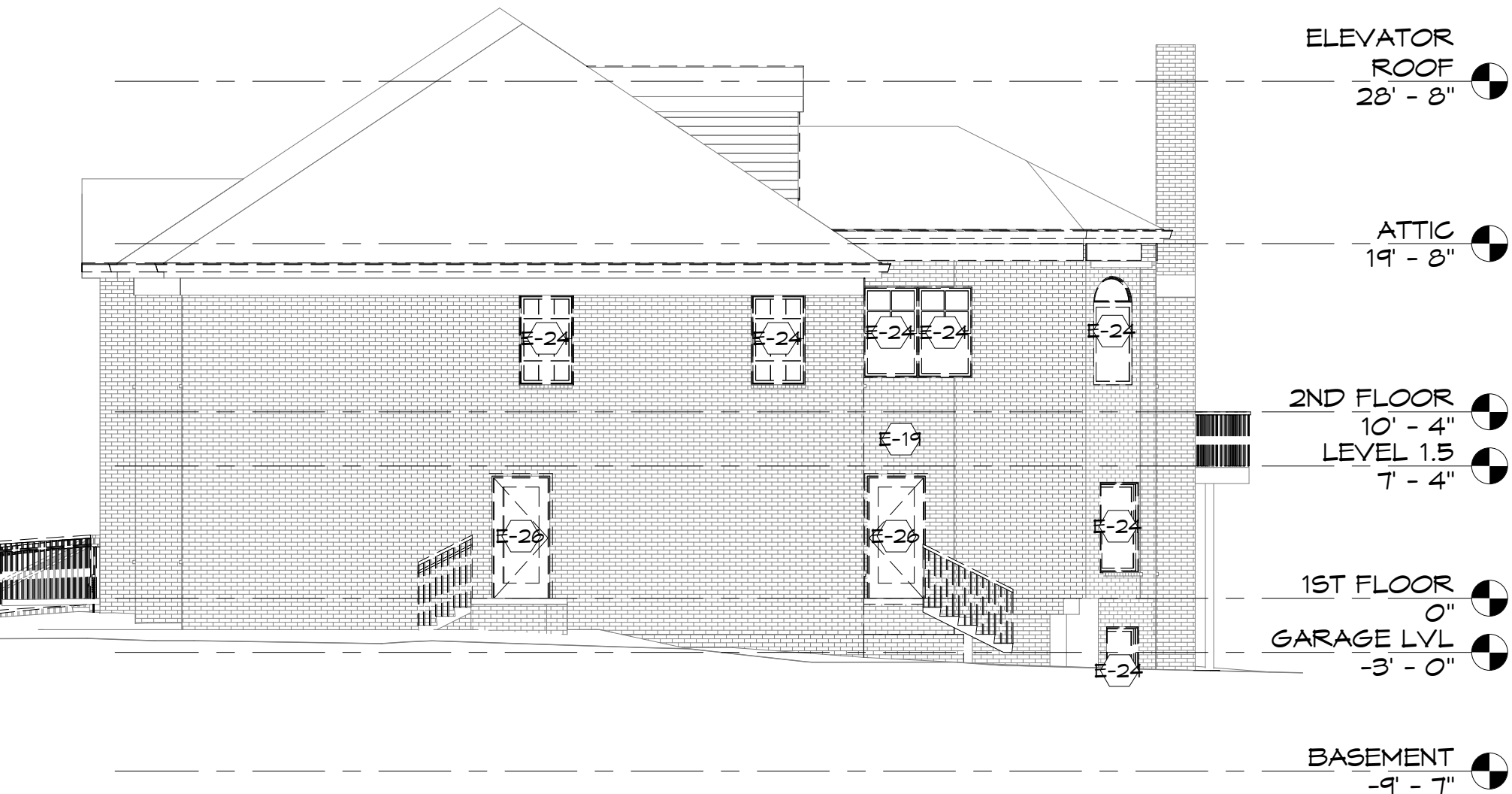
WEST ELEVATION - NEW WORK

SCALE: 1/8" = 1'-0"



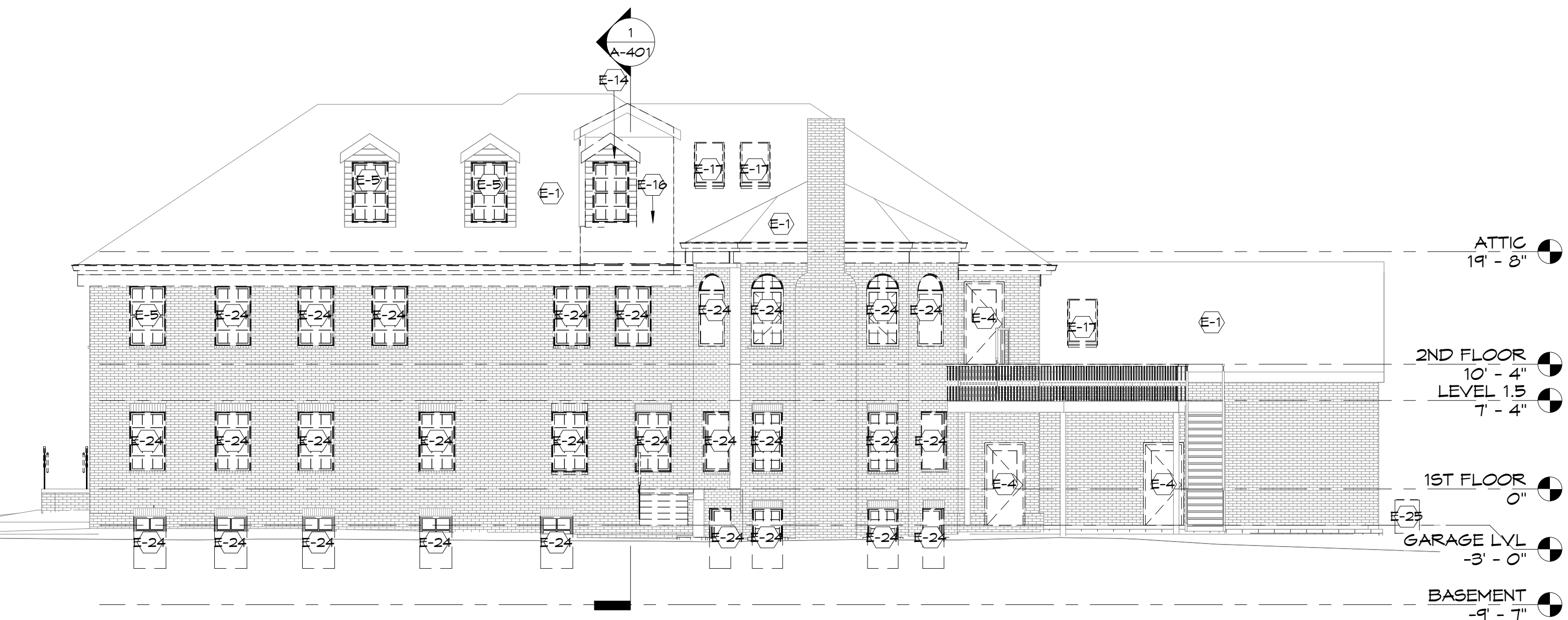
SOUTH ELEVATION - NEW WORK

SCALE: 1/8" = 1'-0"



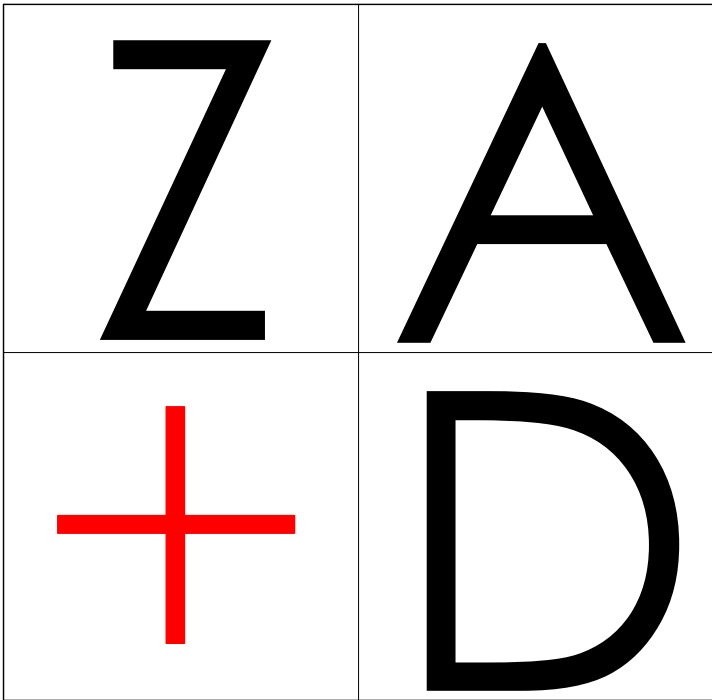
WEST ELEVATION - DEMOLITION

SCALE: 1/8" = 1'-0"



SOUTH ELEVATION - DEMOLITION

SCALE: 1/8" = 1'-0"



ZA+D design

ZA+D interiors

ZA+D passiv

Redefining the Building Potential

PRINTS ISSUED

NO.	DESCRIPTION	DATE
1	BD SET	03/31/2020

ALL DIMENSIONS SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR COORDINATION OF ALL DIMENSIONS. ALL REQUIRED PERMITS SHALL BE ACQUIRED PRIOR TO COMMENCEMENT OF WORK. ARCHITECT HEREBY EXPRESSLY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER WHATSOEVER, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF ZAVOS ARCHITECTURE + DESIGN, LLC. WORK ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING SAID WRITTEN PERMISSION AND CONSENT.

COPYRIGHT 2020 © ZAVOS ARCHITECTURE + DESIGN, LLC.

QUALITY CONTROL REVIEW

SD REVIEWER INITIALS	DATE:
DD REVIEWER INITIALS	DATE:
CD REVIEWER INITIALS	DATE: 02.17.20

WAY STATION

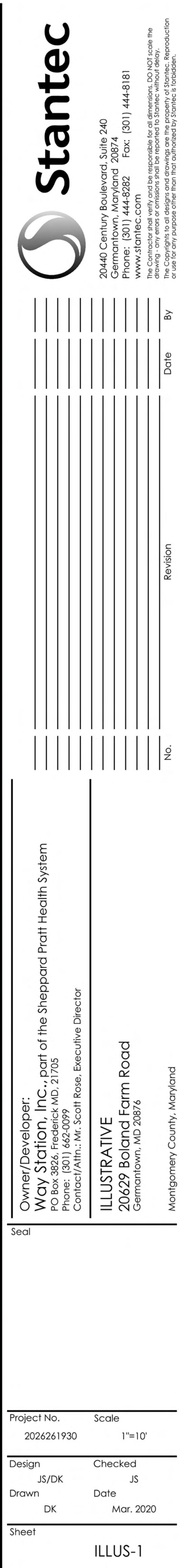
PROJECT ADDRESS:
20629 Boland Farm Rd
Germantown MD, 20874

SHEET NAME:
EXTERIOR ELEVATIONS

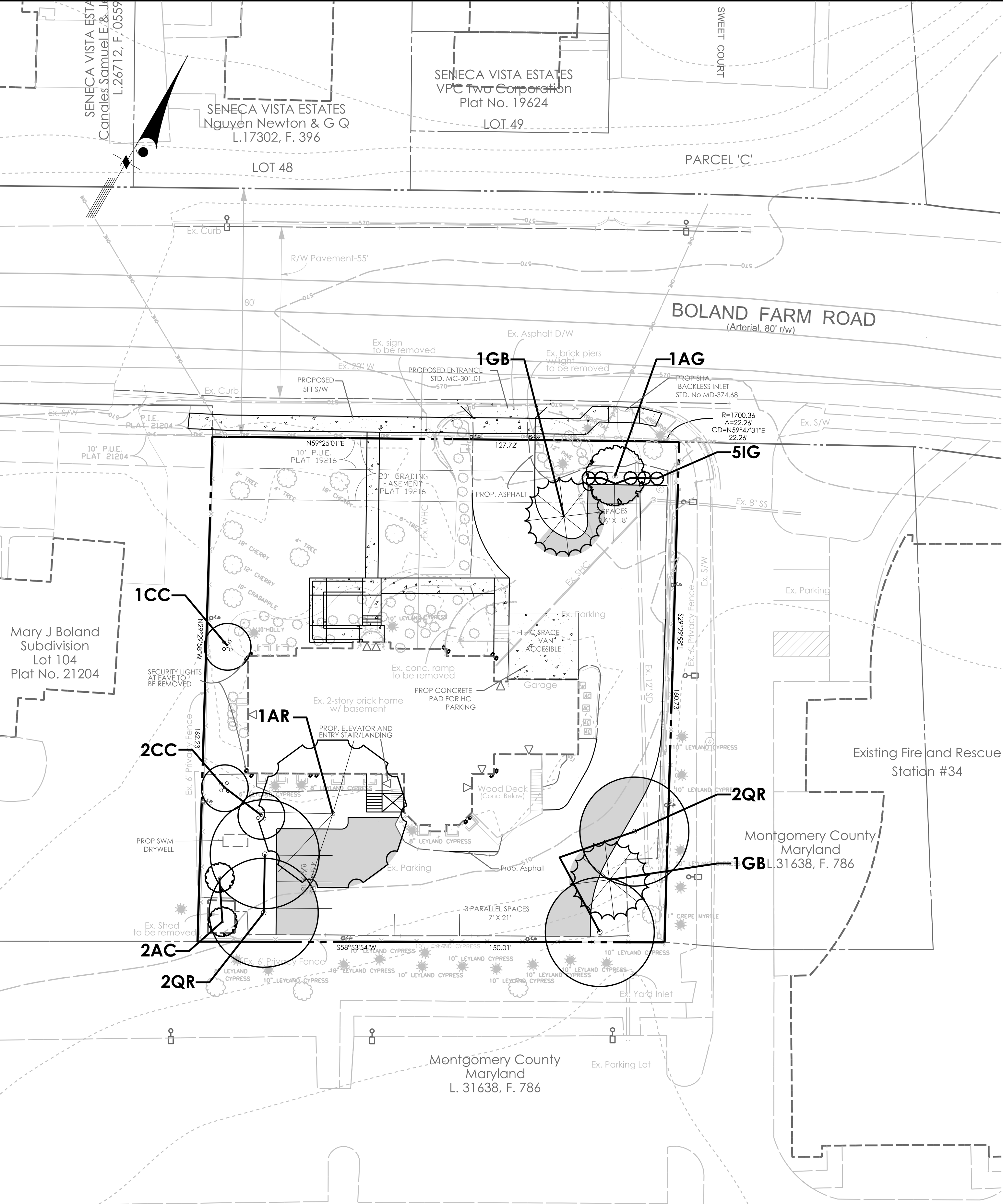
JOB NUMBER: 19207
DRAWING NUMBER:

A-302

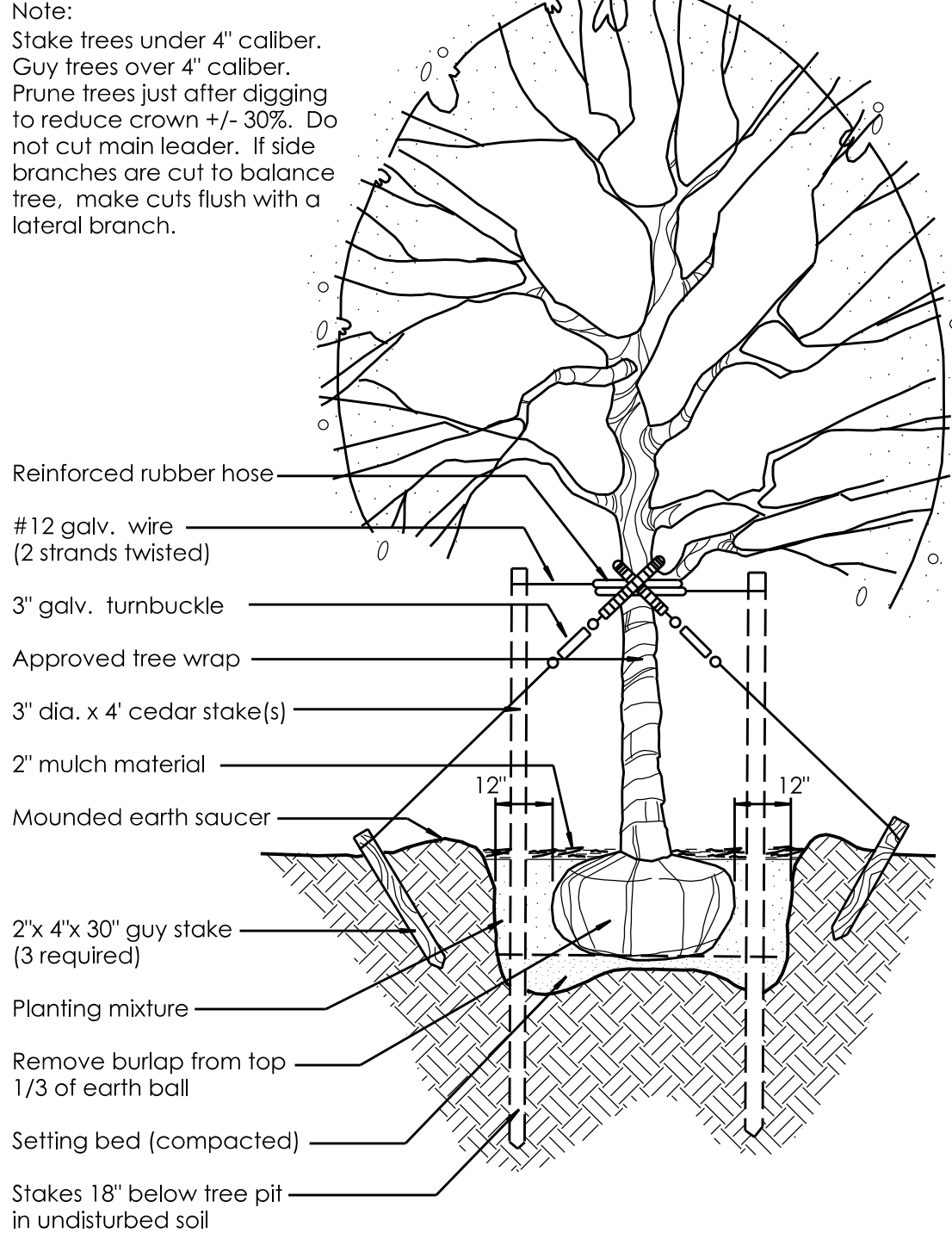
323 WEST PATRICK ST.
FREDERICK, MD 21701
P.301.698.0020 F.301.698.0920
www.za-d.com



1/1/2001 12:00:00 AM Z:\881_cadd_workspaces\maryland\montgomery\seed\engineering\drawings\dwg_base_11lb.dgn

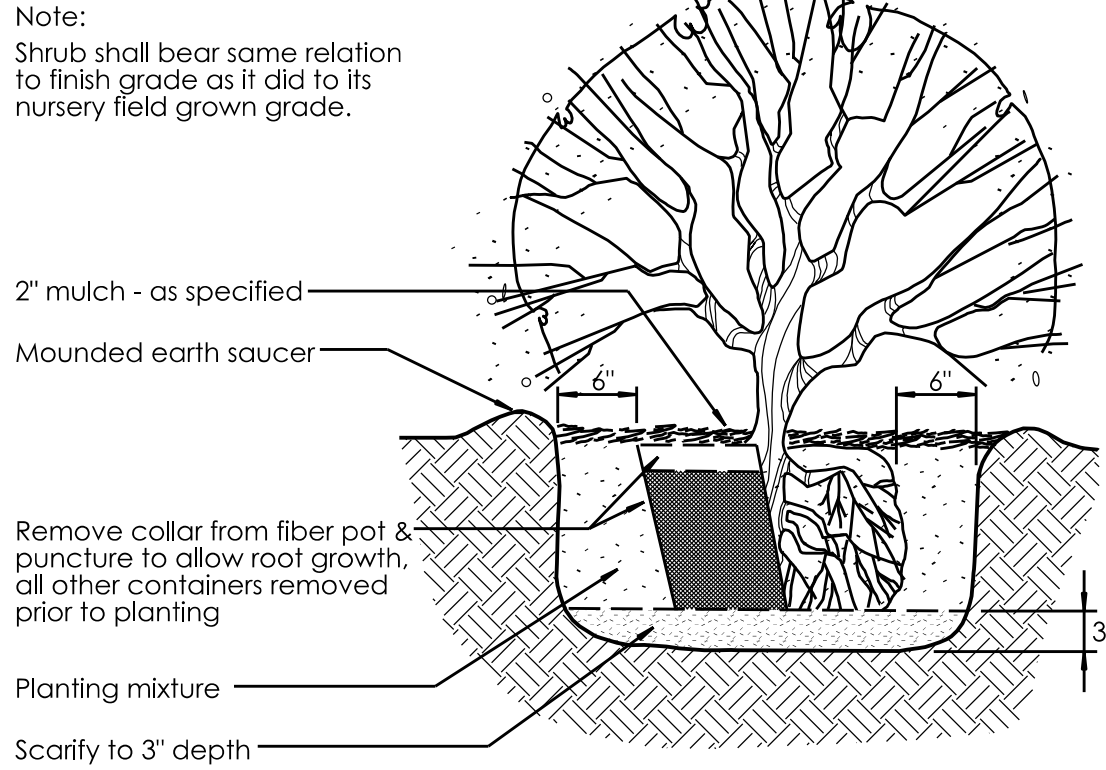


Plant List				
KEY	QTY	BOTANICAL NAME/COMMON NAME	SIZE	COMMENTS
Shade Trees				
AR	1	Acer rubrum 'October Glory'/Red Maple	2 1/2-3 inch caliper	Ball and burlap
AG	1	Acer griseum/ Paperbark Maple	1 1/2-2 inch caliper	Ball and burlap
GB	2	Ginkgo biloba 'Autumn Gold'/Autumn Gold Ginkgo	2-2 1/2 inch caliper	Ball and burlap
QR	4	Quercus rubra/Northern Red Oak	2-2 1/2 inch caliper	Ball and burlap
Understory Trees				
AC	2	Amelanchier canadensis/ Serviceberry	6'-7' Height	Ball and burlap
CC	3	Cercis canadensis/Redbud	6'-7' Height	Ball and burlap
Evergreen Shrubs				
IG	5	Ilex glabra/ Inkberry	5 Gallon	Container



PLANTING DETAIL/DECIDUOUS TREES

NOT TO SCALE



PLANTING DETAIL/SHRUBS

NOT TO SCALE

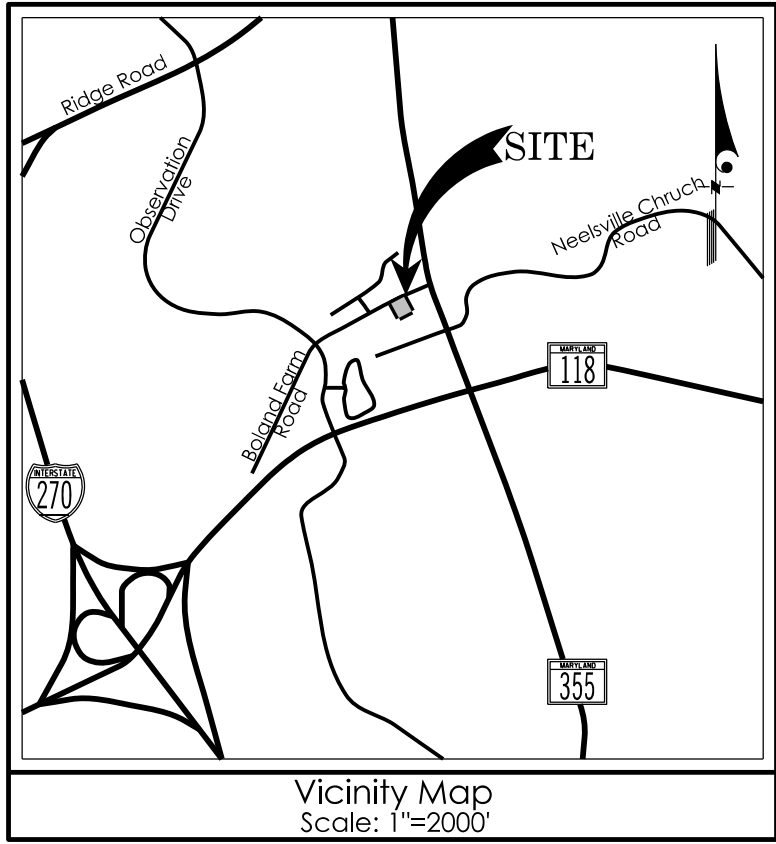
LIGHTING NOTES

-Nearby, existing off-site public streetlights and fire house pole lights shown.

-Existing light levels measured by meter 08/08/19. Readings included existing off-site public streetlights and fire house pole lights in addition to on-site pole lights, fence post lights, and security lights house mounted at various locations at the house eaves. The security lights are reported to be motion activated. The on-site pole lights, fence post lights, and the security lights on the west end of the house are to be removed for this proposed use resulting in expected compliant readings of 0.1 fc or less along the west property line or 0.5 fc or less along the other property lines generated by on-site lighting.

Note:

The locations where existing pavement is removed, the area will be replaced with mulched beds and/or cut sod.



Legend

Property Boundary	---
Existing Rights-of-Way	- - - -
Existing Lot Lines	- - - -
Existing Grade	---
Existing Trees	○
Existing Buildings	□
Existing Lighting	○
Building Security Light	○
Parking Lot Pole Lights	○
Residential Pole Lights	○
Proposed Tree	○
Tree Canopy over Parking Facility	○

PLANTING NOTES

- Plant Identification
All plants shall be properly marked for identification.
- List of Plant Material

The Contractor will verify the plant quantities prior to bidding, and any discrepancies shall be brought to the attention of the Landscape Architect. The Contractor shall furnish and plant all plants required to complete the work shown on the drawings. Substitution shall not be made without the written approval of the Landscape Architect. This contract will be based on the bidder having verified prior to bidding, the availability of the required plant material as specified on the Plant Materials List.

- Plant Quality

All shrubs shall be dense, heavy to the ground, and well grown, showing evidence of having been sheared regularly, and shall be sound, free of plant disease or insect eggs and shall have a healthy normal root system. Plants shall be freshly dug and not heeled-in stock from cold storage. All plants shall be nursery grown (except as noted below). Plants shall not be pruned prior to delivery. The shape of the plant shall in general conform to its natural growth proportions unless otherwise specified. Trees shall conform to the branching, caliper, and height specification the American Nursery & Landscape Association and shall have a well-shaped, heavy branch structure for the species. Evergreen trees are to have an internode no greater than 18" and shall be uniformly well shaped. All plant sizes shall average at least the middle of the range given in the plant list.

- Soil Mix

Solid mix will be 2/3 existing soil, 1/3 leafmold or equal organic material, thoroughly mix and homogenized.

- Excavation

Holes for all plants shall be 18" larger in diameter than size of ball or container and shall have vertical sides. Hedges shall be planted in a trench 12" wider; beds for mass planting shall be entirely rototilled to a depth of 8" and shall be 18" beyond the average outside edge of plant balls.

- Planting

Backfilling shall be done with soil mix, reasonably free of stones, subsoil, clay lumps, stumps, roots, weeds, Bermuda grass, litter, toxic substances, or any other material which may be harmful to plant growth, or hinder grading, planting, or maintenance operations. Should any unforeseen or unsuitable planting conditions arise, such as a faulty soil drainage or chemical residues, they should be called to the attention of the Landscape Architect and Owner for adjustment before planting. The plant shall be set plumb and straight, and shall have a well-shaped, heavy branch structure for the species. Backfill shall be well worked about the roots and settled by watering. Plants will be planted higher than surrounding grade. Shrubs will be 1" higher and trees will be 3" higher.

- Maintenance

The Contractor shall be responsible during the contract and up to the time of acceptance, for keeping the planting and work incidental thereto in good conditions, by replanting, plant replacement, watering, weeding, cultivating, pruning and spraying, restocking and cleaning up and by performing all other necessary operations of care for promotion of good plant growth so that all work is in satisfactory condition at time of acceptance, at no additional cost to the Owner. The Contractor will be responsible for the removal of tree guying prior to release from the guarantee period.

- Fertilizer

Fertilizer shall be a slow release type contained in polyethylene perforated bags with micropore holes for controlled feeding such as Easy Grow as manufactured by Specialty Fertilizer Inc., Box 355, Suffern, New York, 10901 or approved equal. The bags shall contain 1 ounce of soluble fertilizer analysis: 16-18-18 per units to last for three years and shall be applied during planting as recommended by the manufacturer. If fertilizer packets are not used the Contractor shall apply granular fertilizer to the soil mix with 10-6-4 analysis at the following rates: Tree Pits, 2-3 lbs. per caliper inch; Shrub Beds, 3-5 lbs. per 100 square foot; Ground Cover, 2-3 lbs. per 100 square foot.

- Guarantee and Replacement

All materials shall be unconditionally guaranteed for one year. The Contractor is not responsible for losses or damages caused by mechanical injury or vandalism.

Guarantee shall cover both labor and materials. Earth saucers and stakes and guys shall be removed and trees and shrubs mulched to 3" maximum depth with shredded bark just prior to expiration of the one-year guarantee. The Owner shall be notified in writing when this work is to occur.

- Plant Spacing

Plant spacing is generally to scale on plan. No plants except viney ground covers or espallered material shall be closer than 30" to building, walks or curbs.

- Schedule and Approvals

The Landscape Contractor shall submit a written schedule of operations and written requests for approvals in accordance with specifications, the contract documents or which these are a part or as otherwise agreed upon with the Owner.



No.	Revision	Date	By
1	Added Redbud, canopy coverage, and other misc. revs. based on staff comments.	3/15/20	DK

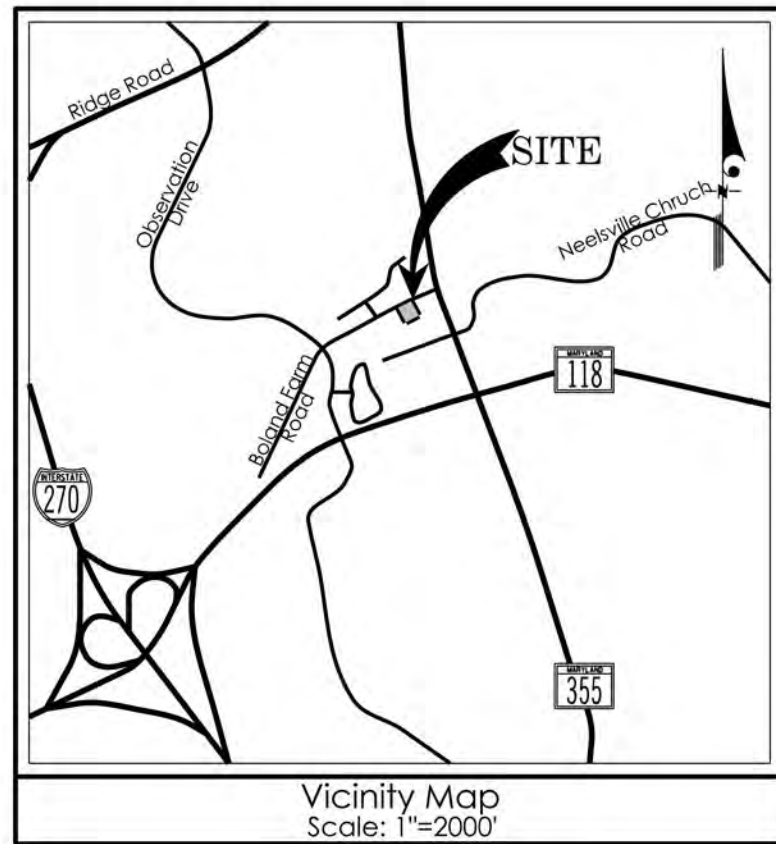
Owner/Developer:
Way Station, Inc., part of the Sheppard Pratt Health System
PO Box 3824, Frederick, MD 21705
Phone: (301) 642-0099
Contact/Attn.: Mr. Scott Rose, Executive Director

LANDSCAPE & LIGHTING PLAN for Conditional Use

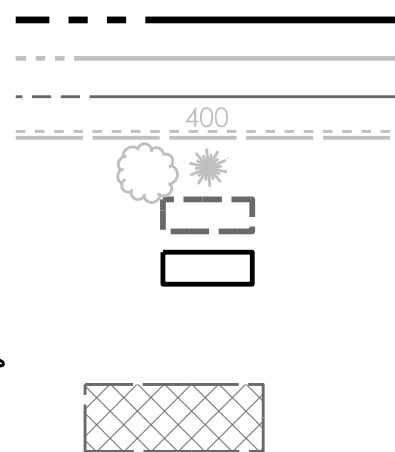
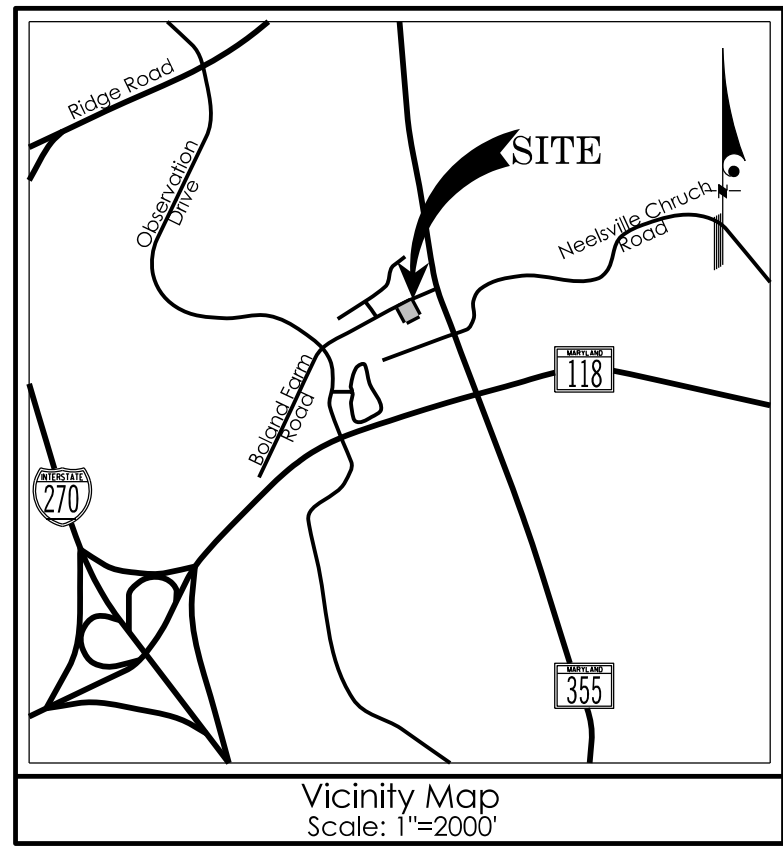
20629 Boland Farm Road
Germantown, MD 20876

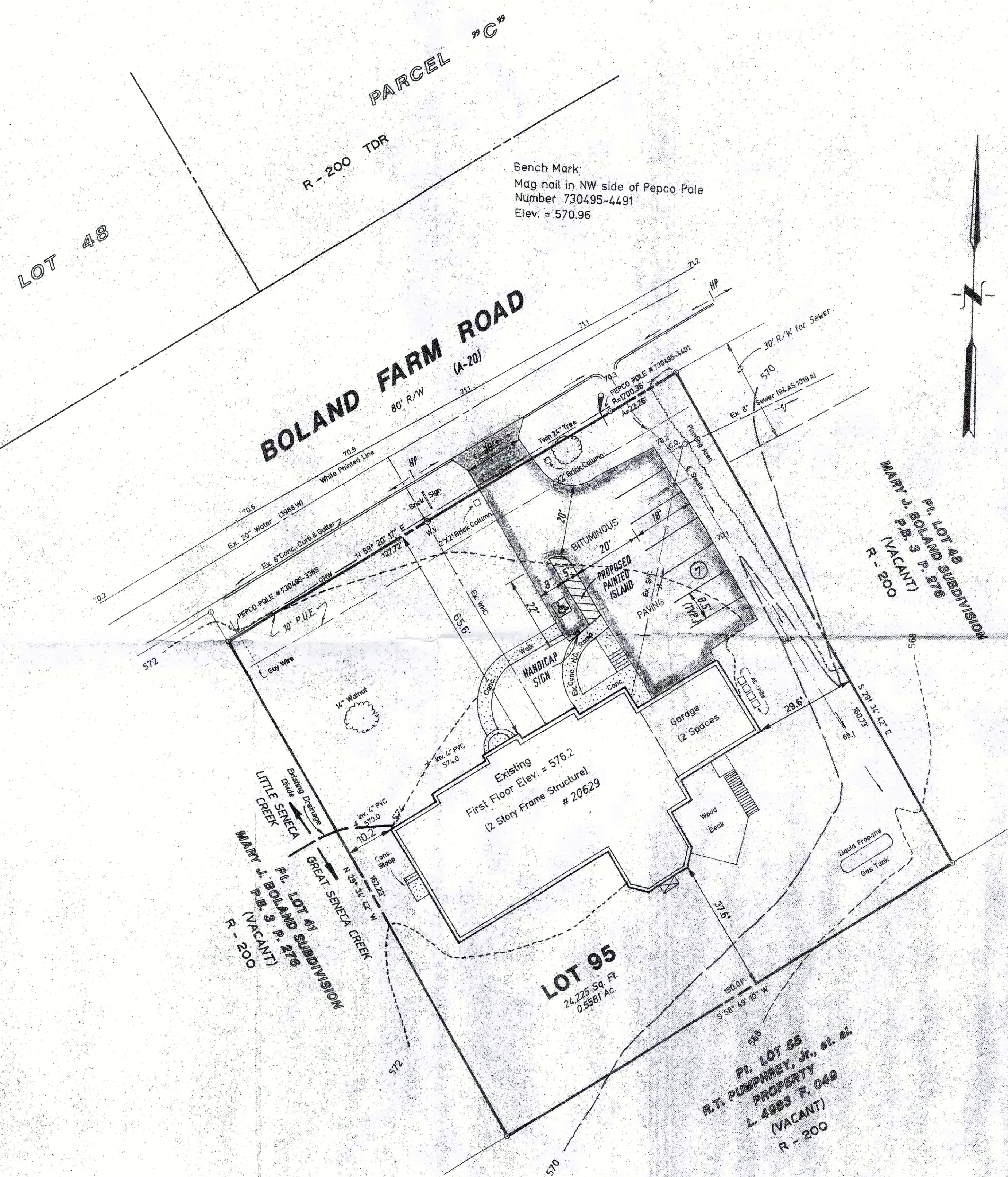
Seal

Project No.	Scale
2026261930	1"= 20'
Design	Checked
	JS
Drawn	Date
DK	Nov. 26, 2019
Sheet	



Parking spaces required for Residential Care Facility (6.2.4.B):		Required
16 beds @	0.25 spaces per bed	= 4.0 spaces
13 employees @	0.50 spaces per employee	= 6.5 spaces
Total =		11 spaces
Motorcycle spaces reqd. (59.6.2.3.C):		0 required (less than 50 p.s.)
Car-Share spaces required (59.6.2.3.D):		0 required (less than 50 p.s.)
Charging spaces required (59.6.2.3.E):		0 required (less than 100 p.s.)
Parking spaces provided:		
Regular spaces (8'5" x 18' or 7'1" x 21')		= 10 spaces
ADA parking spaces (8' x 18' w/ 8' aisle)		= 1 spaces
Total parking spaces provided =		11 spaces





LEGEND

C	Centerline
Conc.	Concrete
Ex.	Existing
H.C.	Handicap
OHW	Overhead Wires
SHC	Sewer House Connection
WHC	Water House Connection
WV	Water Valve
70.1	Existing Spot Elevation (Decimal Point is spot where elevation taken)

GENERAL NOTES

1. Lot 95, as shown, is included on a Subdivision Record Plat titled "Mary J. Boland Subdivision" which is recorded among the Land Records of Montgomery County, Maryland in Plat Book 171 as Plat 19216.
2. Topography, as shown, taken from a field run survey dated August 6, 1999, completed by this office.
3. Utilities, as shown, taken from W.S.S.C. Contract No. 94 AS 1019 A.
4. Preliminary Plan #1-93011 (approved 7-29-93)
5. Record Plat # 2-94042 (recorded 3-23-94)
6. Existing Use: Resident Medical Practitioner.
7. Special Exception requested for Non-residential Medical Practitioner under Sections 59-G-1.21 & 59-G-2.36.
8. Property Zoned: R-200.
9. Master Plan: Germantown PA-19 (Neelsville Village - NE-5).
10. Watershed/Tributary: Great Seneca Creek/Gunners Branch - # B-1. Little Seneca Creek/Tributary # C-19.
11. There is no 100 Year Flood Plain on this site.
12. There are no historical resources on this site.
13. There are no critical habitats on this site.
14. There is no forest on this site.
15. Soils Map: # 8 of 28
16. Soils Type: 17-B
17. There is no proposed disturbance by this plan.

SITE DATA
Lot 95, Mary Boland Subdivision

Area of property	=	24,255 sf or 0.5561 ac
Property zoned	=	R-200
Building coverage	=	4,126 sf or 17.0 % of site
Paving coverage	=	3,030 sf or 12.5 % of site
Walkway coverage	=	+ 570 sf or +2.4 % of site
Total impervious coverage	=	7,726 sf or 31.9 % of site
Green area	=	16,499 sf or 68.1 % of site
Building Areas:		
Basement	=	3,200 sf unfinished (1,100 SF - future examining rooms)
1 st floor	=	3,500 sf medical offices
Garage	=	626 sf residential parking
2 nd floor	=	+3,900 sf residence
Total floor area	=	11,226 sf
Building uses:		
Residential	=	6,626 sf or 59 % of bldg.
Medical office	=	4,600 sf or 41 % of bldg. (Include future use in basement)
Employees:		
Medical practitioner	=	1
Nurse/medical assistant	=	1
Receptionist	=	± 1
Total	=	3
Patients:		
	=	5-8 per day
Hours:		
Monday-Friday	=	9:00 AM to 4:30 PM
Saturday	=	10:00 AM to 1:00 PM
Parking:		
Required:		
Residence	=	2 spaces
Medical office	=	+4/practitioner
Total	=	6 spaces
Provided:		
Residence	=	2 spaces-garage
Onsite	=	+ 8 spaces (includes 1-HC)
Total	=	10 spaces

Tax ID. No.: 09-03047093
Street Address: 20629 Boland Farm Road

TAX MAP	EU 563	200 SHEET	228 NW 12	20th ED.	ASCMAP PAGE 9	GRID H-12
REVIEWS:	VICINITY MAP SCALE: 1" = 2,000'					
PREPARED FOR: ASGHAR FARSAIL MD 20629 BOLAND FARM RD. GERMANTOWN, MD 20876 (301) 428-3040						
TITLE SPECIAL EXCEPTION SITE PLAN						
LOT 95 MARY J BOLAND SUBDIVISION PLAT BOOK 171 PLAT 19216 MONTGOMERY COUNTY, MARYLAND						
WITMER ASSOCIATES, LLC Land Surveying, Land Planning & Design 354-A Hungerford Drive, Rockville, MD 20850 Tele (301) 309-8600 Fax (301) 309-8603						
SCALE	1" = 20'	DATE	AUGUST, 1999	PROJ. NO.	91013 D	SHEET NO.
						1 of 1

THIS PRINT MADE
SEP 01 1999
WITMER ASSOCIATES

5-7415 Exhibit No. 5

[illegible]

Owner/Developer:
Way Station, Inc., part of the Sheppard Pratt Health System
PO Box 2007, Frederick, MD 21705

PARKING WAIVER EXHIBIT
20629 Boland Farm Road
Germantown, MD 20876

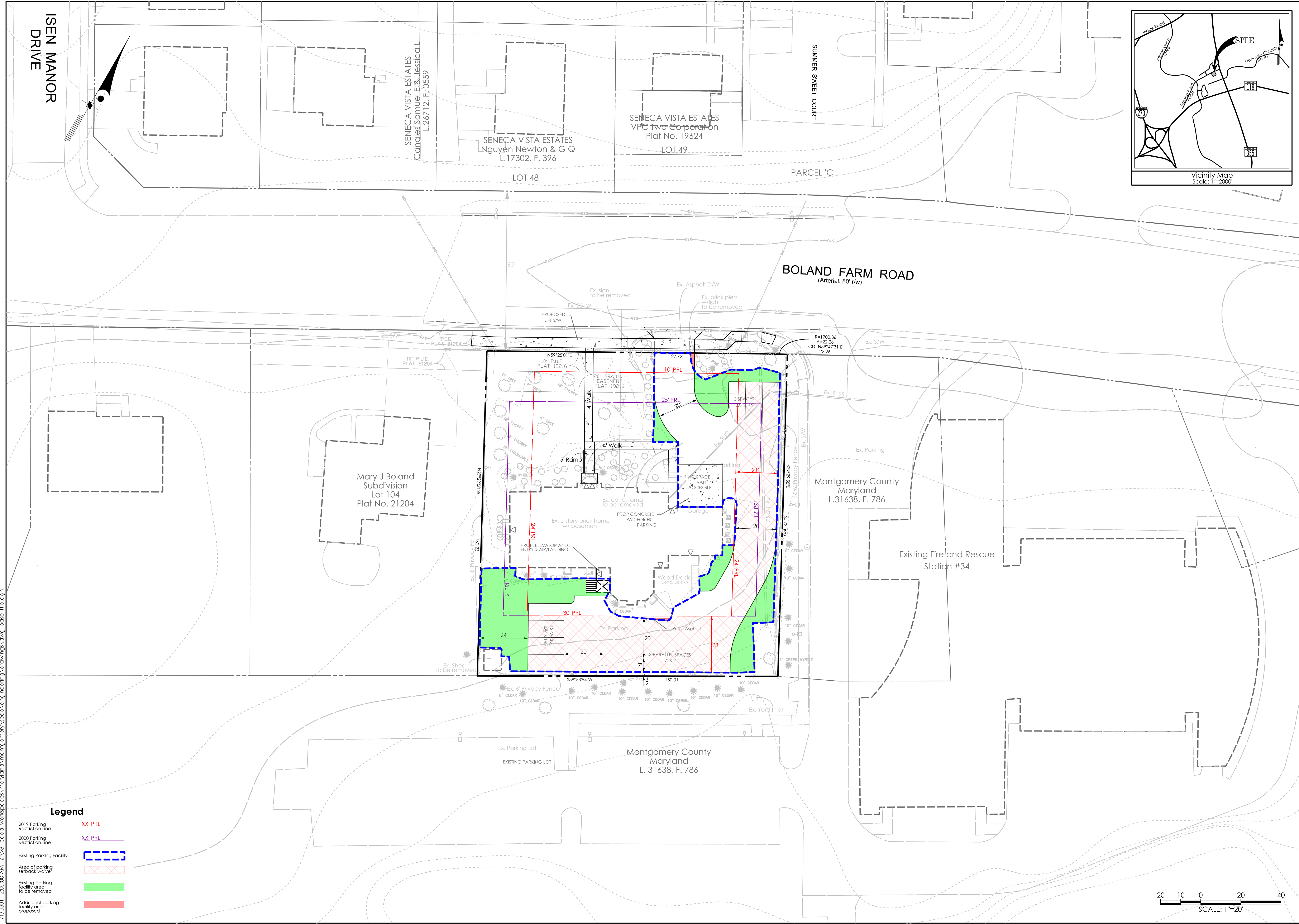
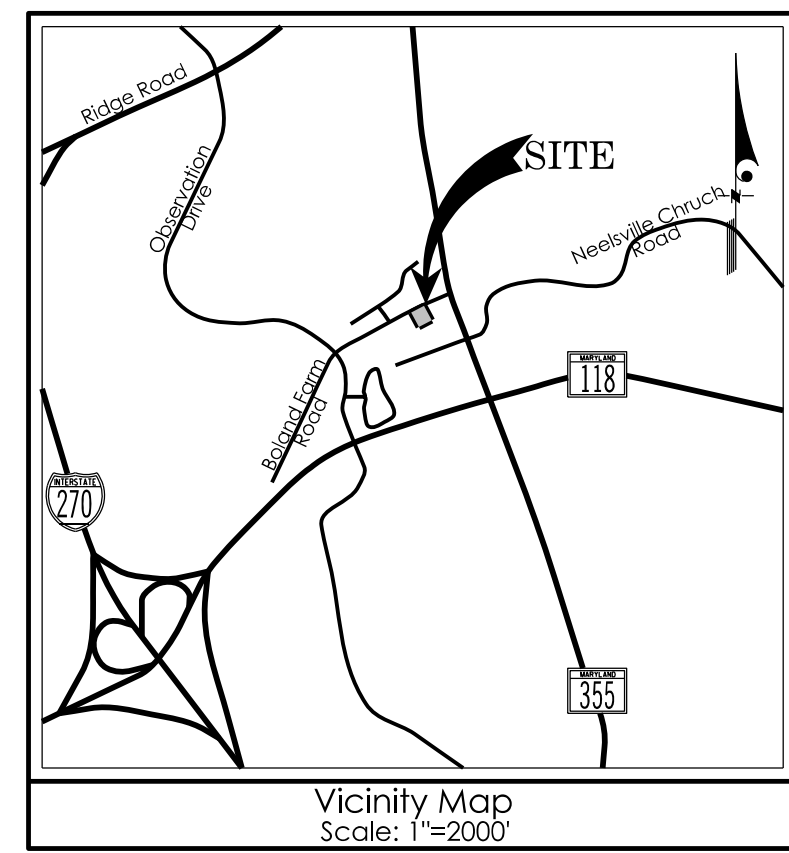
Montgomery County, Maryland

Seal



Project No.	Scale
2026261930	1"= 20'
Design	Checked
	JS
Drawn	Date
DK	Nov. 26, 2019
Sheet	

1 of 1



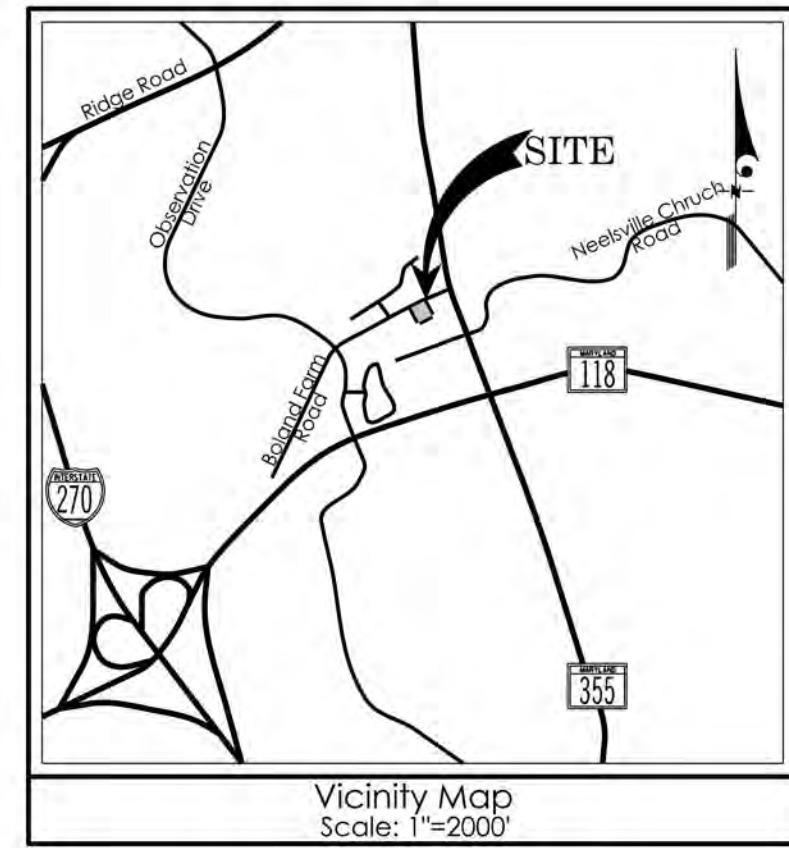
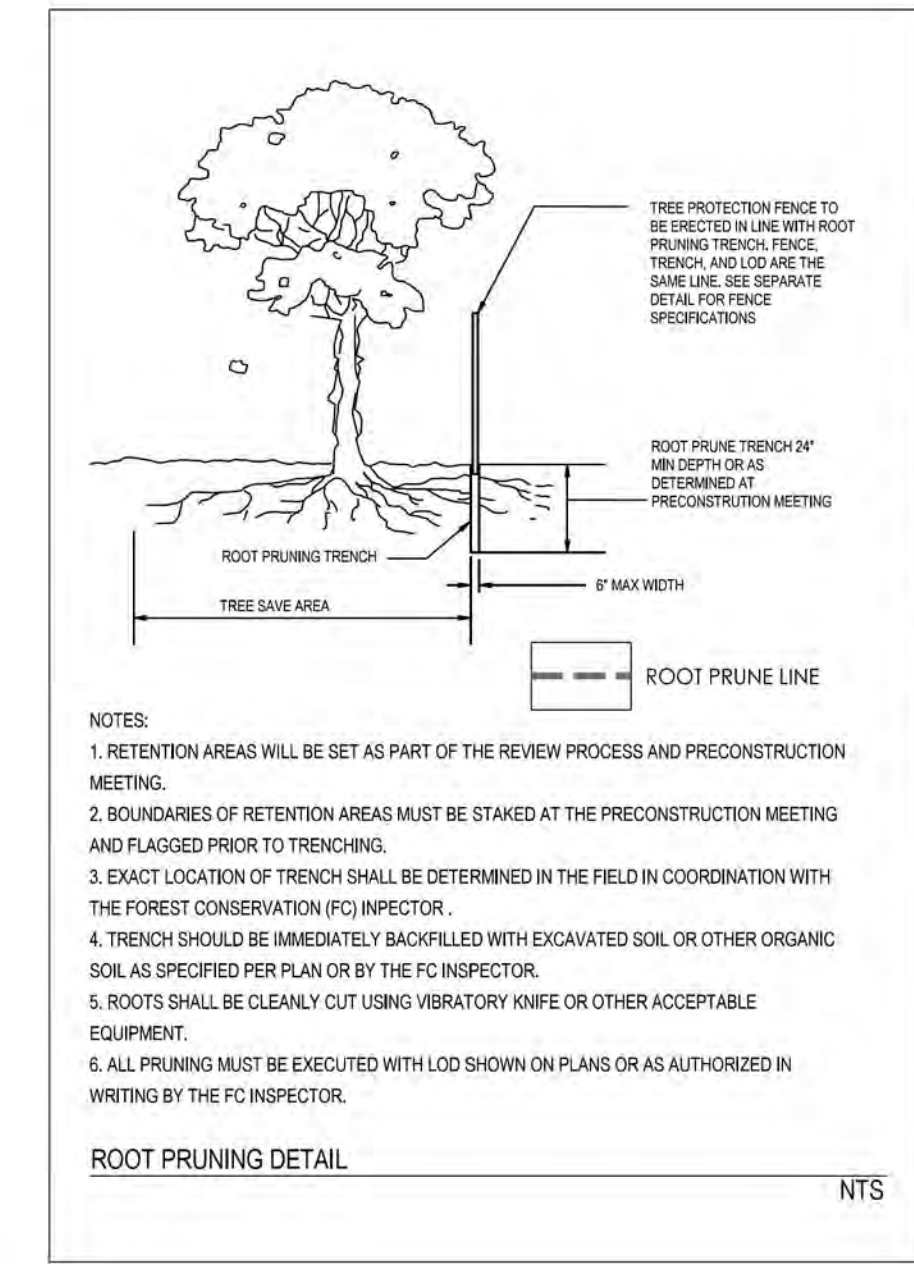
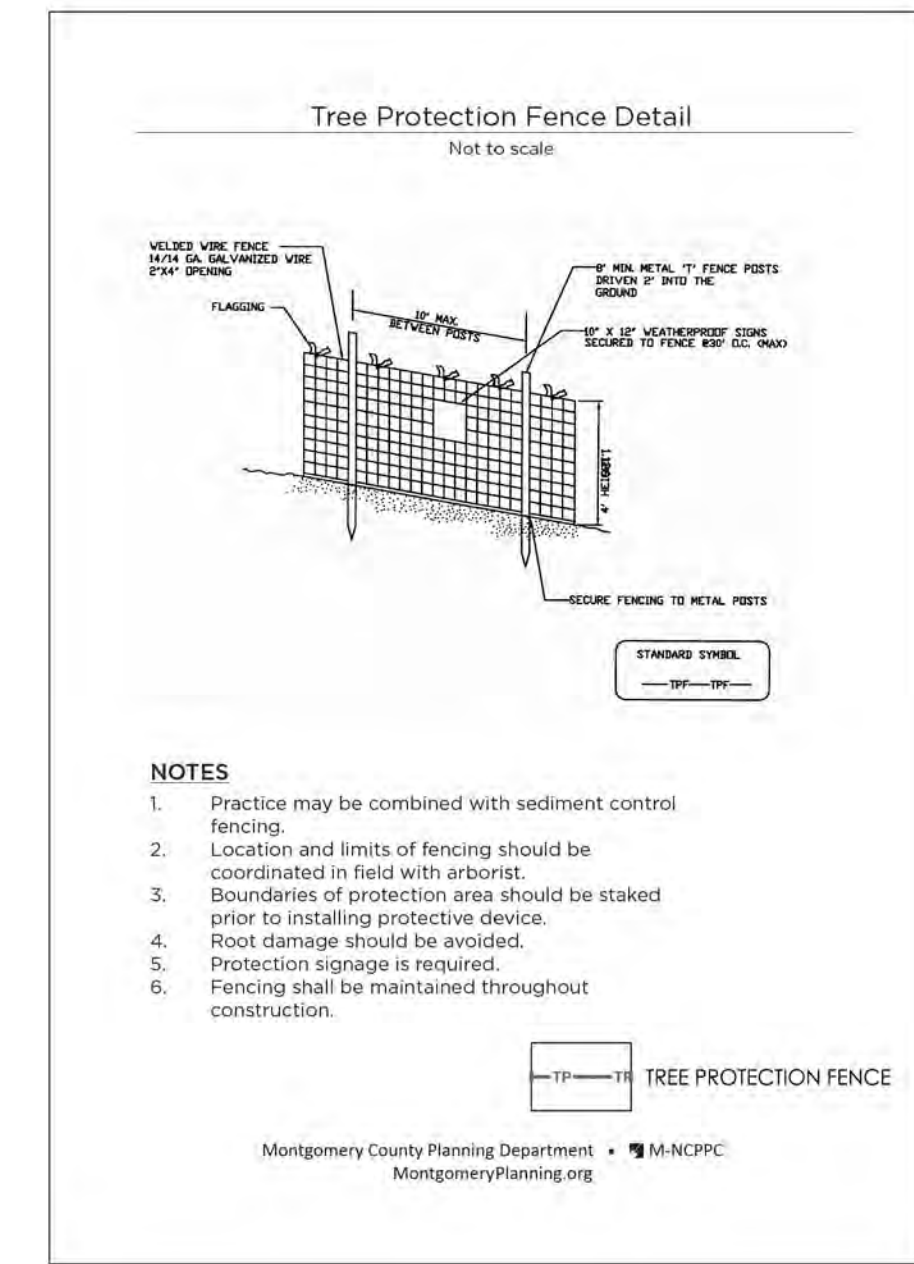
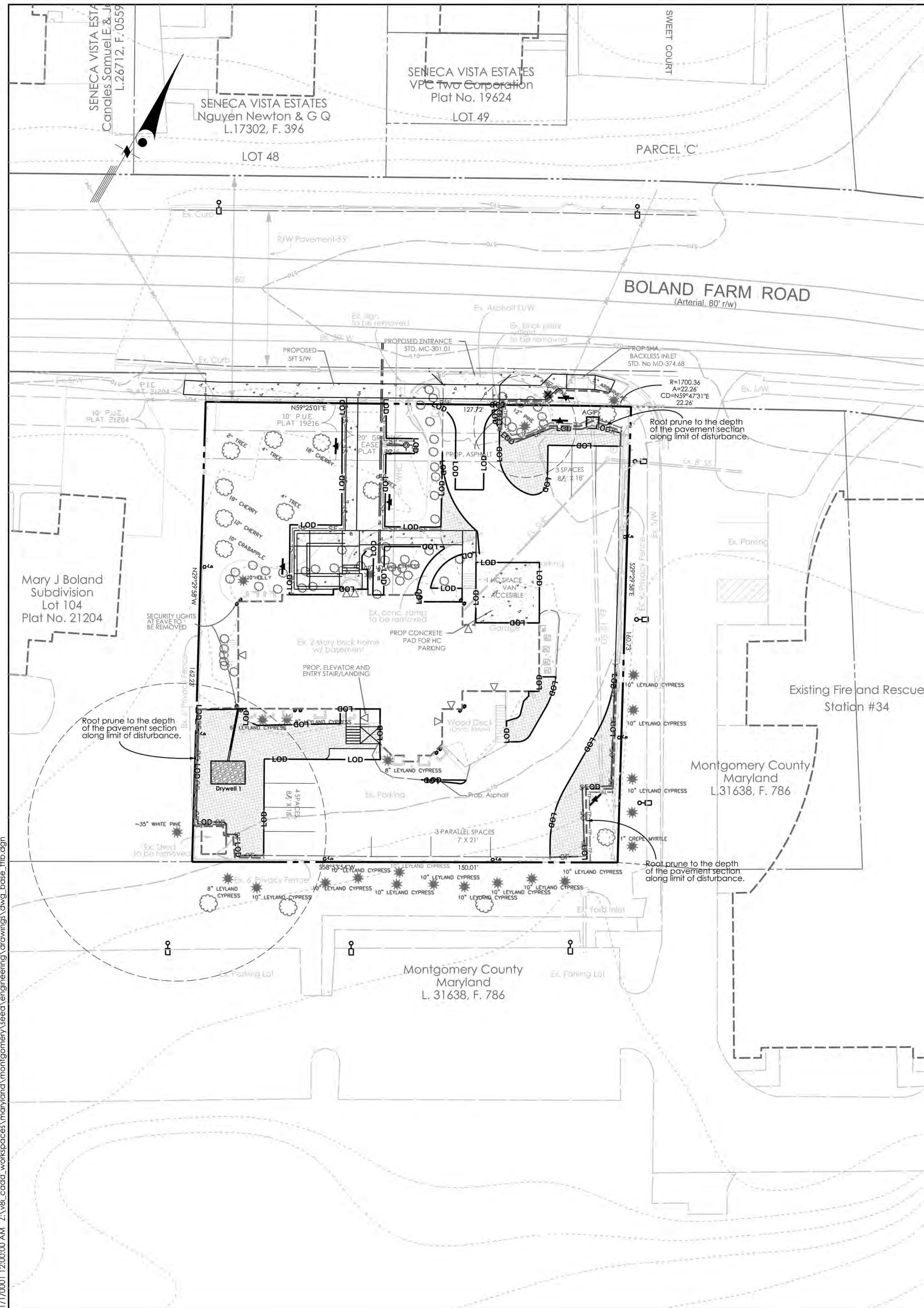
20 10 0 20 40

SCALE: 1"=20'

Legend

2019 Parking Restriction Line	XX' PRL
2000 Parking Restriction Line	XX' PRL
Existing Parking Facility	
Area of parking setback waiver	
Existing parking facility area to be removed	
Additional parking facility area proposed	

1/1/0001 12:00:00 AM Z:\v8i_cadd_workspaces\maryland\montgomery\seed\engineering\drawings\dwg_base_ttlb.dgn




Legend


Property Boundary —————


Existing Rights-of-Way ————

Existing Lot Lines - - - - -

Existing Grade - - - - -

Existing Trees 


Existing Buildings 



Existing Lighting 




Building Security Lights ————




Parking Lot Pole Lights ————


Pedestrian Pole Lights ————


Existing pavement to be removed 

Proposed Limit of Disturbance - LOD  LOD 

Proposed Tree Protection Fence  TP  TP  TP

Proposed Self Fence (To be combined with TP Fence)  SF  SF  SF

Proposed Root Pruning 

Proposed Tree Protection Sign 

- ### General Notes

1. The purpose of this plan is to provide tree protection measures for existing vegetation during construction.
2. This Tree Protection Plan is part of the Condition Use application CU 20-01.
3. Existing vegetation shown was located via field survey done by Stantec in September of 2019.
4. All accessible trees were measured and identified on the plan. The large pine shown on the property to the west was not directly accessible. The size was observed from within the subject area and determined to be a white pine approximately 35" diameter breast height (DBH).
5. The proposed improvements include removing a portion of the paved parking area, which will improve the growing conditions for the adjacent trees.
6. The action on new trees shown is intended to minimize impacts to the existing vegetation. The owner maintains the right to remove existing vegetation within the property limits at their discretion.
7. The regulated plantings as part of the Conditional Use are shown on the Landscape Plan for Conditional Use. (CU 20-01).

Owner/Developer:
Way Station, Inc., part of the Sheppard Pratt Health System
© Nov. 2007 Frederick, MD 21705

TREE SAVE PLAN for Conditional Use
20629 Boland Farm Road

Montgomery County, Maryland

Seal

03/30/20



Project No.	Scale
2026261930	1"= 20'
Design	Checked
	JS
Drawn	Date
DK	Jan. 2020
Sheet	

1 of 1

 **Stantec**

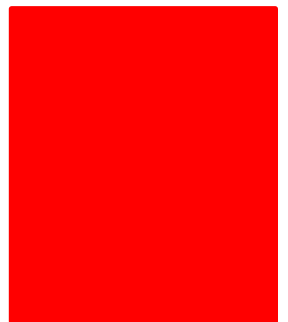
20440 Century Boulevard, Suite 240
Germantown, Maryland 20874
Phone: (301) 444-8322 Fax: (301) 444-8181
www.Stantec.com

The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use of any design or drawing without the express written permission of Stantec is prohibited. All other marks or citations are as reported to Stantec without delay.

[illegible]

B. Forest Conservation Plan Exemption

Attachment-B





Development Applications and Regulatory Coordination Division

Effective 6/29/2015

M-NCPPC

8787 Georgia Avenue, Silver Spring, MD 20910

301-495-4550, fax: 301-495-1306

APPLICATION

Forest Conservation Law Applicability for Conditional Uses/Special Exceptions

Property Information

Address 20629 BOLAND FARM RD., GERMANTOWN, MD 20876
 City GERMANTOWN
 Subdivision Name MARY J. BOLAND Plat(s) 19216 Lot(s) 95 Block(s) EU 63 Tax Map EU 63 Parcel(s) 03047093
 Property Tax ID 1 03047093 Property Tax ID 2 03047093 Property Tax ID 3 03047093 Property Tax ID 4 03047093

Applicant (Owner, Contract Purchaser, or Owner's Representative)

Name SCOTT ROSE Company WAY STATION, INC
 Street Address PO Box 3826
 City FREDERICK State MD Zip Code 21705
 Phone Number 301.462.0099 Email Address SROSE@WAYSTATIONINC.ORG

Total Area of Property: 0.56 acres 24,225 square feet

Applicant attests that the following statements apply to the subject property conditional use/special exception application:

☐ The application does not propose any clearing or grading activities on or near the conditional use/special exception site. (Requires plan number and M-NCPPC signature below)

OR, all of the following:

- ☒ The application applies to a property of less than 40,000 square feet. (Not subject to Forest Conservation Law; requires M-NCPPC signature below)
- ☒ The property is not subject to a previously approved Forest Conservation Plan.
- ☒ The conditional use/special exception proposal will not impact any champion tree as defined by the Montgomery County Forestry Board.

PLEASE NOTE: If regulated activities occur on the property other than what is being attested to, the exemption immediately terminates without action by the Planning Board. The Planning Director may require the submission and approval of a Natural Resources Inventory/Forest Stand Delineation and a Forest Conservation Plan, and may also issue a fine of up to \$1,000 per day.

Applicant's Signature Scott Rose Date 1-2-20
 Printed Name Scott Rose, Way Station, Inc.

For Staff Use Only

M-NCPPC acknowledges that the conditional use/special exception for the above property:

- ☐ is not subject to the Forest Conservation Law as defined in Chapter 22A of the Montgomery County Code.
- ☒ is exempt from the Forest Conservation Plan requirements under Section 22A-5(q)(1) of the Forest Conservation Law.

Plan Name: _____
 Plan Number: 4

M-NCPPC Signature Ma-h Pfeffer Date 1-2-20
 Printed Name _____

C. Supplemental Information
And Supporting Documents

Attachment-C



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Hadi Mansouri
Acting Director

January 7, 2020

Mr. Sergio Rodriguez
Stantec
20440 Century Boulevard, Suite 240
Germantown, MD 7115

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
20629 Boland Farm Road
Preliminary Plan #: N/A
SM File #: 285501
Tract Size/Zone: R200
Total Concept Area: 24,225 sq ft
Lots/Block: 95
Watershed: Seneca Creek

Dear Mr. Rodriguez:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via a drywell.

The concept plan demonstrates that ESD to the MEP is met before the target ESD treatment volume is achieved. The lack of space, the lack of proper outfall locations and the presence of fill soils preclude the implementation of any additional ESD practices. A Pe of 1.03 inch is achieved via one drywell therefore, a waiver will be granted for quantity control.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is required**.



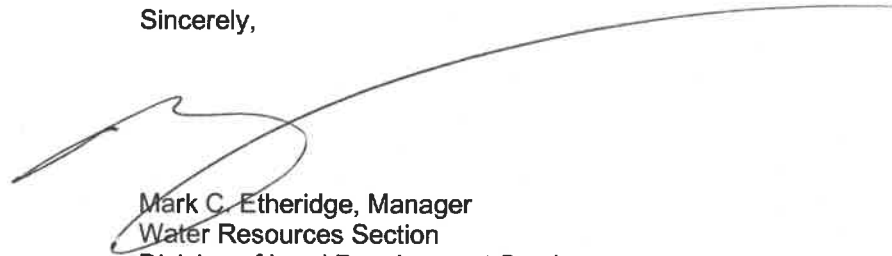
255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Mr. Sergio Rodriguez
January 7, 2020
Page 2 of 2

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Jean Kapusnick at 240-777-6345.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: jak

cc: N. Braunstein
SM File # 285501

ESD: Required/Provided 372 cf / 192 cf
PE: Target/Achieved: 1.8"/1.03"
STRUCTURAL: 0.00 cf
WAIVED: 0.027 ac.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Hadi Mansouri
Acting Director

January 7, 2020

Mr. Sergio Rodriguez
Stantec
20440 Century Boulevard, Suite 240
Germantown, MD 7115

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
20629 Boland Farm Road
Preliminary Plan #: N/A
SM File #: 285501
Tract Size/Zone: R200
Total Concept Area: 24,225 sq ft
Lots/Block: 95
Watershed: Seneca Creek

Dear Mr. Rodriguez:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via a drywell.

The concept plan demonstrates that ESD to the MEP is met before the target ESD treatment volume is achieved. The lack of space, the lack of proper outfall locations and the presence of fill soils preclude the implementation of any additional ESD practices. A Pe of 1.03 inch is achieved via one drywell therefore, a waiver will be granted for quantity control.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is **required**.



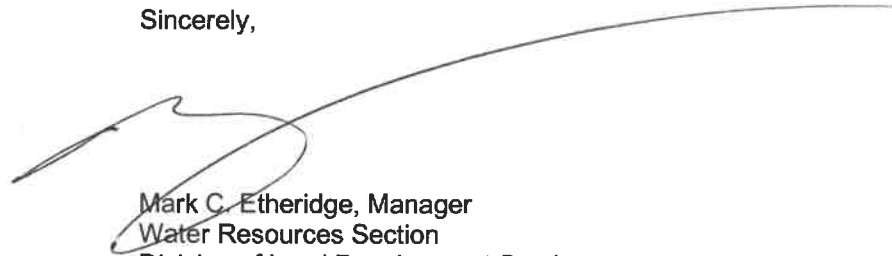
255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Mr. Sergio Rodriguez
January 7, 2020
Page 2 of 2

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Jean Kapusnick at 240-777-6345.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: jak

cc: N. Braunstein
SM File # 285501

ESD: Required/Provided 372 cf / 192 cf
PE: Target/Achieved: 1.8"/1.03"
STRUCTURAL: 0.00 cf
WAIVED: 0.027 ac.

From: [Salazar, Victor](#)
To: [Tefsaye, Elsabett](#)
Cc: [Motazedli, Ehsan](#); [Nichols, James](#); [Vargas, Jennyffer](#)
Subject: RE: 20629 Boland Farm
Date: Tuesday, December 10, 2019 9:23:07 AM

Hi,

DPS met with the applicant and his attorney's. Topics included the violations to the existing SE and the intentions of the CU applicant

As a result, DPS, decided it would stay any enforcement activity until the scheduled annual inspection in June of 2020.

If ownership of the property has not transferred and CU not approved, DPS, will move forward with the issuance of an NOV and remand compliance.

Hope this helps.

Victor Salazar, Program Manager II
DPS – Zoning & Site Plan Enforcement
Montgomery County Government

From: Tefsaye, Elsabett <elsabett.tefsaye@montgomeryplanning.org>
Sent: Monday, December 9, 2019 1:38 PM
To: Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>
Subject: Re: 20629 Boland Farm

[EXTERNAL EMAIL]

Hi Victor,

Have you determined as to how we go forward on this case? I know your office was planning to meet with the applicant, but I haven't heard if an agreement was reached. In addition to the violation of the conditions of the previous Special exception, the Existing FCP also needs to be amended. The Applicant is now filing a CU application with no information regarding the violation of the previously approved Special Exception Plan or no acknowledgement of the existing FCP. Please let me know what you find out and determined on the issues. I am Tele Working today, if you need to call me, I can be reached at 301-452-4840. I will be at the office tomorrow.

Best Regards,

[Elsabett Tefsaye](#)
Montgomery County Planning Dept | M-NCPPC-Area 3
8787 Georgia Avenue | Silver Spring, MD 20910
301.495.1301
Elsabett.Tefsaye@montgomeryplanning.org

From: Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>

Sent: Tuesday, November 5, 2019 10:02 AM

To: Jody Kline <jskline@mmcanby.com>

Cc: Motazedi, Ehsan <Ehsan.Motazedi@montgomerycountymd.gov>; Vargas, Jennyffer <Jennyffer.Vargas@montgomerycountymd.gov>; Tesfaye, Elsabett <elsabett.tesfaye@montgomeryplanning.org>; Scott Rose <srose@waystationinc.org>; Sekerak, John <John.Sekerak@stantec.com>; Sean Patrick Hughes <sphughes@mmcanby.com>; Nichols, James <James.Nichols@montgomerycountymd.gov>; Segura, Ivania <Ivania.Gomez-Segura@montgomerycountymd.gov>

Subject: 11/6 Agenda In Re: 20629 Boland Farm

Jody,

Based on your input DPS proposes the following agenda for tomorrow:

- Introduction of Attendees
- Way Station Presentation
- DPS Review/Q&A
- Final Comments
- Document next steps and Adjournment

We have the conference room for 90 minutes.

Warmest regards,

Victor Salazar, Program Manager II
DPS – Zoning & Site Plan Enforcement
Montgomery County Government

From: Jody Kline <jskline@mmcanby.com>

Sent: Friday, November 1, 2019 4:36 PM

To: Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>

Cc: Motazedi, Ehsan <Ehsan.Motazedi@montgomerycountymd.gov>; Vargas, Jennyffer <Jennyffer.Vargas@montgomerycountymd.gov>; Tesfaye, Elsabett <elsabett.tesfaye@montgomeryplanning.org>; Scott Rose <srose@waystationinc.org>; Sekerak, John <John.Sekerak@stantec.com>; Sean Patrick Hughes <sphughes@mmcanby.com>

Subject: RE: Rescheduling 20629 Boland Farm

[EXTERNAL EMAIL]

Victor. I got back answers faster than I had expected.

The project land planner, John Sekerak, has met with Mark Etheridge and believes that the only value in having a Water Resources presence at the

meeting would be to confirm for you what John is going to report about our SWM solutions for the excess paving.

On the other hand, John has not yet had a chance to speak with Marie LaBaw so if she could attend the meeting that would be a good idea.

Other than that, we think that no other DPS areas of expertise need to be present at the meeting but we certainly will be glad to answer any questions, and to work with, any other disciplines that you decide to invite to the meeting.

As for an agenda, I would suggest the following:

1. Introduction and roles of all attendees
2. Way Station would describe its mission and its contemplated program for the property
3. Way Station would describe (using aerial photographs) the incremental installation of excess paving over time that put the existing conditions out of compliance with the approved special exception
4. Way Station describe its plans for redevelopment which include addressing the excess paving as well as taking other steps to correct the current zoning violations
5. Way Station would describe the process and the time that it will take to correct the current violations via obtaining conditional use approval for a residential care facility for up to 16 residents and the time it will take to implement that CU approval

From Way Station's point of view, the "take aways" that we hope to secure is:

- a. Confirmation that our proposed course of action addresses the special exception violation; and
- b. A commitment from the Department to defer any enforcement proceedings provided that Way Station diligently pursues the course of action described during our meeting.

With regard to scheduling, it appears that the only times next week when our

team can all come in to meet with you are:

Wednesday, November 6

9:00-12:30

Friday, November 8

2:00 or later

If neither of those dates and times work for the Department, would you please suggest a couple of dates and times that will work for you in the following week.

From: Jody Kline

Sent: Friday, November 1, 2019 10:55 AM

To: Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>

Cc: Motazedi, Ehsan <Ehsan.Motazedi@montgomerycountymd.gov>; Vargas, Jennyffer <Jennyffer.Vargas@montgomerycountymd.gov>; Tesfaye, Elsabett <elsabett.tesfaye@montgomeryplanning.org>

Subject: RE: Rescheduling 20629 Boland Farm

Victor. Thank you for the prompt follow up on the cancelled meeting and your suggestions about how to make the meeting as productive as possible.

Since we have been working diligently for some time now to assemble a conditional use application for the planned future use of the property, I believe that many of the items that would be of concern to DPS have already been addressed. For instance, I know that we have already had meetings with the Water Resources division and I believe that we have met or at least talked to Marie LaBaw about fire/rescue issues.

Let me check with our team to determine what advance leg work has already been done with DPS so that you can then determine which of your DPS colleagues should attend the meeting. I probably won't have an answer to that question until Monday but when I respond, I will offer some dates and times when we could come in to meet with you.

Thanks again for your quick attention to the rescheduling of our aborted

meeting.

From: Salazar, Victor <Victor.Salazar@montgomerycountymd.gov>
Sent: Friday, November 1, 2019 9:39 AM
To: Jody Kline <jskline@mmcanby.com>
Cc: Motazedi, Ehsan <Ehsan.Motazedi@montgomerycountymd.gov>
Subject: Rescheduling 20629 Boland Farm

Jody,

I'm reaching out to reschedule yesterday's meeting about the Boland Farm property.

I'd like to recommend that before setting a date we discuss an agenda for the meeting and your takeaways for the meeting.

Based on the agenda I can ascertain if DPS needs involvement by other sections to provide additional technical expertise.

For example, though our focus would be about land use and development standards of the property, Fire Prevention and Code Compliance, may want to provide input for public health and safety reasons..

It is my goal to corral all of the relevant staff so that our meeting will be as productive as possible.

Warmest regards,

Victor Salazar, Program Manager II
Division of Zoning & Site Plan Enforcement
Department of Permitting Services
Montgomery County Government

This email has been scanned for spam and viruses. Click [here](#) to report this email as spam.



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 05-Mar-20
TO: Kim Currano - kim.currano@stantec.com
Stantec
FROM: Marie LaBaw
RE: 20629 Boland Farm Road
CU20-01

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **05-Mar-20**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** Existing building: elevator shaft and FDC/hydrant additions *****