

A. Plan and Drawings

E-FILE STAMP



DESIGN CONSULTANTS

600 EMERSON ROAD
SUITE 400
ST. LOUIS, MO, 63141
314.521.0123
BRIAN L. VAN WINKLE, AIA, NCARB

PLANNER, CIVIL, LA
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN MD, 20874
301.916.4100
LOGAN ALOMAR

PROFESSIONAL SEAL

GREEN AREA

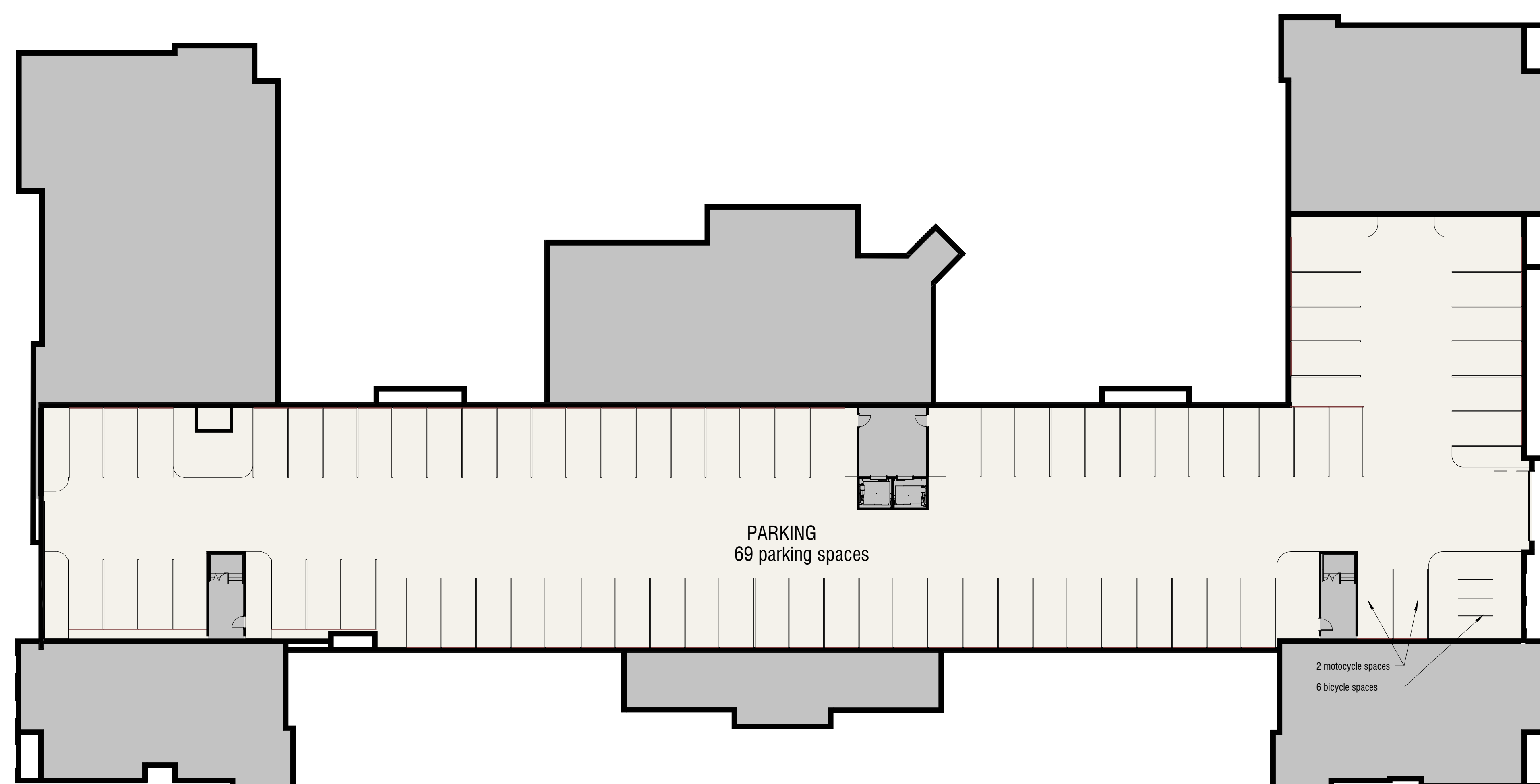
GREEN AREA PROP.= 145,652 SF OR 3.34 AC (66%)

10TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 212NW10
TAX MAP: FP42

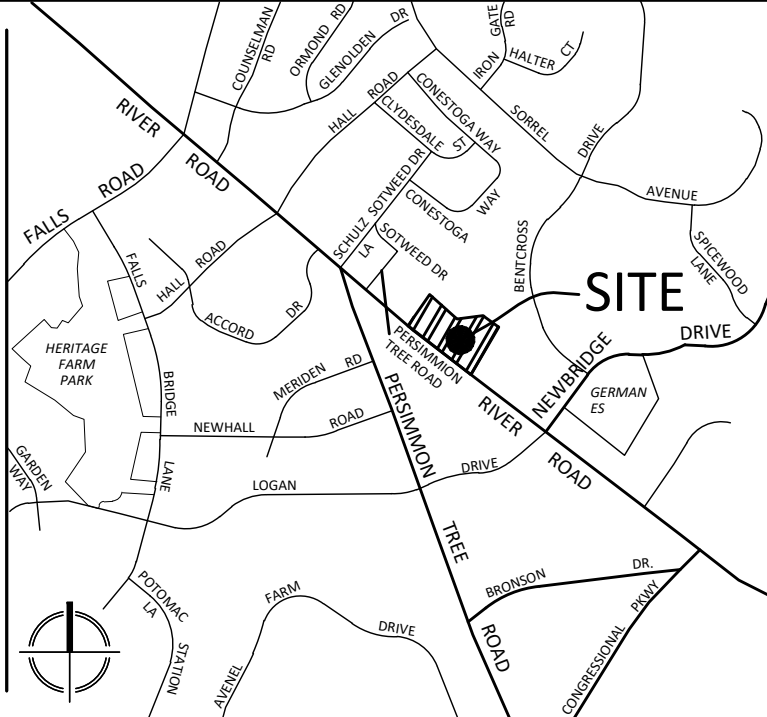
VIKA PROJECT	VM 50363
AGENCY	CU-2030

SHEET NO. C-6





E-FILE STAMP



VICINITY MAP
SCALE: 1" = 2000'



ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD SUITE #400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
FAX: (301) 916-2262
GERMANTOWN, MD TYSONS, VA

PREPARED FOR:
SPECTRUM RETIREMENT
COMMUNITIES, LLC
4600 S. SYRACUSE STREET
11TH FLOOR
DENVER, CO, 80237
303.360.8812
MIKE LONGFELLOW

DESIGN CONSULTANTS

ARCHITECT
VESSEL ARCHITECTURE &
DESIGN
600 EMERSON ROAD
SUITE 400
ST. LOUIS, MO, 63141
314.521.0123
BRIAN L. VAN WINKLE, AIA, NCARB

ATTORNEY
LERCH, EARLY & BREWER,
CHTD
7800 WISCONSIN AVENUE
SUITE 700
BETHESDA, MD, 20814
301.585.1300
STEVEN A. ROBINS

PLANNER, CIVIL, LA
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN MD, 20874
301.916.4100
LOGAN ALDORAR

REVISIONS	DATE
RESUBMIT	07/02/20

PROFESSIONAL SEAL

9545 RIVER
ROAD
CONDITIONAL USE
APPLICATION
SUBMISSION

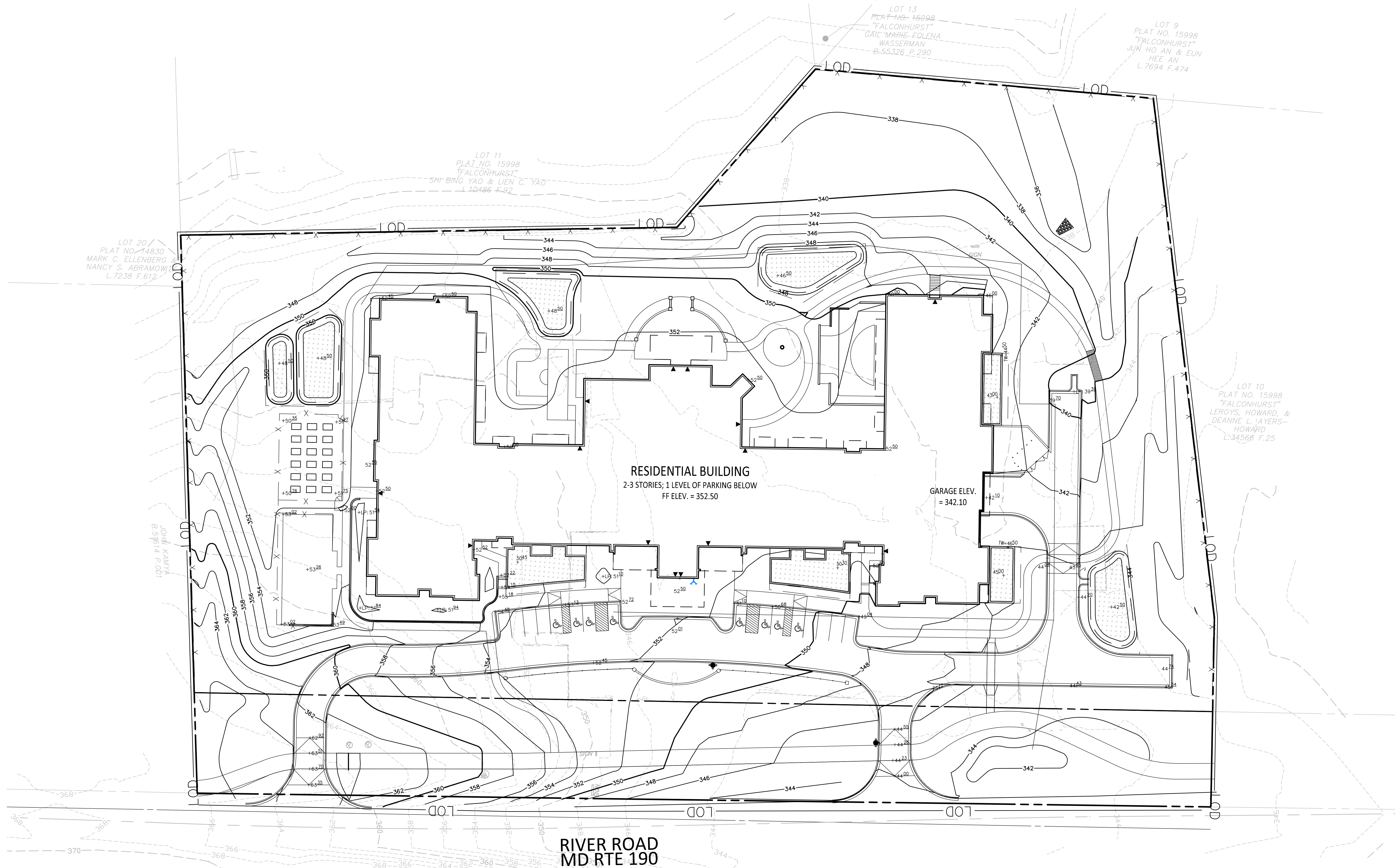
10TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 212NW10
TAX MAP: FP42

ROUGH
GRADING
EXHIBIT

DRAWN BY: DL
DESIGNED BY: JS
DATE ISSUED: 01/15/2020

VIKA PROJECT VM 50363A
AGENCY NO. CU-2020-05

SHEET NO. 1 OF 1



PLAN LEGEND

CTV	CTV	CTV	PROPERTY LINES	8" W	PROPOSED WATER LINE	EXISTING GUY POLE	EXISTING BOLLARD	BUILDING HEIGHT MEASURING POINT
E	E	E	EXISTING CABLE TELEVISION CONDUIT	8" S	PROPOSED SANITARY SEWER WITH STRUCTURE	EXISTING GAS VALVE	EXISTING SIGN POST	PROPOSED BIKE RACKS
X	X	X	EXISTING ELECTRICAL CONDUIT	LOD	PROPOSED STORM DRAIN	EXISTING LIGHT POLE	EXISTING WOOD POST	PROPOSED LIGHTS
—	—	—	EXISTING EDGE OF PAVEMENT		PROPOSED LIMITS OF DISTURBANCE	EXISTING PHONE PEDISTAL	EXISTING CURB INLET	PEDESTRIAN LIGHTS
—	—	—	EXISTING FENCE LINE		EXISTING PARKING LABEL	EXISTING PHONE MANHOLE	EXISTING CONCRETE	PROPOSED PARKING LABELS
—	—	—	EXISTING NATURAL GAS CONDUIT		EXISTING SANITARY MANHOLE	EXISTING UTILITY POLE	EXISTING CURB AND GUTTER	PROPOSED HARDSCAPE
—	—	—	EXISTING OVERHEAD WIRES		EXISTING STORM DRAIN MANHOLE	EXISTING SANITARY MANHOLE	EXISTING BUILDING	PROPOSED FIRE HYDRANT
—	—	—	EXISTING TELEPHONE CONDUIT		EXISTING ELECTRICAL JUNCTION BOX	EXISTING TRAFFIC CONTROL BOX	EXISTING STORY	DOOR LOCATION
—	—	—	EXISTING PUBLIC UTILITIES EASEMENTS		EXISTING FIRE DEPARTMENT CONNECTION	EXISTING CABLE TELEVISION PEDESTAL	EXISTING ELECTRICAL TRANSFORMER	PROPOSED SWM FACILITY
—	—	—	EXISTING SANITARY SEWER CONDUIT		EXISTING FIRE HYDRANT	EXISTING UNKNOWN UTILITY MANHOLE	EXISTING ASPHALT	FACILITY WITH CHECK WALL AND CURB CUT
—	—	—	EXISTING STORM DRAIN CONDUIT		EXISTING GAS MANHOLE	EXISTING WATER METER	EXISTING EASEMENT	
—	—	—	EXISTING WATER CONDUIT			EXISTING WATER MANHOLE	EXISTING REINFORCED CONCRETE PIPE	
—	—	—	EXISTING ZONE LIMITS			EXISTING WATER VALVE	EXISTING CORRUGATED METAL PIPE	
—	—	—	PROPOSED 10' CONTOUR				EXISTING RESTRICTION LINE	
—	—	—	PROPOSED 2' CONTOUR				EXISTING RIGHT-OF-WAY	

0 15' 30' 60'
SCALE: 1" = 30'



SOUTH ELEVATION (FRONT)



EAST ELEVATION



approach from River Road



view of front entrance

9545 River Road



NORTH ELEVATION (REAR)



WEST ELEVATION



view of rear interior courtyard

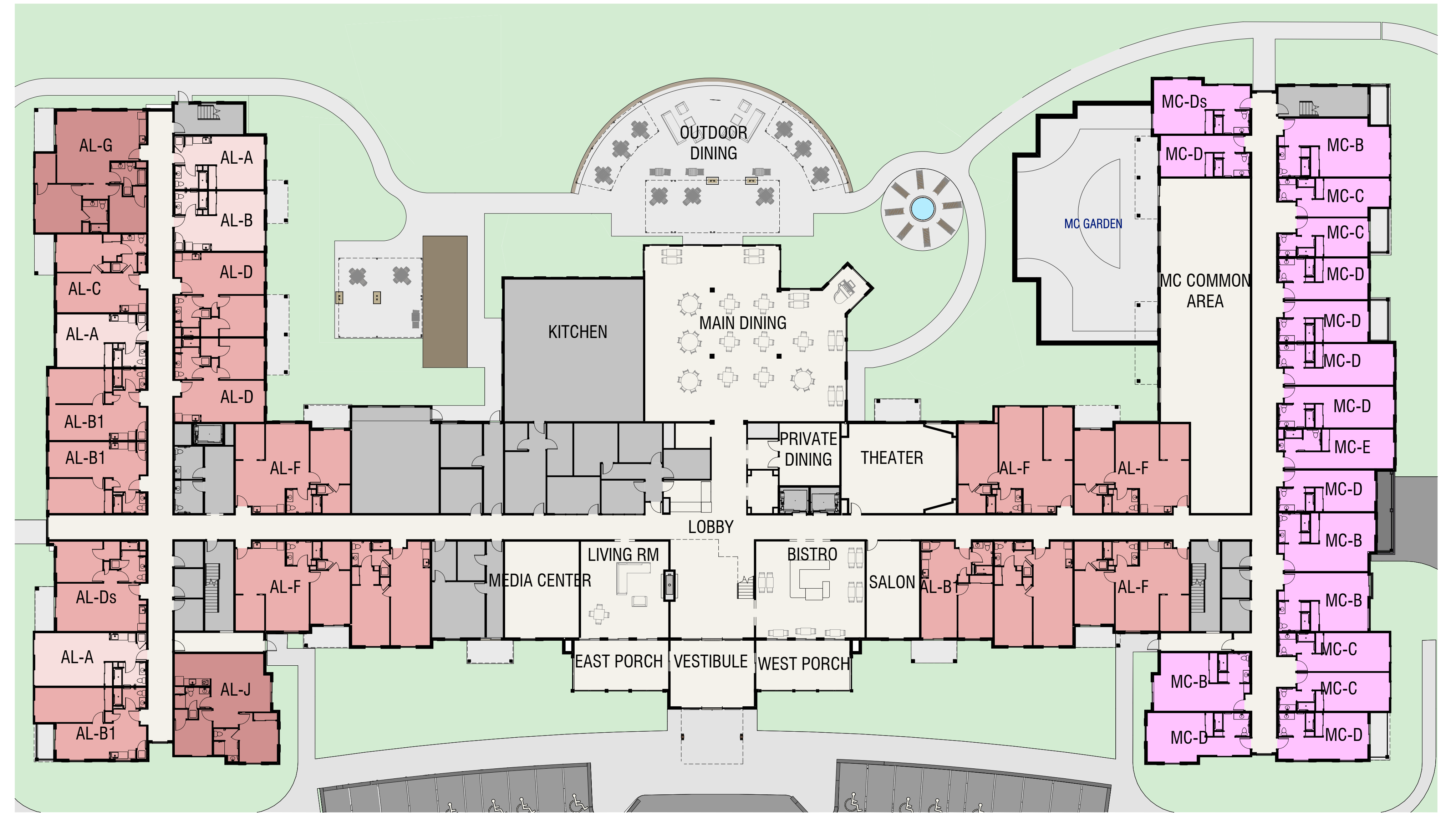


view of rear outdoor dining

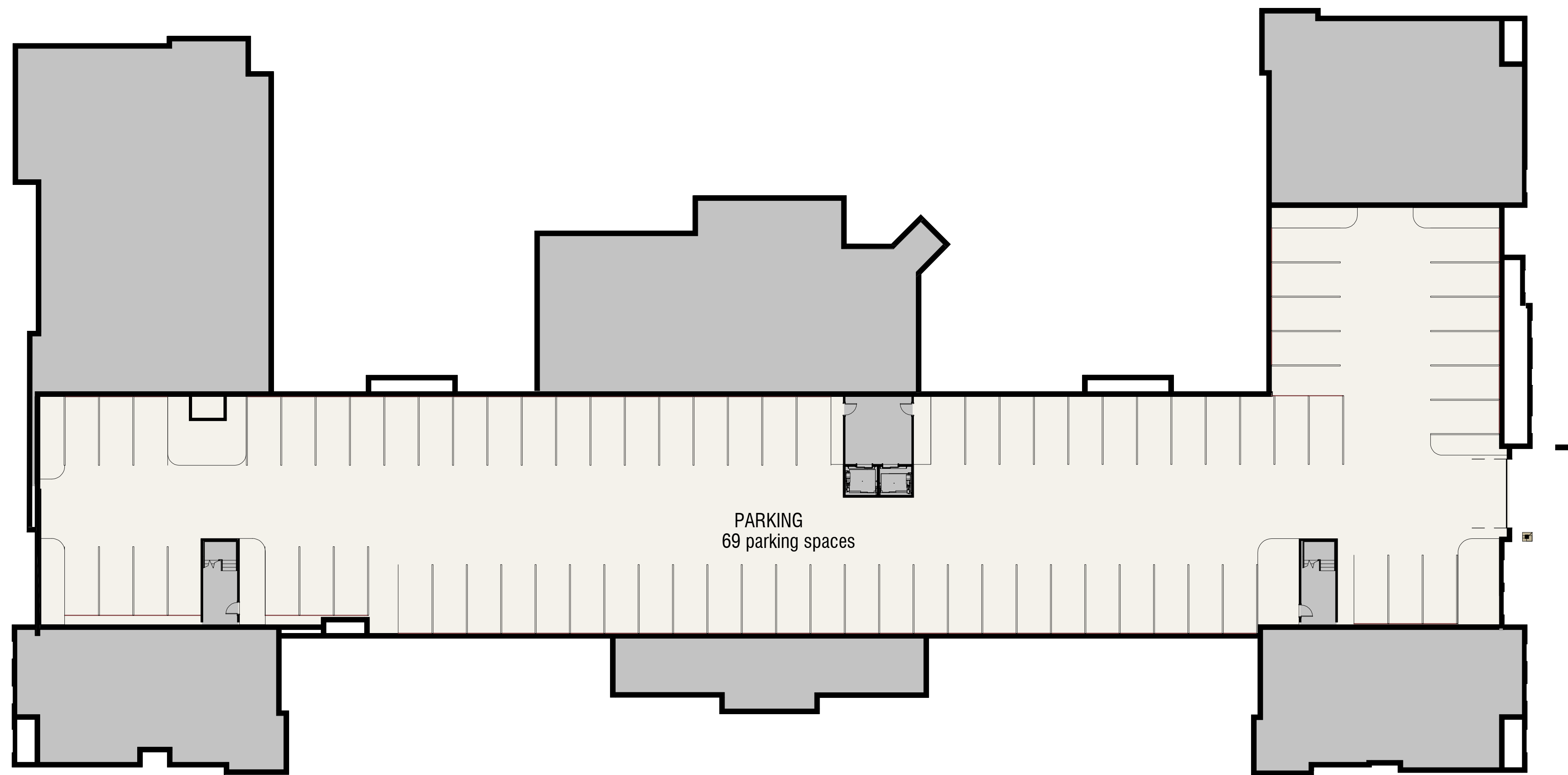
9545 River Road



southeast view from River Road



FIRST FLOOR PLAN



GARAGE FLOOR PLAN



southeast view at building corner

9545 River Road



A rendering of a modern rooftop terrace. In the foreground, a wooden pergola structure with a slatted roof and a vertical support post is visible. String lights with round bulbs hang from the pergola. The terrace floor is paved with dark, rectangular tiles. Several outdoor furniture sets are arranged on the terrace, including a large L-shaped sectional sofa and several square tables with chairs. Two people are standing on the terrace: a man in a light-colored suit looking at a device, and a woman in a light-colored top and dark skirt. In the background, a multi-story brick building with large windows and balconies is visible. The sky is blue with scattered white clouds.

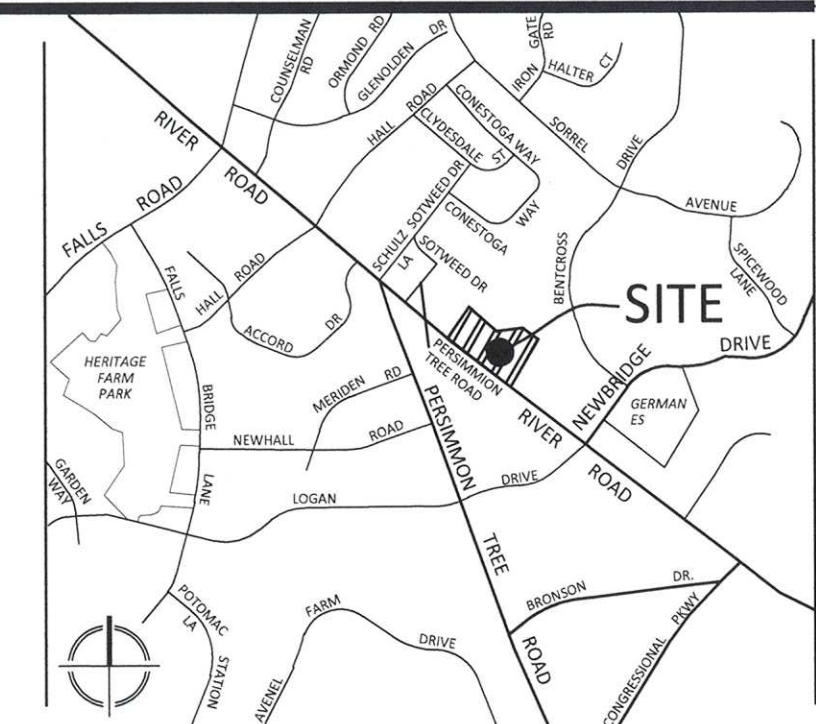
ASSISTED LIVING STUDIO
 ASSISTED LIVING ONE BEDROOM
 ASSISTED LIVING TWO BEDROOM
 COMMON
 BACK OF HOUSE

Exhibit P
Floor Plans & Renderings

7/03/2020

9545 RIVER ROAD

LANDSCAPE AND LIGHTING PLAN



VICINITY MAP
SCALE: 1" = 2000'

SHEET INDEX

L000	COMPOSITE PLAN
LAYOUT MATERIALS AND PAVING PLAN	
L100	LAYOUT, MATERIALS AND PAVING PLAN
L101	LAYOUT, MATERIALS AND PAVING PLAN
L102	LAYOUT, MATERIALS AND PAVING PLAN
L103	LAYOUT, MATERIALS AND PAVING PLAN
PLANTING PLAN	
L110	LANDSCAPE PLAN
L111	LANDSCAPE PLAN
L112	LANDSCAPE PLAN
L113	LANDSCAPE PLAN
DETAILS	
L500	PLANTING NOTES, SCHEDULES, AND DETAILS
L501	SITE DETAILS
L502	COURTYARD AND LIGHTING DETAILS

NOTE: SCREENING ALONG REAR PROPERTY LINE INCLUDES THE FOLLOWING PER 100FT OF PROPERTY LINE:

- MINIMUM OF 4' HIGH FENCE
- 2 CANOPY TREES
- 2 EVERGREEN TREES
- 6 LARGE SHRUBS
- 6 MEDIUM SHRUBS
- 8 SMALL SHRUBS

FOREST CONSERVATION PLANTINGS ALONG PROPERTY LINE WILL PROVIDE SCREENING INCLUDING THE FOLLOWING PER 100FT OF PROPERTY LINE:

- MINIMUM OF 4' HIGH FENCE
- 2 CANOPY TREES
- 2 EVERGREEN TREES
- 6 LARGE SHRUBS
- 6 MEDIUM SHRUBS
- 8 SMALL SHRUBS

[illegible]

PROFESSIONAL SEAL

**9545 RIVER
ROAD**
**CONDITIONAL USE
APPLICATION
SUBMISSION**
**10TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND**
WSSC GRID: 212NW10
TAX MAP: FP42

COMPOSITE
PLAN

DRAWN BY:	DL
DESIGNED BY:	JS
DATE ISSUED:	01/15/2020
VKA PROJECT	VM 50363A
AGENCY NO.	CU-2020-05
SHEET NO.	L000

9545 RIVER ROAD

LANDSCAPE AND LIGHTING PLAN



SHEET INDEX

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LAYOUT MATERIALS AND PAVING PLAN	
L100	LAYOUT, MATERIALS AND PAVING PLAN
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NOTE: SCREENING ALONG REAR PROPERTY LINE INCLUDES THE FOLLOWING PER 100FT OF PROPERTY LINE:

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- 2 EVERGREEN TREES
- 6 LARGE SHRUBS
- 6 MEDIUM SHRUBS
- 8 SMALL SHRUBS

FOREST CONSERVATION PLANTINGS ALONG PROPERTY LINE
WILL PROVIDE SCREENING INCLUDING THE FOLLOWING PER
100FT OF PROPERTY LINE:

- MINIMUM OF 4' HIGH FENCE
- 2 CANOPY TREES
- 2 EVERGREEN TREES
- 6 LARGE SHRUBS
- 6 MEDIUM SHRUBS
- 8 SMALL SHRUBS

[illegible]

PROFESSIONAL SEAL

9545 RIVER
ROAD
CONDITIONAL USE
APPLICATION
SUBMISSION

10TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 212NW10
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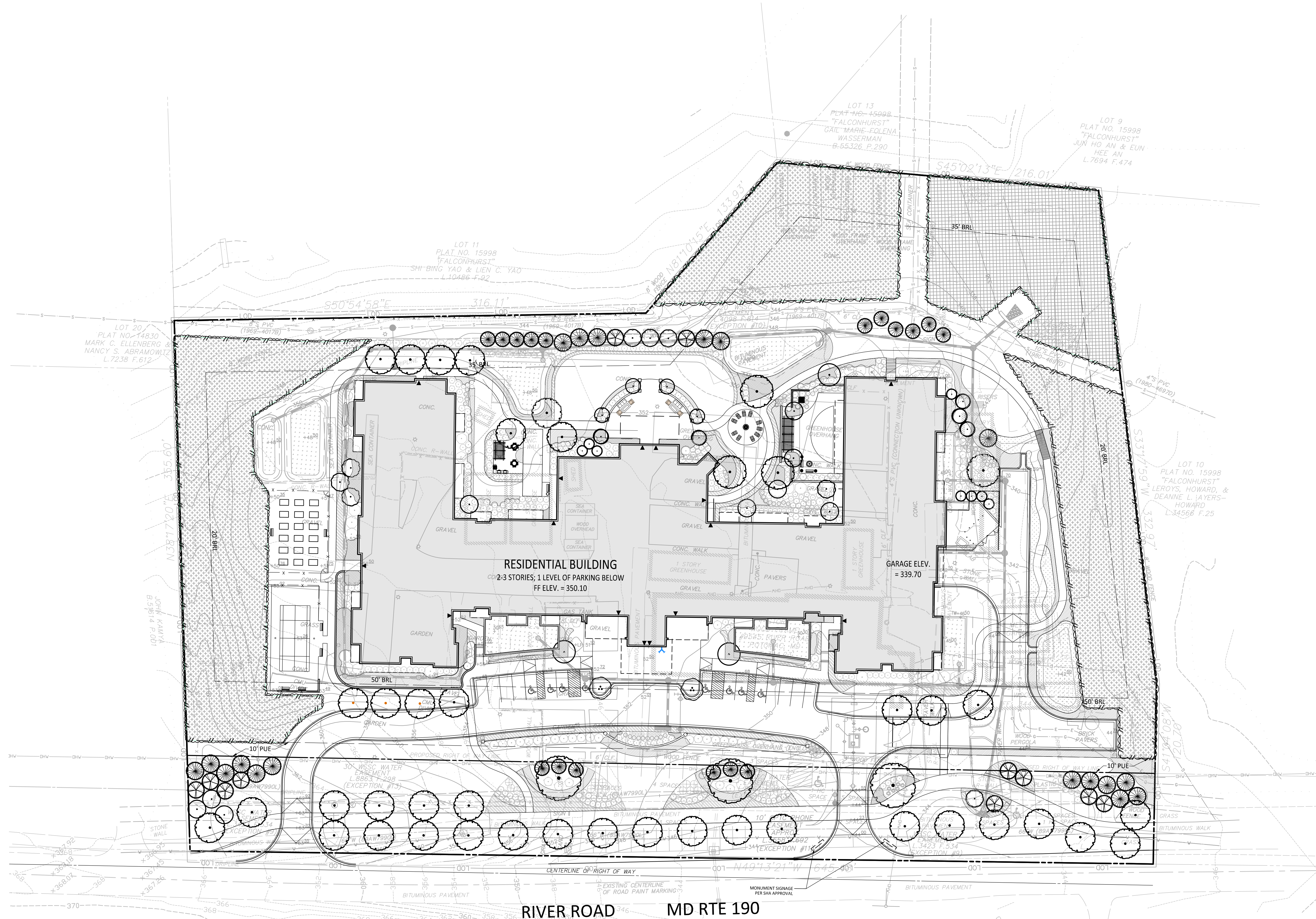
COMPOSITE
PLAN

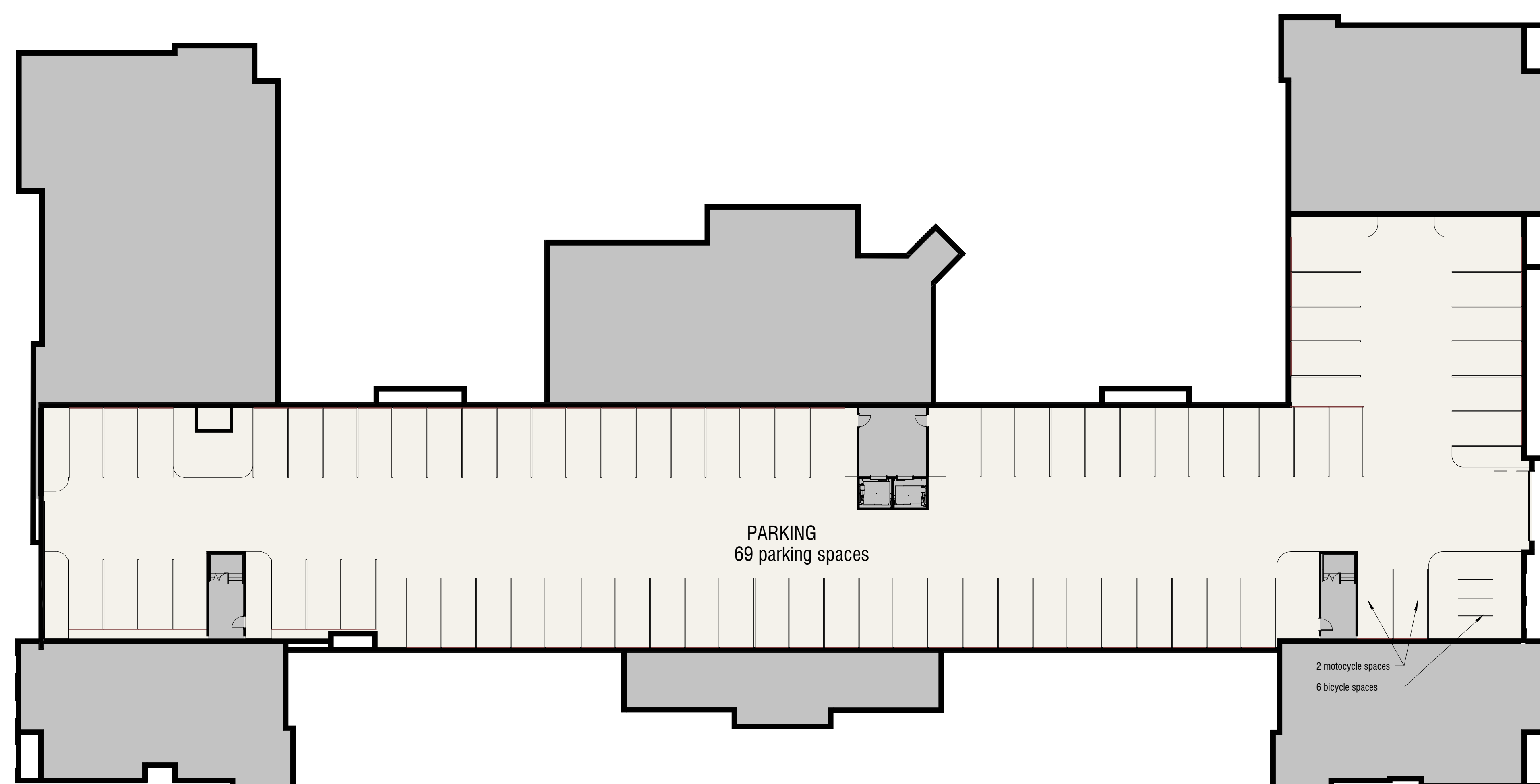
DRAWN BY: DL
DESIGNED BY: JS
DATE ISSUED: 01/15/2020

VIKA PROJECT VM 50363A

AGENCY NO. CU-2020-05

SHEET NO. L000





B. Forest Conservation Plan

Attachment-B



Spectrum Retirement: Forest Conservation Plan No. CU2020-05

Joshua Penn, Planner Coordinator, Area 3 Joshua.Penn@montgomeryplanning.org, 301-495-4546

Benjamin Berbert, Acting Supervisor, Area 3 Benjamin.Berbert@montgomeryplanning.org, 301-495-4644

Richard Weaver, Chief, Area 3 Richard.Weaver@montgomeryplanning.org, 301-495-4544

Staff Report Date: 06-19-2020

Description

Spectrum Retirement

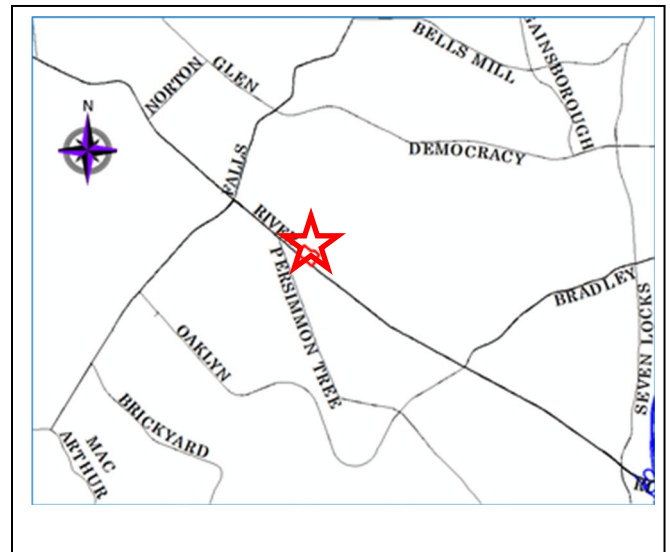
Request for a Preliminary Forest Conservation Plan
Approval for proposed construction of a Residential Care Facility with 100 units and 130 beds including a memory care section of 18 units, on a 5.93-acre property located at 9545 River Road on the north side of the Road, 0.5 mile east of its intersection with Falls Road, Potomac, MD, Identified as Parcel 786 Tax Account No. 10-00855533, RE-2 zone, 2002 Potomac Subregion Master Plan.

**Staff Recommendation: Approval with conditions
(Planning Board Action)**

Applicant: Spectrum Retirement Communities, LLC

Application Filed: March 19, 2020

Review Basis: Chapter 22A, Forest Conservation Law



- The review of this Preliminary Forest Conservation Plan accompanies the companion staff report for the Conditional Use project CU2020-05
- The forest conservation requirement will be met through onsite afforestation planting.
- Three, 3" caliper native trees are provided as mitigation for a tree variance.

STAFF RECOMMENDATION: Approval of the Forest Conservation Plan No. CU2020-05, subject to the following conditions:

1. This PFCP is conditionally approved and final approval is contingent upon approval by the Montgomery County Hearing Examiner of Conditional Use No. CU2020-05.
2. Applicant must submit a Final Forest Conservation Plan ("FFCP") to M-NCPPC Staff for review with the Preliminary Plan of Subdivision submittal.
3. The FFCP must be consistent with the final approved PFCP.
4. Applicant must obtain approval of the Final Forest Conservation Plan prior to certification of the preliminary plan of subdivision.
5. The Applicant must provide mitigation for the loss of trees per the approved variance in the form of three (3) native canopy trees with a minimum size of three (3) caliper inches. The trees must be clearly shown and labelled on the Final Forest Conservation Plan. The mitigation trees must be planted outside of any right-of-way, or utility easements, including stormwater management easements and not counted as part of the screening requirement under Division 6.5 of the Montgomery County Zoning Ordinance. The mitigation trees must be installed and accepted by M-NCPPC within one year of construction completion.
6. The limits of disturbance shown on the final Sediment Control Plan must be consistent with the limits of disturbance shown on the Final Forest Conservation Plan.
7. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.

SITE DESCRIPTION

The subject property is identified as 9545 River Road, Parcel 786 Tax Account No. 10-00855533, *2002 Potomac Subregion Master Plan Master Plan*. ("Subject Property" or "Property"). The Property is zoned Residential Estate - 2 Zone (RE-2), and it is 5.93 acres in size. The Property is developed as a retail nursery with multiple buildings, green houses, bulk storage areas, and gravel parking as well as operational parking areas that are used for the nursery.

The entire Property drains to the Cabin John Creek Watershed, which is classified by the State of Maryland as Use Class I-P waters. There are offsite streams to the northeast and northwest of the Property and some stream valley buffers (SVB) from these features extend onto the Property. The Property contains no forest. Five large trees were identified on the Property or within 100 feet of the Property by the NRI/FSD, including two specimen trees (≥ 30 inches Diameter at Breast Height (DBH)). There are no steep slopes or highly erodible soils. Neighboring properties are zoned RE-2 residential single family and R-200 residential single family along the northwest property line (Figures 1 and 2).



Figure 1. 2015 Aerial Photograph of Vicinity with Zoning



Figure 2. 2015 Aerial Photograph of Property

PROJECT DESCRIPTION

The Preliminary Forest Conservation Plan (PFCP) was prepared as part of Conditional Use Application No. CU2020-05 ("Application"), for a Residential Care Facility with 100 units and 130 beds including a memory care section of 18 units (Attachment A). While the Planning Board is technically advisory on Hearing Examiner applications, the Planning Board must make a finding that the pending Conditional Use Application complies with Chapter 22A, the Montgomery County Forest Conservation Law.

The Application proposes to clear and regrade the site for the construction of a residential care building and associated amenities.

ANALYSIS AND FINDINGS

The Conditional Use and Forest Conservation Plan Application meets all applicable requirements of Chapter 22A of the Montgomery County Forest Conservation Law.

Review for Conformance to the Forest Conservation Law

The Application is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) under Section 22A-4(b) as a project by, “a person required by law to obtain approval of a special exception or a conditional use, or a sediment control permit on a tract of land 40,000 square feet or larger...” The Property included in the Application is 5.93 acres in size, Parcel 786.

Environmental Guidelines

A Natural Resources Inventory and Forest Stand Delineation (NRI/FSD) #420200520 was approved by Staff on March 5, 2020 (Attachment B). The entire Property drains to the Cabin John Creek Watershed, which is classified by the State of Maryland as Use Class I-P waters. There are offsite streams to the northeast and northwest of the Property and in some cases the stream valley buffer extends onto the Property. The Property contains no forest. Five large trees were identified on the Property or within 100 feet of the Property, including two specimen trees (≥ 30 inches Diameter at Breast Height (DBH)). There are no steep slopes or highly erodible soils.

SVB Encroachment

A 0.013-acre (approximately 579 sf) section of stream valley buffer is not being placed into a conservation easement because of its proximity to the building and the need to maintain a walkable path for residents, emergency personnel, and access to stormwater facilities. As compensatory mitigation, the Applicant is providing two times the acreage, 0.026 acres with native plantings throughout the site along building foundations and garden spaces. These areas consist of a layered planting palette, including ground covers, perennials, grasses, shrubs, and understory trees, creating wildlife habitat, carbon sequestration, and microclimate cooling. The final location and details will be provided with the Final Forest Conservation Plan.

Forest Conservation

The total tract area for the Property is 6.02 acres (including offsite improvements). The project does not propose to clear any forest, however, based on the land use category and the forest conservation worksheet there is a 1.20-acre afforestation planting requirement. The Applicant proposes to meet the requirements onsite via new forest planting which will be placed into Category I conservation easements.

Forest Conservation Variance

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees and other vegetation as high priority for retention and protection. The law requires that there be no impact to: trees that measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to high priority vegetation, including disturbance to the critical root zone (CRZ) requires a

variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. Staff determined that development of the Site requires impact to trees identified as high priority for retention and protection (Protected Trees). The Applicant has submitted a variance request for these impacts.

Variance Request – The Applicant submitted a variance request in a letter dated January 7, 2020, for the removal and impact of variance trees (Attachment C). The Applicant proposes to remove one and impact one protected tree that are 30 inches or greater, DBH, and are considered a high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. Details of the protected trees to be removed and impacted are provided in Table 1 and shown graphically in Figure 3.

Table 1: Variance Tree Impacts

TREE #	DBH INCHES	SPECIES (SCIENTIFIC NAME)	SPECIES (COMMON NAME)	CONDITION	RECOMMENDATION
T1	30	<i>Acer negundo</i>	Boxelder	Poor	REMOVE: 100% CRZ impact. Tree in poor condition covered with English ivy.
T4	Est. 35	<i>Quercus rubra</i>	Red Oak	Poor	SAVE: Request variance to impact the CRZ. An 11% CRZ impact to this offsite tree warrants the tree to be saved. Removal may occur by others due to the poor condition of the tree not related to construction.

Staff has made the following determination based on the required findings in the review of the variance request and the PFCP:

Granting the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the disturbance to the Protected Trees is due to the reasonable development of the Site. The Protected Trees are in the developable area of the Site. Granting a variance to allow land disturbance within the developable portion of the Site is not unique to this Applicant. Staff believes that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based on existing site conditions, including the location of the Protected Trees within the developable area of the Site and offsite in the area of required roadway improvements.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The surrounding land uses do not have any inherent characteristics or conditions that have created or contributed to this need for a variance.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees removed will be mitigated for by planting new trees which will provide water quality benefits offsetting the tree removed.

In addition, the Montgomery County Department of Permitting Services (MCDPS) is reviewing a stormwater management concept for the proposed project. The stormwater management concept incorporates Environmental Site Design standards.

Mitigation for Protected Trees –the Protected Tree subject to the variance provision and proposed to be removed is located outside of existing forest. Mitigation for the removal of the one tree is recommended at a rate that approximates the form and function of the trees removed. Therefore, Staff is recommending that replacement occur at a ratio of approximately 1-inch caliper for every 4 inches removed, using trees that are a minimum of 3 caliper inches in size. This Application proposed to remove 30 inches in DBH, resulting in a mitigation requirement of 7.5 caliper inches of planted, native, canopy trees with a minimum size of 3-inch caliper. While these trees will not be as large as the trees lost, they will provide some immediate benefit and ultimately replace the canopy lost by the removal of this tree.

County Arborist's Recommendation on the variance – In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist on June 6, 2020; the County Arborist has not provided a recommendation as of the posting of this Staff Report.

Variance Recommendation – Staff recommends that the variance be **granted**.

NOTIFICATION and OUTREACH

The Subject Property was properly signed with notification of the upcoming Conditional Use Hearing prior to submission. All adjoining and confronting property owners, civic associations, and other registered interested parties will be notified of the upcoming public hearing on the proposed amendment. As of the date of this report, staff has received no inquiries. Any comments received hereafter will be forwarded to the Board.

CONCLUSION

The Forest Conservation Plan meets all applicable requirements of Chapter 22A of the County Code. Therefore, Staff recommends that the Planning Board approve the Forest Conservation Plan with the conditions cited in this Staff Report.

Attachments

Attachment A – Natural Resources Inventory
Attachment B - Forest Conservation Plan
Attachment C - Variance Request



C. Community

Attachment-C

Harald R. Leuba, Ph.D.
9555 Persimmon Tree Road
Potomac, Maryland
June 14, 2020

Office of Zoning and Administrative Hearings
For Montgomery County
100 Maryland Avenue, Room 200
Rockville, MD 20850

Re: Case No. CU 20-05

Folks:

I am, if not “an abutting property owner”, certainly a Confronting Property Owner.

My address is 9555 Persimmon Tree Road – changed from 9700 River Road in 1972 – because the River Road traffic was terrifying even then!

Please do not over-interpret the label “confronting”.

On the one hand, I believe that property owners should be “allowed” to do whatever is lawful on their premises and not unduly intrusive on their neighbors.

On the other hand, as (1) a now retired (that should give me some bona fides re the proposed residents’ needs), (2) MHIC Contractor (that should give me some bona fides re the construction challenges looming underground over there) and (3) with a PhD (Johns Hopkins) in psychology (which should further establish my opinion about the population proposed for residency):

I am not “in favor” of this proposed project; I think it is ill-advised on that piece of land and inconsistent with the “neighborhood”.

My reservations about the land *per se* hinge on the project’s plans to have “underground parking”. I know from experience living “uphill” from 9545 River Road that (1) storm water runoff in this area is not under control and (2) that the water table is very high. I have a “permanent swale” draining across my land from Persimmon Tree Road into the storm sewer drain on River Road and my basement regularly floods with water rising through cracks it has made in my basement floor!

My reservations about the proposed use – as a multiple resident assisted living facility – focus on the traffic risks associated with the current River Road. It is heavily trafficked, often at excessive speed, and the “hill” North of the subject property reduces visibility. I have personally buried three dogs killed in that traffic; dogs are perhaps more agile, if less alert, than elderly memory-challenged pedestrians.

Finally, as a property owner, “invested” in this neighborhood for 49 years, I have seen the 115 acre Kiplinger Farm across River Road become that sea of upscale homes surrounding the literal oasis of the “Behnke” Nursery. I agree that the Nursery has fallen into disrepair. I do not believe that replacing it with an Assisted Living Facility will improve the value of my property.

Respectfully,
Harald R. Leuba, PhD

From: [Tsfaye, Elsabet](#)
To: [Robins, Steven A.](#); [Rogers, Elizabeth C.](#)
Subject: FW: zoning application # CU 20-05 filed on 3/18
Date: Monday, May 4, 2020 11:02:00 AM

FYI. Please see e-mail from area resident below.

Elsabet Tsfaye
Montgomery County Planning Dept | M-NCPPC-Area 3
8787 Georgia Avenue | Silver Spring, MD 20910
301.495.1301
Elsabet.Tsfaye@montgomeryplanning.org

From: MCP-InfoCounter <MCP-InfoCounter@mncppc-mc.org>
Sent: Wednesday, April 29, 2020 11:51 AM
To: Savage, Aaron <aaron.savage@montgomeryplanning.org>
Subject: FW: zoning application # CU 20-05 filed on 3/18

From: amaxc@aol.com <amaxc@aol.com>
Sent: Tuesday, April 28, 2020 3:30 PM
To: MCP-InfoCounter <MCP-InfoCounter@mncppc-mc.org>
Subject: Fwd: zoning application # CU 20-05 filed on 3/18

Oops. Mis-typed your address the first time...

From: amaxc@aol.com
To: mcp-infocounter@mncppc-cm.org
Sent: 4/28/2020 3:27:33 PM Eastern Standard Time
Subject: Fwd: zoning application # CU 20-05 filed on 3/18

Please consider my email of April 26 addressed to OZAH. I received a response (also below) indicating that your office is now reviewing this application. I strongly oppose the proposed use of the site. After I emailed what is below, I found yet ANOTHER nearby similar building attached to the church at the intersection of Bradley Boulevard and Kentsdale Drive in Potomac. I plan to do whatever is necessary, as outlined in Nana Yaa A. Johnson's response to me, to have my objections part of the "official record" and I do plan to testify. Hope it becomes a zoom meeting if we don't have a covid -19 vaccine by July, which we probably won't.

Please let me know you received my email of April 26 reproduced here , with OZAH's response telling me I could email you as you are now reviewing this proposal. And please keep me in the loop.

Thank you.

Leslie Cohen

Good Afternoon:

The Office of Zoning and Administrative Hearings has received your e-mail dated Sunday April 26, 2020 regarding the above-referenced case.

OZAH's Zoning Rule 3.2(c) requires that all submissions made in our zoning cases "must be in writing and signed by the individual or an authorized representative." Therefore, your comments will not become a part of the official record until our Office receives them in a signed document. You may send your signed document as an e-mail attachment or send your signed document to this office via US Mail to 100 Maryland Avenue, Room 200 Rockville, MD 20850, or you may hand-deliver at our temporary location at 751 Twinbrook Pkwy, Rockville, MD . Our mailing address is still the same. If you have any questions, please call our office at 240-777-6660.

You also have a right to testify during OZAH's public hearing in this case, which is currently scheduled for July 17, 2020 at 9:30 a.m., in the OZAH/BOA hearing room in our Hearing Room at 751 Twinbrook Pkwy, Rockville, MD. If you elect to testify, you will be sworn in and subject to cross-examination, as is every other witness at our hearings. Please check back with our office beforehand, as cases are sometimes continued at the request of a party or the Planning Department. If you need services to participate in a public hearing, please contact this Office no later than seven (7) days in advance of the public hearing by calling 240-777-6660 (TTY 240-777-7914) or emailing us at ozah@montgomerycountymd.gov. OZAH cannot guarantee that an interpreter can be made available if notified of the request less than seven (7) days in advance of the public hearing.

You may also wish to express your concerns directly to the Planning Department, which is currently reviewing this application, or to the Planning Board when it holds its public session on this matter in advance of OZAH's hearing.

The Planning Department is located at 8787 Georgia Ave, 2nd floor, Silver Spring, MD, and it can be called at 301-495-4610 or emailed at mcp-infocounter@mncppc-mc.org.

Nana Yaa A. Johnson

Administrative Specialist I

Office of Zoning and Administrative Hearings

100 Maryland Avenue, Suite 200

Rockville, MD 20850

(240) 777-6663

nana.johnson@montgomerycountymd.gov

From: amaxc@aol.com <amaxc@aol.com>

Sent: Sunday, April 26, 2020 12:18 PM

To: Office of Zoning and Administrative Hearings
<OZAH@montgomerycountymd.gov>

Subject: zoning application # CU 20-05 filed on 3/18

[EXTERNAL EMAIL]

Re: Zoning application #CU 20-05

Please do NOT allow yet ANOTHER residential care facility for the elderly (of which I am one, but I STILL think it's not a good use of the space). I live within walking distance of the landscape nursery that is currently on the property. I pass it DAILY either walking or driving.

The reason I do not think a residential care facility is appropriate there is that there are currently several residential care facilities already very close by. There is one at the Potomac Tennis Club area across from the Bullis school, housing just for older persons (tho not a care facility, but housing a similar population) called Victory Terrace on Newbridge Drive (just around the corner), a new one of these just being built on River Road before the intersection of River and Seven Locks, and another one not far away at the Cabin John shopping center on Tuckerman Lane and Seven Locks Road. There is also a nursing

home on Fernwood Home across from Montgomery Mall. This makes 5 and I may be forgetting one or more....

There are too many of these ! In the future people may re-think putting their elderly relatives in one of these breeding grounds for contagious diseases. I for one will not put myself or my spouse in one. My adult children have told me they will not allow it.

A population of elderly residents is not necessary for this location if the current occupant (a landscape nursery) chooses to sell its property. How about something useful to the residents living nearby ? I think some bad zoning decisions have already been made in Potomac-- i.e. a building on the campus of the Bullis school at Falls and Newbridge which is not in keeping with the other low buildings on the campus. And I am aware that a private school on River Road at Newbridge Drive was about to be built on the grounds of a single family home. I know for a fact that this was not a transparent subject to the nearby residents. That was wrong, inappropriate and possibly involved some questionable (illegal???) behavior on the part of one or more Montgomery County officials involved. Sorry for the digression. The private school at River Road and Newbridge drive may have stalled permanently, but I feel strongly that this project at the site of the landscape nursery should not go forward at all.

What is the next step for this project? Please keep me informed.

Thank you.

Leslie Cohen

Thank you.

Leslie Cohen

<https://www.montgomerycountymd.gov/census/>



<https://montgomerycountymd.gov/coronavirus>

BRIAN REDMAN
9814 Glynshire Way
Potomac, MD 20854

July 13, 2020

Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910

Lynn Robeson Hannan, Director
Office of Zoning & Administrative Hearings
100 Maryland Ave., Room 200
Rockville, MD 20850

Dear Chairman Anderson and Director Hannan,

I am writing in reference to Conditional Use Application 20-05, Spectrum Retirement Communities' proposal for a new assisted living and memory care community at 9545 River Road, Potomac. I strongly support this application and respectfully ask that you do the same.

My wife and I live and raised our family in Potomac. We feel very fortunate that our grown children have chosen to live here as well. We have a beautiful baby granddaughter nearby and it's truly a blessing to be able to see her frequently.

While we are currently active and healthy 60-some year olds, we know the time may come when we'll need to consider relocating to a community that will provide the additional support we will need. We would like to remain in Potomac, close to our children and grandchildren, but the choices here become increasingly limited as more Baby Boomers age.

The Spectrum proposal presents an excellent option for us. It's located within walking distance of Potomac Village shops. It keeps us near our family and friends and, most importantly, our grandchildren!

I've heard some people express concern about the building being placed on River Road. However, it will be set back from the road by 100 feet and will be screened from view by buffers and landscaping. The traffic impact will be minimal, as most residents won't be driving, but will use the transportation services that Spectrum will provide.

Spectrum's proposal is a good fit for our community. It helps meet the growing demand for senior housing, it's within the Village boundaries and will provide the high standard of care for which the company is known.

For these reasons, I respectfully encourage you to approve CU 20-05. Thank you for your time and service to our county.

Sincerely,

A handwritten signature in black ink that reads "Brian Redman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Brian Redman

cc: Richard Weaver
Elsabett Tesfaye
Sandra Pereira

Dale Ross
7917 Declaration Lane
Potomac, MD 20854
daleross1067@gmail.com

June 25, 2020

Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910

Lynn Robeson Hannan
Office of Zoning & Administrative Hearings
100 Maryland Ave., Room 200
Rockville, MD 20850

Re: Spectrum Retirement Communities
9545 River Road
Potomac, MD 20854

Dear Chairman Anderson and Ms. Hannan,

I am a long time resident, having lived in Potomac for 35 years, and in Montgomery County for 65-years. I am writing in support of Spectrum Retirement Communities' new senior living proposal at the site of Potomac Petals and Plants on River Road.

My wife and I raised my family and built our lives here. Like many of our friends, we are thinking about our future as senior citizens, and where our next move will take us. We would like to stay in our Potomac community as we age. It's comforting to know that Spectrum's offerings of independent living, assisted living and memory care will be available to us as an aging-in-Potomac option. We currently have very few options for this level of quality care in our community.

Spectrum's proposed location at 9545 River Road is a perfect fit. I understand that, while its architecture blends well with the style of Potomac homes, it will have very limited visibility from River Road and the surrounding single-family homes.

I'm very dedicated to our community and its future is most important to me. I respectfully ask that you allow this most important project to move forward without delay.

Sincerely,



Dale Ross

cc: Richard Weaver
Elsabett Tesfaye
Sandra Pereira

ERIK GAULL
7605 Arden Road
Cabin John, MD 20818

June 15, 2020

Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910

Lynn Robeson Hannan
Office of Zoning & Administrative Hearings
100 Maryland Ave., Room 200
Rockville, MD 20850

Dear Chairman Anderson and Hearing Examiner Hannan,

I am a resident of Cabin John and volunteer paramedic who has served the communities of Cabin John, West Bethesda, and Potomac since 1986. I know these areas intimately, and I have seen them developed and grow since 1986. I am writing to voice my strong support for your approval of Spectrum Retirement Communities' application for a senior living community at 9545 River Road.

I have heard some people express concerns that this new community would put a strain on our fire and emergency medical services. I can say with confidence that those worries are entirely unfounded. We have several assisted living facilities and nursing homes in the area, including a very large one located at 8300 Burdette Road. While these facilities have created a small uptick in demand for fire and emergency medical services over the 34 years, I have been serving the community, this increase in demand is well within our capability to provide service in a timely manner. Residents of the proposed building would receive the same high level of service as any other citizen living in the Potomac area, and delivering those services to new residents will not impinge on the services current residents receive.

As a local resident, I am concerned about the NIMBY-ism directed at proposals for new senior communities that is becoming increasingly pervasive in the area (especially that evident on social media). The plain and simple fact is that we need more senior living communities in Montgomery County as we look to our future. Communities such as the one Spectrum is proposing to build at 9545 River Road afford seniors an opportunity to stay in the area, near friends and family and services they have come to know and trust. Why should someone be forced to move far away simply because their current residence no longer suits their needs as well as a senior living community might?

A significant portion of the nation's population is living longer and the bubble of the Baby Boomer generation is adding to the ranks of senior citizens. We are going to need more of these communities for this most valued generation.

It's not up to residents like me to tell seniors where they can and can't live. Rather, we should honor their generation by opening up as many choices for them as possible. I therefore respectfully ask that you approve Spectrum Retirement Communities' proposal for 9545 River Road.

Sincerely,



Erik Gaull

cc: Richard Weaver
Elsabett Tesfaye
Sandra Pereira

IMRAN SOHRAB
10120 Snowhill Lane
Potomac, MD 20854

June 30, 2020

Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910

Lynn Robeson Hannan, Director
Office of Zoning & Administrative Hearings
100 Maryland Ave., Room 200
Rockville, MD 20850

Dear Chair Anderson and Director Robeson Hannan,

I am a Potomac resident, living near the site of Spectrum Retirement Communities' senior living proposal. I recently reviewed their plans and am in strong support of their Conditional Use Application CU 20-05.

Spectrum's proposal "checks all the boxes." The proposed location at 9545 River Road is entirely appropriate, considering it is well within the boundaries and within walking distance of Potomac Village. It is compatible with the community, provides significant environmental benefits over the current use and has less traffic impact. Perhaps most importantly, it fills an important need in our neighborhood.

The building's attractive design blends well with the surrounding homes. I understand that Spectrum had changed their original design to incorporate comments received from the community. Their plans feature substantial screening from the neighbors, as well as from River Road. While the building facing River Road is three stories tall, it decreases to two stories facing neighboring homes, consistent with the height of those houses.

Looking at the plans from an environmental standpoint, Spectrum is moving most surface parking to a new underground garage and is cutting the amount of existing impervious surface by more than half.

I initially had concerns about the traffic and road safety implications of this project. After all, River Road's topography isn't optimum for visibility. However, rather than the existing uncontrolled situation where vehicles enter from and exit onto River Road from anywhere in the

lengthy parking lot, Spectrum will have only one defined dedicated entrance and one dedicated

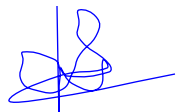
exit. Additionally, given that most residents would live in the Assisted Living and Memory Care units, the number of trips generated will be less than that currently generated by Potomac Petals and Plants. And Spectrum's shuttle service will keep even more cars off the road.

On a personal note, my wife and I hope to remain in Potomac long after our young children have grown and left the nest. Spectrum's proposal represents an excellent option and is certainly needed in Potomac.

As Potomac residents, we are our best selves when we welcome people with open arms and ensure that our growing senior population can remain in the community we all consider home. For these reasons, I respectfully ask that you support and approve Spectrum's proposal.

Thank you for accepting my comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Imran Sohrab', with a stylized, cursive script.

Imran Sohrab

cc: Richard Weaver
Elsabett Tesfaye
Sandra Pereira

July 14, 2020

Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910

Lynn Robeson Hannan
Office of Zoning & Administrative Hearings
100 Maryland Ave., Room 200
Rockville, MD 20850

Dear Chairman Anderson and Hearing Examiner Hannan,

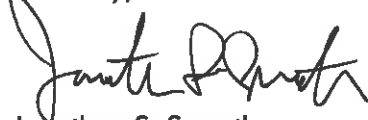
I am one of the owners of Sprinkles Potomac, an ice cream store in the Potomac Village shopping center located at the intersection of River Road and Falls Road. I am writing to express my support for Spectrum Retirement Communities' proposal for a senior living community at 9545 River Road.

Sprinkles has been a Potomac institution for more than 30 years. A significant number of our current customers grew up in Potomac and now bring their families to the store, and it is not uncommon to see three generations enjoying our products and family friendly atmosphere. I have lived in Potomac since the 1980s, and my family and I were loyal customers of Sprinkles long before I decided to buy into the business.

I support Spectrum's proposal as I believe our seniors are entitled not only to quality housing but a safe and dignified environment and neighborhood with easy access to necessities such as food and medicine, which the site's proximity to Potomac Village certainly offers. While I am not presumptuous enough to think ice cream is by any means a necessity (!), I would very much look forward to serving the residents of the new community and doing my small part to make them feel respected and welcome.

Thank you for your consideration.

Sincerely,



Jonathan S. Spaeth
10148 River Road
Potomac, MD 20854

cc: Richard Weaver
Elsabett Tesfaye
Sandra Pereira

VIA Email

July 16, 2020

Mr. Casey Anderson, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

Lynn Robeson Hannan, Director
Office of Zoning & Administrative Hearings
100 Maryland Ave., Room 200
Rockville, MD 20850

Re: Support for Conditional Use Application CU 20-05, Spectrum Retirement Communities, Inc.

Dear Chairman Anderson and Director Robeson Hannan,

On behalf of The Greater Bethesda Chamber of Commerce, I am writing to express our support for CU 20-05, an application by Spectrum Retirement Communities for an Assisted Living and Memory Care facility at 9545 River Road in Potomac. The location is within the Potomac Village boundaries and is a short distance from the Village shopping area.

We recently received a briefing from Spectrum and were impressed with the quality of the development as well as the company's commitment to quality senior care. We offer the following comments for your consideration.

Compatible with the Community

- **Exceeds Setback Requirements**
The plans provide for extensive setbacks and screening around the site. The building will be set back 130 feet from River Road and 60 feet from the property line, significantly exceeding the minimum 50-foot requirement. While the minimum side yard setback requirement is 25 feet, Spectrum's planned setbacks will exceed 100 feet on both the north and south sides, significantly distancing the building from its residential neighbors.
- **Screened from Neighbors and River Road**
Spectrum is going above and beyond to provide natural buffer screening for neighboring homes, including maintaining and adding to the stand of trees. Buffers and landscaping will substantially screen the building from River Road.
- **Architecture Reflects Potomac Aesthetic**
While the building is three stories in height fronting River Road (which won't be visible due to the screening), the building lowers to two stories on the sides and towards the back, matching the height of neighboring homes. Taking community feedback into account, the architecture includes a variety of features that give the building design a "Potomac" feel.
- **Extended Walking Path to Village**
Walking, jogging and biking have increased on River Road during the pandemic. Safety continues to be a concern. Spectrum's plans for a new 10-foot wide path along River Road will make that activity safer and more

enjoyable. Even better, the new 25-foot wide landscape panel effectively separates the path from River Road traffic.

Improves Environmental Sustainability

- **Cuts Impervious Surface by More than Half**
In its current condition, the site includes a great deal of impervious surface including paved surface parking, cement surfaces and gravel throughout. Spectrum will cut the amount of impervious surface by more than half.
- **Moves Parking Underground**
Spectrum plans to eliminate the majority of surface parking by building a new underground garage, with at least 69 spaces for staff, community care and residents. A maximum of 16 spaces will remain above ground for visitor and handicapped parking.
- **Improved Stormwater Management**
The proposal calls for extensive bio-retention and landscape filtration facilities throughout the site. Additionally, Spectrum will include stream valley buffers on the site where appropriate.

Serves Our Seniors

As members of the Baby Boomer generation continue to age, Montgomery County must be able to meet their needs on a variety of levels. Perhaps one of the greatest desires of our valued seniors is the ability to remain in the community they love. There has been much discussion about the importance of “aging in place.” Equally as important is the ability to “age in community.”

Spectrum has focused on making this project an asset to Potomac and an excellent option for elderly residents who want to remain in their community. For all of these reasons, The Greater Bethesda Chamber of Commerce requests that you approve CU 20-05.

Thank you for the opportunity to provide these written comments and your consideration of our request.

Sincerely,



Ginanne M. Italiano, IOM
President & CEO

cc: Richard Weaver
Elsabett Tesfaye
Sandra Pereira

ROBERT E. REIVER

8816 Mayberry Court
Potomac, Maryland 20854

June 15, 2020

Casey Anderson
Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20910

and;

Lynn Robeson Hannan
Director
Office of Zoning & Administrative Hearings
100 Maryland Avenue., Room 200
Rockville, MD 20850

Dear Mr. Anderson and Ms. Hannan,

I would like to register my support for the new senior living community for the proposed Spectrum Retirement Communities at the current site of Potomac Petals and Plants at 9545 River Road.

I have been a resident of the Teversall Community for the past 32 years which is within walking distance of the proposed retirement community.

Last week I had an opportunity to obtain more information about the project and was informed the development would include independent living, assisted living and memory care. Assuming the requirements of the set backs, landscaping and parking are met, I believe this project would be beneficial to the Potomac community because there is a need for a transitional senior living facility in the area.

Very truly yours,



Robert E. Reiver

MAXINE SCHWARTZMAN

8808 Tuckerman Lane
Potomac, MD 20854

Casey Anderson
Chair
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, MD 20910

Lynn Robeson Hannan
Director
Office of Zoning & Admin. Hearings
100 Maryland Ave., Room 200
Rockville, MD 20850

Dear Chairman Anderson and Ms. Hannan,

I am writing to express my support for Spectrum Retirement Communities' proposal for a senior living community on River Road in Potomac.

Put simply, we need this amenity in Potomac. I am 92 and live in the home I have had for years. But many seniors are not as fortunate. They need to move to a place that can provide them with the support they need. They have spent their lives in Potomac: raising families, enjoying grandchildren, getting to know their neighbors, shopping in stores they trust, perhaps working in the area. They want to stay right here in the community they love, that holds their history. That is exactly what Spectrum Potomac offers.

This isn't important just for elderly residents. It's important for all generations who live in Potomac. Children will be able to visit their parents more often because it will be so easy. Grandchildren will continue to enjoy a close relationship with their grandparents because they live nearby. We all benefit from having multiple generations in the neighborhood.

I am surprised that anyone is against this proposal. Don't they realize that it serves a most valuable part of our population, in an appropriate location convenient to Potomac Village? Moreover, with Spectrum entering our local market to provide their award-winning brand of independent living, assisted living and memory care, existing senior communities will improve the quality of their services to remain competitive. We all win from the presence of Spectrum Potomac.

Thank you for considering my request.

Sincerely,



Maxine Schwartzman

cc: Richard Weaver
Elsabett Tesfaye
Sandra Pereira



D. Supplemental Information and Supporting Documents

Attachment-D



STATEMENT OF OPERATIONS

Spectrum Retirement Communities is an owner, operator, and developer of senior living communities across the country. Spectrum develops properties solely for its own long-term ownership and operation. Because of this, Spectrum is committed to ensuring that every project fulfills the needs of the residents and also is compatible with the surrounding community.

Spectrum currently operates 48 properties, containing 6,286 units in ten states. It currently has another four properties, containing 561 units, under construction. Through this extensive portfolio, Spectrum operates Retirement, Assisted Living and Memory Care facilities. These facilities provide a range of services, including independent living, assisted living and/or memory care.

Spectrum has extensive knowledge and experience in the requirements surrounding the management and operation of senior living facilities. Of Spectrum's nearly 4,000 employees, 97% are directly involved in the operation of these facilities. Spectrum is regularly recognized for the expertise of its staff and has won numerous awards and accolades for excellence in service. Recent awards have included SeniorAdvisor.com's "2018 *Best of Senior Living*" award, after receiving the same award in 2016 and 2017. Significantly, this award is based on ratings provided to SeniorAdvisor.com by families.

1. Employees. The community will employ a total of approximately 68 team members. Employee schedules fall into three categories. Care staff work on three eight-hour shifts, with shift changes occurring at 7:00 AM, 3:00 PM, and 11:00 PM. Food & Beverage staff work on three shifts: 6:00 AM – 2:00 PM, 10:00 AM – 2:00 PM, and 2:00 PM – 8:00 PM. All other employees, including administrative, housekeeping and maintenance teams, work from 8:00 AM to 5:00 PM. The maximum number of employees on site at one time will be 42, which will be from 10:00 AM – 2:00 PM. The minimum number of employees on site at one time will be nine, from 11:00 PM – 7:00 AM. The typical number of employees on site from 7:00 AM – 11:00 PM on Saturday and Sunday will be approximately 24.
2. Proximity to Amenities and Facilities. Access to goods and services is a key consideration for Spectrum when selecting a location for a future community. The Potomac Village center is located less than one half mile northwest of the Property and includes various medical services, several drug stores, a grocery store, restaurants, public library, financial institutions, and retail stores. This proximity was an important component of Spectrum's decision to select this site, as it will

provide future residents with easy access to various goods and services. Furthermore, Spectrum is proposing to provide a wide shared-use path along the Property's River Road frontage that will tie into the existing sidewalk and improve the connection between the Property and the Village Center.

3. Scheduled Transportation. Spectrum provides a private 16-passenger luxury minibus for the transportation of their residents for off-site excursions, including shopping, medical appointments, and social events. The exact operation of the shuttle service varies by facility, but the following provides a representative schedule:
 - The shuttle service will run seven days per week. Additional trips may be scheduled for social events. Additional outings can be scheduled, depending on requests.
 - The shuttle provides access to facilities within a ten-mile radius.
 - Trips typically are scheduled between 8:00 AM and 4:00 PM.
 - The shuttle can accommodate up to 16 residents per trip.
 - The shuttle service is privately funded by Spectrum and the cost of the services is covered by the monthly rent.
4. Amenity Spaces. The community will contain several amenity spaces for use by residents. The Memory Care wing is proposed to include a dining room, living room, activity spaces, and outdoor courtyard for the exclusive use of Memory Care residents. Separate common amenities are provided for assisted living residents on the ground floor, including: commercial kitchen that serves three chef-prepared meals daily in a central restaurant, a bistro, cyber café, fitness center, multi-purpose community center, theater, salon, and multiple lounges. These amenity spaces are intended for use by all residents (both by individual residents and their families), and by the greater Potomac community at organized events.
5. Programs/Events Offered. The community will offer a variety of activities and wellness programs and services. These are designed to promote lifestyle and wellness, engagement, and socialization among the residents. Spectrum's "*BE Healthy*" program includes strength and balance training classes, Yoga and meditation classes, Tai Chi, and dance classes. It also includes learning opportunities such as literary and writing clubs, language learning, cooking classes and competitions, technology courses, and guest speakers. Spectrum's "*BE Involved*" program includes opportunities for its residents to give back to the greater community, including veterans' events and programs, intergenerational mentoring, organized community volunteering, and fundraising events. It also includes numerous activities to engage residents in their community, including sporting events, birthday and holiday celebrations, socials and dances, game show nights, and intergenerational connections. Spectrum's "*BE Inspired*" program provides activities for its residents to engage their creativity, such as

attending live musical performances, art shows, acting clubs, craft groups, and numerous excursions. It also includes bucket list adventures, such as airplane and helicopter rides, celebrity meet and greets, and virtual reality experiences.

6. Parking. Parking will be available onsite for both residents and visitors. The majority of spaces will be in a below-grade parking garage that provides direct access up into the building lobby and upper floors.
7. Deliveries. Generally, deliveries are arranged during regular business hours, in consideration of both the on-site residents and the surrounding community. Food deliveries are typically made twice per week by a 20' to 30' box truck. All other deliveries are made by USPS, FedEx, and UPS on their standard routes. All laundry, linens, etc. is performed in house and require no outside vendors or deliveries.
8. Waste Collection & Recycling. An enclosed dumpster will be located to the southeast of the building, near the underground parking garage entrance. The dumpster will be emptied approximately twice per week by a standard garbage truck.
9. Generator. An emergency power generator will be provided for the building and will be located in the underground parking garage.
10. Groundskeeping & Maintenance. The community will have a full-time Director of Maintenance and support staff who will take care of the building and grounds. They also will contract with a landscaping company and other vendors as needed for the routine maintenance and upkeep of the property exterior.
11. Support Services for Residents. Spectrum provides personal services to all of its residents, including utilities, anytime dining, housekeeping, full maintenance, scheduled transportation, fitness and exercise classes along with other innovative activity and wellness programs, resident concierge services, theater, educational and cultural programs, and 24-hour staffing and 24-hour emergency call system. Spectrum will also provide assistance with activities of daily living, including dressing, bathing, toileting, medication reminders, and dining.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

June 25, 2020

Mr. Logan Kelso, P.E.
VIKA Maryland, LLC
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request
for 9545 River Road
Conditional Use Site Plan #: CU20-05
SM File #: 285503
Tract Size/Zone: 5.93 Ac. / RE-2
Total Concept Area: 5.93 Ac.
Parcel(s): P786
Watershed: Cabin John Creek

Dear Mr. Kelso:

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 ESD is to the MEP. ESD is provided by multiple micro-bioretenion facilities. Due to site restrictions full treatment is not possible and a partial waiver of stormwater management is hereby granted.

The following **items** will need to be addressed **prior to** Planning Board approval of the Preliminary Plan:

1. **Prior to Planning Board approval of the Preliminary Plan, this stormwater management concept must be formally revised and an approved Site Development Plan (SDP) Approval letter must be issued by DPS. If the Preliminary Plan will be approved in stages, the Site Development Plan revision submittal must specifically refer to the appropriate phase.**
2. **For the revised plan, design the micro-bioretenion facilities not to exceed the maximum ESDv by 10%.**

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

This 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.



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

Mr. Logan Kelso, P.E.
June 25, 2020
Page 2 of 2

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332 or email david.kuykendall@montgomerycountymd.gov .

Sincerely,

Mark Etheridge

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

MCE: CN285503 9545 River Road.DWK

cc: N. Braunstein
SM File # 285503

ESD: Required/Provided 14,448 cf / 13,807 cf
PE: Target/Achieved: 1.76"/1.68"
STRUCTURAL: 0.0 cf
WAIVED: 5.93 ac.



**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 12-Jun-20
TO: Logan Kelso
VIKA, Inc
FROM: Marie LaBaw
RE: 9545 River Road
520200040

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **12-Jun-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.

***** On-site parking restrictions to be submitted and approved at preliminary plan *****

E-FILE STAMP

VICINITY MAP
SCALE: 1" = 2000'

ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD SUITE #400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
FAX: (301) 916-2262
GERMANTOWN, MD. TYSONS, VA.

PREPARED FOR:
SPECTRUM RETIREMENT
COMMUNITIES, LLC
4600 S. SYRACUSE STREET
11TH FLOOR
DENVER, CO, 80237
303.360.8812
MIKE LONGFELLOW

DESIGN CONSULTANTS

ARCHITECT
VESSEL ARCHITECTURE &
DESIGN

600 EMERSON ROAD
SUITE 400
ST. LOUIS, MO, 63141
314.521.0123
BRIAN L. VAN WINKLE, AIA, NCARB

**ATTORNEY
LERCH, EARLY & BREWER,
CHTD**
7600 WISCONSIN AVENUE
SUITE 700
BETHESDA, MD, 20814
301.986.1300
STEVEN A. ROBINS

PLANNER, CIVIL, LA
VIKA MARYLAND, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN MD, 20874
301.916.4100
LOGAN ALOMAR

[illegible]

PROFESSIONAL SEAL



I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME,
AND THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER THE LAWS
OF THE STATE OF MARYLAND.
LOGAN B. KELSO LICENSE No. 51921

9545 RIVER
ROAD
CONDITIONAL USE
APPLICATION
SUBMISSION

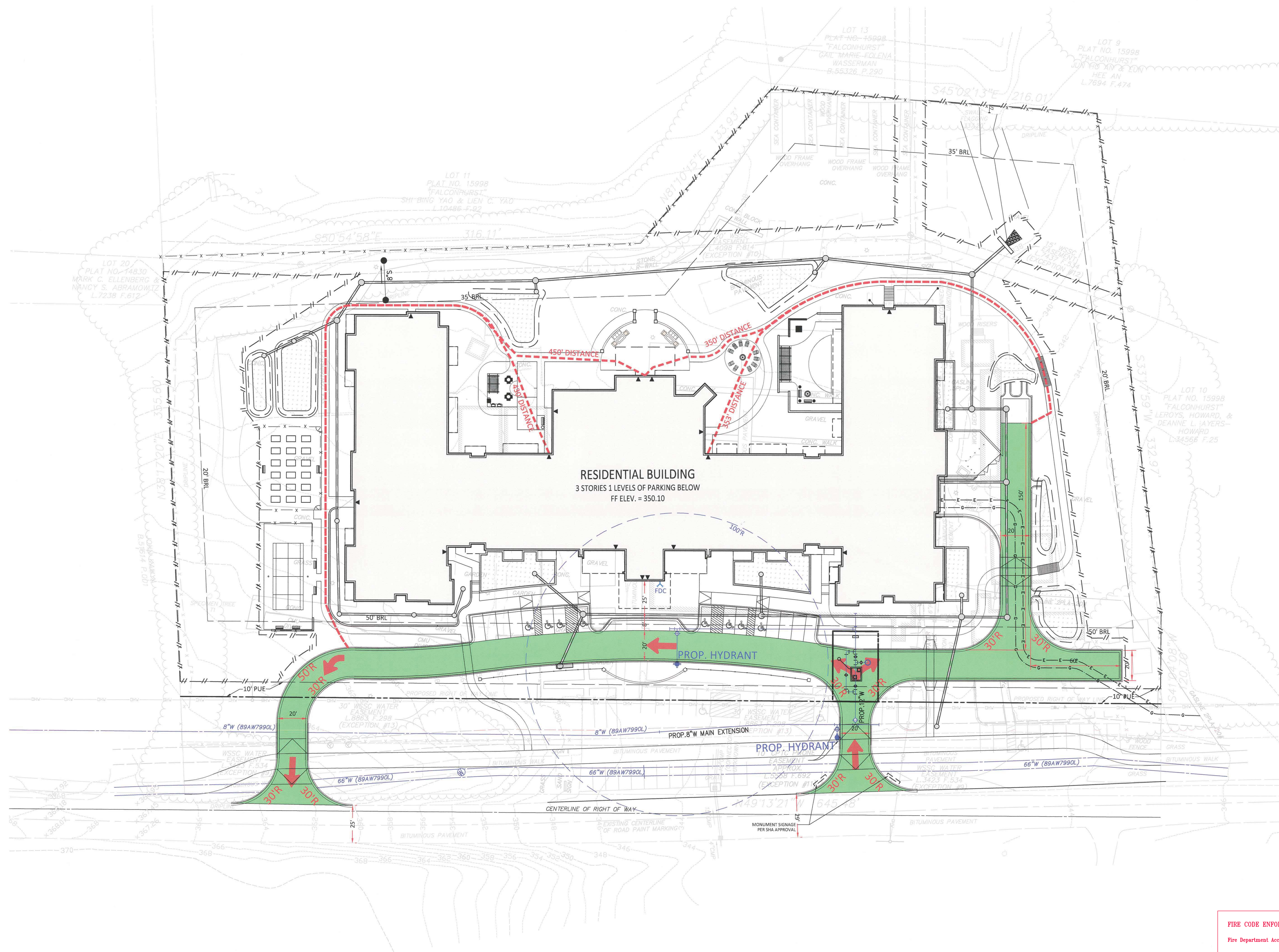
10TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 212NW10
TAX MAP: FP42

FIRE ACCESS PLAN

DRAWN BY: DL
DESIGNED BY: JS
DATE ISSUED: 01/15/2020

VKA PROJECT	VM 50363A
AGENCY NO.	CU####

SHEET NO. 1 OF 1

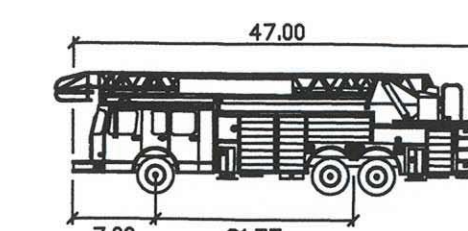


FIRE CODE ENFORCEMENT

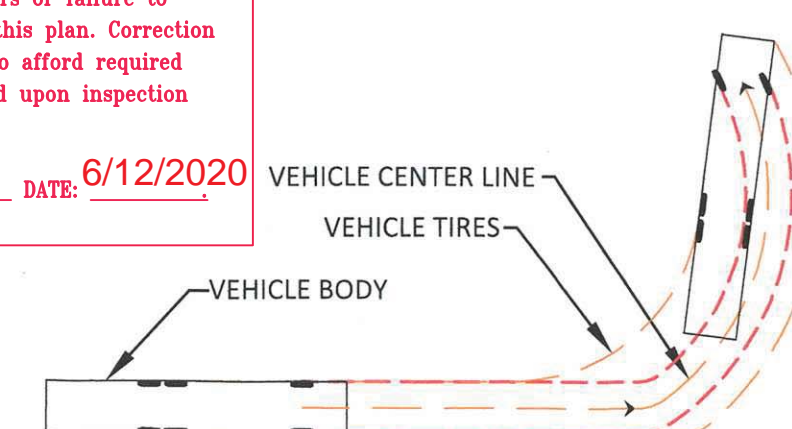
Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SML* FM: 43



AT29	feet
Width	: 8.25
Track	: 8.25
Lock to Lock Time	: 6.00
Steering Angle	: 33.2



0 15 30
SCALE: 1"=30'



From: [Rogers, Elizabeth C.](#)
To: [Robeson Hannan, Lynn](#)
Cc: [Robins, Steven A.](#); brown@knopf-brown.com; [Tsfaye, Elsabet](#); [Berbert, Benjamin](#); [Johnson, Nana](#)
Subject: Spectrum Retirement - Conditional Use CU 20-05
Date: Thursday, July 9, 2020 1:23:38 PM
Attachments: [190014 Spectrum Potomac - Sheet - A101-B - First and Lower Level Floor Plans & Renderings.pdf](#)

Hi Ms. Robeson Hannan,

As you are aware, we filed a Motion to Amend the above-referenced application on Tuesday, July 7th. In our submission we sent a sharefile link that contained electronic copies of the amended application materials. Planning Staff has since requested that we physically depict the motorcycle parking and bicycle parking on the garage layout (instead of just committing to provide those spaces in the data table). Accordingly, we are submitting a revised parking garage layout plan. This updated plan will be reflected in the hard copies that are submitted to you and David Brown. Is it possible for this one sheet to be substituted in the electronic file that we transmitted on July 7th? Thank you for your assistance.

Best,
Liz Rogers
Steve Robins

Elizabeth C. Rogers, Attorney
Lerch, Early and Brewer, Chtd. rising to every challenge for 70 years
7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814
T 301-841-3845 | F 301-347-1784 | Main 301-986-1300
ecrogers@lerchearly.com | Bio

[Lerch Early COVID-19 Resource Center](#)

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