

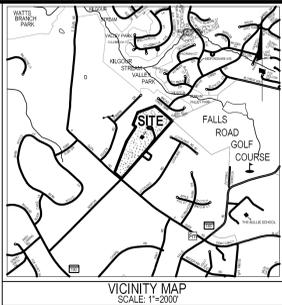
## Attachment A- Conditional Use Site Plan

# SITE PLAN

## CONDITIONAL USE APPLICATION: CU202201

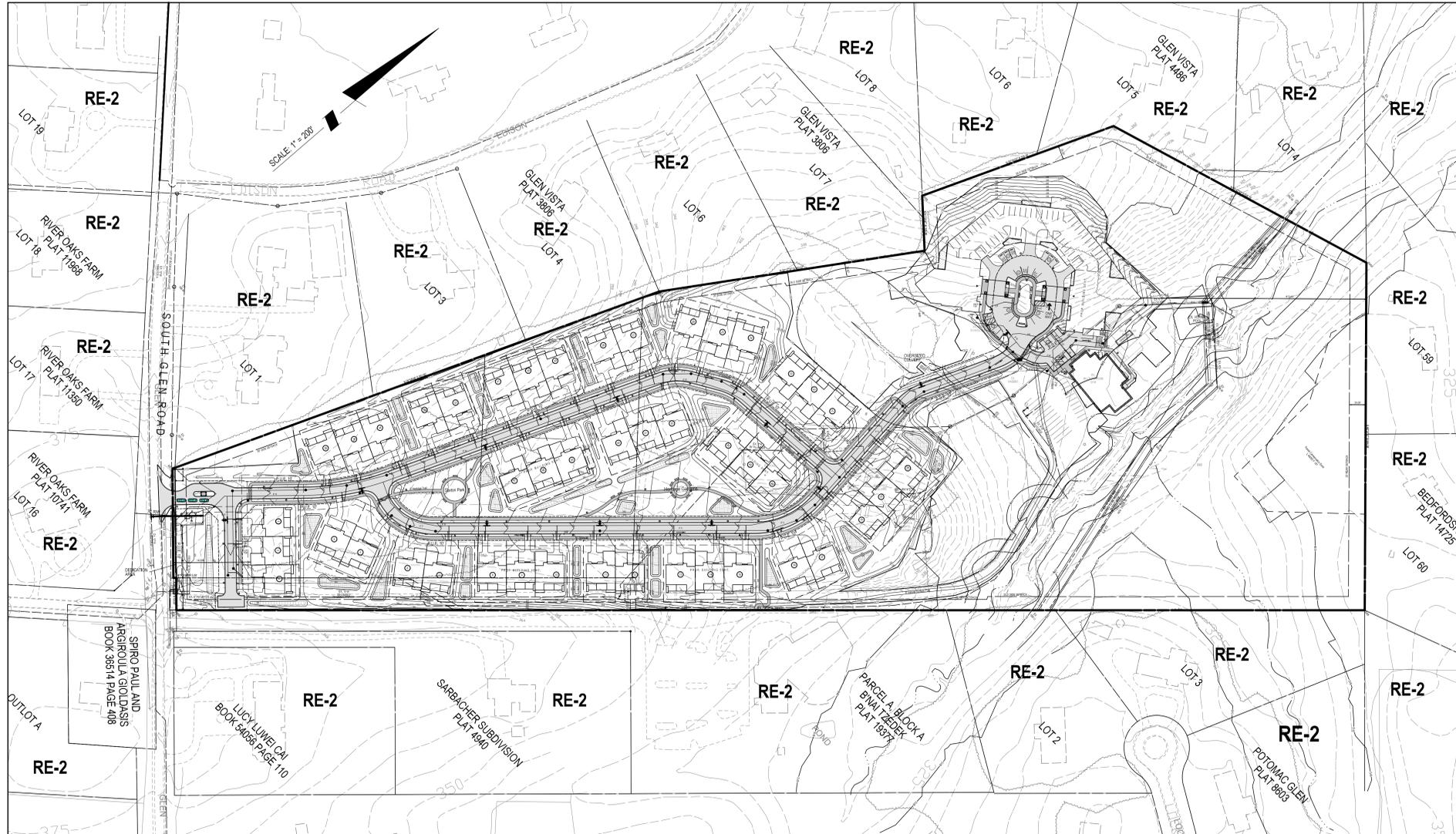
# HERITAGE POTOMAC

PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA



**GENERAL NOTES**

1. ZONED: RE-2 (RESIDENTIAL ESTATE 2).
2. SITE AREA: 1,332,988 SF (30.60 ACRES).
3. THE SITE IS IDENTIFIED AS PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA, MONTGOMERY COUNTY, MARYLAND.
4. THE PROPERTY IS WITHIN THE POTOMAC SUBREGION MASTER PLAN (2002).
5. THE SITE IS IN THE WATTS BRANCH (021402020846) WATERSHED, USE CLASS I.P.
6. THE SITE IS NOT WITHIN A SPECIAL PROTECTION AREA.
7. NO FEMA 100-YEAR FLOODPLAIN EXISTS ON SITE. 100-YEAR FLOODPLAIN INFORMATION FROM APPROVED FOREST CONSERVATION EXEMPTION PLAN (42008196E & 42009199E) AND FEMA MAP PANEL, APPROVED ON JULY 30, 2009.
8. THERE ARE NO WETLANDS ON SITE BASED ON NATIONAL WETLAND INVENTORY AND FIELD OBSERVATION. WETLAND DELINEATION WAS DONE BY MCCARTHY & ASSOCIATES, INC. IN APRIL 2018.
9. EXISTING WATER & SEWER SERVICE CATEGORIES: W-1/S-1.
10. BOUNDARY INFORMATION BY MACRIS, HENDRICKS & GLASCOCK, P.A. (MARCH 13, 2018).
11. TOPOGRAPHY BY MACRIS, HENDRICKS & GLASCOCK, P.A. (JUNE 25, 2012).
12. THERE ARE NO DESIGNATED HISTORIC SITES ASSOCIATED WITH THIS PROPERTY.
13. THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES OCCURRING ON THE PROPERTY. RTE LETTER FROM MDNR DATED APRIL 19, 2018.
14. TREES WERE MEASURED USING STANDARD DBH TAPE MEASURE, AT THE HEIGHT OF 4.5' ABOVE GROUND.
15. NO STATE OR COUNTY CHAMPION TREES EXIST ON THE SITE.
16. FIELD WORK WAS CONDUCTED IN APRIL OF 2018 BY JOHN MARKOVICH OF JM FORESTRY SERVICES, LLC AND UPDATED IN JUNE 2021.
17. FOREST CONSERVATION PLAN SUBMITTED ON APRIL 26TH, 2019.
18. A NATURAL RESOURCE INVENTORY/ FOREST STAND DELINEATION (NRI/FSO NO. 420182350) WAS APPROVED 02/06/2019 AND TO BE RECERTIFIED. SWM CONCEPT (SM NO. 284385) WAS APPROVED ON 12/20/2019 AND A REVISION HAS BEEN SUBMITTED JULY 6TH, 2021.



**LOCAL AREA MAP**

**DATA TABLE**

Gross Tract Area	30.60 AC
Area Dedicated to R/W	0.29 AC
Net Tract Area	30.58 AC
Existing Zoning	RE-2
Proposed Zoning	RE-2
Proposed Use	Residential Care Facility (over 16 persons) in a Senior Care Community
Cottages:	45 Independent Living Units
Lodge:	29 Independent Living Units 68 Assisted Living Beds (in 45 Units) 28 Memory Care Beds

**DEVELOPMENT STANDARDS (Residential Care Facility in RE-2 Zone)**

Applicable Standard	Permitted/Required	Proposed/Provided
<b>1. Lot and Density</b>		
<b>Lot (59.4.4.4.B.1)</b>		
Lot area (59.3.3.2.E.2.c.ii)	2 acres/2.64 acres	30.60 acres
Lot width at front building line	150'	312.71'
Lot width at front lot line	25'	264.06'
Frontage on street or open space	Required, except as exempt under Chapter 50	Provided
<b>Density (59.3.3.2.E.2.c.ii)(i)</b>		
TBD by Hearing Examiner		
Density (59.3.3.2.E.2.c.ii)(i)(1)	15 units/acre (max) = 459 units	74 Independent Living Units
Where residential dwelling units are provided	50% Green Area	Green Area: 75.62%
Density (59.3.3.2.E.2.c.ii)(i)(2)(A)	1,200 sf/bed (96 beds = 2.64 ac)	30.60 acres
Where the facility size is based on the number of beds, not dwelling units, the following lot area is required		(96 Beds Assisted Living & Memory Care)
Lot coverage (max) (RE-2)	25%	13.4%

**2. Placement**

**Principal Building Setbacks (min) (59.3.3.2.E.2.c.ii)(e)**

Principal Building Setbacks for all building types must meet the minimum setbacks required under the standard method of development for the subject building type in the R-30 zone (see Section 4.4.14.B.3. Placement).

R-30 (59.4.4.14.B.3) Placement	Duplex Rear / Front	Townhouse Rear / Front	Apartment Rear / Front	Provided
Front setback public street	20' / 25'	20' / 132'	30' / 1405'	Complies
Front setback, private street or open space	4' / 10'	4' / 10'	20' / 20'	Complies
Side setback, abutting Residential Detached Zone	6' / 30'	N/A	25' / 37' (4.1.8.A.2.a)	Complies
Side setback, end unit	N/A	3' / 33'	N/A	Complies
Minimum Side Setback, abutting lots not included in the application (59.3.3.2.c.ii)(f)	20' / 36'	20' / 31'	20' / 59'	Complies
Rear setback, abutting Residential Detached Zone	20' / 95'	20' / 838'	30' / 413'	Complies

**3. Height (59.3.3.2.c.ii)(i)**

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

Principal Building (59.3.3.2.c.ii)(i)	Cottages: 40' * Lodge: 50'
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**4. Form**

Building Elements	Gallery/awning Porch/stoop Balcony	N/A Yes Yes
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**5. Parking (59.6.2.4)**

Vehicle Parking Residential Care Facility	1 sp/IL Unit = 74 0.25/Bed = 24 + 0.5 sp/employee = 15 Total = 113 required	Cottages: 90 spaces Lodge: 75 spaces Total: 165 spaces
Bicycle Parking Residential Care Facility	0.25 space per IL Unit (19 spaces)	45 spaces provided in Cottages. Waiver sought per Section 6.2.10' to extent needed for IL units in Lodge

**Parking Facilities for Conditional Uses in Residential Detached Zones (59.6.2.5.K)**

(Applies to 10 space parking lot adjacent to gymnasium.)

Location	Each parking facility must be located to maintain a residential character and a
Setbacks	
a. The minimum rear parking setback equals the minimum rear setback required for the detached house.	35'
b. The minimum side parking setback equals 2 times the minimum side setback required for the detached house.	34'
	70'

**6. Loading (59.6.2.8)**

Office and Professional, Group Living, Hospital, Educational Institution (Private), and Hotel and Motel Uses	1 space for 25,001 to 250,000 of GFA	1 space
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\*The average median height (per Section 4.1.7 of the Zoning Ordinance) will vary throughout the site based on grading, but shall not exceed 40 feet. The final height of each building will be determined at building permit.  
\*\*Given the nature of the IL dwelling units, there will be sufficient space within each unit to store a resident's bicycle.

**SHEET INDEX:**

ARCHITECTURE:	CIVIL / LANDSCAPE:	OWNER	CONTRACT PURCHASER/ APPLICANT	ENGINEER / LANDSCAPE ARCHITECT	ARCHITECT	ATTORNEY
SHEET 1 TRIPLEX FLOORPLAN	SHEET 1 COVER SHEET	SOUTH GLEN PROPERTIES, LLC	HERITAGE GARDENS LAND, LLC	SOLTESZ, INC.	THE WORMALD COMPANIES	LERCH, EARLY & BREWER, CHTD.
SHEET 1A DUPLEX FLOORPLAN	SHEET 2 EXISTING FEATURES PLAN	120 CLUB OAKS COURT, SUITE 200	5283 CORPORATE DRIVE, SUITE 300	2 RESEARCH PLACE, SUITE 100	5283 CORPORATE DRIVE, SUITE 300	7600 WISCONSIN AVE, SUITE 700
SHEET 2 TRIPLEX ELEVATIONS	SHEET 3 OVERALL SITE PLAN	WINSTON-SALEM, NC 27197	FREDERICK, MD 21703	ROCKVILLE, MD 20850	FREDERICK, MD 21703	BETHESDA, MD 20814
SHEET 2A DUPLEX ELEVATIONS	SHEET 4 SITE PLAN		TELEPHONE: (301) 695-6614 x104	TELEPHONE: 301-948-2750	TELEPHONE: 301-695-6614	TELEPHONE: 301-841-3832
SHEET 3 SITE RENDERING	SHEET 5 LANDSCAPE AND LIGHTING PLAN			FAX: 301-948-9067	FAX: 301-695-6645	FAX: 301-347-3756
SHEET 4 HERITAGE LODGE PERSPECTIVES	SHEET 6 LANDSCAPE AND LIGHTING PLAN					
SHEET 5 HERITAGE LODGE ELEVATIONS	SHEET 7 LANDSCAPE NOTES & DETAILS					
SHEET 6 HERITAGE LODGE ELEVATIONS	SHEET 8 LANDSCAPE NOTES & DETAILS					
SHEET 7 HERITAGE LODGE FLOORPLANS	SHEET 9 PHOTOMETRIC PLAN					
	SHEET 10 OVERALL LANDSCAPE AND LIGHTING PLAN					
	SHEET 11					

**MISS UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES ORIGINATING FROM TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-261-7777. 48 HOURS PRIOR TO THE START OF EXCAVATION, IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**DEVELOPER/APPLICANT**

Heritage Gardens Land, LLC  
5283 Corporate Drive, Suite 300  
Frederick, MD 21703  
Telephone: (301) 695-6614 x104

MAP: 5283 GRID: FS\_GS  
TAX MAP: FQ31 ZONING CATEGORY: RE-2  
WESC 200 SHEET: 213NW10 MASTERPLAN: POTOMAC SUBREGION 2002  
SITE DATUM: 214NW10 WATERSHED: POTOMAC SUBREGION 2002  
HORIZONTAL: NAD 83/91 WATERSHED: WATTS BRANCH  
VERTICAL: NVD29 WATERSHED: WATTS BRANCH



**COVER SHEET**

**CONDITIONAL USE SITE PLAN**  
**HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

PROJECT NO.  
2198-02-00

**SOLTESZ, INC.**

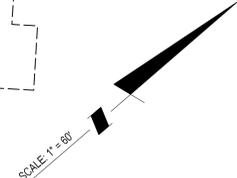
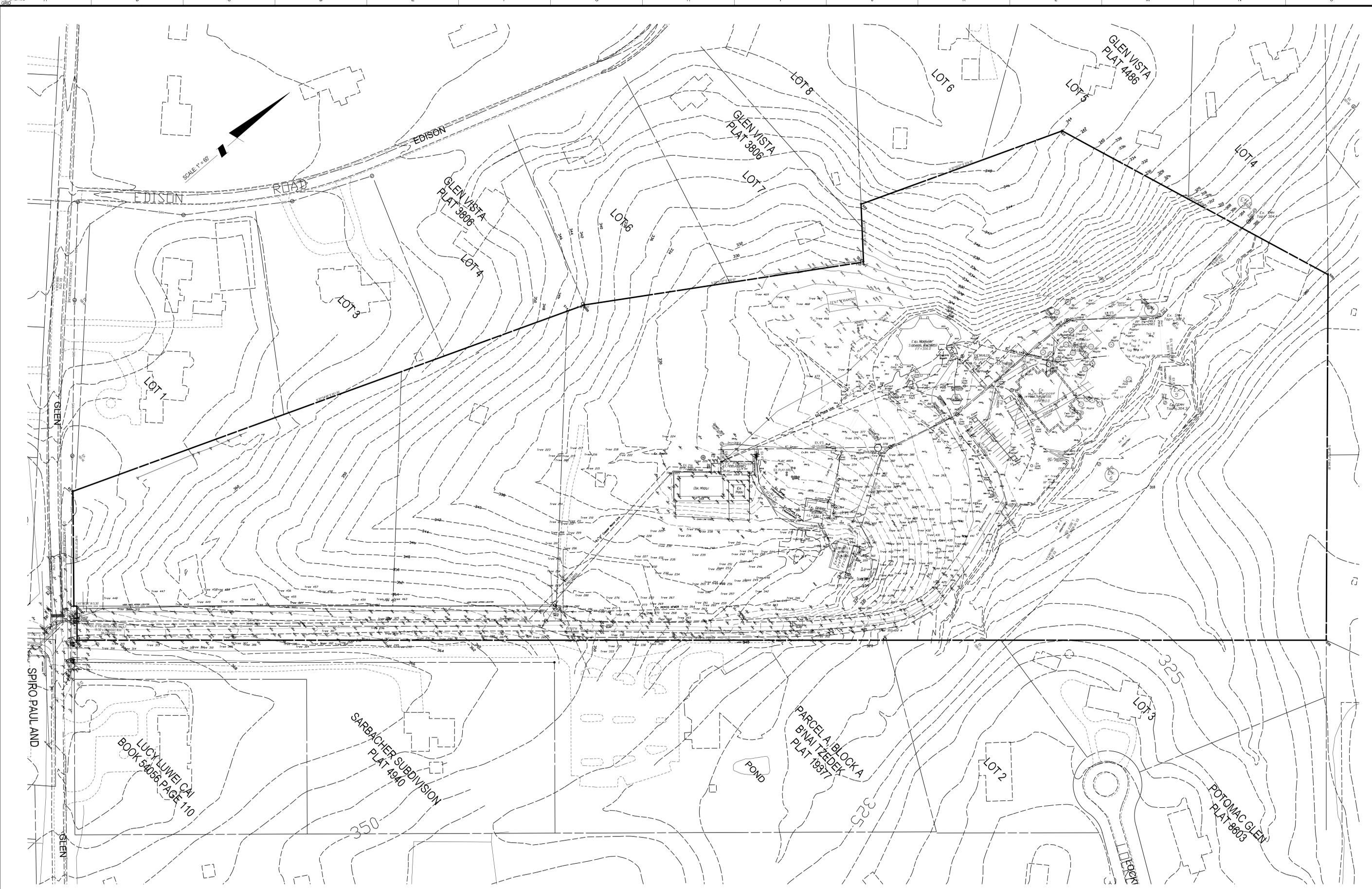
Rockville  
Lanham  
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Leonardtown  
Frederick  
Soltesz DC, LLC

ROCKVILLE OFFICE  
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Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067  
www.soltesz.com

NO.	DATE	DESIGNED:	REVISIONS	BY	DATE
	JULY 2021	EEO	CAO STANDARDS VERSION: 18 - NCS		
			TECHNICAL: EEO		
			CHECKED: TS		

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NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
	JULY 2021	EEO	EEO			

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Suite 300  
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Telephone: (301) 695-6614 x104

MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10	MASTER PLAN: POTOMAC
	SUBDIVISION 2002
SITE DATUM: HORIZONTAL NAD 83/91	WATERSHED: WATTS BRANCH
VERTICAL: NVD29	

**PROFESSIONAL CERTIFICATION**

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.

LICENSE NO. 3027      EXPIRATION DATE: 05/16/2022

**EXISTING FEATURES PLAN**

**CONDITIONAL USE SITE PLAN**  
**HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(6TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **2** OF **11**

PROJECT NO. 2198-02-00

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**LEGEND**

- EXISTING SITE BOUNDARY
- PROPOSED RIGHT-OF-WAY
- PROPOSED PUBLIC ACCESS EASEMENT
- EXISTING CONTOUR
- LIMITS OF DISTURBANCE
- PROPOSED OWNERSHIP UNIT
- PROPOSED CONTOUR
- PROPOSED RETAINING WALL
- PROPOSED PUE LINE
- PROPOSED STRUCTURE
- PROPOSED LIGHT
- PROPOSED WAYFINDING SIGNAGE
- PROPOSED SWM AREA



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 LICENSE NO. 3027 EXPIRATION DATE: 05/16/2022



**OVERALL CONDITIONAL USE SITE PLAN**

**CONDITIONAL USE SITE PLAN  
 HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(6TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

**SOLTESZ, INC.**

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NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
1	JULY 2021	EEO	EEO	V8 - NCS		
					TS	

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MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10	MASTER PLAN: POTOMAC
	SUBREVISION: 2002
SITE DATUM: HORIZONTAL: NAD 83/91	WATERSHED: WATT'S BRANCH
VERTICAL: NVD29	

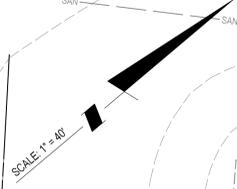
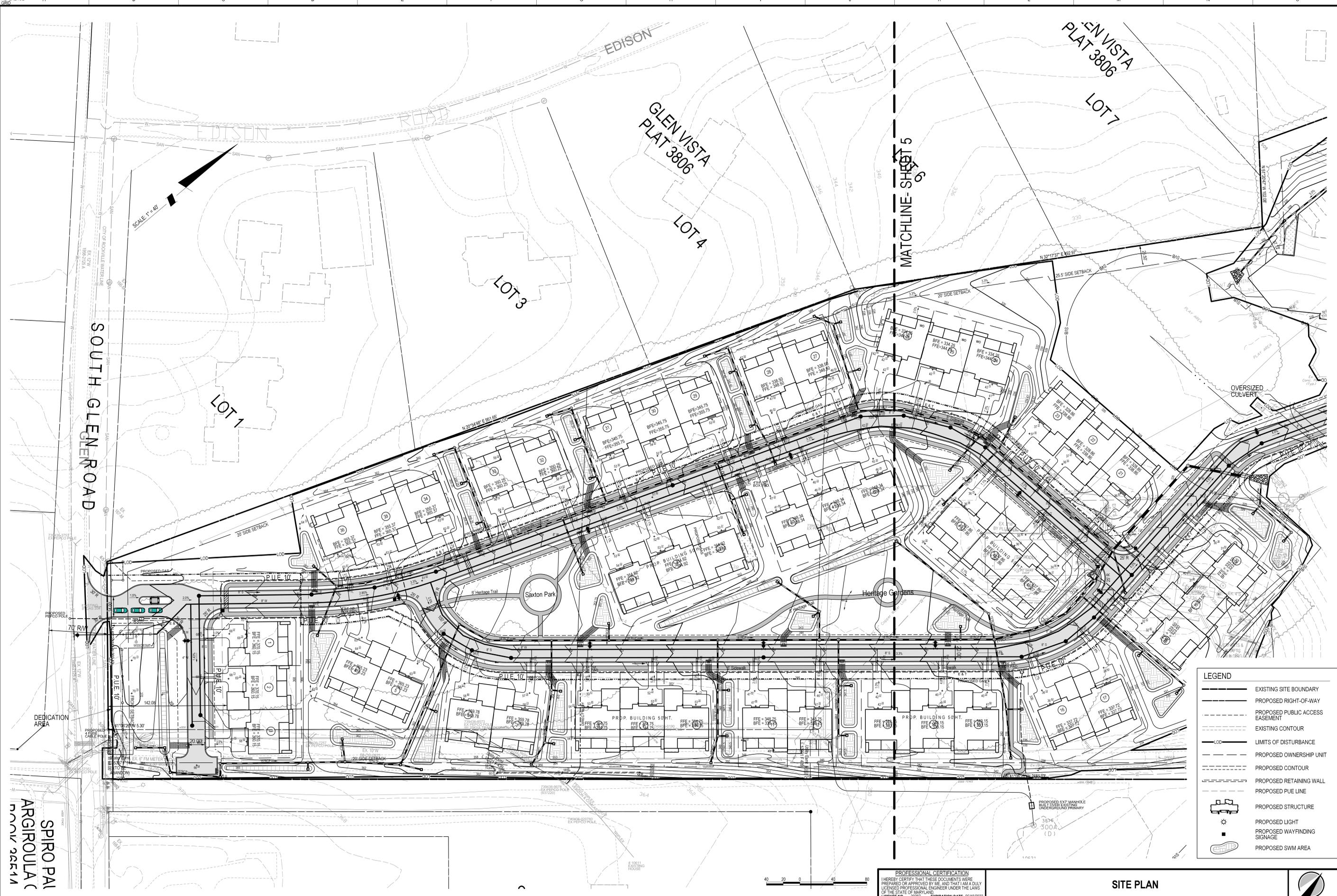
**3**

OF **11**

SHEET

PROJECT NO.  
2198-02-00

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SCALE 1" = 40'

MATCHLINE-SHEET 5

LEGEND	
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	EXISTING CONTOUR
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 LICENSE NO. 3027      EXPIRATION DATE: 05/16/2022



**SITE PLAN**

**CONDITIONAL USE SITE PLAN  
 HERITAGE POTOMAC**  
 PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA  
 (8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

**SPIRO PAI ARGIROULA**  
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NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
1	JULY 2021	EEO	EEO	VS - RCS		

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MAP: 5283	GRID: FS G5
TAX MAP: FZ31	ZONING CATEGORY: RE-2
WBCS 200 SHEET: 213N110 214N110	MASTER PLAN: POTOMAC SUBREVISION 2002
SITE DATUM: HORIZONTAL: NAD 83/91 VERTICAL: NVD/29	WATERSHED: WATTS BRANCH WATERSHED

SHEET **4**  
OF **11**  
PROJECT NO. 2198-02-00



LEGEND	
	EXISTING SITE BOUNDARY
	PROPOSED RIGHT-OF-WAY
	PROPOSED PUBLIC ACCESS EASEMENT
	EXISTING CONTOUR
	LIMITS OF DISTURBANCE
	PROPOSED OWNERSHIP UNIT
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	PROPOSED SWM AREA



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 LICENSE NO. 3027      EXPIRATION DATE: 05/18/2022



**SITE PLAN**

**CONDITIONAL USE SITE PLAN  
 HERITAGE POTOMAC**  
 PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA  
 (6TH ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND)

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NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
1	JULY 2021	EEO	EEO			

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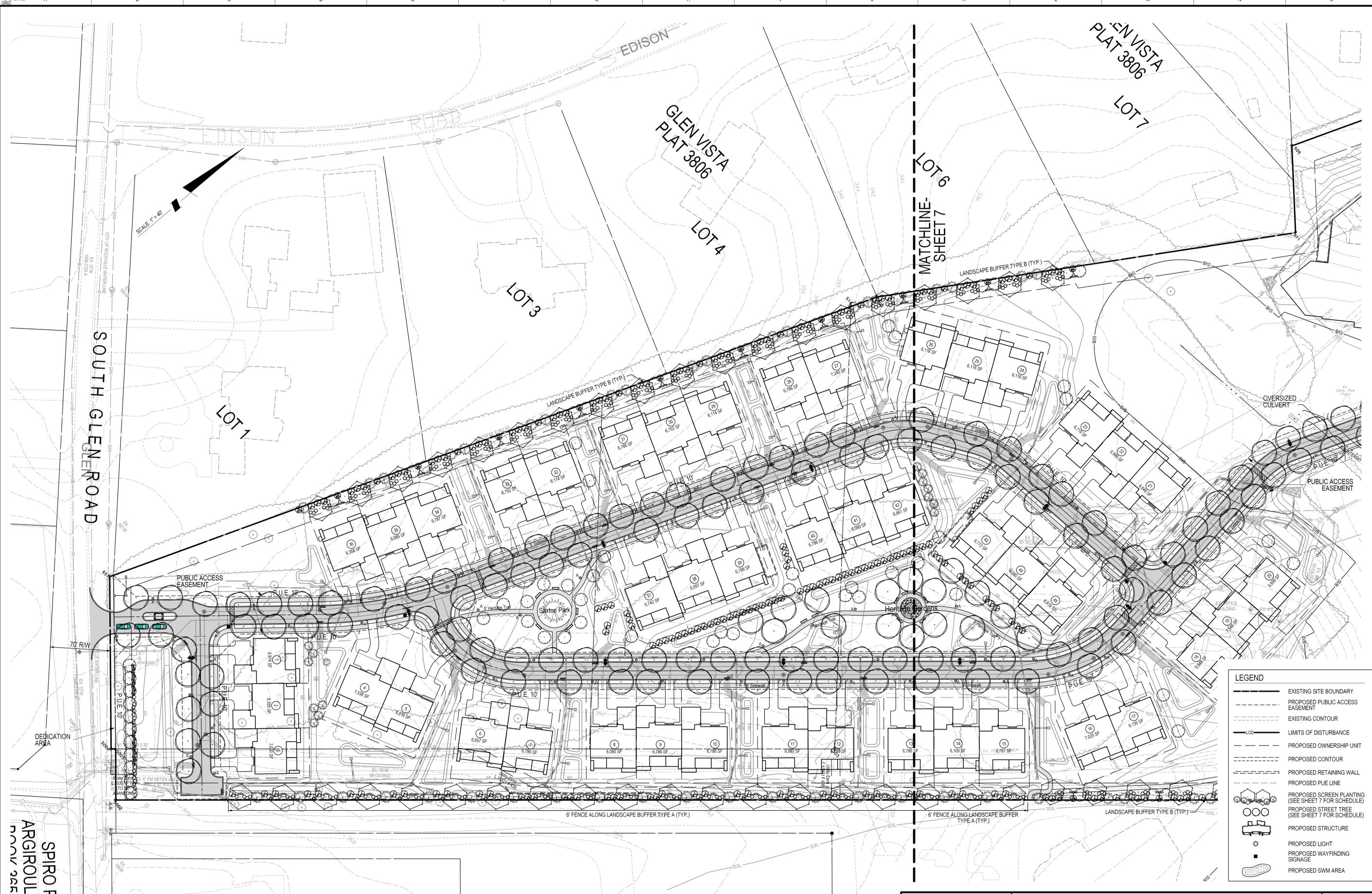
MAP 5283	GRID FS GS
TAX MAP FQ31	ZONING CATEGORY RE-2
WSBC 200 SHEET 213NW10	MASTERPLAN POTOMAC
	SUBREGION 2002
SITE DATUM HORIZONTAL NAD 83/91	VERTICAL WATTS BRANCH
	WATERSHED

**SHEET 5 OF 11**  
 PROJECT NO. 2198-02-00

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## Attachment B- Landscape and Lighting Plan

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LEGEND	
	EXISTING SITE BOUNDARY
	PROPOSED PUBLIC ACCESS EASEMENT
	EXISTING CONTOUR
	LIMITS OF DISTURBANCE
	PROPOSED OWNERSHIP UNIT
	PROPOSED CONTOUR
	PROPOSED RETAINING WALL
	PROPOSED PUE LINE
	PROPOSED SCREEN PLANTING (SEE SHEET 7 FOR SCHEDULE)
	PROPOSED STREET TREE (SEE SHEET 7 FOR SCHEDULE)
	PROPOSED STRUCTURE
	PROPOSED LIGHT
	PROPOSED WAYFINDING SIGNAGE
	PROPOSED SWM AREA

NOTE: LANDSCAPING SHOWN IS CONCEPTUAL AND PRESENTED ONLY TO ILLUSTRATE THE CHARACTER AND QUALITY OF DESIGN. LOCATIONS, SPECIES AND QUANTITIES MAY BE ADJUSTED WITH FINAL DESIGN AND ENGINEERING.



**SPIRO PAI**  
**ARGIROULA**  
P. 301.946.2651

**SOLTESZ, INC.**  
Rockville Lanham Waldorf Leonardtown Frederick Soltesz DC, LLC  
www.solteszco.com

NO.	DATE	DESIGNED BY	REVISIONS	BY	DATE
1	JUNE 2021	EEO	CAO STANDARDS VERSION: V8 - RCS		

**MISS UTILITY NOTE**  
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY ENGINE TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-477-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**  
Heritage Gardens Land, LLC  
5283 Corporate Drive  
Suite 300  
Frederick, MD 21703  
(301) 695-8514 x104  
Michael Wiley

MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10	MASTER PLAN: POTOMAC
214NW10	SUBMISSION: 2002
SITE DATUM: HORIZONTAL: NAD 83/91	WATERBORN: WATT'S BRANCH
VERTICAL: NVD/29	WATERSHED:



**LANDSCAPE AND LIGHTING PLAN**

**CONDITIONAL USE SITE PLAN**  
**HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

PROJECT NO:  
2198-02-00

SHEET  
**6**  
OF  
**11**

DATE:  
12/17/2021 3:46:34 PM

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NOTE: LANDSCAPING SHOWN IS CONCEPTUAL AND PRESENTED ONLY TO ILLUSTRATE THE CHARACTER AND QUALITY OF DESIGN. LOCATIONS, SPECIES AND QUANTITIES MAY BE ADJUSTED WITH FINAL DESIGN AND ENGINEERING.

LEGEND	
	EXISTING SITE BOUNDARY
	PROPOSED PUBLIC ACCESS EASEMENT
	EXISTING CONTOUR
	LIMITS OF DISTURBANCE
	PROPOSED OWNERSHIP UNIT
	PROPOSED CONTOUR
	PROPOSED RETAINING WALL
	PROPOSED PUE LINE
	PROPOSED SCREEN PLANTING (SEE SHEET 7 FOR SCHEDULE)
	PROPOSED STREET TREE (SEE SHEET 7 FOR SCHEDULE)
	PROPOSED STRUCTURE
	PROPOSED LIGHT
	PROPOSED WAYFINDING SIGNAGE
	PROPOSED SWM AREA

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NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
1	JUNE 2021	EEO	EEO			

**MISS UTILITY NOTE**  
 INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY EXCAVATING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT MISS UTILITY AT 777-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**  
 Heritage Gardens Land, LLC  
 5283 Corporate Drive  
 Suite 300  
 Frederick, MD 21703  
 (301) 695-6514 x104  
 Michael Wilby

MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10	MASTER PLAN: POTOMAC
214NW10	SUBREGION 2002
SITE DATUM: HORIZONTAL NAD 83/91	WATERBENCH: WATT'S BRANCH
VERTICAL: NVDVD29	WATERSHED:



**LANDSCAPE AND LIGHTING PLAN**

**CONDITIONAL USE SITE PLAN**  
**HERITAGE POTOMAC**  
**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(6TH ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND)

SHEET **7**  
OF **11**

PROJECT NO. 2198-02-00

**GENERAL CONDITIONS**

**I. SCOPE**

- A. The landscape contractor shall provide all materials, labor and equipment to complete all landscape work as shown on the plans, plant list and specifications.
- B. Total number of plants shall be as drawn on the landscape plan. If this total differs from the plant schedule, the landscape contractor is to notify the landscape architect before the bid date.

**II. STANDARDS**

- A. All plant material will conform to the current issue of the American Standard for Nursery Stock published by the American Nursery and Landscape Association (ANLA) conform in general to representative species.
- B. The plant material must be selected from nurseries that have been inspected by state or federal agencies. Any certificates required must be provided to owner or representative upon delivery of materials.

**III. SUBSTITUTIONS**

- A. If a plant is found not to be suitable or available, is to notify the landscape architect before bidding.
- B. The owner or landscape architect is then required to select a reasonable alternate or to inform all landscape contractors of the availability of the original plant.
- C. If a substitute is selected, it must be of the same size, value and quality as the original plant.
- D. Substitutions to be made with written approval of M-NCPPC.

**IV. UTILITIES**

- A. The landscape contractor shall notify utility companies prior to construction and call "Miss Utility" at (800)257-7777, to locate main utility lines.
- B. If there is a conflict with the utilities and the planting, the landscape contractor shall notify the landscape architect or owner immediately. Any cost of relocating caused by the contractors' failure to notify shall be borne by the contractor.

**V. DRAINAGE**

- A. Plants shall not be planted in situations that show obvious poor drainage. Such situations shall be brought to the attention of the landscape architect or owner, and if they deem necessary, the plants shall be relocated or the contract shall be adjusted to allow for drainage correction at a negotiated cost.

**VI. WORKMANSHIP**

- A. During planting, all areas shall be kept clean and neat, and all reasonable precautions shall be taken to avoid damage to existing plants, turf and structures.
- B. Upon completion, all debris and waste material resulting from planting operations shall be removed from the project and the area cleaned up.
- C. Any damaged areas shall be restored to their original condition at the cost of the contractor.

**I. PLANT MATERIAL**

**II. STANDARDS**

- A. Bare root
  - 1. Bare rooted shrubs shall be dug with adequate fibrous roots.
  - 2. Roots shall be protected during handling and transit and planted to guard against drying out and damage. If not planted soon after arrival, material must be heeled in and maintained.
- B. Balled and Burlapped (B&B)
  - 1. Balled and Burlapped plants shall be dug with firm natural balls of earth.
  - 2. Ball sizes shall be in accordance with ANLA specifications.
- C. Container grown stock shall have been grown in a container long enough for the root system to have developed sufficiently to hold soil in container together.
- D. All plant material shall be nursery grown unless otherwise specified. Pruning shall be done before planting or during the planting operation.
- E. All plant material to be transported in covered container. Locally available material may be covered with a burlap or similar cover to keep from drying out, provided the transporting vehicle maintains a maximum of 35 mph.
- F. Anti-desiccants shall be applied on all materials dug while in foliage.
- G. Container stock may replace B&B as long as all other criteria are met.
- H. Same plant material for location near each other shall be similar in appearance. Hedge material will be similar enough in size and shape, etc. to create a uniform hedge.

**II. MATERIALS**

- A. ANTI-TRANSPIRANTS
  - 1. Anti-transpirants shall be an emulsifiable concentrate used to retard excess water loss without harming normal transpiration.
- B. BACK FILL MIXTURES
  - 1. Back fill mixture shall be 1/3 existing soil mixed with 1/3 organic material (or peat) and 1/3 topsoil.
  - 2. If any other additives are found to be needed at the time of planting, it shall be added only with the approval of the landscape contractor, landscape architect and owner or owner's representative.
  - 3. Fertilizer is to be added depending on the size of the plant and the manufacturer's recommendation.
    - \* Trees - Use tree fertilizer as required by particular species
    - \* Shrubs - Use tree fertilizer as required by particular species
    - \* Ground Cover, Vines & Herbaceous Plants - Use tree fertilizer as required by species.
- C. HOSE
  - 1. Hose shall be corded rubber, uniform in color and either 3/4" to 1" in diameter, depending on the size of the tree.
- D. MULCH
  - 1. Material shall be double shredded composted hardwood bark, such as "silvabark" or approved equivalent.
  - 2. Material shall be mulching grade, uniform in size and free of foreign or harmful matter.
- E. INSPECTION
  - A. Plants may be subject to inspection and approval by the owner or owners representative at the place of growth for conformity to specification requirements as to quality, size and variety. This will be at the owner's expense.
  - B. Plants damaged in handling or transportation may be rejected by the owner or

**C. TOPSOIL**

- 1. If used, top soil shall be sandy loam and uniform in color and composition.
- 2. It shall be free of stones, roots, lumps, plants and other debris over 1 1/2".
- 3. It shall not contain toxic substances harmful to plant growth.
- 4. Top soil shall have a Ph range of 5.0 to 7.0 and the organic matter shall be a minimum content of 1.0%

**D. ORGANIC MATTER**

- 1. Organic Matter used in back fill shall be peat or other material approved by the landscape architect or owner.

**E. PEAT MOSS**

- 1. Type I - sphagnum peat moss - is finely divided with a Ph of 4.0 to 5.0.

**F. LEAF MOLD**

- 1. This a composted leaf material to be used with the approval of landscape architect.

**G. COMPOST**

- 1. To be organic matter composted and aged by accepted methods to be used only when specified or by approval of landscape architect.

**H. DOLOMITE LIME**

- 1. This is agricultural grade limestone containing total carbonates of 85% with a minimum of 30% magnesium carbonates.

**I. FERTILIZER**

- 1. Fertilizer shall be granular, packet or pellet with 35% to 85% of the total nitrogen in a slowly available form. To be applied by manufacturers methods.
- 2. Fertilizer shall be a complete fertilizer with a minimum analysis as required by soil test and plant material.

**J. TRACE ELEMENTS**

- 1. These slow release materials containing zinc (Zn), molybdenum (Mo), iron (Fe), copper (Cu), boron (B), and magnesium (Mn). To be applied as per manufacturers directions as deemed necessary by soil test.

**III. BACKFILLING A TREE PIT**

- A. Cut rope or wire on ball of tree and pull burlap back to the edge of the root ball. Remove all plastic wraps and twine. Roll burlap 1/3 of the way down the root ball.
- A. Backfill tree pit with a soil mixture stated in the specifications.
- C. Mix soil amendments in the mixture either prior to filling pit or as pit is being filled.
- D. Make sure plants remain straight during backfilling procedure.
- E. Backfill sides of tree pit halfway with soil mixture and tamp as pit is being filled.
- F. Finish backfilling sides of tree pit and tamp firmly.
- G. NEVER COVER TOP OF TREE BALL WITH SOIL. Top of root ball should be 1/4 the root ball height above the tree pit.
- H. Form a 4" saucer above existing grade and around the outer rim of the tree pit.
- I. Mulch top of root ball and saucer within 48 hours to a minimum depth of 2" and not exceed 3".
- J. Water thoroughly the interior of the tree saucer until it is filled. EVEN IF IT IS RAINING. Provide enough water to ensure saturation of the root ball.
- K. Prune out any dead, conflicting or broken branches.
- L. In extremely hot weather, reduce foliage surface by pruning or stripping of foliage.
- M. Remove all tags, labels, strings, etc. from the tree.

**IV. TREES BRACED BY STAKING**

- A. Choose the correct size and number of stakes and size of hose and wire according to the Tree Support Detail and plant requirements. Staking shall be completed within 48 hours of planting the tree.
- B. Spacing stakes evenly and vertically on the outside of the tree ball drive firmly into the ground (stakes can be slightly angled away from the tree).
  - NOTE: Never drive a stake through the tree ball, as it will damage the tree's root system. Stakes to be 2/3 above ground, 1/3 below.
- C. Cut pieces of reinforced hose long enough to loop around the trunk of the tree.
- D. Place the hose around the trunk at the height required to provide optimum support. Then run the 12 gauge wire through the hose and pull both ends horizontally beyond the stake by 2".
- E. Cut the wire to sufficient length and then twist the wire at the rubber hose to keep it in place.
- F. Run both ends of wire together around the stake twice and then twist wire back onto itself to secure it. Cut off excess wire and stake.
- G. The above procedures are to follow for each stake.
- H. STAKES
  - 1. Stakes shall be 2"x2" hardwood, reasonably free of knots to be long enough for 1/3rd to be driven into the soil, and 2/3rds above the soil surface.
- I. WIRE
  - 1. Wire shall be 12 or 14 gauge galvanized steel or acceptable equal, depending on the size of the tree.
- J. CABLE
  - 1. Cable shall be 1/4" or 3/16" galvanized steel, depending on size of tree.
- K. CLAMPS
  - 1. Clamps shall be galvanized or zinc and large enough to hold wires or wires used.
- L. HOSE
  - 1. Hose shall be corded rubber, uniform in color and either 3/4" to 1" in diameter, depending on the size of the tree.
- M. MULCH
  - 1. Material shall be double shredded composted hardwood bark, such as "silvabark" or approved equivalent.
  - 2. Material shall be mulching grade, uniform in size and free of foreign or harmful matter.

**V. INSPECTION**

- A. Plants may be subject to inspection and approval by the owner or owners representative at the place of growth for conformity to specification requirements as to quality, size and variety. This will be at the owner's expense.
- B. Plants damaged in handling or transportation may be rejected by the owner or

owner's representative.

**II. PLANTING PROCEDURES FOR TREES**

**I. PREPARING TREE PIT**

- A. The tree pit must be a minimum of 2 times the size of the root ball at the top.
- B. The walls of tree pit shall be dug so that they are scarified.
- C. The tree pit shall be deep enough to allow 1/3 of the root ball to be above the existing grade. Any loose soil at the bottom of the pit shall be tamped by hand or with the bucket of the backhoe.
- D. Dig pit 6" deeper than depth required for root ball. Fill bottom of pit with 6" compacted soil mix adjusting depth to insure top of root ball is 1/4 above the surface of the soil.

**II. PLACING TREE IN THE PIT**

- A. Place the tree in the pit by lifting and carrying the tree by its ball (never lift by branches or trunk) and then lowering it into the pit. Contractor is responsible for providing any machinery necessary to lift and move plant material and to insure it is not dropped.
- B. Set the tree straight and in the center of the pit with the most desirable side of the tree facing toward the prominent view (sidewalk, building, street, etc.).
- C. Any dropped material may be rejected by owner or representative. Any dropped material should be flagged with red flagging on its trunk and noted on a plan. Should plant die, it will be replaced by the contractor at no cost to the owner.

**III. PLANTING PROCEDURES FOR SHRUBS**

**I. PREPARING SHRUB PIT**

- A. For a single shrub, the pit shall be dug large enough for the proper setting of the root ball (4" wider than root ball at base. 2 to 3 times the width of the root ball at the top).
- B. For a shrub mass planting, the entire bed area shall be rotolled 3 to 4" deep. Each shrub pit shall be excavated for the proper setting of the root ball.
- C. For a hedge, a trench shall be dug large enough for the proper setting of all of the plants root balls (the trench shall be 2 times wider than the root balls).
- D. Form a compacted base in the bottom of the hole to adjust plant height to proper location. Compact sufficiently to prevent settling.

**II. PLANTING SINGLE SHRUBS AND BACKFILLING PIT**

- A. Remove all plastic wraps, twine, containers, etc.
- B. Place the plant in the pit by lifting and carrying in by the root ball.
- C. Set the plant straight and in the center of the pit with the most desirable side facing toward the prominent view.
- D. Use a soil mixture as specified.
- E. Make sure the plant remains straight during backfilling procedure.
- F. Backfill side of the pit halfway with soil mixture and tamp as the pit is being filled.
- G. Pull the burlap back 1/3 the way down the root ball. Make sure burlap does not become exposed above soil surface.
- H. Finish backfilling the sides of the shrub pit and tamp firmly.
- I. Form a saucer above the existing grade and around the planting pit
- J. Mulch top of root ball and saucer a minimum of 2" depth and not to exceed 3" in depth.
- K. Water thoroughly the interior of the shrub saucer to insure root ball is saturated. EVEN IF IT IS RAINING.
- L. Prune out any dead, conflicting or broken branches.
- M. Remove all tags, labels, strings, etc. from the plant.

**III. PLANTING A SHRUB MASS**

- A. Follow the same procedure as for a single shrub. (Section II A-M)
- B. Edge and rake the entire planting bed to obtain uniform surface.
- C. Mulch the entire planting bed a minimum of 2" depth and not to exceed 3" depth.
- D. Water the entire planting bed thoroughly. EVEN IF IT IS RAINING. To saturate top 2" of soil.
- E. Prune out any dead, conflicting or broken branches.
- F. Remove all tags, labels, strings.

**IV. PLANTING PROCEDURES FOR GROUND COVER**

**I. PREPARING GROUND COVER BED**

- A. The ground cover bed shall be loosened prior to planting by one of the following methods: rototilling, back-hoeing and rototilling or by picking (generally done on small areas or on slopes). Soil shall be loosened to a depth of 4" to 6".
- B. Soil additives for the ground cover bed shall be peat and topsoil, (2" deep) after the soil has been loosened and additives then worked into the bed by one of the following methods: rototilling, back-hoeing and rototilling or by picking (in which soil additives are spread by hand into the individual plant pockets and worked into the soil by pick).
- C. Fertilize in planting hole or use water soluble fertilizer at base of plants after planting.
- D. Mulch the entire ground cover bed to minimum 1" depth and not to exceed 2" in depth.

**II. PLANTING GROUND COVER**

- A. The ground cover planting holes shall be dug through the mulch with one of the following: hand trowel, shovel, bulb planter or hoe.
- B. Before planting, biodegradable pots shall be crushed and the top edges broken down below the surface. Non-biodegradable pots shall be removed. Unwrap any bound roots, do not break root ball.
- C. The ground cover (either potted or bare root) shall be planted:
  - 1. So that the roots of the plant are surrounded by soil below the mulch: potted plants being set so that the top of the soil in the pot is even with the existing grade, and bare root plants being covered up to the crown of the plant or soil level.
  - 2. At an equal distance apart (plans and specifications specify the "on center" (o.c.) distance for the ground cover). See spacing guide.
- D. The entire ground cover bed shall be edged and thoroughly watered.

**V. SEEDING**

**I. TEMPORARY SEEDING**

- A. Vegetation - Annual Rye grass or Japanese Millet shall be used to provide cover on disturbed areas for up to 12 months. For longer duration of vegetation cover, permanent seeding is required.
  - 1. Seed Mixtures - Temporary Seeding
    - Preferred: Annual Rye - Winter; 200-300 lbs./acre. (1/2 that amount for over seeding) Japanese Millet - Summer; 25lbs/acre. (These are preferred because existing and proposed native grasses and wildflowers may not compete well with certain grass species)
    - 2. If seed mixtures used are other than those preferred they must be plant material 26 of "Standards and Specifications for Soil Erosion and Sediment Control" by the Maryland Department of Environmental Protection. Temporary plant material must be removed prior to seeding of other material.
    - 3. For sites having soil tests performed, the seeding and amendment rates shown in table 26 of "Standards and Specifications for Soil Erosion and Sediment Control" shall be deleted and the rates recommended by the testing agency shall be written in. Soil tests are not required for temporary seeding.

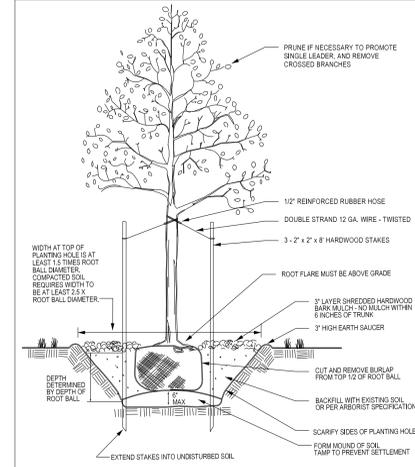
**II. PERMANENT SEEDING**

- A. Seeding grass and legumes to establish ground cover for a minimum period of one year on all disturbed areas generally receiving low maintenance.
  - 1. Seed mixtures not from table 26 of "Standards and Specifications for Soil Erosion and Sediment Control" by the Maryland Department of Environmental Protection, must be similar or approved by landscape architect. Additional planting specifications for exceptional sites such as shore lines, stream banks or dunes, or for special purposes such as wildlife or aesthetic treatment may be found in USDA-SCS Technical Field Office Guide, Section 342 - Critical Area Planting.
  - 2. For sites having disturbed areas over 5 acres, the rates shown in table 26 of "Standards and Specification for Soil Erosion and Sediment Control" shall be deleted and the rates recommended by the soil testing agency shall be written in.
  - 3. For areas receiving low maintenance, apply urea form fertilizer (46-0-0) at 3 1/2 lbs/1000 sq. ft. (150 lbs./acre). The above recommended soil amendments and hose stated in the soil test to be performed at the time of seeding, or as recommended by state agency and manufacturers products.
  - 4. Do not fertilize area to be seeded around storm water management facilities.
  - 5. Contractor to provide a final product of grass crop creating a lawn of uniform color and texture after three mowings.

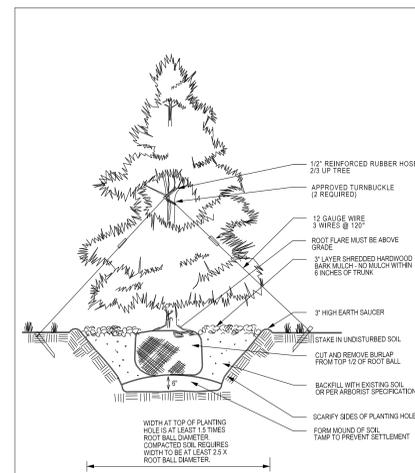
**VI. SOIL TESTING**

- 1. Contractor to perform soil test as per accepted methods by the local agricultural extension service.
- 2. Samples to be tested by reputable lab.
- 3. Contractor will be held responsible for notifying owner of any problems or deficits determined by the test results.
- 4. Corrections will be discussed and cost negotiated with owner.
- 5. Plant failure based on soil deficits or problems due to failure of contractor to take samples, will be replaced at the cost of the contractor after corrections have been made.

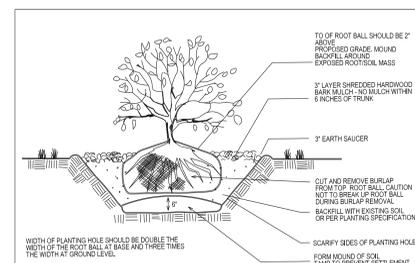
LANDSCAPE PLANT SCHEDULE- HERITAGE GARDENS								
DECIDUOUS TREES								
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	REMARKS		
220	1	<i>Acer palmatum</i> 'Bloodgood'	Bloodgood Japanese Maple	2' Cal.	B&B	Single-Stem, Full		
		<i>Carpinus caroliniana</i>	American Hornbeam	10' H	B&B	Single-Stem, Full		
		<i>Cladrastis kentukea</i>	Yellowwood	2' Cal.	B&B	Single-Stem, Full		
		<i>Nyssa sylvatica</i>	Black Gum	2' Cal.	B&B	Single-Stem, Full		
		<i>Quercus lyrata</i>	Overcup Oak	2' Cal.	B&B	Single-Stem, Full		
		<i>Taxodium distichum var. distichum</i>	Bald Cypress	2' Cal.	B&B	Single-Stem, Full		
220	1	<i>Ulmus americana</i> 'Valley Forge'	American Elm	2' Cal.	B&B	Single-Stem, Full		
		EVERGREEN TREES						
		SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	REMARKS
		136	1	<i>Cryptomeria japonica</i>	Japanese Cedar	10' H	B&B	Single-Stem, Full
<i>Ilex 'Conat'</i> OAKLEAF	Oakleaf Holly			10' H	B&B	Single-Stem, Full		
<i>Ilex opaca</i>	American Holly			10' H	B&B	Single-Stem, Full		
<i>Ilex 'Nellie R. Stevens'</i>	Holly			10' H	B&B	Single-Stem, Full		
<i>Pinus strobus</i>	Eastern White Pine			10' H	B&B	Single-Stem, Full		
<i>Thuja occidentalis</i>	American Arborvitae	10' H	B&B	Single-Stem, Full				
ORNAMENTAL TREES								
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	REMARKS		
46	1	<i>Amelanchier laevis</i>	Allegheny Serviceberry	2' Cal.	B&B	Multi-Stem, Full		
		<i>Cercis canadensis</i>	Eastern Redbud	2' Cal.	B&B	Multi-Stem, Full		
		<i>Chionanthus virginicus</i>	Fringe Tree	2' Cal.	B&B	Multi-Stem, Full		
		<i>Comus florida</i>	Flowering Dogwood	2' Cal.	B&B	Multi-Stem, Full		
LARGE SHRUBS								
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	REMARKS		
236	1	<i>Hibiscus syriacus</i> 'Notwoodtwo'	White Chiffon Rose of Sharon	30-36" H	Cont. #4	Full, 5' O.C.		
		<i>Photinia x fraseri</i>	Red Tip Photinia	30-36" H	Cont. #4	Full, 5' O.C.		
		<i>Prunus laurocerasus</i> 'Schipkaensis'	Schipka Cherry Laurel	30-36" H	Cont. #4	Full, 5' O.C.		
<i>Viburnum dentatum</i> 'Synnestsvedt'	Chicago Lustre Arrowwood Viburnum	30-36" H	Cont. #4	Full, 5' O.C.				
MEDIUM SHRUBS								
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	REMARKS		
256	1	<i>Fothergilla gardenii</i>	Dwarf Fothergilla	24-30" H	Cont. #3	Full, 4' O.C.		
		<i>Ilex compacta</i> 'Shamrock'	Inkberry	30-36" H	Cont. #4	Full, 4' O.C.		
		<i>Rhododendron 'Ken Janek'</i>	Rhododendron	24-30" H	Cont. #3	Full, 4' O.C.		
		<i>Viburnum x burkwoodii</i> 'Conoy'	Burkwood Viburnum	30-36" H	Cont. #4	Full, 5' O.C.		
SMALL SHRUBS								
SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	TYPE	REMARKS		
120	1	<i>Rhododendron atlanticum</i>	Dwarf Azalea	18-24" H	Cont. #2	Full, 2' O.C.		



TREE PLANTING DETAIL  
BALLED AND BURLAPPED NTS



EVERGREEN PLANTING DETAIL  
BALLED AND BURLAPPED NTS



SHRUB PLANTING DETAIL  
BALLED AND BURLAPPED NTS

**SOLTESZ, INC.**  
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NO.	DATE	REVISIONS	BY	DATE
1	JUNE 2021	CAO STANDARDS VERSION: 18 - NCS		
2	DESIGNED: ECO	TECHNICIAN: ECO		

**MISS UTILITY NOTE**  
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**OWNER/DEVELOPER/APPLICANT**  
 Heritage Gardens Land, LLC  
 5283 Corporate Drive  
 Suite 300  
 Frederick, MD 21703  
 (301) 695-8514 x104  
 Michael Wilby

MAP ... 5283	GRID ... FS GS
TAX MAP FQ31	ZONING CATEGORY: RE-2
WSGC 200' SHEET 214HW10	MASTERPLAN: POTOMAC SUBDIVISION 2002
SITE DATUM HORIZONTAL: NAD 83/91	VERTICAL: WATTS BRANCH WATERSHED



**LANDSCAPE NOTES & DETAILS**

**CONDITIONAL USE SITE PLAN**  
**HERITAGE POTOMAC**  
 PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA



LUMEC  
by @ignify

Urban  
Hexagonal Lantern  
L24-L28-L60-L61-L60S  
Post Top



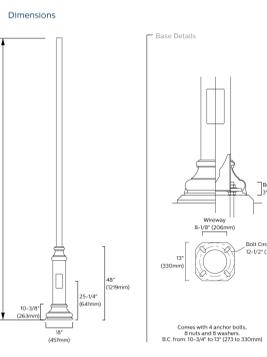
Examples of Lume's ability to blend engineering know-how and old-time charm. Nothing has been left to chance in the design of this Lume Hexagonal Lantern. These luminaires are able to fill a space with a warm and reassuring light. Behind the antique-inspired look, the Hexagonal Lantern luminaire reminds us that the past and the present are eternally linked and when combined together in a luminaire, they offer exceptional style.

LUMEC  
by @ignify

Outdoor  
Poles and Brackets  
RA61  
Traditional Aluminum Pole

Made from a one-piece, seamless 4" round (102 mm) tube of extruded aluminum, welded over a 4-5/8" round (116 mm) seamless extruded aluminum pole base. The assembly is welded to both the top and bottom of a cast aluminum anchor plate. A 4-1/2" by 10" (114 by 254 mm) maintenance opening is complete with cover and copper ground lug.

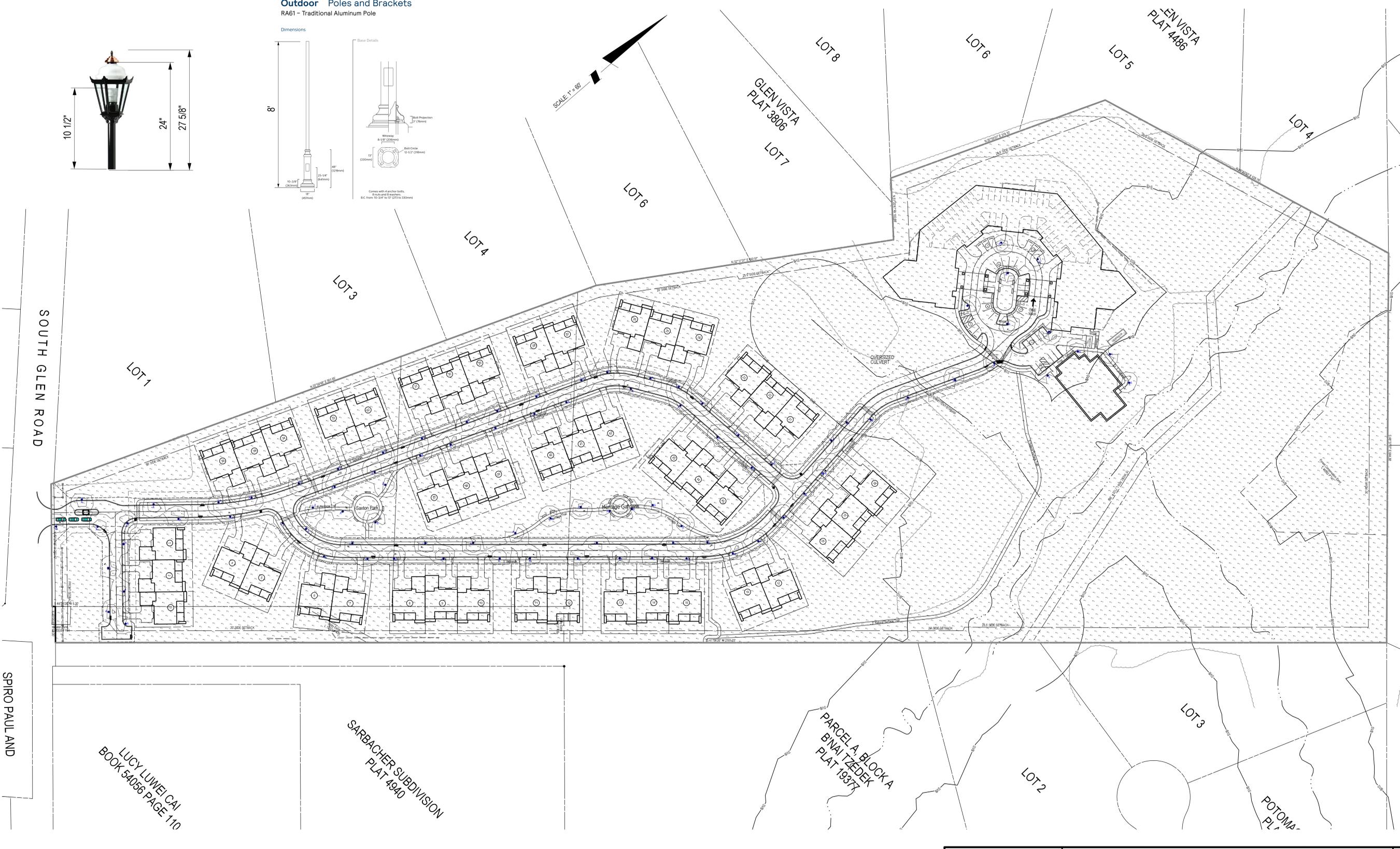
Outdoor Poles and Brackets  
RA61 - Traditional Aluminum Pole



LIGHTING SCHEDULE										
Label	Symbol	Quantity	Catalog Number	Description	Mounting Height	Manufacturer	Lamp Lumens	LLF	Watts	File
A		80	BSP651 FG T25 1 xLED or Approved Equal	Street Lantern 4" Aluminum	12'-0"	PHILIPS LIGHTING	5,000	1	38	ofmt1_bsp651fgt251xled50-4x830dm50mk-bk.ies

LIGHTING STATISTICS	
AVG.	0.23
MAX.	5.56
MIN.	0.0
MAX/MIN.	N/A
AVG/MIN.	N/A

- NOTE:
1. FIXTURE HEIGHT TO BE 10'-0" AS MEASURED FROM THE FINISHED GRADE.
  2. LAMP/LIGHT SOURCE TO BE HIGH PRESSURE SODIUM (HPS).
  3. ALL FIXTURES TO BE BRSD SHIELDED, SYMMETRICAL WITH DEFLECTOR



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NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
1	JUNE 2021	ECO	ECO	18 - RCS		

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 Suite 300  
 Frederick, MD 21703  
 (301) 696-6514 x104  
 Michael Wilby

MAP: 5283	GRID: FS, GS
TAX MAP: FZ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10 214NW10	MASTER PLAN: POTOMAC SUBREGION 2002
SITE DATUM: HORIZONTAL: NAD 83/91 VERTICAL: NVD29	WATERSHED: WATTS BRANCH WATERSHED



**PHOTOMETRICS PLAN**

**CONDITIONAL USE SITE PLAN  
HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(6TH ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND)

SHEET 10 OF 11  
 PROJECT NO. 2198-02-00



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NOTE: LANDSCAPING SHOWN IS CONCEPTUAL AND PRESENTED ONLY TO ILLUSTRATE THE CHARACTER AND QUALITY OF DESIGN. LOCATIONS, SPECIES AND QUANTITIES MAY BE ADJUSTED WITH FINAL DESIGN AND ENGINEERING.



LEGEND	
	EXISTING SITE BOUNDARY
	PROPOSED PUBLIC ACCESS EASEMENT
	EXISTING CONTOUR
	LIMITS OF DISTURBANCE
	PROPOSED OWNERSHIP UNIT
	PROPOSED CONTOUR
	PROPOSED RETAINING WALL
	PROPOSED PUE LINE
	PROPOSED SCREEN PLANTING (SEE SHEET 7 FOR SCHEDULE)
	PROPOSED STREET TREE (SEE SHEET 7 FOR SCHEDULE)
	PROPOSED STRUCTURE
	PROPOSED LIGHT
	PROPOSED WAYFINDING SIGNAGE
	PROPOSED SWM AREA
	PROPOSED NATURAL REGENERATION AREA
	PROPOSED REFORESTATION/AFFORESTATION AREA

**SOLTESZ, INC.**  
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NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
1	JUNE 2021	EEO	EEO	V8 - RCS		

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WBSG 200 SHEET: 213NW10	MASTER PLAN: POTOMAC
	SUBREGION: 2002
SITE DATUM: HORIZONTAL: NAD 83/91	WATERSHED: WATT'S BRANCH
VERTICAL: NVD/29	WATERSHED:



**OVERALL LANDSCAPE AND LIGHTING PLAN**

**CONDITIONAL USE SITE PLAN  
 HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(6TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **11**  
 OF **11**

PROJECT NO.  
 2198-02-00

## Attachment C- Land Use Report

Heritage Potomac  
Residential Care Facility – Senior Care Community

Conditional Use Application  
10701 South Glen Road  
Potomac, Maryland

LAND USE REPORT

December 17, 2021

**Soltesz, Inc.**  
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**LAND USE REPORT**

Conditional Use  
Heritage Potomac  
Residential Care Facility for Seniors  
10701 South Glen Road  
Potomac, Maryland

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Attachment 1: Statement of Operations

Attachment 2: Comparative Table of Development Density

## I. Overview

This Land Use Report (the "**Report**") is submitted by Heritage Gardens Land, LLC (the contract purchaser of the property and the "**Applicant**") in connection with its request pursuant to Section 7.3.1 of the Montgomery County Zoning Ordinance (the "**Zoning Ordinance**") to establish a Residential Care Facility with 74 independent living units (45 of which will be located in cottage units and 29 in a multi-use building) and 73 assisted living and memory care units (containing 96 beds) on a campus-like setting (hereinafter "**Residential Care Facility**" or "**Project**") on the former Fourth Presbyterian School property located at 10701 South Glen Road Potomac, Maryland (the "**Property**"). Based on market demand, operational requirements, and other factors, the Applicant requests the right to reduce the currently proposed number of independent living units located within the multi-use building and correspondingly increase the number of assisted living units and memory care units. In no event will the change of units result in a trip generation greater than that produced by 74 independent living units and 73 assisted living and memory care units, and in no event will the maximum number of assisted living and memory care units exceed 87 units (105 beds).<sup>1</sup>

The Applicant proposes to convert the former institutional school use, previously approved to be built out as a pre-K through 12<sup>th</sup> grade, 400-student school, into a residential use by redeveloping the Property as a first-class, senior living campus, consistent with the Potomac Subregion Master Plan's call for more senior living units in the subregion to address the rapidly growing segment of the local population in need of senior living services.

The Project is modeled on other successful senior living projects throughout the Country that provide gradient levels of care (assisted and independent living) on a campus setting with different housing options. The Project will be managed by SageLife, a highly respected mid-Atlantic senior living operator and development by Wormald, a local developer from Potomac with over a half century of expertise in creating communities designed for the senior population. The Property will be comprised of a mix of independent living and assisted living and memory care units across 18 highly contextualized buildings consisting of duplex and triplex cottage units ("Cottage Units") and multi-family styled ("Lodge Units") building typologies. Altogether, the 147 unit Residential Care Facility will function as one tight knit, highly serviced, highly integrated, highly interconnected, highly walkable, and highly secured campus ("**Heritage Potomac**").

At the front of the Property will be a video-monitored entrance gazebo that will establish two main goals: (1) to notify drivers that they are entering a walkable Residential Care Facility campus which translates into lower vehicular speeds and higher driver awareness, and (2) to provide a secure, video-monitored entrance that records every vehicle coming into the Property which is designed to discourage theft and ill-intent. In order to ensure compatibility, the front two-thirds of the Project, comprised of the Cottage Unit independent living buildings (with each

---

<sup>1</sup> For the purposes of this Land Use Report, 74 independent living units and 73 assisted living and memory care units are assumed except where otherwise noted.

building appearing to be one residence architecturally), will adopt a classic Potomac estate single-family architecture both in aesthetic and massing to contextualize with the surrounding area. In the western portion of the Property at the end of the campus access drive, nestled at the lowest elevation of the Property, will be the building containing independent living, assisted living and memory care units in a classic, old-world styling. This building is referred to as the “Heritage Lodge”.

The internal access drive is designed to provide complete circulation around the Cottage Units that surround the centrally located Saxton Park and Heritage Garden Park. The Cottage units will further be interconnected through a series of walking trails, and the Heritage Lodge and Heritage Fitness Center (an existing recently built gymnasium) will serve as the centerpiece for services, staff and social interaction. By offering a variety of unit types at differing levels of care and service, seniors will be able to choose the style of building that best suits their needs, allowing them to advance through greater levels of care as they age. For instance, a senior resident can select to remain in a Cottage Unit independent living and increase the levels of care, or move into Heritage Lodge.

As discussed in great detail below, the Project has been designed to achieve maximum compatibility with the surrounding area and is particularly sensitive to the environment, with a fraction of the density and less than half the lot coverage allowed by the Zoning Ordinance and significant existing forest preservation (more than any recent project). The proposed Residential Care Facility satisfies all applicable standards of the Zoning Ordinance and substantially conforms to the *2002 Approved and Adopted Potomac Subregion Master Plan* – the applicable planning document.

### **Property Description & Surroundings**

#### **A. Site Location, Characteristics, and Existing Conditions**

The Property is located along the northeast side of South Glen Road and lies to the northwest of its intersection with Norton Road. The Property is generally bordered by the Glen Vista subdivision, which is accessed through Edison Road to the northwest, South Glen Road to the south, Norton Road to the southeast, the Congregation B’nai Tzedek facility and two single family residences accessed from South Glen Road, and Potomac Glen subdivision, accessed via Lockland Road to the southeast, and the Bedfordshire Subdivision and the Falls Road Golf Course to the northeast. An unnamed southeastern tributary of the Kilgour Branch runs southeast to northwest through the northeastern portion of the Property. A modest to heavy tree canopy abuts the Property to the north and to the east. The Property has a net lot area of 30.60 acres

(or 1,332,988 square feet). The Property is comprised of Parcel B, Block B<sup>2</sup>, and Parcels 896<sup>3</sup> and 950<sup>4</sup> in the Glen Vista subdivision.

The Property currently is improved with the structures from the former Fourth Presbyterian School (the "**School**") and associated surface parking lots. Parcels 896 and 950 are undeveloped. Vehicular access is currently provided by a driveway that is adjacent to the Congregation B'nai Tzedek entrance road and opposite Norton Road and offset from the South Glen Road/Norton Road intersection by approximately 25 feet. Prior to the School's closure in 2014, the school had approved plans to build a 400-student capacity school across several campus buildings, serving grades pre-K through 12<sup>th</sup> grade. However, the School was unable to recover after the prolonged recession and at the time the School closed, there were only 95 students enrolled. Since the School vacated in 2014, the Property has been actively marketed for sale, with the expectation that it would not remain vacant for an extended period of time. Presently, the Property is unoccupied and unused, except that, on occasion, a sports team may use the field on the Property or the gymnasium, or an organization may hold meetings in one of the buildings on site.

## **B. Recent Zoning History**

In April 2019, the Applicant filed a conditional use application for an Independent Living Facility for seniors (CU 19-09) on the Property. However, in connection with the review of CU 19-09, the Hearing Examiner raised questions as to the permissibility of the use and the proposed building form under the Zoning Ordinance, and in early 2020, the Applicant withdrew its application.

On May 11, 2021, the Montgomery County Council adopted Zoning Text Amendment 20-08 clarifying certain provisions of Zoning Ordinance Section 59-3.3.2.E, Residential Care Facility, and providing under the Residential Care Facility use for a Senior Care Community defined as follows:

A community providing a continuum of residential occupancy and health care services for seniors. This community must include assisted living and residential independent dwelling units and may also include memory care and/or skilled nursing in one or more buildings of any structure type. The health care and services component of the community may be located in a structure physically separated from the independent dwelling units.

---

<sup>2</sup> As recorded at Plat Book 78, Plat No. 7909 in the Land Records of Montgomery County, Maryland (the "Land Records").

<sup>3</sup> Being that same land recorded at Liber 17969, folio 49 in the Land Records.

<sup>4</sup> Being that same land recorded at Liber 17096, folio 215 in the Land Records.

### C. Zoning and Permitted Use

As shown on the certified zoning map that is submitted as part of this Conditional Use application (the "**Application**"), the Property is currently zoned Residential Estate – 2 ("**RE-2**"). Pursuant to Section 3.1.6 of the Zoning Ordinance, a Residential Care Facility is permitted as a conditional use in the RE-2 zone. The Application will demonstrate compliance with all applicable criteria articulated in Section 3.3.2.E of the Zoning Ordinance.

### D. Surrounding Zoning and Land Uses

The Property is located near the Potomac Village and is bordered by the Congregation B'nai Tzedek facility along the long southern edge of the property, two RE-2 lots along the northeast border (Broad Green Terrace), and an RE-2 neighborhood to the west (Edison Road and Dobbins Drive). For purposes of evaluating the Conditional Use, the surrounding neighborhood is generally bounded by the southern property line of the single-family homes that front South Glen Road to the south and southwest, residential properties with access off of Edison Road and Dobbins Drive to the west and northwest, residential properties that front Broad Green Terrace to the north and northeast. In addition, the boundary line of the Falls Road Golf Course, and two RE-2 single family homes off Lockland Road also border the property to the east. Not directly bordering the property, but proximate to the Project to the southeast, is a pipe stem lot off of South Glen Road with a RE-2 house on it, and a RE-2 house facing South Glen Road. (the "**Surrounding Neighborhood**").

The Surrounding Neighborhood is generally considered by M-NCPPC Staff and the Hearing Examiner as the area around the site that will be most directly impacted by the proposed use. More specifically, M-NCPPC Staff and the Hearing Examiner have indicated that the Surrounding Neighborhood should include properties that are most likely to be affected by the presence of the proposed Residential Care Facility, including possible impacts from noise, commotion, activity, stormwater runoff, parking, traffic and the like. As such, the Applicant has defined the Surrounding Neighborhood using these standards as a guide. The Properties within the Surrounding Neighborhood are zoned RE-2.

Uses within the Surrounding Neighborhood are exclusively residential (*e.g.*, single-family dwelling units), with the exception of the Congregation B'nai Tzedek facility. There are no active conditional uses within the Surrounding Neighborhood.<sup>5</sup> The Applicant anticipates that residents of the Project will frequently travel to Potomac Village, the commercial focal point of the

---

<sup>5</sup> The Montgomery County Interactive Zoning Map indicates as many as 15 prior special exception approvals within the Surrounding Neighborhood (noted as "SE-#"). The Applicant has exercised considerable due diligence to determine the history and current status of these approvals. However, given the age of the special exceptions, the Office of Zoning and Administrative Hearings staff has advised the Applicant that obtaining copies of any opinions and/or records of these cases is practically infeasible.

Potomac Subregion that is located within a 1-mile radius of the Property. Potomac Village includes neighborhood serving retail uses and services including three grocery stores (Giant Food, Safeway, and Potomac Grocer) and a number of destination retail uses and medical offices. The Potomac Library is also located just 0.85 miles from the Property at 10101 Glenolden Drive, Potomac. A visual representation of the Surrounding Neighborhood is submitted as part of the Application and is outlined in the aerial map shown on the next page.

**Surrounding Neighborhood Map**



### **E. Prior Approvals**

The Montgomery County Interactive Zoning Map ("**Zoning Map**") shows that the Property is subject to six prior approvals.<sup>6</sup> Research indicates that prior users of the Property had obtained and subsequently transferred Special Exception Nos. 1609 and 1610 to operate a private school,

<sup>6</sup> The approvals noted on the Zoning Map are as follows: BA-1609, CBA-1609-A, BA-1610, BA-2398, BA-2502, and SE-443. BA-2502 was a special exception approval that permitted a riding stable of up to 15 horses, but this use was revoked by resolution on October 11, 2002. The Applicant has been unable to determine whether Special Exception Nos. 1609 and 1610, which permit a private educational institution, have been formally revoked. However, pursuant to Section 1.4.2 of the Zoning Ordinance, the use has been abandoned.

and such use was permitted as early as 1968. The transfer timeline of private school operators appears to be as follows: Potomac Montessori, Inc., to The Byrnes School Associates, to the Hellenic American Academy, Inc. (the Fourth Presbyterian School, as a religious institution, did not require a special exception). As a result of a school having been operated on the Property for approximately 50 years, the Surrounding Neighborhood is accustomed to a certain level of activity on the Property and associated effects. Unlike a school, Heritage Potomac is residential in nature, and therefore a more appropriate conditional use given the character of the Surrounding Neighborhood.

## **II. Proposed Development**

The proposed Project will establish a Residential Care Facility campus that will provide 147 senior living units. Through SageLife Senior Living (“**SageLife**”), a senior living provider, Heritage Potomac will offer residents a wide array of health and wellness services, home assistance, and lifestyle services. The assisted living and memory care units will provide residents with assistance in all basic life functions. Based on initial feedback received from M-NCPPC staff, as well as input from the local community, the Applicant has carefully designed the Residential Care Facility campus to maximize environmental preservation and compatibility with the Surrounding Neighborhood. Additionally, while conditional use approval of a Residential Care Facility does not require a finding of need, this Land Use Report discusses the relevant market considerations and the opportunity to accommodate the aging population in the Potomac Subregion.

### **A. Development Design**

Emphasis on residential design and environmental sustainability are the overarching development themes of the proposed Project. The campus layout of the Property will be comprised of one record lot, approximately 46 ownership lots (to accommodate the cottages and the lodge), and several outlots. The Project protects the Kilgour Branch tributary’s stream buffer, as well as an intermittent stream buffer running roughly west to east and located within the northern third of the Property. The Project has been designed with only one structure facing South Glen Road. This structure is setback approximately 135 feet from the road, much like the single family homes on either side of the Property. This layout was specifically chosen so that only one residential structure (the one facing South Glen Road) will be readily apparent to passerby motorists. The Property’s topography, which slopes downward from southwest to northeast, will also help to ensure adequate screening. The Residential Care Facility campus has one access point for motorists off of South Glen Road to the campus access drive. Pedestrian sidewalks and trails will be provided throughout the campus for resident safety and recreation. In addition, in response to the recommendations made by the leadership of B’nai Tzedek, a connecting sidewalk has been provided between the Property and the synagogue, in anticipation that some of the residents of Heritage Potomac will attend B’nai Tzedek.

The campus will be improved with two outdoor spaces: Saxton<sup>7</sup> Park and Clewerwell Park<sup>7</sup>. In addition to the parks, the relatively new gymnasium that was constructed in 2011 for the Fourth Presbyterian School will be adaptively re-used to provide a recreational amenity space. The gymnasium's construction is solid and has little wear and tear. The bulleted list below further highlights the Project's sensitivity to and protection of the surrounding environment, as well as other noteworthy design features that achieve compatibility with the Surrounding Neighborhood:

- The density of the Project will be only a fraction of the allowable density -- 16 percent of the allowable independent dwelling unit density and 9 percent of the allowable assisted living and memory care bed density.
- At least 75 percent of the Property will be devoted to green area, well above the 50% minimum green area required by Section 59.3.3.2.E.2.C.ii (c)(1).
- The senior care community buildings will be constructed on only 3.47 acres of the Property, which translates to a lot coverage of approximately 13.4 percent. This is well below the maximum 25 percent lot coverage permitted by Section 59.4.4.4.B.1 of the Zoning Ordinance.
- The independent living Cottage Units are physically designed and located on the site to resemble a typical suburban neighborhood in the Potomac Subregion. Each Cottage Unit building is two stories with the second story within the pitched roof. The buildings are approximately 39 feet in height, which is well below the 50-foot height limitation in the RE-2 zone. The building footprint of each Cottage Unit structure is similar to that of a large single family home within the Surrounding Neighborhood. There are eleven (11) three-unit Cottage structures and the finished area footprint of one three-unit structure, garages included, will be approximately 8,634 square feet. There are six (6) two-unit Cottage structures and the finished area footprint of one two-unit building will be 5,761 square feet.
- Heritage Lodge is strategically located at the lowest elevation of the Property (approximately 30 feet lower than the elevation of the closest houses) and designed to support the grades to the north and west.
- The majority of parking will be provided through hidden garages internal to the buildings (both in the Heritage Lodge and Cottage buildings). There will also be a well landscaped surface parking lot at Heritage Lodge.
- With the exception of the gymnasium, the Applicant will remove all remaining structures currently located within the Kilgour Branch tributary stream buffer area (*i.e.*, the gazebo, school building, modular classrooms and miscellaneous paving). An area of approximately 4,506 square feet will be converted from impervious (parking area) to pervious (grass area) and serve as outdoor function area to the

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<sup>7</sup> Deed research indicates that Saxton was a 19<sup>th</sup> century owner of land in this immediate area.

gymnasium. With these measures, the Applicant is reinforcing the buffer area and providing a significant environmental benefit.

- The Project retains approximately 10.16 acres of forested area, leaving 80 percent of the existing forest – well in excess of the afforestation and conservation thresholds. A portion of this forested area is already within a Category I (Forest) Conservation Deed of Easement.<sup>8</sup> In addition to these areas of forest retention, sensitive areas around the Kilgour Branch tributaries will be placed in permanent protective easements. The total Category I Easement Area will be approximately 12.59 acres.
- The Project will maintain and reinforce generous green space around the perimeter, inclusive of additional deciduous and evergreen tree plantings, to enhance the overall residential character of the Project and provide screening from adjacent single family homes. The roofed structures along the periphery will be setback at least 30 feet from contiguous properties.

As the above list indicates, the physical development is carefully designed to blend with the residential character of the Surrounding Neighborhood and achieve environmental sustainability. The aesthetics of the proposed senior living campus reflect a seamless addition to the Surrounding Neighborhood. As discussed below in Section III.B, the architecture of the structures strives to emulate single family homes that surround the Property. Additionally, the layout of the Project is highly sensitive to the environment, particularly with respect to the Kilgour Branch tributary and the existing forest stand. The preservation of the Kilgour Branch tributary, along with other environmental features, is vital to assure that the Project is appropriate for and harmonious with its surroundings. In sum, the senior living campus is designed to appear as if it has always been part of the Surrounding Neighborhood.

## **B. Signage**

The Applicant proposes a modest amount of signage. A monument sign not exceeding 140 square feet will be located at the entrance to the Project to identify the community. A second monument sign not exceeding 70 square feet will be located at the end of the drive to identify the Lodge. In addition, as required by Fire and Rescue, small wayfinding signs will be located throughout the community to provide directions to individual units. The proposed signage locations are shown on the Conditional Use Plan. The Applicant will pursue the signage in accordance with the signage requirements of the Zoning Ordinance.

## **C. Architecture and Interior Design**

The buildings are designed to capture the architectural vocabulary of surrounding Potomac estate homes, incorporating like materials, fenestration, coloring, and massing. The

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<sup>8</sup> The Easement is recorded in Liber 46092 and Folio 147.

architectural style of the Project is an "Old World" style, drawing inspiration from English Country and French Country precedents. The use of gray and brown natural stone and a variety of stucco colors will give the neighborhood a dynamic variety and hospitable charm. Multiple building elevations and at least five different color schemes are planned for the 18-building Project, where no two identical elevations or color schemes will be side by side or across from another. As a result of the site's topography, the majority of the buildings will sit at a lower elevation than the single-family homes in the Surrounding Neighborhood.

The interior design of each independent living Cottage Unit will enable senior residents to comfortably live on one level, safely, in a barrier-free environment, utilizing best practices from Universal Design guidelines, and the Aging-in-Place guidelines (NAHB). On the main level of each Cottage Unit, there will be a foyer, library, great room, dining room, kitchen, zero-threshold screened porch, owner's master bedroom suite, laundry room, pantry, powder room, closets, a two-car garage, and an optional deck or patio. An elevator will be included as a standard feature to access the lower level, as well as the upper story built into the roof where there will be two bedrooms and a shared bath for an in-home caregiver and/or out-of-town guests. Ramp options into the Cottage Units will be offered at the time of sale. The Applicant anticipates that at least 30 percent of the Cottage Unit residents will install a ramp for either a future need or current need. Others will add ramps later or provide their own ramping systems suited for their disability. The exterior doorway will be greater than a 32-inch clear opening, and lighting will be controlled from inside the residence. The floorplan is an open floor plan with minimal doorways and 36-inch or greater hallway widths. Most interior doorways (not including linen closets and other minor elements) will have a 32-inch clear opening. Kitchens are designed to be maneuverable by wheelchairs and other mobility aids. Walls around the owner's bathroom toilet, tub, and shower will be reinforced for grab bars. Grab bars will have a no-slip surface with a comfortable diameter. Showers will be large with walk-in access. There will be a usable powder room on the entry level. There will also be an accessible circulation path on the main level that can accommodate a wheelchair or other mobility aid (i.e. owner's suite to kitchen, kitchen to dining, dining to great room, great room to screened porch, great room to foyer, foyer to library, etc). Other design elements include comfort-height toilets, lever door handles, lever faucet handles, adequate hand rails throughout, sidelights on front door for security, generous recessed lighting in common areas and hallways to improve visibility in the home, no steps between rooms or areas on the same level, plenty of windows for natural light, lowered sill heights on most windows for ease of operation, wider than average garages, lighting in showers, and rocker or touch light switches by each entrance to halls and rooms. An optional areaway from the rear yard to the basement will provide easy access and increase the natural light provided below grade.

Each Heritage Potomac Cottage Unit resident, when purchasing a unit, will meet with an aging-in-place technology specialist for a consultative interview to help the unit owner customize their home based on their physical needs and limitations, how they live, where they spend the most time, and what their preferences are, with the latest in new home assistive and automation

technologies including panic pendants, stationary emergency buttons, 24-hour monitoring, daily routine alerts (including up and about, safe inside, nighttime safety, and unexpected activity alerts), motion sensor lighting, fall detection systems, video monitoring (WellCams), doorbell cameras, audible and visual strobe light systems to indicate when doorbell, telephone, smoke or CO2 detectors have been activated, automated control of the home's systems through a local and/or remote smart device including control of heating and cooling, lighting, locking doors, intercom, garage door, blinds, music, and other aspects of the home, and other assistive technologies to ensure the unit is well suited for aging-in-place requirements. SageLife staff, hired caregivers and/or family, through a wellness application and sensors in the home, can be set up to remotely monitor total sleep time, go to bed time, wake up time, restroom visits, and general activity levels in the home. Should behavior profiles change from a normal routine, SageLife staff, caregivers and/or family can be sent an alert. SageLife staff who receive an emergency alert would follow an emergency protocol, most likely comprised of a quick phone call to the residence to assess the situation, and an immediate visit should the resident not pick up the phone. The exteriors of the Cottage Units will be constructed of low maintenance, durable materials.

Heritage Lodge will be at the center of campus life where residents can gather for dining, health and wellness services, social activities, entertainment, and exercise. Two separate entrances to the building will serve the two wings of the building. The building will be served by elevators. On the west wing will be the assisted living and memory care entrance, lobby, and common areas. On the east wing will be the independent living entrance, lobby, and common areas, serving both the independent living Lodge Units as well as the independent living Cottage Units. Meals will be served three times a day through three separate dining rooms (a memory care dining room, assisted living dining room, and independent living dining room). One shared commercial kitchen will serve all three dining venues. Common areas of the Lodge will include, but are not limited to, a media room, a game room, an activity center, a physical therapy room, a salon, lounges, terraces, and patios. Staff offices will also be in each wing. The signature Heritage Fitness Center will be located in the recently constructed gymnasium of the former school that will be renovated into an exercise venue for residents to participate in fitness classes, dances, and a variety of physical activities.

Each of the 73 assisted living and memory care units will contain one or two beds, a private bath and a small refrigerator, sink, microwave (although a microwave will not be provided in the memory care units) and counter area. As explained more fully in the Statement of Operations, 24-hour staff will be on duty to service the needs of the residents. Staffing will include Senior Management staff (Executive Director, Business Office Manager, Marketing Directors, Building Engineer, Food & Beverage Director, Wellness Director, Connections / Memory Care Director, Enrichment Director), Administrative staff (Concierges and Security Professionals), Facilities staff (Maintenance Tech), Food Services staff (Dining Room Supervisors, Sous Chef, Cooks, Utility workers, Server/Dietary Aides), Wellness staff (Licensed Practical Nurses, Med Techs, Assisted Living Caregivers, Memory Care Caregivers), Housekeeping staff

(Housekeepers, Porters / Laundry Aides), and Enrichment staff (Activity Assistant, Drivers). In addition, the executive management team of SageLife will provide general oversight of the Senior Care Community.

A mix of independent living unit types will be provided in the Heritage Lodge ranging from 1 bedroom to 2 bedrooms with full kitchens, in a variety of unit sizes to provide a range of pricing and size options to residents.

#### **D. Heritage Potomac: Need; Program Description and Operations; and Organizational Structure**

##### **1. Need**

The proposed Project, Heritage Potomac, provides all of the benefits of a vibrant senior living campus, catering to both seniors who wish to rent their unit as well as to those who wish to own their unit. Heritage Potomac offers 45 of the 74 independent living units as ownership units, and up to 29 of the independent living units as rental. All assisted living and memory care units are rentals. The data indicates that there is a growing demand for ownership units in the independent living segment of the market generally, as well as specifically in Montgomery County.<sup>9</sup> (See Montgomery Planning M-NCPPC report entitled "Meeting the Housing Needs of Older Adult in Montgomery County, dated May 2018 "Senior Housing Needs Report"). While Residential Care Facilities do not require a finding of need, the changing demographics in the County, coupled with changing expectations for senior housing, further support the Project.

As the Senior Housing Needs Report indicates, there is a growing need in Montgomery County for senior housing of all types. According to the Report, by 2040, one in five County residents will be 65 years or older.<sup>10</sup> Furthermore, the number of residents between 65-74 years old will increase by 39 percent and by 2040 there will be 46,314 more seniors between the ages of 75-84 in the County. However, the fastest population growth will occur among those residents older than 85, with an expected increase of 122.4 percent. Relatedly, the average age of Independent Living residents is "about 80" with most residents moving in between the ages of 75 and 84 (See Senior Housing Needs Report, page 14).

This growing senior population in the County will require an increased supply of senior-related housing. Notably, the Project provides Cottage Units, which addresses the increasingly

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<sup>9</sup> See AARP 2018 Home and Community Preferences Survey: A National Survey of Adults Age 18-Plus, at pg. 33, available at: [https://www.aarp.org/content/dam/aarp/research/surveys\\_statistics/liv-com/2018/home-community-preferences-chartbook.doi.10.26419-2Fres.00231.002.pdf](https://www.aarp.org/content/dam/aarp/research/surveys_statistics/liv-com/2018/home-community-preferences-chartbook.doi.10.26419-2Fres.00231.002.pdf).

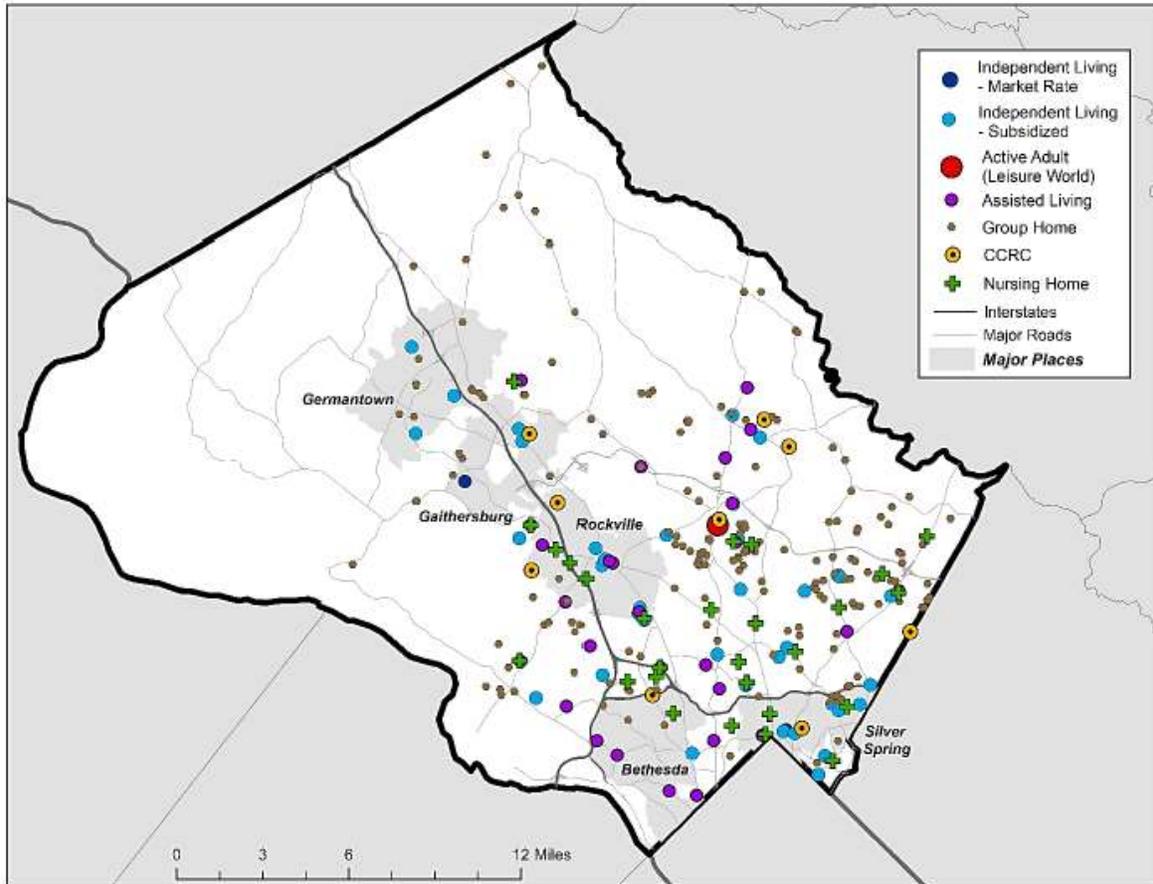
<sup>10</sup> According to the Maryland Department of Planning State Data Center (data updated in 2017), by 2030, one in every four Montgomery County residents, or 282,422 residents, will be 60 years of age and older. (<https://planning.maryland.gov/MSDC/Documents/popproj/TotalPop-Race-Age-Gender.xlsx>)

common desire of seniors to “age in place” in a home style that is more similar to the home they currently live in. The Cottage Units of Heritage Potomac are the result of decades of studying the needs of seniors and providing this aging segment of the population what they want. They also constitute a building form that masks as a single family home to better contextualize within the RE-2 Zone context. To further accentuate this point, the American Association of Retired Persons reports that 90 percent of today’s seniors want to age in place in a home that is comfortable, stylish, and feels like the kind of home they are used to.<sup>11</sup> Moreover, as the Housing Needs Report finds, there is a growing senior population that is looking for smaller housing options with less upkeep and maintenance responsibilities. The Senior Housing Needs Report notes that there could be up to 22,955 County residents (more than 50 percent of senior households) that are “over-housed” – *i.e.*, residents living in houses with more bedrooms and space than needed to accommodate their current lifestyles. (See Senior Housing Needs Report, page 36). Heritage Potomac resolves this issue with its Cottage Units and will be a highly attractive option given today's market.

The lack of senior housing in the Potomac Subregion is evident by the Senior Housing and Group Quarters Facilities in Montgomery County map provided by the Senior Housing Needs Report, as shown on the next page.

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<sup>11</sup> <https://www.aarp.org/money/budgeting-saving/info-2017/costs-of-aging-in-place.html>.

**Map 1. Senior Housing and Group Quarters Facilities in Montgomery County**


Source: Montgomery County Department of Planning | M-NCPPC; Montgomery County Department of Housing and Community Affairs; other sources (see Appendix)

The dearth of senior housing in the Potomac Subregion is longstanding and was recognized in the *2002 Approved and Adopted Potomac Subregion Master Plan* (the "**Master Plan**"), wherein it was stated that the Potomac Planning Area does not fully meet its residents' needs within its boundaries. In 2002, the Master Plan identified a senior housing shortage of 450 units (taking into account both existing and already approved communities), stating that the need will increase significantly by 2020 and estimating that 750 senior housing units above those existing or approved would be needed by 2020. Notably, the Master Plan does not address the continued increased demand post 2020, as pointed out in the Senior Housing Needs Report. Based on the Senior Housing Needs Report, since the adoption of the Master Plan, 327 assisted living and memory care units have been approved in the Potomac area, although only 115 units have been constructed. Not only is the Potomac Master Plan area nowhere near providing the estimated 750 needed units needed to satisfy the demands of 2020, the area falls even further

behind with respect to independent living, where no new units have been approved since 2002. At the same time, evolving senior behaviors have increased the need for adding to the existing supply of attached independent living units in the County with a variety of independent living options, including the Cottage Units. Montgomery Planning rightly encourages creativity and responsiveness to the needs of residents in its approach to solving the housing needs of Montgomery County: “Montgomery Planning is committed to supporting the development of various housing types to meet the needs of our growing and increasingly diverse population.” (<https://montgomeryplanning.org/planning/housing/>). Further, Montgomery Planning advocates for and celebrates “exceptional high-quality design that has a clear relationship to its community context and enhances the public realm” (from criteria for Design Excellence Awards, <https://montgomeryplanning.org/planning/design-excellence/2019-design-excellence-award/>). Indeed, Heritage Potomac Cottage Units are representative of best practices occurring nationwide in terms of delivering a solid suite of independent living services in a more familiar building type in which seniors want to live.

## 2. Program Description and Operations

The proposed Project, including the site layout and the units themselves, is designed to address the needs of seniors. For the more active residents, the Project will include walking trails, a pedestrian connection to B’nai Tzedek, communal gardens, and a campus lodge and fitness center to accommodate socials, classes, club meetings and campus gatherings, including such activities as art classes, special interest/history lectures and other events of interest.

Operationally, SageLife, a well-recognized and licensed leader in the senior living industry, will provide the services to residents of the Project (see Statement of Operations, Attachment 1). SageLife’s mission is to provide the highest quality of life by offering a variety of dignified options that help maximize independence, individuality, and comfort. Round the clock SageLife staff will facilitate the delivery of services to all units within Heritage Lodge as well as to the individual Cottage Units. SageLife staff will consist of a variety of professionals ranging from LPNs (licensed practical nurses), med techs, security personnel, administrative professionals, maintenance technicians, sous chefs, cooks, dining room coordinators, servers, housekeepers, enrichment assistants, drivers, and caregivers to administer care to the needs of residents. The following spectrum of services will be offered:

- ii. **Meals.** All assisted living and memory care residents will be provided three meals a day served in their respective dining rooms (with in-unit service available when needed). The option of three meals a day will also be available to all independent living residents.

**iii. Home & Wellness Services.**

- Assistance with Basics of Daily Living. All residents in the assisted living and memory care units will be provided with assistance, as needed, with bathing, dressing and grooming.
- Health Monitoring. Organized, scheduled wellness activities in the Heritage Lodge such as blood pressure screening, diabetes management clinics, nutrition lectures, and weight control clinics.
- Recovery Care. Coordinated, planned temporary care services for people recovering from planned procedures such as knee replacements or minor surgeries to help residents with mobility, dressing, showering, food preparation, and general oversight until the resident is fully functioning independently.
- Extra Hands. Coordinated services for those individuals who need additional help with daily activities such as cooking, laundry, and/or medication reminders. SageLife staff will develop a care plan with a care staff, based on the needs of the resident. Extended coordinated services can also be made available to residents in instances where a spouse/live-in partner is unavailable or when relatives are out of town.

**iv. Activities.** A comprehensive package of activities (referenced as SageLife's MOSAIC program), summarized as follows:

- Movement – Activities to keep the body in motion. Potential activities include fitness classes, coordinated physical training, dances classes, Tai Chi, and yoga, all for various skill levels.
- Outreach – Charitable community endeavors. Potential activities include reading in classrooms, volunteering in local libraries, stuffing boxes for troops during holiday season, volunteering at local hospitals and food banks, volunteering on election days.
- Social – Group activities to maintain social connections. Potential activities include organized resident parties, happy hours, off-site dinners, coordinated trips to local parks and restaurants, movies, contracted entertainment, family picnics, etc.
- Arts – Appreciating beauty. Potential activities include gardening club for Heritage Potomac, art classes, music classes, art museum trips, cooking demonstrations/classes, etc.

- Intellectual – Stimulating and activating the mind. Potential activities include trips to museums, classes in the clubhouse provided by local universities, relevant lectures, coordinated discussion groups, book clubs, political discussions, etc.
  - Curiosity – Encouraging a growth mindset. Potential activities include bee keeping, line dancing, travel, opera, i.e., any new pursuits desired by residents.
- v. **Transportation Services.** SageLife staff will coordinate and oversee transportation services for residents, utilizing either a campus shuttle, Uber/Lyft rides, public transportation plans, on-site drivers, group transportation to events, airport/train travel pickups and drop-offs, or travel to/from medical appointments and other errands.
- vi. **Housekeeping Services.** SageLife staff will be responsible for hiring, coordinating, and scheduling housekeeping professionals to provide cleaning services to both the Heritage Lodge and Heritage Cottages residents in an organized fashion.
- vii. **Unit Maintenance.** SageLife staff will coordinate in-unit maintenance and handyman services for unit repairs and other in-unit projects. Such projects might include hanging pictures/artwork, building shelves in closets, mounting televisions, or painting an accent wall.

SageLife staff will have the requisite experience, flexibility and training to handle the wide variety of anticipated needs and requests, as well as administer the aforementioned services. In addition to all of the above, SageLife staff will be expected to develop active and meaningful relationships with extended family members to help cultivate a level of comfort, comradery, and emotional security for the Project's senior residents.

### 3. Structure

The Applicant, or affiliated entity, will hold the conditional use approval as the owner of Heritage Lodge and Fitness Center along with the individual Cottage Unit residents who, as owners, will co-hold the conditional use approval. In order to ensure continued compliance with the conditional use, the Project as a whole will be subject to a Declaration of Covenants (the "Covenants") that will be solely controlled by the Applicant. The Covenants will provide the Applicant with additional enforcement rights to ensure compliance with all the conditions of the Residential Care Facility conditional use approval.

### III. Environmental

#### A. Forest Conservation

The Property is subject to the requirements of Chapter 22A of the Montgomery County Code (the "**Forest Conservation Law**"). Accordingly, the Applicant submitted a Natural Resource Inventory ("**NRI**")/Forest Stand Delineation ("**FSD**") that was approved on February 6, 2019 (M-NCPPC File No. 420182350). A new NRI/FSD 420220050 was approved on August 17, 2021. A Forest Conservation Plan ("**FCP**") will be submitted concurrently with this Application. The Project is proposing to meet all Forest Conservation Law requirements on site and will provide additional environmental benefits through the restoration and protection of the stream valley buffers. There is an existing Category 1 Conservation Easement ("**FCE**") covering 1.14 acres of that portion of the Property located north of the Kilgour Branch tributary that will not be disturbed. The entire forested area adjacent to the existing FCE and east Kilgour Branch tributary also will be protected, and supplemental tree plantings will be provided in large portions of the stream valley buffer (approximately 91,609 square feet) adjacent to the intermittent stream and subject to a Category I easement. Additionally, the Project will supplement the existing tree buffers that surround the Property with additional plantings, thereby maximizing tree canopy cover and increasing the air and water quality benefits provided by the Project. The Project also provides for the restoration of impervious areas to a natural state. In total, 548,804 sf or 12.59 acres will be protected in Category I easements.

#### B. Stormwater Management & Sediment Control

The Project will comply with the requirements of Chapter 19 of the Montgomery County Code (the "**Stormwater Management Laws**"). Applicable requirements under Chapter 19 are addressed in a Stormwater Management Concept Plan submitted to the Montgomery County Department of Permitting Services ("**DPS**") for review. In connection with the proposed Project, on-site Environmental Site Design ("**ESD**") Facilities will be provided to effectively treat and reduce the stormwater runoff from the Property. A Stormwater Management Concept (SM File No. 284385) has been submitted for this Project. In accordance with 2010 MDE Stormwater Management Regulations, the Project will implement micro-scale ESD practices to the maximum extent practicable and will meet 100 percent of the ESD requirements (*e.g.*, meet the target  $P_e$  treatment of 1.5 inches).

A Sediment and Erosion Control Plan will also be submitted to the Montgomery County Department of Permitting Services for their approval prior to commencement of construction.

#### C. Tributary Stream

The Watts Branch watershed has the highest concentration of unique environmental features in the Potomac Subregion. (*see* Master Plan page 16). As previously mentioned, the Property includes an on-site stream that is a tributary to the Kilgour Branch, which is part of the

Watts Branch Watershed. Together with an on-site intermittent stream and including all of the stream valley buffers, the area comprises 10.25 acres or 34 percent of the Project site. The Project is cognizant of and sensitive to this waterway; it advances many of the stream buffer recommendations outlined in the *1997 Approved and Adopted Guidelines for Environmental Management of Development in Montgomery County* (the “**Environmental Guidelines**”).<sup>12</sup>

As described in Section III.A, the Residential Care Facility campus is designed in a manner that will not adversely impact the existing stream buffer area. In fact, the Project will have a net positive effect due to removal of approximately 30,352 square feet of the 35,842 square feet of existing impervious area within the stream buffer. In response to the request of M-NCPPC’s environmental staff, the existing private driveway was relocated further away from the Kilgour Stream tributary, thus resulting in the addition of approximately 6,919 square feet of new impervious cover within the intermittent stream valley buffer to accommodate the stream valley crossing. Importantly, these buffer impacts will be located substantially further from the stream channel than the impervious areas that will be removed. Thus, after construction, the total impervious area within the stream valley buffer will represent an overall net reduction of 65 percent (23,433 square feet), with only 2.8 percent of the area (12,409 square feet) existing as impervious.

To minimize new impacts to the stream valley buffer, areas where impervious features are removed will be stabilized and all but the outdoor area adjacent to the fitness center/amenity building will be reforested and subject to a Category I easement. The Project’s sensitivity to the environment will minimize any disturbance to the tributary and limit any potential damage to the current ecosystem.

#### **IV. Planning Conformance: Potomac Subregion Master Plan**

The Property lies within the geographic area covered by the *2002 Approved and Adopted Potomac Subregion Master Plan* (hereinafter the “**Master Plan**”). At the time of the Master Plan, the Property was actively used as the Fourth Presbyterian School and there was no anticipated change in use. Consequently, the School representatives were relatively uninvolved with the Master Plan process; there was no incentive to advocate for any specific recommendations. Several years later however, the School having vacated the Property, there is the need to reconsider the use of the Property.

The Master Plan divides the Potomac Subregion into four Planning Areas: Potomac, North Potomac, Travilah, and Darnestown. The Property is located in the Potomac Planning Area (“**Potomac**”). Unlike other Potomac properties (*e.g.*, Cabin John Center, Normandie Farm), there are no specific recommendations for the Property. Nonetheless, the Project is consistent with

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<sup>12</sup> See Environmental Guidelines, pg. 17-21.

the general recommendation for Potomac that encourages "infill development of the remaining vacant properties with residential development." (See Master Plan, page 41). The Master Plan also recognizes that Potomac expects to see a "declining household size" as the population continues to mature. Although an increasing number of seniors are looking to downsize, there is a desire to maintain and continue a self-sufficient lifestyle. (*Supra*, Section III.C). Given these factors, the proposed independent living Cottage Units and Lodge Units within the Residential Care Facility campus are a sensible and exciting development that substantially conforms to the Master Plan. The Master Plan also articulates several objectives and land use policies for the Potomac Subregion as a whole (pp. 33-40), and provides a series of overall plan policies and strategies which apply to the Application. The Project substantially conforms to the following Master Plan policies that are most relevant to the proposed Residential Care Facility campus:

#### **A. Housing for the Elderly**

The Project substantially conforms to the senior housing objectives that are articulated in the Master Plan. The Master Plan makes specific recommendations on pages 36-38 highlighting the need for additional housing for the elderly to allow residents the opportunity to age in place within the community. An explicit directive is provided: "senior housing is appropriate throughout the Subregion wherever zoning permits this use, either by right or as a special exception use." (see Master Plan, pg. 38). This is because "the Potomac Subregion does not fully meet its residents' needs for seniors housing within it[s] boundaries." (pg. 36). The Master Plan forecasts that the Potomac Subregion "will need to accommodate close to 750 units during the next 20 years, in addition to those already existing or approved to accommodate growth in its older population." (pg. 36).

As discussed in Section III.C, the current supply of senior housing still does not satisfy this "unmet need" that was identified by the 2002 Master Plan. The Potomac Subregion is nowhere near providing the estimated 750 units needed to satisfy anticipated market demands. This deficiency in senior housing supply is even more severe with respect to independent living, where no new units have been approved since 2002.

The proposed Project will directly help to achieve a longstanding Master Plan objective that remains relevant for the Potomac Subregion. Heritage Potomac not only provides housing for the elderly but represents a more varied, vibrant and attractive option than most isolated Residential Care Facilities. Changing senior behaviors that reflect an ability (and desire) to remain self-sufficient, coupled with a desire to age in place, indicate that the Potomac market is prime for a Senior Care Community that encourages and enables independent living, while still providing assisted care and memory care services for when the need arises. The Applicant, aware of these progressive desires of the senior demographic, proposes the incorporation of independent living units that resemble a single family home across the main portion of the Property (southern portion) which is most visible from neighboring properties. A critical component is the comprehensive package of innovative health and wellness services, many of

which would not be available without the significant staff and facility resources of the Heritage Lodge.

Furthermore, although the Master Plan identifies prime locations for including elderly housing, as noted above, the Master Plan endorses locating housing "throughout the Subregion wherever zoning permits this use, either by right or as a special exception use." The fact that the Master Plan mentions five locations which it identifies as probably appropriate for senior housing does not mean that it excludes other possible locations throughout the Subregion. The Project substantially conforms to this major objective articulated in the Master Plan.

## **B. Special Exception Policy<sup>13</sup>**

### **i. Residential Areas**

The Master Plan "endorses guidelines for locating special exception uses in residential areas." The Project substantially conforms to the following recommendations set forth in pages 35-36 of the Master Plan:

- *Increased scrutiny in reviewing new Special Exceptions for highly visible sites.*

The visibility of the Property is greatly reduced from South Glen Road because of the existing topography, tree cover, and surrounding neighborhoods. There is only one residential building that fronts along South Glen Road; all other campus structures will be constructed deep within the Property. Direct access to the Property, as well as one campus identification sign, a gated entry, and stone pillars and fencing similar to what are found in front of many Potomac single family homes, will be located on South Glen Road. Moreover, the Applicant has implemented residential design features, landscaping and screening to further complement the Surrounding Neighborhood.

- *Avoid an excessive concentration of special exceptions along major transportation corridors.*

The Project does not create an excessive concentration of special exceptions along major transportation corridors. The Project is not located along a major thoroughfare. South Glen Road is a two-lane road that primarily serves as a connector from single-family neighborhoods to Democracy Boulevard or Falls Road. Moreover, there are no other active special exception/conditional uses within the Surrounding Neighborhood. The Property is more than 3,000 feet from points of ingress/egress for several conditional uses located along Falls Road

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<sup>13</sup> The Master Plan was approved and adopted prior to the 2014 rewrite of the Montgomery County Zoning Ordinance, whereby, effective October 30, 2014, all new applications for Special Exception are now considered a Conditional Use. Thus, given this interchangeability, the guidelines under the "Special Exception Policy" of the Master Plan are applicable to this Conditional Use Application.

(e.g., The Bullis School, Brandywine Living, ManorCare Health Services-Potomac and Falls Road Golf Course). Given the low intensity and limited scope of the Heritage Potomac campus, any minor impacts from the use will in no way contribute or exacerbate any of the impacts generated by the conditional uses located more than one-half mile from the Property.

## ii. ***Additional Guidelines***

With respect to the design and review of special exceptions, the Project substantially conforms to the following Master Plan guidelines, which are to be considered in addition to those stated for special exception uses in the Zoning Ordinance:

- *Adhere to the Zoning Ordinance requirements to examine compatibility with the architecture of the adjoining neighborhood.*

The proposed senior living campus follows the precedent of several senior living campuses that have preceded it in the County, as well as excellent examples nationally. By mimicking the architecture of what is being built in adjoining neighborhoods through the main portion of the Property, Heritage Potomac masterfully blends in to its context. The Cottage Units will be no greater than 40 feet in height. The heights will vary depending on the grading and it is anticipated that the majority of the Cottage Unit buildings will be in the 36 to 39-foot height range. The design and footprint of the buildings are much more residential in appearance, character, and size, closely resembling a Potomac single-family neighborhood. The 50-foot tall Heritage Lodge has been placed in the most hidden part of the Property, nestled below surrounding neighborhoods, behind forest, at the lowest elevation of the Property, such that the ground level of the building rests approximately 30 to 40 feet below the ground level of surrounding homes. The campus buildings will be designed with materials, fenestration, roof pitches, and other architectural detailing consistent with surrounding estate homes. Thus, the aesthetic appearance for the proposed Residential Care Facility campus will blend in seamlessly with the Surrounding Neighborhood.

As addressed in Section VIII (*See discussion re Zoning Ordinance Section 7.3.1.E.2.*), the Project adheres to the Zoning Ordinance requirements regarding compatibility.

- *Parking should be located and landscaped to minimize commercial appearance. In situations where side or rear yard parking is not available, front yard parking should be allowed only if it can be adequately landscaped and screened.*

The main surface parking lot at the end of the campus access drive is well landscaped and has 25 surface parking spaces, well-hidden largely behind the walls of the Heritage Lodge. An additional 40 spaces are completely concealed under the podium of the Heritage Lodge and an additional 10 spaces are provided at the lower level lot adjacent to the fitness center and service entrance of the Lodge. Within each Cottage Unit, a parking garage will be provided to conceal

up to two automobiles and/or possibly a golf cart. All Cottage Unit parking garages will be located as "side-load" garages – not immediately visible from the front of the home – a typical design approach that is implemented by many of the larger estate homes in Potomac. Front yards will be adequately landscaped to cultivate a comfortable, residential feel. This combination of built-in side load garages and concealed or minimal surface parking areas, together with well-landscaped yards and common areas will not only serve to evoke feelings of suburban familiarity and comfort for the Project's senior residents but will be highly compatible with the surrounding residential community.

- *Efforts should be made to enhance or augment screening and buffering as viewed from abutting residential areas and major roadways.*

Views of the Project from abutting residential areas will be adequately screened and buffered. The Project maintains and enhances existing tree buffers that surround the Property, which already effectively block views of the Property from nearby homes. The existing tree buffer on the southern portion of the Property, which will be augmented with landscape plantings and trees organically meandering along the campus access drive, will serve as adequate screening between the single family homes located at the southern end of Edison Road and the proposed Cottage Unit structures that are nearest to the proposed access point off of South Glen Road. The Project utilizes existing landscaping on the eastern and western portions of the site and retains the existing forest to the north. Several areas, including along the rear of Heritage Lodge, will be dedicated as reforestation area. The Project conforms to all required setbacks around the periphery of the Property and exceeds the 20-foot side yard setback to abutting lots pursuant to Zoning Ordinance Section 3.3.2.E.2.c.ii.(f). All buildings will be setback at least 30-35 feet from the perimeter of the Property (minor elements such as areaways and stairs to grade will project into this buffer area). The Cottages and Heritage Lodge will include architectural features and landscaping that will blend in with the Surrounding Neighborhood.

The Project has been designed with only one structure facing South Glen Road, so that the structure reads as a single-family home similarly situated along South Glen Road. The southwest-northeast downward slope of the Property helps to ensure that, aside from the South Glen Road facing structure, the majority of the Residential Care Facility campus will not be visible by motorists traveling along South Glen Road. Additionally, vehicular travel within the Residential Care Facility campus will be made possible via the campus access drive internal to the Project. In sum, the Applicant has designed the Residential Care Facility campus in a way that maximizes the natural screening provided by the Property, and accentuates the Project's single-family, suburban aesthetic.

### **C. Design Principles**

The Master Plan articulates several design principles that are intended to maintain the Potomac Subregion's green and rural character, but still enable a suburban community to develop. The Project is consistent with the following principles:

- *Create an environmentally sustainable development.*
- *Create neighborhood centers.*
- *Incorporate open space and community facilities into new development.*

The proposed Residential Care Facility campus accomplishes the above principles to the fullest extent possible. As discussed in greater detail in Section III.A and Section IV of this Report, the Project's design respects and protects the surrounding environment, particularly the Kilgour Branch tributary stream buffer area. By providing solid surface walking trails and sidewalks in front of the homes along the campus access drive, as well as a connection to B'nai Tzedek, the Residential Care Facility campus will be highly amenable to pedestrian activity, and will facilitate pedestrian connections to open spaces and amenities. While the Master Plan's recommendation for neighborhood centers is intended for a broader community, it is important to note that the adaptive reuse of the existing gymnasium as a recreation space will be a strong amenity to encourage active lifestyles. In addition, the Project will provide an extensive park area designed as two separate recreational parks conveniently located to all units and connected by a trail (Heritage Trail), thereby incorporating open space and facilitating campus interaction, and promoting healthy lifestyle by offering opportunities for indoor and outdoor recreation and exercise. Natural areas and natural surface trails are also available for exploration and enjoyment by the residents.

### **D. Environmental Principles**

The Master Plan is grounded in environmental preservation and sustainability policies. Unique natural resources and a semi-rural character facilitate the Potomac Subregion's role as Montgomery County's "green wedge." As such, the proposed Project is sensitive to the surrounding environment and satisfies the following principles:

- *Maintain and reaffirm a low-density residential "green wedge" for most of the Subregion.*
- *Encourage an ecologically sensitive and energy-efficient development pattern, with an emphasis on respecting the environment and on conservation.*

Environmental sustainability is an overarching theme of the proposed Project's overall design. The Residential Care Facility campus is ecologically sensitive; it aims to fit *in* to the current

environment, not change its course or cause an irreversible disturbance. For instance, access to the gymnasium and additional structures will be improved by moving the current access drive out of the tributary stream valley buffer and further away from the stream banks of the tributary by way of a direct crossing of the intermittent stream to the northwest. This approach will be far more sensitive to the natural features of the site. The existing School structures, but for the gymnasium, that are currently located within the buffer area will be removed, and the buffer area will be restored and protected with reforestation, tree planting and new landscaping accordingly. Ultimately, the construction of the proposed Project will result in a significant net decrease of impervious cover within the stream valley buffer. The existing pool and pool house, business office and art building and associated parking located outside of the stream buffer will be removed as well. The Project will include two landscaped recreational parks: Saxton Park and Heritage Gardens. The Residential Care Facility campus addresses the need for multiple levels of senior housing and care in an environmentally sustainable manner.

## **V. Zoning Ordinance Compliance**

The Project will satisfy the Conditional Use standards associated with a Residential Care Facility use as set forth in Section 3.3.2.E of the Zoning Ordinance, the specific development standards for the RE-2 zone set forth in Division 4.4., and the general development standards set forth in Article 59-6.

### **A. Conditional Use Standards: Residential Care Facility**

The proposed Project satisfies the definition and applicable use standards for a Residential Care Facility, as set forth in Section 3.3.2.E of the Zoning Ordinance.

Pursuant to Section 3.3.2.E.1, a Residential Care Facility includes a Senior Care Community, defined as follows:

A community providing a continuum of residential occupancy and health care services for seniors. This community must include assisted living and residential independent dwelling units and may also include memory care and/or skilled nursing in one or more buildings of any structure type. The health care and services component of the community may be located in a structure physically separated from the independent dwelling units.

Heritage Potomac will meet all applicable Federal, State and County certificate, licensure and regulatory requirements.

Heritage Potomac is subject to the Conditional Use requirements of Section 3.3.2.E.2.c.ii as a community with over 16 persons and meets the specific requirements of this Section as follows:

- (a) *The facility may provide ancillary services such as transportation, common dining room and kitchen, meeting or activity rooms, convenience commercial area or other services or facilities for the enjoyment, service or care of the residents. Any such service may be restricted by the Hearing Examiner.*

As indicated, Heritage Potomac will provide three separate dining rooms (serviced by one shared kitchen) in the Lodge to accommodate the assisted living, memory care and independent living residents. Meeting and activity rooms will be located in the Lodge and the adjacent Heritage Fitness Center.

- (b) *[Not applicable]*

- (c) *Where residential dwelling units are provided*
- (1) *the maximum residential density per lot is 15 units per acre or the maximum density allowed in the zone whichever is greater;*
  - (2) *the minimum green area is 50%.*

Pursuant to this provision and based on the 30.6 acre Property, the maximum allowable number of residential dwelling units at Heritage Potomac is 459 units. Heritage Potomac, with a total of 74 independent dwelling units, does not approach this maximum allowance.

The green area proposed at Heritage Potomac is 75 percent, well in excess of the 50 percent minimum.

- (d) (2) (1) *Where facility size is based on the number of beds, not dwelling units, the following lot area is required: in the RE-2, 1,200 square feet per bed.*

Heritage Potomac includes 73 Assisted Living and Memory Care units, containing a total of 96 beds. These units do not meet the definition of a dwelling unit and thus the density is appropriately evaluated under this provision. Based on the provision of 96 beds, 115,200 square feet of land area (2.64 acres) is required.<sup>14</sup> The Property is 30.6 acres in size.

- (e) *Principal building setbacks for all building types must meet the minimum setbacks required under the standard method of development for the subject building type in the R-30 zone (see Section 4.4.14.B.3, Placement).*

The Project is proposed as a campus setting on one record lot. Given that there are no internal lot lines, this provision is not applicable.

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<sup>14</sup> The Project more than satisfies the density requirements, irrespective of whether density were evaluated exclusively based on subsection (c) (a per unit basis); exclusively on subsection (d) (a per bed basis); or a combination thereof as required.

- (f) *The minimum side setback is 20 feet to abutting lots not included in the application.*

The minimum side setback is 20 feet. In the proposed layout, all buildings are set back at least 30 feet from the side lot lines.

- (g) *Independent dwelling units must satisfy the MPDU provisions of Chapter 25 (Section 25.A-5).*

The Applicant will execute an Alternative MPDU Payment Agreement to satisfy its MPDU obligation. Pursuant to Section 25A-5A of the Montgomery County Code, the Applicant must satisfy its MPDU obligation as it relates to the Cottage Units by making payments to the Housing Initiative Fund ("HIF").<sup>15</sup> The Applicant's anticipated HIF contribution attributable to the Cottage Units will amount to approximately \$2,000,000 which reflects a substantial public benefit. The Applicant's MPDU obligation with respect to the remaining rental independent living units will comply with the MPDU requirements of County Code Chapter 25A. The Applicant will memorialize this HIF commitment through an MPDU agreement with DCHA, which will ultimately determine the best use of the Applicant's contribution.

- (h) *In a Continuing Care Retirement Community and a Senior Care Community, occupancy of any independent dwelling unit is restricted to persons 62 years of age or older, with the following exceptions:*
- (1) the spouse of a resident, regardless of age;*
  - (2) another relative of a resident, 50 years of age and older;*
  - (3) the resident widow, widower, or other surviving relative of a resident who dies while residing at the Continuing Care Retirement Community or the Senior Care Community is allowed to remain, even though the resident widow, widower, or other surviving relative has not reached the age of 62.*
- A minimum of 80% of the dwelling units must be occupied by at least one person per unit who is 55 years of age or older.*

The Project will comply with these age restrictions.

- (i) *Height, density, coverage, and parking must be compatible with surrounding uses; the Hearing Examiner may modify any standards to maximize the*

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<sup>15</sup> The Montgomery County Council enacted Bill 34-17 on July 24, 2018, which became effective on October 31, 2018. Bill 34-17 made several changes to Montgomery County Code Section 25A-5A, under which requirements for alternative payment agreements are outlined. The changes require the Applicant to make an HIF payment in lieu of building the required MPDU units. Additionally, the HIF payment is calculated as three percent of the sale price of each market rate unit in the development.

*compatibility of the buildings with the residential character of the surrounding neighborhood.*

The heights of the buildings that will comprise the Residential Care Facility are compatible with the residential character of the Surrounding Neighborhood. The Cottage Units will be approximately 39 feet in height; well below the 50 feet allowed for a single family residence in the RE-2 zone. This lower height is atypical. The maximum height of the Lodge will be 50 feet. Critically however, the Lodge is strategically located in that area of the Property with the lowest elevation. As a result, the height of the Lodge will be lower than the height of the surrounding residential properties to the west. Moreover, the Lodge is nestled into the hill and thus its western elevation will read as having a height of only approximately 40 feet. The overall density of the Project is overwhelmingly lower than the maximum density allowed by the Conditional Use – 16 percent of the allowable independent living density (74 units versus 459 units) and 10 percent of the allowable bed density (96 versus 929).<sup>16</sup> The vast majority of the parking in the Project is concealed either in garages attached to each Cottage Unit or located under the Lodge. The surface parking located proximate to the Lodge is not visible to anyone off-site given the configuration of the Lodge. In this manner, the parking is compatible with the surrounding area.

### **B. Specific Development Standards: Section 4.4.4 – RE-2 Zone**

Section 3.1.6 of the Zoning Ordinance permits a Residential Care Facility as a Conditional Use in the RE-2 Zone. The table below reflects the Project's compliance with the applicable standard development standards in the RE-2 zone, which are set forth in Section 4.4.4.B:

<b>DEVELOPMENT STANDARDS (Residential Care Facility in RE-2 Zone)</b>		
<b>Applicable Standard</b>	<b>Permitted/Required</b>	<b>Proposed/Provided</b>
<b>1.Lot and Density</b>		
<b>Lot (59.4.4.4.B.1)</b>		
Lot area (59.3.3.2.E.2.c.ii)	2 acres/2.64 acres	30.60 acres
Lot width at front building line	150'	312.71'
Lot width a front lot line	25'	264.06'
Frontage on street or open space	Required, except as exempt under Chapter 50	Provided
<b>Density (59.3.3.2.E.2.c.ii(c))</b>		
TBD by Hearing Examiner		

<sup>16</sup> The calculation of beds nets out the land area required by zoning for the independent living units and is thus based on 25.6 acres.

<b>DEVELOPMENT STANDARDS (Residential Care Facility in RE-2 Zone)</b>		
<b>Applicable Standard</b>	<b>Permitted/Required</b>	<b>Proposed/Provided</b>
Density (59.3.3.2.E.2.c.ii.(c)(1) Where residential dwelling units are provided	15 units/acre (max) = 459 units 50% Green Area	74 Independent Living Units Green Area: 75.62% *
Density (59.3.3.2.E.2.c.ii.(d)(2)(A) Where the facility size is based on the number of beds, not dwelling units, the following lot area is required	1,200 sf/bed (96 beds = 2.64 ac)	30.60 acres (96 Beds Assisted Living & Memory Care) *
Lot coverage (max) (RE-2)	25%	13.4%

## 2. Placement

### Principal Building Setbacks (min) (59.3.3.2.E.2.c.ii(e))

Principal Building Setbacks for all building types must meet the minimum setbacks required under the standard method of development for the subject building type in the R-30 zone (see Section 4.4.14.B.3, Placement).

<b>R-30 (59.4.4.14.B.3) Placement</b>	<b>Duplex Reqd / Prov</b>	<b>Townhouse Reqd / Prov</b>	<b>Apartment Reqd / Prov</b>	<b>Provided</b>
Front setback public street	20' / 256'	20' / 132'	30' / 1405'	Complies
Front setback , private street or open space	4' / 10'	4' / 10'	20' / 20'	Complies
Side setback, abutting Residential Detached Zone	6' / 36'	N/A	25.5' / 37' ( 4.1.8.A2.a)	Complies
Side setback, end unit	N/A	3' / 31'	N/A	Complies

\* The Independent Living Unit count may be reduced and the Assisted Living and Memory Care units may increase correspondingly to a maximum of 105 beds, remaining well within compliance of the density development standards.

Minimum Side Setback, abutting lots not included in the application (59.3.3.2.c.ii(f))	20' / 36'	20' / 31'	20' / 59'	Complies
Rear setback, abutting Residential Detached Zone	20' / 956'	20' / 818'	30' / 413'	Complies

## 3. Height (59.3.3.2.c.ii(i))

Principal Building (59.3.3.2.c.ii(i))	Height, density, coverage and parking standards must be compatible with surrounding uses; the Hearing Examiner may modify any standards to maximize the compatibility of the building with the	Cottages: 40' * Lodge: 50'
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<b>DEVELOPMENT STANDARDS (Residential Care Facility in RE-2 Zone)</b>		
<b>Applicable Standard</b>	<b>Permitted/Required</b>	<b>Proposed/Provided</b>
	residential character of the surrounding neighborhood.	
<b>4. Form</b>		
Building Elements	Gallery/awning	N/A
	Porch/stoop	Yes
	Balcony	Yes
*The average median height (per Section 4.1.7. of the Zoning Ordinance) will vary throughout the site based on grading, but shall not exceed 40 feet. The final height of each building will be determined at building permit.		

### C. General Development Standards

As indicated in the following General Development Standards Data Table, the Project complies with all applicable general development standards contained in Article 59-6 of the Zoning Ordinance, except for the bicycle parking requirements, for which a waiver pursuant to Section 6.2.10.3 is sought, if required.

<b>Article 59-6 General Development Requirements</b>	<b>Permitted/Required</b>	<b>Proposed</b>	
<b>Division 6.1 Site Access</b>	Not applicable to Residential Detached zone.		
<b>Division 6.2 Parking, Queuing and Loading</b>	<b>Section 6.2.4 Parking Requirements</b>		
	Vehicle Parking Spaces – Residential Care Facility	1 space per dwelling unit; 0.25 spaces/bed and 0.5 sp/employee (or 68 spaces based on 74 dwellings, 96 beds and 30 employees) Total: 113 spaces	Cottages: 90 garage sp Lodge: 75 spaces Total: 165 spaces
	Bicycle Parking Spaces – Residential Care Facility	0.25 space per dwelling unit (19 spaces)	45 spaces provided in Cottages. Waiver sought per Section 6.2.10* to extent needed for IL units in Lodge

Article 59-6 General Development Requirements	Permitted/ Required	Proposed
<b>Section 6.2.5 Vehicle Parking Design Standards</b>		
E. Size of Spaces		
See Section 6.2.5.E for detailed requirements.	8.5' x 18'	
G. Drive Aisles		
See Section 6.2.5.G for detailed requirements.	20'	
K. Facilities for Conditional Uses in Residential Detached Zones. (Applies to 11 space parking lot adjacent to gymnasium.)		
Location		
Each parking facility must be located to maintain a residential character and a pedestrian-friendly street.	Complies	
Setbacks		
The minimum rear parking setback equals the minimum rear setback required for the detached house.	35'	532'
The minimum side parking setback equals 2 times the minimum side setback required for the detached house.	50'	70'
<b>Section 6.2.8 Loading Design Standards</b>		
Office and Professional, Group Living, Hospital, Educational Institution (Private), and Hotel and Motel Uses	1 space for 25,001 – 250,000 sf of GFA	1 space
<b>Section 6.2.9.C Parking Lot Requirements for 10 or More Spaces</b>		
Landscaped Area		
A surface parking lot must have landscaped islands that are a minimum of 100 contiguous square feet each comprising a minimum of 5% 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.	Complies	
Tree Canopy Each parking lot must maintain a minimum tree canopy of 25% coverage at 20 years of growth, as defined by the Planning	25%	Complies

<b>Article 59-6 General Development Requirements</b>		<b>Permitted/ Required</b>	<b>Proposed</b>
	Board's Trees Technical Manual, as amended.		
	Perimeter Planting b. the perimeter planting area that abuts a right-of-way must: i. be a minimum of 6 feet wide ii. contain a hedge or low wall a minimum of 3 feet high iii. have a canopy tree planted every 30 feet on center		Complies
	Lighting Parking lot lighting must satisfy Section 6.4.4, General Outdoor Lighting Requirements.		See 6.4.4 below
<b>Division 6.3 Open Space and Recreation</b>	No applicable requirements for development in Residential Detached Zone that does not provide MPDU or Cluster development.		
<b>Division 6.4 General Landscaping and Outdoor Lighting</b>	<b>Section 6.4.4. General Outdoor Lighting Requirements</b>		
	E. Conditional Uses.		
	Outdoor lighting for a conditional use must be directed, shielded, or screened to ensure that the illumination is 0.1 footcandles 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.		Complies
	<b>Section 6.5.3. Screening Requirements</b>		
<b>Division 6.5 Screening Requirements</b>	Location – Applicable along lot line shared with an abutting property that is vacant or improved with agricultural or residential use.		Complies
	– Screening Required – 12 foot depth to include 2 canopy trees, 4 understory or evergreen trees, 8 large shrubs and 12 medium shrubs per 100 linear feet		Complies

\* Given the nature of the Cottage Units, there will be sufficient space within each unit to store a resident's bicycle.

Zoning Ordinance 6.2.4.C requires that bicycle parking be provided for .25 percent of the Independent Living Units. Based on the 74 Independent Living Units, 19 bicycle spaces are required. The Project will more than satisfy this requirement with bicycle parking being provided in the 45 cottage units. To the extent it is determined that the 29 Independent Living Units located with the Lodge also require bicycle parking (nine spaces), the Applicant requests a waiver from this requirement pursuant to Section 6.2.10. Given the anticipated age of the residents of the Independent Living Units within the Lodge (the average age of residents

moving into an Independent Living community is 84), there is no expectation that these residents will own a bicycle. Moreover, given the location of the Project, it is not expected that employees will bike to work. Thus, requiring the Applicant to provide a dedicated bike parking room is simply a waste of space and the Applicant therefore requests a waiver from the nine space bicycle storage facility.

## **VI. Findings for Conditional Use Approval**

The proposed Residential Care Facility will satisfy the required findings for Conditional Use approval specified in Section 7.3.1.E of the Zoning Ordinance as follows:

- *Section 7.3.1.E.1.a. [The conditional use] satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;*

Applicable previous approvals include Special Exception Nos. 2502 (riding stable for up to 15 horses), 1609, and 1610. To the Applicant's knowledge, Special Exception Nos. 1609 and 1610 – which permit the operation of a private educational institution – have not been revoked by the Board of Appeals. However, given that the Fourth Presbyterian School closed in 2014 and there has been no subsequent operation of a private educational institution on the Property since that time, this special exception use has been abandoned pursuant to Section 1.4.2 of the Zoning Ordinance<sup>17</sup> and thus there is no conflict with any previous approval(s) on the subject site.

- *Section 7.3.1.E.1.b. [The conditional use] satisfies the requirements of the zone, use standards under Article 59-3, and applicable general requirements under Article 59-6;*

As discussed fully in Section VI of this Report, the proposed Residential Care Facility satisfies the applicable requirements of the RE-2 Zone, including the conditional use standards for Residential Care Facilities under Article 59-3 of the Zoning Ordinance, as well as the applicable general requirements under Article 59-6.

- *Section 7.3.1.E.1.c. [The conditional use] substantially conforms with the recommendations of the applicable master plan;*

As discussed fully in Section V of this Report, the proposed Residential Care Facility campus substantially conforms with the recommendations of the *2002 Approved and Adopted Potomac Subregion Master Plan*.

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<sup>17</sup> Section 1.4.2 of the Zoning Ordinance defines Abandonment as follows: "The cessation of activity necessary to the operation of a conditional or non-conforming use for at least 6 months."

- *Section 7.3.1.E.1.d. [The conditional use] is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;*

The proposed Residential Care Facility is harmonious with and will not alter the character of the Surrounding Neighborhood in a manner inconsistent with the *2002 Approved and Adopted Potomac Subregion Master Plan*.

This provision is a mix of Master Plan analysis and compatibility considerations. As discussed in detail in Section V, the Project is precisely the type of use that the Master Plan contemplates and encourages. Housing for the elderly is needed in the Potomac Subregion and, according to the Master Plan, is appropriate wherever such housing is permitted under the Zoning Ordinance. (See Master Plan, pg. 38). Determination of compatibility implicitly requires consideration of the current state of the neighborhood, and how the proposed use will relate to nearby existing uses. Compatibility is a question that crosses a number of topics, including the nature of surrounding uses; any potential adverse impacts; the design of the proposed buildings, including its height, density and architecture; traffic generation; and other issues associated with a Residential Care Facility campus.

The proposed Residential Care Facility campus will not alter the character of the Surrounding Neighborhood. Although the site is largely undeveloped, the Applicant proposes to replace the most recent use – a school – with a residential use that will not detract from peace, economic value, or quality of life enjoyed by surrounding property owners. With the exception of the Congregation B’nai Tzedek facility, the Surrounding Neighborhood is exclusively single family residential with homes that have a footprint and aesthetic typical of a suburban environment. As discussed in Section III of this Report, the Project's architectural design strengthens this residential dynamic, and works to blend in with its residential surroundings. Consistent with other senior living projects in the County that employ multiple building typologies, the Project's structures are designed with low heights, generous landscaping, and hidden parking either within a building, or shielded from view from surrounding properties by buildings and landscaping. The Lodge is strategically located at the lowest elevation on the Property and is not visible from South Glen Road. The suburban elements incorporated into the Project establish a neighborhood feel. Thus, the proposed use will reinforce and accentuate the existing residential character of the Surrounding Neighborhood.

From an environmental perspective, the 18 residential structures will be constructed on land that was previously devoted to a School (and therefore capable of accommodating the Project), but in a manner that utilizes existing tree buffers and respects the Kilgour Branch tributary stream buffer to the maximum extent possible. The existing Forest Conservation Easement will remain undisturbed and contiguous areas of forest next to the easement will be protected from development. With the exception of the gymnasium and the functional area surrounding it, impervious surface areas that exist within the stream buffer will be removed and reforested and subject to a Category I easement.

The intensity of the proposed Residential Care Facility use also achieves maximum compatibility. At its core, Heritage Potomac is a modest neighborhood designed for a specific demographic. As discussed fully in Section III.A of this Land Use Report, the mix of health and wellness, home, and lifestyle services will enable residents to enjoy a comprehensive care experience, with progressively more intensive levels of care, on site. Furthermore, as discussed below, the Project's trip generation will be at acceptable levels. The proposed use is a harmonious contribution that will ultimately stabilize, strengthen, and accentuate the residential character of the Surrounding Neighborhood.

- *Section 7.3.1.E.1.e. [The conditional use] 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 predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area;*

The proposed Residential Care Facility campus will not adversely affect or alter the predominantly residential nature of the area. The Property is adjacent to residential properties that are zoned RE-2, which is intended for large-lot residential uses. The Cottage Units – the only component of the Project visible from South Glen Road, are designed to accentuate the residential qualities of the area with front yard landscaping, pedestrian sidewalks, and garage spaces for each unit, allowing the Residential Care Facility campus to read as a continuation of the existing residential fabric of the Surrounding Neighborhood. Uses within the Surrounding Neighborhood are exclusively residential (e.g., single-family dwelling units), with the exception of the Congregation B'nai Tzedek facility. The modestly sized Lodge is located at the lowest elevation of the Property with the western façade nestled into the topography to further minimize the height of this building. As discussed in Section II.C, there are no other active conditional uses within the Surrounding Neighborhood. Given that a more intense use has existed on the Property in the past (i.e., the Fourth Presbyterian School), the Surrounding Neighborhood is accustomed to a certain level of activity on the Property. The proposed use is a residential use. As such, it is much more residential in nature and appearance than the School use. Moreover, as specified in the last clause of the provision, "a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area." For these reasons, the residential character of the Surrounding Neighborhood will be uncompromised by the proposed use.

- *Section 7.3.1.E.1.f. [The conditional use] 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 to 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 services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; or (ii) if a preliminary subdivision plan 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;*

Because a Preliminary Plan of Subdivision will be filed subsequent to this Conditional Use Application, the Planning Board will be responsible for determining whether adequate public services and facilities ("APF") exist to support the proposed development of the Property. Nonetheless, the Applicant provides the following discussion to illustrate that public facilities are more than adequate to support and service the Residential Care Facility.

The Residential Care Facility will not have an adverse effect on existing traffic conditions. As indicated by the Traffic Statement prepared by Wells & Associates which is submitted concurrently with this Application ("**Traffic Statement**"), the proposed use will generate fewer than 50 person-trips (the threshold for triggering a LATR transportation study.) The Traffic Statement indicates that the 74 independent living units and 73 assisted living and memory care units (96 beds) and associated staff and deliveries, will generate 50 AM peak hour and 64 PM peak hour person trips. Similarly, a development scenario that reduces the independent living units to 64 units and increases the assisted living and memory care to 87 units (105 beds) will generate the same number of AM and PM peak hour trips 50 and 64, respectively). The difference between the immediately prior use of the Property (the School) and the proposed use (Residential Care Facility campus) reveals that Heritage Potomac is expected to generate 64 *fewer* AM peak hour person trips and 30 additional person trips during the PM peak hour. As demonstrated by the Applicant's Traffic Statement, the Project will not create an unacceptable additional burden on the roads.

While the proposed Project is residential in nature, there will be no school impact given that the development will be for seniors.

The Property is already served by existing public water and sewer. The Property is located within water and sewer categories W-1 and S-1. Water and sewer needs are expected to be met through connections to the existing 8" sewer in the north end of the site and the existing 10" water line in South Glen Road.

Electric, gas and telecommunications services will also be available. Other public facilities and services – including police stations, firehouses, and health care facilities are currently operating in accordance with the Adequate Public Facilities Ordinance and will continue to be

sufficient following construction of the Project. With regard to police and fire service, the Property is served by Montgomery County Police Department 1D (100 Edison Park Drive, Gaithersburg, Maryland; 8 miles away) and Station 33 of the Montgomery County Fire & Rescue Service (14430 Falls Road, Rockville, Maryland; 3.1 miles away).

- *Section 7.3.1.E.1.g. [The conditional use] 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 a lack of parking; or (iii) the health, safety, or welfare of neighboring residents, visitors, or employees; and*

This standard requires consideration of the inherent and non-inherent effects of the proposed use on nearby properties and the Surrounding Neighborhood. The inherent effects resulting from the proposed Residential Care Facility will not have an adverse impact on surrounding neighbors, and, due to careful design considerations, will be far less intrusive than the inherent effects associated with a typical Residential Care Facility. The Zoning Ordinance defines inherent adverse effects as "adverse effects created by physical or operational characteristics of a conditional use necessarily associated with a particular use, regardless of its physical size or scale of operations." The Zoning Ordinance is clear that inherent adverse effects alone do not constitute a sufficient basis for denial of a Conditional Use, and must be evaluated in combination with non-inherent adverse effects. Non-inherent adverse effects are defined as "adverse effects created by physical or operational characteristics of a conditional use not necessarily associated with the particular use or created by an unusual characteristic of the site." Non-inherent effects are a sufficient basis to deny a conditional use, alone or in combination with inherent effects, if the harm caused by the adverse effects would be "undue."

In a relatively recent Hearing Examiner Report for the Brightview Grosvenor Residential Care Facility at 5510 Grosvenor Lane in Bethesda (Case No. CU 16-14 that involved an assisted living facility), the Hearing Examiner identified six inherent effects associated with a residential care facility which include: (i) buildings and related outdoor recreational areas or facilities; (ii) parking facilities; (iii) lighting; (iv) vehicular trips to and from the site by employees, visitors, residents, deliveries, and truck pick-up; (v) noise generated by equipment for the facility and by occasional outdoor activities of residents and their families; and (vi) driveway impacts. A Residential Care Facility use will usually, if not always, give rise to certain effects. But, as discussed in detail below, any inherent effects that result from the proposed Heritage Potomac development will be on a much smaller scale. Given the low density of the Project and its environmentally sensitive and residential design, the proposed Residential Care Facility campus will be more compatible than most other recent Residential Care Facility developments. This Land Use Report finds each of these inherent effects of the Conditional Use will be acceptable and appropriate for the proposed location:

- Buildings and related outdoor recreational areas or facilities. As discussed throughout this Report, the proposed Residential Care Facility campus is designed to preserve the residential character of the Surrounding Neighborhood and to ensure maximum compatibility. Of the 18 building footprints, 17 are comparable to that of a typical newer single-family home in Potomac. Even the Lodge, with its modestly sized footprint, is comparable to the largest of Potomac single family homes. The layout of the campus with only the Cottage Units visible from South Glen Road, is carefully designed to resemble a suburban neighborhood and facilitate proper screening from adjacent residential properties. Only one Cottage structure faces South Glen Road, and its setback distance of 135 feet is compatible with other single family homes along the right-of-way. The southwest-to-northeast downward slope of the Property's topography further ensures that the proposed development will not be highly visible to motorists traveling along South Glen Road. The architectural style employed is an Old World Style, taking inspiration from English Country and French Country precedents that typically define estate homes in the Potomac Subregion. These architectural features will adequately complement nearby single-family homes. All of the buildings, but for the Lodge, are no more than 39 feet in height, considerably lower than the 50 feet allowed by the RE-2 zone. The existing parking and circulation areas used by the school (over 30 spaces) will be removed. Additionally, by utilizing the existing gymnasium, the Project will be limiting the inherent effects resulting from new construction. The existing gymnasium will be adaptively reused as an amenity space.

As discussed throughout this Report, the development is also sensitive to the surrounding environment. The Project's considerable landscaping will reinforce existing tree buffers between the Property and nearby residential neighborhoods, strengthen the protection of the Kilgour Branch tributary, and accentuate the residential character of the area. The existing Forest Conservation Easement will be untouched and additional conservation easements will be provided to expand the protected forest area. Impervious surface area that exists within the existing stream buffer will be reforested and subject to a Forest Conservation Easement. The Residential Care Facility campus will provide two outdoor areas – Saxton Park and Clewerwell Park. Thus, the Project's design is such that it aesthetically, operationally, and environmentally blends with the Surrounding Neighborhood. Any disruption has been preemptively minimized through development strategies such as adaptive reuse and forest retention, which will result in minimal adverse impacts to surrounding neighbors.

- Parking facilities. The parking design for the proposed Residential Care Facility campus is such that it will not cause any undue harm to the Surrounding

Neighborhood. The vast majority of the parking will be concealed. Each of the Cottage Units will include parking in a parking garage integral to the building in which the unit resides. An additional 40 parking spaces will be located under the Lodge. The remaining parking spaces proximate to the Lodge and Heritage Fitness Center will be surrounded by these two structures and landscaped, thus concealing them from the surrounding properties. This approach to the parking accentuates the residential character of the campus, makes it possible for the Project to maximize open space and retains many of the Property's existing natural features, including existing tree buffers. The retention of these natural features, and installation of additional landscaping along the fronts of the Cottage Units, will evoke a comfortable, suburban sentiment that is appropriate for Potomac.

- Lighting. The lighting for the Project will not result in any undue harm to the Surrounding Neighborhood. The Residential Care Facility campus will minimize the impacts of lighting by utilizing minimum height post lights at surface parking lots. Other lighting will include street lights, lighting mounted to the buildings near the front-door entrances, and park lighting which will help create a soothing and residential feel. As shown on the Photometric Plan, lighting for the Project is designed to reduce the light intensities to zero footcandles at the Property line abutting the residential uses.
- Vehicular trips to and from the site by employees, visitors, residents, deliveries, and truck pick-up. As a result of the modest number of units on the 30.60 acres of Heritage Potomac (147 units), Applicant's Traffic Statement confirms that, taking into account the prior school use, the Project will generate no new vehicular trips in the morning peak period, and only 30 additional vehicular trips in the evening peak period, which effectively translates into approximately one car every three minutes. Even when the prior school use is not taken into account, the new vehicular trips from the Project – 50 in the morning and 64 in the evening – amount to just under and just over one additional car per minute. Thus, in terms of traffic generation, the Residential Care Facility campus will be acceptable without mitigation.
- Noise generated by equipment for the facility and by occasional outdoor activities of residents and their families. The noises generated by the Residential Care Facility are anticipated to be greatly minimized through building and site design features. The Project's significant setbacks, existing tree buffers, natural features, and screening elements coupled with the topography of the Property will diminish actual noise levels associated with the Conditional Use. Noises will be minimized by the Project's design. The proposed Heritage Lodge and Heritage Fitness Center

are located on the northeastern side of the Property, ensuring that any elevated noise resulting from interior recreational activities or operational activities will not disturb the single family homes located to the west/southwest. In fact, loading and deliveries and trash removal will be physically buffered by the Fitness Center and Lodge building, thus minimizing any noise associated with these activities. Moreover, the Lodge and Fitness Center are located at the same location on the Property as the main school building and gym, where the heaviest school use noise was generated under the previous use. School noise (including from outdoor recesses, outdoor morning music and flag raising ceremonies, sports competitions, and other elementary and middle school activities) was at a much higher noise level than is anticipated will be generated by the Heritage Lodge and Fitness Center activities or the Project as a whole.

- Driveway Impacts. Driveway impacts will be minimized through the relocation of the access point that currently exists off of South Glen Road. The new Project access point was selected as a safer location due to improved sight distance. In addition, the inclusion of the campus access drive will provide efficient circulation of vehicles throughout the Property. It is designed to provide access to the buildings internally within the Project, which effectively screens traffic and keeps vehicle circulation internal to the Project site. Landscape screening will be provided to supplement the existing natural features to ensure that views of the campus access drive from outside of the Property are minimized.

This Land Use Report has not identified any additional inherent effects associated with the Residential Care Facility campus and, based on the foregoing, concludes that the proposed Conditional Use will not cause any undue harm to the Surrounding Neighborhood. As previously stated, these inherent impacts will be experienced to a much lesser degree than a typical Residential Care Facility, given the size of the Property and the Project's overall density, design, environmental sensitivity, and operational aspects.

This Land Use Report has also not identified any non-inherent adverse effects associated with the Conditional Use at the proposed location. The appropriate analysis, in this context, is whether there are facts and circumstances that indicate Heritage Potomac would have any adverse effects *above and beyond* those inherently associated with the use, irrespective of its location within the zone. In some situations, a use may create a non-inherent adverse effect because of situations unique to its physical location, operation or size of the proposal. However, with regard to this Conditional Use application, there are no such effects of the proposed Residential Care Facility campus that would go above and beyond. The Project's building design, structural layout, and environmental protection measures were all carefully considered to minimize any impact to neighboring properties. As such, this Report finds that the Conditional Use will not cause undue harm to the Surrounding Neighborhood. There is no evidence that the Conditional Use will interfere with the use or enjoyment of the surrounding properties; result in

undue traffic, noise, odors, dust, illumination, or a lack of parking; or interfere in any way with the health, safety, or welfare of neighboring residents, visitors, or employees.

- *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.*

This provision requires an examination of the compatibility of the proposed use with the character of the residential neighborhood in which it is located. In contrast to the compatibility question raised by Section 59.7.3.E.1.d, the issue is not whether the proposed Residential Care Facility campus will *alter* the Surrounding Neighborhood, but whether the proposed use will *fit* the Surrounding Neighborhood after its construction. Because the site is largely undeveloped and the Applicant proposes a residential use, the analysis draws upon the same considerations.

As discussed extensively throughout this Report (*see, e.g.,* Section III.A), the Residential Care Facility campus will be constructed to ensure maximum compatibility with the Surrounding Neighborhood. The architectural features and layout of the 18 structures will blend in seamlessly with each other and the surrounding community. The Project was designed so that all of the building footprints, but for the Lodge, are comparable in scale to that of the suburban neighborhoods within the surrounding community and most of the Potomac Subregion. Features such as attached garages with interior access to the unit, front yard landscaping, and pedestrian sidewalks will accentuate the residential character of the campus, and distinguish Heritage Potomac from a traditional Residential Care Facility for senior adults. The Property is the appropriate location for the proposed use; the Property's topography and existing tree coverage will provide for adequate buffering and screening from nearby properties. Ultimately, after it is fully constructed, Heritage Potomac will become part of the residential fabric of the Surrounding Neighborhood and appear as if it had always existed in the neighborhood.

## **VII. Conclusion**

Heritage Potomac converts a former institutional school use with an approved build out capacity of 400-students into a context sensitive, low-profile, senior living campus utilizing less than half the allowable building lot coverage, providing lower building heights on most buildings than the maximum allowed by the Zoning Ordinance, providing much more green space than required by the Ordinance, and conserving a remarkable 80 percent of the existing forest. The proposed density of the Project is significantly lower than the average density of the last 24 approved senior living projects located in the RE-2, RE-2C, RE-1 and R-200 Zones (these zones share the same density requirements) approved in Montgomery County.<sup>18</sup> More specifically, the Project's independent living density is 2.46 units per acre compared to an average of 19.17 units

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<sup>18</sup> Based on an evaluation of those projects requiring special exceptions or conditional use approval.

per acre, while the Project's assisted living and memory care density is 3.2 beds per acre as compared to an average of 19.22 beds per acre. See Attachment 2.

Heritage Potomac continues in the rich tradition of many of the senior living projects that have gone before it in the County and nationally both in building form and in operational excellence. Heritage Potomac takes the conventional ingredients of senior living and crafts them into a living environment that is highly senior-centric, highly responsive to the latest industry best practices, and highly contextualized to blend into its surrounding environment. The interconnected and walkable campus, in particular, with its trails and parks, is highly appealing to the local senior population who wish to stay active and outdoors in the Potomac they love. By offering unit types across Cottage Units and Lodge Units, seniors are able to choose the level of health care and style of living that works best for them. The Project fills a significant need in the Potomac Subregion, and is carefully designed to achieve environmental sustainability and accentuate the residential character of the Surrounding Neighborhood. The Residential Care Facility substantially conforms to the *Approved and Adopted 2002 Potomac Subregion Master Plan* and satisfies all applicable use and development standards in the Zoning Ordinance. Additionally, it is wholly compatible with the Surrounding Neighborhood, and will result in no adverse impacts above and beyond those that are inherent in nature.

**Attachment 1****Statement of Operations**

## **Heritage Potomac Statement of Operations**

Wormald Development is the contract purchaser and developer of the proposed Heritage Potomac Senior Care Community. Wormald brings to Heritage Potomac its fifty years of experience developing senior living communities in the region. The community will be managed by SageLife Senior Living, a highly-respected mid-Atlantic senior living operator.

The Senior Care Community will provide 74 independent living units, of which 45 will be contained in cottage style buildings consisting of duplexes and triplexes and the remaining 29 units will be located in a multi-use styled building referred to as the Lodge. The Lodge will also contain 73 assisted living and memory care units (96 beds), three separate dining rooms for the three levels of care serviced by one central kitchen, office, health care service space and amenities.

1. Employees. Employee schedules are as follows:

- Care staff – three eight-hour shifts
  - 7 AM - 3 PM – 11 employees
  - 3 PM - 11 PM – 8 employees
  - 11 PM - 7 AM – 5 employees
  
- Food service staff – three shifts
- 6 AM – 1:30 PM – 9 employees
- 1:30 PM – 9 PM – 5 employees
- 4 PM – 9 PM – 5 employees
- All other employees, including administrative, housekeeping and maintenance teams, work from approximately 7 AM to approximately 7 PM.
- The maximum number of employees on-site at any given time (during shift changes) will be 25–30. However, during shift change, on the rare cases when necessary we coordinate exiting so that people with cars stack and then switch spaces. As the previous section outlines, wellness and food service staff stagger because they have different shifts because care and hospitality have different peak hours within the community.
- The minimum number of employees on site at one time will be 8, from 11 PM – 7 AM.

Note: In the event the number of independent living units decreases to 64 units and assisted living and memory care increases to 87 units (105 beds), the number of employees identified above will not change.

2. Services and Activities. The explanation of the services and activities is detailed in the Land Use Report and includes the following.
  - Meals
  - Home and Wellness Services
    - Assistance with Basics of Daily Living
    - Health Monitoring
    - Recovery Care
    - Extra Hands
  - Activities
    - Movement
    - Outreach
    - Social
    - Arts
    - Intellectual
    - Curiosity
  - Transportation
  - Housekeeping services
  - Unit Maintenance
3. Amenity Spaces. Outdoor amenity spaces will include two outdoor parks and a series of walking paths. The Lodge will provide interior amenity spaces including, but not limited to, Lounges, Libraries, Game areas, and covered porches. In addition, the Heritage fitness center will include a large exercise / yoga studio, a fitness space for various exercise equipment, a multi-purpose room, staff office, and storage spaces..
4. Parking. Parking will be available onsite for both residents and visitors. Parking at the cottage units will include two garage spaces per unit as well as space in the driveway to accommodate two or more additional vehicles. The Lodge complex will contain a total of 75 spaces (40 spaces below the Lodge and 35 surface spaces).
5. Deliveries. Generally, deliveries are arranged during regular business hours, in consideration of both the on-site residents and the surrounding community. Given the relatively small size of the overall community, it is anticipated that there will be only 5 food deliveries per week, by a 20' to 30' box truck. Laundry deliveries will occur 1 times a week. All other deliveries are made by USPS, FedEx, and UPS on their standard routes.
6. Waste Collection & Recycling. A private trash service will service the community 3-5 times a week and will include trash pick up at the individual cottage units and dumpster pick up at the Lodge.

7. Generator. An emergency power generator will be provided for the building and will be located to the southeast of the Lodge. The Lodge will serve as both an acoustical and visual a buffer from the closest residential property located more than 317 feet to the west. As required, the generator will be tested once a week.
  
8. 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.

**Attachment 2**

**Comparative Table of Development Density**

<b>Project</b>	<b>Total Acres</b>	<b>Combined Total Number of Units and Beds</b>	<b>IL Units</b>	<b>AL/MC Beds</b>
<b><i>Heritage Potomac</i></b>	<b>30</b>	<b>170</b>	<b>74 2.46 du/ac</b>	<b>96 3.2 beds/ac</b>
Alfred House Eldercare Inc. (6020 Needwood Road, Derwood) S-2815	2.5	39	---	39 15.6 beds/ac
Arden Courts of Germantown (19115 Liberty Mill Road, Germantown) CU 17-02	3.02	64	---	64 21.19 beds/ac
Artis (RE-2) (8301 River Road, Potomac) CU 15-05	4.39	72	---	72 16.4 beds/ac
Brandywine Senior Living at Potomac (10800 Potomac Tennis Lane, Potomac) CU 16-01	4.02	140	---	140 34.83 beds/ac
Brightview Grosvenor (5510 Grosvenor Lane, Bethesda) CU 16-14	2.67	104	---	104 38.95 beds/ac
Fairland Manor (Maryland Development Co.) (1831 Fairland Road, Silver Spring) S-1505	1.67	10	10 5.99 du/ac	---
Friends House (17340 Quaker Lane, Sandy Spring) S-856-B/S-452-D	62.18	446	316 5.08 du/ac	130 2.09 beds/ac
Hawthorn Development (13716 New Hampshire Ave, Silver Spring) S-2882	4.6	155	---	155 33.70 beds/ac
Korean Community Senior Housing (aka University Gardens) (440 University Blvd. East, Silver Spring) S-1424-A	2.08	92	92 44.23 units/ac	---
Landing of Silver Spring (Columbia/Wegman Acquisitions, LLC) (13908 New Hampshire Ave., Silver Spring) S-2881	5.98	136	---	136 22.74 beds/ac
Marriott Senior Living Services (8300 Burdette Road, Bethesda) S-2504	16.8	323	240 14.29 du/ac	83 4.94 beds/ac
Meadow Ridge Senior Villas (formerly National Senior's Housing) (9700 - 9713 Cordonary Ct, Gaithersburg)	5.75	33	33 5.74 du/ac	---

<b>Project</b>	<b>Total Acres</b>	<b>Combined Total Number of Units and Beds</b>	<b>IL Units</b>	<b>AL/MC Beds</b>
S-2423				
Mount Jezreel Baptist Church (420 East University Blvd., Silver Spring) S-2877	3.18	75	75 23.58 du/ac	---
National Senior Housing (Potomac Senior Housing) (11920 Darnestown Road, North Potomac) S-2474	2.99	37	37 12.37 du/ac	---
New Covenant Village (18901 Waring Station Rd., Germantown) S-2635	3.77	89	89 23.61 du/ac	---
Olney Assisted Living Partnership (17000 Block Georgia Ave., Olney [16940 Georgia Ave.]) S-2819	3.59	64		64 17.83 beds/ac
Orchard Development (12621 Old Columbia Pike, Silver Spring) S-2487	4.3	80	80 18.60 du/ac	---
Parkview at Aspen Hill (3132 Bel Pre Road, Aspen Hill) CU 17-04	5.68	120	120 21.13 du/ac	---
Spring Arbor Olney (HH Hunt Corporation) (17000 Block of Georgia Ave., Olney (17001 Georgia Ave)) S-2841	37.68	135		135 3.58 beds/ac
St. Ann's Episcopal Community (25100 Ridge Road, Damascus) CU 18-11	3.44	76	76 22.09 du/ac	---
Sunrise Senior Living (2611 Olney-Sandy Spring Road, Olney) S-2712	5	94		94 18.8 beds/ac
Victory Crossing ([1090] Milestone Drive, Silver Spring) S-2873	2.51	105	105 41.83 du/ac	---
Victory Oaks at St. Camillus (Victory Housing) (1500/1600 St. Camillus Drive, Silver Spring) S-2751	1.93	49	49 25.39 du/ac	---
Victory Terrace at Potomac (Victory Housing) (9440 Newbridge Drive, Potomac) S-2462	16	72	72 4.5 du/ac	---

Average: 19.17 IL units/acre and 19.22 AL rooms/acre.

When applied to subject site – 575.1 IL units and 576.6 AL units.

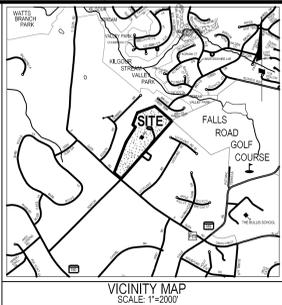
# Attachment D- Preliminary Forest Conservation Plan

# PRELIMINARY FOREST CONSERVATION PLAN

## CONDITIONAL USE APPLICATION: CU202201

# HERITAGE POTOMAC

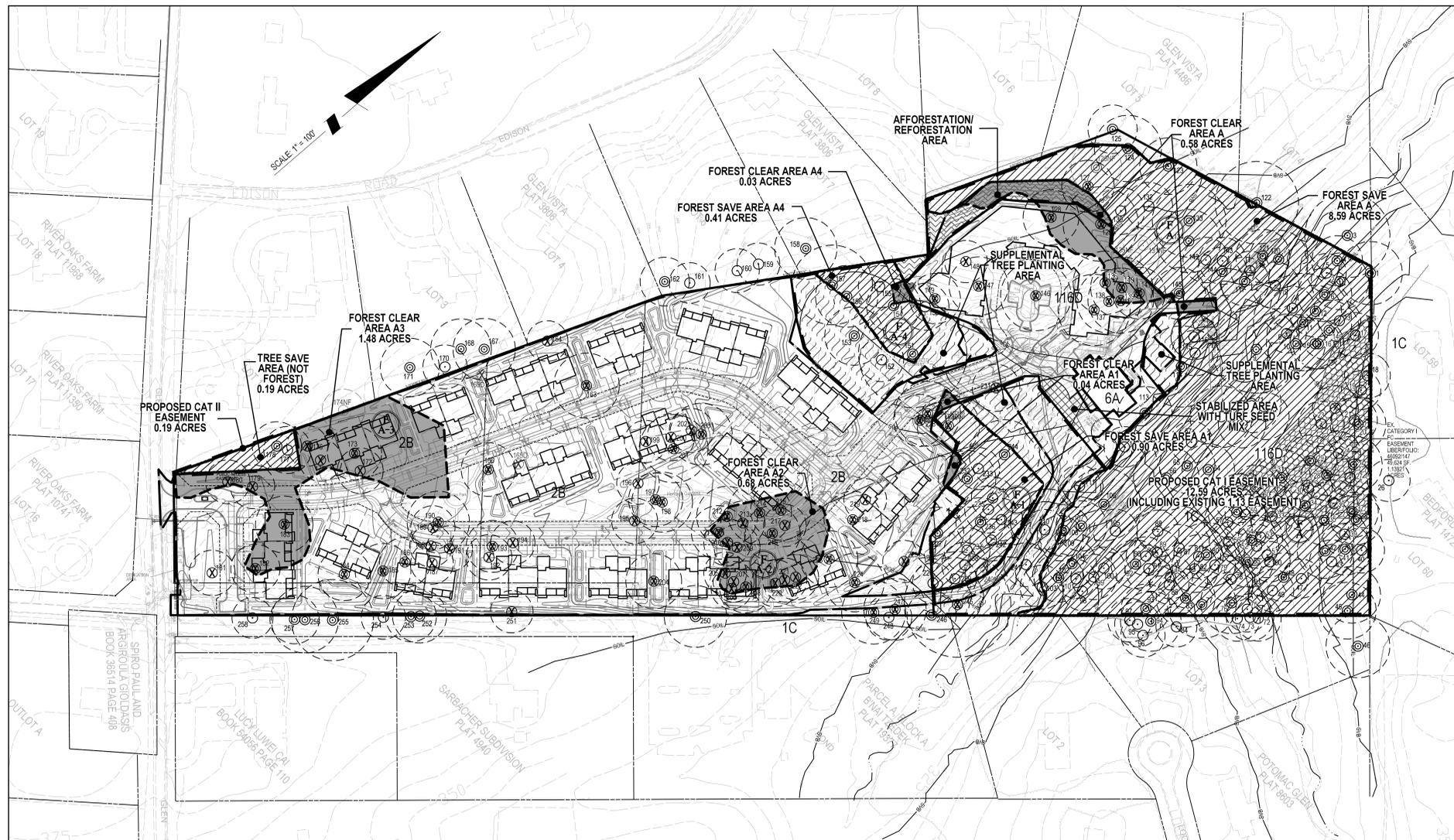
PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA



PLANNING DEPARTMENT USE ONLY (E-PLANS)

### GENERAL NOTES

- ZONED: RE-2 (RESIDENTIAL ESTATE 2).
- SITE AREA: 1,332,988 SF (30.60 ACRES).
- THE SITE IS IDENTIFIED AS PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA, MONTGOMERY COUNTY, MARYLAND.
- THE PROPERTY IS WITHIN THE POTOMAC SUBREGION MASTER PLAN (2002).
- THE SITE IS IN THE WATTS BRANCH (021402020846) WATERSHED, USE CLASS I.P.
- THE SITE IS NOT WITHIN A SPECIAL PROTECTION AREA.
- NO FEMA 100-YEAR FLOODPLAIN EXISTS ON SITE. 100-YEAR FLOODPLAIN INFORMATION FROM APPROVED FOREST CONSERVATION EXEMPTION PLAN (42008196E & 42009199E) AND FEMA MAP PANEL, APPROVED ON JULY 30, 2009.
- THERE ARE NO WETLANDS ON SITE BASED ON NATIONAL WETLAND INVENTORY AND FIELD OBSERVATION. WETLAND DELINEATION WAS DONE BY MCCARTHY & ASSOCIATES, INC. IN APRIL 2018.
- EXISTING WATER & SEWER SERVICE CATEGORIES: W-1/S-1.
- BOUNDARY INFORMATION BY MACRIS, HENDRICKS & GLASCOCK, P.A. (MARCH 13, 2018).
- TOPOGRAPHY BY MACRIS, HENDRICKS & GLASCOCK, P.A. (JUNE 25, 2012).
- THERE ARE NO DESIGNATED HISTORIC SITES ASSOCIATED WITH THIS PROPERTY.
- THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES OCCURRING ON THE PROPERTY. RTE LETTER FROM MDNR DATED APRIL 19, 2018.
- TREES WERE MEASURED USING STANDARD DBH TAPE MEASURE, AT THE HEIGHT OF 4.5' ABOVE GROUND.
- NO STATE OR COUNTY CHAMPION TREES EXIST ON THE SITE.
- FIELD WORK WAS CONDUCTED IN APRIL OF 2018 BY JOHN MARKOVICH OF JM FORESTRY SERVICES, LLC. AND UPDATED JULY 2021.
- A NATURAL RESOURCE INVENTORY/ FOREST STAND DELINEATION (NRI/FSD NO. 420182350) WAS APPROVED 02/06/2019. THE NRI/FSD IS TO BE RECERTIFIED.



RESOURCES TABLE	
CRITERIA	SIZE
TOTAL SITE ACREAGE	30.63 ACRES
ACREAGE OF EXISTING FOREST	12.73 ACRES
ACREAGE OF EXISTING WETLANDS	0.01 ACRES
ACREAGE OF FOREST IN EXISTING WETLANDS	0.01 ACRES
ACREAGE OF EXISTING FLOODPLAIN	1.35 ACRES
ACREAGE OF FOREST IN EXISTING FLOODPLAIN	0.93 ACRES
ACREAGE OF EXISTING STREAM BUFFERS	10.25 ACRES
ACREAGE OF FOREST IN EXISTING STREAM BUFFERS	7.17 ACRES
LINEAR FEET OF PERENNIAL STREAM FLOW	1,411 LF

LEGEND	
	EXISTING SITE BOUNDARY
	PROPOSED RIGHT-OF-WAY
	PROPOSED PUBLIC ACCESS EASEMENT
	EXISTING CONTOURS
	PROPOSED CONTOURS
	PROPOSED RETAINING WALL
	LIMIT OF DISTURBANCE
	EXISTING FLOODPLAIN
	EXISTING FLOODPLAIN BUFFER
	EXISTING INTERMITTENT STREAM
	STREAM VALLEY BUFFER
	EXISTING WETLAND
	EXISTING WETLAND BUFFER
	SOIL LINE
	TREE CANOPY TO REMAIN
	TREE TO BE REMOVED
	LABEL FOR EXISTING TREE
	SIGNIFICANT TREE WITH CRZ
	SPECIMEN TREE WITH CRZ
	PROPOSED FOREST CLEARING AREA
	EXISTING FOREST AREA TO BE RETAINED
	EXISTING CAT 1 EASEMENT
	PROPOSED AFFORESTATION/ REFORESTATION AREA
	PROPOSED SUPPLEMENTAL TREE PLANTING AREA
	PROPOSED STABILIZED AREA WITH TURF SEED MIX
	PROPOSED EASEMENT
	FOREST STAND

NOTE: ALL IMPERVIOUS TO BE REMOVED AS PERMITTED PER PLAN, INCLUDING AREA WITHIN STREAM VALLEY BUFFER

### SHEET INDEX:

FCP:	
SHEET 1	COVER SHEET
SHEET 2	OVERALL FOREST CONSERVATION PLAN
SHEET 3	FOREST CONSERVATION PLAN- TREE/FOREST REMOVAL
SHEET 4	FOREST CONSERVATION PLAN- TREE/FOREST REMOVAL
SHEET 5	FOREST CONSERVATION PLAN- TREE/FOREST SAVE PLAN
SHEET 6	FOREST CONSERVATION PLAN- TREE/FOREST SAVE PLAN
SHEET 7	FOREST CONSERVATION PLAN- TREE/FOREST MITIGATION PLAN
SHEET 8	FOREST CONSERVATION PLAN- TREE/FOREST MITIGATION PLAN
SHEET 9	NOTES & DETAILS
SHEET 10	NOTES & DETAILS

CONTRACT PURCHASER/ APPLICANT      OWNER

ENGINEER / LANDSCAPE ARCHITECT

ARCHITECT

ATTORNEY

SOLTESZ, INC.  
2 RESEARCH PLACE, SUITE 100  
ROCKVILLE, MD 20850  
TELEPHONE: 301-948-2750  
FAX: 301-948-9067

THE WORMALD COMPANIES  
5283 CORPORATE DRIVE, SUITE 300  
FREDERICK, MD 21703  
TELEPHONE: 301-695-6614  
FAX: 301-695-6645

LERCH, EARLY & BREWER, CHTD.  
7600 WISCONSIN AVE, SUITE 700  
BETHESDA, MD 20814  
TELEPHONE: 301-841-3832  
FAX: 301-347-3756

### DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. CU2201 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Heritage Gardens Land, LLC  
Printed Company Name

Contact Person or Owner: Michael Willey  
Printed Name

Address: 5283 Corporate Drive

Phone and Email: (301) 695-6614 x104

Signature: \_\_\_\_\_

**SOLTESZ, INC.**  
Rockville Lanham Waldorf Leonardtown Frederick Soltesz DC, LLC  
ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067  
www.solteszco.com

NO.	DATE	REVISIONS	BY	DATE

DESIGNED: ECO      CHECKED: DP

**MISS UTILITY NOTE**  
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-477-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**DEVELOPER/APPLICANT**  
Heritage Gardens Land, LLC  
5283 Corporate Drive  
Suite 300  
Frederick, MD 21703  
Telephone: (301) 695-6614 x104

TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10 214NW10	MASTER PLAN: POTOMAC SUBREGION 2002
SITE DATUM: HORIZONTAL: NAD 83/91 VERTICAL: NVD/29	WATERSHED: WATTS BRANCH



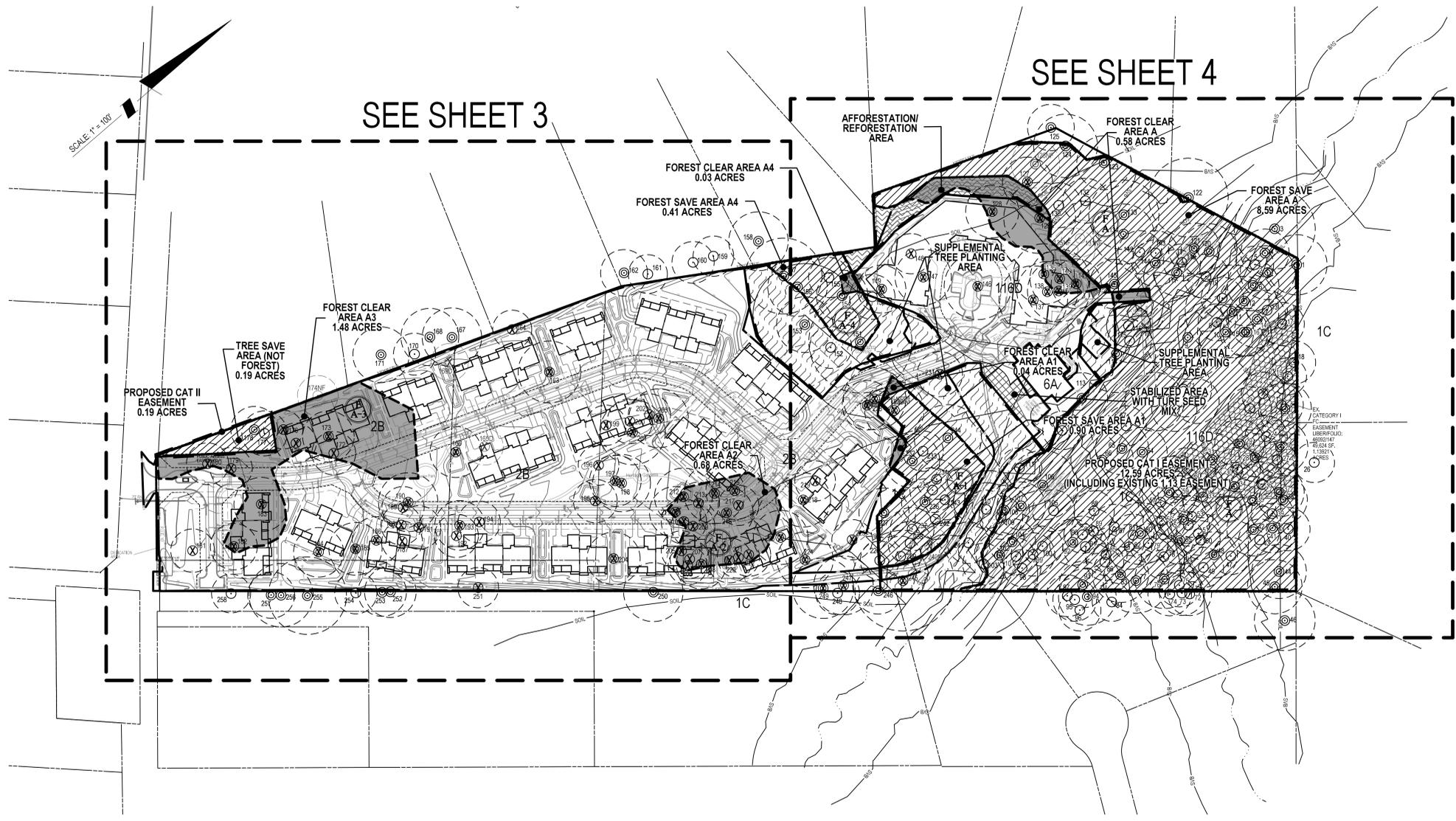
**COVER SHEET**

**PRELIMINARY FOREST CONSERVATION PLAN**  
**HERITAGE POTOMAC**  
**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **1** OF **10**  
PROJECT NO. 2198-02-00

PLANNING DEPARTMENT USE ONLY (E-PLANS)



### LEGEND

- EXISTING SITE BOUNDARY
- PROPOSED RIGHT-OF-WAY
- PROPOSED PUBLIC ACCESS EASEMENT
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED RETAINING WALL
- LIMIT OF DISTURBANCE
- EXISTING FLOODPLAIN
- EXISTING FLOODPLAIN BUFFER
- EXISTING INTERMITTENT STREAM
- STREAM VALLEY BUFFER
- EXISTING WETLAND
- EXISTING WETLAND BUFFER
- SOIL LINE
- TREE CANOPY TO REMAIN
- TREE TO BE REMOVED
- LABEL FOR EXISTING TREE
- SIGNIFICANT TREE WITH CRZ
- SPECIMEN TREE WITH CRZ
- PROPOSED FOREST CLEARING AREA
- EXISTING FOREST AREA TO BE RETAINED
- EXISTING CAT I EASEMENT
- PROPOSED REFORESTATION/AFFORESTATION AREA
- PROPOSED SUPPLEMENTAL TREE PLANTING AREA
- PROPOSED STABILIZED AREA WITH TURF SEED MIX
- PROPOSED EASEMENT
- FOREST STAND

### DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. CU-22-01 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Heritage Gardens Land, LLC  
Printed Company Name

Contact Person or Owner: Michael Wiley  
Printed Name

Address: 5283 Corporate Drive

Phone and Email: (301) 895-6614 x104

Signature: \_\_\_\_\_



Rockville Office  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067

Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

www.solteszco.com

NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
1	JULY 2021	ECO	ECO	V8 - NCS		

### MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT MISS UTILITY AT 1-800-277-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

### DEVELOPER/APPLICANT

Heritage Gardens Land, LLC  
5283 Corporate Drive  
Suite 300  
Frederick, MD 21703  
Telephone: (301) 895-6614 x104

MAP: 5283	GRID: FS_G5
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WSGC 200 SHEET: 213NW10	MASTER PLAN: POTOMAC
214NW10	SUBREGION 2002
SITE DATUM: HORIZONTAL: NAD 83/91	WATERSHED: WATTS BRANCH
VERTICAL: NVD/29	



## OVERALL FOREST CONSERVATION PLAN

### PRELIMINARY FOREST CONSERVATION PLAN HERITAGE POTOMAC

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **2**  
OF **10**

PROJECT NO.  
2198-02-00

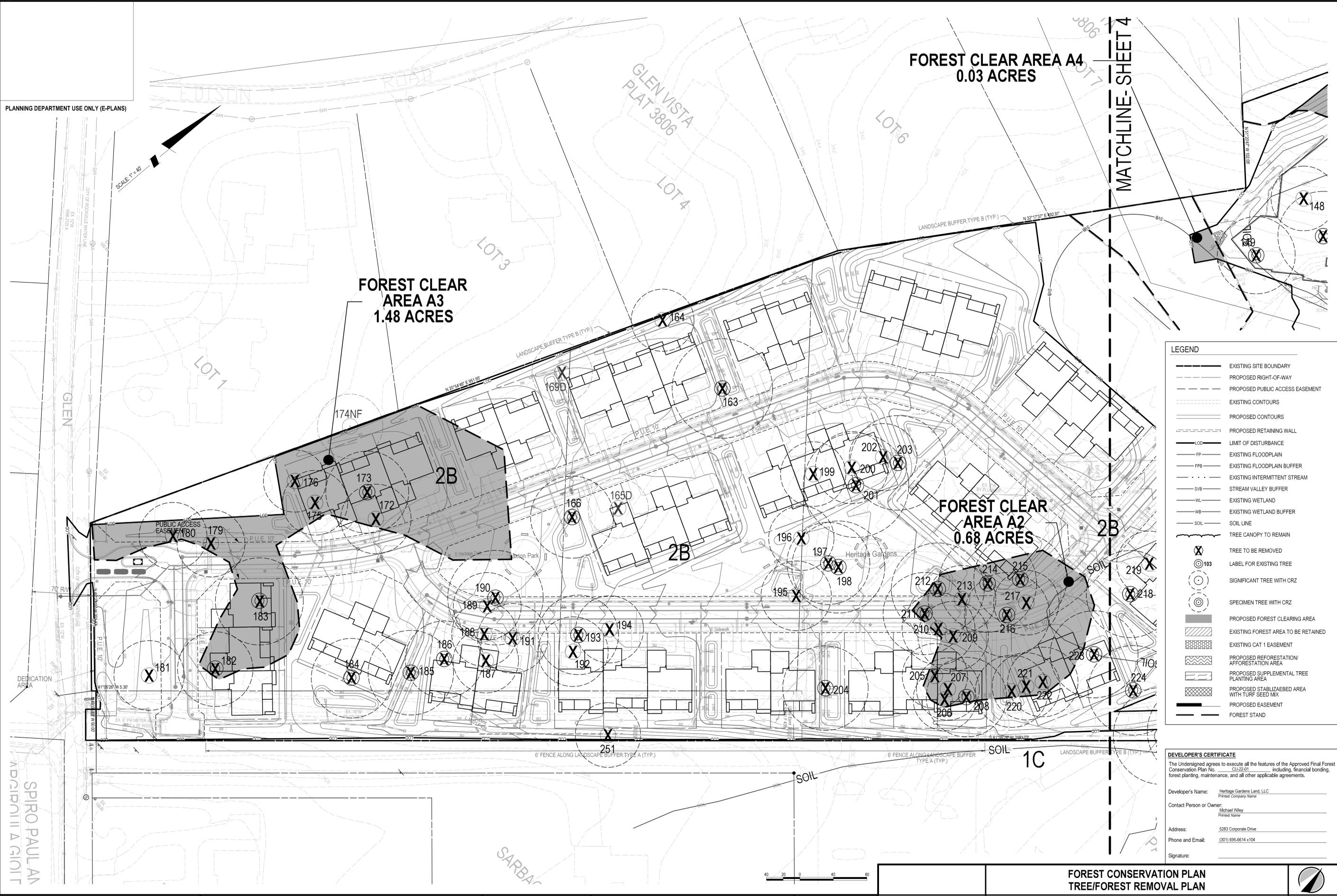
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PLANNING DEPARTMENT USE ONLY (E-PLANS)



SCALE: 1" = 40'



LEGEND	
	EXISTING SITE BOUNDARY
	PROPOSED RIGHT-OF-WAY
	PROPOSED PUBLIC ACCESS EASEMENT
	EXISTING CONTOURS
	PROPOSED CONTOURS
	PROPOSED RETAINING WALL
	LIMIT OF DISTURBANCE
	EXISTING FLOODPLAIN
	EXISTING FLOODPLAIN BUFFER
	EXISTING INTERMITTENT STREAM
	STREAM VALLEY BUFFER
	EXISTING WETLAND
	EXISTING WETLAND BUFFER
	SOIL LINE
	TREE CANOPY TO REMAIN
	TREE TO BE REMOVED
	LABEL FOR EXISTING TREE
	SIGNIFICANT TREE WITH CRZ
	SPECIMEN TREE WITH CRZ
	PROPOSED FOREST CLEARING AREA
	EXISTING FOREST AREA TO BE RETAINED
	EXISTING CAT 1 EASEMENT
	PROPOSED REFORESTATION/ AFFORESTATION AREA
	PROPOSED SUPPLEMENTAL TREE PLANTING AREA
	PROPOSED STABILIZED AREA WITH TURF SEED MIX
	PROPOSED EASEMENT
	FOREST STAND

DEVELOPER'S CERTIFICATE	
The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. _____ including, financial bonding, forest planting, maintenance, and all other applicable agreements.	
Developer's Name:	Heritage Gardens Land, LLC Printed Company Name
Contact Person or Owner:	Michael Wiley Printed Name
Address:	5283 Corporate Drive
Phone and Email:	(301) 695-6614 x104
Signature:	_____

SPIRO PAUL AN  
ADCPRIII A GINT

**SOLTESZ, INC.**  
 Rockville  
 Lanham  
 Waldorf  
 Leonardtown  
 Frederick  
 Soltesz DC, LLC

ROCKVILLE OFFICE  
 2 Research Place, Suite 100  
 Rockville, MD 20850  
 P. 301.946.2750 F. 301.948.9067  
 www.solteszco.com

NO.	DATE	REVISIONS	BY	DATE
1	JULY 2021	DESIGNED	EEO	
2		CAO STANDARDS VERSION	V8 - NCS	
3		TECHNICIAN	EEO	
4		CHECKED	DP	

**MISS UTILITY NOTE**  
 INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS; THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES CROSSINGS BY EXCAVATION TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-277-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**DEVELOPER/APPLICANT**  
 Heritage Gardens Land, LLC  
 5283 Corporate Drive  
 Suite 300  
 Frederick, MD 21703  
 Telephone: (301) 695-6614 x104

MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WSGC 200 SHEET: 213NW10	MASTER PLAN: POTOMAC
214NW10	SUBREGION: 2002
SITE DATUM: HORIZONTAL: NAD 83/91	WATERBESH: WATTS BRANCH
VERTICAL: NVD/29	WATERSHED:



**FOREST CONSERVATION PLAN  
 TREE/FOREST REMOVAL PLAN**

**PRELIMINARY FOREST CONSERVATION PLAN  
 HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **3** OF **10**

PROJECT NO. 2198-02-00



PLANNING DEPARTMENT USE ONLY (E-PLANS)

SCALE: 1" = 40'

**TREE SAVE AREA (NOT FOREST)**  
0.19 ACRES

**FOREST SAVE AREA A4**  
0.41 ACRES

MATCHLINE SHEET 6

**LEGEND**

- EXISTING SITE BOUNDARY
- - - PROPOSED RIGHT-OF-WAY
- - - PROPOSED PUBLIC ACCESS EASEMENT
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED RETAINING WALL
- LIMIT OF DISTURBANCE
- EXISTING FLOODPLAIN
- EXISTING FLOODPLAIN BUFFER
- EXISTING INTERMITTENT STREAM
- STREAM VALLEY BUFFER
- EXISTING WETLAND
- EXISTING WETLAND BUFFER
- SOIL LINE
- TREE CANOPY TO REMAIN
- ⊗ TREE TO BE REMOVED
- ⊙ 103 LABEL FOR EXISTING TREE
- ⊙ SIGNIFICANT TREE WITH CRZ
- ⊙ SPECIMEN TREE WITH CRZ
- PROPOSED FOREST CLEARING AREA
- ▨ EXISTING FOREST AREA TO BE RETAINED
- ▩ EXISTING CAT 1 EASEMENT
- ▧ PROPOSED REFORESTATION/AFFORESTATION AREA
- ▦ PROPOSED SUPPLEMENTAL TREE PLANTING AREA
- ▤ PROPOSED STABILIZED AREA WITH TURF SEED MIX
- PROPOSED EASEMENT
- FOREST STAND

**DEVELOPER'S CERTIFICATE**

The undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. CL2241 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Heritage Gardens Land, LLC  
Printed Company Name

Contact Person or Owner: Michael Wiley  
Printed Name

Address: 5283 Corporate Drive  
Phone and Email: (301) 895-6614 x104

Signature: \_\_\_\_\_

**SOLTESZ, INC.**

Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.946.2750 F. 301.948.9067

www.solteszco.com

NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
1	JULY 2021	EEO	EEO	VS - RCS		

**MISS UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS; THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES CROSSINGS BY ENGINEER TEST FITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-277-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**DEVELOPER/APPLICANT**

Heritage Gardens Land, LLC  
5283 Corporate Drive  
Suite 300  
Frederick, MD 21703  
Telephone: (301) 895-6614 x104

MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10	MASTERPLAN: POTOMAC
214NW10	SUBREGION: 2002
SITE DATUM: HORIZONTAL: NAD 83/91	WATERBENCH: WATTS BRANCH
VERTICAL: NVD/29	WATERSHED:



**FOREST CONSERVATION PLAN  
TREE/FOREST SAVE PLAN**

**PRELIMINARY FOREST CONSERVATION PLAN  
HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET 5 OF 10

PROJECT NO. 2198-02-00

PLANNING DEPARTMENT USE ONLY (E-PLANS)

**FOREST SAVE AREA A4**  
0.41 ACRES

**FOREST SAVE AREA A**  
8.59 ACRES

**FOREST SAVE AREA A1**  
0.90 ACRES

**LEGEND**

- EXISTING SITE BOUNDARY
- - - PROPOSED RIGHT-OF-WAY
- - - PROPOSED PUBLIC ACCESS EASEMENT
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED RETAINING WALL
- LDC — LIMIT OF DISTURBANCE
- FP — EXISTING FLOODPLAIN
- FPB — EXISTING FLOODPLAIN BUFFER
- IS — EXISTING INTERMITTENT STREAM
- SVB — STREAM VALLEY BUFFER
- WL — EXISTING WETLAND
- WLB — EXISTING WETLAND BUFFER
- SOIL — SOIL LINE
- TREE CANOPY TO REMAIN
- ⊗ TREE TO BE REMOVED
- ⊙ 103 LABEL FOR EXISTING TREE
- ⊙ SIGNIFICANT TREE WITH CRZ
- ⊙ SPECIMEN TREE WITH CRZ
- PROPOSED FOREST CLEARING AREA
- ▨ EXISTING FOREST AREA TO BE RETAINED
- ▩ EXISTING CAT 1 EASEMENT
- ▧ PROPOSED REFORESTATION/AFFORESTATION AREA
- ▦ PROPOSED SUPPLEMENTAL TREE PLANTING AREA
- ▨ PROPOSED STABILIZED AREA WITH TURF SEED MIX
- EASEMENT
- FOREST STAND

EX. CATEGORY I  
FC  
EASEMENT  
LIBER/FOLIO:  
46092/147  
49,624 SF.  
1.13921  
ACRES

**DEVELOPER'S CERTIFICATE**

The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. CL22411, including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Heritage Gardens Land, LLC  
Printed Company Name

Contact Person or Owner: Michael Willey  
Printed Name

Address: 5283 Corporate Drive  
Phone and Email: (301) 895-6614 x104

Signature: \_\_\_\_\_

**SOLTESZ, INC.**

Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067  
www.solteszco.com

NO.	DATE	REVISIONS	BY	DATE
1	JULY 2021	CAD STANDARDS VERSION: V8 - R15		
DESIGNED:	EEO	TECHNICIAN:	EEO	CHECKED:
				DP

**MISS UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES CROSSINGS BY EXCAVATING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-777-48 HOURS PRIOR TO THE START OF EXCAVATION. ALL CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES. WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**DEVELOPER/APPLICANT**

Heritage Gardens Land, LLC  
5283 Corporate Drive  
Suite 300  
Frederick, MD 21703  
Telephone: (301) 895-6614 x104

MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10	MASTER PLAN: POTOMAC SUBDIVISION 2002
214NW10	WATERBORNES
SITE DATUM: HORIZONTAL NAD 83/91	WATT'S BRANCH WATERSHED
VERTICAL: NVDVD29	



**FOREST CONSERVATION PLAN  
TREE/FOREST SAVE PLAN**

**PRELIMINARY FOREST CONSERVATION PLAN  
HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **6** OF **10**

PROJECT NO. 2198-02-00

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PLANNING DEPARTMENT USE ONLY (E-PLANS)

SCALE: 1" = 40'

**PROPOSED CAT II  
EASEMENT  
0.19 ACRES**

**LEGEND**

- EXISTING SITE BOUNDARY
- PROPOSED RIGHT-OF-WAY
- PROPOSED PUBLIC ACCESS EASEMENT
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED RETAINING WALL
- LIMIT OF DISTURBANCE
- EXISTING FLOODPLAIN
- EXISTING FLOODPLAIN BUFFER
- EXISTING INTERMITTENT STREAM
- STREAM VALLEY BUFFER
- EXISTING WETLAND
- EXISTING WETLAND BUFFER
- SOIL LINE
- TREE CANOPY TO REMAIN
- TREE TO BE REMOVED
- LABEL FOR EXISTING TREE
- SIGNIFICANT TREE WITH CRZ
- SPECIMEN TREE WITH CRZ
- PROPOSED FOREST CLEARING AREA
- EXISTING FOREST AREA TO BE RETAINED
- EXISTING CAT 1 EASEMENT
- PROPOSED REFORESTATION/AFFORESTATION AREA
- PROPOSED SUPPLEMENTAL TREE PLANTING AREA
- PROPOSED STABILIZED AREA WITH TURF SEED MIX
- PROPOSED EASEMENT
- FOREST STAND

**DEVELOPER'S CERTIFICATE**  
 The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. CL22411 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Heritage Gardens Land, LLC  
 Printed Company Name

Contact Person or Owner: Michael Wiley  
 Printed Name

Address: 5283 Corporate Drive  
 Phone and Email: (301) 695-6614 x104

Signature: \_\_\_\_\_

SPIRO PAUL AN  
ADCPRII A GINT

**SOLTESZ, INC.**

Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.946.2750 F. 301.948.9067

www.solteszco.com

NO.	DATE	DESIGNED	TECHNICIAN	REVISIONS	BY	DATE
	JULY 2021	EEO	EEO	V8 - RCS		

**MISS UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS; THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES CROSSINGS BY EXCAVATION TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-277-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**DEVELOPER/APPLICANT**

Heritage Gardens Land, LLC  
5283 Corporate Drive  
Suite 300  
Frederick, MD 21703  
Telephone: (301) 695-6614 x104

MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10	MASTER PLAN: POTOMAC
214NW10	SUBREGION: 2002
SITE DATUM: HORIZONTAL: NAD 83/91	VERTICAL: WATTS BRANCH WATERSHED
VERTICAL: NVDVD29	



**FOREST CONSERVATION PLAN  
TREE/FOREST MITIGATION PLAN**

**PRELIMINARY FOREST CONSERVATION PLAN  
HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

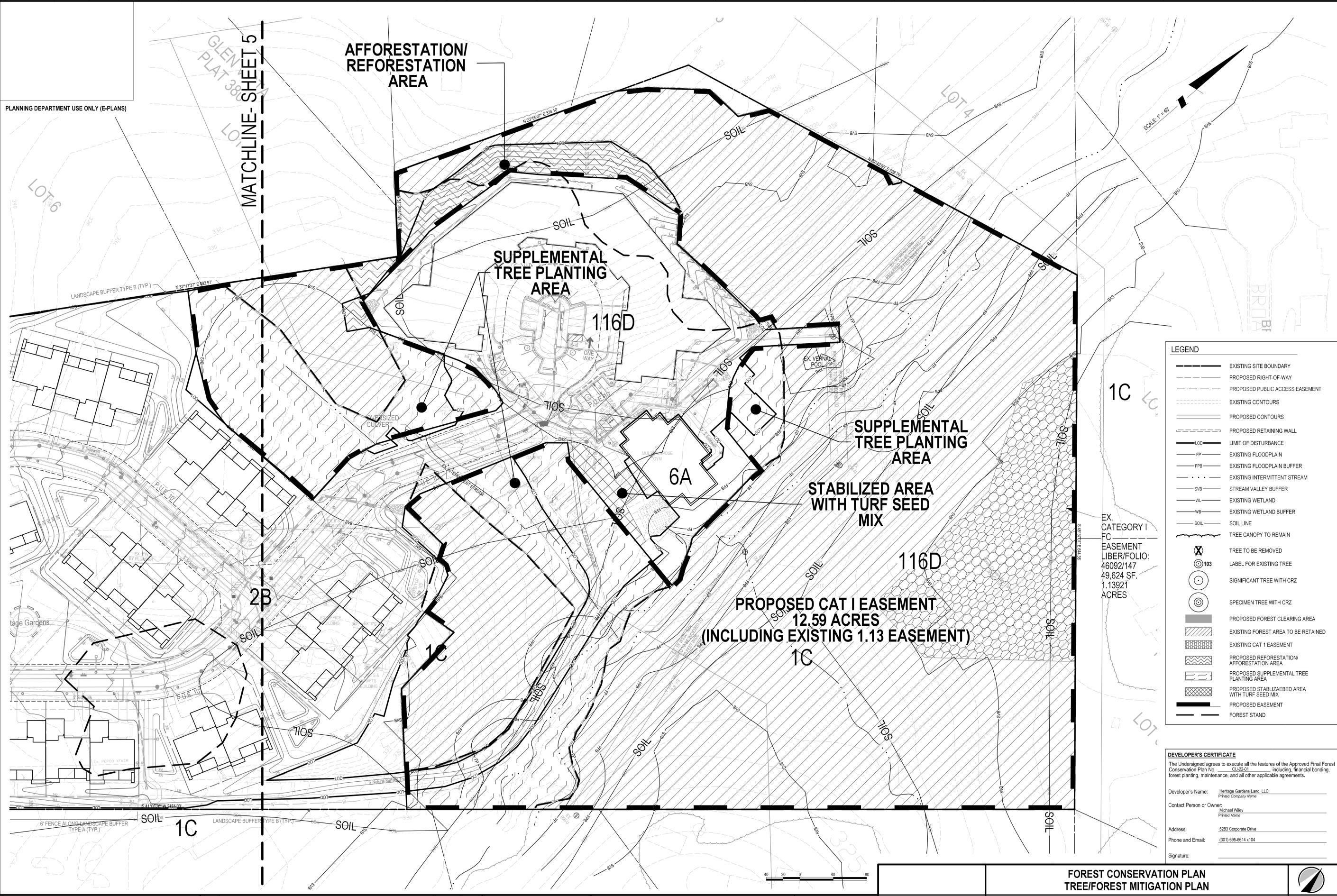
(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **7** OF **10**

PROJECT NO. 2198-02-00

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PLANNING DEPARTMENT USE ONLY (E-PLANS)



**LEGEND**

- EXISTING SITE BOUNDARY
- PROPOSED RIGHT-OF-WAY
- PROPOSED PUBLIC ACCESS EASEMENT
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED RETAINING WALL
- LIMIT OF DISTURBANCE
- EXISTING FLOODPLAIN
- EXISTING FLOODPLAIN BUFFER
- EXISTING INTERMITTENT STREAM
- STREAM VALLEY BUFFER
- EXISTING WETLAND
- EXISTING WETLAND BUFFER
- SOIL LINE
- TREE CANOPY TO REMAIN
- TREE TO BE REMOVED
- LABEL FOR EXISTING TREE
- SIGNIFICANT TREE WITH CRZ
- SPECIMEN TREE WITH CRZ
- PROPOSED FOREST CLEARING AREA
- EXISTING FOREST AREA TO BE RETAINED
- EXISTING CAT I EASEMENT
- PROPOSED REFORESTATION/ AFFORESTATION AREA
- PROPOSED SUPPLEMENTAL TREE PLANTING AREA
- PROPOSED STABILIZED AREA WITH TURF SEED MIX
- PROPOSED EASEMENT
- FOREST STAND

EX. CATEGORY I FC EASEMENT LIBER/FOLIO: 46092/147 49,624 SF. 1.13921 ACRES

**DEVELOPER'S CERTIFICATE**  
 The Undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. CL22201 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer's Name: Heritage Gardens Land, LLC  
 Contact Person or Owner: Michael Willey  
 Address: 5283 Corporate Drive  
 Phone and Email: (301) 895-6614 x104  
 Signature: \_\_\_\_\_

**SOLTESZ, INC.**  
 Rockville Office  
 2 Research Place, Suite 100  
 Rockville, MD 20850  
 P. 301.946.2750 F. 301.948.9067  
 www.solteszco.com

NO.	DATE	REVISIONS	BY	DATE
DESIGNED:	JULY 2021	TECHNICIAN:	EEO	
CHECKED:		DATE:		

**MISS UTILITY NOTE**  
 INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY EXCAVATING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT THE LEAST 72 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**DEVELOPER/APPLICANT**  
 Heritage Gardens Land, LLC  
 5283 Corporate Drive  
 Suite 300  
 Frederick, MD 21703  
 Telephone: (301) 895-6614 x104

MAP: 5283	GRID: FS, GS
TAX MAP: FQ31	ZONING CATEGORY: RE-2
WBSG 200 SHEET: 213NW10 214NW10	MASTER PLAN: POTOMAC SUBREGION 2002
SITE DATUM: HORIZONTAL: NAD 83/91 VERTICAL: NVD/29	WATERSHED: WATT'S BRANCH WATERSHED



**FOREST CONSERVATION PLAN  
 TREE/FOREST MITIGATION PLAN**

**PRELIMINARY FOREST CONSERVATION PLAN  
 HERITAGE POTOMAC**

**PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA**

(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

SHEET **8** OF **10**  
 PROJECT NO. 2198-02-00



South Glen Properties Tree Inventory

Table with columns: Tree #, REMOVED, Off-site, Specimen, Common Name, Latin Name, Diameter at Breast Height (DBH), Condition Rating, Condition, Comments. Lists 120 trees with various species like Yellow Poplar, Sycamore, Red Maple, etc.

PLANNING DEPARTMENT USE ONLY (E-PLANS)

Table with columns: Tree #, REMOVED, Off-site, Specimen, Common Name, Latin Name, Diameter at Breast Height (DBH), Condition Rating, Condition, Comments. Lists 120 trees with various species like Yellow Poplar, Sycamore, Red Maple, etc.

South Glen Properties Tree Inventory

Table with columns: Tree #, REMOVED, Off-site, Specimen, Common Name, Latin Name, Diameter at Breast Height (DBH), Condition Rating, Condition, Comments. Lists 120 trees with various species like Yellow Poplar, Sycamore, Red Maple, etc.

South Glen Properties Tree Inventory

Table with columns: Tree #, REMOVED, Off-site, Specimen, Common Name, Latin Name, Diameter at Breast Height (DBH), Condition Rating, Condition, Comments. Lists 120 trees with various species like Yellow Poplar, Sycamore, Red Maple, etc.

SPECIMEN TREES TO BE REMOVED

Table with columns: Tree #, Forested Area, Common Name, Latin Name, DBH, CRZ, CRZ Impact, % CRZ Impact, Condition. Lists 120 trees for removal with associated metrics.

TREE MITIGATION REQUIREMENT = 938A=235 INCHES (SEE SHEET 9 FOR PLANTING SCHEDULE)

Table with columns: Tree #, Common Name, Latin Name, DBH, CRZ, CRZ Impact, % CRZ Impact, Condition, Save/Remove. Lists 24 trees for on-site CRZ impacts.

Table with columns: Tree #, Common Name, Latin Name, DBH, CRZ, CRZ Impact, % CRZ Impact, Condition, Save/Remove. Lists 12 trees for off-site CRZ impacts.

DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Approved Final Forest Conservation Plan No. CU-22-01, including financial bonding, forest planting, maintenance, and all other applicable agreements.

SOLTESZ, INC.
Engineering Surveying Planning Environmental Sciences
Rockville Lanham Waldorf Leespring Frederick
Soltesz DC, LLC
www.soltesz.com

Table with columns: NO., REVISIONS, BY, DATE. Includes project details like DATE: JULY 2021, COORDINATOR: EEO, CHECKED: DP.

MISS UTILITY NOTE
INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES... MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITIES TO BE INSTALLED...

DEVELOPER/APPLICANT
Heritage Gardens Land, LLC
5283 Corporate Drive
Suite 300
Frederick, MD 21703
Telephone: (301) 956-6614 x104

MAP: 5283 GRID: FS\_GS
TAX MAP: ZONING CATEGORY: RE-2
FS01
WBSG 200 SHEET: MASTERPLAN: POTOMAC
SUBSHEET: SUBSHEET 002



NOTES & DETAILS
PRELIMINARY FOREST CONSERVATION PLAN
HERITAGE POTOMAC
PARCELS P950, P896 OF OUT CLAGGETT FOLLY & PARCEL B GLEN VISTA
(8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND
PROJECT NO: 10
DATE: 2188-02-00

# Attachment E- Traffic Impact Statement

# WELLS + ASSOCIATES

## MEMORANDUM



1110 Bonifant Street  
Suite 210,  
Silver Spring, MD 20910  
301-448-1333  
[WellsandAssociates.com](http://WellsandAssociates.com)

**TO:** Lauren Campbell; Montgomery County Planning Department

**FROM:** Chris Kabatt  
Christine Bairan

**COPY:** Ken Wormald; The Wormald Companies  
Patricia Harris; Lerch, Early & Brewer, Chtd.

**RE:** Transportation Study Exemption Statement,  
Heritage Potomac Conditional Use

**DATE:** November 19, 2021

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This memorandum serves as a transportation exemption statement for the conditional use permit application to establish a residential care facility at 10701 South Glen Road in Potomac, Maryland. The site is located on the north side of South Glen Road opposite Norton Road and to the west of the Congregation B’Nai Tzedek.

The Applicant, Heritage Gardens Land, LLC, is proposing a residential care facility with 74 independent living units and 73 assisted living and memory care units, containing 96 beds. The applicant is also proposing an additional development scenario that reduces the independent living units to 64 units and increases the assisted living and memory care to approximately 87 units, containing 105 beds. Previously, a private school operated on the site. The school closed in 2014 and had an enrollment of 95 students, with approved plans for up to 400 students in grades pre-K through 12<sup>th</sup> Grade.

Vehicular access to the property is provided by a single driveway slightly offset from Norton Road and adjacent to a driveway to Congregation B’Nai Tzedek. Per plans submitted with the Conditional Use application, the driveway would shift to the west to provide separate from Norton Road and the adjacent driveway.

Per the Growth and Infrastructure Policy, the number of person trips associated with the proposed redevelopment is used to determine the level of transportation analysis required for the proposed use. Development projects that will generate at least 50 new weekday peak-hour person trips are subject to the Local Area Transportation Review (LATR) multi-modal tests to determine transportation adequacy. Developments that will generate fewer than 50 new weekday peak-hour person trips must prepare a transportation study exemption statement. The new person trips are calculated by generating trips for the proposed use and subtracting trips generated by the existing use. In this case, the enrolled number of students, 95, was used for the private school

# WELLS + ASSOCIATES

## MEMORANDUM

use to determine the number new person trips that will be generated by the residential care facility.

As shown in Table 1, the proposed residential care facility with 74 independent living units and 96 assisted living beds (73 assisted living beds and 23 memory care beds) will generate 34 fewer AM peak-hour person trips and 30 additional PM peak-hour person trips. As shown in Table 2, the additional development scenario that reduces the independent living units to 64 units and increases the assisted living and memory care to approximately 87 units, containing 105 beds, will generate the same number of AM and PM peak hour trips (50 and 64, respectively). Since the new trips, proposed use trips minus the existing use trips, is less than 50 peak-hour person trips, the proposed application is exempt from LATR.

If you have any questions or require any additional information during your review of this transportation study exemption statement, please feel free to contact me at 301-971-3416 or via email at [clkabatt@wellsandassociates.com](mailto:clkabatt@wellsandassociates.com).

Table 1  
Heritage Gardens  
Trip Generation<sup>1,2</sup>

Land Use	LUC	Amount	Unit	ITE Trip Generation						Montgomery County Growth and Infrastructure Trip Generation														
				AM Peak Hour			PM Peak Hour			AM Peak Hour						PM Peak Hour								
				In	Out	Total	In	Out	Total	Auto Driver	Auto Passenger	Transit	Non-Motorized	Pedestrian	Person Trips	Auto Driver	Auto Passenger	Transit	Non-Motorized	Pedestrian	Person Trips			
<b>Existing</b>																								
Private School (K-8) <sup>3</sup>	530	95	Students	36	28	64	12	13	25	63	16	2	3	5	84	25	7	1	1	2	34			
<b>Proposed</b>																								
Senior Adult Housing - Multifamily	252	74	DU	5	10	15	11	8	19	15	6	1	2	3	24	18	8	1	2	3	29			
Assisted Living	254	96	Beds	<u>10</u>	<u>7</u>	<u>17</u>	<u>9</u>	<u>14</u>	<u>23</u>	<u>16</u>	<u>7</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>26</u>	<u>22</u>	<u>9</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>35</u>			
				15	17	32	20	22	42	31	13	2	4	6	50	40	17	2	4	6	64			
<b>Total Trips (Proposed versus Existing)</b>				<b>(21)</b>	<b>(11)</b>	<b>(32)</b>	<b>8</b>	<b>9</b>	<b>17</b>	<b>(32)</b>	<b>(3)</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>(34)</b>	<b>15</b>	<b>10</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>30</b>			

- Note:  
1. Trip generation based on ITE Trip Generation Manual 11th Edition  
2. LATR Adjustment Factors and Mode Split Assumptions for the Potomac Policy Area were applied.  
3. "Other" SSP Policy area adjustment factor used for the private school.

Table 2  
Heritage Gardens  
Trip Generation<sup>1,2</sup>

Land Use	LUC	Amount	Unit	ITE Trip Generation						Montgomery County Growth and Infrastructure Trip Generation														
				AM Peak Hour			PM Peak Hour			AM Peak Hour						PM Peak Hour								
				In	Out	Total	In	Out	Total	Auto Driver	Auto Passenger	Transit	Non-Motorized	Pedestrian	Person Trips	Auto Driver	Auto Passenger	Transit	Non-Motorized	Pedestrian	Person Trips			
<b>Existing</b>																								
Private School (K-8) <sup>3</sup>	530	95	Students	36	28	64	12	13	25	63	16	2	3	5	84	25	7	1	1	2	34			
<b>Proposed</b>																								
Senior Adult Housing - Multifamily	252	64	DU	4	9	13	9	7	16	13	6	1	1	2	21	16	7	1	2	3	26			
Assisted Living	254	105	Beds	<u>11</u>	<u>8</u>	<u>19</u>	<u>10</u>	<u>15</u>	<u>25</u>	<u>18</u>	<u>8</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>29</u>	<u>24</u>	<u>10</u>	<u>2</u>	<u>2</u>	<u>4</u>	<u>38</u>			
				15	17	32	19	22	41	31	14	2	3	5	50	40	17	3	4	7	64			
<b>Total Trips (Proposed versus Existing)</b>				<b>(21)</b>	<b>(11)</b>	<b>(32)</b>	<b>7</b>	<b>9</b>	<b>16</b>	<b>(32)</b>	<b>(2)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(34)</b>	<b>15</b>	<b>10</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>30</b>			

- Note:  
1. Trip generation based on ITE Trip Generation Manual 11th Edition  
2. LATR Adjustment Factors and Mode Split Assumptions for the Potomac Policy Area were applied.  
3. "Other" SSP Policy area adjustment factor used for the private school.

## Attachment F- Previous Correspondence \*

\* Staff has included information based upon the previous case CU201909, in addition staff expects additional testimony prior to Planning Board or OZAH hearings

**From:** [Stephen Smith](#)  
**To:** [Penn, Joshua](#)  
**Subject:** Heritage Gardens  
**Date:** Saturday, December 7, 2019 2:36:41 PM

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10520 South Glen Rd.

Potomac, MD 20854

12/7/2019

Joshua Penn

Office of Zoning & Administrative Hearings

751 Twinbrook Parkway

Rockville, MD 20850

Dear Mr. Penn,

I wish to express support for the Heritage Gardens senior living project proposed by the Wormald Companies based upon several characteristics that are preferable to alternatives that would dramatically increase traffic congestion, noise, and disruptive activity.

My position on this proposal is based on the following characteristics:

- A senior living community would produce a quieter and less traffic intensive environment that would be more aligned with the character of our suburban neighborhood.
- The proposed development of structures that would replicate the design of single family homes rather than institutional-style residences would blend in well with the neighborhood architecture.
- The Wormald Companies have addressed environmental concerns with the retention of 80% of the existing forest and compliance with county construction codes.
- The project details an individual living community with abundant services that would produce a safe, comfortable, and nurturing environment for residents.

My family has owned a property located at 10520 South Glen Rd since 1974 with numerous elderly friends and neighbors who would benefit from this option that is preferable to the impersonal and commoditized senior living facilities around the region.

Sincerely,

Stephen W. Smith

**From:** [Betty](#)  
**To:** [LYNN.ROBESONHANNAN@MONTGOMERYCOUNTY.GOV](mailto:LYNN.ROBESONHANNAN@MONTGOMERYCOUNTY.GOV); [Penn, Joshua](#)  
**Subject:** HERITAGE GARDENS POTOMAC  
**Date:** Friday, November 8, 2019 5:11:12 PM

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Ms Rosbson and Mr Penn:

We have recently become aware of a proposed independent living community to be built in Potomac. We have lived in Potomac for over 45 years. Because of our age we need to downsize. For several years we have been exploring our options. We would like to stay in the Potomac community where we are familiar with surrounding and especially to be near our children and grandchildren. The plans for Heritage Gardens is perfect. It is in a quiet area near the village and they would be homes and not high rises blending into the community.

We have been talking to several of our friends who are in the same situation and they agree that this sounds like a great option. We think this project would be a good asset for Potomac and it is much needed. We hope you will give it positive consideration.

We have met the developers and have been impressed by their presentation.

Betty and Bill Topercer  
8704 Crider Brook Way  
Potomac, Md 20854

## Guy A. Wassertzug

10922 Broad Green Terrace • Potomac, MD 20854

Phone 301.674.5130 • [guyw@infostructures.com](mailto:guyw@infostructures.com)

November 14, 2019

Lynn Robeson, Esq.  
Zoning Hearing Examiner  
Office of Zoning & Administrative Hearings  
751 Twinbrook Parkway  
Rockville, MD 20850

RE: Heritage Gardens Conditional Use Application, Case No. CU 19-09

Dear Ms. Robeson,

This is a letter of support for the subject use application.

I have been reviewing the discussion, looking at the site plans, and reading the websites regarding the proposed Heritage Gardens property. As a neighbor *whose property abuts* the proposed development, I have taken particular interest in the impact of this project.

For those who don't remember, the 4<sup>th</sup> Presbyterian Church ran a school there for many years. The school closed due to funding issues, but this property was *already* a busy one and it predated many of the newer houses built in this area. It also operated as a summer camp, so year-round there was plenty of activity on this property and there were lots of people coming in and out. Just before its closing, the property was already approved for K-12 operation and 400 students.

Looking at the proposed development information on [www.savetheglen.org](http://www.savetheglen.org) and [www.heritagepotomac.com](http://www.heritagepotomac.com), as well as knowing the property layout pretty well, I see the following:

- This is a HUGE property with a lot of setback from South Glen Road. There is still going to be a lot of distance between the proposed houses and the road so the single-family character of the community won't be affected.
- Speaking of the houses, they homes look like 20 one-story single family homes spread out across 30+ acres. These are luxury homes and do not like tract housing by any stretch.
- This property is literally *in my backyard* so I have particular concerns about the tree buffer. I see that the plan preserves 80% of the existing forest and that a tree will be planted for every tree removed.
- This property is planned as senior living, which we need more of in the area. Compare this with other senior living options in Potomac (which were also built on RE-2 zoned parcels) and you will see that this plan looks a lot less institutional than those options. Also, due to county regulations, there will be legal covenants enforcing the senior living aspect of this (you have to be 62 years old to buy the property). The idea is to "retire in place" rather than go to an institution.

Finally, I'm told that private schools are looking at this property (which as I said before, already received approval once). Compare this proposal with that option (a lot of traffic at all hours, Friday night light sports events, and plenty of speeding teenagers coming in and out of the property), and I think this is a much better option. The property is getting developed no matter what, and I think this proposal is respectful of the parcel and is low-impact compared to what else could end up here.

In summary, as a neighbor directly impacted by the proposed development, I am in support of this application. I'm available at [guyw@infostructures.com](mailto:guyw@infostructures.com) or via cell at 301.674.5130 should you have any further questions or comments.

Sincerely,



Guy Wassertzug

CC: Josh Penn

**From:** [Susanne Lee](#)  
**To:** [Penn, Joshua](#); "[ginnybarnes@juno.com](#)"  
**Cc:** [Bawer, Ken](#); [Nelson, Katherine](#); [Tesfaye, Elsabet](#); [rick@magginconstruction.com](#); [Marie](#)  
**Subject:** Re: CU 19-09 Heritage Gardens  
**Date:** Wednesday, November 20, 2019 3:40:52 PM  
**Attachments:** [CU 19-09 Motion to Dismiss.pdf](#)

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Hi Josh -

Thanks so much for reaching out to us regarding possible additional comments from WMCCA. We provided extensive comments during our previous meeting with the staff. Many were consistent with the Development Review Committee notes and analysis. Our initial examination of the applicant's revised application indicates that many of those same issues remain. Furthermore, we recently filed the attached Motion to Dismiss which, if granted by the Hearing Examiner, will be dispositive. As a result, we have no plans to submit additional comments at this time.

Susanne

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**From:** Penn, Joshua <[joshua.penn@montgomeryplanning.org](mailto:joshua.penn@montgomeryplanning.org)>  
**Sent:** Thursday, November 14, 2019 10:14 AM  
**To:** [susannelee1@hotmail.com](mailto:susannelee1@hotmail.com) <[susannelee1@hotmail.com](mailto:susannelee1@hotmail.com)>; '[ginnybarnes@juno.com](mailto:ginnybarnes@juno.com)' <[ginnybarnes@juno.com](mailto:ginnybarnes@juno.com)>  
**Subject:** CU 19-09 Heritage Gardens

Susan and Ginny,

I am the packager for CU 19-09 Heritage Gardens which is scheduled for the Planning Board on January 9<sup>th</sup>, 2019. I know you previously met with staff over the concerns WMCCA has about the project. I wanted to reach out and ask if you all would like to formalize any comments to be included in the Planning Board Staff Report. While the final posting date is not until December 27, the internal review process of the draft document begins on December 6, 2019. I just wanted to afford you every opportunity to have your comments fully integrated into the Staff Report.

Please feel free to share this email and my contact information with anyone who might have an interest in the case.

Thanks!

**Joshua Penn**  
Planner Coordinator  
Montgomery Planning Department  
Maryland-National Capital Park & Planning Commission  
(301) 495-4546  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
[Joshua.Penn@montgomeryplanning.org](mailto:Joshua.Penn@montgomeryplanning.org)