

CHURCHILL SENIOR HOUSING SKETCH PLAN NO. 320220060



Description

Proposal for 326,252 square feet of new residential uses and 3,000 square feet for a medical clinic (Phases 3 and Phase 4), in addition to the existing 268,280 square feet of existing residential uses (Phases 1 and 2). The overall development will be a total of 597,532 square feet comprised of 594,532 square feet of residential uses and 3,000 square feet of non-residential uses, including a total of 17 percent Moderately Priced Dwelling Units (MPDUs). The property is currently developed with 255 dwelling units, which will remain.

No. 320220060

Completed: 9-19-2022

MCPB

Item No. 10

9-29-2022

Montgomery County

Planning Board

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LOCATION/ADDRESS

21000 Father Hurley Blvd. (west side of Father Hurley Blvd., 500 feet south of Waters Landing Road)

MASTER PLAN

2020 *Germantown Plan for the Town Sector Zone*

ZONE

CRT 2.5, C-0.25, R-2.5, H-90

PROPERTY SIZE

5.49 acres

APPLICANT

Churchill Senior Living, Phase III, LLC

ACCEPTANCE DATE

March 23, 2022

REVIEW BASIS

Chapters 22A and 59

Summary

- Staff recommends approval of the Sketch Plan with conditions.
- Proposal for 326,252 square feet of new residential uses and 3,000 square feet for a medical clinic (Phases 3 and Phase 4), in addition to the existing 268,280 square feet of existing residential uses (Phases 1 and 2). The overall development will be a total of 597,532 square feet comprised of 594,532 square feet of residential uses and 3,000 square feet of non-residential uses, including a total of 17 percent Moderately Priced Dwelling Units (MPDUs). The property is currently developed with 255 dwelling units, which will remain.
- The Applicant proposes the optional method to increase the maximum height by 12 feet for providing more than the minimum 12.5% MPDUs.
- The Applicant proposes the following public benefits: Transit Proximity, Connectivity and Mobility, Quality of Building and Site Design, Diversity of Uses and Activities, and Protection and Enhancement of the Natural Environment.
- Staff has received community comments regarding the proposal with concerns related to density, height, compatibility, noise, stormwater management, sediment control, vehicular and pedestrian safety, and parking.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

SKETCH PLAN 320220060

Staff recommends approval of Churchill Senior Housing, Sketch Plan No. 320220060 for up to 571,280 square feet (2.39 FAR) of density on 5.49 acres, zoned CRT 2.5, C-0.25, R-2.5, H-90, and located within the 2020 *Germantown Plan for the Town Sector Zone* area. The following site development elements shown on the latest electronic version of Sketch Plan No. 320220060, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the conditions below.

- Maximum density and height;
- Approximate location of lots and public dedications;
- General location and extent of public open space;
- General location of vehicular access points; and
- Public benefit schedule.

All other elements of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan.

This approval is subject to the following conditions:

Density

1. The Sketch Plan is limited to an additional 326,252 square feet of residential uses and 3,000 square feet for a medical clinic. This equals a maximum of 597,532 square feet of total development, which includes 268,280 square feet of existing residential uses.

Height and Building Massing

2. The development is limited to a maximum building height of 102 feet with a shadow length of no greater than 275 feet. Building height is measured from the building height measuring point as illustrated on the Certified Site Plan. Pursuant to Section 59-4.5.2.C.7 of the Zoning Ordinance, this includes additional height for the provision of more than the minimum required MPDUs.^{1, 2}
 - a. Phase 3 maximum heights are limited (48 feet, 58 feet, 68 feet and 102 feet) and must be stepped back as shown on the Sketch Plan drawings and renderings as measured from the building height measuring point as illustrated on the Certified Site Plan.²

¹ The height limit of the applicable zone and master plan does not apply to the extent required to provide the MPDUs. The additional height is calculated as the floor area provided for MPDUs above 12.5% divided by the average residential floor plate area, where each whole number and each remaining fraction allows an increase of 12 feet.

- b. Phase 4 building is limited to a height of 73 feet, as measured from the building height measuring point as illustrated on the Certified Site Plan.²
- c. No additional height is allowed for the existing buildings of Phase 1 and Phase 2.

Moderately Priced Dwelling Units (MPDUs)

- 3. The Applicant must provide a minimum of 17% of the total units as Moderately Priced Dwelling Units. The development must provide MPDUs in accordance with Chapter 25A of the County Code.

Incentive Density

- 4. The development must be constructed with the public benefits listed below unless modifications are made under Section 59.7.3.3.1. Total points must equal at least 50 and be chosen from at least three categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.
 - a. Transit Proximity, achieved through Level 2 transit proximity;
 - b. Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance;
 - c. Quality of Building and Site Design, achieved through providing structured parking;
 - d. Diversity of Uses and Activities, achieved through providing more than 12.5 percent MPDUs, and enhanced accessibility for the disabled; and
 - e. Protection and Enhancement of the Natural Environment achieved through energy conservation, and a vegetated wall.

Public Open Space

- 5. The Applicant must provide a minimum of five percent (5%) of the Site Area (239,013 square feet) as Public Open Space, totaling 11,950 square feet. Phase 3 and Phase 4 must each provide at least 5,975 square feet of public open space. Final phasing, features, and configuration will be established at Site Plan approval.

Future Coordination for the subsequent Preliminary Plan and Site Plan

- 6. In addition to any other requirements for Preliminary Plans under Chapter 50 and for Site Plans under Chapter 59, the following must be addressed when filing a Preliminary Plan or Site Plan application, as appropriate:

² The building height measuring point is determined by the Department of Permitting Services.

- a. Receive Stormwater Management concept approval consistent with Chapter 19 of the Montgomery County Code.
- b. Coordinate with MCDOT in accordance with their letter dated July 14, 2022.
- c. Coordinate with MDSHA regarding safe pedestrian and bicycle access across Father Hurley Boulevard.
- d. Demonstrate a free and clear access easement on adjacent property to the south.
- e. Provide adequate parking to meet the minimum requirements of the Zoning Code.
- f. Provide final design details for all new public open spaces.

Validity

7. A Site Plan application must be submitted within 48 months after the date the resolution is transmitted. The Applicant may request a time extension prior to the expiration of the 48-month validity date.

SECTION 2: SITE DESCRIPTION

VICINITY

The Subject Property is located in the Churchill Village community of Germantown on the west side of Father Hurley Boulevard, approximately 500 feet south of Waters Landing Drive (“Subject Property” or “Property”). Specifically, the Property is located at 21000 Father Hurley Boulevard, Germantown, approximately 1,000 feet northeast of Lake Churchill, 3,800 feet northwest of the Germantown Library, and about 1.2 miles north of the Germantown MARC rail station. Regional vehicular access to the Subject Property is provided by Interstate 270, which is located about 3,800 feet to the northeast via Father Hurley Boulevard.

The Waters Landing Homeowners Association (“HOA”) community center and swimming pool abuts the Property on the south, The Village townhome community is to the west, and an unimproved property of about 4.8 acres bounds the Property to the north (see Figure 2, Vicinity Map). Along the western property line is a stream valley which drains into Lake Churchill and Little Seneca Creek. Beyond the adjacent properties, land uses in the vicinity consist of single-family, townhomes, and multi-family housing units; open spaces; and trails.

The Property is zoned CRT (Commercial Residential Town) 2.5, C-0.25, R-2.5, H-90 (see Figure 1, Zoning Map). The vacant and adjacent property to the north is zoned CRN (Commercial Residential Neighborhood) 1.25, C-0.25, R-1.25, H-45. The HOA property to the south is zoned RE-1 (Residential Estate). The townhomes to the west are zoned TLD (Townhouse Low Density) and across Father Hurley Boulevard, the multi-family units are zoned R-20 (Residential Multi-Unit Medium Density).

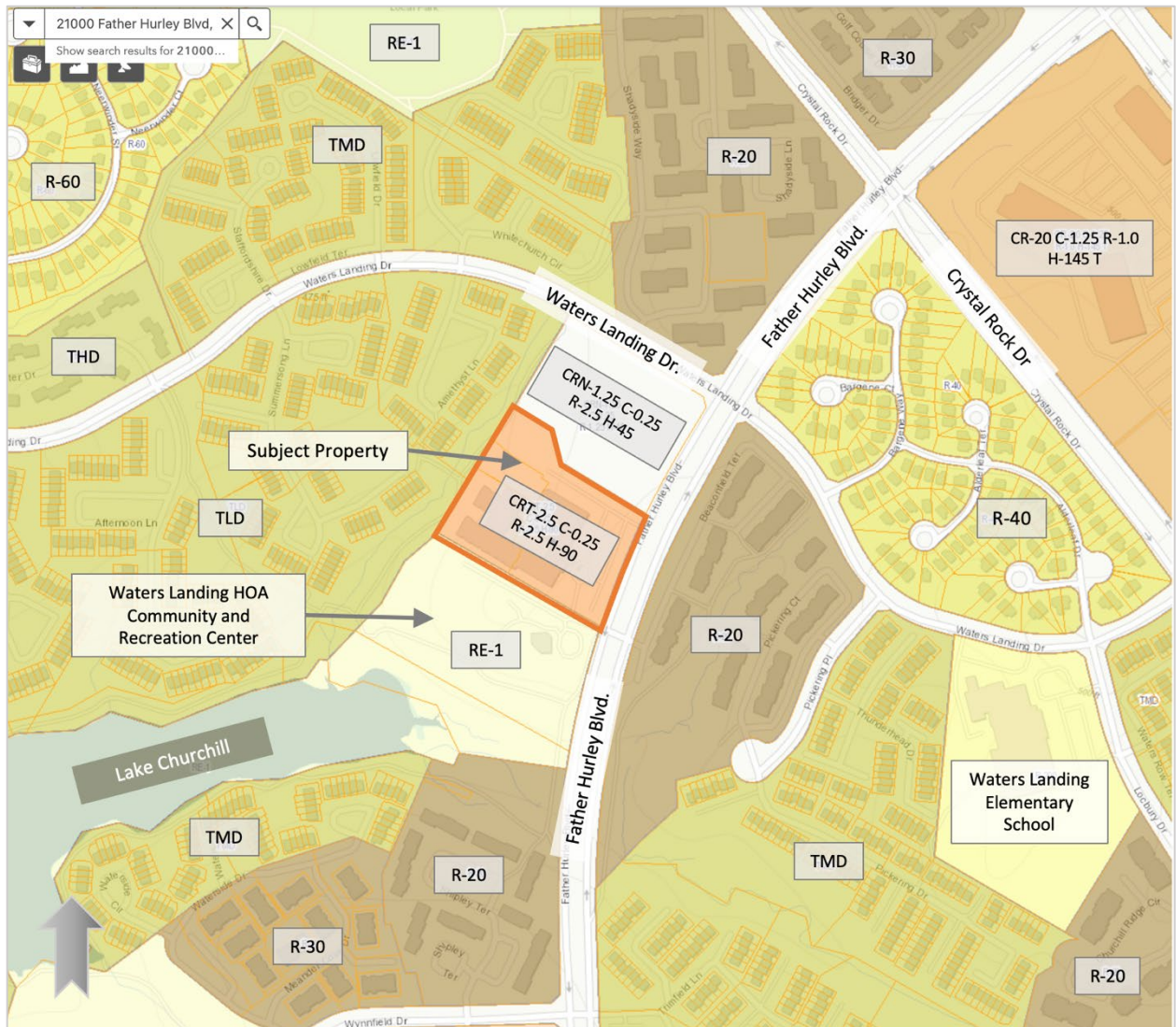


Figure 1: Zoning map and subject property.



Figure 2: Vicinity map and Subject Property.

PROPERTY DESCRIPTION

The Property is an irregularly shaped, approximately 5.49-acre site (6.02-acre gross tract) comprised of three recorded lots (Parcel CC, Parcel DD, and Parcel Z) situated on the west side of Father Hurley Boulevard, approximately 500 feet south of Waters Landing Drive.

The Property was originally developed in two phases under the former Town Sector zone. Phase 1 was completed in 2001 and Phase 2 was completed in 2018. Presently, there is a 259,808- square foot, four story apartment building containing 255 independent living units for seniors as a limited use, which includes 55 Moderately Priced Dwelling Units (MPDU). There are a total of 179 surface parking spaces available: 149 on-site and 30 off-site. The 30 off-site parking spaces are located on the adjacent HOA property to the south, which are provided as part of a shared parking agreement.

There are two points of vehicular access to the Property and parking lot from Father Hurley Boulevard. On the northern edge of the Property is a two-way 24-foot-wide driveway. On the southern edge of the Property is a two-way 35-foot-wide driveway that serves both the Property and the adjacent HOA community center. There is an existing approximately 8.5-foot-wide shared use path along Father Hurley Boulevard along the front of the Property which extends to the north and south. Within the front parking lot area and at the main entrance is a circular drive aisle, which serves as a passenger loading area. On the south side of the building is a truck loading space and dock, which is accessed through an access easement on the HOA property.

The topography is relatively level near Father Hurley Boulevard, while the western half of the Property slopes downward to the stream valley toward the western Property line. There are steep slopes (greater than 25 percent) located on the western portion of the Property near the stream valley.

Ornamental landscaping and lawn are present around the building and parking lot areas. There are two private landscaped courtyards for use by residents: a larger main interior courtyard and a smaller courtyard facing the stream valley. At the rear portion of the Property (western property line) are several mature trees located within the stream valley buffer.

Planning staff approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) No. 420221690 on May 10, 2022.



Figure 3: Subject property with existing 255 independent living units for seniors and parking.

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

Preliminary Plan No. 119950880

On November 21, 1996, the Planning Board approved a preliminary plan of subdivision to develop 300 independent living units.

Site Plan No. 819970140

On January 30, 1997, the Planning Board approved a site plan to develop 300 dwelling units.³ The approval included 166 market-rate independent living units, 55 MPDU independent living units, and 79 assisted living beds. A minimum of 181 parking spaces were approved. This accounted for a reduction of 132 parking spaces, which were approved with credits for a shuttle bus credit, MPDUs, and assisted living. In order to satisfy requirements for the reduction in parking, the operator was to provide a private shuttle bus for a minimum period of seven years. Furthermore, if the assisted living was developed, the operator was to provide a dining facility large enough to serve meals for at least 50 percent of assisted living residents.

Site Plan Amendment No. 81997014A

On July 17, 2008, the Planning Board approved a site plan amendment to revise the building footprint and unit mix, alter the building's elevations, and modify the landscape and parking plans (MCPB No. 08-97). The approval included an increase in market rate units (166 to 199 units) and a decrease in assisted living beds (79 to 46 beds). The previously approved total of 300 units, which included 55 MPDUs, remained unchanged. The total minimum required parking spaces increased from 181 to 207 spaces as follows: 170 spaces for the independent living units and 37 for the assisted living beds.⁴ The required parking included the utilization of 30 off-site parking spaces (Waters Landing HOA Parking Agreement) and the construction of 30 new on-site spaces, and the construction of six optional spaces, if needed. The approval included a revised condition extending the existing shuttle bus service to residents from seven to nine years (expiring on April 1, 2011).

Site Plan Amendment No. 81997014B

Application was withdrawn <https://www.mcatlas.org/daic8/Default.aspx?apno=81997014B>

³ For the purposes of Site Plan No. 819970140, the total number of dwelling units (300) include independent units (221) and assisted living beds (79).

⁴ Rounded to 170 spaces for the independent living units and 37 spaces for the assisted living beds equals a total of 207 required parking spaces per Planning Board Resolution No. 08-97 dated September 23, 2008.

Site Plan Amendment No. 81997014C

On May 6, 2015, the Planning Director approved a site plan amendment to revise the parking and retaining walls, add an emergency generator, modify the pedestrian entrance, modify architectural finishes, revise the data table to reflect changes to the site plan, modify landscape plan to phase planting in three phases, revise location of units with total number remaining unchanged, revise the parking table to reflect zoning revisions effective on October 30, 2014.

The previously approved total of 300 units, which included 55 MPDU units, remained unchanged. The approval included an increase in market rate units (199 to 200 units) and a decrease in assisted living beds (46 to 45 beds). At the time of this approval, the site contained a total of 152 on-site parking spaces, according to the approved site plan.

The total minimum required parking spaces decreased from 220 to 216 spaces as follows: 188 spaces for the independent living units and 31 for the assisted living beds.⁵ A minimum of eight handicapped spaces, nine bicycle, and four motorcycle spaces, and one loading space were required.

PROPOSAL

The Applicant proposes 326,252 square feet (2.49 FAR) of residential uses and 3,000 square feet (0.01 FAR) for a medical clinic (Phases 3 and Phase 4), in addition to the existing 268,280 square feet of existing residential uses (Phases 1 and 2) (“Project”).

The overall development would equal 597,532 square feet (2.5 FAR) comprised of 594,532 square feet of residential uses and 3,000 square feet of non-residential uses, including a total of 17 MPDUs. The property is currently developed with 255 dwelling units (Phase 1 and Phase 2), which will remain.

Phase 3 consists of a four to 10-story (102-foot maximum height), approximately 226,252 square foot addition to the existing 255-unit senior apartment building. This would accommodate an additional 280 independent living units for seniors as a limited use with both surface and structured parking facilities.⁶ A minimum of 12.8 percent of the new residential density is proposed for Moderately Priced Dwelling Units (MPDU), which equals 36 MPDUs. The total unit count on the Property would increase from 255 to 535 units, 91 of which would be MPDUs (17%).

⁵ Notes from approved site plan: Existing on-site parking (152), plus new ADA parking (6), and new off-site parking spaces (30) equals 188 spaces required for Phases 1 and 2 (independent living units). Phase 3 under this site plan review (assisted living) required an additional 71 spaces of which the Applicant would construct 31 on-site spaces and obtain 40 off-site parking spaces.

⁶ The final number of dwelling units, unit mix, number of parking spaces, and other applicable development standards will be determined by a subsequent Preliminary Plan and Site Plan approval.

Phase 4 consists of the construction of a separate six story (73-foot maximum height) approximately 103,000 square foot building that would contain a 140-bed residential care facility, as a limited use, with a 3,000 square foot medical clinic.

Both surface and structured parking facilities are proposed for Phase 3 and Phase 4. The total number of parking spaces would increase from 179 to 309.

The proposed maximum total floor area ratio (FAR) would be increased from 1.12 FAR (268,280 square feet) to 2.39 FAR (571,280 square feet) with an overall maximum height of 102 feet.⁷

With an approved Sketch Plan, the Project would require a Preliminary Plan of Subdivision and a Site Plan approval.

Table 1: Summary of proposed development.

Use	Existing	Proposed/Additional	Total Proposed
Apartment Units (Independent Living Units for Seniors)	255 units	280 units	535 units
Moderately Priced Dwelling Units (MPDU) ⁸	55 units	36 units	91 units
Residential Care Facility	None ⁹	140 beds	140 beds
Medical Clinic	None	3,000 square feet	3,000 square feet
Vehicle Parking	149 on-site <u>30 off-site</u> 179 total	130 on-site	279 on-site <u>30 off-site</u> 309 total

PHASING

The Applicant proposes to phase the proposed development. Phase 1 and Phase 2 have been constructed under the previous zoning (TS zone) and Site Plan No. 819970140 (as amended), which include the existing 255 apartment units and 179 on-site parking spaces with 30 off-site parking spaces.

⁷ Per 59-4.5.2.C.7, an additional 12 feet in height is proposed for MPDUs above the 12.5 percent minimum required.

⁸ MPDUs are included in the total unit count.

⁹ 45 residential care facility beds approved by Site Plan Amendment No. 81997014C were never built.

Phase 3 (Figure 4, Figure 5) comprises the addition to the existing building with the proposed 280 apartment units, 164 structured parking spaces, and 5,975 square feet of the 11,950 square feet minimum required public open space.

Phase 4 (Figure 6, Figure 7) consists of a 140-bed residential care facility, 3,000 square foot medical clinic, 49 below-grade parking spaces, and the remaining 5,975 square feet of the 11,950 square feet minimum required public open space.

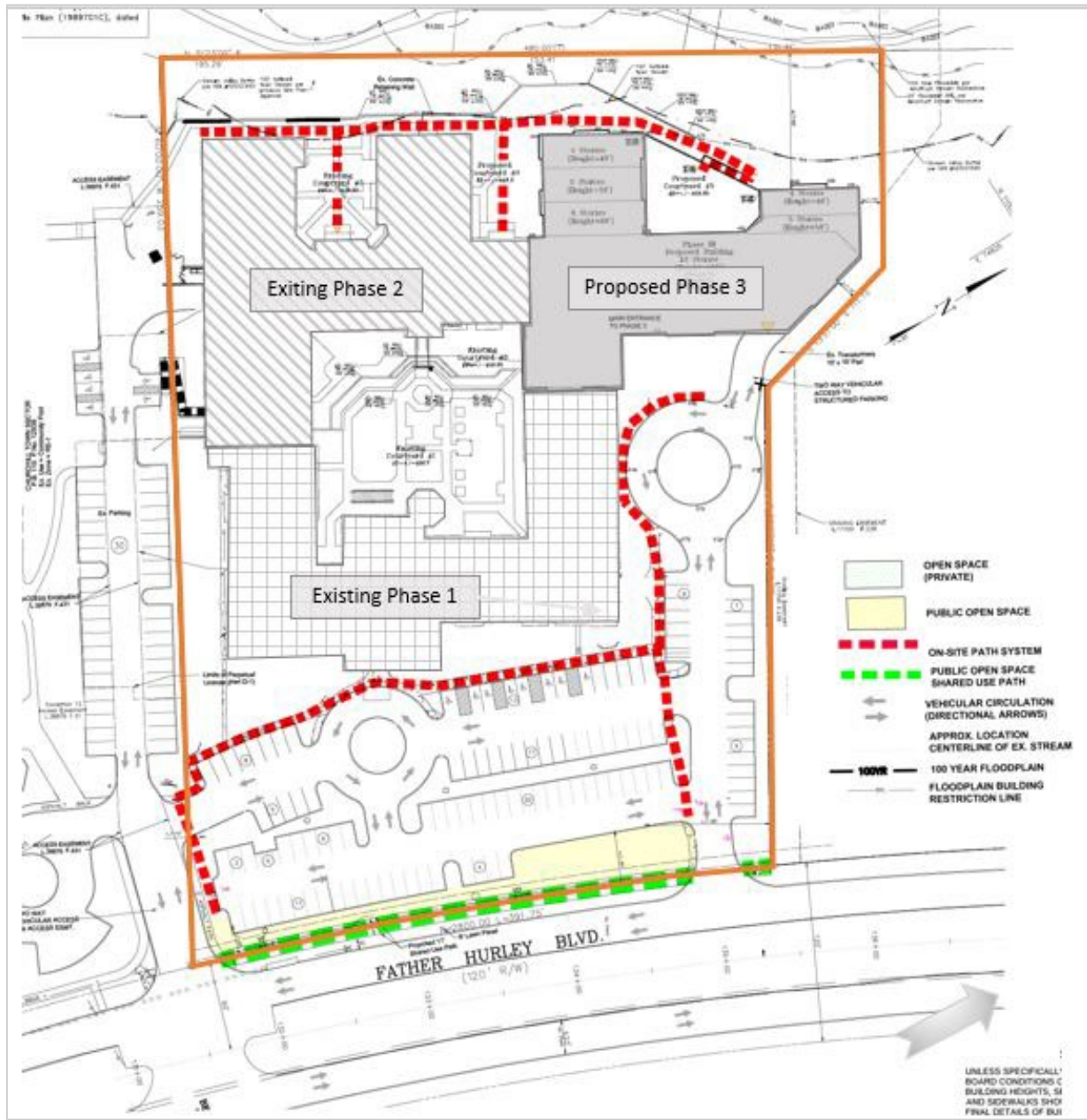


Figure 4: Existing (Phase 1 and Phase 2), Proposed Phase 3 with proposed phased Phase 3 public open space.

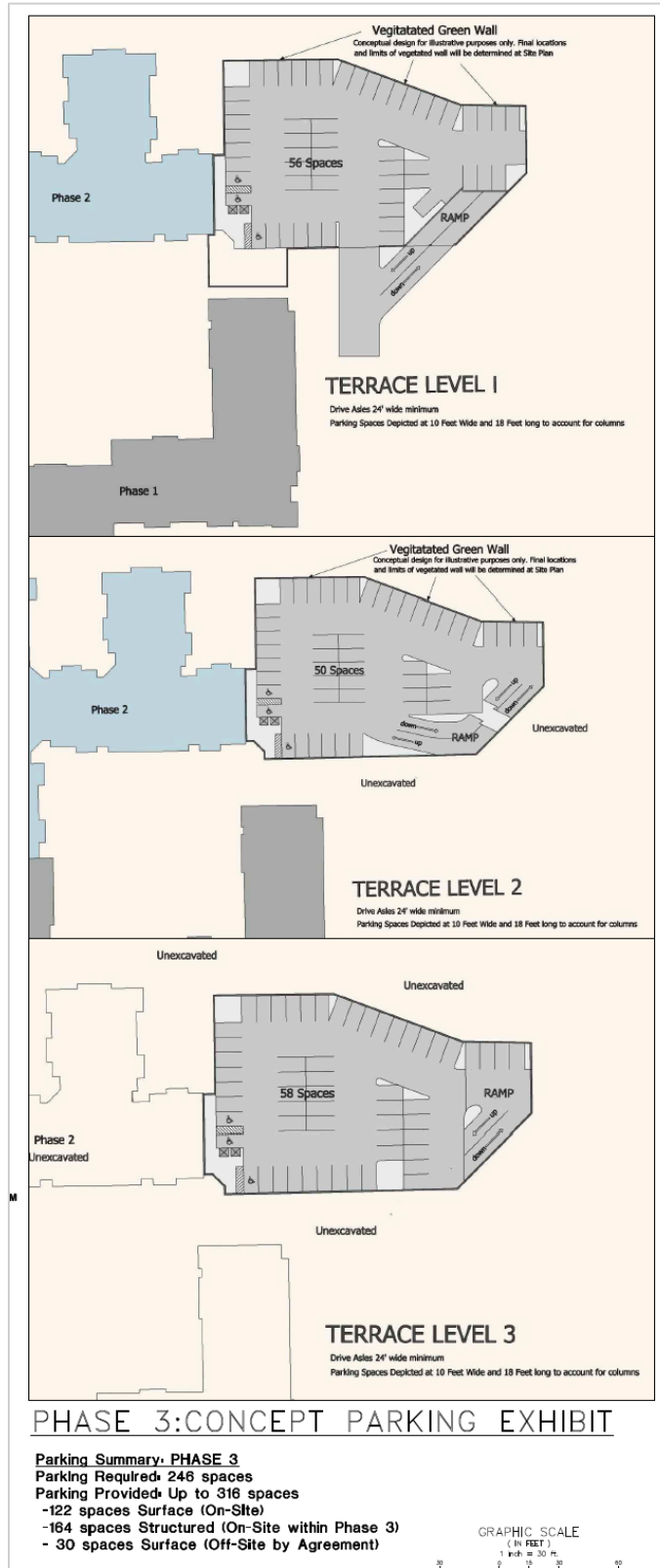


Figure 5: Proposed Phase 3 partially below-grade parking structure.



Figure 6: Existing (Phase 1 and Phase 2), with Proposed Phase 3 and Phase 4, and total proposed public open space.

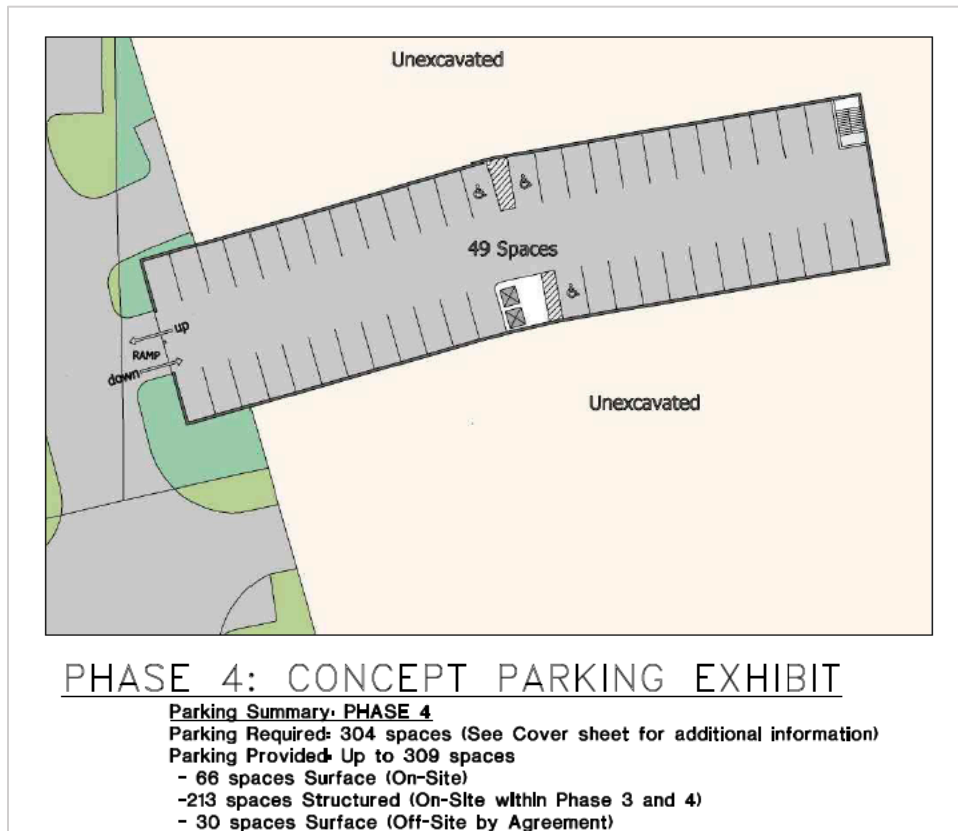


Figure 7: Proposed Phase 4 below-grade parking.

BUILDINGS

The Applicant proposes to construct two new buildings on the Subject Property within two separate phases as shown in Figure 4 and Figure 6. Phases 1 and 2 resulted in the existing buildings that are currently located and in operation on the Subject Property. Proposed Phase 3 will provide approximately a 226,252 square foot expansion of the current facilities. The proposed Phase 3 building would be approximately 102 feet in height and be comprised of two floors of structured parking, with ten floors of residential space above. The Phase 3 building would be designed in a manner to connect with the existing buildings and also provide an additional courtyard at the rear of the building along the stream valley buffer. The new courtyard would be physically connected to the existing courtyards that were constructed in Phases 1 and 2. As measured from the building height measuring point¹⁰ and shown in the plan view (at the main entrance of Phase 1), the building is 48 feet in height, it then steps back approximately 23 feet and rises to 58 feet, it steps back again approximately 23 feet and rises to 68 feet, and finally the building steps back again approximately 23 feet and rises to a maximum of 102 feet (see Figure 9).¹¹

¹⁰ The building height measuring point is determined by the Department of Permitting Services.

¹¹ The development is limited to a maximum building height of 102 feet or to a maximum building height that casts a shadow length of no greater than 275 feet, whichever height is less.



Figure 8: Axonometric southwestward view of Phase 3 and Phase 4 as seen from Father Hurley Boulevard.

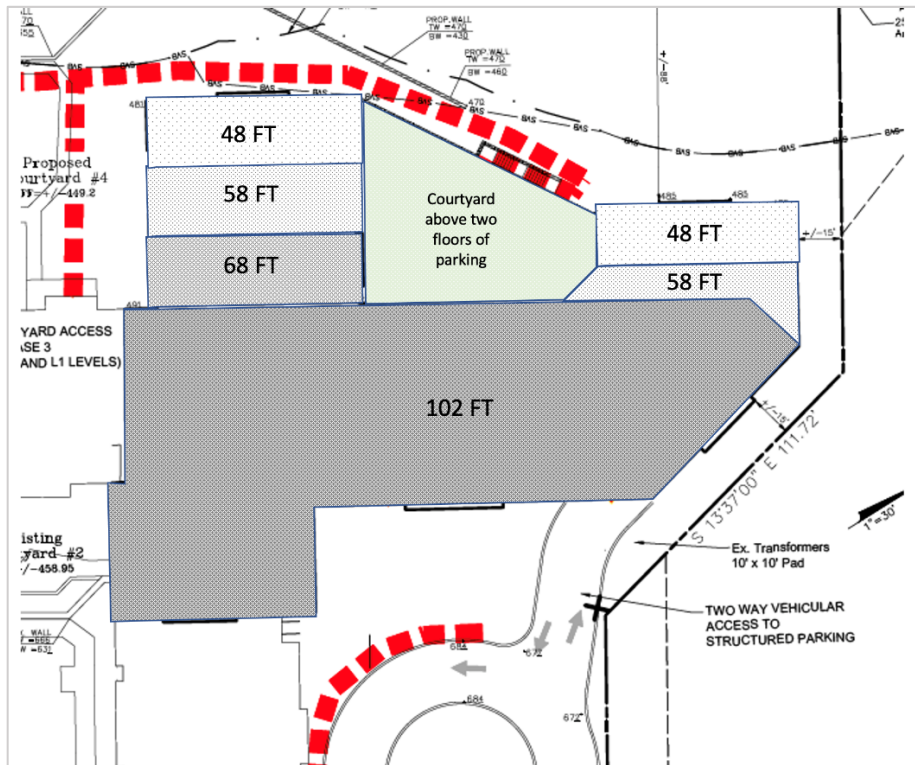


Figure 9: Plan view of Phase 3 building heights.²



Figure 10: The maximum length of the building shadow (275 feet) permitted on December 21 (winter solstice).

Proposed Phase 4 will provide approximately a 103,000 square foot residential care facility, which includes a 3,000 square feet medical clinic. The Phase 4 building would be located along Father Hurley Boulevard, in front of the existing front entrance to the existing buildings. The proposed building would be approximately 73 feet in height and comprised of one floor of structured and tuck-under parking, and five floors of residential care and medical clinic space. The Phase 4 building fronts directly onto Father Hurley Boulevard and would include usable public open space that would be designed to directly interface with the building architecture and the public realm.

SHADE AND SHADOWS

The Applicant provided shading diagrams that show the shading effects of the Project on the ground and roofs of adjacent and nearby properties. Included are diagrams at the Winter Solstice (December 21, when the sun is at the lowest point in the sky) between 9 a.m. and 3 p.m., and those for the Vernal/Autumnal Equinoxes (March 21 and September 21, respectively, when day and night are of approximately equal length) and the Summer Solstice (June 21, when the sun is at its highest point in the sky). Simulations were prepared for the hours of 9:00 a.m., 12:00 p.m., and 3:00 p.m. These simulations are shown attached to this report.

Shadows created by the Project on December 21, the Winter Solstice, would be the most extensive that could occur as a result of the development (Figure 11, Figure 12, Figure 13). New morning shadows would occur at sunrise (7:25 a.m.) onto adjacent northwestward properties. By approximately 10:16 a.m., new shadows would move to the north and would not reach nearby residential roofs. By noon (12:00 p.m.), shadows would move further northward and would not extend

to nearby residences. By 3:00 p.m. new shadows would move northeastward toward the vacant property to the north until sunset.

As conditioned shadows will not extend more than 275 feet from the building (see Figure 10) during the Winter Solstice, which would be the greatest extent of shade and shadows.



Figure 11: Shadow simulation on December 21 at 9:00 a.m.



Figure 12: Shadow simulation on December 21 at 12:00 p.m.



Figure 13: Shadow simulation on December 21 at 3:00 p.m.

OPEN SPACE

The Applicant proposes to phase the provision of public open spaces as follows: Phase 3, approximately, 5,975 square feet; Phase 4, approximately 5,975 square feet, which equates to the required minimum 11,950 square feet of public open space. Figure 6 shows the proposed location (shaded in yellow) along Phase 4 and the public right-of-way. Figure 14 illustrates the proposed features and function of the proposed public open space.

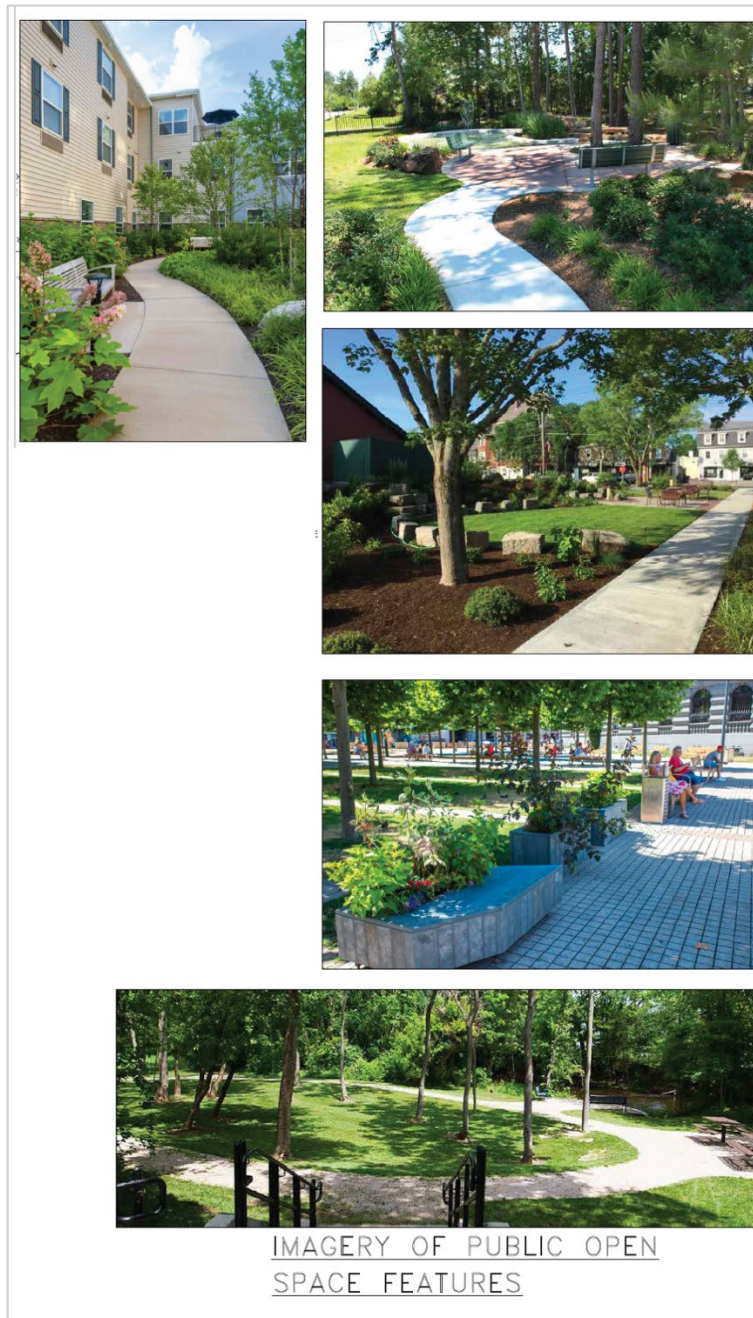


Figure 14: Precedent examples of proposed public open space.

TRANSPORTATION

Vehicular Circulation, Access, Parking, and Loading

Ingress and egress are provided by two existing driveways from Father Hurley Boulevard as shown on the Sketch Plan. Site access and circulation will be reviewed in greater detail during the subsequent Site Plan review to include movement within structured parking facilities. A multimodal transportation study will be conducted to explore area-wide transportation adequacy under the standards of the 2020 Growth and Infrastructure Policy (GIP).

ENVIRONMENT

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan is a request for a tree variance for impacts and removal of subject trees (Attachment B). The Sketch Plan Application complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described below in Section 4.

SECTION 4: SKETCH PLAN 320220060 FINDINGS AND ANALYSIS

The purpose of a Sketch Plan (Sec. 7.3.3) is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Pursuant to Section 59.7.3.3.E of the Zoning Ordinance, to approve a Sketch Plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at Site Plan. The Sketch Plan must:

1. Meet the objectives, general requirements, and standards of this Chapter.

Section 4.5.4 of the Zoning Ordinance sets forth the development standards for the Optional Method of Development within the CRT zone. As show in Table 1 below, the proposed development will satisfy all applicable development standards for the Optional Method of Development in the CRT zone. A Subsequent Site Plan approval will be required and pursuant to 59- 4.5.4 the placement of buildings, transparency, blank walls and active entrances will be determined at Site Plan. With regard to parking, the Property is subject to parking minimums and maximums pursuant to Section 59- 6.2.4 because it is within a Reduced Parking Area as defined by 59-1.4.2.

Table 2: Churchill Senior Housing Sketch Plan data for the CRT 2.5, C-0.25, R-2.5, H-90 Zone, Optional Method, Section 59.4.5.4.

Development Standard	Permitted/ Required	Proposed
Tract Area	n/a	239,013 SF (5.49 acres)
Prior Dedication	n/a	
Proposed Dedication	n/a	0.00 SF
Site Area	n/a	239,013 SF (5.49 acres)
Mapped Density (4.5.2.A.2) CRT-2.5, C-0.25, R-2.5, H-90		
Total Density FAR (GFA)	2.50 FAR (597,532)	2.50 (597,532 SF)
Commercial FAR (GFA)	0.25 (59,753 SF)	0.01 (3,000 SF)
Residential FAR (GFA)	2.5 (597,532)	2.49 (594,532)
MPDUs	12.5%	17% ¹²

¹² The proposed percentage of MPDUs for Phase 3 is 12.8%. The total percentage of MPDUs for the existing and proposed development is 17%.

Development Standard	Permitted/ Required	Proposed
Building Height, max average	90 FT	102 FT ^{11,13}
Public Open Space (min SF)	5% (11,950)	5% (11, 950)

Table 3: Parking data for the CRT 2.5, C-0.25, R-2.5, H-90 Zone, Optional Method, Section 59.4.5.4

Phase	Use	Metric	Baseline Minimum Spaces	Baseline Maximum Spaces	Proposed Spaces ¹⁴
Existing Phase 1, 2	Independent Living Senior	200 units	100	200	100
	Independent Living, MPDUs ¹⁵	55 units	13.75	55	13.75
	Phase 1, 2 Subtotal			113.75	255
Phase 3	Independent Living Senior	244 units	122	244	122
	Independent Living, MPDUs ¹⁵	36 units	9	36	9
	Phase 3 Subtotal			131	280
Phase 1-3 Total			244.75	535	244.75
Phase 4	Residential Care	140 Beds	35	35	35
	Residential Care	40 employees	20	20	20
	Medical Clinic	3,000 SF	3	12	3
	Phase 4 Subtotal			58	58
Total			303	602	303

The Sketch Plan conforms to the intent of the CRT zone as described below:

a. Implement the recommendations of applicable master plans (59.4.5.1.A)

The Property is within the 2020 *Germantown Plan for the Town Sector Zone* master plan (“Master Plan”) area and specifically in the Northwest District of the plan area. The Master Plan sets forth the following key recommendations that are applicable to the Application:

¹³ Pursuant to 59-4.5.2.C.1, the height limit of the applicable zone and master plan does not apply to the extent required to provide the MPDUs. The additional height is calculated as the floor area provided for MPDUs above 12.5% divided by the average residential floor plate area, where each whole number and each remaining fraction allows an increase of 12 feet.

¹⁴ Final number of parking spaces to be determined at Site Plan review.

¹⁵ Pursuant to 59-6.2.3.1.2.B, MPDU parking rate is reduced by 0.50 spaces per unit.

- Maintain the residential core of the planning area.

The planning area of the Master Plan consist of predominantly low- to medium-density development. Interspersed within residential neighborhoods are churches, schools, and recreational facilities. Generally, the residential core of the planning area comprises the Northwest, Northeast, and Southwest Districts.¹⁶ In the planning area, only the Southeast District contains uses that are predominantly non-residential such as retail, restaurants, offices, and storage units. The Project is located in the Northwest District, which contains predominantly residential land uses. The Applicant proposes to incorporate additional housing for seniors, assisted living beds, and a small medical clinic to serve residents and the community with the existing senior housing. The Project would not result in a diminished residential core because the Project is predominantly a residential use.

- Protect open space and recreation areas across the community.

The Master Plan planning area offers abundant public parks, recreation, open spaces and trails, as well as other private open spaces for rest and relaxation. The Property is located adjacent to an HOA-owned recreational facility and community center located at 20000 Father Hurley Boulevard. The HOA facility provides a swimming pool, tennis courts, playground equipment, community meeting rooms, landscaped open spaces, and parking. Beyond the HOA property to the south is Lake Churchill and its interconnected trail system. Adjacent to the Property along the west property line is a protected stream valley open space and access to the Churchill Village trail system.

The Project provides the required minimum 100-foot stream valley buffer, except where is reasonably required to connect to the existing retaining wall. Additionally, and pursuant to the Optional Method of Development, the Project will provide the minimum five percent required amount of public open space (11,950 square feet) for the community. The Project does not propose to reduce any protected open space or recreational area, other than with the stream valley buffer as noted above.

- Support neighborhood-serving commercial uses where they exist and to allow for limited commercial uses where compatible.

Pursuant to the Master Plan zoning of the Property, the Application supports neighborhood-service commercial uses with a relatively small medical clinic intended to serve both residents and the public. The adjacent non-residential uses of the HOA recreation property and the substantial public right-of-way afforded by Father Hurley Boulevard provide a suitable and compatible transition between nearby residential uses and the proposed medical clinic. Further, placing the additional residential units as shown on the plans, west of the proposed medical clinic, provides additional distance and furthers compatibility between existing residential uses to the west.

The Master Plan provides the following specific recommendation for the Property:

¹⁶ 2020 *Germantown Plan for the Town Sector Zone*, p. 27.

- Master Plan recommended the Commercial Residential Town (CRT) zone for the Property, to allow a reasonable expansion of the Churchill Senior Living Property, intended for pedestrian-scaled, neighborhood serving mixed use and a transitional edge to preserve the community scale.

In accordance with the Master Plan’s recommendation and zoning of the Property, the Application incorporates a mix of uses and housing types, with tiered building heights to ensure a compatible relationship with adjoining neighborhoods. The Project also provides street-oriented mixed uses and public open space along Father Hurley Boulevard to serve both residents, visitors, and the surrounding community.

b. Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.

The Property is currently developed with a residential use and is proposed to be developed with a mix of residential and a commercial use (medical clinic), with one phase largely on an existing surface parking lot.

c. Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.

As proposed, all the phases provide a combination of housing types, mobility options, commercial uses, and public open space amenities. The existing (Phase 1 and Phase 2) and the proposed Phase 3 comprises of market-rate and MPDU residential units in one- and two-bedroom unit types. Phase 4 of the project consists of 140 beds in a residential care facility and a 3,000 square foot medical clinic. Additionally, at least nine (9) units in Phase 3 are proposed as “enhanced accessibility for the disabled,” units that satisfy American National Standards Institute standards of accessibility for seniors or disabled persons.

Pursuant to Section 59-4.5.4.B.1, the Project is required to dedicate at least five percent of the site for public open space. The intent of the required public open space is to “provide adequate light, air, circulation, and recreation and encourage preservation and enhancement of natural resources, including improvement of water and air quality.”¹⁷ The required public open space will be provided along and accessible from the public right-of-way (Father Hurley Blvd.). This will enhance the pedestrian experience along the street frontage. Presently, a surface parking lot exists between the existing apartment building and the street. Once the Phase 4 building is constructed, there will no longer be surface parking in front of the building.

d. Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.

¹⁷ Sec. 59-6.3.1 Open Space and Recreation, Intent.

The Property is developed with a residential use, and the Project would expand this residential use and create a new commercial use. The Property is bordered by residential and recreational uses (non-residential) and fronts a major roadway (Father Hurley Blvd.). The proposed commercial use would be located along Father Hurley Boulevard, approximately 200 feet from the nearest residential use. As such, the proposed mixed use would be sufficiently buffered in distance from adjoining neighborhoods.

The Project proposes densities and building height allowed in the CRT zone for this specific property. Although taller than other structures in the immediate vicinity, the Project would be designed to ensure a compatible relationship with adjoining neighborhoods through articulated design, variations in building heights, locating the tallest massing and density toward the center of the Property (Figure 9, Figure 15). The Project also follows the existing pattern of the on-site development in its height and massing for portions of the building that are nearest to adjoining neighborhoods (see Figure 15).

e. Integrate an appropriate balance of employment and housing opportunities.

The Project proposes additional market-rate and affordable housing units, adding more housing opportunities within the Germantown community. The Project would also create additional employment opportunities through the maintenance and management of the apartment building and grounds, as well as health care jobs related to the residential care facility and medical clinic use. The proposed balance of housing (principal use) and employment (subordinate use) opportunities are appropriate at this location, given its proximity to the Germantown Town Center and the convenient access to the regional transportation network.

f. Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.

The Project will provide the required 50 public benefit points from a minimum of three categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan. The proposed public benefit points, as discussed below, would support and accommodate the optional method density.

2. Substantially conforms to the recommendations of the applicable master plan.

As discussed above in Section 1.a, the Sketch Plan substantially conforms to the 2020 *Germantown Plan for the Town Sector Zone* Master Plan.

3. Satisfy any development plan or schematic development plan in effect on October 29, 2014.

The Sketch Plan is not subject to a development plan or schematic development plan that was in effect on October 29, 2014. This finding is not applicable.

- 4. Under Section 7.7.1.B.5, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, satisfy any green area requirement in effect on October 29, 2014; any green area under this provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014.**

The Property's zoning classification was not a result of a Local Map Amendment that was in effect on October 30, 2014. This finding is not applicable.

- 5. Achieve compatible internal and external relationships between existing and pending nearby development.**

The Sketch Plan provides compatible internal and external relationships between existing nearby development through use of a tiered setback scheme from the western Property line and stream valley buffer. The height of the proposed building (Phase 3) along the western elevation is 48 feet (as measured from the "building height measuring point"), it rises to 58 feet, 68 feet and 102 feet (Figure 9). The first 48 feet of elevation would reflect the height of the existing building as shown in Figure 15. As discussed above, although taller than other structures in the immediate vicinity, the Project would be designed to ensure a compatible relationship with adjoining neighborhoods through articulated design, variations in building heights, and setbacks. The Project also follows the existing pattern of the on-site development in its height and massing for portions of the building nearest to adjoining neighborhoods.

Shade and Shadows

Shadows created by the proposed project on December 21, the Winter Solstice, would be the most extensive that could occur as a result of the development. New morning shadows would occur at sunrise (7:25 a.m.) onto adjacent northwestward properties. By approximately 10:16 a.m., new shadows would move to the north and would not reach nearby residential roofs. By noon (12:00 p.m.), shadows would move northward and would not extend to nearby residences. By 1:00 p.m. new shadows would move northeastward toward the vacant property to the north until sunset.

Development of the Project would result in shade and shadow impacts on residences to the west for approximately 2:51 hours in the morning on December 21. As observed by an inspection of aerial photos, no solar collection panels would be affected by shadows resulting from the Project.

Phase 3 Building

As shown in Figure 8 and Figure 15, the Phase 3 building massing consists of a multi-story residential tower with a height of approximately 102 feet. The first three floors are located closest to the western Property line. Floors four-through-six are terraced in a manner that steps the massing back from the stream valley buffer and the Property line. The remaining floors, seven-through-ten, are aligned and set back from the terraces for the remainder of the building height. The long façades of the building massing are broken up in a manner to suggest additional buildings and elements are included within

the overall massing of the tower. The middle portion of the building massing is further broken up by articulating and punctuating the façade with windows and balconies. The proposed building would incorporate a flat roof assembly, accompanied by parapet walls of differing heights. The inclusion of these different elements serves to further break down the overall scale of the building massing, while also reinforcing the critical relationship of the base, middle, and top of the building.

As measured from the building height measuring point¹⁰ and shown in the plan view (at the main entrance of Phase 1), the building is 48 feet in height, it then steps back approximately 23 feet and rises to 58 feet, it steps back again approximately 23 feet and rises to 68 feet, and finally the building steps back again approximately 23 feet and rises to 102 feet. When viewed from the west elevation, the building has two floors of parking beneath the residential floors. The east elevation shows a ten-story building of 102 feet in height.

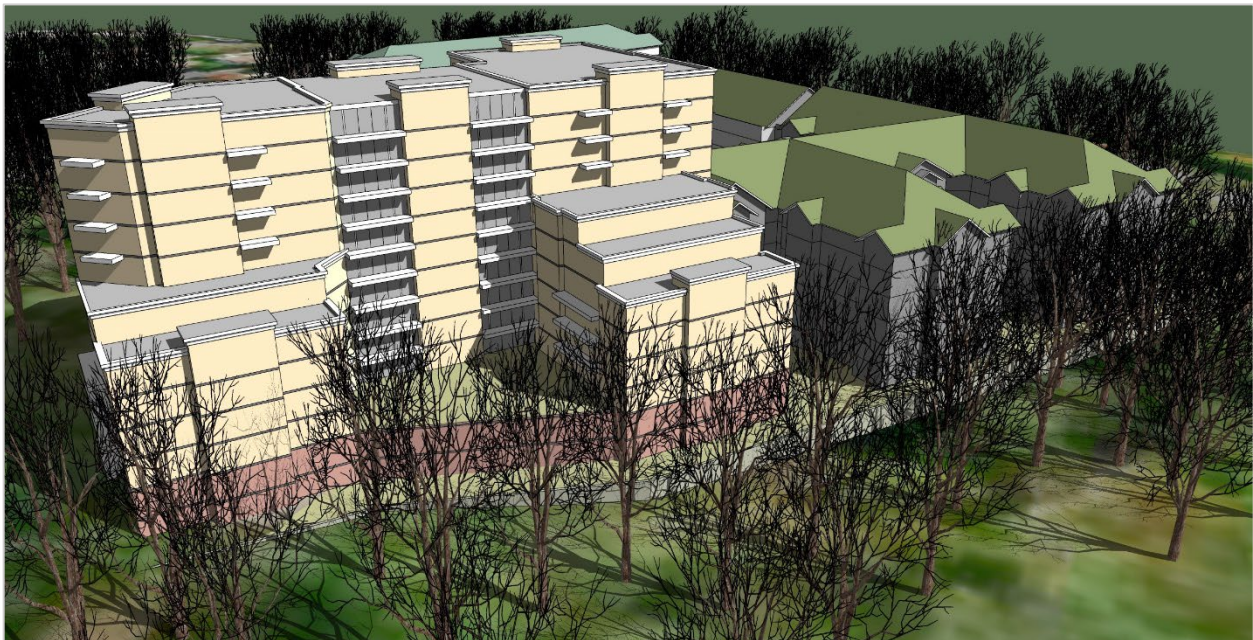


Figure 15: Aerial perspective view of the Phase 3 building massing as seen from the adjacent townhouses.

Phase 4 Building

As shown in Figure 15 and Figure 16, the Phase 4 building massing consists of a six-story residential care facility and medical clinic building with a proposed height of approximately 73 feet. Structured parking is provided on the first floor with the medical clinic use, while the remaining five floors, above, are designated for the assisted living limited use. The east façade of the building massing fronts onto Father Hurley Boulevard and public open space. The west façade of the building massing provides for additional parking with tuck-under parking spaces within the building massing. The overall massing of the building is broken up along Father Hurley Boulevard by utilizing ‘bump-outs’ within the building façade and using glazing from the base to the top to effectively split the building into two equidistant, yet unified pieces of building. The Phase 4 massing includes glazing along the sixth floor, with the

inclusion of balconies along the Father Hurley Boulevard façade. The building massing would incorporate a hipped roof with minor gables at areas where the ‘bump-outs’ are located. The articulation and approach of these elements help to break down the scale of the building massing, while also reinforcing the critical relationship of the base, middle, and top of the building. Furthermore, the building massing reinforces the importance of providing an ‘edge’ along streets and open space for the public realm. At the time of site plan, the building architecture will need to be developed and articulated in a manner that will address, complement, and incorporate the proposed public open space along Father Hurley Boulevard.



Figure 16: Axonometric northwestward view of the Phase 3 and Phase 4 building massing as seen from Father Hurley Boulevard.

6. Provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. All vehicular access to the Project will be from two existing driveways from Father Hurley Boulevard. Structured and surface parking is accessed from the same existing driveways. The pedestrian experience on Father Hurley Boulevard will be enhanced by the provision of public open space amenity along the existing right-of-way and adjacent to the proposed Phase 4 building.

The Sketch Plan shows the construction of three levels of partially below-grade garage parking within the Phase 3 building in addition to the existing surface parking lot. Additional parking is provided with

Phase 4 in a below-grade parking structure. Turning templates for all vehicle movement must be provided as part of the Preliminary and Site Plan applications. The final overall parking count will be determined during the Preliminary and Site Plan review. The Applicant will further refine parking numbers as the project moves forward in the context of Section 59-6.2.4. of the Zoning Ordinance.

Passenger loading and drop-off are proposed to occur internally at a reconfigured semi-circular drive within the existing surface parking lot. There is one existing truck loading space and dock, which will be used for both the existing and proposed buildings. Final specifications will be provided at the time of Site Plan. Similarly, the number of long-term and short-term bicycle parking spaces, as well as the respective locations will be determined by the subsequent Preliminary Plan and Site Plan applications.

TRANSPORTATION

Vehicular Circulation, Access, Parking, and Loading

Ingress and egress are provided by two existing driveways from Father Hurley Boulevard as shown on the Sketch Plan. The Applicant proposes to maintain the existing access points. Figure 17 shows the proposed circulation plan and the on-site pedestrian plan.

LATR

As part of any Preliminary Plan Application, the application will perform a multimodal transportation study under the LATR guidelines. Particular attention will be given to the western entrance, currently an unsignalized full movement intersection with Father Hurley Boulevard.

Master Plan Roadways, Pedestrian/Bikeways, Transit

Roadways

The Subject Property fronts on Father Hurley Boulevard, a Controlled Major Highway with a 120 ft. wide right-of-way (ROW) as identified in the Master Plan of Highways and Transitways (MPoHT) and as a Boulevard in the Complete Streets Design Guidelines (CSDG). At the site plan phase, staff will evaluate the project based on recommendations outlined in the MPoHT and CSDG as it pertains to ROW dedication, adequate sidewalk/sidepath widths, master-planned bikeways, and any other applicable design guidance.

Pedestrian and Bicycle Facilities

Pedestrian access to the Property is proposed directly from the existing sidewalks along Father Hurley Boulevard.

Bicycle access is provided to the Property via an existing sidepath along Father Hurley Boulevard. During the subsequent Preliminary Plan and Site Plan, the Applicant will continue to coordinate with MCDOT staff to ensure the sidepath is upgraded to the current 11-ft wide standard width. Additional

specific design solutions, connections to surrounding areas, and bicycle parking requirements will be finalized at the time of Site Plan.

Transit

The immediate area is served by the Ride On bus transit with bus stops on Father Hurley Boulevard (No. 98) and Waters Landing Drive (No. 83)

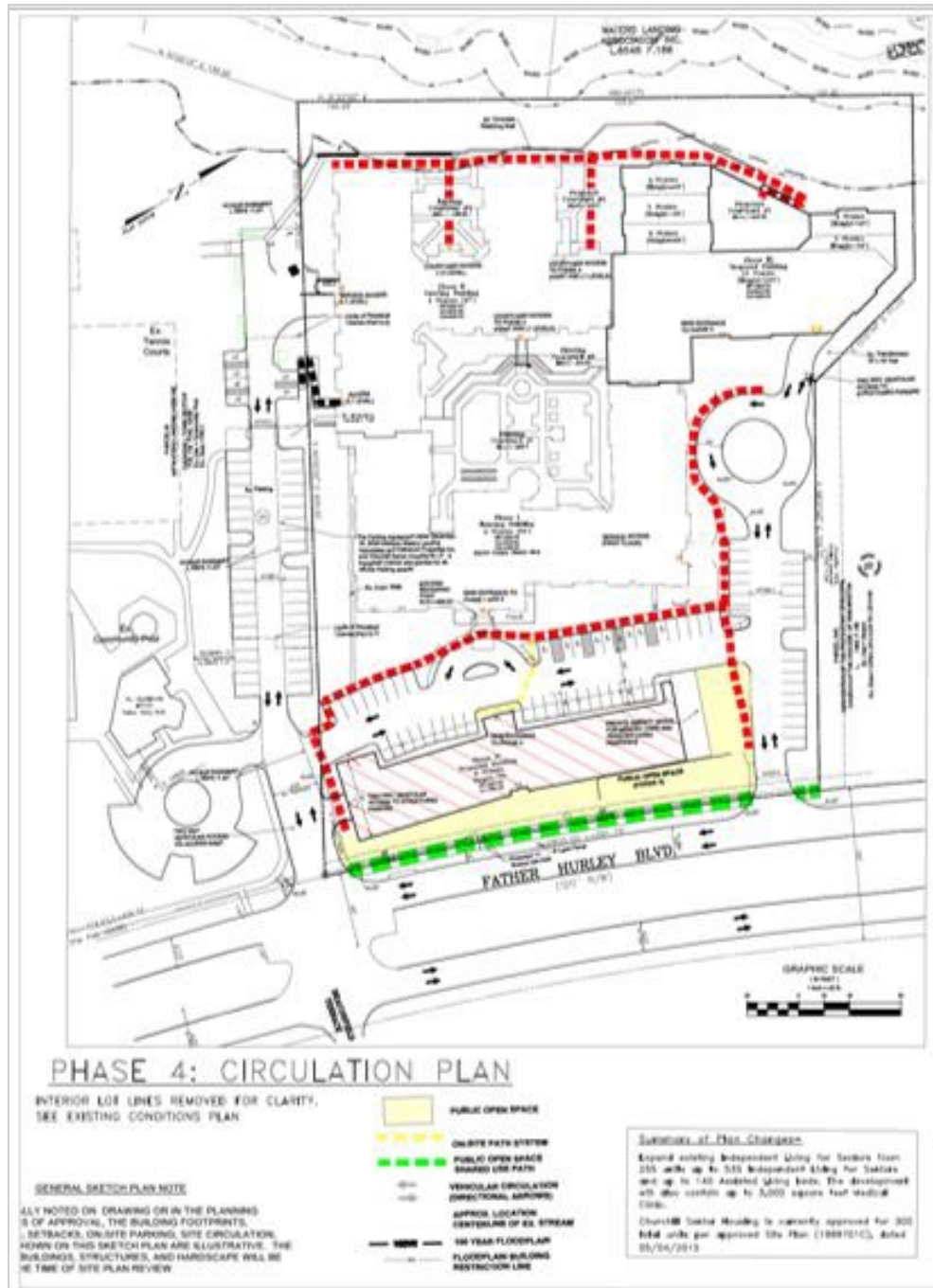


Figure 17: Proposed circulation plan with the pedestrian plan shown in the red dashed line.

7. Propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Master Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the Site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the following outline of public benefits supports the Applicant’s request for incentive density and is appropriate for the community surrounding the Subject Property, as described below.

Pursuant to Section 59-4.5.4.A.2, the Project requires a minimum of 50 public benefit points in at least three categories. Although only the categories need to be approved with the Sketch Plan application, the following table illustrates both proposed points and categories requested to demonstrate compliance. The final calculations and points earned will be determined by the subsequent Site Plan review. Table 4 shows the proposed public benefits in the following five categories: Transit Proximity, Connectivity and Mobility, Quality Building and Site Design, Diversity of Uses and Activities, and Protection and Enhancement of the Natural Environment.

Table 4: Proposed public benefit points, 59-4.7.

Public Benefit	Maximum Points Allowed	Proposed
Transit Proximity	No max.	7.5
Connectivity and Mobility		
Minimum Parking	10	9.6
Diversity of Uses and Activities		
Enhanced Accessibility	20	9.6
Moderately Price Dwelling Units	N/A	3.6
Quality Building and Site Design		
Structured Parking	20	11
Protection and Enhancement of the Natural Environment		
Energy Conservation and Generation	15	10
Vegetative Wall	10	10
Total Points	No max.	61.3

TRANSIT PROXIMITY

Level 2 Transit

The Applicant requests 7.5 points for locating a project within ¾ of mile from “Manekin West Corridor Connector” station at the intersection of Century Boulevard and Cloverleaf Center Drive, a Level 2 planned station or stop along a bus line with a dedicated, fixed path. Staff supports the category at this time.

CONNECTIVITY AND MOBILITY

Minimum Parking

The Applicant requests 9.8 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from zero to 20 points for providing no more than the minimum or maximum numbers of parking spaces. Staff supports the category at this time.

QUALITY BUILDING AND SITE DESIGN

Structured Parking

The Applicant requests 11 points for providing structured parking spaces. The Applicant proposes 164 partially below-grade spaces (Phase 3) and 49 below-grade spaces (Phase 4). Points for this incentive are granted based on sliding scale, based on the percentage of total on-site spaces provided in above-grade parking structure multiplied by 10 points plus the percentage of total on-site spaces provided in a below grade parking structure multiplied by 20 points. Staff supports the category at this time.

DIVERSITY OF USES AND ACTIVITIES

Affordable Housing

The Applicant requests 3.6 points for providing 0.3 percent (one unit) above the minimum 12.5 percent MPDUs. Twelve points are granted for every one percent of MPDUs greater than 12.5 percent. Any fraction of one percent increase in MPDUs entitles the applicant to an equal fraction of 12 points. There is no limitation on the number of points for providing more than 12.5 percent MPDUs. Staff supports the category at this time.

Enhanced Accessibility for the Disabled

The Applicant requests 9.6 points for providing nine units that satisfy standards for enhanced accessibility for the disabled. Up to 20 points for constructing dwelling units with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent county standard. Staff supports the category at this time.

PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

Energy Conservation and Generation

The Applicant requests 10 points to exceed the county energy code standards by at least 10 percent. Up to 15 points for constructing buildings that exceed the energy-efficiency standards for the building type by 17.5 percent for new buildings or 10 percent for existing buildings. Staff supports the category at this time.

Vegetated Wall

The Applicant requests 10 points to provide a vegetated wall on the western elevation of the structured parking. Up to 10 points for the installation and maintenance of a vegetated wall that covers at least 30 percent of any blank wall or parking garage façade that is at least 300 square feet in area and is visible from a public street or open space. Staff supports the category at this time.

This finding is satisfied.

8. Establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.

Construction of the Project is proposed in two phases: Phase 3 and Phase 4. Phase 1 and Phase 2 are complete and include the existing 255 apartment units and 179 parking spaces.

Phase 3 (Figure 4, Figure 5) comprises the addition to the existing building with the proposed 280 apartment units, 164 structured parking spaces, and 5,975 square feet of the of the 11,950 minimum square feet of the required public open space.

Phase 4 (Figure 6, Figure 7) consists of the 140-bed residential care facility, 3,000 square foot medical clinic, 49 below-grade parking spaces, and the balance (5,975 square feet) of the 11,950 square feet minimum required public open space.

Most of the required public benefit points from each proposed category can be achieved during the completion of Phase 3, including transit proximity, minimum parking, structured parking, affordable housing, enhanced accessibility, energy conservation and the vegetated wall. The Project will require subsequent Preliminary Plan and Site Plan approvals.

9. Meet the objectives, general requirements, and standards of Chapter 22A (Forest conservation Law).

Natural Resource Inventory/Forest Stand Delineation

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) No. 420221690 was approved for this Property on May 10, 2022. There are no wetlands or streams on the Property. There is a perennial stream immediately north of the Property and the Stream Valley Buffer (SVB) from that stream carries onto the Property. At the north side of the Property there are some steep slopes (>25%) and some steep slopes on highly erodible soils (15%-25%) which slope downhill to the north. There is no existing forest onsite. The Property is located within the Little Seneca Creek Watershed Class I-P watershed. No rare, threatened, or endangered species were observed onsite.

Forest Conservation Plan

The Applicant submitted a Preliminary Forest Conservation Plan with the current development application plan No. 320220060 (Attachment B). The Application satisfies the applicable requirements of the Forest Conservation Law, County Code, Chapter 22A and complies with the Montgomery County Planning Department's approved Environmental Guidelines.

The Subject Property is zoned CRT-2.5 C-0.25 R-2.5 H-90 and is assigned a Land Use Category of Mixed-Use Development Area ("MPD") as defined in Section 22A-3 of the Montgomery County Forest Conservation Law ("FCL") and in the Land Use Table of the *Trees Technical Manual*. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the Net Tract Area.

The tract area for forest conservation purposes includes the 5.49-acre Subject Property plus 0.11 acres of off-site disturbance associated with this Application, for a total net tract area of 5.6 acres. Since there is no existing forest within the net tract area, the result is an afforestation requirement of 0.84 acres, which the Applicant proposes to meet by purchasing credits from an M-NCPPC approved forest bank. If there are no credits available for purchase, the Applicant will meet the requirements via fee-in-lieu payment.

The existing retaining wall (constructed as part of Phase 1 and 2 buildings) terminates within the Stream Valley Buffer. Therefore, to connect to the existing retaining wall, the Applicant must disturb area within the Stream Valley Buffer to the minimum extent practical. The total encroachment proposed as part of Phase 3 and 4 is 250 square feet, which is part of the previously approved disturbed Stream Valley Buffer area.

An area of stream valley buffer is not placed in a conservation easement due to the existing retaining wall and the necessary extension to connect to the existing wall, as well as existing utilities, the total not in an easement equals 0.17 acres. A total of 0.17 acres of additional planting is proposed to be met off-site.

Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone ("CRZ") requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise, such resources must be left in an undisturbed condition. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

Variance Request

The Applicant submitted a variance request in a letter dated June 24, 2022 (Attachment B). The variance provision applies to all impacted trees that are 30 inches DBH and greater (“Protected Trees”). The Applicant proposes to impact one tree that is considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law.

Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by the necessary layout of the proposed development on the Property, which is dictated by the existing site conditions, development standards of the zone, and Montgomery County agency requirements.

There is an existing multi-family residential development on-site. Additional residential buildings are proposed. In order to serve the new buildings, the existing parking lot needs to be adapted for a turnaround and additional stormwater management. This change impacts tree #3 where its root zone crosses the existing parking lot. This impact cannot be avoided for the removal of the existing parking lot and allows a good location for a new stormwater management facility.

Therefore, there is a sufficient unwarranted hardship to justify a variance request because the Applicant would otherwise be denied the ability to use the Property for the use for which it is zoned, which is a reasonable and significant use of the Property.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted.

Tree Variance Findings

The following determinations are based on the required findings that granting of the requested variance:

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

Granting the variance will not confer a special privilege on the Applicant as the disturbance to the specified tree is due to the existing developed area, and new development of the Property, location of the tree, and necessary site design requirements. Granting a variance to allow disturbance within the developable portion of the site and meet the objectives of the Master Plan is not unique to this Applicant. The granting of this variance is not a special privilege that would be denied to other applicants.

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

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions, development standards of the zone, and necessary design requirements of this Application.

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

The requested variance is a result of the existing conditions and the proposed site design and layout of the Subject Property, and not as a result of land or building use on a neighboring property.

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

The variance will not violate State water quality standards or cause measurable degradation in water quality. No Protected Trees are being removed. Therefore, the Application will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provision

There is some disturbance within the CRZ of one tree; however, they will receive adequate tree protection measures, their roots will regenerate, and the functions they currently provide will continue. Therefore, no mitigation is recommended for trees that are impacted but retained.

Variance Recommendation

Staff recommends approval of the variance request.

SECTION 5: COMMUNITY OUTREACH

The Applicant has complied with all application submittal and noticing requirements under Division 7.5 of the Zoning Ordinance.

On November 4, 2021, the Applicant held a pre-submittal public meeting related to the proposed Sketch Plan. The meeting was conducted virtually via Zoom per COVID-19 Guidelines.

On May 12, 2022, Planning Department staff attended a community meeting at the Waters Landing Community Center to discuss the Application with HOA board members, residents, and stakeholders. There were approximately 46 attendees. Staff responded to numerous questions concerning process and timing, noticing, technical issues, traffic and circulation, building height and density, lighting and shadows, architecture, stormwater management, stream valley and sediment control. In addition to addressing questions and comments in person, a follow-up summary sheet was prepared and transmitted to the HOA for distribution to residents (Attachment B). A brief summary of issues is presented below.

Additional community correspondence received with concerns and opposition to the Sketch Plan application are found in Attachment D.

DENSITY AND HEIGHT

Community is concerned that the Project is too dense and too tall.

Staff Response: The zoning of the Property is CRT 2.5, C-0.25, R-2.5, H-90, which allows a maximum height of 90 feet. Phase 3 is providing 12.8 percent MPDUs. Pursuant to Sec. 59-4.5.2.C.7, the Project it is allowed an additional 12 feet in height.¹³ Staff has worked with the Applicant to revise the building massing away from adjoining property to the west and to step back the building height to mirror the height of the existing building elevation along the stream valley. Under the current zoning and 2.5 FAR (floor area ratio), up to 597,532 gross square feet of floor area is allowed. The Applicant proposes 597,532 gross square feet of floor area, which is within the maximum allowed density under the current zone.

TRAFFIC, CIRCULATION, AND PARKING

Community is concerned about pedestrian and traffic safety with the shared entrance from Father Hurley Boulevard and that there is not enough parking.

Staff Response: A full transportation study will be conducted as part of any subsequent Preliminary Plan and Site Plan application. This will provide information on the adequacy of local transportation infrastructure. Mitigation measures to address deficiencies will be

provided by the Applicant. Parking will be refined at site plan; however, the current proposal to provide 303 parking spaces, meets the Zoning Code requirements. Additionally, the Applicant voluntarily operates a community shuttle bus for residents and is expected to continue the service with the proposed development.

FIRE DEPARTMENT ACCES

Community is concerned about fire department access, and how trucks could navigate the Property, including near the stream valley.

Staff Response: The Project must provide adequate firefighting apparatus access and a water supply plan for the proposed buildings. Prior to an approved Preliminary and Site Plan, the Applicant must obtain an approved fire department access plan from Montgomery County Department of Permitting Services.

STORMWATER MANAGEMENT

Community is concerned about possible flooding and stormwater runoff due to the Project.

Staff Response: The goal of stormwater management is to control runoff from developed properties to minimize stream erosion and the discharge of pollutants into the environment. A stormwater management (SWM) concept plan typically includes a drawing and narrative which describes the manner in which stormwater runoff from a proposed development will be controlled. Prior to an approved Site Plan, a SWM Concept Plan must be approved by Montgomery County Department of Permitting Services.

STREAM VALLEY AND SEDIMENT CONTROL

Community is concerned about protecting the stream valley and preventing sediment from flowing into Lake Churchill.

Staff Response: As discussed in Section 3 of this report, the existing retaining wall ends within the stream valley buffer. Therefore, to connect to the existing retaining wall, the Applicant will encroach into the stream valley buffer to the minimum extent practical. The total encroachment proposed as part of Phase 3 is 250 square feet which is part of the previously approved disturbed Stream Valley Buffer area. Prior to any land disturbance on the Property, an approved sediment control plan will be required to prevent the flow of sediment to off-site properties.

LIGHTING AND SHADOWS

Community is concerned about the nighttime lighting and glare from the building, and shadows on off-site property.

Staff Response: As part of a subsequent Site Plan application, a lighting plan will be required for review. All outdoor lighting must comply with Section 59-6.4.4, which provides that on-site illumination must be 0.5 footcandles or less at the lot line. This is intended to prevent excessive illumination onto off-site properties.

The Applicant has provided a shadow study, as discussed above. Under the current zone, a maximum height of 90 feet is permitted. As such, some off-site shadowing would be expected if a project were built to the maximum height. However, combined, the zone and the provision of an additional MPDU, allows a maximum height of 102 feet. Planning staff have worked with the Applicant through several revisions of massing and height. This has resulted in shifting the tallest portions of the building away from the rear lot line and adjacent residences. This has resulted in a lesser impact from shade and shadows than what was initially proposed.

On May 26, 2022, the Applicant conducted an in-person meeting, to provide an update on the Project (since the pre-submittal meeting) and to provide an additional opportunity to meet with community residents. The Applicant indicates they have received and responded to numerous phone calls and emails concerning the Project.

COMMUNITY SUPPORT

Staff has received 37 post cards from residents of Churchill Senior Living indicating support of the proposed Sketch Plan application. Copies of the post cards are shown in Attachment C.

SECTION 6: CONCLUSION

As conditioned, Sketch Plan No 320220060 satisfies the findings under Sections 59-7.3.3.E and the applicable standards of the Zoning Ordinance, and substantially conforms to the recommendations of the 2020 *Germantown Plan for the Town Sector Zone*. Therefore, Staff recommends approval of Sketch Plan No. 320220060 with the conditions specified in this report.

ATTACHMENTS

Attachment A: Sketch Plan, Massing Study, Shadow Study

Attachment B: Preliminary Forest Conservation Plan, Approved NRI/FSD

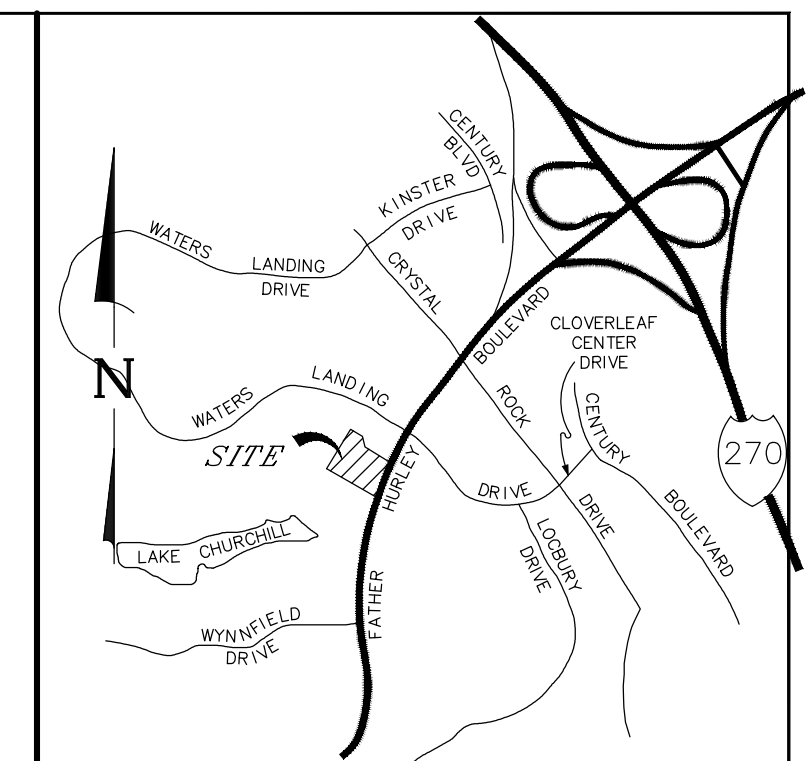
Attachment C: Community Correspondence, Support

Attachment D: Community Correspondence, Concerns/Opposition and Staff Summary Sheet

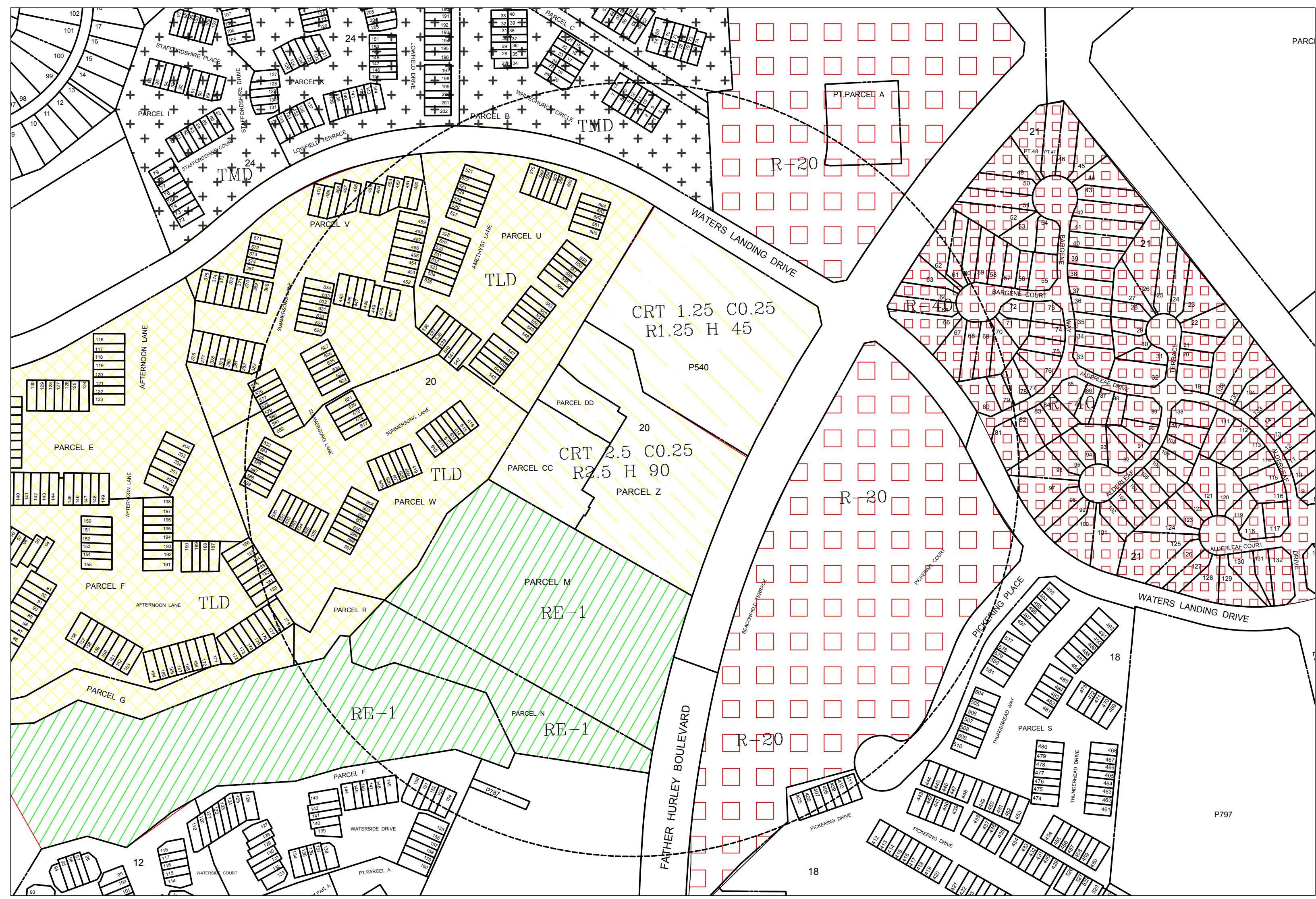
Attachment E: DOT Correspondence

ATTACHMENT A

SKETCH PLAN Churchill Senior Housing Parcels CC, DD, and Z/Block 20 MNCPPC #320220060



VICINITY MAP
SCALE 1" = 2,000'



SITE DATA

SUBJECT PROPERTY TAX IDENTIFICATION: 21000 FATHER HURLEY BLVD. 03279983 (Parcel Z), 03202913 (Parcel DD), 03279981 (Parcel AA), PLAT 21276

EXISTING SITE AREA (TRACT AREA): 239,013 SF (5.46 AC)

PROPOSED DEDICATION: 0 SF (0.00 AC)

PROPOSED LOTS: 3 PARCELS (EXISTING TO REMAIN)

ZONING CLASSIFICATION: CRT-2.5, C0-25, R-2.5, H-90

EXISTING USES: EX. INDEPENDENT LIVING FOR SENIORS (255 UNITS); NO EX. ASSISTED LIVING UNITS HAVE BEEN CONSTRUCTED

PROPOSED USES: INDEPENDENT LIVING FOR SENIORS (200 UNITS) (635 TOTAL); ASSISTED LIVING (140 BEDS); MEDICAL CLINIC (3,000 SF)

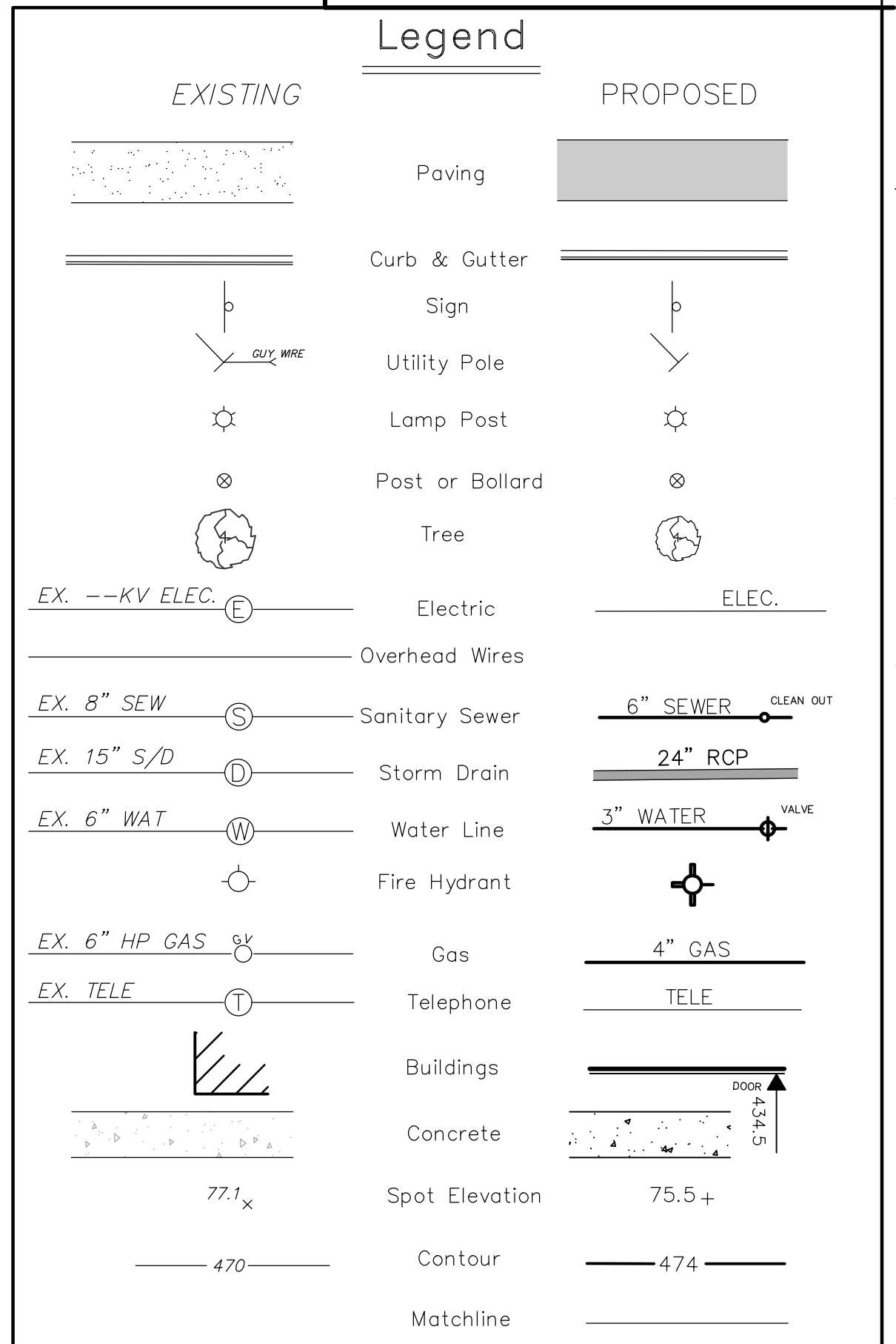
1. THE CURRENT PRELIMINARY SUBDIVISION PLAN (119959880) AND SITE PLAN (8199740) APPROVED UNDER THE 13 ZONE PERMITS DEVELOPMENT OF UP TO 300 DWELLING UNITS CONTAINING INDEPENDENT SENIOR LIVING AND ASSISTED HOUSING.

CRT-2.5 C-0.25 R-2.5 H-90 ZONE DEVELOPMENT STANDARDS

OPTIONAL METHOD OF DEVELOPMENT ZONING ORDINANCE SECTION 59-4.5.4

DEVELOPMENT STANDARD	PERMITTED/REQUIRED	PROPOSED(TOTAL)
PUBLIC BENEFIT POINTS	50 POINTS / 3 CATEGORIES	62 POINTS / 5 CATEGORIES (3 MIN. CAT./50 MIN. PTS)
MINIMUM PUBLIC OPEN SPACE	5.0% (11,950 SF)	5.0% (11,950 SF)
MAXIMUM COMMERCIAL DENSITY (FAR)	0.25 (659,753 SF)	0.01 (3,000 SF) ²
MAXIMUM RESIDENTIAL DENSITY (FAR) - BASE	2.50 (597,532 SF)	2.49 (UP TO 594,532 SF) ²
MAXIMUM RESIDENTIAL DENSITY (FAR) - BONUS	0.264 (69,294 SF) ³	0.00 (0 SF) ²
MAXIMUM TOTAL DENSITY (FAR)	2.764 (725,491 SF)	2.50 (UP TO 597,532 SF) ³
MINIMUM MPDUS	12.5%	12.6%
MAXIMUM BUILDING HEIGHT	90 FT	102 FT ^{1,7}
MINIMUM FRONT SETBACK (FATHER HURLEY)	0 FT	10 FT ⁷
MINIMUM SIDE SETBACK (NORTH)	0 FT	12 FT ⁷
MINIMUM SIDE SETBACK (SOUTH)	0 FT	0 FT ⁷
MINIMUM REAR SETBACK (WEST)	0 FT	30 FT (PER PREVIOUS APPROVED SITE PLAN)
MINIMUM PARKING SPACES-PHASES 1 THRU 3	246 SPACES	246 SPACES ^{1,8} (SEE TABLE BELOW)
MINIMUM PARKING SPACES-PHASES 1 THRU 4	304 SPACES	309 SPACES ^{1,8} (SEE TABLE BELOW)
MINIMUM BICYCLE SPACES-PHASES 1 THRU 4	56 BIKE SPACES	56 BIKE SPACES

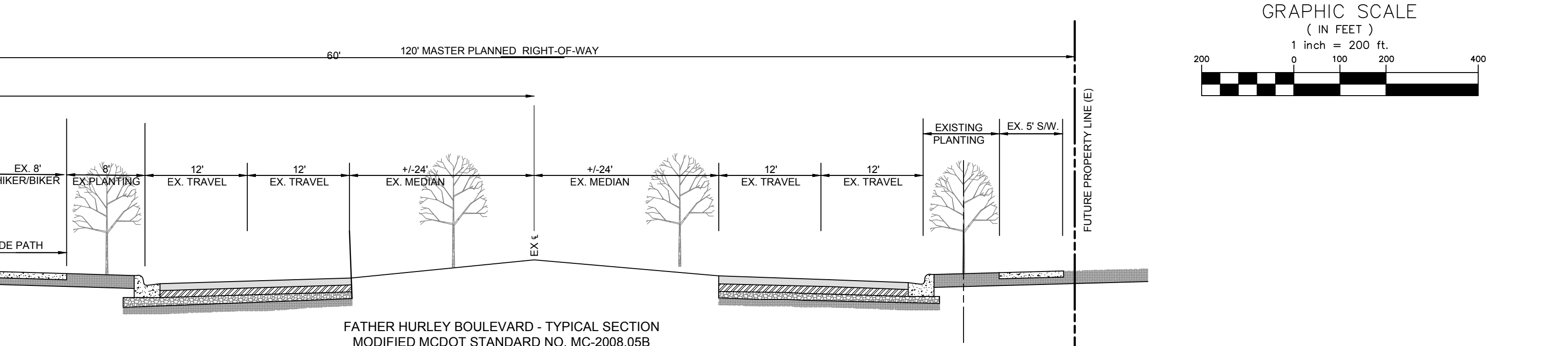
1. GROSS FLOOR AREA BASED ON TRACT AREA OF 239,013 SF (EX. PHASE 1 = 108,140 SF, EX. PHASE 2 = 160,140 SF, PROP. PHASES 3 AND 4 = 328,262 SF)
GROSS FLOOR AREAS WITHIN PHASES 3 AND 4 MAY BE ADJUSTED AT DETAILED SITE PLAN, BUT WILL NOT EXCEED 2.5 FAR
2. TOTAL RESIDENTIAL DENSITY INCLUDES EXISTING INDEPENDENT LIVING FOR SENIORS (255 UNITS) TO REMAIN.
3. TOTAL COMMERCIAL AND RESIDENTIAL DENSITY NUMBERS SHOWN ABOVE REFLECT THE "UP TO" NUMBERS. THE FINAL ALLOCATION OF COMMERCIAL/RESIDENTIAL DENSITY TO BE DETERMINED AT TIME OF SITE PLAN. ANY COMBINATION OF COMMERCIAL AND RESIDENTIAL DENSITY WILL NOT EXCEED 571,289 SQUARE FEET.
4. PROPOSED COMMERCIAL AREA IS APPROXIMATELY 3,000 SF OF MEDICAL CLINIC TO BE CONSTRUCTED AS PART OF PHASE 4.
5. BONUS DENSITY IS PROPOSED IN ACCORDANCE WITH 59-4.5.2.C.1 FOR PROVIDING 12.5% MPDUS AT 0.88% ABOVE THE 12.5% BASE BONUS DENSITY FOR ALL MPDUS IS APPLIED TO THE AVAILABLE MAPPED RESIDENTIAL, AFTER DEDUCTING THE PROPOSED COMMERCIAL AREA.
6. BUILDING HEIGHT IS MEASURED IN ACCORDANCE WITH 59-4.5.2.C.7. ADDITIONAL HEIGHT IS CALCULATED AS THE FLOOR AREA PROVIDED FOR MPDUS ABOVE 12.5% DIVIDED BY THE AVERAGE RESIDENTIAL FLOOR PLATE AREA. WHERE EACH WHOLE NUMBER AND REMAINING FRACTION ALLOWS AN INCREASE OF 12 FEET RESULTING IN A MAXIMUM BUILDING HEIGHT OF 102 FEET (18,305 SF AVERAGE FLOOR PLATE DIVIDED BY 1,040 SF (AREA OF PROPOSED MPDUS) = 0.05, OR 12 FT BONUS HEIGHT BASE ALLOWABLE HEIGHT 90 FEET + 12 FT = 102 FEET (ALLOWABLE BLDG. HEIGHT). SEE EXHIBIT THIS SHEET.
7. FINAL BUILDING HEIGHT, SETBACKS AND NUMBER OF PARKING SPACES PROVIDED TO BE DETERMINED AT SITE PLAN.
8. PARKING PROVIDED INCLUDES 30 OFF-SITE PARKING SPACES AS PART OF A PARKING AGREEMENT OBTAINED FROM WATERS LANDING ASSOCIATION WITHIN PARCEL M.
SEE SHEET SK 1.05 FOR PUBLIC BENEFIT TABLE



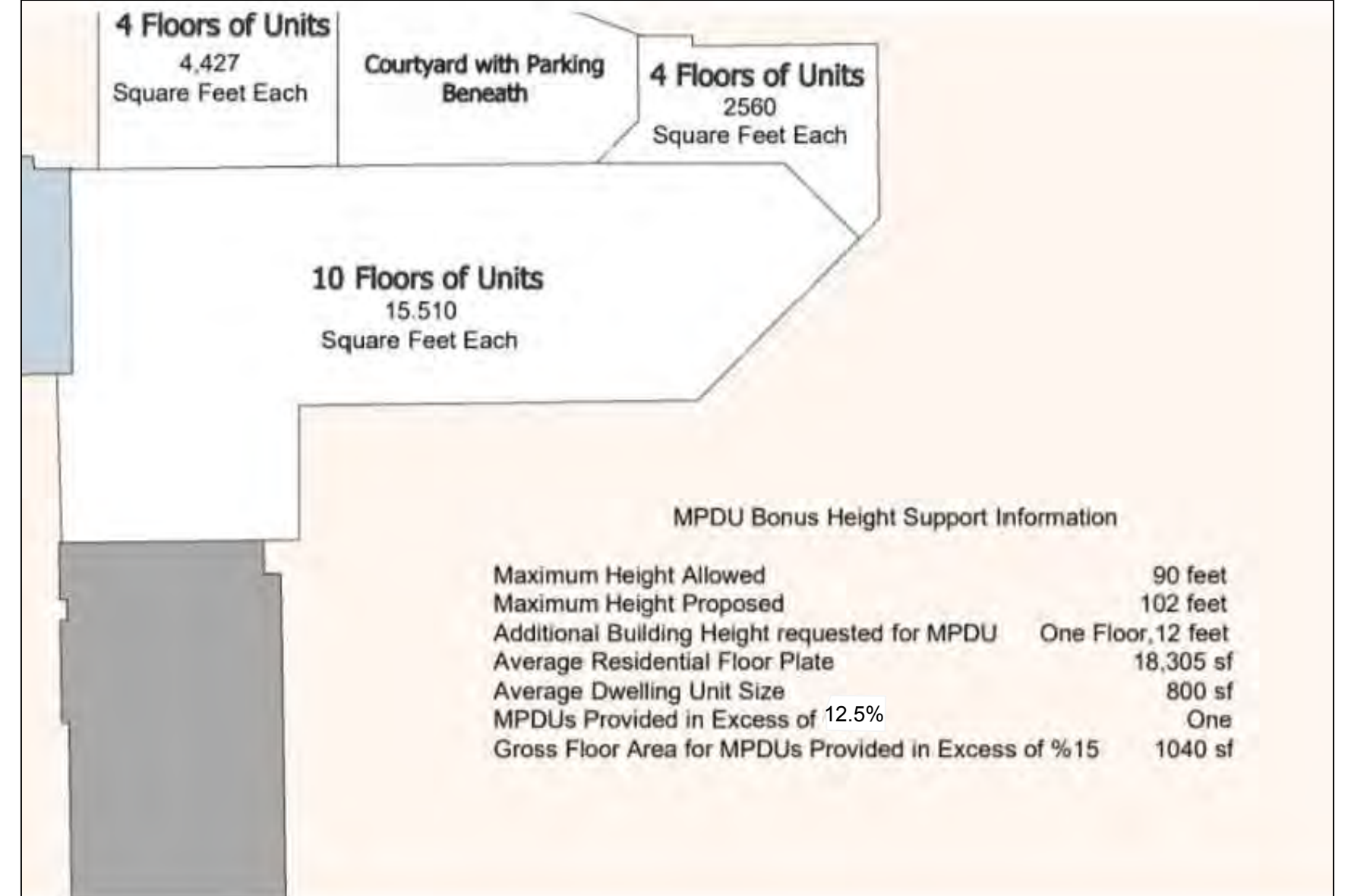
OWNER
CHURCHILL SENIOR LIVING
21000 FATHER HURLEY BLVD
GERMANTOWN, MD 20874
240-631-8788
JOSEPH PARRECO

ARCHITECT
HORD COPLAN MACHT
700 E. PRATT STREET, SUITE 1200
BALTIMORE, MD 21202
DUNCAN WALKER, AIA, LEED AP
443-451-2302

ATTORNEY
SELZER GURWITZ RABIN
WERTHEIMER & POLOTT, P.C.
4416 EAST WEST HIGHWAY,
FOURTH FLOOR
BETHESDA, MD 20814
301-986-9600



- GENERAL NOTES**
- THE TOPOGRAPHY SHOWN IS TAKEN FROM A FIELD RUN SURVEY PREPARED BY MHG, SUPPLEMENTED WITH AVAILABLE GIS RECORDS. THE HORIZONTAL DATUM IS BASED ON THE MARYLAND COORDINATE SYSTEM (MDCS(1)) DATUM AS PROJECTED BY NCS. VERTICAL DATUM IS BASED ON NAVD 29. A PORTION OF THE EXISTING FEATURES ARE BASED ON PREVIOUSLY APPROVED SITE PLANS AND AVAILABLE RECORDS.
 - EXISTING UTILITIES SHOWN ARE BASED ON VISIBLE SURVEYED APPURTENANCES, ACCESSIBLE STRUCTURES AND PLANS OF RECORD.
 - BOUNDARY INFORMATION IS BASED ON AN BOUNDARY VERIFICATION SURVEY PREPARED BY MHG.
 - THE PROPERTY IS WITHIN THE GERMANTOWN EMPLOYMENT AREA DATED 2009 AND 2020 GERMANTOWN PLAN FOR THE TOWN SECTOR ZONE.
 - THE PROPERTY IS WITHIN THE GREAT SENECA CREEK WATERSHED.
 - THE EXISTING WATER SERVICE CATEGORY IS W-1 AND SEWER SERVICE CATEGORY IS S-1.
 - A NATURAL RESOURCES INVENTORY FOR THE PROPERTY WAS APPROVED ON XXX UNDER PLAN # XXX.
 - A STORMWATER MANAGEMENT CONCEPT FOR THIS DEVELOPMENT IS UNDER REVIEW BY THE DEPARTMENT OF PERMITTING SERVICES UNDER PLAN #XXXX.
 - A HYDRAULIC PLANNING ANALYSIS FOR THIS DEVELOPMENT WAS REVIEWED BY WSSC UNDER PLAN # XXX AND DETERMINED THE EXISTING WATER AND SEWER MAINS ARE AVAILABLE AND ADEQUATE FOR SERVING THE PROJECT.
 - ALL UTILITIES SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE; SEE APPROVED UTILITY DRAWINGS. SERVICING UTILITY COMPANIES INCLUDE:
WATER & SEWER: WSSC
NATURAL GAS: WASHINGTON GAS
ELECTRIC: PEPCO
TELECOMMUNICATIONS: VERIZON & COMCAST
 - THIS PLAN IS NOT FOR CONSTRUCTION PURPOSES. THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THIS SKETCH PLAN ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING HEIGHT, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL.



GENERAL SKETCH PLAN NOTE

UNLESS SPECIFICALLY NOTED ON DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, SETBACKS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THIS SKETCH PLAN ARE ILLUSTRATIVE. THE FINAL DETAILS OF BUILDINGS, STRUCTURES, AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF SITE PLAN REVIEW.

Summary of Plan Changes

Expand existing Independent Living for Seniors from 255 units up to 535 Independent Living for Seniors and up to 140 Assisted Living beds. The development will also contain up to 3,000 square feet Medical Clinic.

Churchill Senior Housing is currently approved for 300 total units per approved Site Plan (1989701C), dated 05/04/2015

Use Category	# of Units (Market)	# of Units (MPDU)	# of Units (Market + MPDU)	Min. Rate (Market)	Min. Rate (MPDU) ¹	Min. Parking Spaces (Market)	Min. Parking Spaces (MPDU)	Total Min. Required Parking Spaces	Cumulative Total Min. Required Parking Spaces	Cumulative Total Min. Required Parking Spaces
Total Max. Allowed Parking Spaces:	200	55	255	0.5 space/unit	0.25 space/unit	100	13.75	113.75	113.75	113.75
Phase 3 PROPOSED Residential Living For Seniors	244	36	280	0.5 space/unit	0.25 space/unit	122	9	132	245.75	535 (Total)
Phase 4 PROPOSED Residential Care Facility (140 beds, 40 employees)	N/A	N/A	N/A	0.25 space/bed	N/A	35	N/A	55	300.75	55
Medical Clinic (3,000 sf)	N/A	N/A	N/A	1 space/1,000 sf	N/A	3	N/A	3	303.75	12
TOTAL			535						Cumulative Required Parking²:	304 (Minimum)
									Proposed Parking Spaces (Phases I - III)	246 spaces
									Proposed Parking Spaces (Phases I - IV)	304 spaces

SEE SHEETS SK 1.02 AND SK 1.03 FOR PARKING BREAK DOWNS

¹ Per Section 59.6.2.3.1.7(a) of the Zoning Ordinance, the baseline minimum parking rate may be reduced by up to 20% based on the Property's CRT zoning and the applicant's commitment to meeting or exceeding the Non-Auto Driver Mode Share (NADMS) percentage goal recommended for the Germantown West Policy Area (27% for employees and residents blended) as reflected in Table T7 (NADMS Goals) of the 2020-2024 Growth and Infrastructure Policy. If the Applicant elects to pursue a reduction to the baseline minimum parking rate by meeting or exceeding the NADMS percentage goal of 27%, the required Transportation Demand Management (TDM) strategies and corresponding parking reduction will be determined at the time of Preliminary Plan and Site Plan.

² Per Section 59.6.2.3.1.2(b) of the Zoning Ordinance, the baseline minimum parking rate for MPDUs have been adjusted by 50% as a restricted housing type.

³ The minimum parking required and proposed parking will be finalized at the time of future Site Plan applications for Phase III and IV.

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP EU 343 WSSC 228 NW 13

PLAT 24537

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

CHURCHILL TOWN SECTOR, GERMANTOWN

PARCELS Z, AA AND BB BLOCK 20

PROJ. MGR BJD

DRAWN BY BJD

SCALE 1"=200'

DATE 10/2021

CHURCHILL SR. LIVING

SKETCH PLAN COVER SHEET

SK-COVER

PROJECT NO. 94.352.71

SHEET NO. 1 OF 1

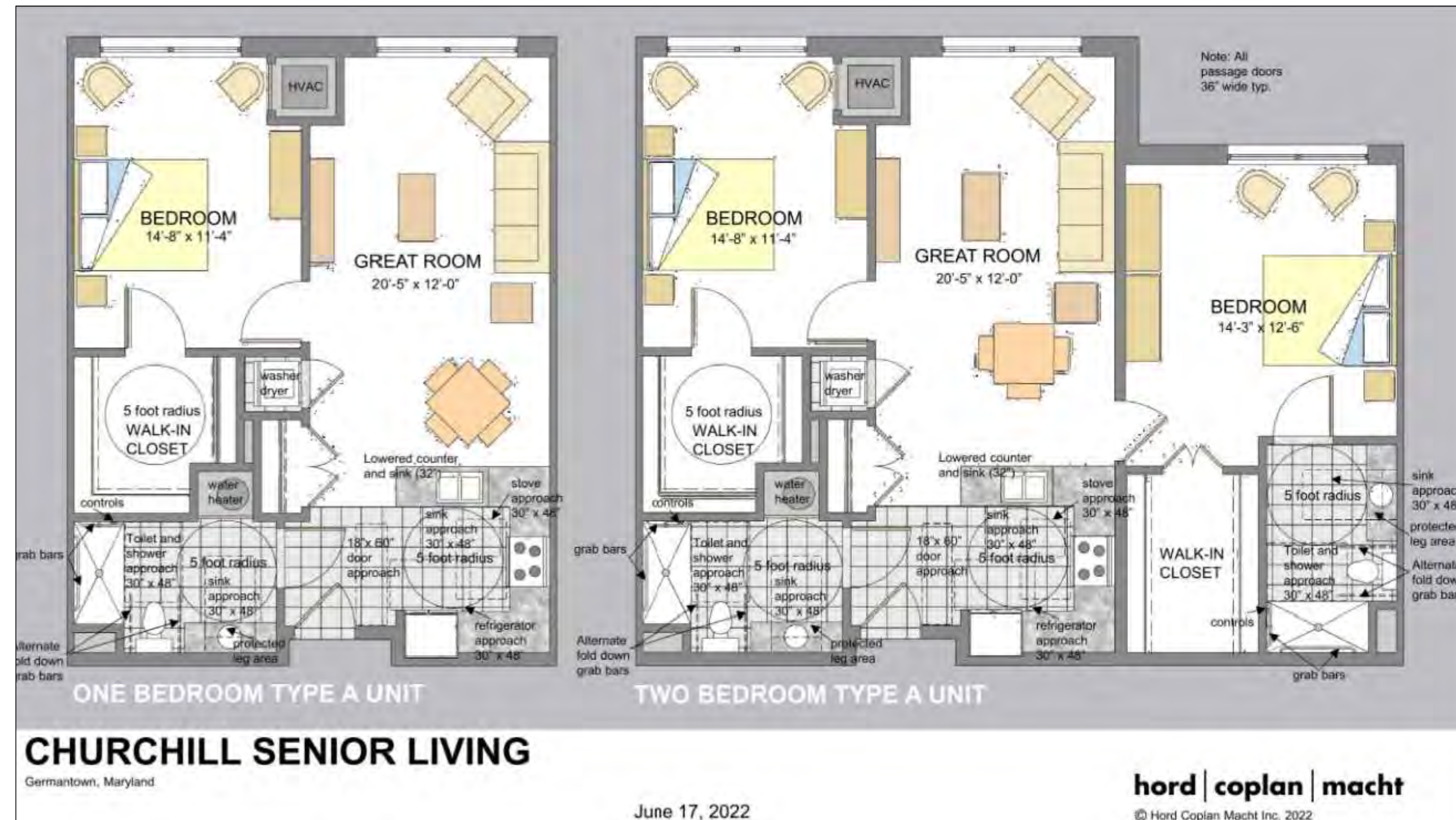


Figure A. Enhanced Accessibility for the Disabled
For illustrative purposes only, to be finalized at Site Plan

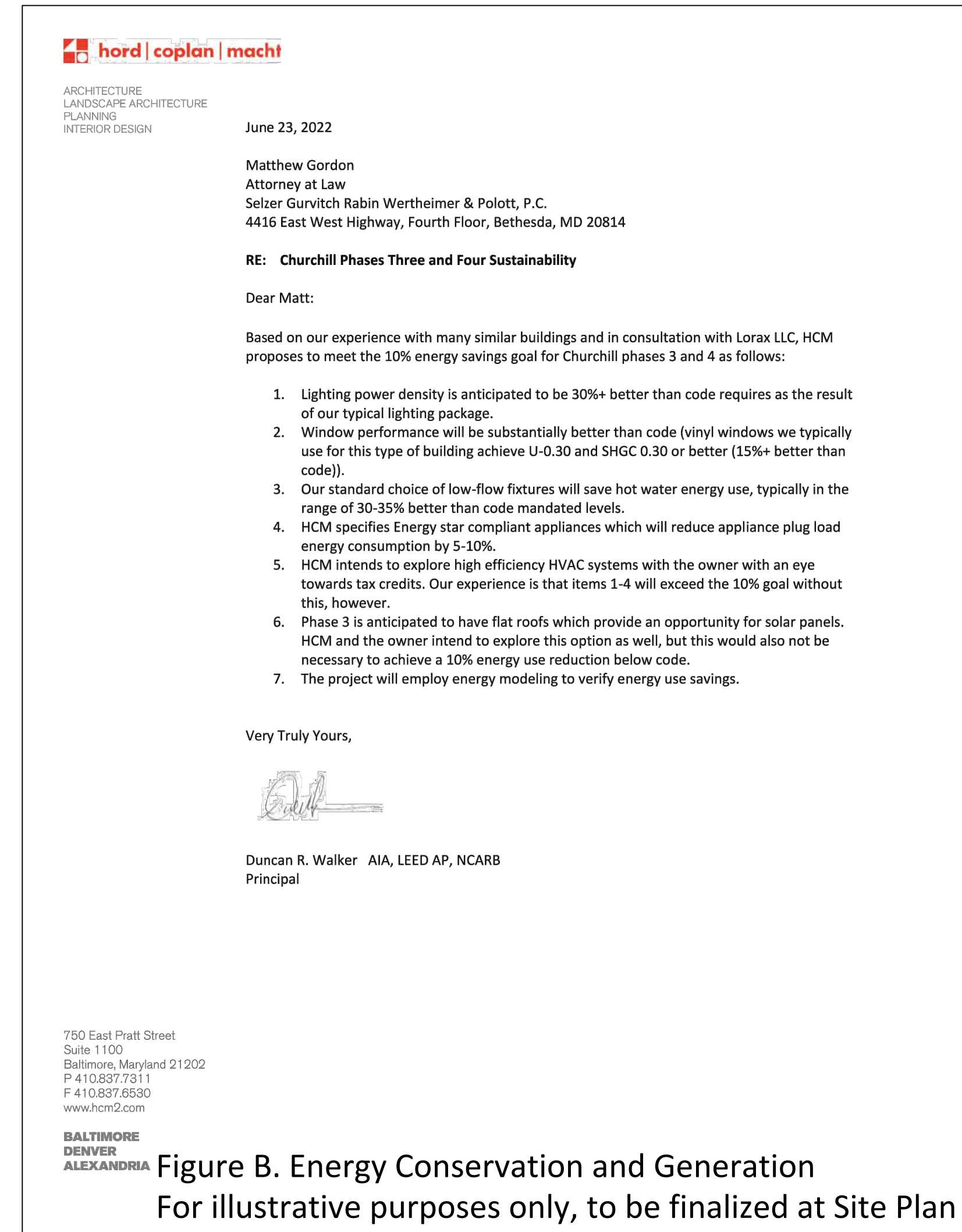


Figure B. Energy Conservation and Generation
For illustrative purposes only, to be finalized at Site Plan



Figure C. Concept Images of Vegetative Wall

PUBLIC BENEFIT POINT CALCULATIONS	PUBLIC BENEFIT POINTS SUMMARY (INCENTIVE DENSITY = 332,287 SF)		
	PUBLIC BENEFIT (SEE CALCULATIONS)	POINTS POSSIBLE	POINTS ACHIEVED
TRANSIT PROXIMITY THE PROJECT SITE ZONED CRT IS LOCATED WITHIN ONE MILE OF A LEVEL 2 TRANSIT FACILITY. THE PROPERTY IS LOCATED APPROXIMATELY 3 MILE AWAY FROM A MASTER-PLANNED CORRIDOR CITIES TRANSITWAY (CCT) STATION, WHICH WILL BE LOCATED BETWEEN CRYSTAL ROCK DR, CENTURY BLVD, AND AIRCRAFT DR. PER CR INCENTIVE DENSITY GUIDELINES, TABLE 2, 7.5 POINTS IS APPROPRIATE FOR THIS DEVELOPMENT. POINTS PROPOSED = 7.5	50	7.5	
CONNECTIVITY AND MOBILITY MINIMUM PARKING PER CR INCENTIVE DENSITY GUIDELINES, UP TO 10 POINTS ARE APPROPRIATE FOR PROVIDING FEWER THAN THE MAXIMUM ALLOWED NUMBER OF PARKING SPACES, WHERE A MAXIMUM IS APPLICABLE. UP TO 10 POINTS ARE ACHIEVABLE IF THE PROPERTY IS LOCATED IN A REDUCED PARKING AREA PER SECTION 59-1.4.2 OF THE ZONING ORDINANCE SINCE THE SITE IS NOT WITHIN A PARKING DISTRICT, BUT ZONED CRT THEREFORE THE PROJECT IS ELIGIBLE FOR DUE TO PROVIDING LESS THAN THE MAXIMUM ALLOWABLE SPACES. MAXIMUM ALLOWED SPACES (A): 602 SPACES MINIMUM REQUIRED SPACES (B): 304 SPACES PROPOSED SPACES (P): 310 FORMULA: ((A-P)/A)*10 + ((602-310)/(602-304))*10 = 298/298*10 = 9.8 points POINTS PROPOSED = 9.8	10	9.8	
QUALITY BUILDING AND SITE DESIGN STRUCTURED PARKING PER CR INCENTIVE GUIDELINES, UP TO 20 POINTS IS APPROPRIATE FOR DEVELOPMENT THAT SEEKS TO MINIMIZE CONFLICTS BETWEEN VEHICLES, PEDESTRIANS, AND CYCLISTS AND REDUCE THE VISUAL IMPACTS OF VEHICLE ACCESS AND PARKING ON THE PUBLIC REALM. THE PROJECT WILL INCLUDE STRUCTURED PARKING WITH +/- 131 BELOW-GRADE SPACES AND +/- 62 ABOVE-GRADE SPACES IN THE PARKING GARAGE. ABOVE-GRADE SPACES: (A) = 62 SPACES BELOW-GRADE SPACES: (B) = 131 SPACES TOTAL SPACES (T) = 300 SPACES FORMULA: ((A/T)*10) + ((B/T)*20) + ((82/10)*10) + ((131/300)*20) = 11.0 POINTS PROPOSED = 11.0	20	11	
DIVERSITY OF USES AND ACTIVITIES AFFORDABLE HOUSING PER THE CR INCENTIVE DENSITY GUIDELINES, THERE IS NO LIMITATION ON THE NUMBER OF POINTS FOR PROVIDING MORE THAN 12.5% MPDUS. AT LEAST MORE MORE MPDU THAN WOULD BE REQUIRED AT 12.5% MUST BE PROVIDED. FOR THESE CALCULATIONS, ASSISTED LIVING HOUSING IS EXCLUDED. TOTAL UNITS PROVIDED = 280 UNITS MPDUS AT 12.5% = 35 UNITS TOTAL MPDUS PROVIDED = 36 (12.8%) FORMULA = ((2.8-12.5) * 12) + 3.6 POINTS POINTS PROPOSED = 3.6	N/A	3.6	
ENHANCED ACCESSIBILITY FOR THE DISABLED PER CR GUIDELINES, UP TO 20 POINTS ARE ACHIEVABLE FOR CONSTRUCTING DWELLING UNITS THAT SATISFY ANSI A117.1 RESIDENTIAL STANDARDS. SEE FIGURE (A) FOR PRELIMINARY ACCESSIBLE DWELLING UNIT LAYOUT THE APPLICANT INTENDS TO PROVIDE 8 UNITS THAT MEET THE ENHANCED ACCESSIBILITY FOR SENIORS OR DISABLED. ACCESSIBLE UNITS (A) = 9 TOTAL UNITS (T) = 280 A/T*300 = 8280/300 = 9.8 POINTS POINTS PROPOSED = 9.8	15	10	
PROTECTION & ENHANCEMENT OF THE NATURAL ENVIRONMENT ENERGY CONSERVATION AND GENERATION PER CR INCENTIVE GUIDELINES, UP TO 15 POINTS ARE APPROPRIATE FOR BUILDINGS THAT EXCEED THE ENERGY EFFICIENCY STANDARDS FOR THE BUILDING TYPE. NEW BUILDINGS ARE PROPOSED TO EXCEED THE COUNTY ENERGY CODE STANDARDS BY 10%. REFER TO FIGURE (B) FOR CONCEPTUAL NARRATIVE DELINEATING THE SATISFACTION OF THIS CATEGORY'S REQUIREMENTS. PER INCENTIVE DENSITY GUIDELINES TABLE 3, 10 POINTS ARE APPROPRIATE FOR THIS DEVELOPMENT. POINTS PROPOSED: 10 POINTS	10	10	
VEGETATED WALL PER CR INCENTIVE DENSITY GUIDELINES, UP TO 15 POINTS ARE APPROPRIATE FOR INSTALLATION AND MAINTENANCE OF A VEGETATED WALL. REFER TO FOR CONCEPT IMAGES THIS SHEET AT TIME OF SITE PLAN. 30% OF BLANK WALLS ON WESTERN FRONTAGE WILL BE DESIGNATED FOR COVERAGE BY A VEGETATED WALL. PER INCENTIVE DENSITY GUIDELINES, 10 POINTS ARE APPROPRIATE FOR THIS DEVELOPMENT. POINTS PROPOSED: 10 POINTS	10	10	
TOTAL POINTS (5 CATEGORIES)		61.3	

GENERAL SKETCH PLAN NOTE

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REVISIONS		
NO.	DESCRIPTION	DATE

TAX MAP EU 343 WSSC 228 NW 13

PLAT 24537

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

CHURCHILL TOWN
SECTOR, GERMANTOWN

PARCELS Z,AA AND BB
BLOCK 20

PROJ. MGR BJD

DRAWN BY BJD

SCALE NTS

DATE 10/2021

CHURCHILL SR. LIVING

SKETCH PLAN
PUBLIC BENEFIT
SUMMARY

SK 1.00

PROJECT NO. 94.352.71

SHEET NO. 1 OF 1

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP EU 343 WSSC 228 NW 13

PLAT 21276

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

CHURCHILL TOWN
SECTOR, GERMANTOWN
PARCELS Z, AA AND BB
BLOCK 20

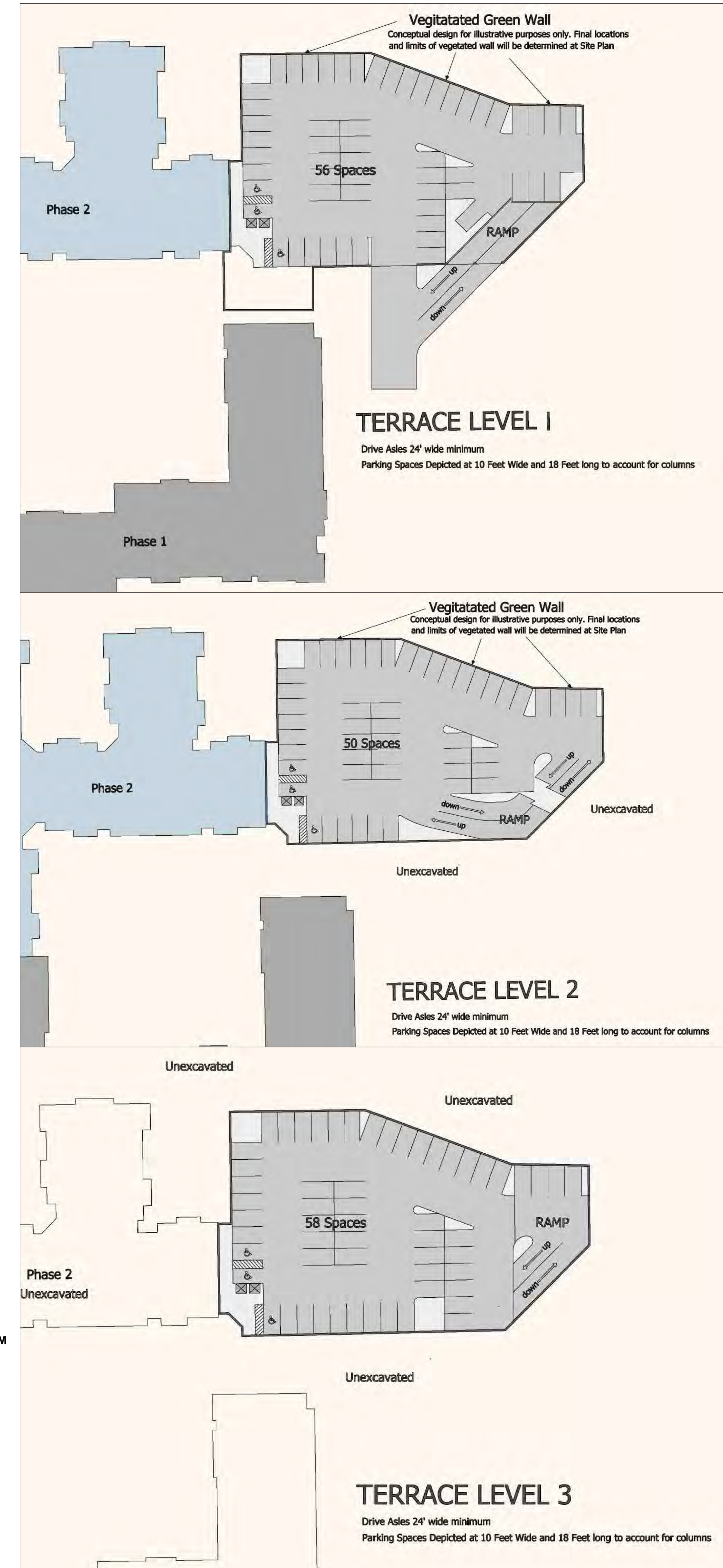
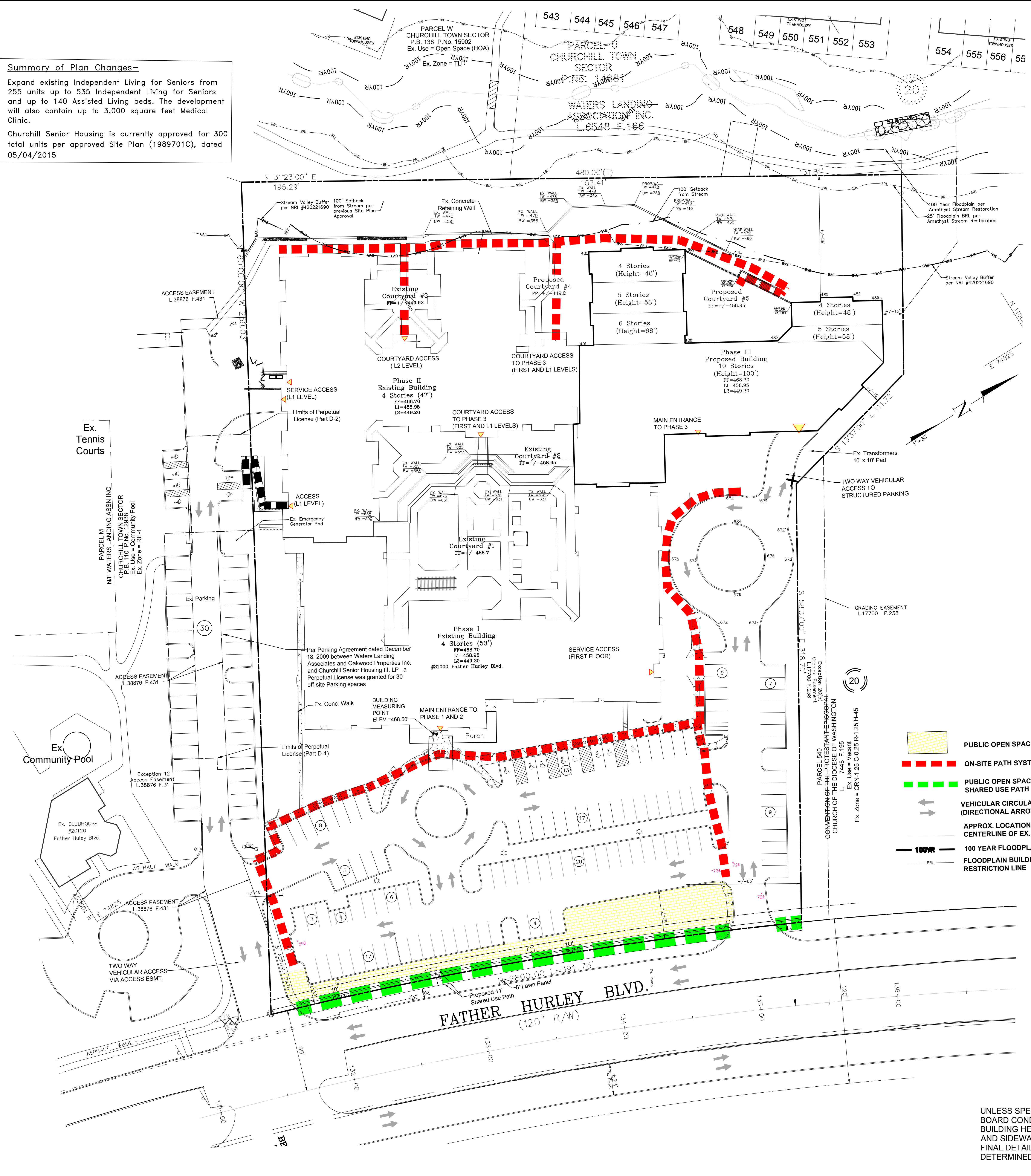
PROJ. MGR BJD
DRAWN BY BJD
SCALE 1"=30'
DATE 10/2021

CHURCHILL SR. LIVING
SKETCH PLAN-PHASE 3

SK 1.02

PROJECT NO. 94.352.71
SHEET NO. 3 OF 4

Summary of Plan Changes-
Expand existing Independent Living for Seniors from 255 units up to 535 independent living for seniors and up to 140 Assisted Living beds. The development will also contain up to 3,000 square feet Medical Clinic.
Churchill Senior Housing is currently approved for 300 total units per approved Site Plan (1989701C), dated 05/04/2015



PHASE 3: CONCEPT PARKING EXHIBIT

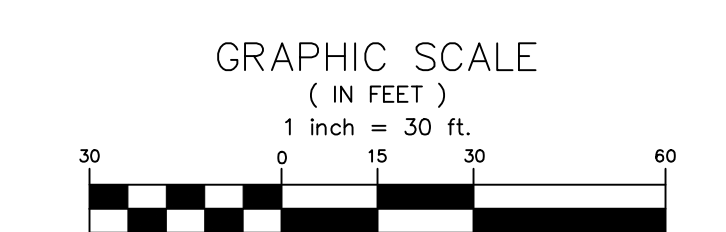
Parking Summary: PHASE 3
Parking Required: 246 spaces
Parking Provided: Up to 316 spaces
 -122 spaces Surface (On-Site)
 -164 spaces Structured (On-Site within Phase 3)
 - 30 spaces Surface (Off-Site by Agreement)

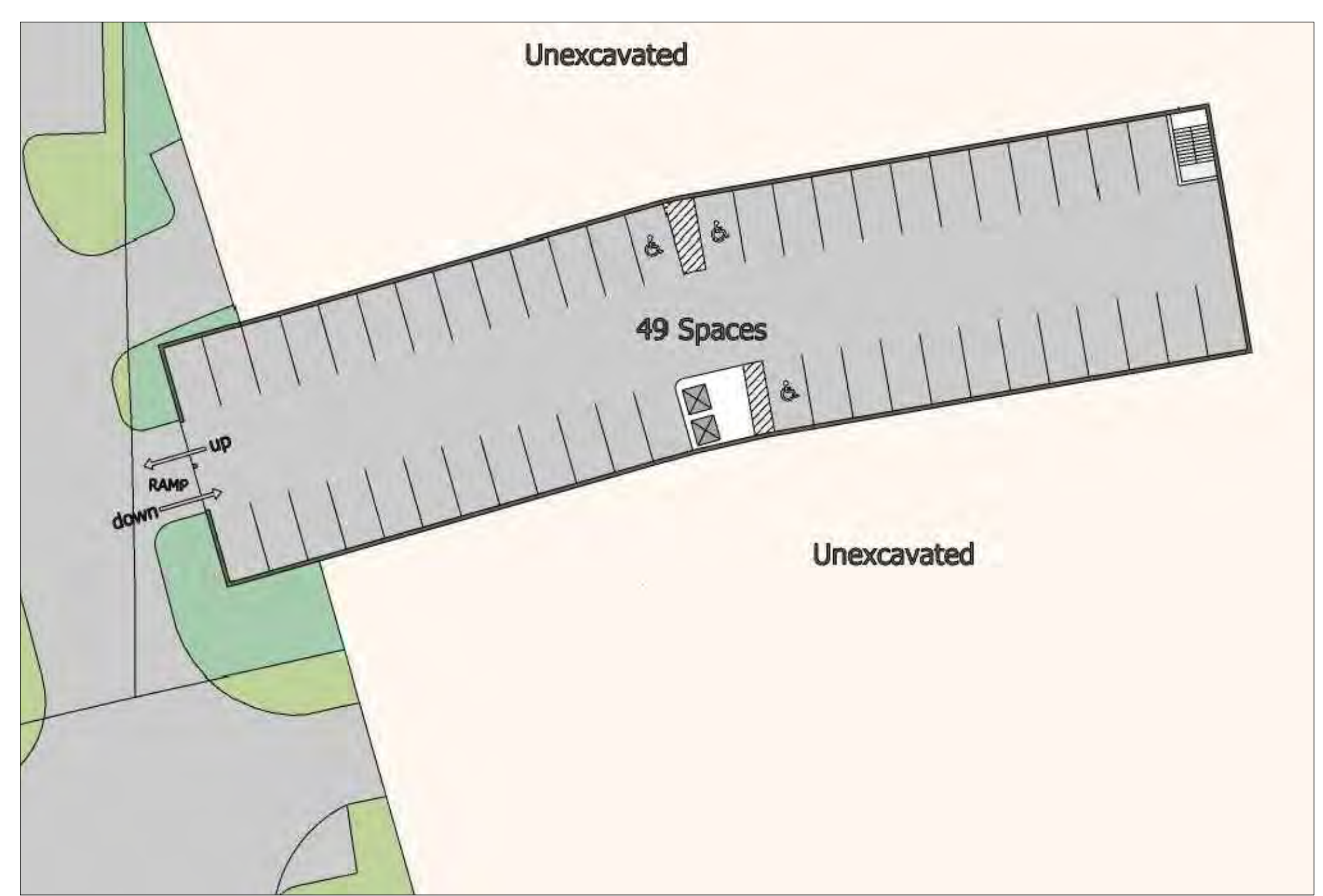
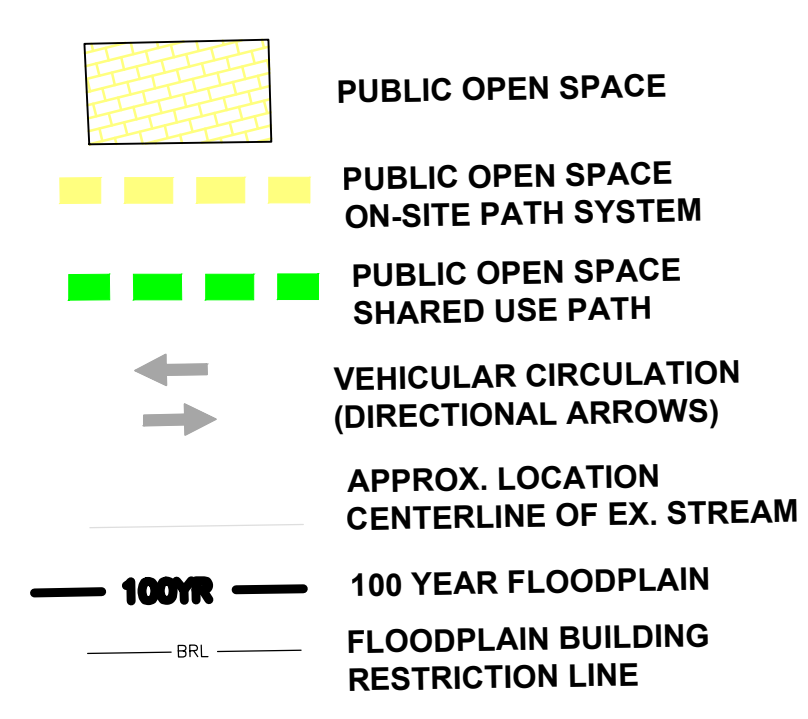
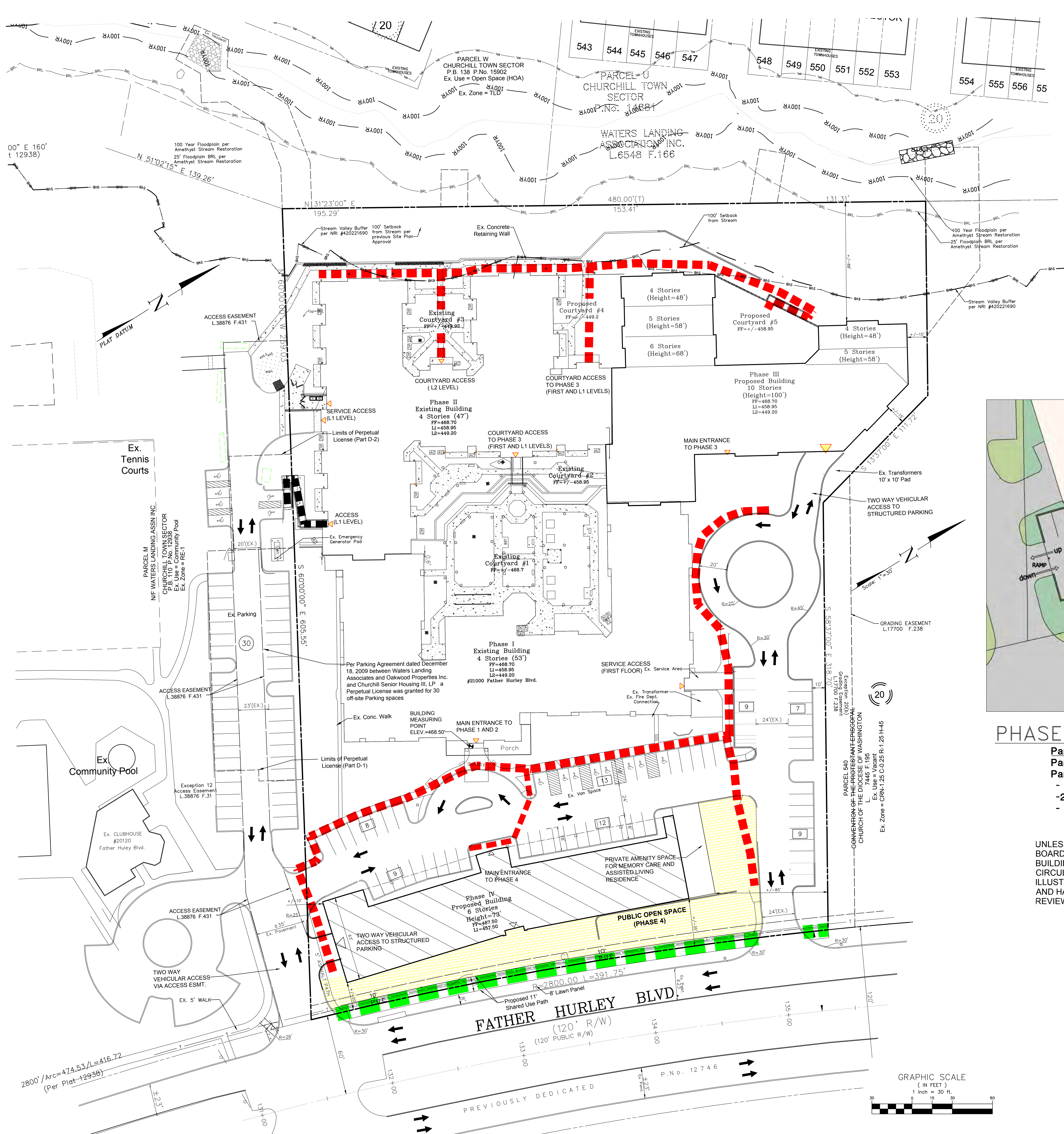
GENERAL SKETCH PLAN NOTE

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INTERIOR LOT LINES REMOVED FOR CLARITY. SEE EXISTING CONDITIONS PLAN.

HEIGHT OF BUILDINGS AND NUMBER OF STORIES DETERMINED BASED ON MEASURING POINT AS ESTABLISHED BY THE APPROVED SITE PLAN





PHASE 4: CONCEPT PARKING EXHIBIT

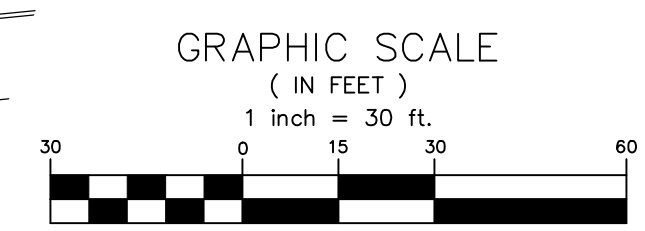
Parking Summary: PHASE 4
Parking Required: 304 spaces (See Cover sheet for additional information)
Parking Provided: Up to 309 spaces
 - 66 spaces Surface (On-Site)
 - 213 spaces Structured (On-Site within Phase 3 and 4)
 - 30 spaces Surface (Off-Site by Agreement)

GENERAL SKETCH PLAN NOTE

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Summary of Plan Changes—
 Expand existing Independent Living for Seniors from 255 units up to 535 Independent Living for Seniors and up to 140 Assisted Living beds. The development will also contain up to 3,000 square feet Medical Clinic.
 Churchill Senior Housing is currently approved for 300 total units per approved Site Plan (1989701C), dated 05/04/2015

INTERIOR LOT LINES REMOVED FOR CLARITY. SEE EXISTING CONDITIONS PLAN.
 HEIGHT OF BUILDINGS AND NUMBER OF STORIES DETERMINED BASED ON MEASURING POINT AS ESTABLISHED BY THE APPROVED SITE PLAN



REVISIONS		
NO.	DESCRIPTION	DATE

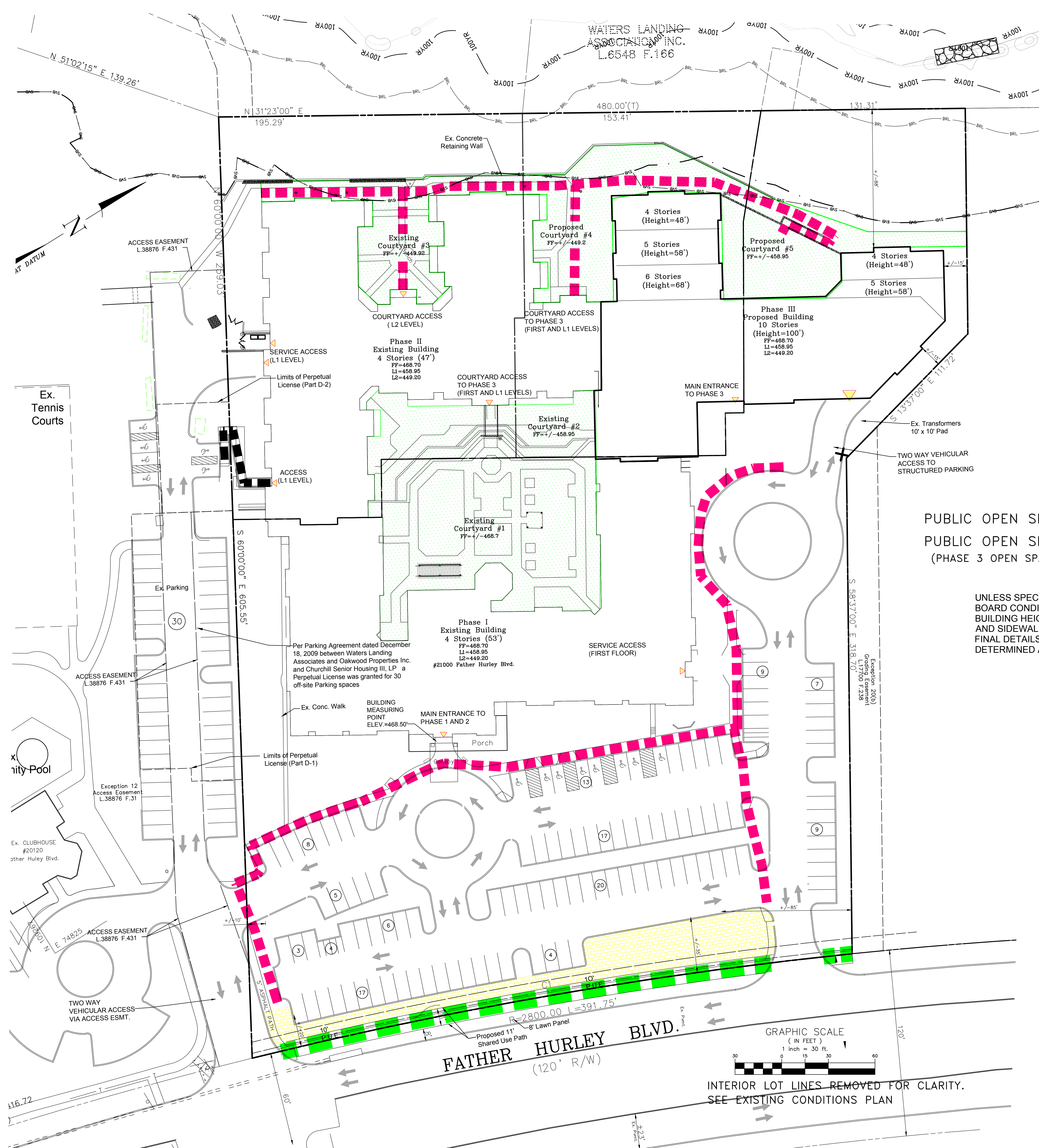
TAX MAP EU 343 WSSC 228 NW 13

PLAT 21276
 2ND ELECTION DISTRICT
 MONTGOMERY COUNTY
 MARYLAND

CHURCHILL TOWN SECTOR, GERMANTOWN PARCELS Z, AA AND BB BLOCK 20

PROJ. MGR BJD
 DRAWN BY BJD
 SCALE 1"=30'
 DATE 10/2021

CHURCHILL SR. LIVING SKETCH PLAN-PHASE 4

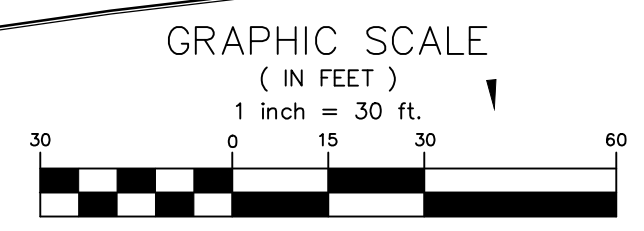


- OPEN SPACE (PRIVATE)
- PUBLIC OPEN SPACE
- ON-SITE PATH SYSTEM
- PUBLIC OPEN SPACE SHARED USE PATH
- VEHICULAR CIRCULATION (DIRECTIONAL ARROWS)
- APPROX. LOCATION CENTERLINE OF EX. STREAM
- 100 YEAR FLOODPLAIN
- FLOODPLAIN BUILDING RESTRICTION LINE

PUBLIC OPEN SPACE REQUIRED: 5.0% OR 11,950 SF
PUBLIC OPEN SPACE PROVIDED: 5.0% OR 11,950 SF
(PHASE 3 OPEN SPACE +/-5,975 SF, PHASE 4 +/-5,975 SF)

GENERAL SKETCH PLAN NOTE

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INTERIOR LOT LINES REMOVED FOR CLARITY. SEE EXISTING CONDITIONS PLAN

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NO.	DESCRIPTION	DATE

TAX MAP EU 343 WSSC 228 NW 13

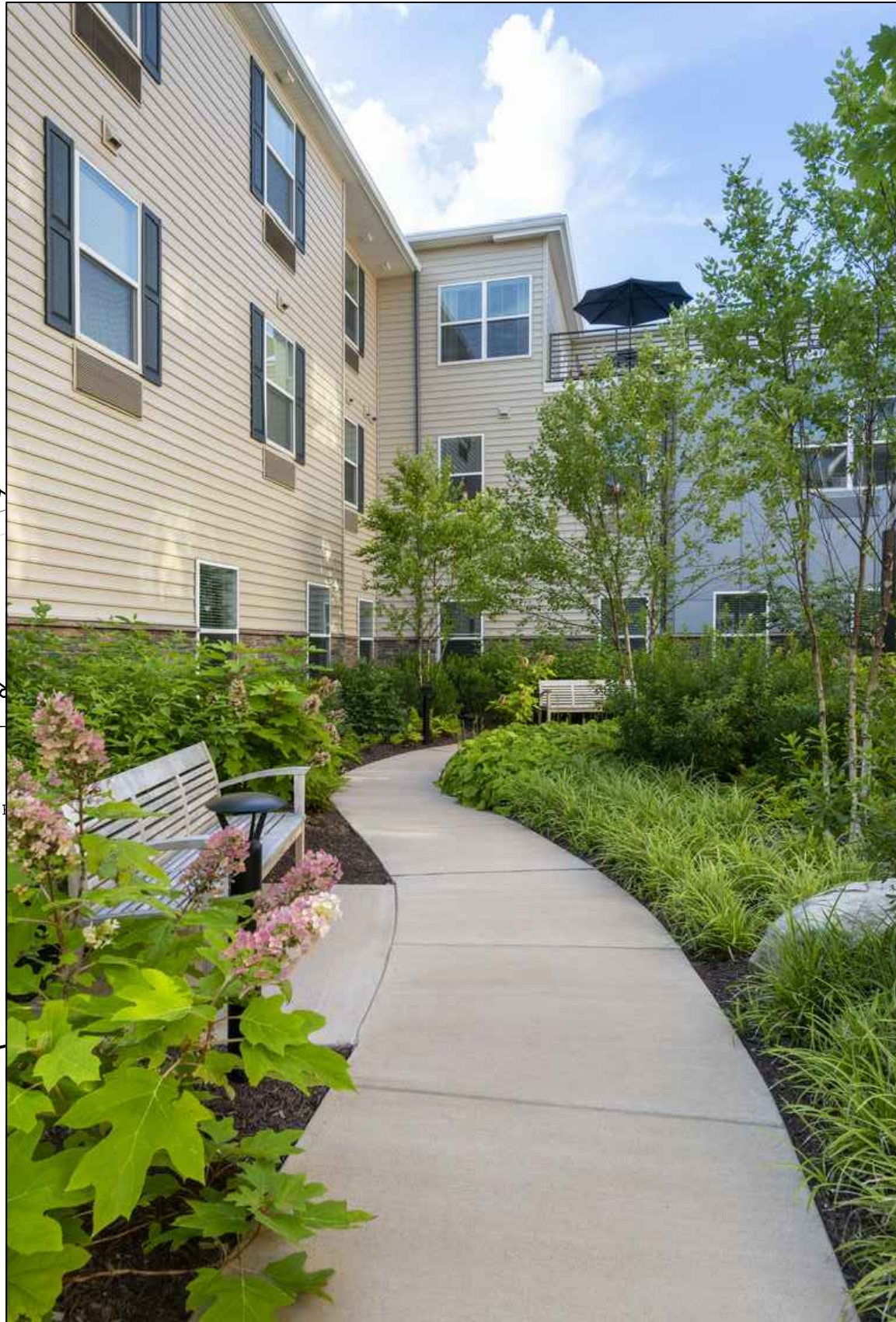
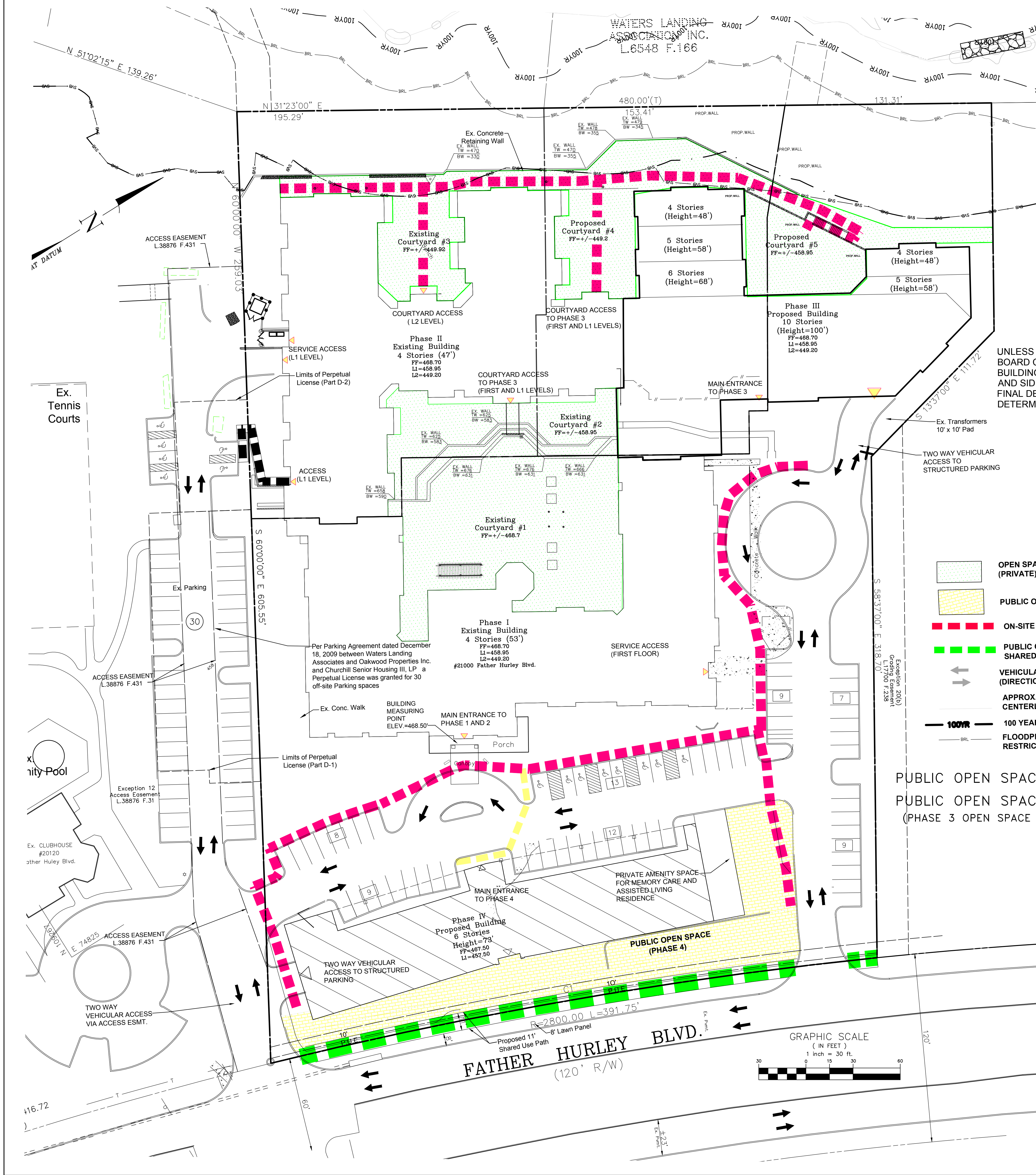
PLAT 21276
2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

CHURCHILL TOWN
SECTOR, GERMANTOWN
PARCELS Z,AA AND BB
BLOCK 20

PROJ. MGR	BJD
DRAWN BY	BJD
SCALE	1"=30'
DATE	10/2021

CHURCHILL SR. LIVING
OPEN SPACE EXHIBIT
PHASE 3

Summary of Plan Changes—
Expand existing Independent Living for Seniors from 255 units up to 535 Independent Living for Seniors and up to 140 Assisted Living beds. The development will also contain up to 3,000 square feet Medical Clinic. Churchill Senior Housing is currently approved for 300 total units per approved Site Plan (1989701C), dated 05/04/2015



GENERAL SKETCH PLAN NOTE

UNLESS SPECIFICALLY NOTED ON DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, SETBACKS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THIS SKETCH PLAN ARE ILLUSTRATIVE. THE FINAL DETAILS OF BUILDINGS, STRUCTURES, AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF SITE PLAN REVIEW.



IMAGERY OF PUBLIC OPEN SPACE FEATURES

REVISIONS		
NO.	DESCRIPTION	DATE

TAX MAP EU 343 WSSC 228 NW 13
PLAT 21276
2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

CHURCHILL TOWN
SECTOR, GERMANTOWN
PARCELS Z, AA AND BB
BLOCK 20
PROJ. MGR BJD
DRAWN BY BJD
SCALE 1"=30'
DATE 10/2021

CHURCHILL SR. LIVING
OPEN SPACE EXHIBIT
PHASE 4
SK 1.06
PROJECT NO. 94.352.71
SHEET NO. 4 OF 4

NO.	DESCRIPTION	DATE

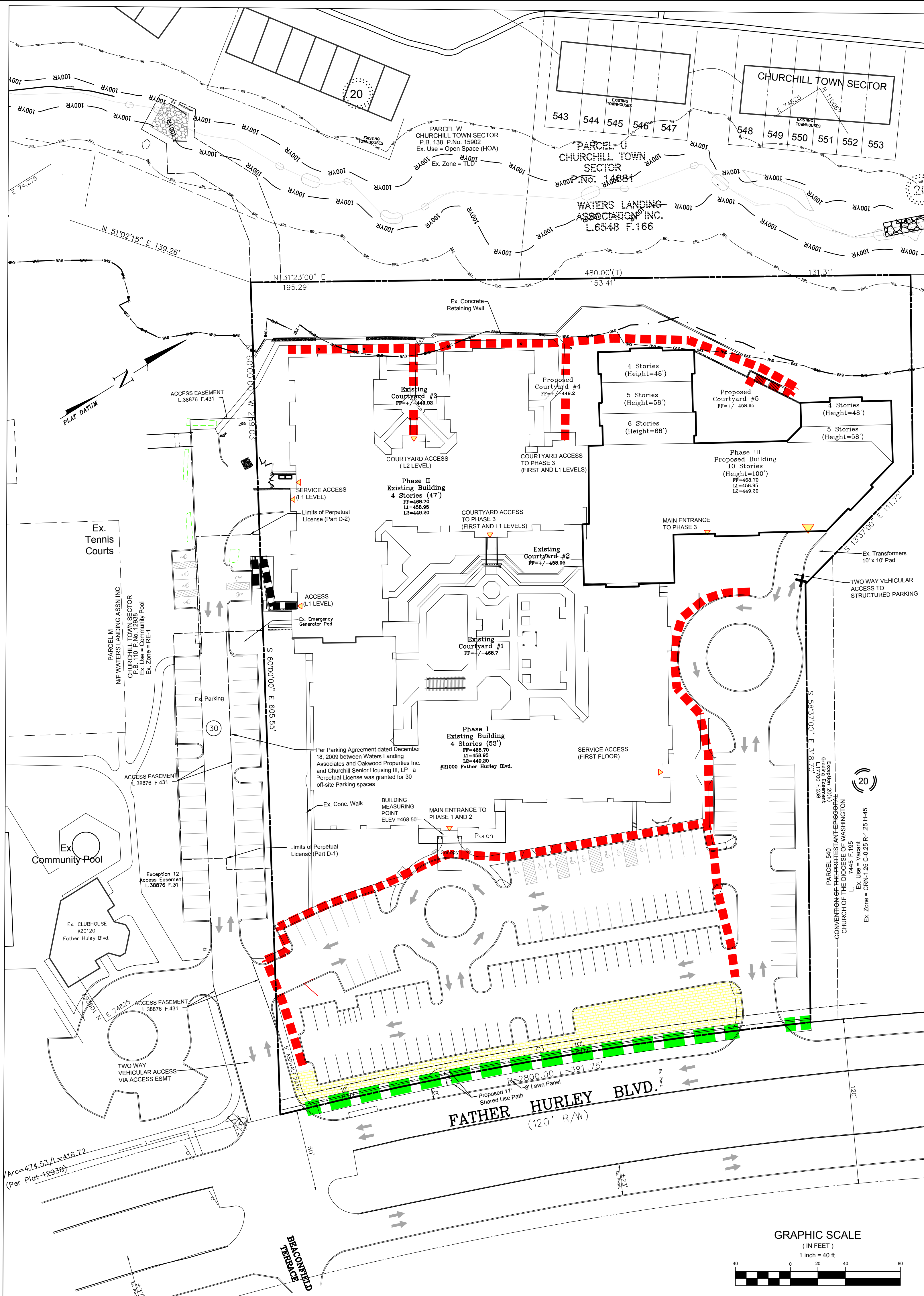
TAX MAP EU 343 WSSC 228 NW 13
 PLAT 21276
 2ND ELECTION DISTRICT
 MONTGOMERY COUNTY
 MARYLAND

CHURCHILL TOWN
 SECTOR, GERMANTOWN
 PARCELS Z, AA AND BB
 BLOCK 20

PROJ. MGR BJD
 DRAWN BY BJD
 SCALE 1"=40'
 DATE 10/2021

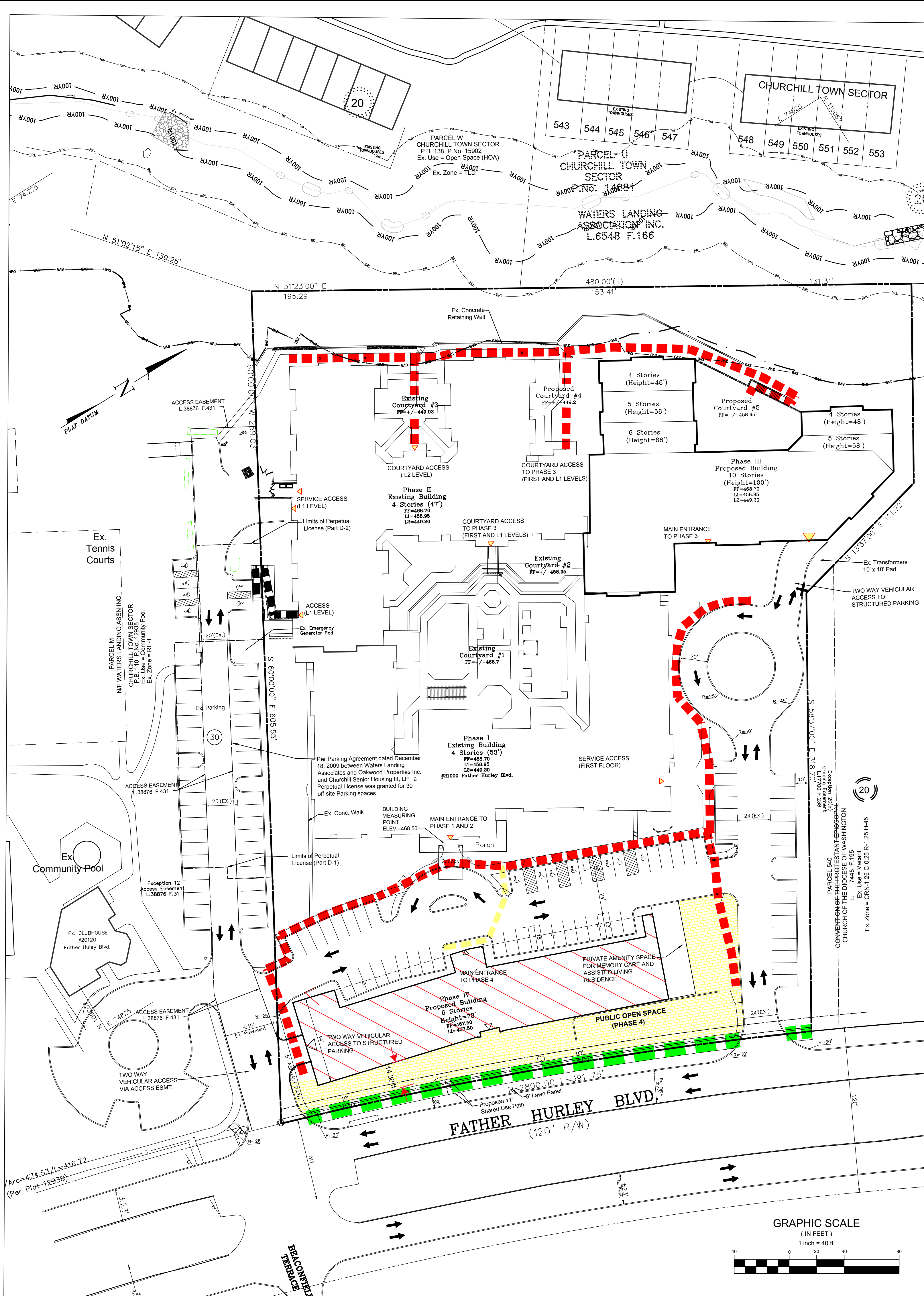
CHURCHILL SR. LIVING
 CIRCULATION AND
 ACCESS PLAN

SK 1.04
 PROJECT NO. 94.352.71
 SHEET NO. 4 OF 4



PHASE 3: CIRCULATION PLAN

INTERIOR LOT LINES REMOVED FOR CLARITY.
 SEE EXISTING CONDITIONS PLAN



PHASE 4: CIRCULATION PLAN

INTERIOR LOT LINES REMOVED FOR CLARITY.
 SEE EXISTING CONDITIONS PLAN

GENERAL SKETCH PLAN NOTE

UNLESS SPECIFICALLY NOTED ON DRAWING OR IN THE PLANNING BOARD CONDITIONS OF APPROVAL, THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, SETBACKS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THIS SKETCH PLAN ARE ILLUSTRATIVE. THE FINAL DETAILS OF BUILDINGS, STRUCTURES, AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF SITE PLAN REVIEW.

- PUBLIC OPEN SPACE
- ON-SITE PATH SYSTEM
- PUBLIC OPEN SPACE SHARED USE PATH
- VEHICULAR CIRCULATION (DIRECTIONAL ARROWS)
- APPROX. LOCATION CENTERLINE OF EX. STREAM
- 100 YEAR FLOODPLAIN
- FLOODPLAIN BUILDING RESTRICTION LINE

Summary of Plan Changes
 Expand existing Independent Living for Seniors from 255 units up to 535 Independent Living for Seniors and up to 140 Assisted Living beds. The development will also contain up to 3,000 square feet Medical Clinic.
 Churchill Senior Housing is currently approved for 300 total units per approved Site Plan (1989701C), dated 05/04/2015



CHURCHILL SENIOR LIVING Massing View

Germantown, Maryland

August 8, 2022

hord | coplan | macht

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AR 1.0



CHURCHILL SENIOR LIVING

Germantown, Maryland

Massing View

August 8, 2022

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AR 1.1



CHURCHILL SENIOR LIVING

Germantown, Maryland

Massing View

August 8, 2022

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AR 1.2



CHURCHILL SENIOR LIVING

Germantown, Maryland

View of Phase 3 From Stream

August 8, 2022

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AR 1.7



CHURCHILL SENIOR LIVING

Germantown, Maryland

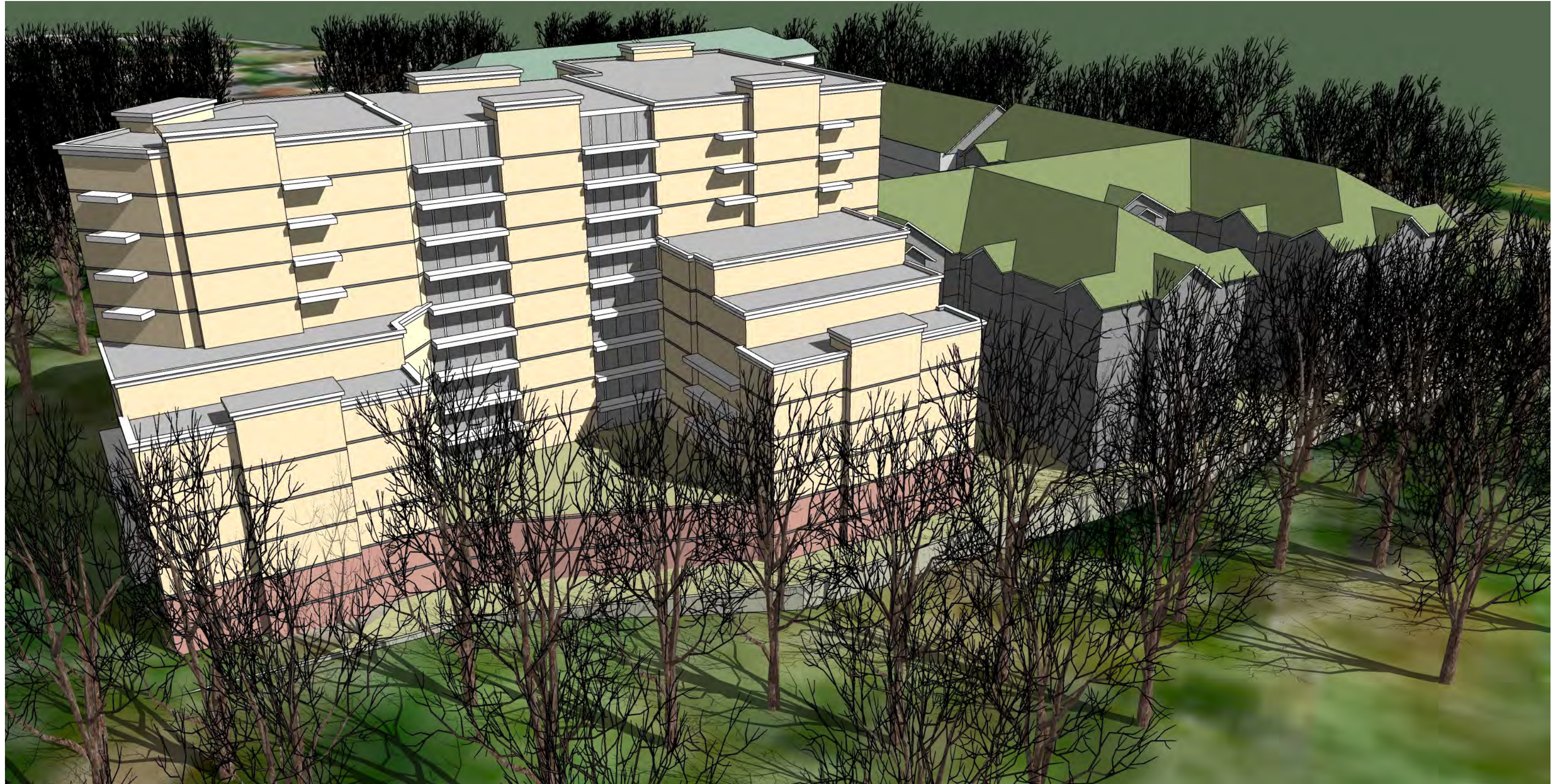
View of Phase 3 From Townhouses

August 8, 2022

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AR 1.8



CHURCHILL SENIOR LIVING

Germantown, Maryland

Birds Eye View of Phase 3

August 8, 2022

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AR 1.9



CHURCHILL SENIOR LIVING

Germantown, Maryland

Shortest Distances To Existing Homes

August 8, 2022

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9:00 AM



12:00 PM



3:00 PM

CHURCHILL SENIOR LIVING

Germantown, Maryland

Shadow Study March 21st

August 8, 2022

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AR 2.0



9:00 AM



12:00 PM



3:00 PM

CHURCHILL SENIOR LIVING

Germantown, Maryland

Shadow Study June 21st

August 8, 2022

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AR 2.1



9:00 AM



12:00 PM



3:00 PM

CHURCHILL SENIOR LIVING

Germantown, Maryland

Shadow Study September 21st

August 8, 2022

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AR 2.2



9:00 AM



12:00 PM



3:00 PM

CHURCHILL SENIOR LIVING

Germantown, Maryland

Shadow Study December 21st

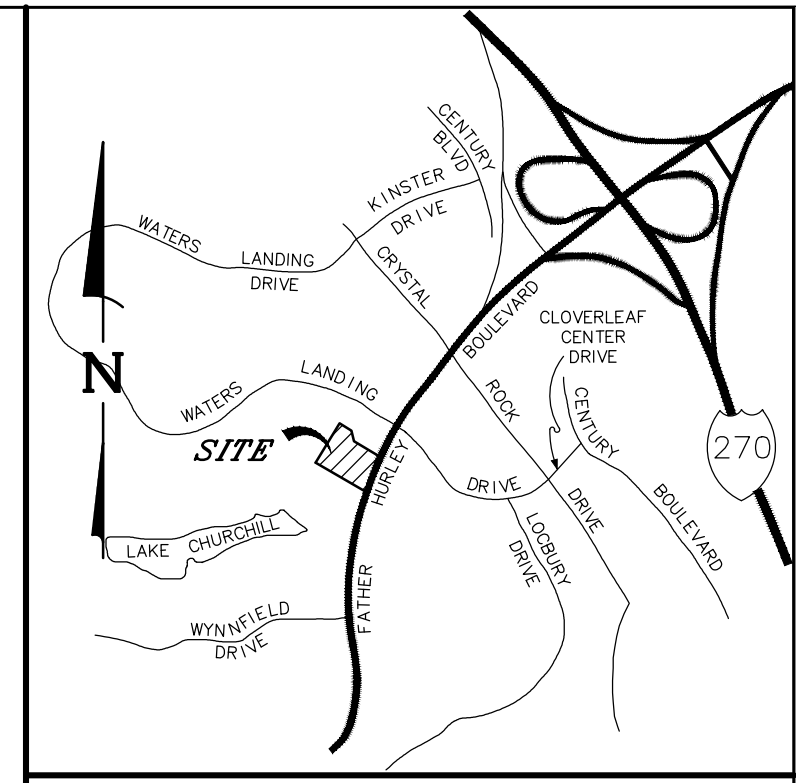
August 8, 2022

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AR 2.3

ATTACHMENT B



VICINITY MAP
SCALE 1" = 2,000'

FOREST CONSERVATION WORKSHEET

NET TRACT AREA:

A. Total tract area ...	5.49
B. Additions to tract area (Off-Site Work, etc.; construction required by this plan) ...	0.00
C. Land dedication acres (parks, county facility, etc.) ...	0.00
D. Land dedication for roads or utilities (construction not required by this plan) ...	0.00
E. Area to remain in commercial agricultural production/use ...	0.00
F. Other deductions (specify) ...	0.00
G. Net Tract Area ...	5.49

LAND USE CATEGORY: (from Chapter 22A-3, Definitions)
input the number "1" under the appropriate land use, limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA
0	0	0	0	1	0

G. Afforestation Threshold ... 15% x G = 0.82
H. Conservation Threshold ... 20% x G = 1.10

EXISTING FOREST COVER:

I. Existing forest cover ...	0.00
J. Area of forest above afforestation threshold ...	0.00
K. Area of forest above conservation threshold ...	0.00

BREAK EVEN POINT:

L. Forest retention above threshold with no mitigation ...	0.00
M. Clearing permitted without mitigation ...	0.00

PROPOSED FOREST CLEARING:

N. Total area of forest to be cleared ...	0.00
O. Total area of forest to be retained ...	0.00

PLANTING REQUIREMENTS:

P. Reforestation for clearing above conservation threshold ...	0.00
Q. Reforestation for clearing below conservation threshold ...	0.00
R. Credit for retention above conservation threshold ...	0.00
S. Total reforestation required ...	0.00
T. Total afforestation required ...	0.82
U. Credit for landscaping (may not exceed 20% of "S") ...	0.00
V. Total reforestation and afforestation required ...	0.82

0.82 acre Forest Conservation requirement to be met as follows: 0.37 acres to be met on-site via supplemental planting in areas of on-site tree cover. The remaining 0.45 acres is to be met off-site. An area of stream valley buffer is not placed in a conservation easement due to the existing retaining wall and its extension as well as existing utilities, the total not in an easement equals 0.17 acres. A total of 0.62 acres (0.45 + 0.17) is proposed to be met off-site.

FOREST CONSERVATION SUPPLEMENTAL PLANTING SCHEDULE

QTY	BOTANICAL NAME	COMMON NAME	SIZE (CAL.)	HGT	ROOT
9	Sycamore	Platanus occidentalis	2"-1"		B&B
9	Quercus alba	White Oak	2"-1"		B&B
8	Acer rubrum	Red Maple	2"-1"		B&B
6	Cercis canadensis	Eastern Redbud	2"-1"		B&B
5	Amelanchier laevis	Serviceberry	2"-1"		B&B
6	Lindera benzoin	Spicebush	18-24"		Cont.
6	Ilex verticillata	Winterberry	18-24"		Cont.

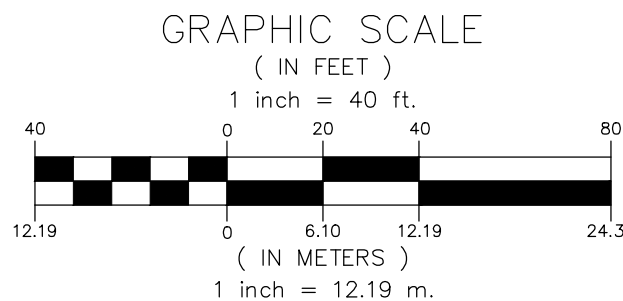
NOTES:
1. The 0.37 acre planting area will be planted with the above plant material at a rate of 100 1" caliper trees/acre x 0.37 acres = 37 trees.
2. The mix of trees planted shall be 70% dominant species (26 trees) and 30% understory species (11 trees) planted 12' to 15' on-center.
3. Shrub species shall be planted at a rate of a third the rate of trees = 12 shrubs. Shrubs are to be evenly distributed over the planting area and among the trees.

VARIANCE TREE IMPACT TABLE

Tree ID#	DBH	Species	Impact/Remove	% Impacted	Condition	Mitigation
3	45	Red Maple	Impact	6%	POOR	stress reduction measures

TREE TABLE

TREE ID#	COMMON NAME	BOTANICAL NAME	SIZE (DIAMETER)	CONDITION
1	RED OAK	QUERCUS RUBRA	26"	POOR - DIEBACK
2	TULIP POPLAR	LIRIODENDRON TULIPIFERA	32"	FAIR - DEADWOOD, VINES
3	RED MAPLE	ACER RUBRUM	45"	POOR - DEADWOOD, VINES, LARGE CAVITY
4	TULIP POPLAR	LIRIODENDRON TULIPIFERA	29"-12"	FAIR - BADLY PRUNED, DEADWOOD
5	SYCAMORE	PLATANUS OCCIDENTALIS	22"	GOOD
6	RED OAK	QUERCUS RUBRA	30"	GOOD
7	RED MAPLE	ACER RUBRUM	27"	FAIR/GOOD - EXPOSED ROOT IN OLD PLANTER BOX
8	YOSHINO CHERRY	PRUNUS X YEDOENSIS	27"	POOR - ROT, PARTIALLY TOPPED, EPICORMIC, WOUND, ROOT STRUCTURE ISSUE



LEGEND

- SPECIMEN TREE
- SIGNIFICANT TREE
- TREE CANOPY
- SOIL BOUNDARY
- LIGHT
- SEWER
- STORM DRAIN
- WATER
- GAS
- EXISTING CONTOUR
- PROPERTY BOUNDARY
- CURB & GUTTER
- CONCRETE
- SIGN
- FIRE HYDRANT
- PERMANENT FOREST CONSERVATION SIGNS
- OVERHEAD WIRES
- FENCE
- GAURDRAIL
- COMMUNICATION LINE
- BUILDING
- FLOODPLAIN
- FLOODPLAIN BRL
- STREAM VALLEY BUFFER
- STREAM
- TREE PROTECTION FENCE, ROOT PRUNING, & TEMPORARY TREE PROTECTION SIGNAGE (AS SHOWN IN TREE FENCE DETAIL)
- CRITICAL ROOT ZONE
- LIMITS OF DISTURBANCE
- CAT. 1 CONSERVATION AREA WITH SUPPLEMENTAL PLANTING

FOREST CONSERVATION NOTES:

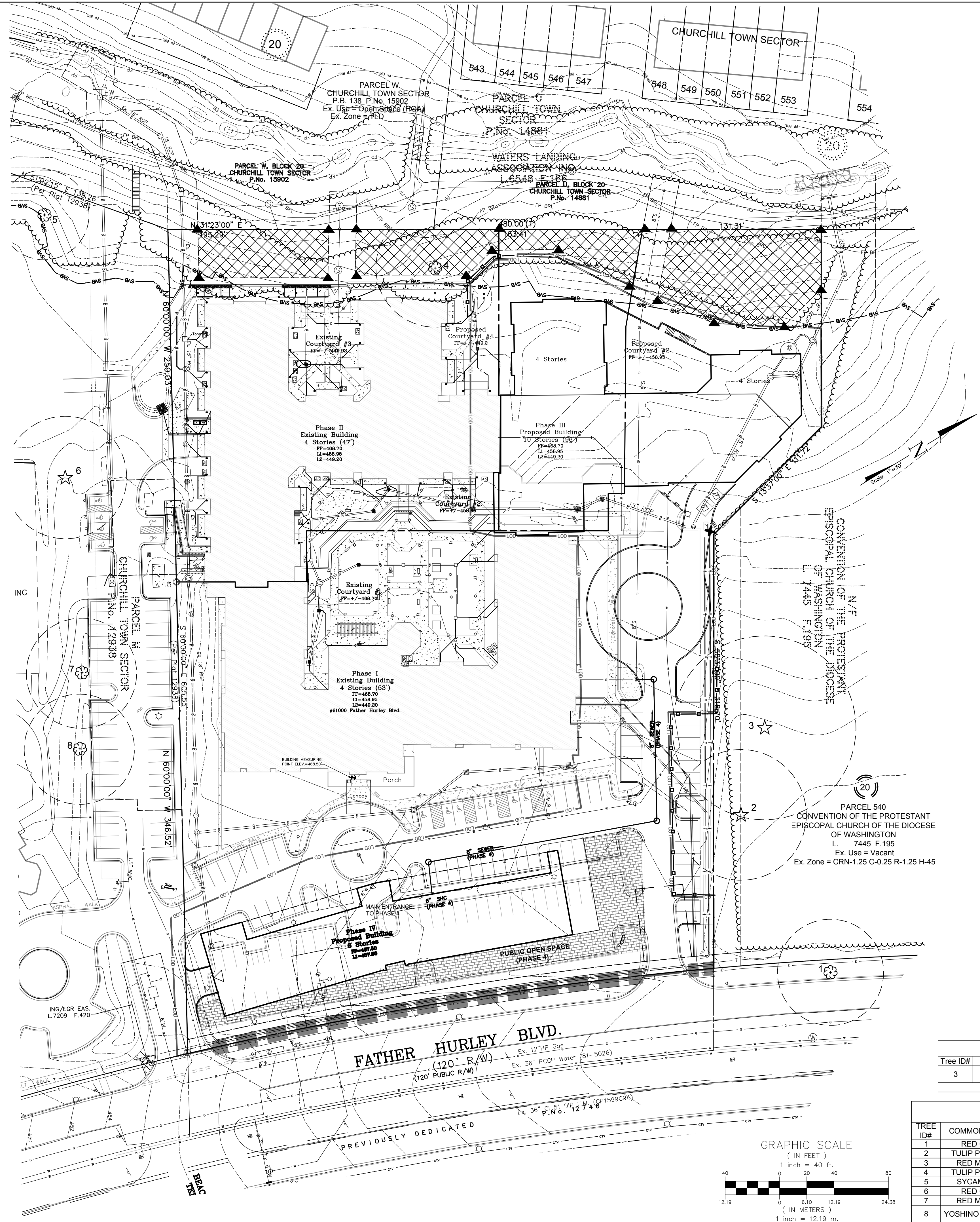
PROPERTY DESCRIPTION: PARCEL 'CC', PARCEL 'DD' AND PARCEL 'Z'
ADDRESS: 21000, 21010 AND 20990 FATHER HURLEY BLVD
TAX ACCOUNT #02-03714452, #02-03279983, AND #02-03714441
CURRENT ZONING CLASSIFICATION: TS
WATERSHED: LITTLE SENECA CREEK
SPECIAL PROTECTION AREA: NA
PRIMARY MANAGEMENT AREA: NA

FOREST CONSERVATION DATA TABLE

DESCRIPTION	SIZE
Property Area	5.49 Acres
Off-site Disturbance	0.00 Acres
Total Tract Area	5.49 Acres
Tract remaining in Ag use	0.00 Acres
Road & Utility ROW (Unimproved)	0.00 Acres
Existing Forest	0.00 Acres
Total Forest Retention	0.00 Acres
Total Forest Cleared	0.00 Acres
Land Use Category	TS
Afforestation Threshold	15%
Reforestation Threshold	20%
Stream(s) Length: NA	Average Buffer Width: NA

811 FOR UTILITY LOCATIONS
CONTACT "ONE CALL" AT 811
AT LEAST 48 HOURS
PRIOR TO CONSTRUCTION

Know what's below.
Call before you dig.



Sequence of Events for Properties Required To Comply With Forest Conservation Plans, Exemptions from Submitting Forest Conservation Plans, and Tree Save Plans

The property owner is responsible for ensuring all tree protection measures are performed in accordance with the approved final forest conservation plan or tree save plan, and as modified in the field by a Planning Department Forest Conservation Inspector. The measures must meet or exceed the most recent standards published by the American National Standards Institute (ANSI A300).

Pre-Construction

- An on-site pre-construction meeting is required after the limits of disturbance have been staked and flagged and before any land disturbance.
- The property owner must arrange for the meeting and the following people must participate at the preconstruction meeting: the property owner or their representative, construction superintendent, International Society of Arboriculture (ISA) certified arborist/MD Licensed Tree Expert (representing owner) that will implement the tree protection measures, The Planning Department Forest Conservation Inspector, and Montgomery County Department of Permitting Services (DPS) Sediment Control Inspector. The purpose of this meeting is verify the limits of disturbance and discuss specific tree protection and tree care measures shown on the approved plan. No land disturbance shall begin before tree protection and stress-reduction measures have been implemented and approved by the Planning Department's Forest Conservation Inspector.
 - Typical tree protection devices include:
 - Chain link fence (four feet high)
 - Super silt fence with wire strung between the support poles (minimum 4 feet high) with high visibility flagging.
 - 14 gauge 2 inch x 4 inch welded wire fencing supported by steel T-bar posts (minimum 4 feet high) with high visibility flagging.
 - Typical stress reduction measures may include, but are not limited to:
 - Root pruning with a root cutter or vibratory plow designed for that purpose. Trenchers are not allowed, unless approved by the Forest Conservation Inspector
 - Crown Reduction or pruning
 - Watering
 - Fertilizing
 - Vertical mulching
 - Root aeration systems
 Measures not specified on the Forest Conservation Plan may be required as determined by the Forest Conservation Inspector in coordination with the property owner's arborist.
- A Maryland Licensed Tree expert must perform, or directly supervise, the implementation of all stress reduction measures. Documentation of the process (including photographs)

- Wound repair
 - Clean up of retention areas, including trash removal
- After the final inspection and completion of all corrective measures the Forest Conservation Inspector will request all temporary tree and forest protection devices be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both DPS and the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.
 - Long-term protection measures, including permanent signage, must be installed per the approved plan. Installation will occur at the appropriate time during the construction project. Refer to the approved plan drawing for the long-term protection measures to be installed.

INSPECTIONS

All field inspections must be requested by the applicant.

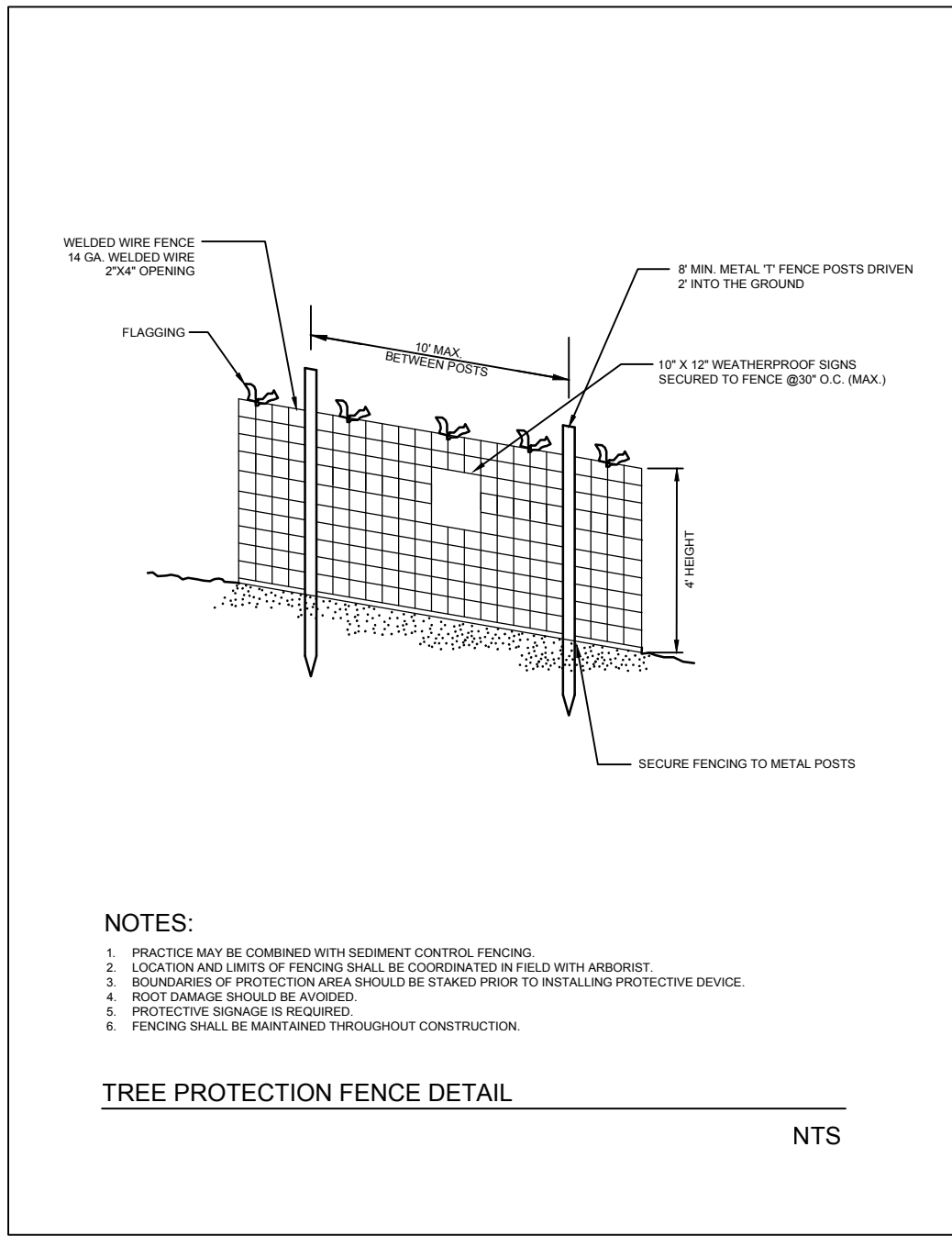
Field inspections must be conducted as follows:

Plans without Planting Requirements

- After the limits of disturbance have been staked and flagged, but before any clearing or grading begins.
- After necessary stress reduction measures have been completed and protection measures have been installed, but before any clearing and grading begin and before release of the building permit.
- After completion of all construction activities, but before removal of tree protection fencing, to determine the level of compliance with the provision of the forest conservation.

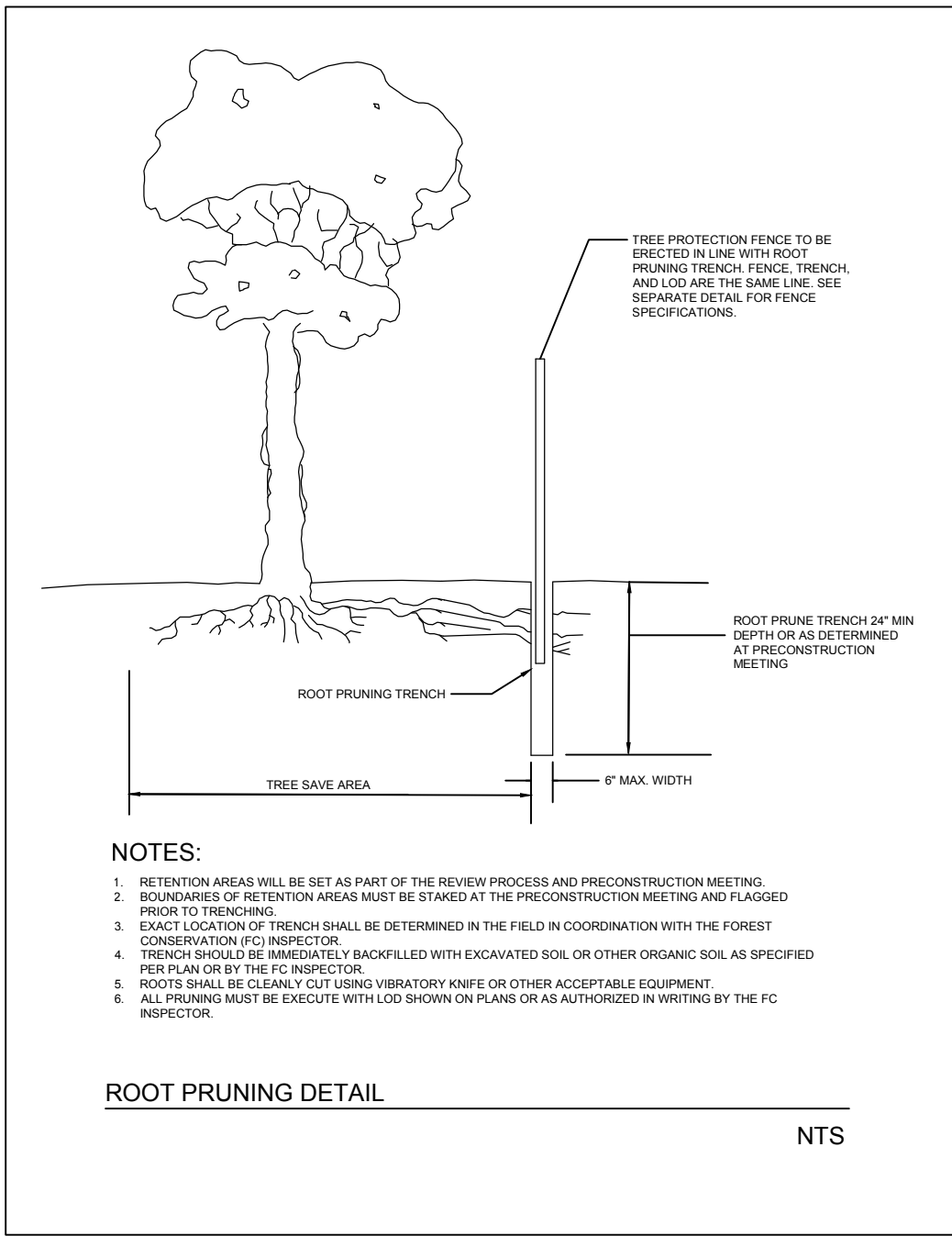
Additional Requirements for Plans with Planting Requirements

- Before the start of any required reforestation and afforestation planting.
- After the required reforestation and afforestation planting has been completed to verify that the planting is acceptable and prior to the start the maintenance period.
- 2 years after reforestation and afforestation has been completed, to determine survival and assess necessary maintenance activities for the remaining duration of the maintenance and management period.
- At the end of the maintenance period to determine the level of compliance with the provisions of the planting plan, and if appropriate, release of the performance bond.



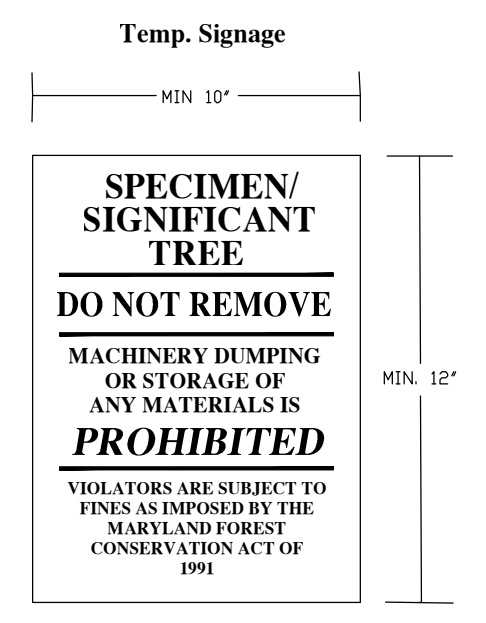
- NOTES:
- FRACTURE MAY BE COMBINED WITH SEGMENT CONTROL FENCING.
 - LOCATION AND LIMITS OF FENCING SHALL BE COORDINATED IN FIELD WITH ARBORIST.
 - BOUNDARIES OF PROTECTION AREA SHOULD BE STAKED PRIOR TO INSTALLING PROTECTIVE DEVICE.
 - PROTECTIVE SIGNAGE IS REQUIRED.
 - PROTECTIVE SIGNAGE IS REQUIRED.
 - FENCING SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

TREE PROTECTION FENCE DETAIL
NTS



- NOTES:
- RETENTION AREAS WILL BE SET AS PART OF THE REVIEW PROCESS AND PRE-CONSTRUCTION MEETING.
 - BOUNDARIES OF RETENTION AREAS MUST BE STAKED AT THE PRE-CONSTRUCTION MEETING AND FLAGGED PRIOR TO TREE PROTECTION FENCING.
 - EXACT LOCATION OF TRENCH SHALL BE DETERMINED IN THE FIELD IN COORDINATION WITH THE FOREST CONSERVATION INSPECTOR.
 - TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH ENHANCED SOIL OR OTHER ORGANIC SOIL AS SPECIFIED PER PLAN OR BY THE FC INSPECTOR.
 - ROOTS SHALL BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT.
 - ALL PRUNING MUST BE EXECUTED WITH LOG SKIDDER OR PLANE OR AS AUTHORIZED IN WRITTEN BY THE FC INSPECTOR.

ROOT PRUNING DETAIL
NTS



- NOTE:
- Attachment of signs to trees is prohibited.
 - Signs should be properly maintained.
 - Signs should be posted to be visible to all construction personnel from all directions.

may be required by the Forest Conservation Inspector, and will be determined at the preconstruction meeting.

- Temporary protection devices must be installed per the approved Forest Conservation Plan, Exemption Plan, or Tree Save Plan and prior to any land disturbance. The Forest Conservation Inspector, in coordination with the DPS Sediment Control Inspector, may make field adjustments to increase the survivability of trees and forest shown as saved on the approved plan.
- Tree protection fencing must be installed and maintained by the property owner for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. All construction activity within protected tree and forest areas is prohibited. This includes the following activities:
 - Parking or driving equipment, machinery, or vehicles of any type.
 - Storage of any construction materials, equipment, stockpiling, fill, debris, etc.
 - Dumping or any chemicals (i.e., paint thinner, mortar or concrete remainder, trash, garbage, or debris of any kind.
 - Felling of trees into a protected area.
 - Trenching or grading for utilities, irrigation, drainage, etc.
- Forest and tree protection signs must be installed as required by the Forest Conservation Inspector. The signs must be waterproof and wording provided in both English and Spanish.

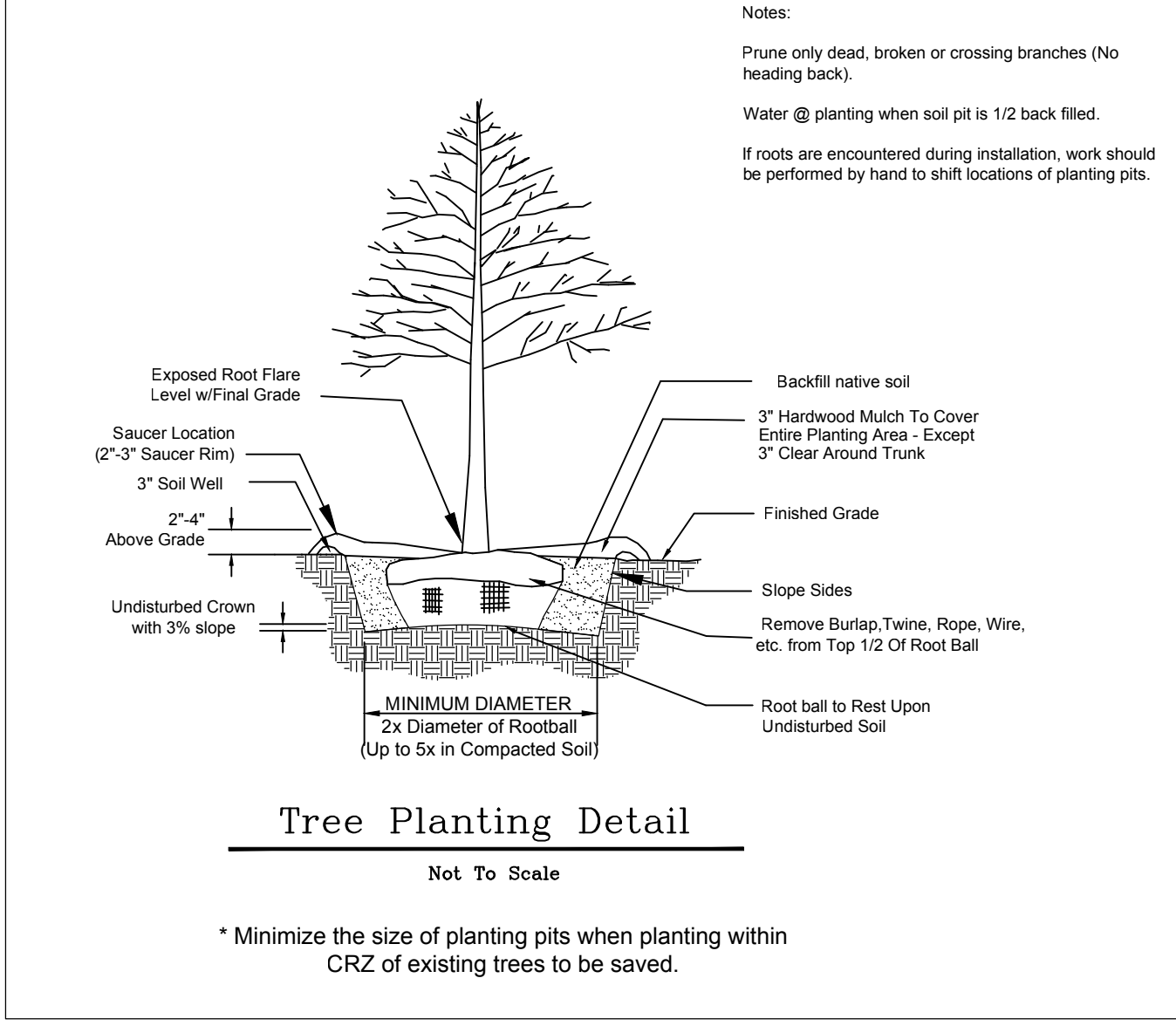
During Construction

- Periodic inspections will be made by the Forest Conservation Inspector. Corrections and repairs to all tree protection devices must be completed within the timeframe given by the Inspector.
- The property owner must immediately notify the Forest Conservation Inspector of any damage to trees, forests, understorey, ground cover, and any other undisturbed areas shown on the approved plan. Remedial actions, and the relative timeframes to restore these areas, will be determined by the Forest Conservation Inspector.

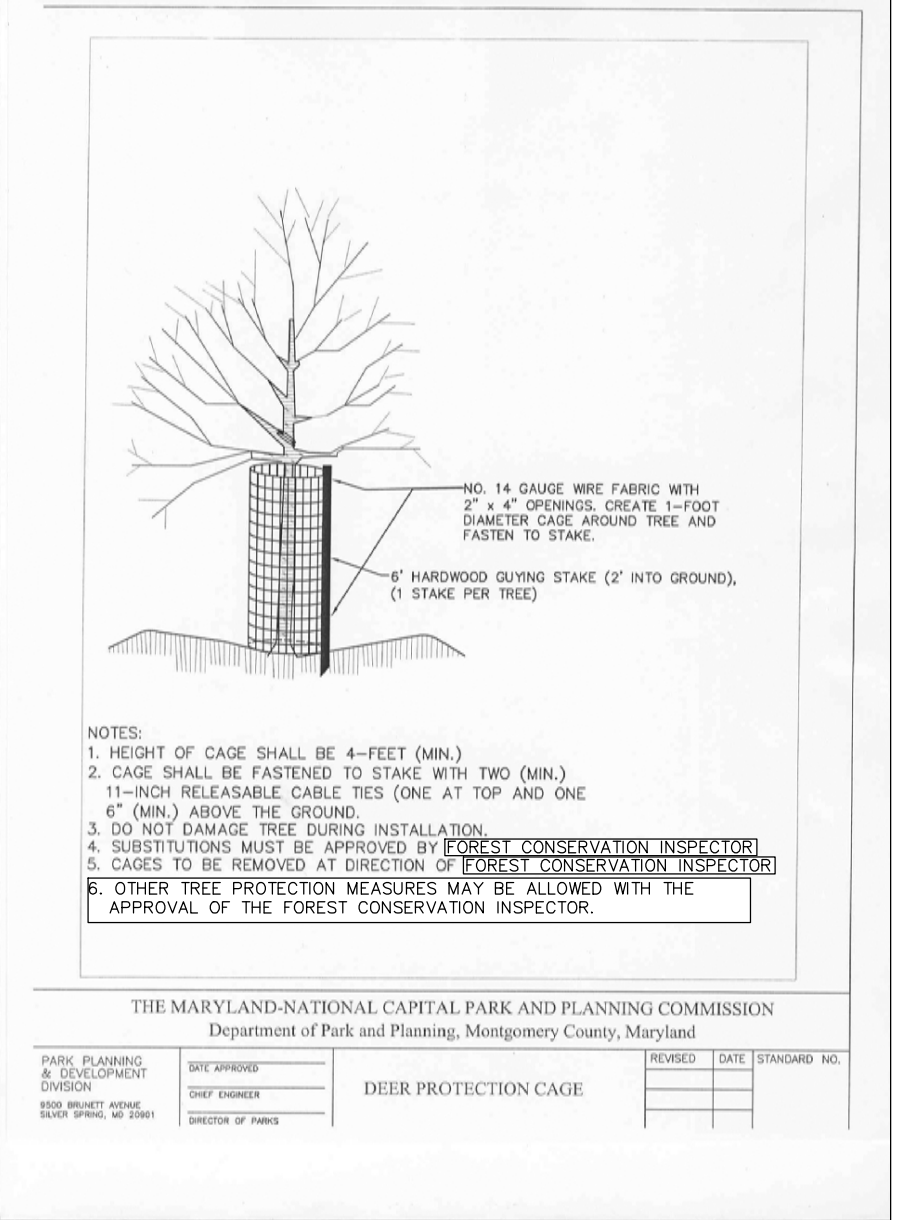
Post-Construction

- After construction is completed, but before tree protection devices have been removed, the property owner must request a final inspection with the Forest Conservation Inspector. At the final inspection, the Forest Conservation Inspector may require additional corrective measures, which may include:
 - Removal, and possible replacement, of dead, dying, or hazardous trees
 - Pruning of dead or declining limbs
 - Soil aeration
 - Fertilization
 - Watering

- #### FOREST CONSERVATION PLANTING NOTES
- Forest Planting:
- Owner shall contact MC Planning Department staff before planting.
 - Contractor to mow afforestation area and remove all invasive plants (i.e. multiflora rose, mulberry trees) and apply herbicide, only if determined to be needed by MC Planning Department inspector, to eliminate competition of weed seed prior to planting. MC Planning Dept. inspector will determine if additional measures are needed.
 - All plant material shall be approved by the Owner or duly appointed representative prior to planting. If plant material is not available substitutions may be made with prior approval from the developer and MC Planning Dept.
 - Size and standards of plant materials shall conform to latest edition of "USA Standards for Nursery Stock", by the American Association of Nurserymen, Inc. (AA),
 - All plants shall be placed so as not to obstruct drainage.
 - Plants shall be installed randomly in a triangular or staggered pattern (not in a straight line). Container stock shall be spaced minimum 8-12 feet on center (See detail).
 - Slow release fertilizer shall be applied at the time of planting.
 - Where field conditions exist which would adversely affect plant performance, or interfere with proper planting procedures, the contractor shall notify the Owner prior to installation of plant material.
 - All trees are to be located a minimum distance of 5' from all utility boxes, 5' from a storm drain inlet or manhole, 10' from a fire hydrant, 15' from any public street light, and 5' from any driveway aprons.
 - Remove litter and debris as required during the first growing season and at the beginning of the second growing season.
 - Plants shall be installed only between the months of January and May and between September and December when the ground is not frozen.
 - After planting is complete, M-NCPPC inspector must inspect the planted area to determine if planted area is acceptable and required maintenance period may begin or whether additional measures are needed in order for the planted area to be accepted. At the discretion of the M-NCPPC Plan reviewer, up to one-half of the financial security may be released if stock and planted area is in good condition. Plants shall have 2 year maintenance/warranty period from the time of installation with M-NCPPC acceptance. Any replacement must be installed as above.
 - Contractor is responsible for soil testing and preparation. Preparation shall include, but not necessarily limited to, the addition of soil amendments, fertilizers and supplemental topsoil.

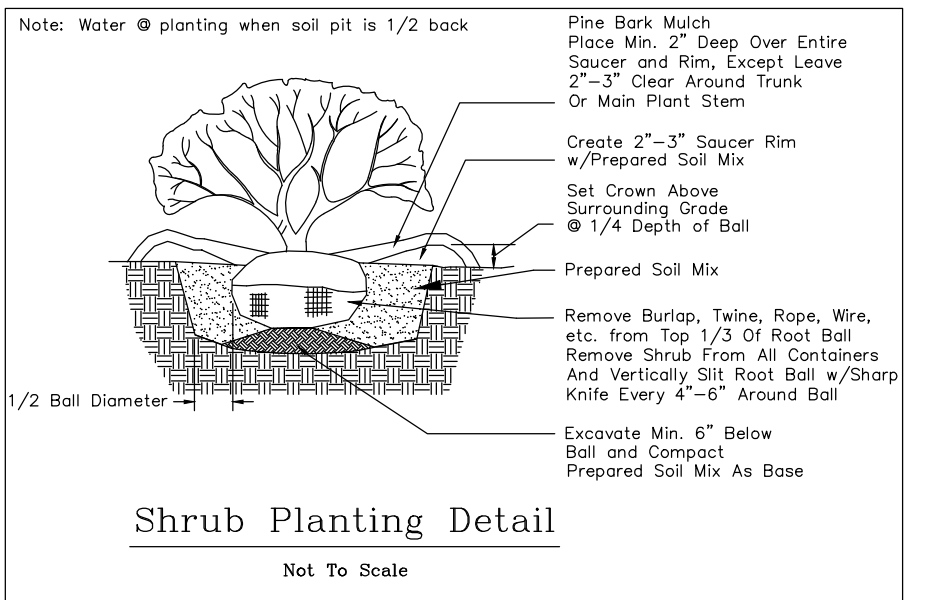


Tree Planting Detail
Not To Scale
* Minimize the size of planting pits when planting within CRZ of existing trees to be saved.



THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Department of Park and Planning, Montgomery County, Maryland

- Maintenance:
Refer to Maintenance and Management Agreement (approved as part of plan approval)



Shrub Planting Detail
Not To Scale

FOR UTILITY LOCATIONS
CONTACT "ONE CALL" AT 811
AT LEAST 48 HOURS
PRIOR TO CONSTRUCTION

NO.	DESCRIPTION	DATE

TAX MAP EUJ33 WSSC 228N113

PLAT 24537 & 21276

2ND ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

PARCEL Z, CC, & DD
BLOCK 20
CHURCHILL TOWN
SECTOR SEC 11

PROJ. MGR BJD

DRAWN BY FCJ

SCALE NTS

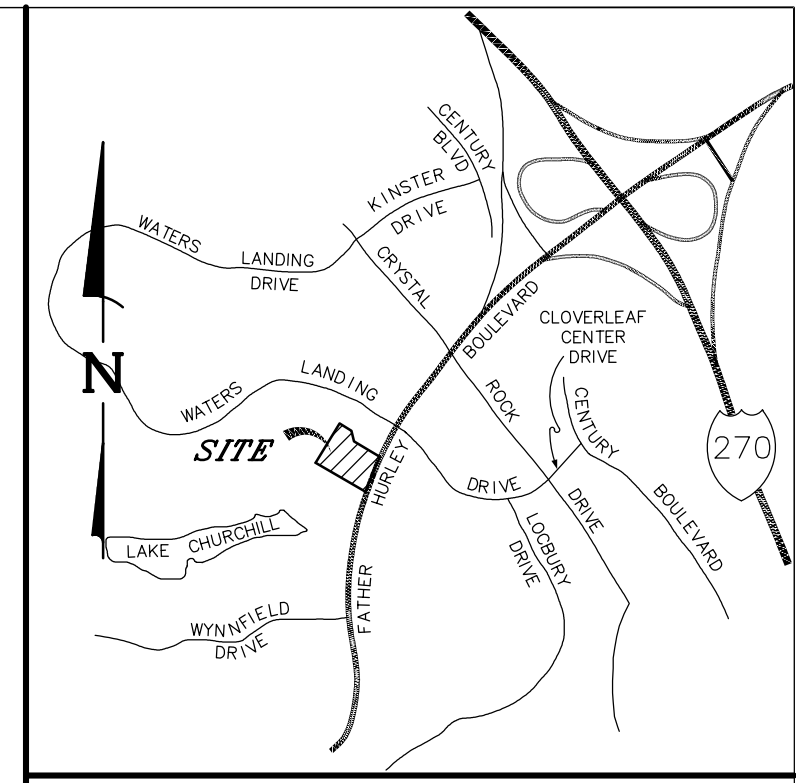
DATE 06.24.2022

FINAL FOREST
CONSERVATION PLAN

L1.02

PROJECT NO. 94.352.71

SHEET NO. 2 OF 2



VICINITY MAP
 SCALE 1" = 2,000'

NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION NOTES

- TOTAL SITE AREA = 5.49 ACRES (239,013 S.F.) AND CONSISTS OF PARCEL 'CC', PARCEL 'DD' AND PARCEL 'Z' OF . PROPERTY ADDRESS IS 21000, 21010 AND 20990 FATHER HURLEY BLVD WITH TAX ID#02-03714452, #02-03279983, AND #02-03714441. PROPERTY IS ZONED TS.
- TOPOGRAPHY FROM SURVEY BY MACRIS, HENDRICKS, & GLASCOCK P.A. WITH A PORTION OF EXISTING FEATURES FROM PREVIOUSLY APPROVED SITE PLANS COMBINED WITH STREAM LOCATION FROM RESTORATION PLANS DATED JUNE 2016 BY CPJ.
- BOUNDARY INFORMATION FROM DEEDS OF RECORD.
- SOILS ON-SITE ARE MAPPED ACCORDING TO SOIL SURVEY STAFF, NATURAL RESOURCES CONSERVATION SERVICE, 1995 SOIL SURVEY OF MONTGOMERY COUNTY, MARYLAND, PREPARED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE. WEB SOIL SURVEY, AVAILABLE ONLINE AT <https://websoilsurvey.sc.egov.usda.gov/>. ACCESSED [01/25/2021].
- SLOPES GREATER THAN 25% EXIST ON-SITE. SLOPES 15-25% ON HIGHLY ERODIBLE SOILS EXIST ON-SITE.
- THE SITE DRAINS TO LITTLE SENECA CREEK. THIS PORTION OF THE LITTLE SENECA CREEK WATERSHED IS DESIGNATED AS CLASS I-P WATERS BY THE STATE OF MARYLAND.
- PROPERTY IS NOT LOCATED WITHIN A SPECIAL PROTECTION AREA (SPA) OR A PRIMARY MANAGEMENT AREA (PMA). PER SITE VISIT NO WETLANDS, STREAMS, SEEPS, OR SPRINGS WERE FOUND TO EXIST ON SITE. A STREAM VALLEY BUFFERS EXIST ON SITE FROM ADJACENT STREAM. A PORTION OF THE BUFFER IS NOT EXPANDED FOR MAN-MADE STEEP SLOPES BEHIND THE RETAINING WALL. NO WETLANDS IDENTIFIED DURING FIELD INVESTIGATIONS AND NONE PER NATIONAL WETLANDS INVENTORY ONLINE MAPPING TOOL. NO FLOODPLAIN PER FEMA PANEL #24031C0160D. A FLOODPLAIN IS MAPPED OFF-SITE PER CPJ STREAM RESTORATION PLANS DATED JUNE 2016.
- UTILITIES (I.E. WATER, SEWER, STORM DRAIN, CULVERTS, ELECTRIC, PHONE) ARE SHOWN IN SURVEYED LOCATIONS.
- THERE IS NO FOREST AREA ON-SITE.
- THE PROPERTY IS NOT LISTED AS A HISTORIC SITE ON MCATLAS.ORG. NO STRUCTURE OR EVIDENCE SUGGESTING HISTORICAL OR ARCHAEOLOGICAL SIGNIFICANCE WAS OBSERVED DURING SITE INVESTIGATIONS.
- INDIVIDUAL TREE LOCATIONS ARE IN APPROXIMATED LOCATIONS. TREE DBH WAS MEASURED USING A DIAMETER TAPE.
- FIELDWORK FOR THIS INVENTORY WAS CONDUCTED ON 09/20/2021 BY FRANK JOHNSON.
- NO RARE, THREATENED OR ENDANGERED SPECIES WERE OBSERVED ON-SITE.
- THERE ARE NO NATIONAL STATE OR COUNTY CHAMPION TREES ON-SITE. NO TREES ON-SITE ARE 75% OR GREATER OF THE CURRENT STATE CHAMPION.
- THIS INVENTORY IN NO WAY CONSTITUTES A HAZARD TREE SURVEY. TREE CONDITIONS ARE GENERALLY ACCURATE BASED ON VISUAL OBSERVATION PER USUAL AND CUSTOMARY PRACTICE IN ACCORD WITH STATE AND COUNTY FOREST CONSERVATION LEGISLATION. THE EXAMINATION DETAIL REQUIRED TO PROVIDE A COMPREHENSIVE ANALYSIS OF BIOLOGICAL AND STRUCTURAL HEALTH IS BEYOND THE SCOPE OF THIS INVESTIGATION. CONDITION RATINGS ARE THE OPINION OF THE UNDERSIGNED PREPARER AND NOT THE APPROVING AGENCY. MHG ASSUMES NO LIABILITY FOR INJURY OR PROPERTY DAMAGE THAT MAY OCCUR AS A RESULT OF TREE FAILURE ON THIS PROPERTY.

NO.	DESCRIPTION	DATE

TAX MAP EJ433 WSSC 228N13

PLAT 24537 & 21276

2ND ELECTION DISTRICT
 MONTGOMERY COUNTY
 MARYLAND

**PARCEL Z, CC, & DD
 BLOCK 20
 CHURCHILL TOWN
 SECTOR SEC 11**

PROJ. MGR BJD

DRAWN BY FCJ

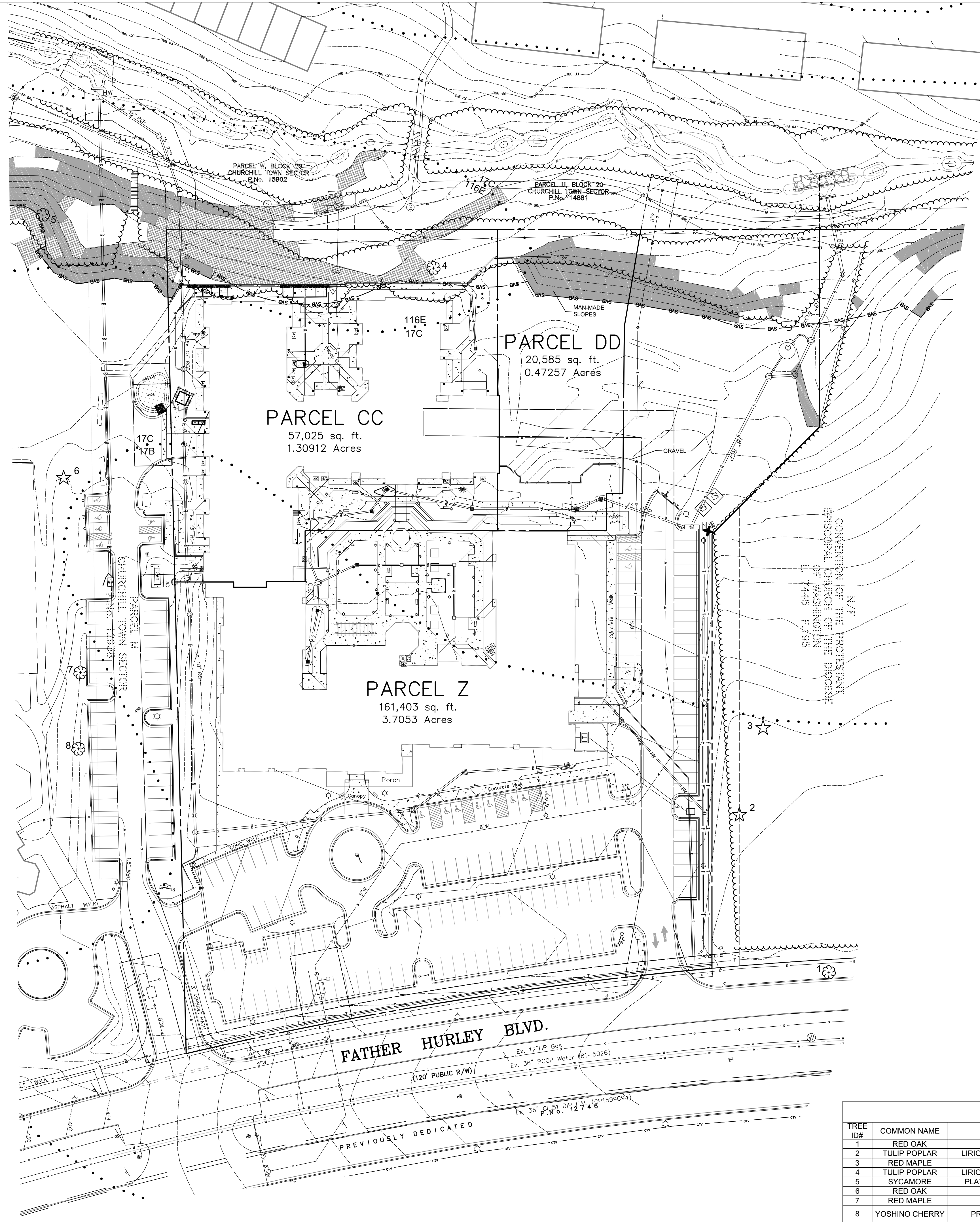
SCALE 1" = 40'

DATE 01.27.2022

**NATURAL RESOURCE
 INVENTORY/FOREST
 STAND DELINEATION
 MNCPPC #420221690**

NR1.01

PROJECT NO. 94.352.71
 SHEET NO. 1 OF 1



LEGEND

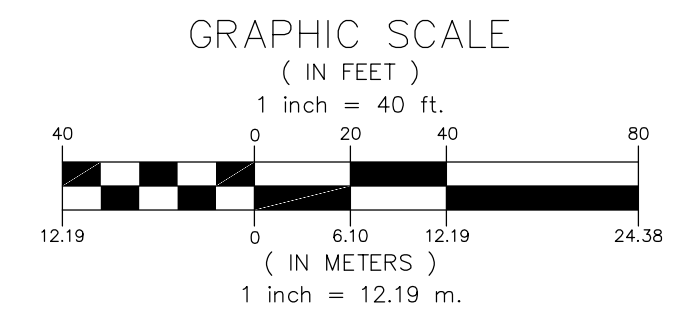
- SPECIMEN TREE
- SIGNIFICANT TREE
- TREE CANOPY
- SOIL BOUNDARY
- LIGHT
- SEWER
- STORM DRAIN
- WATER
- GAS
- EXISTING CONTOUR
- PROPERTY BOUNDARY
- CURB & GUTTER
- CONCRETE
- SIGN
- FIRE HYDRANT
- OVERHEAD WIRES
- FENCE
- GAURDRAIL
- COMMUNICATION LINE
- BUILDING
- FLOODPLAIN
- FLOODPLAIN BRL
- STREAM VALLEY BUFFER
- STREAM
- STEEP SLOPES >= 25%
- HIGHLY ERODIBLE SLOPES 15-25%

SOIL KEY

- 17B - Occoquan loam; 3 to 8% slopes; (Hydrologic Soil Group B) Not hydric; Not highly erodible
- 17C - Occoquan loam; 8 to 15% slopes; (Hydrologic Soil Group B) Not hydric; Not highly erodible
- 116E - Blocktown channery silt loam; 25 to 45% slopes; (Hydrologic Soil Group D) Not hydric; highly erodible

NRI RESOURCE DATA TABLE

DESCRIPTION	SIZE
Existing Forest	0.00 Acres
Acres of Wetlands/Acres of Forest in Wetlands	0.0000.00 Acres
Acres of Stream Valley Buffers/Acres of Forest in Stream Valley Buffers	0.5300.00 Acres
Acres in Floodplain/Acres of Forest in Floodplain	0.0000.00 Acres
Stream Valley Buffer Length (linear feet)	480
Average Width (per side)	105



TREE ID#	COMMON NAME	BOTANICAL NAME	SIZE (DIAMETER)	CONDITION
1	RED OAK	QUERCUS RUBRA	26"	POOR - DIEBACK
2	TULIP POPLAR	LIRIODENDRON TULIPIFERA	32"	FAIR - DEADWOOD, VINES
3	RED MAPLE	ACER RUBRUM	45"	POOR - DEADWOOD, VINES, LARGE CAVITY
4	TULIP POPLAR	LIRIODENDRON TULIPIFERA	29"-12"	FAIR - BADLY PRUNED, DEADWOOD
5	SYCAMORE	PLATANUS OCCIDENTALIS	22"	GOOD
6	RED OAK	QUERCUS RUBRA	30"	GOOD
7	RED MAPLE	ACER RUBRUM	27"	FAIR/GOOD - EXPOSED ROOT IN OLD PLANTER BOX
8	YOSHINO CHERRY	PRUNUS X YEDOENSIS	27"	POOR - ROT, PARTIALLY TOPPED, EPICORMIC, WOUND, ROOT STRUCTURE ISSUE



June 24, 2022

Maryland National Capital Park & Planning Commission
2425 Reddie Drive
Wheaton, MD 20902

Re: Churchill Town Sector FFCP
MHG Project No. 94.352.71

To Whom It May Concern:

On behalf of the applicant of the above referenced Forest Conservation Plan, we hereby request a variance from Section 22A-12.b(3)(C) of the Montgomery County Code, Chapter 22A for the impact of one specimen tree, as required by the Maryland Natural Resources Article, Title 5, Subtitle 16, Forest Conservation, Section 5-1611, and in accordance with Chapter 22A-21(b) of the Montgomery County Code. The proposed impacts to one tree over thirty inches satisfies the variance application requirements of section 22A-21(b).

1. *Describe the special conditions peculiar to the property which would cause the unwarranted hardship;*

The total property area subject to the associated forest conservation plan includes 5.49 acres with a total of 0.53 acres of stream valley buffer. The forest conservation plan includes 0.37 acres of forest conservation easement. There is an existing multi-family residential development on-site. Additional residential buildings are being proposed.

In order to serve the new buildings, the existing parking lot needs to be adapted for a turnaround and additional stormwater management. This change impacts tree #3 where its root zone crosses the existing parking lot. This impact cannot be avoided for the removal of the existing parking lot and allows a good location for a new stormwater management facility.

For the impacted tree, necessary stress reduction measures will be provided by an arborist to promote their survivability. For all of the above reasons, not allowing the proposed impacts would be a hardship that is not warranted.

2. *Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;*

The landowner's rights to develop their property as is done by others in similar areas would be deprived by not allowing the impacts to the subject tree. As detailed above, the root zone impacts are unavoidable in order to develop the property to meet the needs of the applicant. The inability to impact the subject tree would limit the development of the property. This creates a significant disadvantage for the applicant and deprives the

applicant of the rights enjoyed by the neighboring and/or similar properties not subject to this approval process.

3. *Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance;*

A Stormwater Management Concept will be submitted for the proposed improvements. Approval of this plan will confirm that the goals and objectives of the current state water quality standards are being met.

4. *Provide any other information appropriate to support the request.*

Stress reduction measures provided for the impacted tree. A copy of the Forest Conservation Plan and a variance tree spreadsheet has been provided as part of this variance request. Please let us know if any other information is necessary to support this request.

Please contact me via email, at fjohnson@mhgpa.com, or by phone, at (301) 670-0840 should you have any additional comments or concerns.

Thank you,

Frank Johnson

Frank Johnson

ATTACHMENT C

Community Correspondence, Support

I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: Rosaline Dodd

Printed Name: Rosaline Dodd

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874
CAPITAL DISTRICT 208
25 AUG 2022 PM 2 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



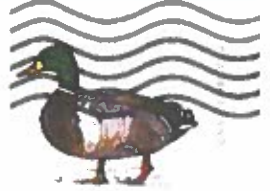
I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: VOLKER - NOBACK

Printed Name: Volker - Noback

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874
CAPITAL DISTRICT 208
29 AUG 2022 PM 1 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: Hilda Duokan

Printed Name: HILDA Duokan

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874
CAPITAL DISTRICT 208
29 AUG 2022 PM 1 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: Mariornita Cappuccio

Printed Name: Mariornita Cappuccio

Churchill Senior Living
21000 Father Henry Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208
25 AUG 2022 PM 2 L



The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: Clarence Brock

Printed Name: Clarence Brock

Churchill Senior Living
21000 Father Henry Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208
25 AUG 2022 PM 2 L



The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: Tina Dorsey

Printed Name: Tina Dorsey

Churchill Senior Living
21000 Father Henry Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208
25 AUG 2022 PM 2 L



The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV

Signature: Jennifer Sekhar

Printed Name: JENNIFER SEKHAAR

Churchill Senior Living
21000 Father Hurley Blvd
Germantown, MD 20874
CAPITAL DISTRICT 208
25 AUG 2022 PM 1 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown
Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV
Signature: Dionette D. Day
Printed Name: Dionette D. Day

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874
CAPITAL DISTRICT 208
25 AUG 2022 PM 1 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
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Attn: Mr. Casey Anderson



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV

Signature: A Cappuccio

Printed Name: Ana Cappuccio

Churchill Senior Living
21000 Father Hurley Blvd
Germantown, MD 20874
CAPITAL DISTRICT 208
25 AUG 2022 PM 2 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



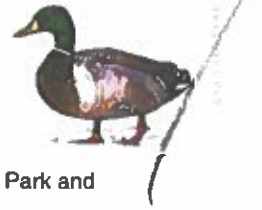
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Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: 

Printed Name: ERWIN GOLTZ

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874



The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson

I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: 

Printed Name: MARY ALVAREZ

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874



CAPITAL DISTRICT 208
25 AUG 2022 PM 1 L
The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson

I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: 

Printed Name: MILDRED ASTON

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874



CAPITAL DISTRICT 208
25 AUG 2022 PM 2 L
The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson

I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

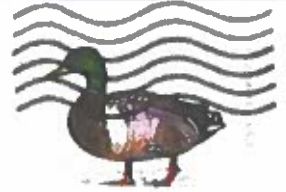
Signature: Hsiao Zen Lu

Printed Name: Hsiao Zen Lu

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208

26 AUG 2022 PM 2 L



The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson

667525



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: Lottie Fields-Barley

Printed Name: Lottie Fields-Barley

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208

26 AUG 2022 PM 1 L



The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson

667525



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: Mohan S

Printed Name: MOHAN SINGH

Churchill Senior Living
21000 Father Hurley Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208

26 AUG 2022 PM 3 L



The Maryland-National Capital Park and
Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson

667525



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: *Christina Kindstedt*
Printed Name: CHRISTINA KINDSTEDT

Churchill Senior Living
21000 Father Honey Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208
26 AUG 2022 PM 2 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson



I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: *Kokor*
Printed Name: *K. J.*

Churchill Senior Living
21000 Father Honey Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208
26 AUG 2022 PM 2 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
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Attn: Mr. Casey Anderson

457525



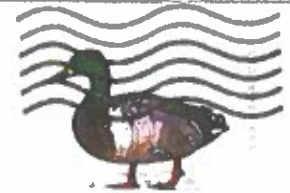
I support the request of Churchill Senior Housing for approval of Sketch Plan 320220060 for Phase III (affordable senior housing) and Phase IV (assisted living) of the project in Germantown.

Please see my signature below as evidence of my support for Churchill Senior Living Phase III and Phase IV.

Signature: *Freddie B Hardy*
Printed Name: Freddie B Hardy

Churchill Senior Living
21000 Father Honey Blvd.
Germantown, MD 20874

CAPITAL DISTRICT 208
26 AUG 2022 PM 2 L



The Maryland-National Capital Park and Planning Commission
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Attn: Mr. Casey Anderson

457525



ATTACHMENT D

Community Correspondence, Concerns/Opposition



Waters Landing Association, Inc.

20000 Father Hurley Blvd. • Germantown, MD 20874 • 301-972-3681 • www.waterslanding.org

May 17, 2022

Montgomery Planning Board

c/o Phillip Estes, Planning Coordinator, Phillip.Estes@montgomeryplanning.org

RE: Churchill Senior Living 320220060, Positions of Waters Landing Association, Inc.

Mr. Estes & Montgomery Planning Board,

This letter is submitted in reference to plan number 320220060, bearing the application name "Churchill Senior Housing," a/k/a "Churchill Senior Living Phase 3 and 4" (the "Application").

Background

Waters Landing Association, Inc. ("WLA") is a not-for-profit homeowner association that owns property adjacent to Churchill Senior Living ("CSL"), an independent living facility for elderly adults consisting of 255 independent living units and associated facilities. CSL is a member of WLA.¹ CSL is the beneficiary of an egress-ingress easement (the "Easement," Enclosure A) over WLA property from CSL to Father Hurley Boulevard ("FHB"), a county road. CSL residents, guests, employees, and Ride On and school busses (rerouted by MCDOT and MCDOE to serve CSL) use the Easement to access FHB. Other WLA members and guests use the WLA property covered by the Easement to access WLA's seasonal pool, management office, and community center, but the overwhelming majority of the vehicle traffic crossing the Easement comes from CSL.

On January 27, 2022, CSL's owner, Oakwood Properties, Inc., submitted the Application to the Planning Board to "Expand [CSL,] to include 535 Independent Living Units with MPDU's, 140 Bed Assisted Living facility, and 3,000 sf for a Medical Clinic with supporting parking and amenities."² WLA expects that the proposed development will more than double the vehicle traffic to and from CSL. This increased traffic will create risks to pedestrian safety in the area and will erode the asphalt covered by the Easement, creating a financial burden for WLA.

WLA's management office is located adjacent to CSL and WLA staff regularly and increasingly witness unsafe driving and near-accidents at the intersection on FHB fronting the Easement (the "Intersection"). At the Intersection, FHB is a highly trafficked four-lane road where drivers often exceed the speed limit. WLA staff routinely witness near disastrous attempts by pedestrians to cross the Intersection, including children going to and from Waters Landing Elementary School, patrons of WLA's pool, and CSL residents, including some handicapped individuals using wheelchairs and motorized scooters. WLA staff previously requested a traffic signal at the Intersection to address these safety issues. MCDOT performed a traffic study that concluded that a signal was not merited. Notwithstanding that, WLA staff have observed that with the current population and traffic, there are several times throughout the day that entering or exiting the Intersection is prohibitive and dangerous for drivers and pedestrians.

¹ CSL is engaged in litigation with WLA concerning whether CSL is a member of WLA and WLA's right to associated dues. *WLA v. CSL*, Montgomery County Circuit Court, Case No. 485576-V (filed June 18, 2021).

² App. No. 320220060, Sketch Plan at 4 (Mar. 9, 2022), <https://eplans.montgomeryplanning.org/UFS/33167/102219/00-APP-320220060-001.pdf/00-APP-320220060-001.pdf>.

A Not-for-Profit Homeowner Association Serving the Waters Landing Community of Neighborhoods

- Acclaim • Churchill Senior Living • Country Lake • Deep Wood Village • Esprit • Gables/Manorwoods • Heritage Apartments • Harbour Place • Highlands • LakeCrest • Lakeforest • Lakeview • Landing Glen • Laurelwood Cove • Logansport • South Shore Harbour • Stonecreek Club • Sunridge/Village • US Homes @ WL • Waterbury Downs North • Waterbury Downs South • Waters Edge • Waters House • Waverly • Woodlands •



Waters Landing Association, Inc.

20000 Father Hurley Blvd. • Germantown, MD 20874 • 301-972-3681 • www.waterslanding.org

On November 13, 2022, WLA held a pedestrian safety audit, focusing primarily on the section of FHB fronting CSL and WLA's community center, including the area adjacent to the Easement. WLA subsequently submitted a Walk Audit Report to MCDOT and the Planning Board (Enclosure B). On February 11, 2022, MCDOT informed WLA that it had assessed the intersection adjacent to the Easement and because of pedestrian safety concerns it would install a pedestrian hybrid beacon (PHB), also known as a HAWK beacon, and a marked crosswalk (Enclosure C). MCDOT anticipates this improvement will be installed in FY'27.

The development proposed in the Application will significantly increase CSL's population, which will increase both pedestrian and vehicle traffic. This will magnify the safety risks observed by WLA staff, during the safety audit, and by MCDOT. In addition, the proposal of a large footprint building immediately adjacent to the Intersection and the associated landscaping may further limit visibility in the area and create additional safety concerns.

WLA's Positions

Mindful of its responsibilities to all WLA members, WLA takes no position on the Planning Board's ultimate decision with respect to the Application. However, WLA takes the following positions and requests that the Planning Board carefully consider them while reviewing the Application:

- 1. Pedestrian Safety Risks.** WLA urges the Planning Board to give due consideration to the risks to pedestrian safety created by the increased vehicle traffic expected because of the Application. WLA believes that, as a condition to the Board's approval, CSL should fund appropriate pedestrian safety infrastructure improvements on CSL property, WLA property, and along FHB. The development proposed by the Application will only exacerbate the pedestrian safety risks identified during WLA's Walk Audit, by WLA staff, and by MCDOT. At a minimum, WLA requests that, due to the increased pedestrian and vehicle traffic expected in connection with the Application, the Planning Board should require that CSL fund the installation of the PHB and marked crosswalk proposed by MCDOT as a condition to approval. WLA further requests that the Board seriously consider the traffic safety concerns expressed above and conduct a traffic safety study as part of its consideration of the Application. In particular, WLA encourages the Planning Board to closely review the Walk Audit Report (Enclosure B). The Board should consider requiring additional pedestrian safety improvements along FHB as appropriate, including a traffic light.
- 2. Financial Burden to WLA.** WLA will under no circumstance voluntarily accept any direct financial burden in connection with the Application or the Easement. The Planning Board should disregard any representation or suggestion made by CSL or its representatives to the contrary. WLA further believes that CSL should be required to compensate WLA for any incidental burden created by the development envisioned in the Application. For instance, CSL should pay for upkeep and repairs to the WLA property covered by the Easement because of the anticipated increased vehicle traffic associated with the Application.
- 3. Verification of CSL Statements Concerning WLA.** In general, WLA encourages the Planning Board to verify any representations made by CSL's representatives concerning WLA or WLA's property with the undersigned before relying on them or taking related action.

A Not-for-Profit Homeowner Association Serving the Waters Landing Community of Neighborhoods

• Acclaim • Churchill Senior Living • Country Lake • Deep Wood Village • Esprit • Gables/Manorwoods • Heritage Apartments • Harbour Place • Highlands • LakeCrest • Lakeforest • Lakeview • Landing Glen • Laurelwood Cove • Logansport • South Shore Harbour • Stonecreek Club • Sunridge/Village • US Homes @ WL • Waterbury Downs North • Waterbury Downs South • Waters Edge • Waters House • Waverly • Woodlands •



Waters Landing Association, Inc.

20000 Father Hurley Blvd. • Germantown, MD 20874 • 301-972-3681 • www.waterslanding.org

WLA expresses its appreciation to the Planning Board for its careful consideration of the Application and WLA's positions conveyed in this letter and for its careful stewardship of parks and planning in Montgomery County. Please contact Kristin Czarick, WLA General Manager, 301-972-3681 or wla@waterslanding.org with any questions.

Regards,

Waters Landing Association, Inc., Board of Directors,

John Pesce, President

Nic D'Ascoli

Mark Sagarin

Laura Magnuson

Erik Herron

A Not-for-Profit Homeowner Association Serving the Waters Landing Community of Neighborhoods

• Acclaim • Churchill Senior Living • Country Lake • Deep Wood Village • Esprit • Gables/Manorwoods • Heritage Apartments • Harbour Place • Highlands • LakeCrest • Lakeforest • Lakeview • Landing Glen • Laurelwood Cove • Logansport • South Shore Harbour • Stonecreek Club • Sunridge/Village • US Homes @ WL • Waterbury Downs North • Waterbury Downs South • Waters Edge • Waters House • Waverly • Woodlands •

FILED
LORETTA E. KNIGHT
CLERK'S OFFICE
MONTGOMERY CO. MD.

AMENDMENT TO DECLARATION OF EASEMENT

THIS AMENDMENT TO DECLARATION OF EASEMENT (this "Amendment") is made as of this 17th day of December, 2009, by WATERS LANDING COMMUNITY ASSOCIATION INC., a Maryland corporation (the "Association").

WHEREAS, by a Declaration of Easement dated June 11, 1986 and recorded among the Land Records of Montgomery County, Maryland ("Land Records") in Liber 7209, folio 420 (the "Original Declaration"), The Prudential Insurance Company of America ("Prudential"), as owner of a parcel of land known as Parcel "M", Block 20, as shown on a plat of subdivision entitled "Plat No. 64, Parcels "M" and "N", Section 11, CHURCHILL TOWN SECTOR, GERMANTOWN", recorded among the Land Records in Plat Book 110 at Plat No. 12938 (the "Burdened Parcel"), established an ingress/egress easement on, over and across that portion of the Burdened Parcel described in Exhibit "A" to the Original Declaration (the "Easement Area") in order to provide access to and from Father Hurley Boulevard for the benefit of the Association and all other property owners abutting the Burdened Parcel;

WHEREAS, Oakwood Properties, Inc., a Maryland corporation ("Oakwood") is the owner of a parcel of land located adjacent to the Burdened Parcel and known as Parcel AA, Block 20, in the subdivision known as "Section 11, Parcels Z, AA & BB, Block 20, Section 11, CHURCHILL TOWN SECTOR, GERMANTOWN" as per plat recorded in the Land Records in Plat Book 196 at Plat No. 21276 (the "Parcel AA");

WHEREAS, Churchill Senior Housing III, LP, a Maryland limited partnership ("Churchill III"), is the owner of a parcel of land located adjacent to Parcel AA and known as Parcel BB, Block 20, in the subdivision known as "Section 11, Parcels Z, AA & BB, Block 20, Section 11, CHURCHILL TOWN SECTOR, GERMANTOWN" as per plat recorded in the Land Records in Plat Book 196 at Plat No. 21276 (the "Parcel BB");

WHEREAS, Oakwood and Churchill III are referred to herein collectively as the "Churchill Benefited Owners", and Parcel AA and Parcel BB are referred to herein collectively as the "Churchill Benefited Parcels";

WHEREAS, the Association is the current owner of the Burdened Parcel and is the successor in interest to Prudential with respect to the Original Declaration;

WHEREAS, the Churchill Benefited Owners need enhanced access to and from their respective Parcels and Father Hurley Boulevard;

WHEREAS, as members of the Waters Landing Association, the Churchill Benefited Owners have easements for access and use with respect to the common areas of Waters Landing and

WHEREAS, the Association desires to amend the Original Declaration in order to expand the access easement area described in the Original Declaration in the manner described below, for the benefit of the Churchill Benefited Owners and the Churchill Benefited Parcels.

IMP FD SURE 20.00
RECORDING FEE 20.00
JUL 11 2010 40.00
REPT # 56746
LER YHA Bk # 4455
Feb 23, 2010 12:33 PM

Linowes and Blocher
2010 FEB 23 P 12: 33

20
20

20

NOW, THEREFORE, in consideration of the above recitals, each of which is incorporated in and made a substantive part of this Amendment, and for other good and valuable consideration, the adequacy, sufficiency and receipt of which is hereby acknowledged, the Association hereby amends the Original Declaration as follows:

1. Exhibit "A" to the Original Declaration is hereby deleted and replaced with the legal description shown and/or described on Exhibit "A" attached to this Amendment and incorporated herein ("New Exhibit A"), such that the easement granted in the Original Declaration shall exist on, over and across the real property shown and/or described on New Exhibit A, for the benefit of the Churchill Benefited Parcels, for purposes of ingress and egress to and from the Churchill Benefited Parcels and Father Hurley Boulevard.
2. The Original Declaration shall not be further amended without the prior written consent of the Churchill Benefited Owners, not to be unreasonably withheld.
3. In the event of any inconsistency between the terms of this Amendment and the Original Declaration, the terms of this Amendment shall govern.
4. Except as modified by this Amendment, the terms of the Original Declaration are hereby ratified and affirmed.

[SIGNATURE PAGE FOLLOWS]

Parcel ID 02-01988321
 02-03279961
 02-03282913

IN WITNESS WHEREOF, the Association has caused these presents to be executed in its name and on its behalf by an officer thereunto duly authorized.

WITNESS:

Paul Garcia

WATERS LANDING ASSOCIATION, INC.,
a Maryland corporation

By: *R L Walker* (SEAL)
Name: RICHARD L. WALKER
Title: President

STATE OF MARYLAND *
*
COUNTY OF MONTGOMERY *

to wit:

I HEREBY CERTIFY that on this 17th day of December, 2010, before me, a Notary Public in and for the jurisdiction aforesaid, personally appeared RICHARD L. WALKER, FA known to me (or satisfactorily proven) to be the President of WATERS LANDING ASSOCIATION, INC., and that such person, in such capacity and being authorized so to do, executed the foregoing Amendment for the purposes therein contained.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

Richard L. Walker
Notary Public

My Commission Expires: 05/01/2011

ATTORNEY'S CERTIFICATE

I HEREBY CERTIFY that the foregoing instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

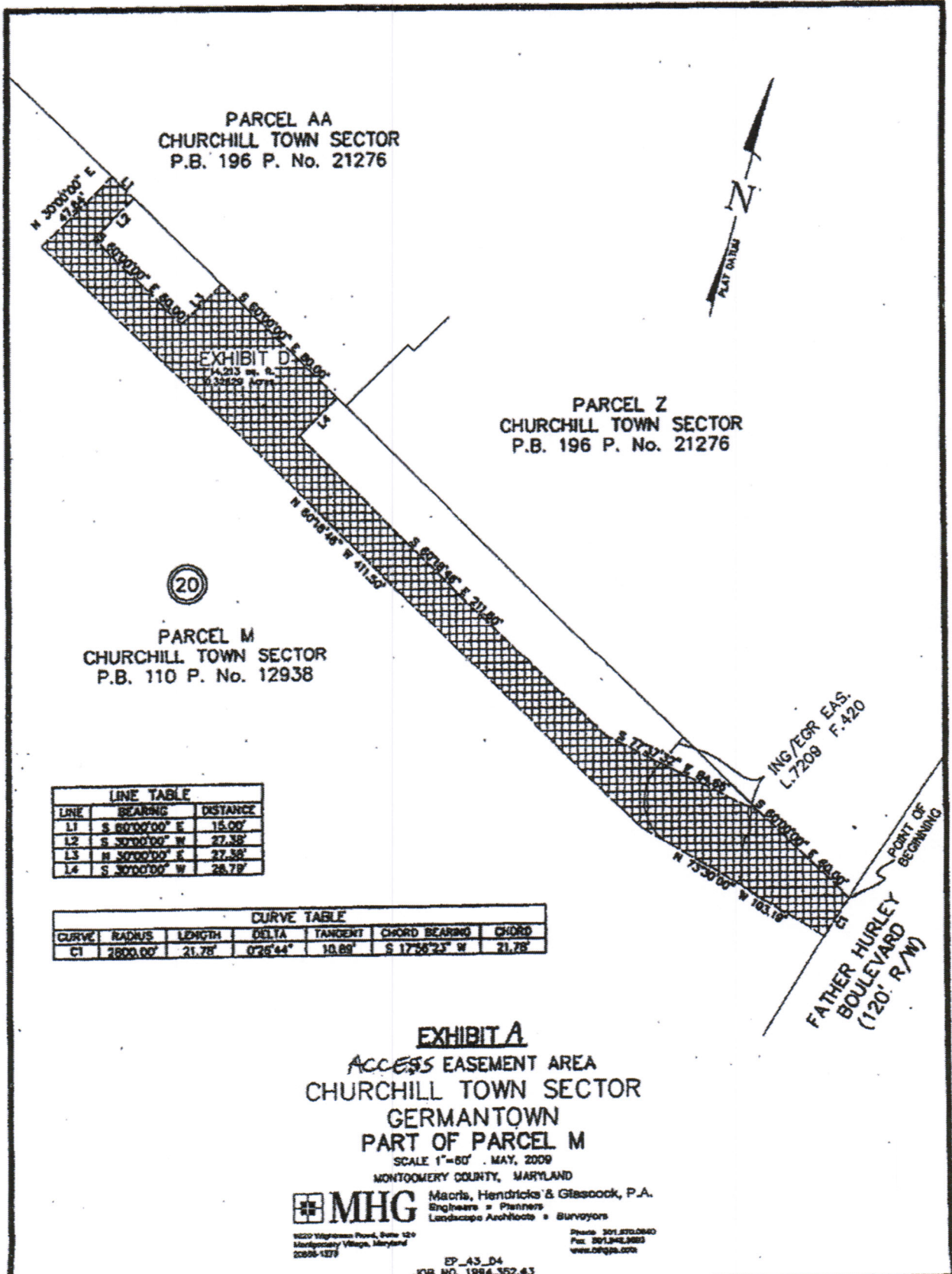
William W. Riggins III
William W. Riggins, III

After recording, return to:

William W. Riggins, III, Esq.
Linowes and Blocher, LLP
7200 Wisconsin Avenue, Suite 800
Bethesda, Maryland 20814-4842

EXHIBIT "A"

LEGAL DESCRIPTION OF NEW INGRESS/EGRESS EASEMENT AREA



PARCEL AA
CHURCHILL TOWN SECTOR
P.B. 196 P. No. 21276

PARCEL Z
CHURCHILL TOWN SECTOR
P.B. 196 P. No. 21276

PARCEL M
CHURCHILL TOWN SECTOR
P.B. 110 P. No. 12938

20

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 80°00'00" E	15.00'
L2	S 30°00'00" W	27.38'
L3	N 30°00'00" E	27.58'
L4	S 30°00'00" W	28.79'

CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C1	2800.00'	21.78'	0°26'44"	10.89'	S 17°56'23" W	21.78'

EXHIBIT A
ACCESS EASEMENT AREA
CHURCHILL TOWN SECTOR
GERMANTOWN
PART OF PARCEL M

SCALE 1"=80' . MAY, 2009
MONTGOMERY COUNTY, MARYLAND



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

8820 Vinyard Road, Suite 120
Montgomery Village, Maryland
20896-1379

Phone 301.870.0840
Fax 301.842.3983
www.mhgpa.com

EP_A3_D4
JOB NO. 1984.352.43

Parcel I.D. = 02-01988321

EXHIBIT **A**
 ACCESS BASEMENT AREA
 PARCEL M - BLOCK 20
 CHURCHILL TOWN SECTOR GERMANTOWN

Being a strip or parcel of land located in the Second Election District of Montgomery County, Maryland and being part of the land conveyed by the Prudential Insurance Company of America to The Waters Landing Association, Inc. by corrective deed dated August 22, 1988 and recorded among the Land Records of Montgomery County, Maryland in Liber 8559 at Folio 804; and also being part of Parcel M, Block 20 as delineated on a subdivision record plat entitled "Plat 64, Parcels M & N, Section 11, CHURCHILL TOWN SECTOR GERMANTOWN" as recorded among the aforesaid Land Records as Plat No. 12938 and being more particularly described in said plat Datum by Macris, Hendricks, and Glascock, P.A. as follows:

Beginning at a point on the westerly right-of-way limits of Father Hurley Boulevard (120' R/W), said point also being the northeast front corner of the aforesaid Parcel "M", Block 20, then binding with the westerly right-of-way limits of Father Hurley Boulevard and the easterly platted limits of Parcel M, Block 20.

1. 21.78 feet along the arc of a curve deflecting to the left, having a radius of 2800.00 feet and a chord bearing and length of South 17°56'23" West, 21.78 feet to a point, then leaving said Father Hurley Boulevard to cross and include part of said Parcel "M"
2. North 73°30'00" West, 103.19 feet to a point, then
3. North 60°18'46" West, 411.50 feet to a point, then

4. North 30°00'00" East, 47.64 feet to a point, said point being on the northerly
platted limits of said Parcel "M", then binding with said northerly
limits
5. South 60°00'00" East, 15.00 feet to a point, then leaving said northerly limits and
continuing to cross and include part of said Parcel "M"
6. South 30°00'00" West, 27.38 feet to a point, then
7. South 60°00'00" East, 60.00 feet to a point, then
8. North 30°00'00" East, 27.38 feet to a point, said point being on the aforesaid
northerly limits of Parcel "M", then binding with said line
9. South 60°00'00" East, 80.00 feet to a point, then leaving said northerly limits and
continuing to cross and include part of said Parcel "M"
10. South 30°00'00" West, 26.79 feet to a point, then
11. South 60°18'46" East, 211.60 feet to a point, then
12. South 77°37'32" East, 84.66 feet to a point, said point being on the northerly
limits of said Parcel "M", then binding said northerly limits
13. South 60°00'00" East, 60.00 feet to the point of beginning; containing 14,213
square feet or 0.32629 of an acre of land.

Certified correct to the best of my professional knowledge,
information and belief and this description was prepared
by me and is in conformance with Title 9, Subtitle 13,
Chapter 6, Section .12 of the Minimum Standards of Practice
for Land Surveyors. If the seal and signature are not violet
colored, the document is a copy that should be assumed to
contain unauthorized alterations. The certification contained
on this document shall not apply to any copies.

Douglas H. Riggs III
Macris, Hendricks & Glascock, P.A.
Douglas H. Riggs, III, Professional Land Surveyor
Maryland Registration No. 10712



WATERS LANDING Walk Audit Report

Conducted on November 13, 2021



Date of Draft Report 2/11/2022

EXECUTIVE SUMMARY

On Saturday, November 13, 2021, members of Waters Landing community held a walk audit sponsored by the Waters Landing Homeowners Association. This report summarizes feedback collected at the Walk Audit and solicited from community members.

Distinguished county representatives, including County Councilman Will Jawando, County Council candidate Will Roberts, and Upcounty Regional Director Greg Wims attended the Walk Audit, alongside dozens of Waters Landing residents.

At the walk audit, community members walked four walking routes and biked one biking route (depicted in the graphic above and in each section below) and assessed safety issues. Community feedback is detailed for each route in each section below.

At a high level, community members expressed concerns about:

1. Lack of safety on narrow, poorly-maintained, unprotected, or non-existent sidewalks throughout the community;
2. The need for marked crosswalks and protected sidewalks throughout the community; and
3. The need for improved safety infrastructure at major intersections with traffic lights, including pedestrian refuges, bans on right turns on red, and more time for pedestrians to cross.

Please contact erikherron@gmail.com or (646) 287-5033 with any questions on concerns.

Community Feedback

1. **Red Route** – Father Hurley Boulevard from Beaconfield Terrace to Crystal Rock Drive.
2. **Yellow Route** – Father Hurley Boulevard from Beaconfield Terrace to Middlebrook Road.
3. **Green Route** – Father Hurley Boulevard from Beaconfield Terrace to Waters Landing Drive; Waters Landing Drive from Father Hurley Boulevard to Locbury Drive.
4. **Blue Route** – Father Hurley Boulevard from Beaconfield Terrace to Waters Landing Drive; Waters Landing Drive from Father Hurley Boulevard to Summersong Lane.
5. **Bike Route** – Father Hurley Boulevard from Beaconfield Terrace to Crystal Rock Drive; Waters Landing Drive from Father Hurley Boulevard to Crystal Rock Drive; Crystal Rock Drive from Waters Landing Drive to Father Hurley Boulevard.
6. **Other Feedback** – Responses collected from community members that were unable to participate in the walking portion of the audit.

1. **Red Route** – Father Hurley Boulevard from Beaconfield Terrace to Crystal Rock Drive.



Community Concerns

- Several community members expressed concern about overgrown vegetation driving pedestrians off the sidewalk along the route.
- Sidewalks near the north side of Beaconfield Terrace has steps at the bus stop, which make them inaccessible for wheelchairs (this is especially concerning because this is in front of a retirement community).
- Several community members expressed concerns about narrow sidewalks not allowing people to pass each other safely along the route and unevenly paved sidewalks in many places presenting a safety hazard.
- Intersection of Beaconfield Terrace and Father Hurley Boulevard.
 - Lack of marked crosswalks at Beaconfield Terrace make it unsafe for pedestrians.
 - Multiple residents requested a stop sign at this intersection.
- Intersection of Waters Landing and Father Hurley Boulevard.
 - Older buttons for crosswalks are not easy to press.
 - No audio on crosswalk to let blind people know when to cross.
 - Inadequate time on crosswalk timer for pedestrians to cross street.
 - Multiple residents proposed a traffic circle at this intersection, similar to the ones in newer communities in Clarksburg.
 - Residents noted that many drivers turn right on red without stopping.
 - Residents noted that many cars turn left without slowing or appearing to look for pedestrians
 - Wide median but no protected space for pedestrians to cross
- Intersection of Crystal Rock and Father Hurley Boulevard

- Light controlled intersection does not have cross walks on all four sides.
- Multiple residents proposed a traffic circle at this intersection, similar to the ones in newer communities in Clarksburg.
- Residents noted leaf accumulation in the turning lane and in the center of the intersection
- Not enough time on timer for pedestrians to cross.
- There are several dying trees in danger of falling near this intersection.
- Wide median but no protected space for pedestrians to cross
- When snow is plowed here, a large pile ends up on the SW corner, blocking the way for pedestrians.
- “Father Hurley is designed like a highway instead of street. No protection barrier for pedestrians; no “Hazard” for drivers encourages speeding; [the county should] narrow roads to encourage drivers to slow down; [and install] physical barriers instead of cameras and lights.

2. **Yellow Route** – Father Hurley Boulevard from Beaconfield Terrace to Middlebrook Road.



Community Concerns

- Several community members expressed concerns about narrow, inconsistently spaced, and poorly maintained sidewalks.
 - There is a narrow and steep sidewalk with overgrown vegetation between Beaconfield Terrace and Wynnfield Drive on the North side of Father Hurley Boulevard.
- Intersection of Beaconfield Terrace and Father Hurley Boulevard.
 - Residents requested a traffic light at this intersection with an audible crossing.
 - Multiple residents requested a stop sign at this intersection.
- Intersection of Middlebrook Road and Father Hurley Boulevard
 - Residents expressed concern about lighting at this intersection.
 - Residents noted that many residents walk through this intersection to get to the church across the street. The light is not long enough so they have to rush across and dodge turning cars.
- There is no sidewalk on the south side of Wynnfield Drive near the intersection of Father Hurley Boulevard.

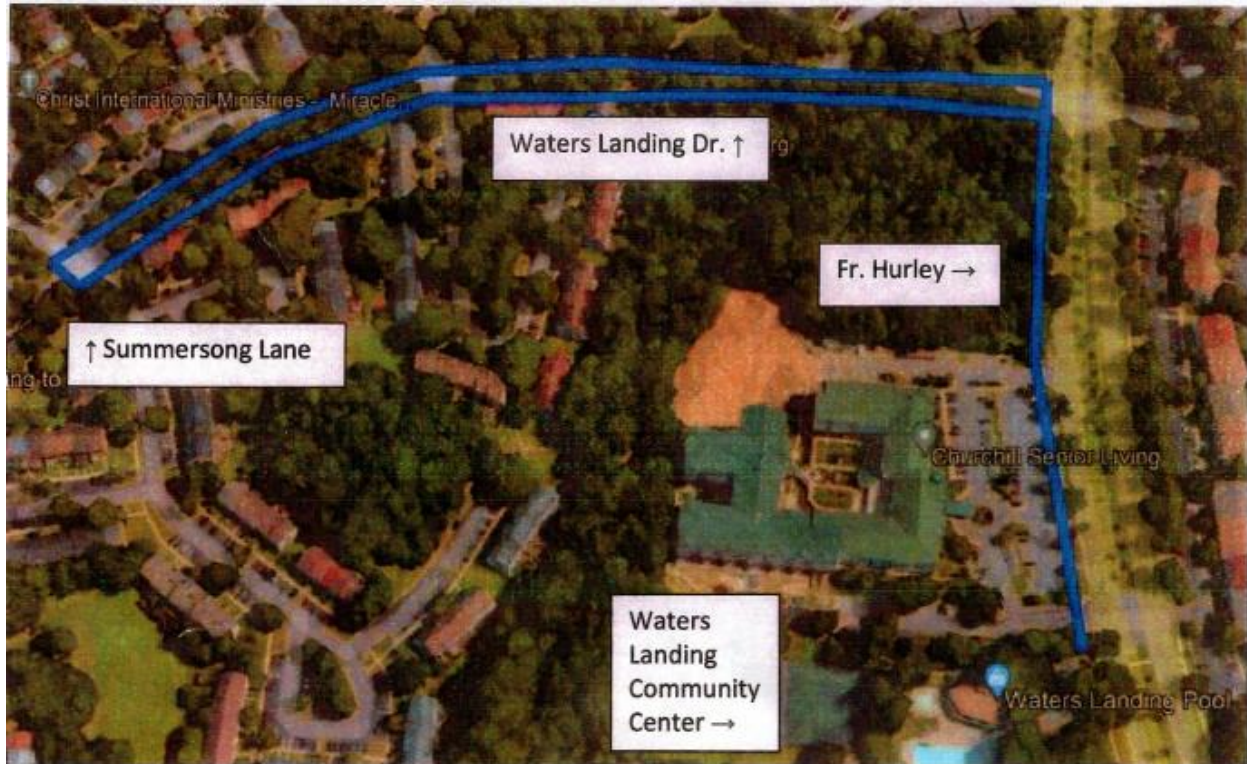
3. **Green Route** – Father Hurley Boulevard from Beaconfield Terrace to Waters Landing Drive; Waters Landing Drive from Father Hurley Boulevard to Locbury Drive.



Community Concerns

- Several community members expressed concerns about narrow, inconsistently spaced, and poorly maintained sidewalks.
 - Residents noted that several sections of sidewalk on Father Hurley Boulevard had been pushed out of flush by tree roots.
 - Several dead tree branches were hanging over the sidewalk
- Residents noted the lack of streetlights on the south side of Waters Landing Drive
- Intersection of Beaconfield Terrace and Father Hurley Boulevard.
 - Residents requested a stop light at this intersection with an audible crossing for seniors in the over-55 community.
 - Residents expressed that this intersection is extremely dangerous.
- Intersection of Waters Landing Drive and Locbury Drive
 - Residents requested pedestrian signs at this intersection
- Intersection of Waters Road Terrace and Locbury Drive
 - Residents requested a traffic light at this intersection
- Residents generally requested traffic lights or stop signs on Waters Landing Drive between Father Hurley and Locbury Drive because of the proximity to Waters Landing Elementary School.

4. **Blue Route** – Father Hurley Boulevard from Beaconfield Terrace to Waters Landing Drive; Waters Landing Drive from Father Hurley Boulevard to Summersong Lane.

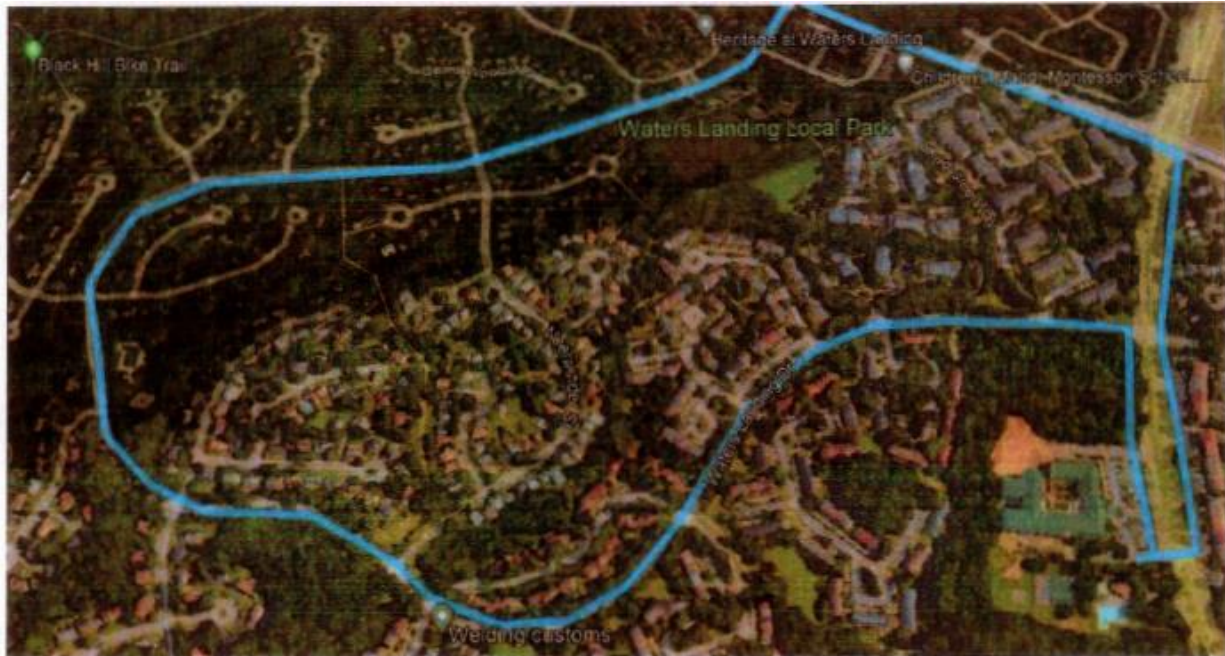


Community Concerns

- Several community members expressed concerns about narrow, inconsistently spaced, and poorly maintained sidewalks.
- Residents complained about the lack of streetlights along the entirety of the route.
- Residents requested marked cross walks along Waters Landing Drive with crossing lights (HAWK signals).
- Intersection of Beaconfield Terrace and Father Hurley Boulevard.
 - Residents expressed concern about handicap access on the uneven sidewalk on the north side of Father Hurley Boulevard here.
- Intersection of Waters Landing Drive and Father Hurley Boulevard.
 - Residents suggested a prohibition on right turns on red at this intersection
 - Residents indicated that there was inadequate time on the traffic light to cross the street
- Residents expressed concern about the lack of sidewalks on both sides of the street along Waters Landing Drive.
- Residents expressed concern about the lack of curbs on some sidewalks on Waters Landing Drive, and the risk this posed to pedestrians on the sidewalk.
- Residents expressed concern about large buses and trucks parking along Waters Landing Road and inhibiting visibility along the road.
- Residents generally expressed concern about lack of visibility and high speeds along Waters Landing Drive.

- Residents expressed concern about the safety of children at school bus stops along Waters Landing Drive.
- Residents expressed concern about the lack of handicap access to bus stops along Waters Landing Drive.

5. **Bike Route** – Father Hurley Boulevard from Beaconfield Terrace to Crystal Rock Drive; Waters Landing Drive from Father Hurley Boulevard to Crystal Rock Drive; Crystal Rock Drive from Waters Landing Drive to Father Hurley Boulevard.



Community Concerns

- Residents noted that several community walking and biking pathways cross Waters Landing Drive, but there are no marked cross walks or curb cuts to facilitate safe crossing.
- Intersection of Beaconfield Terrace and Father Hurley Boulevard
 - A resident proposed a marked crosswalk at this intersection, and larger signs to alert drivers to stop for pedestrians
 - A resident proposed a speed camera at this intersection
- Residents requested marked cross walks, sidewalks on both sides of the street, and signs asking drivers to yield to pedestrians along the length of Waters Landing Drive.
- Residents noted that some sidewalks fall off into ditches along some parts of Waters Landing Drive, forcing pedestrians to walk in the street.
- Residents noted that sidewalks along Waters Landing Drive were unsafe because of the lack of guard rails.
- A resident requested mid-crosswalk pedestrian refuges along Waters Landing Drive.
- Residents noted that some posts with reflectors were missing or damaged along Waters Landing Drive, especially near Clear Morning Road.
- Residents requested a marked crosswalk at the intersection of Ambassador Road and Waters Landing Drive, and tree trimming to improve visibility at that intersection.
- Residents requested a marked crosswalk on Neerwinder and Waters Landing Drive.
- Residents noted that at Staffordshire and Waters Landing, there are bushes obstructing visibility along the road.
- Intersection of Father Hurley and Waters Landing Drive

- A resident requested a 15-second HAWK Signal for this intersection to allow pedestrians to cross safely.
 - A resident requested a prohibition on right turns on red at this intersection
- Intersection of Father Hurley and Crystal Rock Drive
 - A resident requested a 30-second HAWK Signal for this intersection to allow pedestrians to cross safely.
- Intersection of Waters Landing Drive and Crystal Rock Drive
 - A resident noted that the street was in disrepair at this intersection, with a big gap on the sidewalk ramp where a stroller's wheel could get stuck.
- Residents requested marked crosswalks on Waters Landing Drive near Waters Landing Park, since many children use the park, and a prohibition on parking across the street from the Park, since parking may inhibit visibility along the road.

6. **Other Feedback** – Responses collected from community members that were unable to participate in the walking portion of the audit.
- A resident noted that most of Waters Landing Drive has sidewalks on only one side of the street (between Father Hurley and Anndyke where the sidewalk is on the left side of the street leaving Father Hurley, then Hazelnut to Crystal Hill where the sidewalk is on the other side of the street).
 - A resident noted that pedestrians routinely cross Father Hurley at Waters Landing without waiting for the walk light. Similarly, they cross Waters Landing at Father Hurley against the light.
 - A resident noted that traffic does not stop for pedestrians in the crosswalk on Father Hurley at the intersection of Beaconfield Terrace.
 - A resident noted that on school days, there is often a school bus parked on Waters Landing between Afternoon Lane and Summersong Lane. When the bus is there, it is hard to see traffic coming from the left when trying to cross Waters Landing at Summersong/Staffordshire. It also makes it difficult for anyone waiting at the Ride On bus stop to see when the bus is approaching (and perhaps makes it hard for the Ride On driver to see that there is a passenger waiting at the stop).
 - A resident noted that there is no sidewalk on the north side of Father Hurley between the HOA office (Beaconfield Terrace) and where the Lake Churchill connector path come back up before Wynnfield. There's the asphalt path that goes around Lake Churchill, but people often walk up on top of the hill beside the road, rather than going down along the lake path and back up.
 - A resident noted that there is no signage at the entrance to the Black Hill trail from Spinning Wheel Drive. (There's a sign on the trail where the Crystal Rock and Black Hill trails meet, but nothing on the street showing the path is an entrance to the park trails.)
 - A resident noted that at the intersection of Father Hurley and Waters Landing Drive, she was hit by a car making a left turn from Father Hurley. "And if you are turning left onto Father Hurley from Waters Landing you just say a prayer because the lanes aren't clear so I avoid that way if I can and go Locbury to Middlebrook which isn't direct to where I want to go but kind of safer."
 - A resident noted that at the end of Waters Landing Drive past Waters Landing Elementary trying to turn either left or right on Crystal Rock; it is "a free for all." You have to edge way out to see incoming traffic on Crystal Rock and when you think you are free to make a left and edge out to the middle, traffic pulls into the middle area wanting to turn left on Cloverleaf. "Sometimes I avoid that and Father Hurley and go Locbury all the way to come out near the fire dept but visibility is still poor. Not sure who designed these roads but population and traffic have increased in the past 25 years and something needs to change."
 - A resident noted that parents have expressed concern about their kids crossing Waters Landing Drive to get to school bus stops.
 - A resident noted that there are a couple of curves on Waters Landing that have been the scene of some accidents and near-accidents.
 - A resident noted that the sidewalk stops for some reason on a portion of Waters Landing Drive, forcing pedestrians to cross over the road at unmarked cross walks.
 - A resident noted that Ride-On buses drive very quickly along Waters Landing Drive and proposed marked and/or raised cross walks to address the problem.
 - A resident noted that vision was obstructed when leaving the Hartsbourne side of Anndyke turning on to Waters Landing.
 - A resident noted that the area around the community pool (Waters Landing Drive and Hazelnut Court) is very dark at night and proposes the installation of more lighting for safety.

Received
6/30/2022

Dear Planning Board,

As a 27-year resident of the Waters Landing Community, I am writing in opposition to the proposed Phase III and IV expansion of the Churchill Senior Living (CSL) facility in Germantown described in the Final Revision documents dated 5/31/2022. There are several reasons for this, which I will try to explain as briefly as I can.

First and foremost, the planned structure(s), are far and away too large in height and mass to make them compatible with the residential nature of the Waters Landing community. The proposed Phase III structure will be 10 stories high, four stories and 66% greater in height than the current facility. The current zoned height is 90 feet, and the applicant is requesting approval of an additional 12 feet based solely on the inclusion of one additional MPDU. This is clearly a cold, calculating attempt to undermine zoning regulations and should be rejected out of hand. A ten-story building would make it the tallest in Germantown and extend the already looming rear wall of Phase I and II that residents on Amethyst Lane are subjected to. The fact that the structure would face in an East South East direction would place the Amethyst Lane neighborhood in perpetual shade during much of the morning, harming their property values. From the front, the structure will look like it has been lifted from a high-density urban development and dropped into what is a relatively quiet tree lined neighborhood. CSL's claim that "...only a portion of the Phase III building is proposed to achieve this maximum building height with the building stepping down to match the height of existing Phase I and II along the western Portion of the Property"ⁱ is contradicted by one of the attached artists sketches recently submitted by CSL. The structure is clearly out of character with Waters Landing Homeowners Community and should be rejected on this factor alone. Phase 4 is equally as offensive as it would place a five-story building just feet from Father Hurley Boulevard. Finally, I ask you look at the attached artist sketch 07-Sketch1-320220060-007 which depicts what many community members find to a disgusting and unwarranted addition to the Waters Landing Community.

Strongly associated with the height and mass is the number and type of units CSL proposes for the two structures, as that contributes to the calculation of how much parking is needed. Unfortunately, it is impossible to develop an accurate estimate on the number of parking spaces needed as CSL fails to provide separate estimates for Phases III and IV, nor does it provide in its "Narrative and Justification Statement (01-SOJ-320220060)" detailed information on how they developed their proposal to add 243 additional parking spaces to serve 420 new units. (I understand parking spaces requirements are based on variables outlined in "Article 59E—Off Street of shuttle bus service of 1- versus 2-bedroom units, number of moderately priced dwelling units (MPDUs), the Montgomery, et cetera.) Since CSL has not provided that data I am left with comparing the current ratio of 188 spaces for the 255 Phase I and II housing units (.74 parking spaces per unit) with the proposed 243 spaces for 420 Phase III and IV units (.57 parking spaces per unit). This is a significant decrease which raises the question of whether there is enough dedicated parking to serve the CSL residents. Having the appropriate parking space per unit ratio is critical as there is no off-site (e.g., side street) parking option for CSL residents.

As worrisome as the potentially inappropriate parking space/per unit ratio is, CSL's Narrative and Justification Statement that only accounts for 160 of the 243 proposed spaces (110 below grade and 50 above grade) leaving the location of 83 spaces unidentified. Where will CSL find these additional spaces? The planning board should be aware that Waters Landing Association is working to terminate the agreement that allows CSL to use 36 parking spaces on Waters Landing Property and to remove the

excess number of handicapped parking spots thereon. This would effectively increase the number of proposed additional spots needed from 243 to 279. I therefore request you require CSL to provide more detailed information, consistent with the requirements in “Article 59E—Off Street Parking and Loading”, on how they developed their “proposed” number of spaces and where they are located.

Beyond parking, there is the issue of traffic. There are only two access points to CSL, both off Father Hurley Boulevard, and approximately 90 yards apart. One is from CSL property that limits entry or exit to cars flowing in a southern direction. The other is via an easement through the Waters Landing Association property that allows entry or exit of cars in either direction. Cars seeking to exit in the direction of I270 need to cross Father Hurley at the WLA access point that, due to a limited line of sight, requires extreme caution to avoid southbound cars coming from I270 and Waters Landing Drive. Note that I am petitioning WLA to remove the easement that gives CSL access to HOA office/pool property as it was improperly given; provides no benefit to WLA; raises concerns about pool user safety; results in additional, uncompensated parking lot and driveway maintenance costs; and presents significant liability concerns. I have proposed a gate be established between the two properties and be used only in case of emergencies. I hope the planning board would consider what effect this should have on further development of the CSL property and if needed, delay further planning activities until the current legal dispute is resolved.

Finally, I would invite the Planning Board Members to come out, tour the site, and see for themselves how out of character the CSL proposal is with the residential nature of the Waters Landing community.

Respectfully,

Stephen Tise

Stephen Tise
20812 Clear Morning Court
Germantown, MD 20874

ⁱ Churchill Senior Living Phases III and IV Plan: Sketch Plan No. 320220060 Narrative and Justification Statement. P. 2



CHURCHILL SENIOR LIVING

Germantown, Maryland

Massing View

January 24, 2021

AR 1.2

hord | coplan | macht

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Erik Herron <erikherron@gmail.com>

RE: 75023_20000 Father Hurley Boulevard

TrafficOps <TrafficOps@montgomerycountymd.gov>
To: Erik Herron <erikherron@gmail.com>

Fri, Feb 11, 2022 at 3:32 PM

Dear Mr. Herron:

This is a follow up response to your email on October 13, 2021. MCDOT apologizes for the delayed response to your request.

MCDOT assessed the subject location and will install a pedestrian hybrid beacon (PHB), also known as a HAWK beacon, and a marked crosswalk. MCDOT anticipates this improvement will be installed in FY'27, which begins July 2026.

In the interim, MCDOT will deploy a Speed Monitoring Awareness Radar Trailer (SMART) unit along Father Hurley Boulevard to alert motorists to the speed at which they are operating. The SMART unit will be placed along the roadway from March 21-25, 2022, after which another request may be submitted for a repeat schedule in three months as scheduling allows.

Thank you for your partnership in our shared pursuit of traffic and pedestrian safety. Should you have any additional questions, please feel free to contact me at 240-777-2190 or TrafficOps@montgomerycountymd.gov.

Sincerely,

Kutty Menon, Area Engineer
Traffic Engineering Studies Section
Division of Traffic Engineering and Operations
Montgomery County Department of Transportation

KM:lhM

From: TrafficOps
Sent: Thursday, October 14, 2021 5:24 PM
To: erikherron@gmail.com
Subject: RE: 75023_20000 Father Hurley Boulevard

Dear Mr. Herron:

This is written to confirm receipt of your email dated October 13, 2021, requesting a marked crosswalk and HAWK signal in front of [20000 Father Hurley Boulevard](#).

[Montgomery County](#) Department of Transportation appreciates the opportunity to assist you in this matter. Your request has been assigned Log# 75023 and the Area Engineer assigned to review and respond to your request is Kutty Menon.

Our goal is to complete our evaluation and share our findings and recommendations with you by December 2021, weather and schedule permitting.

In the meantime, if you have any questions, please feel free to contact us at (240) 777-2190 or TrafficOps@montgomerycountymd.gov.

We appreciate your continued partnership in our shared pursuit of traffic and pedestrian safety.

Regards,

TrafficOps
Division of Traffic Engineering and Operations
Montgomery County Department of Transportation

lhm

From: MCDOT <no-reply@wufoo.com>
Sent: Wednesday, October 13, 2021, 7:32 PM
To: Director DOT
Subject: MCDOT Contact Us - - Erik Herron

[EXTERNAL EMAIL]

Choose your topic

Pedestrian / Bike Safety

Name Erik Herron

Street Address [20442 Summersong Lane](#)

City Germantown

State MD

ZIP Code 20874

Email erikherron@gmail.com

My comment or question is

I would like to request a marked crosswalk and HAWK signal on the street crossing immediately in front of 20000 Father Hurley Blvd. in Germantown, Maryland. This crossing is on a walking route to Waters Landing Elementary School, connects a bus stop, is in front of a +200 unit senior living facility which is planned to increase to +400, and is a major connector for Waters Landing HOA members to Lake Churchill and the Waters Landing Community Center and Pool. Seniors, children, people exercising, and families walking to school regularly cross it throughout the day. It is not safe because cars regularly travel well over the speed limit and rarely stop at the designated crossing, and when they do there is a double threat of a car passing in the other lane. If you are unable to approve this request, please provide an explanation for your inaction.

Attach a File

[20000_father_hurley_blvd.jpg](#) 162.04 KB · JPG

||



For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19

Email

Re: Comments Regarding C...

Owner

 Phillip...



Email

From  Anita Duvall

To  <MCP-Chair MCP-Chair>;  Estes, Phillip;  MCP-Chair #;  MCP-Chair@mcppc-mc.org;  Phillip Estes

Cc  Waters Landing

Bcc

Subject Re: Comments Regarding Churchill Senior Housing Project (320220060)

Date Sent **Date Received** 4/26/2022 4:54 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I'm resending my comments to include the County Planning Board Chair email account.

I'm also including my address in case it is needed: 20537 Lowfield Drive, Germantown, MD 20874

On Fri, Apr 22, 2022 at 11:24 PM Anita Duvall <habitatdumc@gmail.com> wrote:

I have a number of concerns related to the proposed Churchill Senior Housing expansion project (320220060).

Number of Units - In 2020, the Churchill Senior Living (CSL) property was rezoned under the Germantown Plan for the Town Sector Zone (Master Plan). As I understood it, the new zoning was to allow for a reasonable increase in density for CSL. The submitted plans call for an additional 375 units on top of the 300 already approved. I don't think doubling the number of units could be considered "reasonable".

Building Height – Phase three and four are not consistent with the current feel of the neighborhood. The new buildings will be nearly twice as tall as the existing buildings. These buildings will block sunlight for nearby homes (both within and near CSL).

Medical Facility – CSL proposes to build a medical facility on the property. During the pre-submission community meeting, CSL indicated the clinic would be similar to an urgent care facility. There is no need for yet another urgent care in our area. There are two hospitals and three urgent care centers within a 3.5 mile radius of CSL: Shady Grove Adventist's free-standing emergency room is just over a mile away.

Holy Cross Germantown Hospital is 2.7 miles away.

Patient First Primary and Urgent Care is 2.2 miles away.

MedStar Urgent care is 3.2 miles away.

Patriot Urgent Care (part of Adventist Health Care) is also 3.2 miles away.

Stream Impacts – The Amethyst stream valley (behind CSL) and Churchill Main Stem stream (across Father Hurley Blvd. from CSL) were just restored. The run off from the increased impervious surface could impact the quality of the streams. The building height for phase three will cast a large shadow over the Amethyst stream

valley which could impact the stream's health (along with the wildlife it supports). Additionally, it looks like the building for phase III is right next to the Amethyst stream valley buffer.

Vehicle Access – There are only two entrances to the complex and only one driveway allows left turns into/out of property. With so many more residents and a medical clinic, traffic could back up waiting to enter/exit CSL. With limited entrances, emergency and delivery vehicles will have trouble accessing the property.

Traffic Impact – While residents of a senior community might not have as many vehicles as a traditional apartment complex (and those residents might not drive as often as non-seniors), with assisted living and medical buildings, there will be a need for more staff who will also contribute to the increase in traffic in the area. Additionally, there are ever more delivery vehicles on the road as we all make more online purchases. We already have issues with traffic accidents at the nearby intersection of Father Hurley Blvd. and Waters Landing Drive. Adding more vehicles (especially vehicles trying to make a left turn without a traffic signal) will contribute to more accidents.


Public Transit – Currently, Ride On bus route 98 is the only transit option for getting to CSL. As I understand it, the bus only goes onto the CSL property from one direction. Riders coming the other direction must get off the bus and cross busy Father Hurley Blvd. (see Pedestrian Safety)

Pedestrian Safety – The Waters Landing community is already dealing with issues of pedestrian safety. Adding more seniors who might try to cross a divided highway with no crosswalk or traffic signal (or even a pedestrian crossing signal that alerts drivers to someone in the crosswalk) will only exacerbate the pedestrian issues. There are poor sightlines near CSL. Seniors might have trouble seeing or hearing traffic and need more time to cross the street.

Green Space – It seems the only green space is in the courtyard in the middle of the square formed by the buildings. With tall buildings on two sides of the courtyard, the green space will likely be in the shadows all day.

Anita Duvall

Attachments

File Name	File Size (Bytes)	
		
There are no Attachments to show in this view. To get started, create one or more Attachments.		
0 - 0 of 0 (0 selected)		Page 1

Estes, Phillip

From: Etheridge, Mark <Mark.Etheridge@montgomerycountymd.gov>
Sent: Tuesday, June 28, 2022 10:54 AM
To: Noelle Angevine; Penn, Joshua; Estes, Phillip
Cc: Waters Landing Association; lora magnuson
Subject: RE: Churchill Senior Living Codes for exemptions from submitting a Forest Conservation Plan

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Ms. Angevine –

There has been no sediment control application made to this office for the development you refer to, so I have no specific information to offer you. Planning staff may have more information that will be useful to you, and I see you have included Mt. Penn on your email. I wish I could offer more assistance.

Mark C. Etheridge
Manager
Water Resources Section | Montgomery Co. Department of Permitting Services
2425 Reddie Drive, 7th Floor
Wheaton, MD 20902
240-777-6338

From: Noelle Angevine <nangevine28@gmail.com>
Sent: Friday, June 24, 2022 1:23 PM
To: Etheridge, Mark <Mark.Etheridge@montgomerycountymd.gov>; Penn, Joshua <joshua.penn@montgomeryplanning.org>; Estes, Phillip <phillip.estes@montgomeryplanning.org>
Cc: Waters Landing Association <waterslanding@googlegroups.com>; lora magnuson <lora@magnusonlaw.net>
Subject: Re: Churchill Senior Living Codes for exemptions from submitting a Forest Conservation Plan

[EXTERNAL EMAIL]

Mr. Etheridge,
Thank you for explaining that CSL is now required to submit a Forest Conservation plan.

Your response also explained what a sediment plan is, but not what the particular plan is for the CSL development. Please would you explain what the particular sediment/stormwater management plan is for the CSL development? I'm trying to understand how a fee will take care of the changes in the effects on stormwater management. I would also like to see how the forest conservation plan has been laid out. Please understand that I am still learning. So details are important. Please reply all.
Thank you,
Noelle Angevine

On Fri, May 13, 2022, 1:43 PM Etheridge, Mark <Mark.Etheridge@montgomerycountymd.gov> wrote:

Ms. Angevine –

On Tue, Apr 26, 2022 at 2:05 PM Etheridge, Mark <Mark.Etheridge@montgomerycountymd.gov> wrote:

Ms. Angevine –

I apologize for the delay in responding to your previous email.

My role here at the Department of Permitting Services is to review and approve sediment control plans for construction.

For questions pertaining to forest conservation I'd suggest you try to contact Mr. Doug Johnsen with MNCPPC. They administer forest conservation issues.

Doug Johnsen
Douglas.Johnsen@montgomeryplanning.org
(301)495-4559

As for zoning issues, you may wish to contact Mr. Greg Nichols, the Manager of our Zoning Section. I have copied Mr. Nichols on this reply.

Mark C. Etheridge

Manager

Water Resources Section | Montgomery Co. Department of Permitting Services

2425 Reddie Drive, 7th Floor

Wheaton, MD 20902

240-777-6338

From: Noelie Angevine <nangevine28@gmail.com>

Sent: Tuesday, April 26, 2022 10:37 AM

To: Etheridge, Mark <Mark.Etheridge@montgomerycountymd.gov>; Estes, Phillip <phillip.estes@montgomeryplanning.org>

Cc: Marilyn Balcombe <mbalcombe@ggchamber.org>; Waters Landing Association <waterslanding@googlegroups.com>; Anita Weinstein <anitaweinstein@yahoo.com>; laura magnuson

I see that the application for development of phases III and IV of Churchill Senior Living includes a watershed exemption, (22-A).

It appears that these future plans will include several buildings, one of which will be 95 ft tall. There will also be several underground parking projects, etc.

The plan is #41995158E

That article about Forest Conservation exemptions is 27 pages long. Could you please give details on the reason for the exemption? The development affects our watershed. Black Hills Park is behind the Waters Landing community.

All the sketch says is that there is a 22-A Forest Conservation exemption.

Exemption from what? There are 27 pages on 22-A Forest Conservation exemptions. I see no explanation for the exemption in the plans.

Who would like to look at this? I see no plans for protecting our watershed.

<https://montgomeryplanning.org/development/development-applications/nri-fsd-fcp-exemption/>

https://mcatlas.org/Development_Info/Default.aspx?apno=41995158E

https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md_comcor/0-0-0-12382

https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md_comcor/0-0-0-12413

I am including the link to the plans for phases III and IV, with images of the prospective buildings.

<https://sgrwlaw.sharefile.com/share/view/saa314ec385ba4f81b9ee0e0fec514843/fo2d5cf2-14f3-436d-a9fe-8f32ef181fc7>

One image shows our Appalachian mountains in the distance. If it is truly possible to see those mountains from the 95ft building, that would be enough to prove that the project should not be approved.

I am looking at a sketched plan for construction of that development that says

"A STORMWATER MANAGEMENT CONCEPT

FOR THIS DEVELOPMENT IS UNDER REVIEW BY THE DEPARTMENT OF PERMITTING SERVICES UNDER PLAN #XXXX"

Comments received at community meeting on 5/12/2022 and staff follow-up responses

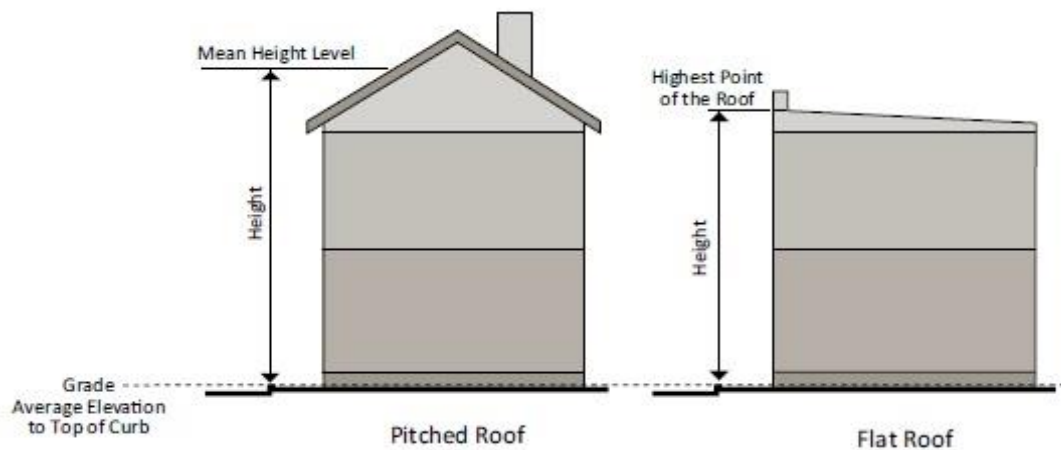
What is the CRT zone?

CRT means Commercial Residential Town zone. The subject property is zoned CRT-2.5 C-0.25 R-2.5 H-90 and has the Germantown Plan for the Town Sector Zone Overlay zone.

How is height measured in the CRT zone?

If the building is 35 feet or closer to the front lot line, then you use the front curb grade at the street, at the mid-point of the building length, as the point where height is measured.

If a building is set back more than 35 feet from the street, then the building height is measured from the average elevation of finished ground surface along the front of the building.



Zoning Ordinance Measuring Height:

https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md_zone2014/0-0-0-2526

What is the maximum density or number of units allowed on the property?

The property is zoned CRT-2.5 C-0.25 R-2.5 H-90 and has the Germantown Plan for the Town Sector Zone Overlay Zone.

An overall maximum density of 2.5 FAR (floor-area-ratio) is allowed. Within the overall FAR, a maximum 0.25 FAR of commercial and 2.5 FAR of residential is allowed. The overall max FAR can be any combination of commercial and residential so long that it does not exceed the overall 2.5 FAR. The “H-90” means a maximum height of 90 feet. The gross tract area is 262,479 square feet. The maximum density allowed is 656,197 gross floor area (2.5 * 262,479).

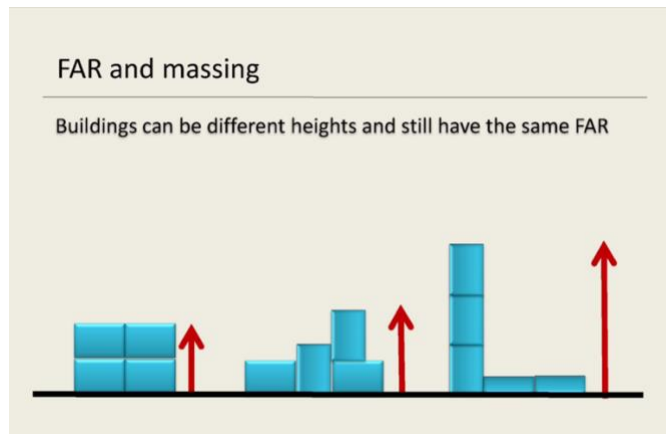
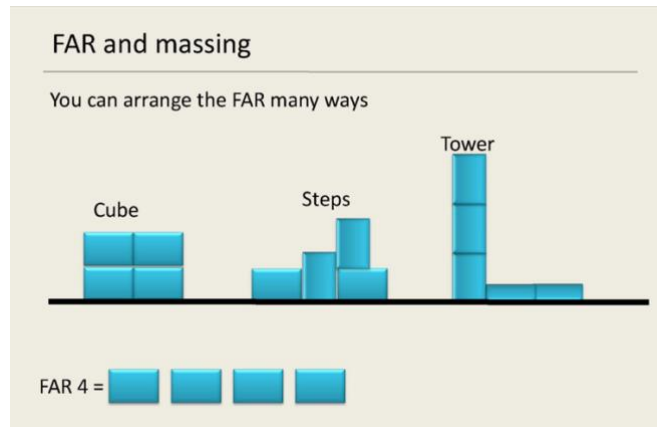
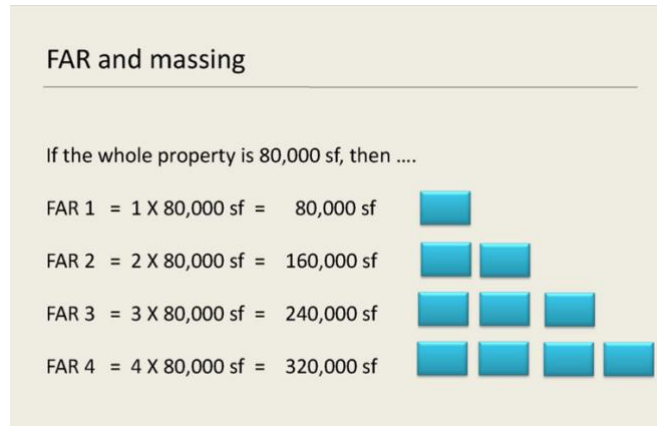
The Applicant has proposed the following:

- Maximum Commercial Density: 0.01 FAR (3,000 sq. ft.)
- Maximum Residential Density: 2.42 FAR (634,630 sq. ft.)
- Maximum Total Density: 2.43 (637,630 sq. ft.)

Sketch Plan No. 320220060: Churchill Senior Housing

Determining the maximum number of units depends on the size (and square footage) of the proposed units. However, if we assume an average 900 square foot unit, theoretically there could be 729 units (262,479 / 900). However, this does not account for site design, parking, setbacks, other limitations or environmental features on a particular property, which could limit buildable areas and the number of units.

Montgomery Planning’s “Third Place” [blog post](#) and graphic (below) helps to explain FAR and density.



Sketch Plan No. 320220060: Churchill Senior Housing

Are there other examples of the CRT zone developed in the county?

Below are several examples of CRT zoned property. As you can see, the sites are developed with varying levels of densities, massing, and dwelling unit types. As discussed above, the FAR density allows for different combinations of residential and commercial uses, with varying square footages allocated to those uses, and different massing and heights.

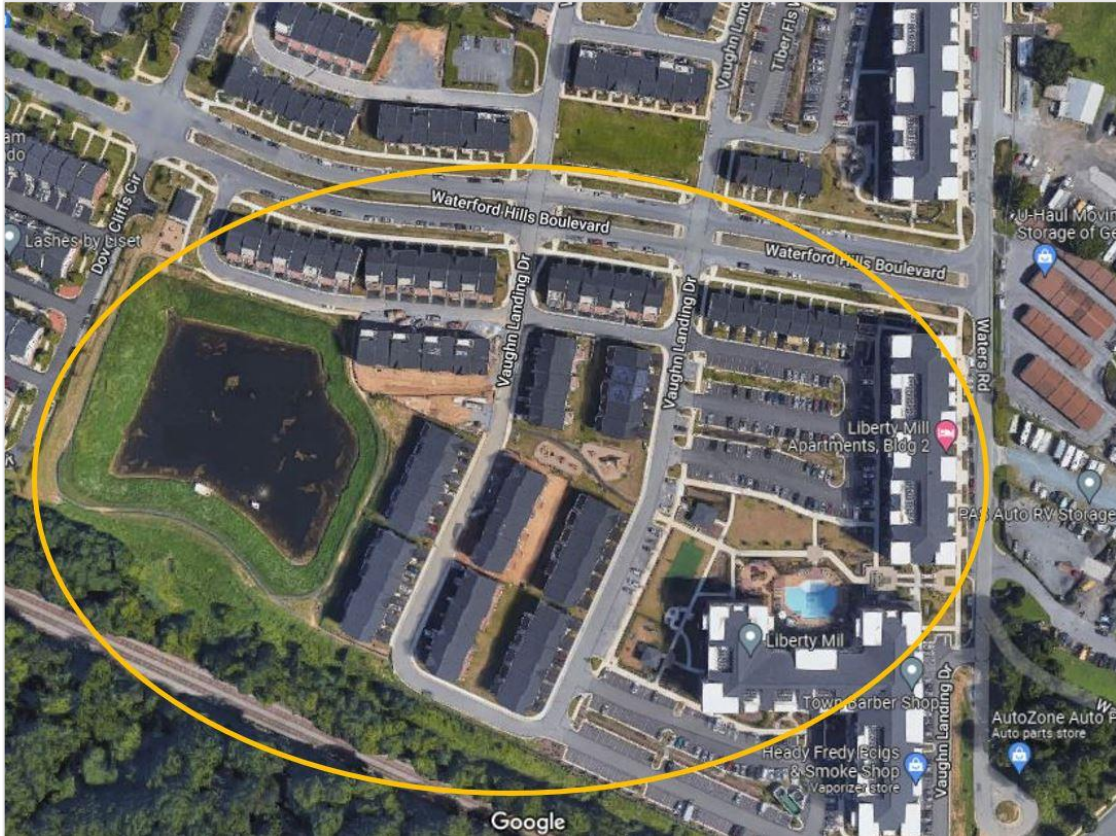


Figure 1: Waterford Hills Boulevard in Germantown is zoned CRT and developed with townhomes and apartments.

Sketch Plan No. 320220060: Churchill Senior Housing



Figure 2: Shady Grove Road and Traville Commons Drive is zoned CRT and is developed with townhome-styled apartments near a stream valley buffer.



Figure 3: Victory Haven senior apartments (under construction) in Damascus; zoned CRT-1.0 C-0.5 R-0.5 H-55 T.

Sketch Plan No. 320220060: Churchill Senior Housing



Figure 4: Rendering of Victory Haven senior apartments in Damascus.

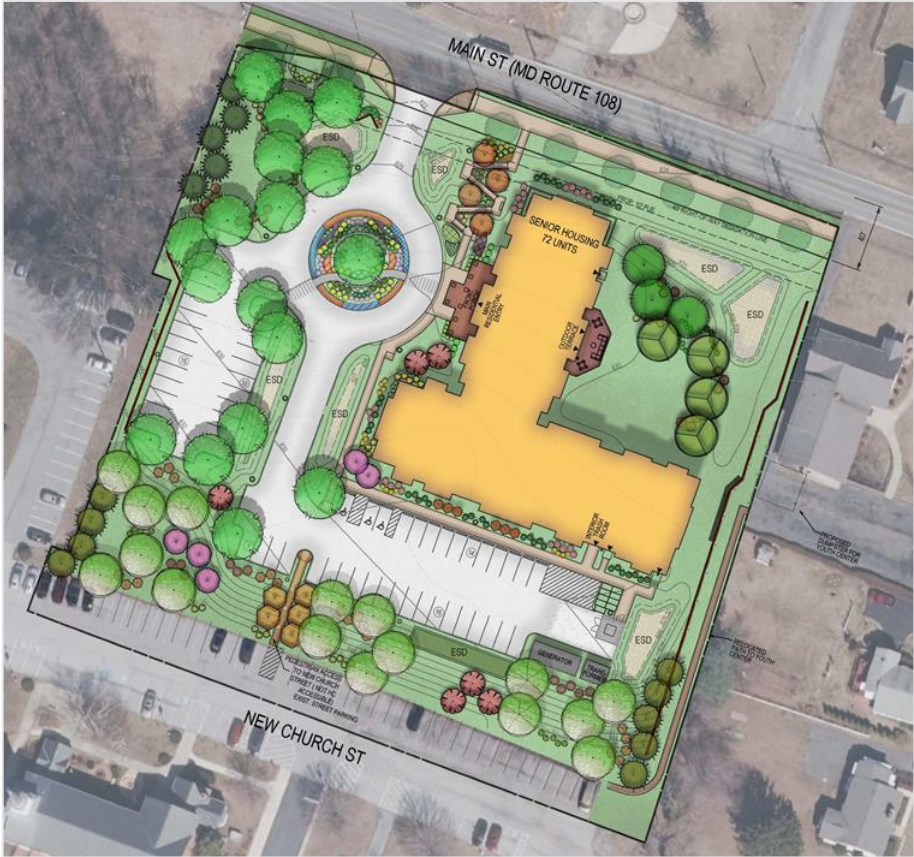


Figure 5: Rendered site plan of Victory Haven senior apartments in Damascus.

Sketch Plan No. 320220060: Churchill Senior Housing



Figure 6: College View Campus in Germantown is zoned CRT-0.75 C-0.75 R-0.50 H-40 and will have 142 apartments including 25% MPDUs and a 47,000 sq. ft. commercial building.



Figure 7: College View campus residential mixed-use building.

Sketch Plan No. 320220060: Churchill Senior Housing



Figure 8: Rendered site plan of Village at Cabin Branch Phase 2 is zoned CRT 0.5 C-0.25 R-0.25 H-130; this site will be developed with 125 affordable and MPDU senior apartments.



Figure 9: Elevation drawing of Village at Cabin Branch affordable senior apartments.

Sketch Plan No. 320220060: Churchill Senior Housing

What is the decision-making and development review process?

The Montgomery County [Planning Board](#) is the deciding body for regulatory applications (Sketch Plan, Preliminary Plan, Site Plan, etc.). The County Council does not have jurisdiction over regulatory review of private development applications. Planning staff works for the Planning Department who makes recommendations to the Planning Board on regulatory applications. The Planning Board makes the final decision on regulatory applications.

A [Sketch Plan](#) is an illustrative plan or model that shows the maximum densities for residential and non-residential development, including building massing and height, locations of public use and other spaces, and the relationship to existing and proposed buildings and properties. If approved, the Applicant would then proceed to the [Preliminary Plan](#) of Subdivision and [Site Plan](#) applications. The Preliminary Plan sets the lot, block and road configuration, and requires an Adequate Public Facilities finding. The Site Plan is a detailed plan, required only in certain zones, that shows proposed the final details of development on a site. It depicts final details of buildings, roads, walks, parking areas, landscaping, open space, recreation facilities, lighting, etc.

If all three applications are approved, the Applicant would proceed to the [Record Plat](#) process with the Intake and Regulatory Coordination (IRC) Division, and then the building permit process with Montgomery County [Department of Permitting Services](#).

Some residents of Churchill Senior Living did not get notices, what are the noticing requirements?

Public noticing is required for all applications, including the proposed Sketch Plan application in accordance with the following noticing specifications:

- Pre-submittal community meeting (occurred on 11/4/2021 via Zoom). The Applicant indicated notices were posted in building lobby advertising the meeting. The attendance sheet indicates 40 attendees. Applicant has indicated they have responded to numerous follow-up telephone calls and are available for questions and comments from residents.
- Application notice sign placed on the property (posted 3/11/2022).
- Application notice mailed to all abutting and confronting property owners, civic and homeowners associations, renters associations within ½ mile of the property (mail dated 10/5/2021).
- Hearing notice mailed to all abutting and confronting property owners, civic and homeowners associations, renters associations within ½ mile of the property (30 days prior to the hearing).
- Resolution notice (issued after approval and posted online).
- Website posting (application is posted online, staff reports are posted 10 days before the hearing).

Comments and technical questions related to stormwater management and sediment control.

The goal of stormwater management is to control runoff from developed properties to minimize stream erosion and the discharge of pollutants into the environment. A stormwater management (SWM) concept typically includes a drawing and narrative which describes the manner in which stormwater runoff from a proposed development will be controlled. A SWM Concept Plan will be required for the Preliminary Plan

Sketch Plan No. 320220060: Churchill Senior Housing

and Site Plan applications, which will be reviewed by the Montgomery County Department of Permitting Services.

For specific questions related to SWM and sediment control for this application, please contact the Department of Permitting Services, Water Resources Section:

Mr. Andrew Kohler Andrew.Kohler@montgomerycountymd.gov (reviewer for Sketch Plan application)

Mr. Mark Etheridge, Supervisor Mark.Etheridge@montgomerycountymd.gov

Do the HOA architectural guidelines have any influence over the proposed project?

No, HOA rules and guidelines are a private agreement between property owners and the HOA. The rules and guidelines are not codified; therefore, they are not enforceable by the Planning Department or the County.

Is Fire Department access adequate? What about the fire rescue of residents on higher floors?

The Applicant is required to obtain an approved fire department access and water supply plan for the proposed project. Please contact Ms. Marie LaBaw (Marie.LaBaw@montgomerycountymd.gov), Department of Permitting Services, with specific questions concerning adequate Fire Department access.

Concerns about daytime shadows and nighttime lighting glare from the proposed building.

To analyze shadow impacts, staff has requested a more detailed shadow study from the Applicant. This will be available for review once it is submitted by the applicant.

A detailed lighting plan is required and analyzed as part of the subsequent Site Plan application and must conform to [59-6.4.3](#) (General Outdoor Lighting Requirements), which requires that outdoor lighting must not exceed 0.5 footcandles at property boundaries.

Can the applicant install stairs and a trail connection at the rear of the HOA property?

A major goal of the Planning Department is to facilitate and improve trail connections wherever feasible across the county. Staff will request that the Applicant explore this opportunity. However, this may require a revision to the HOA Site Plan approval.

Whom do I contact with additional questions or comments about the Sketch Plan review or process?

Please feel free to contact Phillip Estes (Lead Reviewer), Montgomery Planning, with any questions, comments, or concerns by email at Phillip.Estes@montgomeryplanning.org or by phone at 301-495-2176.

ATTACHMENT E



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

July 14, 2022

Mr. Phillip Estes, Planner Coordinator
UpCounty Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reddie Dr
Wheaton, MD 20902

RE: Sketch Plan No. 320220060
Churchill Senior Housing

Dear Mr. Estes:

We have completed our review of the revised sketch plans uploaded to eplans on May 31, 2022. The plan was reviewed by the Development Review Committee at its April 12, 2022 meeting. We recommend approval of the plan subject to the following comments:

Significant Comments

1. Father Hurley Boulevard is classified as a Controlled Major Highway (CM-27) with 4 existing divided lanes, 6 planned divided lanes and a minimum right-of-way (ROW) of 120-feet. The existing right-of-way on Father Hurley Boulevard per plat #21256 is 120-feet. Based on this plat, no additional dedication is necessary.
 - a. Provide a roadway cross section showing the existing configuration and proposed 11-foot sidepath per the Bicycle Master Plan.
2. There is an existing mixed-use path behind an existing bus stop on Father Hurley Boulevard. We recommend connecting the bus stop to the existing path. Please coordinate with Mr. Wayne Miller of our Division of Transit Services to coordinate. Mr. Miller may be contacted at 240 777-5836 or at Wayne.Miller2@montgomerycountymd.gov.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Standard Comments

1. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.
2. Pay the Montgomery County Department of Transportation plan review fee in accordance with Montgomery County Council Resolution 16-405 and Executive Regulation 28-06AM ("Schedule of Fees for Transportation-related Reviews of Subdivision Plans and Documents").
3. Applicant should be mindful that Complete Streets was approved and Code/Regulations updates are expected in the near future.
4. At the time or preliminary plan stage:
 - a. Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.
 - b. Submit storm drainage and/or flood plain studies, with computations for any portion of the subject site that drains to the Montgomery County public storm drain system. Analyze the capacity of the existing public storm drain system and the impact of the additional runoff. If the proposed subdivision is adjacent to a closed section street, include spread computations in the impact analysis.
 - c. Submit a completed, executed MCDOT Sight Distances Evaluation certification form, for all existing and proposed site entrances onto County-maintained roads, for our review and approval.
 - d. Design all access points and alleys to be at-grade with sidepath, dropping down to street level between the sidepath and roadway.
 - e. Upgrade pedestrian facilities at intersections along the site frontage and at adjacent intersections to comply with current ADA standards.
 - f. Street frontage improvements along Father Hurley Boulevard to be determined at preliminary plan stage.
 - g. Provide a minimum 6' continuous clear pathway along all public streets.
 - h. The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed

dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.

- i. Ensure curve radii are as small as practicable to accommodate target design vehicles as per the Complete Streets Design Guide, without intrusion into bicycle or pedestrian travel ways.
- j. Submit a Traffic Impact Study if required, by the Planning Department.
- k. Transportation Demand Management (TDM Plan Requirements):

To support the request for Public Benefit Points under Transit Proximity and Transit Mobility, we recommend that the applicant:

- Allow Commuter Services to provide information to existing and new employees of the proposed facilities, about alternative means of accessing the project (i.e., Ride On service that stops at the property and along Father Hurley)
- Design building frontages to provide two-way visibility for transit vehicles, i.e., shuttles, Metro Access, rideshare vehicles, taxis, etc.
- Incorporate display space into lobbies and other high pedestrian activity areas with information on transit and other alternative means of transportation
- Provide digital monitors to display real-time transit information to enable outreach to employees, residents, and visitors (ideally, one in the clinic, one in the assisted and one in the independent living building).

5. Forest Conservation Easements are NOT ALLOWED to overlap any easement.
6. No steps, stoops, transformers, electrical vaults, balconies or retaining walls for the development are allowed in county right-of-way. No door swings into county ROW.
7. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to the following improvements (to be determined at the preliminary plan stage).
 - a. Improvements to the public right of way will be determined at the preliminary plan stage.
 - b. Enclosed storm drainage and/or engineered channel in all drainage easements.
 - c. Underground utility lines.
 - d. Street lights.
 - e. Street trees.
 - f. Permanent monuments and property line markers

Mr. Phillip Estes
Sketch Plan No. 320220060
July 14, 2022
Page 4

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me for this project at brenda.pardo@montgomerycountymd.gov or at (240) 777-7170.

Sincerely,

Brenda M. Pardo

Brenda M. Pardo, Engineer III
Development Review Team
Office to Transportation Policy

[SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Sketch Plan\SP320220060 Churchill Senior Housing\Letter\320220060-Churchill Senior Housing-DOT Sketch Plan Letter_7.14.22](#)

cc: Correspondence folder FY 2023

cc-e: Mark Terry	MCDOT DTEO
Atiq Panjshiri	MCDPS RWPR
Sam Farhadi	MCDPS RWPR
Rebecca Torma	MCDOT OTP