

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

NOV 15 2022

MCPB No. 22-099
Sketch Plan No. 320220060
Churchill Senior Housing
Date of Hearing: September 29, 2022

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on March 23, 2022, Churchill Senior Living, Phase III, LLC (“Applicant”) filed an application for approval of a sketch plan for construction of up to 326,252 square feet of 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 equals a total of 597,532 square feet comprised of 594,532 square feet of residential uses and 3,000 square feet of medical clinic use on 5.49 acres of CRT-2.5, C-0.25, R-2.5, H-90 zoned-land, located at 21000 Father Hurley Blvd. (west side of Father Hurley Blvd., 500 feet south of Waters Landing Road) (“Subject Property”) in the Germantown West Policy Area and the 2020 *Germantown Plan for the Town Sector Zone* (“Master Plan”) area; and

WHEREAS, Applicant’s sketch plan application was designated Sketch Plan No. 320220060 Churchill Senior Housing (“Sketch Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated September 19, 2022, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on September 29, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Rubin, seconded by Commissioner Patterson, with a vote of 5-0; Chair Anderson, Commissioners Cichy, Patterson, Rubin and Verma voting in favor.

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Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

NOW THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320220060 Churchill Senior Housing, for the construction of up to 326,252 square feet of 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) on the Subject Property, subject to the following binding elements and conditions:¹

A. **Binding Elements.** The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. **Conditions.** 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 (Phases 3 and 4). This equals a maximum of 597,532 square feet of total development, which includes 268,280 square feet of existing residential uses (Phases 1 and 2).

Height and Building Massing

2. The development is limited to a maximum building height of 102 feet with final height to be determined at Site Plan subject to the submittal of a standardized shade and shadow study that shows the full impacts of the proposed building height and massing for further review and analysis. 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

¹ For the purpose of these binding elements and conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

Zoning Ordinance, this includes additional height for the provision of more than the minimum required MPDUs.^{2,3}

- a. Phase 3 maximum heights are limited (48 feet, 58 feet, 68 feet and 102 feet) and must be terraced and set back from the rear property line no less a distance than is shown on the Sketch Plan drawings and renderings as measured from the building height measuring point as illustrated on the Certified Site Plan.³
- 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.³
- 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.I. 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;

² 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.

³ The building height measuring point is determined by the Department of Permitting Services.

- 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:
 - 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.
 - g. Explore providing a trail connection with the Waters Landing HOA property and the existing stream valley trail system, located along the rear property lines, subject to coordination with Waters Landing HOA and M-NCPPC Staff.

Validity

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

BE IT FURTHER RESOLVED that having given full consideration to the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

a. Use Standards

The Subject Property is zoned CRT-2.5, C-0.25, R-2.5, H-90. The proposed Independent Living Facility for Seniors and Residential Care Facility are allowed as a Limited Use in the CRT zone. The proposed medical clinic is allowed as a Permitted or Limited Use in the CRT zone.

b. Development Standards

The Subject Property includes approximately 5.49 acres zoned CRT-2.5, C-0.25, R-2.5, H-90. The data table below demonstrates the Application's conformance to the applicable optional method development standards of the CRT zone.

Data Table

Development Standard	Permitted/ Required	Approved
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)

Development Standard	Permitted/ Required	Approved
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% ⁴
Building Height, max average	90 FT	Phase 3 is limited to 48 feet, 58 feet, 68 feet, and 102 feet, and must be terraced and set back from the rear property line no less a distance than is shown on the Sketch Plan drawings and renderings. ⁵ Phase 4 is limited to 73 feet.
Public Open Space (min SF)	5% (11,950)	5% (11,950)

2. The Sketch Plan substantially conforms to the recommendations of the 2020 Germantown Plan for the Town Sector Zone.

The Property is within the 2020 *Germantown Plan for the Town Sector Zone* (“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:

- Maintain the residential core of the planning area.

The planning area of the Master Plan consists of predominantly low- to medium-density development. Interspersed within residential neighborhoods are churches, schools, and recreational facilities. Generally, the residential core of the planning

⁴ The proposed percentage of MPDUs for Phase 3 is 12.8%. The total percentage of MPDUs for the existing and proposed development is 17%.

⁵ Pursuant to 59-4.5.2.C.7, 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.

area comprises the Northwest, Northeast, and Southwest Districts.⁶ 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 within 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.

⁶ 2020 Germantown Plan for the Town Sector Zone, p. 27.

- The 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.

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of 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

4. *The Sketch Plan achieves 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 as the massing transitions eastward from the rear property line. The first 48 feet of elevation would reflect the height of the existing building. 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

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 point⁷ 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.

Phase 4 Building

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

⁷ The building height measuring point is determined by the Department of Permitting Services.

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.

5. The Sketch Plan 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.

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.

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.

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 Guide* (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).

6. *The Sketch Plan proposes 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 Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit point values will be determined at Site Plan(s).

Table 1: Proposed public benefit points, 59-4.7.

Public Benefit	Maximum Points Allowed	Approved
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 requested 7.5 points for locating a project within $\frac{3}{4}$ 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. The Planning Board supports this category at this time.

Connectivity and Mobility

Minimum Parking

The Applicant requested 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 maximum number of parking spaces. The baseline minimum number of parking spaces is 303. The baseline maximum number of parking spaces is 602. The Applicant proposed 303 parking spaces. The Planning Board supports this category at this time.

Quality Building and Site Design

Structured Parking

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

Diversity of Uses and Activities

Affordable Housing

The Applicant requested 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. The Applicant proposed 12.8 percent MPDUs, which includes a fraction of 0.3 percent above the minimum 12.5 percent required. This computes to 3.6 points for providing the one additional MPDU unit. The Planning Board supports this category at this time.

Enhanced Accessibility for the Disabled

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

Protection and Enhancement of the Natural Environment

Energy Conservation and Generation

The Applicant requested 10 points to exceed the county energy code standards by at least 10 percent. Up to 15 points are available 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 are available. The Applicant proposed lighting power density of greater than 30 percent, window performance greater than 15 percent, low-flow fixtures in the range of 30 to 35 percent greater than code mandated levels. The Planning Board supports this category at this time.

Vegetated Wall

The Applicant requested 10 points to provide a vegetated wall on the western elevation of the structured parking. A vertical vegetated wall would be placed on the west elevation of the parking garage to screen the parking garage from off-site views. Up to 10 points are available 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. The Planning Board supports this category at this time.

7. The Sketch Plan establishes a feasible and appropriate 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 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 minimum square feet of the required public open space.

Phase 4 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 approval.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the 2020 *Germantown Plan for the Town Sector Zone*, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Churchill Senior Housing Sketch Plan No. 320220060, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV 15 2022 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Branson, seconded by Commissioner Presley, with a vote of **03-00-01**; Chair Zyontz, and Commissioners Branson, and Presley, voting in favor of the motion, Commissioner Hill abstaining, Commissioner Piñero necessarily absent, at its regular meeting held on Thursday, November 10, 2022, in Wheaton, Maryland and via video conference.



Jeffrey Zyontz, Chair
Montgomery County Planning Board

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