



Artis Senior Living Preliminary Forest Conservation Plan and Conditional Use

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Kristin O'Connor, Planner Coordinator, Area 3 Division, kristin.oconnor@montgomeryplanning.org, 301-495-2172

Fb

Frederick V. Boyd, Supervisor, Area 3 Division, fred.boyd@montgomeryplanning.org, 301-495-4654

KRR

Kipling Reynolds, Chief, Area 3 Division

Completed: 05/22/15

Description

(Action required for Hearing by Hearing Examiner on 6/26/15)

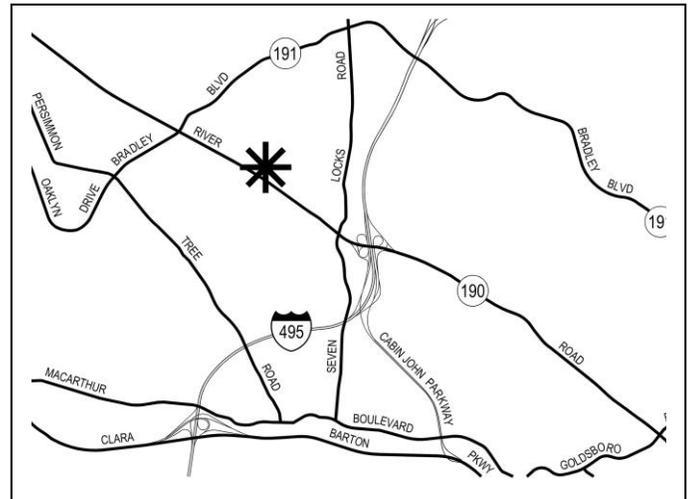
Artis Senior Living

A. Preliminary Forest Conservation Plan No. CU201505: Request for a residential care facility consisting of 72 beds for seniors suffering from Alzheimer’s disease or other forms of dementia or memory loss; RE-2 zone; 4.39 acres; located at 8301 River Road, Bethesda; 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval with conditions

B. Conditional Use 15-05: Conditional Use Request for a residential care facility consisting of 72 beds for seniors suffering from Alzheimer’s disease or other forms of dementia or memory loss; RE-2 zone; 4.39 acres; located at 8301 River Road, Bethesda; 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval with conditions



Submittal Date: March 2, 2015

Applicant: Artis Senior Living, LLC

Review Basis: Chapters 59-4.4.4; 59-3.1.6; 59-3.3.2(c)

Summary

The Applicant, Artis Senior Living, Inc., is requesting Conditional use approval pursuant to Zoning Ordinance Sections 59-4.4.4 and 59-3.1.6 and 59-3.3.2(c) in order to operate a 72-bed residential care facility for seniors suffering from Alzheimer’s disease or other forms of dementia or memory loss in the RE-2 (Residential Estate-2) zone. The new, one-story building, located at 8301 River Road, will be located on 4.39 acres.

With the recommended conditions, the proposed use satisfies all applicable requirements and regulations for approval of a Conditional Use for a residential care facility (over 16 persons) as specified in the Montgomery County Zoning Ordinance. The Applicant has met the burden of proof by showing that the proposed assisted memory care living facility would offer a service that is much needed in the community and will operate without detriment to the neighborhood and would not adversely affect the public interest. With the condition for a 10-foot shared use path, the proposal is consistent with the *Potomac Subregion Master Plan* (2002) and the 2005 Approved and Adopted Countywide Bikeways Functional Master Plan.

**A. Preliminary Forest Conservation Plan No. CU201505:
RECOMMENDATIONS**

1. Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan (PFCP) No. CU201505:
 - Prior to Planning Board pre-construction meeting, the Applicant must obtain Staff approval of a Final Forest Conservation Plan (FFCP) consistent with the approved Preliminary Forest Conservation Plan and including mitigation for the loss of a specimen tree.
 - The Applicant must place a Category I conservation easement over approximately 2.12 acres of forest retention as shown on the approved forest conservation plan. The easement must be approved by the M-NCPPC Office of General Counsel and recorded by deed in the Montgomery County Land Records prior to clearing or grading.
 - The limits of disturbance shown on the Final Sediment Control Plan must be consistent with the limits of disturbance shown on the Final Forest Conservation Plan.
 - Permanent Category I Conservation Easement signs must be placed along the perimeter of the conservation easement area.
2. The Applicant must comply with all tree protection and tree save measures shown on the approved PFCP. Tree save measures not specified on the Final FCP may be required by the M-NCPPC forest conservation inspector.

Environmental Guidelines and Forest Conservation

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #420131430 for this Property was approved on March 22, 2013. The NRI/FSD identified 2.12-acres of high priority forest, located primarily on the moderately steep slopes that lead down to Cabin John Creek. There are no streams, wetlands, or stream buffers located on this Property. However, the existing offsite entrance to this Property is located in the stream buffer and floodplain of the mainstem of Cabin John Creek and within Cabin John Conservation Park. The Applicant proposes to continue to use the long-standing entrance to the site across Montgomery County Park property and within the stream buffer and floodplain of Cabin John Creek. The Applicant is seeking to extend a 1989 access easement agreement between the most recent owner of the Property and Montgomery County Government. The Applicant proposes to pave the entire twenty-foot easement area and will require a 35-foot corridor for construction in this area.

The Conditional Use Application is subject to the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. A Preliminary Forest conservation Plan has been submitted for review on May 8, 2015. Approximately 2.14 acres are forested and 0.71 acres of high priority forest is proposed to be removed for the front entrance loop and along the western perimeter of the site. A total of 0.02 acres of forest will be removed offsite for the stormwater management outfall and public water line connection. A total of 1.41 acres of forest will be permanently protected. No additional forest mitigation is required. There are eleven specimen trees on and adjacent to this site. Six trees will be impacted and one tree removed.

Forest Conservation Variance Request

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. The law requires no impact to trees that measure 30 inches DBH or greater ("Protected Tree"). Any impact to a Protected Tree, including removal or disturbance within the Protected Tree's critical root zone (CRZ), requires a variance, which includes certain written information in support of the required findings in accordance with Section 22A-

21 of the County Forest Conservation Law. In the written request for a variance, an Applicant must demonstrate that strict adherence to Section 22A-12(b)(3), i.e. that “no disturbance to a Protected Tree, would result in an unwarranted hardship as part of the development of a property.” On May 5, 2015, the Applicant requested a variance for impacts to six Protected Trees and the removal of one Protected Tree.

Unwarranted Hardship

The Subject Property has a tract area of 4.39 acres. There are 2.12 acres of existing priority forest on-site and there are numerous significant and specimen trees. The Applicant is proposing an assisted living facility on the site. The proposed construction has been designed to minimize the number of specimen trees to be impacted by making use of the existing driveway and open space. The limit of disturbance around specimen trees has been minimized to provide maximum protection possible given both the regulatory requirements and design requirements of the development. The Preliminary Forest Conservation Plan meets the mitigation requirements onsite with 1.41 acres of forest protected by a forest conservation easement. This easement will contain the critical root zones of six specimen trees.

The design and layout of the assisted living facility is necessary to meet the needs of the facility in order to properly care for the residents. The only alternative to these impacts would be to shift the development east, which would result in more forest being removed and would create other significant and specimen tree impacts. Two tree impacts are along the entrance driveway and cannot be avoided due to the driveway width requirements. The proposed site location has the least environmental impact, maximizing forest saved, and creating the greatest setback from Cabin John Creek. Another impact associated with the project is for the proposed water connection. A connection cannot be made to the existing 66" water main running along River Road and the proposed line must remain a minimum of 20' away from the water main. Therefore, creating significant impacts to specimen trees cannot be avoided.

Table 1: Impacted Tree

Tree #	Species	D.B.H (inches)	CRZ Impact	Reason for disturbance
7	White Oak	48	10%	Improvement to the Entrance Drive
8	Red Oak	32	2%	Improvement to the Entrance Drive
42	Pin Oak	37	100%	Building Construction
43	Pin Oak	40	30%	Building Construction
48	White Oak	38	17%	Building Construction
54	White Oak	33	3%	Public Water Line Connection
55	White Oak	41	31%	Public Water Line Connection

Variance Findings

The Planning Board must make findings that the Application has met all requirements of Section 22A-21 of the County Code before granting the variance. Staff has made the following determination on the required findings for granting the variance:

1. *Will not confer on the Applicant a special privilege that would be denied to other Applicants:*
 The proposed use will utilize the buildable part of this site and preserve the forested slope to the east and adjacent to Cabin John Conservation Park. The Granting of this variance is not

unique to this Applicant and does not provide special privileges or benefits that would not be available to any other Applicant.

2. *Is not based on conditions or circumstances which are the result of the actions by the Applicant:*
The configuration of the Subject Property, the topographic constraints, and the location of the Protected Trees are not the result of actions by the Applicant. Impact to the Protected Trees take place by using the existing cleared area of the site and the existing access point around which the protected trees have grown. The only alternative to these impacts would be to shift the development east, which would result in more forest being removed and would create additional impacts to significant and specimen trees. In addition, Applicant's closest connection to public water is more than 700 feet away, requiring the use of River Road right-of-way to make this connection. There are no feasible options to reconfigure the proposal to avoid impact to the protected trees.
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 not related in any way to a condition on an adjacent, 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. The specimen trees being removed or disturbed are not within a stream buffer, wetland, or a special protection area. A Stormwater Management Concept Plan approval has been approved by the Montgomery County Department of Permitting Services.

County Arborist's Recommendation on the Variance

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist for a recommendation prior to acting on the request. In a letter dated May 15, 2015, the County Arborist recommended the variance be approved with mitigation.

Mitigation for Variance Trees

There is one (1) tree proposed for removal in this variance request. This 37" Pin Oak straddles the western property boundary. Additional mitigation is recommended for this tree proposed for removal. Mitigation should be at a rate that approximates the form and function of the tree removed. Staff recommends that replacement occur at a ratio of approximately 1" caliper for every 4" DBH removed, using trees that are a minimum of 3" caliper size. While these trees will not be as large as the trees lost, they will provide some immediate canopy and ultimately replace the canopy lost by the removal of this tree. There is some disturbance within the critical root zones of nine trees, but they are candidates for safe retention and will receive adequate tree protection measures. No mitigation is recommended for trees impacted but retained.

Staff Variance Recommendation

As a result of the above findings, staff recommends that the variance be granted with mitigation. The submitted PFCP meets all applicable requirements of the Chapter 22A of the County Code (Forest Conservation Law).

Conditional Use 15-05:

RECOMMENDATIONS

Staff recommends approval of Conditional Use CU 15-05, subject to the following conditions:

1. This Applicant is limited to a 72-bed, 40,000 square foot, Residential care facility.
2. Hours of operation are 24 hours a day, seven days a week, 365 days a year.
3. A maximum number of employees at thirty-eight (38) in three shifts (6 a.m. to 2 p.m., 2 p.m. to 10 p.m., and 10 p.m. to 6 a.m.) with the maximum number of employees on-site at any one time must not exceed eighteen (18).
4. Prior to issuance of a Use and Occupancy permit, a 10-foot shared use path must be constructed on River Road (MD 190) along the frontage of the property in the existing public right-of-way. Coordination with the Montgomery County Department of Transportation (“MCDOT”) and Maryland State Highway Administration (“MDSHA”) is needed for the placement of the shared use path and access permits for construction.
5. A 5-foot pedestrian walking area must be striped on the east/north side of the 20-foot driveway from River Road to the underground entrance as shown on the Conditional Use Site Plan.
6. Prior to issuance of a Use and Occupancy permit, a minimum 3-foot natural surface path/ pedestrian refuge area must be constructed on the east/north side of the driveway adjacent to the pedestrian walking area on the driveway.
7. Pedestrian warning signs for drivers must be posted on both ends of the driveway indicating the possible presence of pedestrians on the driveway. The signs must meet standards set in the Manual on Uniform Traffic Control Devices (MUTCD).
8. The Applicant must upgrade the Ride-On bus stop pad site on River Road to be able to accommodate a bus shelter in the future. Coordination is needed with MCDOT regarding the design, size, and placement of the upgraded pad site.
9. The Applicant must install a “call-box” with a weather protected waiting area at the driveway entrance on River Road so that shuttle serve from the driveway to the building can be provided when requested. This shuttle service must be available during normal visiting hours and when work shifts are occurring that are not in normal visiting hours.
10. The Applicant must provide and install one bicycle parking rack (“inverted U” rack or similar) in the location as specified on the Conditional Use Plan.
11. Request a park access/park construction permit for the portion of the driveway on parkland. This permit is required as the limits of disturbance will exceed the original agreed upon 20’ easement. The Parks Department (Parks) will need to agree to a 3-foot natural surface area along the full length of the driveway along the east/north side for a pedestrian refuge area. All parkland outside the 20-foot easement must be returned to a natural condition after construction takes place. This includes areas that are not currently forested.
12. A Parks Department field review of the limits of disturbance (LOD) on the north side of the Property (adjacent to parkland) must be done by a Parks Inspector at the same time the park permit is reviewed.
13. An approved stormwater management concept that provides full compliance to current standards is required prior to approval by the Hearing Examiner.

PROPERTY DESCRIPTION

The Property, shown in Figure 1 below, consists of approximately 4.39 acres, more formally known as all of Lot 13, Block 2, Clewerwall Knolls, located at 8301 River Road in Potomac.

The Property is a wooded site improved with a house, six-car garage, pool, pool house and tennis court. The forested area consists of both pine and deciduous trees. Access to the Property is from a driveway on property owned by Montgomery County (Cabin John Stream Valley Park). The topography on the site is sloped with a very steep rise from River Road. The property is not located in a Special Protection Area (SPA). The property is classified as W-1 and S-1 and is eligible for access to public water and sewer service. The property is currently served by public sewer service. A public water connection will have to be extended from Clewerwall Road approximately 700 feet west of the site.



Figure 1: Subject Property and Vicinity

Neighborhood Description

The neighborhood where the Property is located is generally bounded by Clewerwall Drive to the north, Cabin John Stream Valley Park to the east and the south, and River Road to the west. The Clewerwall Knolls community located immediately north of the Property consists of single-family detached homes located in the RE-2 Zone. Adjacent to the Property to the west are two single-family detached homes that front on River Road.

PROPOSAL

The Applicant seeks approval to construct a new one-story building that will consist of a total of 72 individual bedrooms. According to the Applicant, each individual bedroom will have a full bathroom. The proposed one-story, 40,000-square foot residential care facility will be set back 200 feet from River Road (See Figure 2). A maximum of 18 employees will be present on site at any one time.

The project is being developed to house residents suffering from Alzheimer's disease and other forms of dementia. Because Alzheimer's disease and related dementia often impact memory long before individuals face physical impairment, free ambulation is critical to these individuals' sense of well-being and ability to socialize. Whereas historically seniors with memory loss were sedated and restrained in nursing homes because nursing homes provided no secured areas for them to exercise, Artis' projects are designed from the inside out to maximize the freedom and independence of residents. Having all resident services on one floor, as is proposed in the Application, allows for free ambulation and gives residents access to all portions of the residential living areas

Access to the Property will be via a driveway entrance located on River Road. The proposed 33-space subsurface parking area will be located on the east of the residence. Access to the Residence will be via an existing driveway and curb cut on River Road. The building has front door access with a designated drop-off area in the front. Based on the building elevations submitted by the Applicant, the proposed building will have a maximum building height of approximately 15 feet. A multi-story building would detract from this freedom of movement and would be particularly problematic for residents on upper floors because they could not access the community spaces and exterior courtyards on the first floor without being supervised in using the elevator or stairwell.

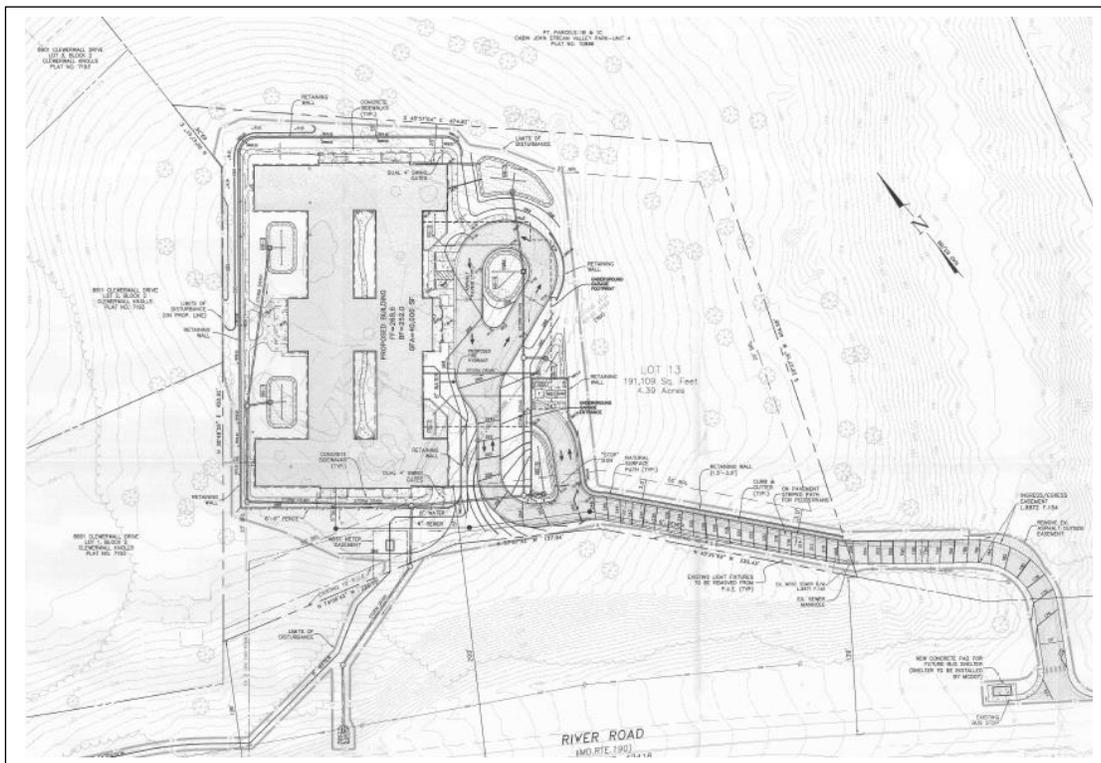


Figure 2: Site Plan



Figure 3: Architectural Rendering

The design of the building with one story is important to ensure compatibility with adjacent single-family uses (See Figure 3). Increasing the vertical profile of the proposed building would only serve to make it more visible to the adjacent neighbors, who have expressed their strong desire that the building be limited to one story in height. Additionally, the grade of the Property is such that it is significantly higher than adjacent properties, making a lower profile even more important for purposes of compatibility.

The one-story building will be divided into four "neighborhoods" surrounding a central community core. The central community core will be finished with a streetscape facade, and will include ancillary services, including a beauty salon/ barbershop and a health center. At the front of the core, adjacent to the main entrance, will be an office and marketing area. Below the core is an approximately 5,647 square-foot basement area containing the kitchen, employee lounge, offices, storage, and a conference room.

At the back of the Residence is a large community room and an arts and crafts and assembly area, both of which open onto a large rear porch. The four neighborhoods have distinctive names, front porches and entry areas to aid in identification and to provide the residents a sense of place and inclusion. Each of the neighborhoods contains a central hallway, off of which individual bedrooms are located, each with a full bathroom. Each neighborhood has a common family room, dining room, and pantry to enhance socialization, as well as shower spas. While meals are prepared by a chef in the central kitchen, residents are served restaurant style in each neighborhood's dining area. Each dining area also has a "pantry" where residents may bake cookies, etc. with supervision. Each dining area opens onto a covered porch. The Residence also has two internal courtyards. The facade of the attractive one-story residential style building will be lap siding with stone accents and a composition shingle roof. The Residence was designed to be architecturally compatible with the nearby residential community in its scale, bulk, height, materials, and textures.

Landscaping, Lighting and Screening

The grounds of the proposed senior housing facility will be well-landscaped with plantings that provide an attractive setting and in an amount that exceeds the County's minimum planting requirements. The Property will be extensively and attractively landscaped with special screen elements provided near the side and rear property lines (See Figure 4). Most activity will occur to the front of the building and internal to the Residence, and therefore will not adversely impact the adjacent single-family residential area, compatibility will be reinforced by having the site activity further screened by a 6-foot 6-inch board on board fence around the south side of the residents' outdoor areas, and a retaining wall (maximum 11 feet in height) along the western and northern boundaries of the outdoor areas of the Residence. Lighting will be mostly limited to the front of the Residence and downward directional lighting will be used to limit the visibility of any lighting from nearby properties. Lighting in the rear of the Residence is limited to low-level exit, patio and walkway lighting that will be completely screened from adjacent properties by the proposed perimeter retaining wall/fencing and extensive landscaping and this lighting will be automatically turned off at 11:00 p.m.



Figure 4. Site Rendering

MASTER PLAN

The Property lies within the boundaries of the Potomac Subregion Master Plan (2002), and is included in the "Potomac" area of that Plan. The Master Plan generally recommends continuation of the RE-2 zoning on the Property, but does not include any specific recommendations for the site. An overarching theme of the Master Plan is that "[n]ew development and redevelopment must respect and enhance the Subregion's environmental quality, while helping to build communities and resources that will serve existing and future generations of residents." (p. 1.) The Project achieves this objective by retaining approximately 1.4 acres of forest cover on the site and maintaining the most steeply graded portion of the Property, which slopes down to Cabin John Creek, in its natural state, thereby respecting the environmental quality of the area. At the same time, the Project will provide an important community amenity of memory care assisted living in an area currently underserved by such facilities, as discussed more fully below.

The Master Plan sets forth a number of design principles for development in the Subregion, including "provid[ing] storm water management according to current standards and retrofit[ing] projects for currently untreated sites" including the incorporation of "alternative techniques that increase filtration and enhance natural hydrology, such as small bioretention areas, rooftop gardens, disconnection of impervious cover, alternative pavers, soil amendments and conditioning, or other landscape techniques." (page 34.) The Project incorporates environmental site design techniques, including micro-bioretention facilities to capture, treat and release storm flows, and will provide stormwater management in an area currently subject to no stormwater controls, all in furtherance of the Master Plan's stated objectives. "The Master Plan also encourage(s) development clustering to protect environmentally sensitive areas." (page 14). This principle is also achieved with the Application. The Application proposes the construction of the single building and associated parking on the western side of the Property, in an area already cleared of vegetation, rather than proposing any significant disturbance of the environmentally sensitive forested areas on the eastern portion of the Property.

The Master Plan also provides detailed recommendations regarding the incorporation of conditional uses into the community. These recommendations include: "[p]rotect ...major transportation corridors and residential communities from incompatible design of [conditional uses] ..." (page 36). With regard to the design of conditional uses specifically, the Master Plan further recommends: (a) "Adhere to Zoning Ordinance requirements to examine compatibility with the architecture of the adjoining neighborhood," (b) "Parking should be located and landscaped to minimize commercial appearance," and (c) "Efforts should be made to enhance or augment screening and buffering as viewed from abutting residential areas and major roadways." (p. 36).

The Project was designed with these recommendations in mind. First, the proposed siting, one-story scale, and residential-style architecture of the Residence, coupled with the extensive landscaping and screening of the Residence from adjacent residential properties, ensures the compatibility of the building with the adjoining neighborhood. With a maximum height of 15 feet the Residence has a significantly lower profile than the existing structure on the Property and nearby residences. Second, the parking associated with the use is proposed to be located below grade, in an area removed from the adjacent residential neighbors, and attractive landscaping will be provided around the entrance to the parking area. Finally, the proposed screening along the Property's perimeter, adjacent to residential areas, will meet and exceed all landscaping requirements and provide an effective and attractive screen for the proposed use from neighboring properties, especially when viewed in combination with the significant forested areas to be retained on and adjacent to the Property. Existing grade and significant

vegetation to be retained between the proposed use and River Road will also ensure limited visibility of the Residence from River Road.

The Master Plan recognized the importance of providing affordable elderly housing and care options within the Plan's area. A particular focus of the Master Plan is on the provision of "Housing for the Elderly" in the Potomac Subregion. As noted in the plan, "[t]he Potomac Subregion does not fully meet its residents' needs for senior housing within its boundaries[and] is approximately 450 units short of industry demand standards." (p. 36). "It is a stated objective of the plan to meet these senior housing needs within the boundaries of the Subregion ..." In this regard, the Master Plan finds, "[s]enior housing is appropriate throughout the Subregion wherever zoning permits this use, either by right or as a [conditional] use." (p. 38). One potential location for such housing specifically identified in the Plan is the Stoneyhurst Quarry. That site, located approximately 1200 feet southeast of the Property along River Road, was later approved for 97 market-rate multi-family units. (page p. 38). The Application provides the opportunity, however, for senior housing in close proximity to this recommended location.

Although the Master Plan recommended single-family housing development on this Property, staff finds that the proposed senior housing project is consistent with the goals and objectives of the master plan. Permitted conditional use uses are generally considered to be consistent with the area master plans provided that the master plans do not contain a specific prohibition or recommendation against a conditional use on a specific property if the proposed conditional use meets all other findings and requirements of approval. In this case, the master plan recommended a single-family housing option on this Property, but it also recommended providing appropriate opportunities for elderly housing.

The Master Plan recommends retention of the two-lane road system in the Subregion and has a stated objective of minimizing car trips in the area to compensate for population growth and the lack of roadway improvements. (p. 34, 109). As noted above, the Application will have minimal impact on traffic and the adjacent roadways. Additionally, a Ride-on bus stop is currently located along the Property's frontage and it is anticipated that this stop will be used by a number of employees, further reducing any impact of the Project on the road system.

The 2005 Approved and Adopted Countywide Bikeways Functional Master Plan includes a clear recommendation for River Road to have both a shared use path and a signed shared roadway from the D.C. line to Seneca Road. The shared use path is intended to accommodate both bicyclists and pedestrians. Currently in front of the Applicant's site, there is only a shoulder that does not safely accommodate pedestrians and bicyclists based on the recommendations in the Master Plans. A condition for a shared use path to be included in this proposal.

DEVELOPMENT STANDARDS

a. Development standards. Conditional uses are subject to the development standards of the applicable zone where the conditional use is located. (Chapter 59-4.4.4 RE-2)

The Property is zoned RE-2. The proposed senior housing building has been designed to comply with standards of the RE-2 Zone and to comply with the requirements of Section 59-3.1.6. Staff finds that the proposed one-story building would comply with all development standards as shown in Table 2.

Table 2. Development Standards

	Conditional Use allowed in the zone	
1. Lot and Density	<u>Required</u>	<u>Proposed</u>
Lot Area	2 acres/ 87,120 sq. ft.	191,109 sq. ft.
Lot width at front building line	150 ft.	530 ft.
Lot width at front lot line	25' ft.	539 ft.
Density (max.)		
Density (units/acre)	1,200 sf/bed	86,400
Coverage (max)		
Lot	25%	16.9%
2. Placement		
Principle Building Setback (min)		
Front setback	80 ft.	200 ft.
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	50 ft.	
Side street setback, abutting lot does not fronts on the side street and is in a Residential Detached zone	20 ft.	28 ft.
Side setback	17 ft.	28 ft.
Rear setbacks	35 ft.	35 ft.
3. Height		
Height (max)		
Principal building	50 ft.	15 ft.
Accessory Structure	50 ft.	N/A

Staff finds that the proposed building complies with the applicable development standards. The design, scale and height of the proposed building conform to the general character of the neighborhood.

b. Parking requirements. Conditional uses are subject to all relevant requirements of 59-6.2.4

Bicycle parking is required at the rate of .25 spaces per dwelling unit. The units in this proposed building are not considered dwelling units since they do not have individual cooking facilities in each room. Therefore, no bicycle parking is required. However, the project is providing two bicycle spaces within the proposed garage for staff or visitors.

Parking Facilities for Conditional Uses in Residential Detached Zones

The provisions of Chapter 59-6.2.4.K “Facilities for Conditional Uses in Residential Detached Zones” apply to this conditional use, which is located in a one-family residential zone where 3 or more parking spaces are provided must satisfy the following standards:

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

The proposed parking areas will be underground and located away from neighboring properties to maintain a residential character.

- **Setbacks.**

The underground parking facility meets the required setbacks. In accordance with the parking requirements for residential care facility in Section 59-6.2.4(B), the total number of parking required is 29. A total of 33 parking spaces are provided. The parking tabulation is as follows:

Parking Distribution (59-6.2.4(B))	
72 spaces per bed @ 0.25 spaces /bed	= 18 spaces
18 employees/shift @ 0.50 spaces per employee	<u>9 spaces</u>
Subtotal parking spaces required	27 spaces min.
Minimum Number of Accessible Spaces ((59-6.2.3.B and COMAR 05.02.02)	
Accessible Spaces required	= 2 Space
Subtotal accessible parking required	= 2 spaces min.
Total parking spaces required	= 29 spaces
Total parking spaces provided	= 33 spaces

The application satisfies the parking requirement.

SITE ACCESS, PARKING, AND PUBLIC TRANSPORTATION

The site is located at the northwest corner of River Road (MD 190) and Carderock Springs Drive. Access to the site is currently provided by a driveway that is slightly offset from Carderock Springs Drive on the other side of River Road. Full turning movements can occur at the River Road/driveway intersection. Aligning the driveway directly with Carderock Springs Drive cannot occur at this time, as that would require impacts to the River Road bridge traversing Cabin John Creek. The Applicant proposes to use and upgrade the existing driveway to provide access to the site.

Staff is recommending the Applicant construct a ten-foot shared use path along the frontage of the site as called out the Potomac Subregion and Countywide Bikeways Functional Master Plans. Given the constraints in the area, staff is not recommending that the Applicant connect the shared use path with the existing shared use path that terminates just north of their site at Clewerwall Drive. The Applicant has indicated in its report to staff, that it anticipates some workers will commute to the facility using the Ride-On bus service that runs on River Road with a bus stop in front of the site. Given this, staff was looking for reasonable pedestrian accommodations from the bus stop to the building entrance. Staff is in agreement with the Applicant that the construction of an ADA-compliant 5-foot lead-in sidewalk along the east/north side of the driveway from River Road to the building entrance is not feasible due to grade issues and the potential additional impact on park land. In lieu of the 5-foot lead-in sidewalk, staff is in agreement that a 5-foot pedestrian walking area should be striped on the east/north side of the 20-foot wide driveway. This agreement is with the understanding that a minimum 3-foot wide natural surface area is constructed along the entire east/north side of the driveway from River Road to the underground entrance as a pedestrian waiting area in case two vehicles are driving on the driveway at the same time someone is walking in the pedestrian area. Signs will be posted at the both ends of the driveway indicating that drivers need to be on the lookout for pedestrians walking on the driveway.

Additionally, in order to make reasonable ADA accommodations, the Applicant is proposing to place a “call box” at the driveway entrance so that someone can request a shuttle pick them up and take them to the building entrance. The “call-box” area should be accompanied by weather protected waiting and staff is recommending this as a condition of approval.

Montgomery County Ride-On Route 36 and the Washington Metropolitan Area Transit Authority (WMATA) Route T2 provide bus service adjacent to the site. Ride-On Route 36 is a loop route that starts and ends at the Bethesda Metrorail station. The bus travels along Bradley Road loops down Seven Locks Road and River Road before reconnecting with Bradley Road. It runs Monday through Friday with 30 minute headways. WMATA Route T2 connects the Friendship Heights Metrorail station with the Rockville Metrorail station via River Road and Falls Road. The route runs Monday through Sunday with 30 minute headways. There are a few additional buses added during the weekday morning and afternoon commuting periods that increase the headways to 15-25 minutes. The closest River Road westbound bus stop is at the Applicant’s driveway. The closest River Road eastbound bus stop, which accommodates both the WMATA and Ride-On routes, is located approximately 1,200 feet to the west of the site at Clewerwall Drive and River Road, in the direction that the proposed shared use path must be constructed by the Applicant.

Master Plan Transportation Facilities

The 2002 Approved and Adopted Potomac Subregion Master Plan contains the following recommendations for nearby roadway facilities:

- River Road (MD 190): A major highway (M-2) with two travel lanes (one lane in each direction) with a right-of-way of 150 feet.

The 2005 Approved and Adopted Countywide Bikeways Functional Master Plan and 2002 Approved and Adopted Potomac Subregion Master Plan contain the following recommendations for bikeway facilities on River Road:

- Potomac Subregion Plan: River Road (PB-6) from Seneca Creek to I-495 is recommended to have a Class I (off-road bike path) facility.
- Bikeways Functional Plan: River (DB-2) from D.C. line to Seneca Road (MD112) is recommended to have a dual bikeway with a shared use path and bike lanes.

There is some confusion about the discussion box for the recommendation in the Bikeways Functional Master Plan (See Table attached in Attachment 7). Specifically, the confusion has to do with the last sentence that “New proposals include shared use path between DC line and I-495, and signed shared roadway from DC line to Seneca Road.” The intent of the sentence is to state what the Bikeways Functional Master Plan added to the recommendations for both the Potomac Subregion Master Plan and the Approved and Adopted 1990 Bethesda Chevy Chase Master Plan. The Potomac Plan only had off-road facilities for River Road and the Bethesda Chevy Chase Plan only had on-road facilities for River Road. The recommendation, as clearly indicated in the Bikeways Functional Plan, is for River Road to have both a shared use path and a signed shared roadway from the D.C. line to Seneca Road. The shared use path is intended to accommodate both bicyclists and pedestrians. Currently in front of the Applicant’s site, there is only a shoulder that does not safely accommodate pedestrians and bicyclists based on the recommendations in the Master Plans.

Adequate Public Facilities Review (APF)

Local Area Transportation Review (LATR)

As conditioned, the subject Preliminary Plan for proposed 72-bed, 40,000 square feet, Residential Care facility does not trigger LATR as the facility will only generate two additional trips in the AM and four additional trips in the PM peak hour. The threshold for an LATR review, according to the *LATR & TPAR Guidelines*, is 30 net new additional trips. A site trip generation summary is presented in Table 3.

Table 3: Site Trip Generation

Proposed Development	Beds	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Assisted-Living Facility	72	1	1	2	2	2	4

Transportation Policy Area Review (TPAR)

The Property is located in the Potomac Policy Area. According to the 2012-2016 Subdivision Staging Policy (SSP), the Potomac Area is exempt under the roadway test but inadequate under the transit test; therefore, a TPAR of 25 percent of the General District Transportation Impact Tax is required.

Transportation Conclusion

The Conditional Use has been evaluated by Staff, which supports the transportation elements of the Plan with the conditions as recommended. Staff finds the proposed access to the site, as shown on the Conditional Use Plan, to be adequate to serve the traffic generated by the development. Staff also finds that the internal and external pedestrian circulation and walkways, with the implemented conditions, will provide adequate movement of pedestrian traffic.

ENVIRONMENT

The subject property has a tract area of 4.39 acres. There are 2.12 acres of existing priority forest on-site and there are numerous significant and specimen trees. The proposed construction has been designed to minimize the number of specimen trees to be impacted by making use of the existing driveway and open space. The limit of disturbance around specimen trees has been minimized to provide maximum protection possible given both the regulatory requirements and design requirements of the development. The forest conservation plan meets the mitigation requirements onsite with 1.41 acres of forest protected by a forest conservation easement. This easement will contain the critical root zones of six specimen trees.

The design and layout of the assisted living facility is necessary to meet the needs of the facility in order to properly care for the residents. The only alternative to these impacts would be to shift the development east which would result in more forest being removed and would create other significant and specimen tree impacted. Two tree impacts are along the entrance driveway and cannot be avoided due to the driveway width requirements. The proposed site location is seen as having the least environmental impacted maximizing forest saved and creating the greatest setback from Cabin John Creek. Another impact associated with the project is for the proposed water connection. The existing 66" water main running along River Road cannot be connected to and the proposed line must remain a minimum of 20' off of the water main. Therefore, these two impacts to specimen trees cannot be avoided.

Stormwater Management

A stormwater management concept has been submitted to the Department of Permitting Services. The applicant is in the process of addressing DPS comments on the concept. An approved concept will be required prior to the approval by the Hearing Examiner.

COMMUNITY COMMENTS

The proposed project was submitted and noticed in accordance with all required procedures. The Application met posting requirements and the Applicant's team made an early and conscientious effort to inform the neighborhood of its development plans and get their input. These efforts have included meetings with three homeowners that abut the site. The Applicant sent out emails and mailings to adjacent and confronting homeowners and nearby neighborhood associations (Congressional Forest Community Association, Riverhill Homeowners Association, Riverhill Condo Association, and Carderock Springs Citizens Association). In early discussions with the neighbors, they expressed concerns of lighting and height. The Applicant conducted a site visit with the abutting homeowners last fall.

Staff received one phone call from the president of the West Bradley Citizen Association and she has the following concerns with regard to the proposed project: (1) increasing commercialization along River Road, (2) traffic visiting and serving the site, (3) adequate stormwater management and the impacts to Cabin John Creek, and (4) the treatment of trees on the site. Staff has plans to meet with her prior to the June 4 Planning Board meeting to review the proposal and discuss the details of the application.

Staff also received one letter from a resident in the Carderock Springs neighborhood. This resident was concerned that the staff to resident ratio, as documented, was too low. The resident had concerns that should the facility need more than 18 employees at any given shift, there would be an impact to the parking ratio and there would be more cars turning into the project from River Road. Staff responded back to the resident that as part of the approval, the maximum number of employees on-site at any one time must not exceed eighteen (18). Staff also received one phone call from the West Bradley Citizen Association and they have the following concerns: (1) increasing commercialization along River Road, (2) traffic visiting and serving the site, (3) adequate stormwater management and the impacts to Cabin John Creek, and (4) the treatment of trees on the site.

FINDINGS

Pursuant to the applicable conditions and standards of Section 59-7.3.1.E of the Zoning Ordinance, the following is required:

1. To approve a conditional use application, the Hearing Examiner must find that the proposed development:

(a.) satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;

There are no previous approvals relevant to the Application. Therefore, this provision does not apply.

(b.) satisfies the requirements of the zone, use standards under Article 59-3, and applicable general requirements under Article 59-6;

Requirements of RE-2 Zone

Residential Care Facilities are permitted as conditional uses in the RE-2 Zone and the proposed development conforms to the applicable requirements of the RE-2 Zone, as shown on the data table of the Conditional Use Site Plan.

Requirements of Article 59-3

The Conditional Use also complies with the use standards and requirements of Section 59-3.3.2.E.c.II of the Zoning Ordinance pertaining to Residential Care Facilities as follows:

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

The Residence will have common dining areas, a main kitchen, an activity room, and ancillary services such as a beauty salon/barbershop and a health center. The provision of these spaces and services on the site is intended to address the special needs of the residents only and will not have any adverse impacts on the surrounding community.

- (b) *A group home for children must provide ample outdoor play space, free from hazard and appropriately equipped for the age and number of children who will use the facility.*

The application is for a 72-bed residential care facility for seniors suffering from Alzheimer's disease or other forms of dementia or memory loss. There will be no children residing in the facility.

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

The Zone allows for projects to submit with a bed to square footage ratio. The Application proposes a 72-bed facility on an approximately 191,109 square-foot lot, equating to approximately 2654 square feet per bed, more than double the minimum area requirements of this section. The zone requires no green area requirement.

- (d) *Where facility size is based on the number of beds, not dwelling units, the following lot area is required:*

(2) *In all other zones, the minimum lot area is 2 acres or the following, whichever is greater:*

(i) *in RE-2, RE-2C, RE-1, and R-200 zone: 1,200 square feet per bed,*

The Application proposes a 72-bed facility on an approximately 191,109 square-foot lot, equating to approximately 2654 square feet per bed, more than double the minimum area requirements of this section.

(e) *The minimum side setback is 20 feet.*

As shown on the Site Plan included in the Application the proposed side setbacks are 28 feet (west) and 220 feet (east), more than satisfying this requirement.

(f) *In the R-10 and R-20 zones, the development standards of the apartment building type apply, except as modified by Section 3.3.2.E.2.c*

The Application is for a residential care facility in the RE-2 zone.

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

The Proposal is for 72-beds, not dwelling units so the MPDU provision is not applicable.

(h) *In a continuing care retirement community, occupancy of any independent dwelling unit is restricted to persons 62 years of age or older, with the following exceptions:*

(1) the spouse of a resident, regardless of age;

(2) another relative of a resident, 50 years of age and older;

(3) the resident widow, widower, or other surviving relative of a resident who dies while residing at the continuing care retirement community, is allowed to remain even though the resident widow, widower, or other surviving relative has not reached the age of 62.

A minimum of 80% of the dwelling units must be occupied by at least one person per unit who is 55 years of age or older.

The Application is restricted to individuals, not couples suffering from Alzheimer's disease or other forms of dementia or memory loss.

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

The Residence proposed is a one-story structure, with a maximum 15 foot

height, which is significantly lower than the height of the existing single-family building on the Property and adjacent residences. The design of the building as one-story is important to ensure compatibility with adjacent single-family uses. Increasing the vertical profile of the proposed building would only serve to make it more visible to the adjacent neighbors, who have expressed their strong desire that the building be limited to one story in height.

The density of the proposed use is significantly below the maximum allowed in the zone, and coverage on the Property is less than 17%, well below the 25% maximum. Finally, the proposed parking is minimal and is placed below grade, avoiding any visual impact on the surrounding neighborhood.

(c.) substantially conforms with the recommendations of the applicable master plan;

The project conforms with the goals and objectives of the 2002 Approved and Adopted Potomac Subregion Master Plan, however with the recommendation for a 10 foot shared use path along the property's frontage, the project substantially conforms to the 2005 Approved and Adopted Countywide Bikeways Functional Master Plan. The recommendation, as clearly indicated in the Bikeways Functional Plan, is for River Road to have both a shared use path and a signed shared roadway from the D.C. line to Seneca Road (See Attachment 7). The shared use path is intended to accommodate both bicyclists and pedestrians. Currently in front of the Applicant's site, there is only a shoulder that does not safely accommodate pedestrians and bicyclists based on the recommendations in the Master Plans.

(d.) is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;

As discussed above, the low-scale residential design and character of the Residence harmonizes with the residential character of the adjacent neighborhood. Additionally, the traffic and parking impacts associated with the use are minimal and will not alter the character of the surrounding neighborhood.

(e.) will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area,- a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of the area;

There are only two other conditional uses in the vicinity of the Property: Congressional Country Club, a private recreational facility, and the Norwood school, a private educational institution for grades K-8. The predominate character of the area is residential and will remain so after implementation of the Conditional Use.

(f.) will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities

test is not required. If an adequate public facilities test is required and:

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

The Property is currently a lot of record and, therefore, a preliminary subdivision plan will not be required as part of the entitlements. As reviewed in the Engineering Report included in the Application, adequate sanitary sewer and storm drainage facilities exist to serve the Project and water is available in close proximity to the Property and will be extended to the Property as part of the Project. Additionally, as reviewed in the Traffic Statement, traffic generated by the Project will be minimal. School adequacy is not affected by the Conditional Use. The Property is adequately served by the Cabin John Fire Department, which is located close by on River Road, and the Bethesda 2nd District Police Station. In terms of adequate roads, the 2005 *Countywide Bikeways Functional Master Plan* calls for a dual bikeway along River Road. Currently in front of the Applicant's site, there is only a shoulder that does not safely accommodate pedestrians and bicyclists. Based on the recommendations, a condition has been made to this application for the construction of the shared use path along the Property line to connect to existing segments already built along River Road. This condition will provide adequate bike facilities recommended for the area.

- (ii.) if a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; and*

The Property is currently a lot of record and, therefore, a preliminary subdivision plan will not be required as part of the entitlements.

- (g.) will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:*

As established in previous cases, the physical and operational characteristics inherent to a residential care facility are (1) buildings and related outdoor recreational areas or facilities; (2) parking areas; (3) lighting; (4) vehicular trips to and from the site by employees, visitors, residents, delivery, and trash pick-up; (5) noise generated by equipment for the facility and by occasional outdoor activities of residents and their families. There are no non-inherent adverse effects that, standing alone or in combination with an inherent adverse effect, would cause any undue harm to the neighborhood.

- i. the use, peaceful enjoyment, economic value or development potential of*

abutting and confronting properties or the general neighborhood.

The Project is suitable for the Property and is carefully designed to be sensitive to the surrounding neighborhood. The proposed one-story nature of the building, the building articulation that serves to reduce its scale, the concentration of activity away from adjacent residences, and the below-grade parking all enhance compatibility and minimize the impacts of the inherent characteristics of a residential care facility on the adjacent neighborhood. Moreover, the proposed residential use of the Property makes the improvements suitable for the adjacent residential area and compatible with the surrounding land uses, thus protecting and preserving the use, peaceful enjoyment, economic value, and development of abutting and confronting properties and the general neighborhood.

ii. traffic, noise, odors, dust, illumination, or lack of parking; or

The Residence will have minimal impacts and will cause no objectionable traffic, noise, odors, dust or illumination impacts on the adjacent neighborhood. As noted above, lighting is screened from nearby residences, and is directional to prevent spillage and glare. The trash dumpster and generator (which will only be exercised once a week during the mid-day hours) are located proximate to the below-grade parking entrance and far removed from adjacent residences. This area is approximately 16 feet below the slab grade of the Residence. This grade differential will shield any noise impacts from adjacent residences. HVAC units are located on the roof of the Residence, but in a recessed area behind the roof lines that completely obstructs the view of the units and shields any noise impacts. Traffic to and from the site will be minimal, given the nature of the use, and activity on the site will be concentrated on the eastern side of the building, entirely screened from adjacent residential properties by the building itself, proposed fencing/retaining walls, and extensive landscaping. Adequate parking is provided and located primarily below-grade and completely obscured from view, eliminating any noise and lighting impacts associated with cars on the site.

iii. the health, safety, or welfare of neighboring residents, visitors, or the employees,

The proposed use will cause no undue harm to the neighborhood. The low-scale and residential character of the Conditional Use will not have any adverse effects on the health, safety, or welfare of neighboring residents, visitors, or employees in the area. The purpose of the Conditional Use is to provide a much needed service to residents of the area in need of memory care.

CONCLUSION

Planning staff recommends that the Planning Board forward to the Hearing Examiner a recommendation approval of Conditional Use CU 15-05, subject to the conditions stated at the beginning of this staff report. It meets the standards set out for residential care facility and the general standards for conditional uses. With the addition of the shared use path along River Road, the project is consistent with the 2005 Approved and Adopted Countywide Bikeways Functional Master Plan and 2002 Approved and Adopted Potomac Subregion Master Plan. The proposed project is designed to be compatible with uses in the surrounding area, including the neighboring residential communities, and it will not have an adverse effect on the neighborhood.

Attachments

- Attachment 1 – Conditional Use Application
- Attachment 2 – Statement of Support
- Attachment 3 – Site Plan, dated May 5, 2015
- Attachment 4 – Renderings
- Attachment 5 – Floor Plan
- Attachment 6 – Stormwater Management Concept
- Attachment 7 – 2005 Countywide Bikeways Functional Master Plan Table
- Attachment 8 – Traffic Statement
- Attachment 9 – Applicable Sections of the 2002 Potomac Subregion Master Plan
- Attachment 10 – Forest Conservation Variance Letter
- Attachment 11 – Tree Variance Letter
- Attachment 12 – Landscape Plan and Details
- Attachment 13 – Concept Utility Plan
- Attachment 14 – Approved Natural Resources Inventory/Forest Stand Delineation Plan
- Attachment 15 – Preliminary Forest Conservation Plan
- Attachment 16 – List of Adjoining and Confronting Property Owners and Local Citizens Association

**OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
MONTGOMERY COUNTY, MARYLAND**
100 Maryland Avenue, Room 200
Rockville, Maryland, 20850
(240) 777-6660
{Form Revised 10-7-14}

OZAH No. CU-	_____
Date Certified Complete	_____
Date Filed	_____
Hearing Date	_____
Time	_____

APPLICATION FOR CONDITIONAL USE (OTHER THAN AN ACCESSORY APARTMENT)

(Please note instructions on reverse side. Application cannot be processed unless all information is submitted)

Application is hereby made for a Conditional Use under the Zoning Ordinance for the Montgomery-Washington Regional District in Montgomery County, Maryland (Chap. 59, Mont. Co. Code 2014) as follows:

Applicant(s) Artis Senior Living
 Property to be used: Lot 13 Block 2 Subdivision Clewerwall Knolls
 Street Address 8301 River Road City Bethesda State MD Zip 20817
 Zone Classification RE-2 Tax Account No. 10-02806272
 Proposed Use Residential Care Facility (over 16 persons)

If this Application is for a Day Care Facility, specify the number of children to be cared for _____

Zoning Ordinance subsection providing for proposed use: Section 59-33.2.E
 (in accordance with Section 59-7.3.1)

Owner of property: Name Mahinder Tak
 Address 8301 River Road, Bethesda, MD 20817

Applicant's present legal interest in above property: (check one)
 Owner (including joint ownership) Lessee Tenant other than lessee Contract Purchaser
 Other (Describe) _____

Has any previous application for a special exception or conditional use involving this property been made by this Applicant, or by anyone else to this Applicant's knowledge? No
 If so, give Case Number(s): _____

I have read the instructions on the reverse side of this form, and am filing herewith all of the required accompanying information. I hereby affirm that all of the statements and information contained in or filed with this Application are true and correct.

Erin E. Girard Erin E. Girard
 Signature of Attorney - (Please print next to signature)
 Linowes and Blocher LLP, 7200 Wisconsin Ave.
 Suite 800, Bethesda, MD 20814
 Address of Attorney

Jay Hicks Jay Hicks
 Signature of Applicant(s) - (Please print next to signature)
 1651 Old Meadow Road, Suite 100, McLean, VA 22102
 Address of Applicant(s)

301.961.5153 egirard@linowes-law.com
 Telephone Number Email Address

703.992.7964 703.470.4446
~~Home~~ Telephone Number ~~Work~~ Telephone Number
 Work Cell

Conditional Use Annual Billing Information (Please Print)

Name: _____
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Telephone Number: _____ Email Address: _____

subsurface parking area located to the east of the Residence, and related and necessary ancillary uses typical for a development of this type (the "Project").

I. BACKGROUND

Artis is the contract purchaser of the Property, which is currently improved with a large single-family residence, garage, accessory pool and tennis court. A letter from the current owner, Mahinder Tak, authorizing Artis to file the Application as the contract purchaser is included as Exhibit "D" to the Application.

Artis and related entities have developed dozens of residential memory care facilities across the United States, and recently opened Olney Assisted Living in Olney, Maryland at 16940 Georgia Avenue. The Residence proposed in the Application will be very similar to the one constructed in the Olney project, the demand for which has exceeded expectations.

Dementia is increasingly prevalent in the United States population. According to the Alzheimer's Association, a new case of Alzheimer's Disease is diagnosed every 68 seconds. This rate is accelerating and expected to reach a new diagnosis every 33 seconds by the year 2050. In the age 85 and above demographic (the fastest growing segment of the population), up to 50% have some form of dementia.

Oftentimes, individuals with dementia are prematurely placed in nursing homes or are restricted within other assisted living facilities. This can limit the freedom, self-esteem, and quality of life of the resident. Counter to this, Artis' objective is to give individuals impacted by dementia freedom within a secure environment that significantly enhances the lives of these individuals and their families. Prior to accepting residents into the Residence, each will be evaluated to ensure the level of care needed is commensurate with the capacity of the Residence to provide the same. Care is then personalized to the resident, based on the resident's life

experiences and current abilities, both physical and cognitive. In this regard, caregivers at the Residence receive specialized training in dementia and Alzheimer's disease and are available to assist residents with meals, dressing, healthcare and other daily living activities as necessitated by the individual needs of each resident.

II. PROPOSED IMPROVEMENTS

As shown on the Conditional Use Site Plan included in the Application as Exhibit "E" (the "Site Plan"), and as outlined above, the Project will include one residential care facility, one story (approximately 15 feet) in height, and approximately 40,000 square feet in area, including basement. As shown on the Building Floor Plans included as Exhibit "F", the Residence will be divided into four "neighborhoods" surrounding a central community core. The central community core will be finished with a streetscape façade, and will include ancillary services, including a beauty salon/ barbershop and a health center. At the front of the core, adjacent to the main entrance, will be an office and marketing area. Below the core is an approximately 5,647 square-foot basement area containing the kitchen, employee lounge, offices, storage, and a conference room. At the back of the Residence is a large community room and an arts and crafts and assembly area, both of which open onto a large rear porch.

The four neighborhoods have distinctive names, front porches and entry areas to aid in identification and to provide the residents a sense of place and inclusion. Each of the neighborhoods contains a central hallway, off of which individual bedrooms, each with a full bathroom, are located. Each neighborhood has a common family room, dining room, and pantry to enhance socialization, as well as shower spas. While meals are prepared by a chef in the central kitchen, residents are served restaurant style in each neighborhood's dining area. Each

dining area also has a “pantry” where residents may bake cookies, etc. with supervision. Each dining area opens onto a covered porch. The Residence also has two internal courtyards.

The façade of the attractive one-story residential style building will be lap siding with stone accents and a composition shingle roof, as shown on the exterior elevations and project perspectives included as Exhibit “G”. As more fully described in the Architectural Report (Exhibit “H”) and Land Planning Report (Exhibit “M”), care was taken to design the Residence to be architecturally compatible with the nearby residential community in its scale, bulk, height, materials, and textures.

The Property will be extensively and attractively landscaped with special screen elements provided near the side and rear property lines. Although most activity will occur to the front of the building and internal to the Residence, and therefore will not adversely impact the adjacent single family residential area, compatibility will be reinforced by having the site activity further screened by a 6-foot 6-inch board on board fence around the south side of the residents’ outdoor areas, and a retaining wall (maximum 11 feet in height) along the western and northern boundaries of the outdoor areas of the Residence.

Lighting will be mostly limited to the front of the Residence and downward directional lighting will be used to limit the visibility of any lighting from nearby properties. Lighting in the rear of the Residence is limited to low level exit, patio and walkway lighting that will be completely screened from adjacent properties by the proposed perimeter retaining wall/fencing and extensive landscaping and this lighting will be automatically turned off at 11:00 p.m.

Access to the Residence will be via an existing driveway and curb cut on River Road. As noted in the traffic statement included as Exhibit “I”, the traffic associated with the Project will be extremely limited, especially during peak hours, with only 2 trips projected during the AM

peak and 4 trips during the PM peak. As none of the residents will be operating vehicles, trips to and from the site are comprised mainly of visitors and employees.

As is more fully discussed in the Engineering and Environmental Report (Exhibit "J") and shown on the Concept Utility Plan (Exhibit "P"), all major utilities necessary to service the Project are immediately available and adequate, with the exception of public water, which is available in close proximity to the Property. Although the Property is classified as W-1, S-1, a connection to the existing water line in River Road near its intersection with Clewerall Drive will be necessary to provide water service to the site.

As shown on the Concept Stormwater Management Plan (Exhibit "K"), and detailed in the Engineering and Environmental Report (Exhibit "J"), a comprehensive stormwater management program is proposed as part of the Project that will comply with all applicable laws, regulations and guidelines (including Environmental Site Design to the Maximum Extent Practicable). Environmental Site Design techniques proposed include a total of 6 surface and 2 planter box Micro-Bioretenion facilities.

III. PROPOSED OPERATIONS

The Residence will be open 24 hours a day, 7 days a week, 365 days a year. Visitors of residents are welcome at any time via controlled access.

It is anticipated that the Project will employ a maximum of 38 employees, with a maximum of 18 on a given shift. The three shifts are: 6:00 a.m. to 2:00 p.m., 2:00 p.m. to 10:00 p.m. and 10:00 p.m. to 6:00 a.m. (thus minimizing site traffic during the peak travel times of the local road network).

A trash truck will service the Residence 1-2 times per week at non-rush hour times. Food delivery will occur approximately 2 times per week via a small box truck. Deliveries will be

made on the front side of the Residence, away from the neighboring residential uses. United Parcel Service or Fed Ex deliveries are expected to occur occasionally between the hours of 10 a.m. and 3 p.m.

During the initial fill period, it is projected that three to four residents will move in per month. Once stabilized, move-ins and move-outs usually vary between zero and two residents per month.

IV. MASTER PLAN CONFORMANCE

The Property lies within the boundaries of the Potomac Subregion Master Plan, approved and adopted in April 2002 (the "Master Plan"), and is included in the "Potomac" area of that Plan. See Master Plan, p. 41 (Exhibit "L"). The Master Plan generally recommends continuation of the RE-2 zoning on the Property, but does not include any specific recommendations for the site. *Id.* p. 40.

An overarching theme of the Master Plan is that "[n]ew development and redevelopment must respect and enhance the Subregion's environmental quality, while helping to build communities and resources that will serve existing and future generations of residents." *Id.* p. 1. The Project achieves this objective by retaining approximately 1.4 acres of forest cover on the site and maintaining the most steeply graded portion of the Property, which slopes down to Cabin John Creek, in its natural state, thereby respecting the environmental quality of the area. At the same time, the Project will provide an important community amenity of memory care assisted living in an area currently underserved by such facilities, as discussed more fully below.

The Master Plan sets forth a number of design principles for development in the subregion, including "provid[ing] storm water management according to current standards and retrofit[ing] projects for currently untreated sites" including the incorporation of "alternative

techniques that increase filtration and enhance natural hydrology, such as small bioretention areas, rooftop gardens, disconnection of impervious cover, alternative pavers, soil amendments and conditioning, or other landscape techniques.” *Id.* at 34. As noted above, and detailed in the Engineering and Environmental Report (Exhibit “J”), the Project incorporates Environmental Site Design techniques, including Micro-Bioretention facilities to capture, treat and release storm flows, and will provide stormwater management in an area currently subject to no stormwater controls, all in furtherance of the Master Plan’s stated objectives. “The Master Plan also encourage(s) development clustering to protect environmentally sensitive areas.” *Id.* at 14. This principle is also achieved with the Application. The Application proposes the construction of the single building and associated parking on the western side of the Property, in an area already cleared of vegetation, rather than proposing any significant disturbance of the environmentally sensitive forested areas on the eastern portion of the Property.

The Master Plan also provides detailed recommendations regarding the incorporation of conditional uses¹ into the community. These recommendations include: “[p]rotect...major transportation corridors and residential communities from incompatible design of [conditional uses] . . .” *Id.* at 36. With regard to the design of conditional uses specifically, the Master Plan further recommends: (a) “Adhere to Zoning Ordinance requirements to examine compatibility with the architecture of the adjoining neighborhood,” (b) “Parking should be located and landscaped to minimize commercial appearance,” and (c) “Efforts should be made to enhance or augment screening and buffering as viewed from abutting residential areas and major roadways.” *Id.* at 36. The Project was designed with these recommendations in mind. First, the proposed

¹ The Master Plan was adopted prior to the Zoning Ordinance’s recent renaming of special exceptions as conditional uses. For purposes of consistency, the term “conditional use” is used herein where the term “special exception” is used in the plan.

siting, one-story scale, and residential-style architecture of the Residence, coupled with the extensive landscaping and screening of the Residence from adjacent residential properties, ensures the compatibility of the building with the adjoining neighborhood. With a maximum height of 15 feet the Residence has a significantly lower profile than the existing structure on the Property and nearby residences. Second, the parking associated with the use is proposed to be located below grade, in an area removed from the adjacent residential neighbors, and attractive landscaping will be provided around the entrance to the parking area. Finally, the proposed screening along the Property's perimeter, adjacent to residential areas, will meet and exceed all landscaping requirements and provide an effective and attractive screen for the proposed use from neighboring properties, especially when viewed in combination with the significant forested areas to be retained on and adjacent to the Property. Existing grade and significant vegetation to be retained between the proposed use and River Road will also ensure limited visibility of the Residence from River Road.

A particular focus of the Master Plan is on the provision of "Housing for the Elderly" in the Potomac Subregion. As noted in the plan, "[t]he Potomac Subregion does not fully meet its residents' needs for senior housing within its boundaries...[and] is approximately 450 units short of industry demand standards." *Id.* at 36. "It is a stated objective of the plan to meet these senior housing needs within the boundaries of the Subregion ..." *Id.* In this regard, the Master Plan finds, "[s]enior housing is appropriate throughout the Subregion wherever zoning permits this use, either by right or as a [conditional] use." *Id.*, p. 38. One potential location for such housing specifically identified in the Plan is the Stoneyhurst Quarry. That site, located approximately 1200 feet southeast of the Property along River Road, was later approved for 97

market-rate multi-family units. *Id.* at 38. The Application provides the opportunity, however, for senior housing in close proximity to this recommended location.

The plan notes that the unmet need for senior housing “will increase significantly by 2020.” *Id.* This has proven to be the case. Despite increases in demand, very little new senior housing, especially memory care, has been constructed in the Subregion since the adoption of the Master Plan. As a result, the senior housing shortage identified in 2002 in the Master Plan has only been exacerbated in the years since the Plan’s adoption. In fact, of the 750 units the Master Plan anticipated would need to be constructed by 2020 to meet demand (which number does not include 182 units anticipated by the Plan but never constructed),² only approximately 360 units have been constructed, leaving a deficit of 572 units ($750+182-360=572$). Moreover, only a small percentage of the units constructed have been memory care, when, as noted above, the demand for such units has been steadily increasing. Thus, the Conditional Use would help to begin to address the critical deficit of senior housing in the Subregion, in conformance with the Master Plan, and help meet an important and growing need of the residents of the Subregion.

Finally, the Master Plan recommends retention of the two-lane road system in the Subregion and has a stated objective of minimizing car trips in the area to compensate for population growth and the lack of roadway improvements. *Id.* p. 34, 109. As noted above, the Application will have minimal impact on traffic and the adjacent roadways. Additionally, a bus stop is currently located along the Property’s frontage, which provides all day Ride-on service,

² It appears that only two of the four senior housing communities identified in the Master Plan as pending approval or approved were actually constructed and that these projects contained a total of 182 units.

and it is anticipated that this stop will be used by a number of employees,³ further reducing any impact of the Project on the road system.

V. CONDITIONS OF APPROVAL

Pursuant to the applicable conditions and standards of Section 59-7.3.1.E of the Zoning Ordinance, to approve a conditional use application, the Hearing Examiner must find that the proposed development:

(1) *satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;*

There are no previous approvals relevant to the Application. Therefore, this provision does not apply.

(2) *satisfies the requirements of the zone, use standards under Article 59-3, and applicable general requirements under Article 59-6;*

Requirements of RE-2 Zone

Residential Care Facilities are permitted as conditional uses in the RE-2 zone and the proposed development conforms to the applicable requirements of the RE-2 zone, as shown on the data table of the Conditional Use Site Plan (Exhibit "E").

Requirements of Article 59-3

The Conditional Use also complies with the use standards and requirements of Section 59-3.32.E.c.11 of the Zoning Ordinance pertaining to Residential Care Facilities as follows:

- (a) *The facility may provide ancillary services such as transportation, common dining room and kitchen, meeting or activity rooms, convenience commercial area or other services or facilities for the*

³ Given the substantial grade change between the Residence and the bus stop, a sidewalk cannot reasonably be constructed between the two. Therefore, Artis intends to establish a procedure for conveying employees and visitors to the building from the bus stop by car.

enjoyment, service or care of the residents. Any such service may be restricted by the Hearing Examiner.

As noted above, the Residence will have common dining areas, a main kitchen, an activity room, and ancillary services such as a beauty salon/barbershop and a health center. The provision of these spaces and services on the site is intended to address the special needs of the residents only and will not have any adverse impacts on the surrounding community.

(b) [N/A]

(c) [N/A]

(d) *Where facility size is based on the number of beds, not dwelling units, the following lot area is required:*

* * *

(2) In all other zones, the minimum lot area is 2 acres or the following, whichever is greater:

(i) in RE-2, RE-2C, RE-1, and R-200 zone: 1,200 square feet per bed;

The Application proposes a 72-bed facility on an approximately 191,109 square-foot lot, equating to approximately 2654 square feet per bed, more than double the minimum area requirements of this section.

* * *

(e) *The minimum side setback is 20 feet.*

As shown on the Site Plan included in the Application (Exhibit "E"), the proposed side setbacks are 28 feet (west) and 220 feet (east), more than satisfying this requirement.

(f)-(h) [N/A]

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

The Residence is proposed as a one-story structure, a maximum 15 feet in height, which is significantly lower than the height of the existing single-family building on the Property and adjacent residences. As noted above, the density of the proposed use is significantly below the maximum allowed in the zone, and coverage on the Property is less than 17%, well below the 25% maximum. Finally, the proposed parking is minimal and is placed below grade, avoiding any visual impact on the surrounding neighborhood.

Requirements of Article 59-6

The Application meets all applicable requirements of Article 59-6 of the Zoning Ordinance with regard to vehicular and bicycle parking,⁴ loading, landscaping and screening, and lighting as shown on the site, landscape, and lighting plans and associated data tables included in the Application. The Application further complies with the specific requirements for conditional uses in residential zones as discussed below:

Section 6.2.5.K. Facilities for Conditional Uses in Residential Detached Zones. Any off-street parking facility for a conditional use that is located in a Residential Detached zone where 3 or more parking spaces are provided must satisfy the following standards:

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

As discussed above, the off-street parking proposed as part of the Project will primarily be located below-grade and away from the adjacent residential area, protecting the residential character of the area. The parking will not be visible from River Road, preserving the existing character of that road.

⁴ The vehicular parking associated with the Project will be below-grade and, therefore, is appropriately screened pursuant to Section 59-6.2.9.B.

2. *Setbacks.*

- a) *The minimum rear parking setback equals the minimum rear setback required for the detached house.*

The required rear parking setback is achieved with the Application.

- b) *The minimum side parking setback equals 2 times the minimum side setback required for the detached house.*

The required side setbacks are achieved with the Application.

Section 6.4.4.E. Conditional Uses. Outdoor lighting for a conditional use must be directed, shielded, or screened to ensure that the illumination is 0.1 footcandles or less at any lot line that abuts a lot with a detached house building type, not located in a Commercial/Residential or Employment zone.

As discussed above, lighting is mainly limited to the front of the Residence and is directional to avoid light spillage. Lighting to the rear of the Residence, adjacent to residential areas, is limited to low-level lighting along paths and walkways which, as shown on the Photometric Plan (Exhibit "O") will not exceed 0.1 footcandles at the lot line.

- (3) *substantially conforms with the recommendations of the applicable master plan;*

As outlined in Section IV above, and in the Land Planning Report (Exhibit "M"), the Application substantially conforms with the goals and objectives of the Master Plan.

- (4) *is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;*

As discussed above, the low-scale residential design and character of the Residence harmonizes with the residential character of the adjacent neighborhood. Additionally, the traffic and parking impacts associated with the use are minimal and will not alter the character of the surrounding neighborhood.

- (5) *will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity or scope of*

conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of the area;

As discussed in Section IV above, the Conditional Use substantially conforms with the recommendations of the Master Plan and, therefore, *ipso facto* does not alter the nature of the area. For reference, however, there are only two other conditional uses in the vicinity of the Property: Congressional Country Club, a private recreational facility, and the Norwood school, a private educational institution for grades K-8. The predominate character of the area is residential and will remain so after implementation of the Conditional Use.

(6) *will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:*

(a) if a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; or

The Property is currently a lot of record and, therefore, a preliminary subdivision plan will not be required as part of the entitlements.

As reviewed in the Engineering Report included in the Application, adequate sanitary sewer and storm drainage facilities exist to serve the Project and water is available in close proximity to the Property and will be extended to the Property as part of the Project.

Additionally, as reviewed in the Traffic Statement, traffic generated by the Project will be minimal. School adequacy is not affected by the Conditional Use. The Property is adequately

served by the Cabin John Fire Department, which is located close by on River Road, and the Bethesda 2nd District Police Station.

(b) [N/A]

(7) *will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:*

As established in previous cases, the physical and operational characteristics inherent to a residential care facility are (1) buildings and related outdoor recreational areas or facilities; (2) parking areas; (3) lighting; (4) vehicular trips to and from the site by employees, visitors, residents, delivery, and trash pick-up; (5) noise generated by equipment for the facility and by occasional outdoor activities of residents and their families. *See Board of Appeals Case No. S-2819; OZAH Case No. 12-04.* As discussed below, there are no non-inherent adverse effects that, standing alone or in combination with an inherent adverse effect, would cause any undue harm to the neighborhood.

(a) *the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;*

As further detailed in the Land Planning Report, the Project is suitable for the Property and is carefully designed to be sensitive to the surrounding neighborhood. The proposed one-story nature of the building, the building articulation that serves to reduce its scale, the concentration of activity away from adjacent residences, and the below-grade parking all enhance compatibility and minimize the impacts of the inherent characteristics of a residential care facility on the adjacent neighborhood. Moreover, the proposed residential use of the Property makes the improvements suitable for the adjacent residential area and compatible with the surrounding land

uses, thus protecting and preserving the use, peaceful enjoyment, economic value, and development of abutting and confronting properties and the general neighborhood.

(b) *traffic, noise, odors, dust, illumination, or lack of parking; or*

The Residence will have minimal impacts and will cause no objectionable traffic, noise, odors, dust or illumination impacts on the adjacent neighborhood. As noted above, lighting is screened from nearby residences, and is directional to prevent spillage and glare. The trash dumpster and generator (which will only be exercised once a week during the mid-day hours) are located proximate to the below-grade parking entrance and far removed from adjacent residences. This area is approximately 16 feet below the slab grade of the Residence, which grade differential will shield any noise impacts from adjacent residences. HVAC units are located on the roof of the Residence, but in a recessed area behind the roof lines that completely obstructs the view of the units and shields any noise impacts. Traffic to and from the site will be minimal, given the nature of the use, and activity on the site will be concentrated on the eastern side of the building, entirely screened from adjacent residential properties by the building itself, proposed fencing/retaining walls, and extensive landscaping. Adequate parking is provided and located primarily below-grade⁵ and completely obscured from view, eliminating any noise and lighting impacts associated with cars on the site.

(c) *the health, safety, or welfare of neighboring residents, visitors, or employees.*

The low-scale and residential character of the Conditional Use will not have any adverse effects on the health, safety, or welfare of neighboring residents, visitors, or employees in the area. On

⁵ For convenience, two standard parking spaces and one handicap parking space are located proximate to the front entrance. All other parking is located in the below-grade structure.

the contrary, the purpose of the Conditional Use is to provide a much needed service to residents of the area in need of memory care.

(8) *Any structure to be constructed, reconstructed or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.*

As reviewed above and in the Architectural Report, the Residence is residential in nature and relates well to the surrounding area in terms of scale, bulk, height, materials and textures, and therefore is compatible with the character of the adjacent residential neighborhoods.

VII. EXHIBITS

In accordance with the requirements set forth in Section 59-7.3.1.B of the Zoning Ordinance, the following is included as part of the Application:

- (1) Completed Conditional Use Application
- (2) Montgomery County Tax Map showing the Property (Exhibit "A")
- (3) A copy of Record Plat No. 17173 (Exhibit "B")
- (4) Certified Zoning Map of the Property (Exhibit "C")
- (5) Letter of Authorization from Property Owner authorizing Artis to file the Application (Exhibit "D")
- (6) Conditional Use Site Plan and Details prepared by Macris, Hendricks and Glascock, PA (2 sheets) (Exhibit "E")
- (7) Building Floor Plans prepared by Dan Dokken, AIA (Exhibit "F")
- (8) Exterior Elevations and Renderings prepared by Dan Dokken, AIA (Exhibit "G")
- (9) Architectural Report prepared by Dan Dokken, AIA (Exhibit "H")
- (10) Traffic Statement Prepared by Lenhart Traffic Consulting, Inc. (Exhibit "I")

- (11) Engineering and Environmental Report prepared by Macris, Hendricks and Glascock, PA (Exhibit "J")
- (12) Concept Stormwater Management Plan, prepared by Macris, Hendricks and Glascock, PA (Exhibit "K")
- (13) Applicable Sections of the Approved and Adopted Potomac Subregion Master Plan (2002) (Exhibit "L")
- (14) Land Planning Report prepared by Macris, Hendricks and Glascock, PA (Exhibit "M")
- (15) Landscape Plan and Details prepared by Macris, Hendricks and Glascock, PA (4 sheets) (Exhibit "N")
- (16) Proposed Site Lighting Plans, Details, and Photometrics prepared by Dan Dokken, AIA (2 sheets) (Exhibit "O")
- (17) Concept Utility Plan prepared by Macris, Hendricks and Glascock, PA (Exhibit "P")
- (18) Site and Adjacent Area Map prepared by Macris, Hendricks and Glascock, PA (Exhibit "Q")
- (19) Existing Conditions Plan prepared by Macris, Hendricks and Glascock, PA (Exhibit "R")
- (20) Approved Natural Resources Inventory/Forest Stand Delineation Plan (Exhibit "S")
- (21) Preliminary Forest Conservation Plan prepared by Macris, Hendricks and Glascock, PA (Exhibit "T")

(22) List of Adjoining and Confronting Property Owners and Local Citizens Associations (Exhibit "U")

(23) Outline of Outreach to the Community (Exhibit "V")

(24) Resume of Dan Dokken (Exhibit "W")

(25) Resume of Patrick La Vay (Exhibit "X")

(26) Resume of Victoria S. Bryant (Exhibit "Y")

(27) Resume of Michael Lenhart (Exhibit "Z")

We anticipate having the following witnesses appear at the public hearing:

(a) Jay Hicks, Artis' Senior Vice President (and/or another or other representative(s) of Artis), will testify with respect to the history and mission of Artis, the need for the Conditional Use, and the operational characteristics of the proposed use.

(b) Dan Dokken will testify as an expert architect. A copy of Mr. Dokken's resume is attached (Exhibit "W"). Mr. Dokken will address the design, scale and bulk of the physical improvements and the architectural compatibility of the proposed improvements with the existing surrounding neighborhood.

(c) Victoria Bryant, Macris, Hendricks and Glascock, PA, will testify as an expert in landscape architecture and land planning. A copy of Ms. Bryant's resume is attached (Exhibit "Y"). Ms. Bryant will address the landscaping proposed in the Application and its compatibility with the surrounding area and will also address conformance of the Application with the Potomac Subregion Master Plan and the Montgomery County Zoning Ordinance. Ms. Bryant's analysis and conclusions that the Application is in conformance with the Zoning Ordinance and applicable Master Plan, satisfies requisite development standards and is in

harmony with the surrounding neighborhood are included in the attached Land Planning Report (Exhibit "M").

(d) Patrick G. La Vay, Macris, Hendricks and Glascock, PA, will testify as an expert in civil engineering. A copy of his resume is attached (Exhibit "X"). Mr. La Vay will address engineering matters related to the Application, including utility adequacy and design, stormwater management, site drainage, site access and the effect the Application will have on adjacent properties and the surrounding community. Mr. La Vay's analysis and conclusions are attached in the Engineering and Environmental Report (Exhibit "J").

(e) Michael Lenhart, Lenhart Traffic Consulting, Inc., will testify as an expert in transportation planning/engineering concerning the transportation impacts of the Application. Mr. Lenhart has testified as an expert in transportation planning/engineering before the Hearing Examiner within the last two years; nevertheless, a copy of his resume is attached (Exhibit "Z"). Mr. Lenhart's conclusion that the Conditional Use will have a minimal impact on area traffic is included in the Traffic Statement included with this Application (Exhibit "I").

In addition to the foregoing, Artis reserves the right to call additional witnesses and submit such other reports and exhibits as it deems necessary.

Petitioner anticipates it will take approximately three hours to present its case-in-chief.

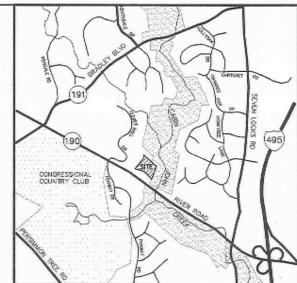
Respectfully submitted,

LINOWES AND BLOCHER LLP

By:  _____

Erin E. Girard

7200 Wisconsin Avenue, Suite 800
Bethesda, Maryland 20814
(301) 961-5153
Attorney for Applicant



VICINITY MAP
SCALE 1" = 2,000'

PROPERTY INFORMATION

SUBJECT PROPERTY: LOT 13, BLOCK 2 CLEWERWALL KNOLLS (PLAT NO. 17173) 8301 RIVER ROAD POTOMAC, MD 20817 L38364 P.353

PROPERTY OWNER: MAHINDER K TAK

CONTRACT PURCHASER: ARTIS SENIOR LIVING, LLC

EXISTING PARCEL AREA: 191,109 S.F. OR 4.39 ACRES

PROPOSED RIGHT OF WAY DEDICATION: 0 S.F. OR 0.00 ACRES

PROPOSED PARCEL AREA: 191,109 S.F. OR 4.39 ACRES

ZONING CLASSIFICATION: RE-2 - RESIDENTIAL ESTATE-2

TAX ID NUMBER: 10-02806272

EXISTING USE: SINGLE FAMILY RESIDENTIAL

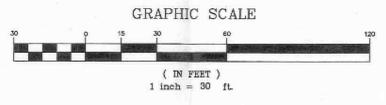
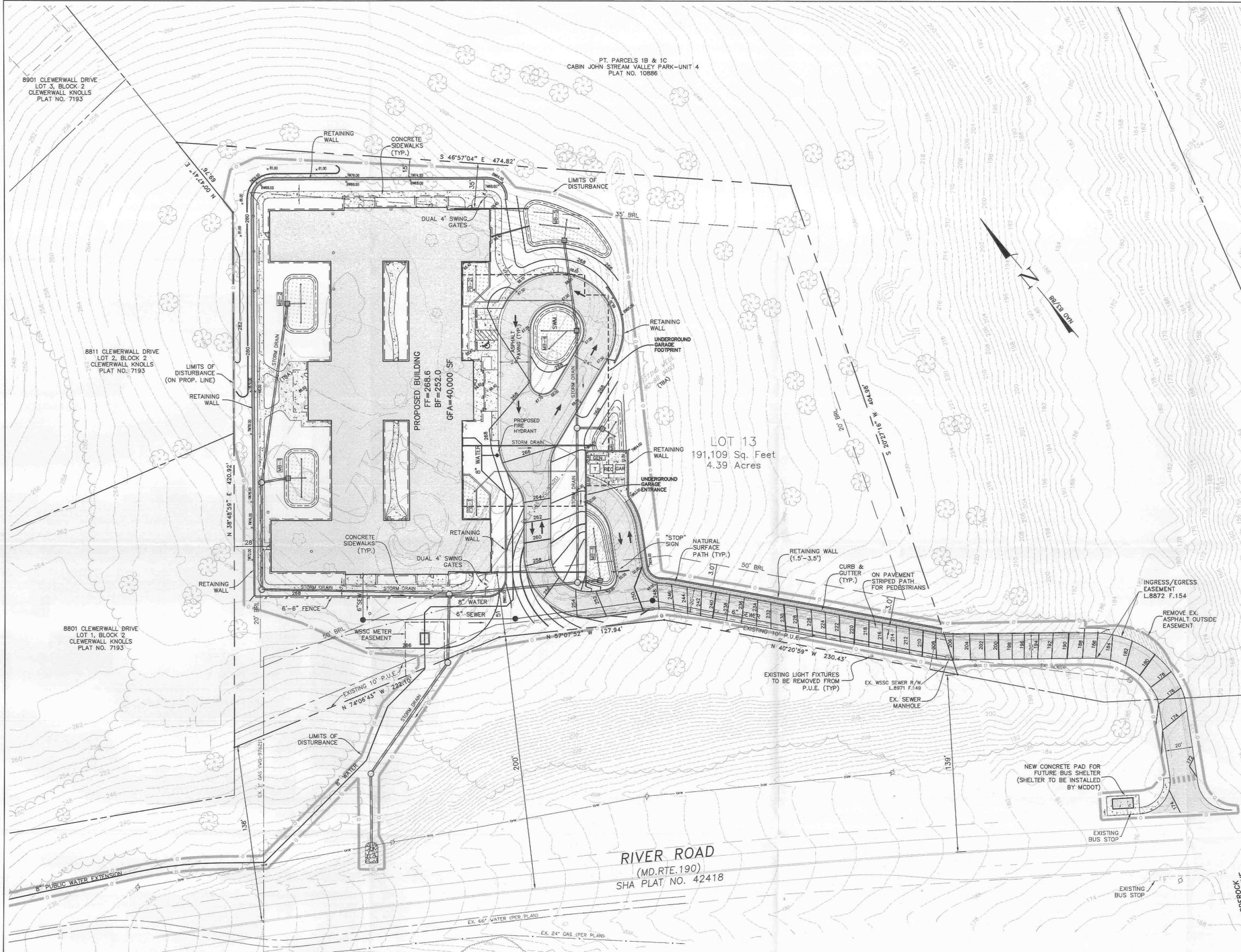
PROPOSED USE: RESIDENTIAL CARE FACILITY (OVER 16 PERSONS)

- SITE NOTES**
1. THE TOPOGRAPHY SHOWN IS TAKEN FROM AN AERIAL SURVEY PREPARED BY VIRGINIA RESOURCE MAPPING, IN JANUARY 2013 WITH 2' CONTOUR INTERVALS AND SUPPLEMENTED WITH AVAILABLE UTILITY RECORDS.
 2. BOUNDARY INFORMATION IS BASED ON A BOUNDARY SURVEY PREPARED BY POTOMAC VALLEY SURVEYS SUPPLEMENTED WITH RECORDED DEEDS & PLATS.
 3. WATER AND SEWER CATEGORIES ARE W-1 AND S-1, RESPECTIVELY.
 4. THE PROPERTY IS ZONED RE-2. THE PROPOSED LAND USE IS RESIDENTIAL CARE FACILITY (OVER 16 PERSONS).
 5. NUMBER OF LOTS PROPOSED BY THIS PLAN: 1 EXISTING LOT TO REMAIN
 6. A NATURAL RESOURCES INVENTORY MAP/FOREST STAND DELINEATION PLAN (#20131450) WAS APPROVED FOR THIS PROPERTY MARCH 22, 2013.
 7. A STORMWATER MANAGEMENT CONCEPT (SM FILE #273415) FOR THIS PROPERTY WAS SUBMITTED TO MDPS ON MARCH 13, 2015 AND IS CURRENTLY UNDER REVIEW.
 8. THIS SITE IS WITHIN THE 2002 POTOMAC SUBREGION MASTER PLAN AREA.
 9. THE SITE IS TRIBUTARY TO THE CABIN JOHN CREEK.
 10. THIS PLAN IS NOT FOR CONSTRUCTION PURPOSES.
 11. THE IMPROVEMENTS SHOWN ON THIS PLAN WILL BE CONSTRUCTED IN ONE PHASE.
 12. REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS.
 13. SERVICING UTILITY COMPANIES INCLUDE:
WATER & SEWER: WSSC
NATURAL GAS: WASHINGTON GAS
ELECTRIC: PEPCO
TELEPHONE: VERIZON

RE-2 ZONE/CONDITIONAL USE DEVELOPMENT STANDARDS

PLAN	PERMITTED/REQUIRED	PROVIDED PER THIS
MINIMUM LOT AREA: 59-3.3.2.E.2.C.I.(D)(2)(i)	87,120 S.F. ¹	191,109 S.F.
MINIMUM LOT WIDTH AT FRONT BUILDING LINE: 59-4.4.4.B.1	150 FEET	530 FEET
MINIMUM LOT WIDTH AT FRONT LOT LINE: 59-4.4.4.B.1	25 FEET	530 FEET
MAXIMUM COVERAGE 59-4.4.4.B.1	25.0%	16.8%
MINIMUM FRONT SETBACK 59-4.4.4.B.2	50 FEET	52 FEET
MINIMUM SIDE SETBACK 59-3.3.2.E.2.C.I.(E)	20 FEET	28 FEET
MINIMUM REAR SETBACK 59-4.4.4.B.2	35 FEET	35 FEET
MINIMUM FRONT SETBACK (ACCESSORY STRUCTURE) 59-4.4.4.B.2	80 FEET	146 FEET ²
MINIMUM SIDE SETBACK (ACCESSORY STRUCTURE) 59-4.4.4.B.2	15 FEET	15 FEET ²
MINIMUM REAR SETBACK (ACCESSORY STRUCTURE) 59-4.4.4.B.2	10 FEET	15 FEET ²
MAXIMUM BUILDING HEIGHT: 59-4.4.4.B.3	50 FEET	15 FEET
PARKING:		
MINIMUM NUMBER OF SPACES 59-6.2.4.B	27 SPACES (SEE BREAKDOWN BELOW)	38 SPACES
MINIMUM NUMBER OF ACCESSIBLE SPACES: 59-6.2.3.B & COMAR 05.02.02	2 SPACES	3 SPACES
MINIMUM NUMBER OF BICYCLE SPACES 59-6.2.4.C	N/A ³	2 SPACES

1. PER 3.3.2.E.2.C.I.(D)(2)(i), IN THE RE-2 ZONE WHERE A FACILITY IS BASED ON THE NUMBER OF BEDS, NOT DWELLING UNITS, THE MINIMUM LOT AREA IS 2.0 ACRES OR 1,200 SQUARE FEET PER BED, WHICHEVER IS GREATER.
 2. ACCESSORY STRUCTURE SETBACKS SHOWN ARE FOR RETAINING WALL WHERE HEIGHT EXCEEDS 6'-6".
 3. PER 59-6.2.4.C, BICYCLE PARKING IS REQUIRED AT THE RATE OF 0.25 SPACES PER DWELLING UNIT. THE UNITS IN THE UNITS IN THE PROPOSED BUILDING ARE NOT CONSIDERED "DWELLING UNITS" SINCE THEY DO NOT HAVE INDIVIDUAL COOKING FACILITIES IN EACH ROOM. THEREFORE, NO BICYCLE PARKING IS REQUIRED; HOWEVER, THE APPLICANT WILL PROVIDE TWO BICYCLE SPACES WITHIN THE PROPOSED GARAGE FOR STAFF OR VISITORS.
- PARKING DISTRIBUTION:**
- VEHICLES, REQUIRED PER 59-6.2.4.B: 0.25 SPACES PER BED @ 72 BEDS = 18 SPACES
0.50 SPACES PER EMPLOYEE @ 18 EMPLOYEES = 9 SPACES
TOTAL REQUIRED = 27 SPACES
- BICYCLES, REQUIRED PER 59-6.2.4.C: 0.25 SPACES PER BED @ 72 BEDS = 18 SPACES
- PROVIDED PER PLAN:**
- STANDARD (8.5' X 18') 35 SPACES
- ADA VAN ACCESSIBLE (8' X 18' MIN. WITH 5' ACCESS AISLE) 3 SPACES
- ADA (NON-VAN) ACCESSIBLE SPACES (8' X 18' MIN. WITH 5' ACCESS AISLE) 0 SPACES
- AUTOMOBILE TOTAL 38 SPACES



OWNER/APPLICANT
Artis Senior Living, LLC
1651 Old Meadow Road, Suite 100
McLean, VA 22102
Phone: (703) 992-8057
Contact: Dustin Hoffman

NO.	DATE	DESCRIPTION	BY
	02/12/15	CONDITIONAL USE APPLICATION	PGL
	05/05/15	REVISED PER MNCPC COMMENTS	PGL

CONDITIONAL USE SITE PLAN
ARTIS SENIOR LIVING
CLEWERWALL KNOLLS
LOT 13, BLOCK 2 (PLAT NO. 17173)
10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

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

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279

Phone 301.670.0840
Fax 301.948.0693
www.mhga.com

Proj. Mgr. Designer
PGL PGL
Date Scale
05/05/15 1"=30'
Project No. Sheet
14.224.11 1 of 1

MAY 5 2015
MONTGOMERY COUNTY
PLANNING & ZONING DEPARTMENT

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland License No. 14679, Expiration Date: 07/25/2014



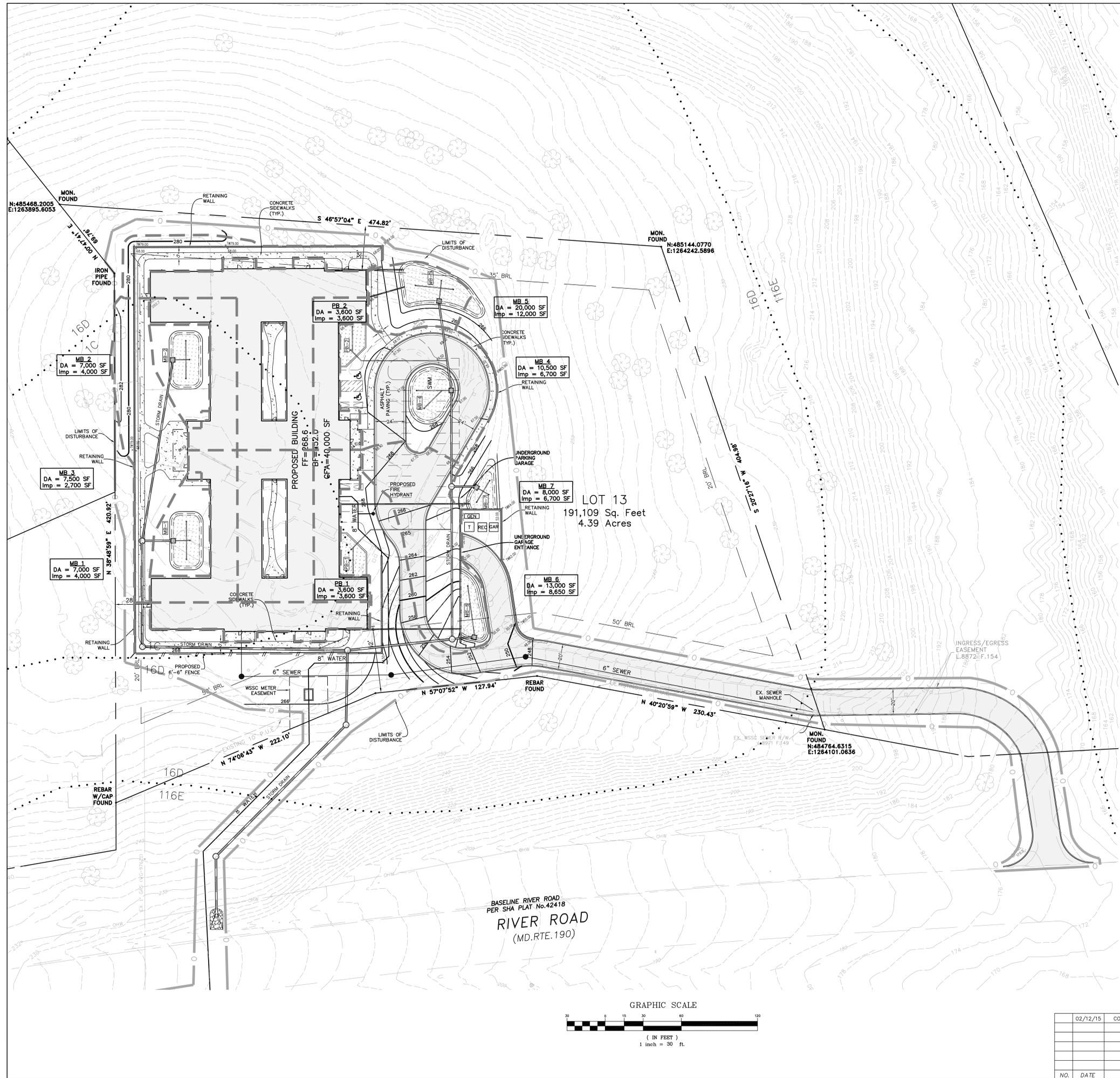
Dan Dokken, AIA

Artis Senior Living
Potomac, MD



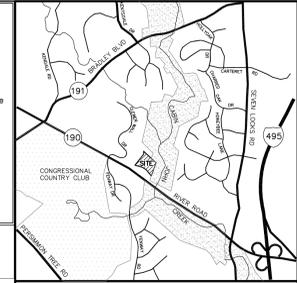
Dan Dokken, AIA

Artis Senior Living
Potomac, MD



LEGEND

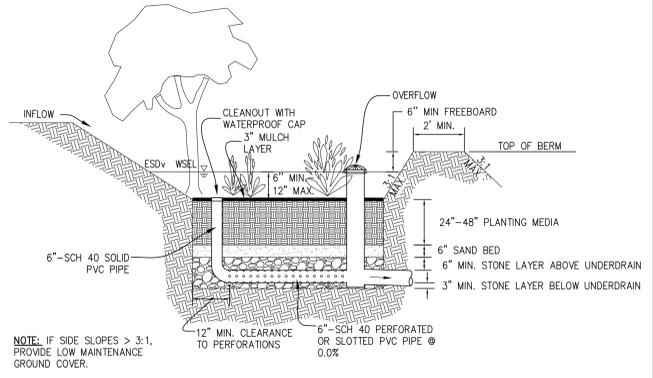
- 370 — Existing Contour
- 370 — Proposed Contour
- 0 — Limits of Disturbance
- 0 — Proposed Drainage Divide
- 0 — Existing Drainage Divide
- 0 — Micro-Bioretention
- 0 — Planter Box Micro-Bioretention
- 16D — Soil Boundary
- 116E — Soil Boundary



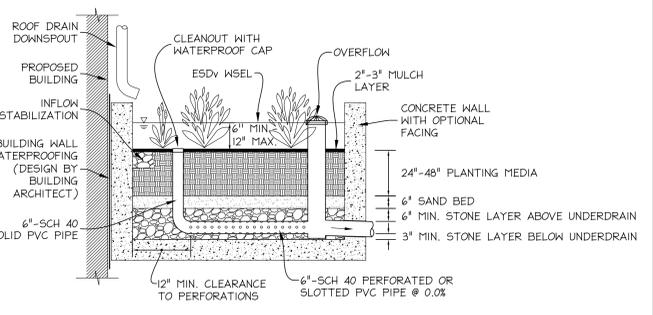
SOIL KEY

Mapping Unit	Soil Name	Hydric?	Highly Erodible?	HSG
1C	Galla silt loam, 8 to 15 percent slopes - offsite	N	N	B
160	Brinklow-Blocktown channery silt loams, 15 to 25 percent slopes	N	Y	B

VICINITY MAP
SCALE 1" = 2,000'

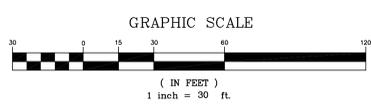


MICRO-BIORETENTION
TYPICAL CROSS SECTION
NTS



PLANTER BOX MICRO-BIORETENTION
TYPICAL CROSS SECTION
NTS

NOTE: A waiver of SWM requirements is requested for the CPv residual. Steep slopes and offsite improvements limit the opportunities for ESD or structural SWM measures for the driveway, which comprises a significant portion of the proposed impervious area. Onsite compensation has been maximized.



NO.	DATE	DESCRIPTION	BY
	02/12/15	CONDITIONAL USE APPLICATION	PGL

TAX MAP GN123 WSSC 210N08

STORMWATER MANAGEMENT CONCEPT PLAN
ARTIS SENIOR LIVING
CLEWERWALL KNOLLS
LOT 13, BLOCK 2 (PLAT NO. 17173)
10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

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

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279
Phone 301.670.0840
Fax 301.948.0693
www.mhgpa.com

Proj. Mgr.	Designer
PGL	PCW
Date	Scale
02/12/15	1"=30'
Project No.	Sheet
14,224.11	1 of 1

11/25/2014 10:55 AM C:\Users\jgarcia\Desktop\14224\14224.dwg 3/12/2015 1:42:38 PM Copyright © 2014 Manu, Hendrick & Glascock, P.A.

Table 2-2 Countywide Bikeways
Countywide Bikeways Functional Master Plan, Planning Board Draft - May 2004

Route #	1978 Route # reference	Bikeway Name	Bikeway Type	Limits		Plan Reference	Status/ Condition	BLOC Score*	Discussion
				From	To				
Bethesda/Chevy Chase/Friendship Heights/Potomac									
DB-1	E-10	MacArthur Boulevard	DUAL BIKEWAY; shared use path and bike lanes	D.C. line	Falls Road (MD189)	1978 MPB; Potomac Subregion	Existing 8-foot path on west side of road; some gaps		Major connection to D.C. and Capital Crescent Trail; facility planning initiated in 2002 to study bikeway needs. Need to identify local connector to CCT; Potomac Subregion Master Plan recommends only a shared use path; bike lanes are new proposal
DB-2	P23-A, P23-B, E-5	River Road (MD190)	DUAL BIKEWAY; shared use path and signed shared roadway	DC line	Seneca Road (MD112)	1978 MPB; Potomac Subregion	Shared use path exists in segments, other segments proposed; shared use roadway is new proposal	F	Major route currently used by bicycle commuters and recreational cyclists; provides major connection to D.C. from Potomac, North Potomac, Travilah and Darnestown; adequate shoulder space exists for signed shared roadway along majority of road. Short segments of shared use path have been constructed by developers on north side, west of I-495; Potomac Subregion Master Plan recommended a shared use path between I-495 and Seneca Road. New proposals include shared use path between DC line and I-495, and signed shared roadway from DC line to Seneca Road
DB-19	E-26, S-40	Falls Road (MD189)	DUAL BIKEWAY; shared use path and signed shared roadway	MacArthur Boulevard	Wootton Parkway	1978 MPB; Potomac Subregion	Existing 8' path alternates between north and south side of road, some gaps	E, F	Major connection between Rockville, Rockville Metro and MARC, and C&O Canal Towpath; facility planning initiated in 2002 to complete missing segment of bike path. Connects to Rockville's Millennium Trail, popular on-road bicycling route
DB-3	S18-A, S-18-B, P-54	Seven Locks Road	DUAL BIKEWAY; shared use path and signed shared roadway or bike lanes	Wootton Parkway	MacArthur Boulevard	1978 MPB; Potomac Subregion	Existing 5' path on west side south of Bradley Lane; existing 8' sidewalk on west side between Wootton Parkway and Montrose Road; existing wide shoulder between Montrose Road and Bradley Lane, some gaps; wide outside lane between Wootton Parkway and Montrose Road; other segments proposed		Major connection from Rockville, Rockville Metro and MARC, to C&O Canal Towpath; segments of path along west side need to be upgraded to 8'; ample shoulder space for signed shared roadway or bike lanes between Wootton Parkway and Bradley Lane; Potomac Subregion Master Plan recommends only a shared use path; on-road bikeway is new proposal; actual bikeway type to be determined during facility planning
SP-2	P-58	Democracy Boulevard - East	Shared use path	Gainsborough Road	Old Georgetown Road	1978 MPB; Potomac Subregion	Proposed, 8' sidewalk exists in segments		Connects to Montgomery Mall and Rock Springs Office Park; also connects to Falls Road path and Seven Locks Road path

SP = Shared Use Path (Class I); BL = Bike Lanes (Class II); SR = Signed Shared Roadway (Class III); DB = Dual Bikeway
(*BLOC = bicycle level of comfort score for state highways, see p. 29)

Lenhart Traffic Consulting, Inc.
Transportation Planning & Traffic Engineering

Memorandum:**Date: February 18, 2015**

TO: Mr. Michael Garcia
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

FROM: Mike Lenhart

RE: Traffic Statement for Clewerwall Knolls (Artis Senior Living at 8301 River Road)

Mr. Garcia,

The purpose of this report is to provide a Traffic Statement for the property at 8301 River Road as required in the Montgomery County Subdivision Staging Policy. The property is currently utilized as a single family residence and is proposed to be developed as an assisted living facility with 72 beds.

The property is located in the Potomac Policy Area approximately one mile west of the Capital Beltway (I-495) on the north side of River Road. A site location map is shown on Exhibit 1. A copy of the site plan is included in Appendix A.

The Subdivision Staging Policy establishes the “*Local Area Transportation Review (LATR) and Transportation Planning Area Review (TPAR) Guidelines*”. These Guidelines are utilized by the Montgomery County Planning Board for the administration of the Adequate Public Facilities Ordinance.

The Guidelines require a Traffic Statement to determine the applicability and status of the LATR and TPAR requirements as it applies to the project.

The site is proposed to be developed with a 72 bed assisted living facility. The trip generation rates were obtained from The LATR Guidelines and the trip generation total shown on Exhibit 2 shows that the proposed 72 bed assisted living facility will generate 2 AM peak hour trips and 4 PM peak hour trips. The site will generate fewer than 30 peak hour trips; therefore, the site is exempt from LATR.

The project is located in the Potomac Policy Area which has been identified as “inadequate” under the TPAR transit test and “adequate” under the TPAR roadway test. As a result, a mitigation fee equal to 25% of the transportation impact is required to mitigate the TPAR analysis.

The site plan is contained in Appendix A and access is planned via River Road in the vicinity of the existing site driveway.

River Road is currently a two lane roadway, but is designated as a major highway (M-2) with a 150 foot right-of-way and a two lane roadway from Esworthy Road to Seven Locks Road as detailed in the 2002 Potomac Subregion Master Plan. Page 109 of the Potomac Subregion Master Plan also discusses the County’s “Two-Lane Road Policy”, which is intended to preserve the community’s visual aspect and

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

character by discouraging the expansion of existing roadways from two to four lanes. The policy retains the rights-of-way and setbacks, and while those rights-of-way may never develop, their preservation enhances safety, allows for intersection improvements, leaves potential for pedestrian and bicycle facilities, and provides space to offset the effects of auto emissions and road noise.

According to the Countywide Bikeways Functional Master Plan (2005), River Road is designated a dual bikeway (DB-2). Dual bikeways are defined as a roadway that features two types of bikeways: 1) a shared use path and bike lanes, or 2) a shared use path and shared roadway/travel lane. The dual bikeway accommodates both on-road and off-road bicycling along the same roadway. As noted in the Bikeways Master Plan, short segments of the bike path are already constructed on the north side of River Road to the west of I-495. New proposals include shared use path between the DC line and I-495, and signed shared roadway to Seneca Road.

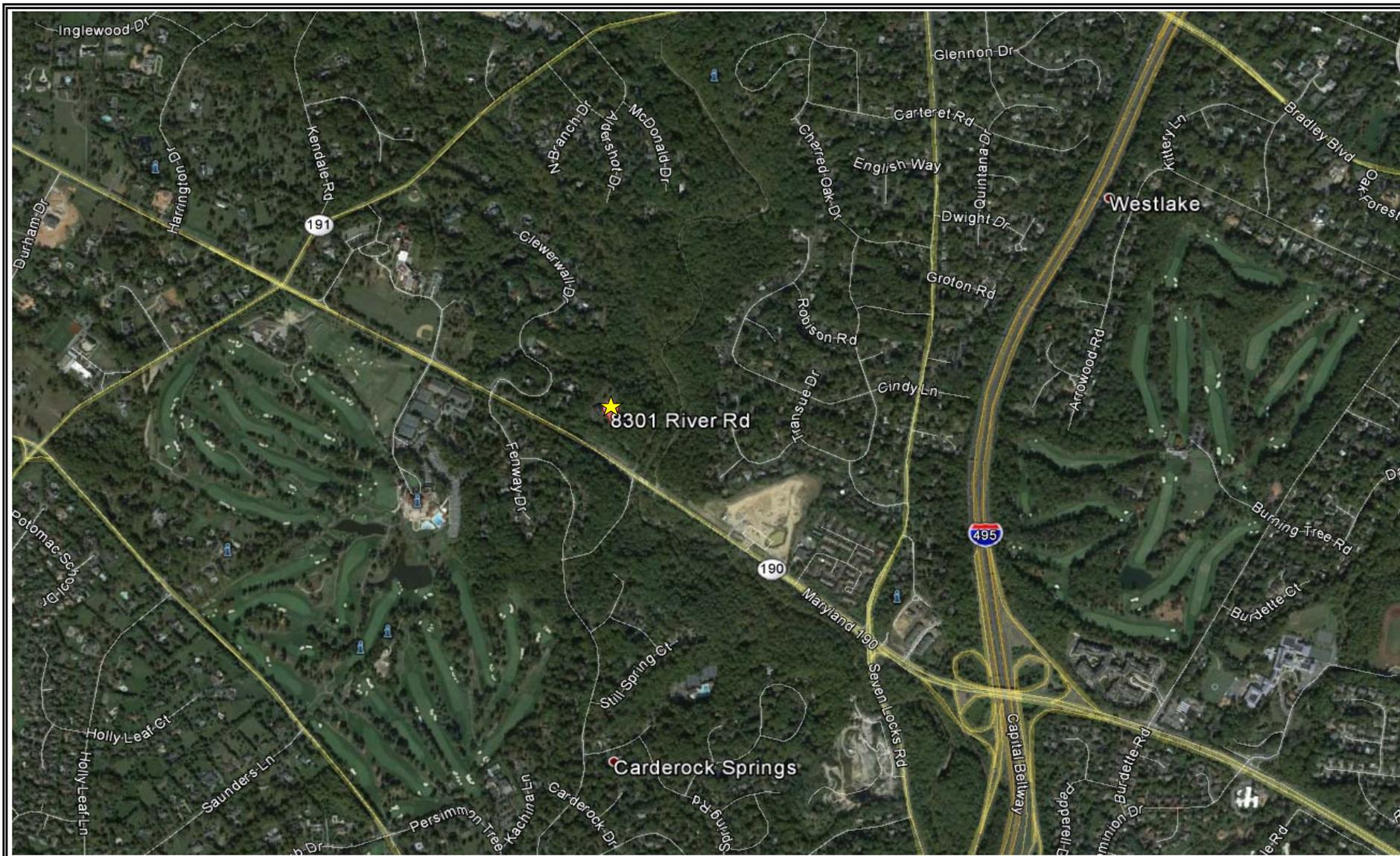
To achieve the objectives of the Countywide Bikeways Master Plan, a signed shared roadway will be implemented within the existing shoulder area along the property's frontage. The shoulder is approximately 10' in width. The Countywide Bikeways Master Plan (Pages 70-71 are included in Appendix A) recommends a minimum of 6' shoulders for a signed shared roadway, therefore the existing shoulders are more than adequate for a signed shared roadway.

Based on the information contained in this report.....

- The project is located in the Potomac Policy Area which requires a mitigation fee equal to 25% of the transportation impact to mitigate the TPAR analysis.
- The project will generate fewer than 30 peak hour trips, therefore is exempt from LATR.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,
Mike



<p>Traffic Impact Analysis</p>	<p>Site Location Map</p>		<p>Exhibit</p>
<p>Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning</p>	<p>★ = Site Location</p>		<p>1</p>

Trip Generaton Rates

Assisted Living Facilities (Montgomery County, Units)

Morning Trips = (0.03 x Beds)

Evening Trips = (0.06 x Beds)

Trip Distribution (In/Out)

65/35

44/56

Trip Generaton Totals

			AM Peak			PM Peak		
			In	Out	Total	In	Out	Total
Mont. Co. Rates	Assisted Living Facilities (Montgomery County, Beds)	72 beds	1	1	2	2	2	4
Total:			1	1	2	2	2	4

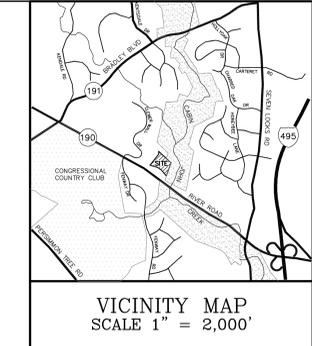
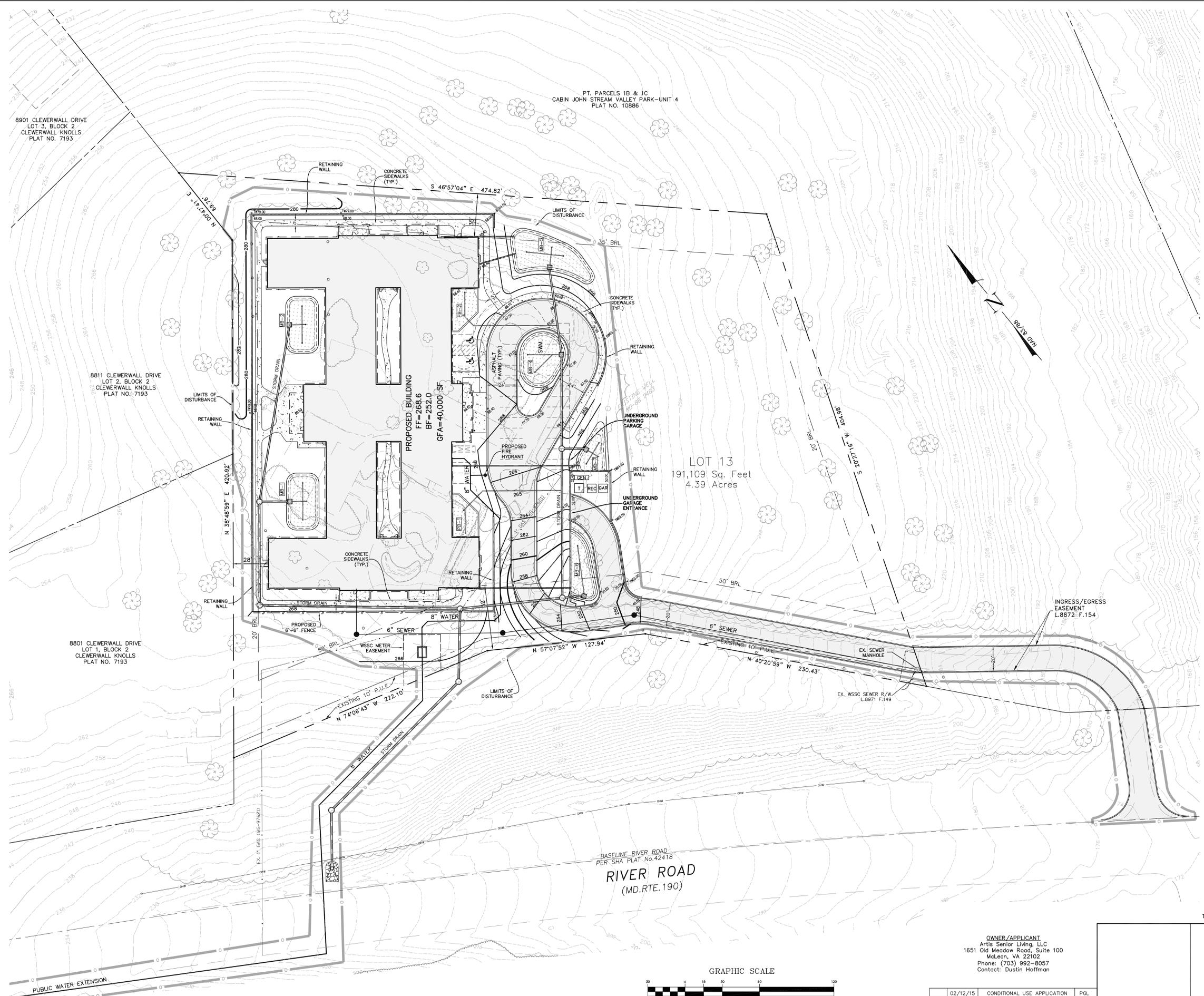
NOTES:

The Montgomery County Growth Policy states that projects with fewer than 30 peak hour trips are exempt from LATR.

Traffic Impact Analysis	Trip Generation for Site	Exhibit 2
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		

Appendix A

Site Plan
Excerpts from Countywide Bikeways Master Plan



PROPERTY INFORMATION

SUBJECT PROPERTY: LOT 13, BLOCK 2 CLEWELL KNOLLS (PLAT NO. 17173) 8301 RIVER ROAD, POTOMAC, MD 20887 L38364 F.353

PROPERTY OWNER: MAHINDER K TAK

CONTRACT PURCHASER: ARTIS SENIOR LIVING, LLC

EXISTING PARCEL AREA: 191,109 S.F. OR 4.39 ACRES

PROPOSED RIGHT OF WAY DEDICATION: 0 S.F. OR 0.00 ACRES

PROPOSED PARCEL AREA: 191,109 S.F. OR 4.39 ACRES

ZONING CLASSIFICATION: RE-2 - RESIDENTIAL ESTATE-2

TAX ID NUMBER: 10-02806272

EXISTING USE: SINGLE FAMILY RESIDENTIAL

PROPOSED USE: RESIDENTIAL CARE FACILITY (OVER 16 PERSONS)

- SITE NOTES**
- THE TOPOGRAPHY SHOWN IS TAKEN FROM AN AERIAL SURVEY PREPARED BY VIRGINIA RESOURCE MAPPING, IN JANUARY 2013 WITH 2' CONTOUR INTERVALS AND SUPPLEMENTED WITH AVAILABLE UTILITY RECORDS.
 - BOUNDARY INFORMATION IS BASED ON A BOUNDARY SURVEY PREPARED BY POTOMAC VALLEY SURVEYS SUPPLEMENTED WITH RECORDED DEEDS & PLATS.
 - WATER AND SEWER CATEGORIES ARE W-1 AND S-1, RESPECTIVELY.
 - THE PROPERTY IS ZONED RE-2. THE PROPOSED LAND USE IS RESIDENTIAL CARE FACILITY (OVER 16 PERSONS).
 - NUMBER OF LOTS PROPOSED BY THIS PLAN: 1 EXISTING LOT TO REMAIN
 - A NATURAL RESOURCES INVENTORY MAP/FOREST STAND DELINEATION PLAN (#420131430) WAS APPROVED FOR THIS PROPERTY MARCH 22, 2013.
 - A STORMWATER MANAGEMENT CONCEPT (SM FILE #?????) FOR THIS PROPERTY WAS SUBMITTED TO MDPS ON XXXX, XX, 2015.
 - THIS SITE IS WITHIN THE 2002 POTOMAC SUBREGION MASTER PLAN AREA.
 - THE SITE IS TRIBUTARY TO THE CABIN JOHN CREEK.
 - THIS PLAN IS NOT FOR CONSTRUCTION PURPOSES.
 - THE IMPROVEMENTS SHOWN ON THIS PLAN WILL BE CONSTRUCTED IN ONE PHASE.
 - REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS.
 - SERVICING UTILITY COMPANIES INCLUDE:
WATER & SEWER: WSSC
NATURAL GAS: WASHINGTON GAS
ELECTRIC: PEPCO
TELEPHONE: VERIZON

RE-2 ZONE/CONDITIONAL USE DEVELOPMENT STANDARDS

	PERMITTED/REQUIRED	PROVIDED PER THIS PLAN
MINIMUM LOT AREA: 59-3.3.2.E.2.C.II.(D).(2).(i)	87,120 S.F. ¹	191,109 S.F.
MINIMUM LOT WIDTH AT FRONT BUILDING LINE: 59-4.4.4.B.1	150 FEET	530 FEET
MINIMUM LOT WIDTH AT FRONT LOT LINE: 59-4.4.4.B.1	25 FEET	539 FEET
MAXIMUM COVERAGE: 59-4.4.4.B.1	25.0%	16.9%
MINIMUM FRONT SETBACK: 59-4.4.4.B.2	50 FEET	52 FEET
MINIMUM SIDE SETBACK: 59-3.3.2.E.2.C.II.(E)	20 FEET	28 FEET
MINIMUM REAR SETBACK: 59-4.4.4.B.2	35 FEET	35 FEET
MINIMUM FRONT SETBACK (ACCESSORY STRUCTURE): 59-4.4.4.B.2	80 FEET	
MINIMUM SIDE SETBACK (ACCESSORY STRUCTURE): 59-4.4.4.B.2	15 FEET	15 FEET
MINIMUM REAR SETBACK (ACCESSORY STRUCTURE): 59-4.4.4.B.2	10 FEET	19 FEET
MAXIMUM BUILDING HEIGHT: 59-4.4.4.B.3	50 FEET	15 FEET

PARKING:

MINIMUM NUMBER OF SPACES
59-6.2.4.B (SEE BREAKDOWN BELOW) 30 SPACES

MINIMUM NUMBER OF ACCESSIBLE SPACES:
59-6.2.3.B & COMAR 05.02.02 2 SPACES

1. PER 3.3.2.E.2.C.II.(D)(2)(i), IN THE RE-2 ZONE WHERE A FACILITY IS BASED ON THE NUMBER OF BEDS, NOT DWELLING UNITS, THE MINIMUM LOT AREA IS 2.0 ACRES OR 1,200 SQUARE FEET PER BED, WHICHEVER IS GREATER.

PARKING DISTRIBUTION:

REQUIRED PER 59-G-2.37(D): 0.25 SPACES PER BED @ 72 BEDS = 18 SPACES
0.50 SPACES PER EMPLOYEE @ 18 EMPLOYEES = 9 SPACES
TOTAL REQUIRED = 27 SPACES

PROVIDED PER PLAN:
STANDARD (8.5' x 18') 28 SPACES
ADA VAN ACCESSIBLE (8' x 18' MIN. WITH 8' ACCESS AISLE) 2 SPACES
ADA (NON-VAN) ACCESSIBLE SPACES (8' x 18' MIN. WITH 5' ACCESS AISLE) 0 SPACES
AUTOMOBILE TOTAL 30 SPACES

OWNER/APPLICANT
Artis Senior Living, LLC
1651 Old Meadow Road, Suite 100
McLean, VA 22102
Phone: (703) 992-8057
Contact: Dustin Hoffman

NO.	DATE	DESCRIPTION	BY
	02/12/15	CONDITIONAL USE APPLICATION	PGL

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland License No. 14979, Expiration Date: 07/20/2014

TAX MAP GN123 WSSC 210NW08

CONDITIONAL USE SITE PLAN
ARTIS SENIOR LIVING
CLEWELL KNOLLS
LOT 13, BLOCK 2 (PLAT NO. 17173)
10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

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

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20886-1279
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Proj. Mgr. PGL
Designer PGL
Date 02/12/15
Scale 1"=30'
Project No. 14,224.11
Sheet 1 of 1

Table 2-2 Countywide Bikeways*Countywide Bikeways Functional Master Plan, Planning Board Draft - May 2004*

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SP = Shared Use Path (Class I); BL= Bike Lanes (Class II); SR = Signed Shared Roadway (Class III); DB = Dual Bikeway

(*BLOC = bicycle level of comfort score for state highways, see p. 29)

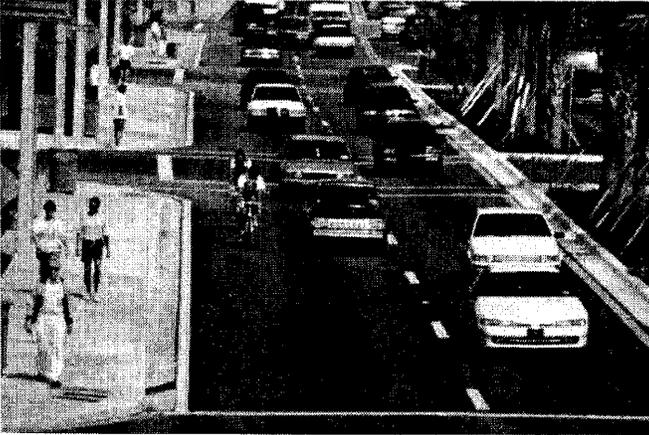


Figure 3-10. Example of a signed shared roadway, wide outside lane (Source: [www.pedbikeimages.org/Dan Burden](http://www.pedbikeimages.org/Dan_Burden))

Bike Lanes at Intersections

Properly designing bike lanes at intersections and in locations with multiple turning movements is probably among the most difficult design issues. The AASHTO Guide provide practical, detailed guidance to designing and installing bike lanes at intersections, including proper design of pocket lanes.

Space Constraints

For roads with serious space limitations or right of way constraints, a 3-foot striped lane may suffice as an unofficial bike lane (SHA “bicycle areas”); these roads are classified under this plan as a shared roadway, not bike lanes, and do not have to be signed or marked.

Signed Shared Roadways (Class III Bikeway)

The County features an extensive network of proposed signed shared roadways. Mile per mile, shared roadways are the most common bikeway type in the United States and the least complicated and least costly to implement.

To a varying extent, bicycles are used on most county roads and state highways, except where prohibited. In fact, a large percentage of bicycling takes place on shared roadways with no dedicated space for bicyclists. Local streets with low traffic volumes and speeds safely accommodate bicyclists (except young children) without any special treatments.

There are three general types of shared roadways as identified in this plan: 1) Wide Curb Lane; 2) Shoulder Bikeway; and 3) Local Street.

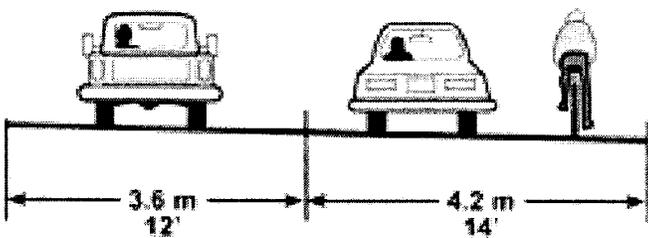


Figure 3-11. Cross-section of a wide curb lane (Source: Oregon Department of Transportation)

Wide Curb Lanes

A wide curb lane is typically implemented on a closed section (with curb) road. To be effective, a wide lane should be at least 4.2 m (14 ft) wide, but less than 4.8 m (16 ft). Usable width is normally measured from curb face to the center of the lane stripe, but adjustments need to be made for drainage grates, parking and the ridge between the pavement and gutter. Widths greater than 4.8 m (16 ft) encourage the undesirable operation of two motor vehicles in one lane. In this situation, an informal bike lane or shoulder bikeway should be striped. Wide curb lanes more than 14 feet wide should be striped to create an informal 3-4' bike lane. See Figures 3-10 and 3-11

Shoulder Bikeways

Paved shoulders provide suitable bicycling conditions for most riders. When providing paved shoulders for bicycle use, a minimum width of 1.8 m (6 ft) is desirable. See Figures 3-12 and 3-13. This allows a cyclist to ride far enough from the edge of pavement to avoid debris, yet far enough from passing vehicles to avoid conflicts. If there are physical width limitations, narrower shoulders may be suitable; the actual width would be determined by posted speed limits and traffic volumes.

Local Street

There are no specific bicycle standards for most local signed shared roadways; they are simply the roads as constructed. Bicyclists truly share the road with motor vehicles. See Figure 3-14. However, it is important that shared roadways leading to key destinations be signed as a bike route, including arrow signs to help with navigation. All signed shared roadways should be signed as bike routes and include relevant accompanying directional, distance and informational signs.

Other Design Considerations

All roads in Montgomery County should be designed to safely accommodate bicycling, regardless of whether the roads has been designated as a bikeway or has a shared use path alongside it. The design considerations below should be applied to all roadways in the county, regardless of designation as an official bikeway.

Drainage Grates

Drainage grates are potential obstructions to bicyclists. Grates with slots parallel to the travel lane are especially hazardous; the grate traps the front wheel and throws the bicyclist off the bicycle. Care should be taken to ensure that drainage grates are bicycle-safe, and that they have narrow slots perpendicular to or at a 45-degree angle to traffic. See Figure 3-15.

Railroad Crossings

Special care should be taken wherever a bikeway intersects railroad tracks. Refer to AASHTO Guide for details.

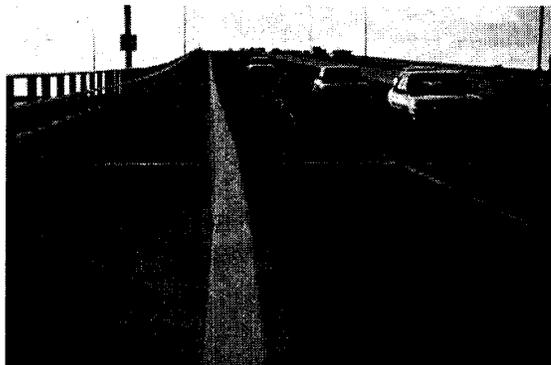


Figure 3-12. Shoulder bikeway on a bridge (Source: www.pedbikeimages.org/Dan Burden)

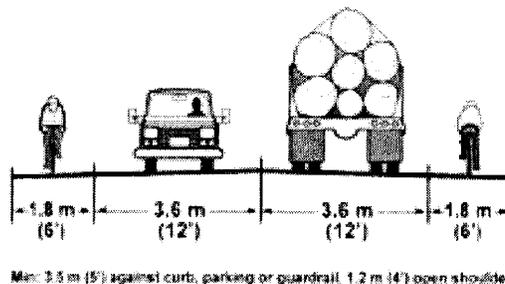


Figure 3-13. Cross-section of shoulder bikeway along two-lane open section road or highway (Source: Oregon Department of Transportation)

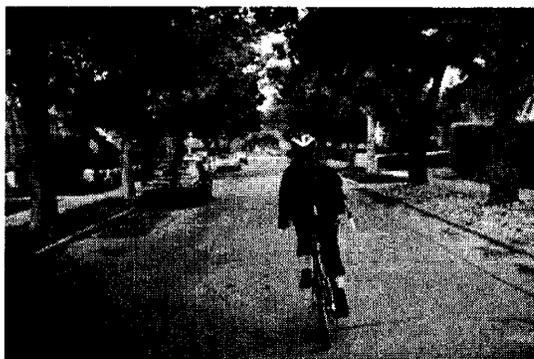


Figure 3-14. Bicyclist on a local street (Source: www.pedbikeimages.org/Dan Burden)

2002 APPROVED AND ADOPTED POTOMAC SUBREGION MASTER PLAN

An amendment to the Master Plan for the Potomac Subregion, 1980, as amended; the Gaithersburg Vicinity Master Plan, 1985, as amended; The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, 1964, as amended; the Master Plan of Highways within Montgomery County, as amended; and the Master Plan of Bikeways, 1978, as amended.

Prepared by

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Montgomery County Department of Park and Planning
8787 Georgia Avenue
Silver Spring, Maryland 20910

Approved by

THE MONTGOMERY COUNTY COUNCIL
March 5, 2002

Adopted by

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
April 11, 2002 (Ratified May 15, 2002)

PLAN HIGHLIGHTS

As Potomac has evolved from rural and agricultural to a semi-rural and suburban subregion, it has retained much of its green character and environmental qualities. These qualities are under threat. Inexorable population growth continues to foster intense development pressure on the Potomac Subregion. This Master Plan strongly recommends that sustaining the environment be the pre-eminent policy determinant in a subregion so defined by its natural resources. New development and redevelopment must respect and enhance the Subregion's environmental quality, while helping to build communities and resources that will serve existing and future generations of residents.

This Master Plan is based on environmental principles and the following recommendations are designed to implement the Plan's vision of the Potomac Subregion as a "green wedge."

Protect the Subregion's rich natural environment and unique ecosystems.

- Maintain and reaffirm a low-density residential "green wedge" for most of the Subregion.
- Augment existing stream valley parks and provide additional protection for water quality by the acquisition of key vacant parcels.
- Acquire unique forest areas in the Greenbriar watershed, to be preserved as conservation park land.
- Reconfirm the Piney Branch Special Protection Area.
- Limit sewer extensions to within the recommended sewer envelope.
- Explore the ultimate use of the Rockville Crushed Stone Quarry as a regional reservoir.

Rely on the land use framework established by earlier plans to strengthen and support the Subregion's residential communities.

- Rezone a limited number of development and redevelopment sites.
- Rezone the Cabin John Center to provide development flexibility while ensuring neighborhood compatibility through the site plan review process.
- Amend the 1980 Master Plan recommendation for Fortune Parc in order to create a mixed-use development.
- Propose alternative uses for two of Potomac's stone quarries as their reserves become exhausted.
- Create a Rural Village Overlay Zone for Darnestown Village center to address its unique characteristics.

- Protect the Chesapeake & Ohio Canal National Historical Park, major transportation corridors, and residential communities from incompatible design of special exception uses.
- Avoid an excessive concentration of special exceptions along major transportation corridors.

Maintain a **transportation network** that provides needed links and alternatives, while preserving the Subregion's semi-rural character.

- Maintain Potomac's two-lane road policy that limits road capacity expansion.
- Designate nine identified roads or road segments as rustic or exceptional rustic.
- Do not recommend a new Potomac River crossing within the Subregion.
- Adjust road classifications to provide a rational hierarchy.
- Provide an interconnected system of Class I bikeways.
- Support as a priority, a study of paratransit options for Tobytown.

Establish and expand **community facilities** to provide needed services and help create a sense of community.

- Acquire surplus school sites as new parks.
- Establish a greenway system of park trails, primarily with a natural surface.
- Acquire sites for the North Potomac community recreation center, fire station, and a regional services center satellite office.
- Expand the Scotland community center.

Use **historic preservation** to contribute to the Subregion's unique sense of community.

- Protect Potomac's historic resources.

Potomac

Introduction

The Potomac area is the easternmost part of the Subregion and is more developed than the other three community areas. Since residential development is dispersed throughout the area, this Plan recommends infill development of the remaining vacant properties with residential development essentially similar to what is now there, unless specifically stated otherwise in this Plan.

This Plan does not recommend the development of additional shopping centers within the Potomac community area, except a small retail component at Fortune Parc. At present, the community has three commercial centers: Potomac Village, Cabin John, and Montgomery Mall (a regional shopping center). The Potomac area is also served by convenience and regional centers just outside of its boundaries. It is anticipated that these commercial areas will accommodate the community's shopping needs. This Plan also recommends developing better vehicular, pedestrian, and cycling circulation in and around the four quadrants of Falls and River Roads in Potomac Village.

The development of the 28.1 square mile Potomac area has been driven by its closeness to the urban core. With its long history of subdivision development, the Potomac area has the highest percentage (93 percent) of its capacity already developed. According to the *1997 Census Update Survey*, the Potomac Planning Area had a population of 1,596 residents per square mile and grew by a mere five percent over the preceding ten years. This slowing growth was anticipated because Potomac was the first area in the Subregion to experience development, and therefore the first to reach a mature growth stage.

With its access to major employment centers, Potomac has large areas of older, well-established residential communities. Although the Potomac Planning Area showed a relatively slow percentage of growth, it absorbed 30 percent of all household growth of the entire Subregion between 1987 and 1997. In the future, as Potomac continues to mature, its population is apt to decrease as declining household size outweigh fewer added households.

Though nearly completely built-out, Potomac's village center could be strengthened to better serve the community. Recommendations for Potomac Village, its surrounding sites, and other sites with development potential follow. These sites are also subject to the general development and design guidelines outlined in this Plan.

Barnhart Property

This property is located on the northwest quadrant of Tuckerman Lane and Seven Locks Road. (See Map 5.) Tax records indicate that the property extends to 4.93 acres but it appears to be almost double that size. It is zoned R-90 with townhouses to the south, west and northeast, single family homes in the Regency Estates subdivision to the north, and the commercial Cabin John Center to the east. The property is heavily wooded with one single family home and a number of sheds. The center of the property is fairly level and open, the ground moderately sloping down to the west and to the south. The owner has requested townhouse zoning on the property.

park land, affording some measure of protection. However, wetlands throughout the developed portions of the Subregion have been adversely affected by streambank erosion, tree loss, and sedimentation. Utilities, drainage easements, and paved trails also create adverse impacts, even in park land. These impacts often impair a wetland's function to buffer streams, adversely affecting stream water quality.

Unusual Ecosystems and Rare Plants

More than any Maryland county, Montgomery County hosts plant species now considered to be rare, threatened, or endangered (RTE). The Subregion is home to many of these RTEs because of unique habitats and the large tracts of forest primarily located in stream valley parks. Many RTE species are found along the Potomac River, especially in the Great Falls section of the Chesapeake & Ohio Canal National Historical Park. They are protected by the undisturbed park land along the river and its adjacent tributaries. The Potomac River valley has been a historical migratory route for plants and animals, fostering strong biodiversity.

The Greenbriar Branch watershed is another major site for RTE species. (See Table 1.) The unique habitat here is due to serpentinite rock that underlies the area and supports species that have adapted to harsh conditions or rely on those species for sustenance. This ecosystem is rare, both in the County and nationwide. Other areas of locally significant habitat include parts of Cabin John Regional Park, the Blockhouse Point Conservation Park, and the Buck Branch, Watts Branch, and Muddy Branch, all of which are stream valley parks.

The following are general recommendations for the protection of water resources. Detailed recommendations follow by watershed area.

General Water Resources and Wetland Recommendations

- **Protect the function and value of stream buffers by placing storm water management and sediment and erosion control measures outside the stream buffer areas.**
- **Maintain and protect existing stream buffer forest and supplement the existing riparian forest by replanting any unforested buffer.**
- **Support efforts to provide more stringent County inspection programs for development sites, and inspection and maintenance programs for storm water management facilities.**
- **Support efforts to identify and implement storm water management and stream restoration projects in a timely manner to improve water quality and aquatic habitat in streams exhibiting deteriorating conditions.**
- **Encourage development clustering to protect environmentally sensitive areas. If applicable, development sites should provide forested stream buffers and open space to protect natural resources.**

- During plan review, consider incorporating site design features that will protect water resources, including dumpster container design and inlet design that will keep litter from entering the storm water facility, and using landscape medians for stormwater treatment and control.
- Incorporate site design features to preserve the acreage and functions of existing priority wetlands if redevelopment of private golf courses is proposed.
- Support efforts to implement best management practices as part of agricultural uses and activities.

Table 1

State Listed Plants on the Miller and Smith/Pepeco and Lower Greenbriar Properties

Latin Name	Common Name	State Rank	State Status	Location
<i>Carex hirtifolia</i>	Pubescent sedge	S-3	Watchlist	Miller & Smith
<i>Gentiana villosa</i>	Striped Gentian	S-1	Endangered	Both
<i>Krigia dandelion</i>	Potato Dandelion	S-1	Endangered	Both
<i>Amelanchier spicata</i>	Running Juneberry	S-2	Rare	Lower Greenbriar
<i>Melica mutica</i>	Narrow Melic Grass	S-1	Threatened	Both
<i>Myosotis macrosperma</i>	Large-seeded Forget-me-not	S-2/3	Rare/Watchlist	Lower Greenbriar
<i>Stenanthium gramineum</i>	Featherbells	S-1	Threatened	Miller & Smith
<i>Dirca palustris</i>	Leatherwood	S-2	Threatened	Miller & Smith
<i>Scutellaria leonardii</i>	Leonard's Skullcap	S-2	Threatened	Both
<i>Calystegia spithamea</i>	Low Bindweed	S-2	Rare	Lower Greenbriar
<i>Castanea dentata</i>	American Chestnut	S-2/3	Rare/Watchlist	Miller & Smith
<i>Scirpus verecundus</i>	Bashful Bulrush	S-2/3	Rare/Watchlist	Miller & Smith
<i>Asclepias verticillata</i>	Whorled Milkweed	S-3	Watchlist	Lower Greenbriar
<i>Aster infirmus</i>	Cornel-leaf Aster	S-3	Watchlist	Both
<i>Coreopsis verticillata</i>	Whorled Coreopsis	S-3	Watchlist	Both
<i>Eleocharis engelmannii</i>	Engelmann's Spikerush	S-3	Watchlist	Pepeco
<i>Eupatorium altissimum</i>	Tall Thoroughwort	S-3	Watchlist	Pepeco
<i>Galium concinnum</i>	Shining Bedstraw	S-3	Watchlist	Lower Greenbriar
<i>Isoetes engelmannii</i>	Appalachian Quillwort	S-3	Watchlist	Miller & Smith
<i>Lespedeza violacea</i>	Violet Bushclover	S-3	Watchlist	Pepeco
<i>Myosotis verna</i>	Spring Forget-me-not	S-3	Watchlist	Miller & Smith
<i>Phyllanthus caroliniensis</i>	Carolina Leaf-flower	S-3	Watchlist	Miller & Smith
<i>Senecio pauperculus</i>	Balsam Ragwort	S-3	Watchlist	Both

LAND USE AND ZONING PLAN

Introduction

The Master Plan for the Potomac Subregion builds on the policy framework established by the plans that preceded it, and which firmly established the character and stability of the Subregion. This updated Master Plan embraces most of the goals and objectives set forth by its predecessors and recommends achieving those goals in only slightly different ways—through the use of more sophisticated analytical techniques and a number of new planning and zoning tools.

This Land Use and Zoning Plan contains the objectives and development policies for the Potomac Subregion followed by zoning recommendations for specific sites organized by the four community planning areas of the Subregion.

Environmental Principles

This Master Plan is based on environmental principles. The Subregion embodies the “green wedge” concept, and is an integral component of the County’s “Wedges and Corridors” planning policy. Its significant and unique natural resources and its semi-rural character are supported by local neighborhood centers, trails and bikeways, and a two-lane road network. Accordingly, this Plan’s land use, transportation, and community facility recommendations are all made in consideration of environmental objectives. Environmental sustainability is recommended as the most critical policy determinant in a Subregion so defined by its natural resources.

- Maintain and reaffirm a low-density residential “green wedge” for most of the Subregion.
- Encourage an ecologically sensitive and energy-efficient development pattern, with an emphasis on respecting the environment and on conservation.
- Retain the road system’s two-lane cross-section, in spite of congestion, to preserve the Subregion’s semi-rural character.
- Develop expanded park and bikeway systems to preserve open space, protect significant environmental features, and provide recreation and transportation alternatives.

Design Principles

These principles are designed to preserve the Subregion’s green and rural character, while creating a pedestrian and bicycle-friendly environment. These principles are also intended to create cohesive, attractive, and efficient community centers that not only provide needed goods and services, but that create an enduring community image.

To create environmentally sustainable development:

- Design and locate parking lots and structures to minimize impervious surfaces.

- Adequately shade parking facilities and include shade tree planting areas within parking lots.
- Provide storm water management according to current standards and retrofit projects for currently untreated sites. Incorporate alternative techniques that increase filtration and enhance natural hydrology, such as small bioretention areas, rooftop gardens, disconnection of impervious cover, alternative pavers, soil amendments and conditioning, or other landscaping techniques.

Provide facilities that promote transit use, walking, and biking as alternatives to car trips.

- Provide incentives to minimize car trips such as fringe parking lots and shuttle services to Metro.

To create neighborhood centers:

- Create a grid of intersecting streets consisting of short blocks 200 to 400 feet long, organized around major axes and a "Main Street."
- Design streets that are defined with buildings, animated with active uses, and made pleasant with streetscape and landscape features to encourage pedestrian activity.
- Locate public and private community facilities and open spaces within and adjacent to centers.
- Create pedestrian and bike links to surrounding neighborhoods to encourage community access.

To create developments with interconnected street patterns:

- On larger sites, create an internal system of active, tree-lined streets rather than a series of driveways and parking lots.
- Establish a street pattern of short blocks and main axes that allow walking.
- Provide pedestrian and bike links to surrounding streets and neighborhoods.
- Provide paths through open spaces to complete the pedestrian/bicycle system.

To design streets with pedestrian activity:

- Locate buildings along streets to create a strong street definition.
- Provide street activating uses, such as residential entrances and ground level retail in commercial buildings and parking garages.
- Limit roadway widths to minimum dimensions.

- Provide on-street, parallel parking on most streets.
- Provide attractive streetscaping, generally consisting of a row of street trees along the curb and adequately sized sidewalks.
- Design streets to include attractive traffic calming features.
- Provide well-defined crosswalks at reasonable intervals, generally not exceeding 400 feet.

To incorporate open space and community facilities into new development:

- Provide visible and accessible open spaces and community facilities, including active plazas and passive garden areas for community gathering.
- Reinforce links to existing and future community facilities.
- Link existing open spaces, parks, and trails.
- Provide facilities and amenities for community gathering and entertainment.

Special Exception Policy

This Plan endorses guidelines for locating special exception uses in residential areas and recommends a re-examination of the approval process for telecommunication facilities, particularly monopoles.

Special exception uses, as identified in the Montgomery County Zoning Ordinance, may be approved by the Board of Appeals or the Hearing Examiner if they meet the specific standards and requirements for a use, and the general conditions for special exceptions as set forth in the Zoning Ordinance. A special exception may be denied if the concentration of such uses is deemed to be excessive or if it is inconsistent with Master Plan recommendations. The Master Plan seeks to provide guidelines that will protect residential areas while also attempting to meet important policy goals.

Recommendations

- **Limit the impacts of existing special exceptions in established neighborhoods. Increase the scrutiny in reviewing special exception applications for highly visible sites and properties adjacent to the Chesapeake & Ohio Canal National Historical Park.**
- **Avoid an excessive concentration of special exceptions along major transportation corridors.**

Sites along these corridors are more vulnerable to over-concentration because they have high visibility. Uses that might diminish safety or reduce capacity of roadways with too many access points or conflicting turn movements should be discouraged.

- **Protect the Chesapeake & Ohio Canal National Historical Park, major transportation corridors and residential communities from incompatible design of special exception uses.**

In the design and review of special exceptions uses, the following guidelines shall be followed, in addition to those stated for special exception uses in the Zoning Ordinance:

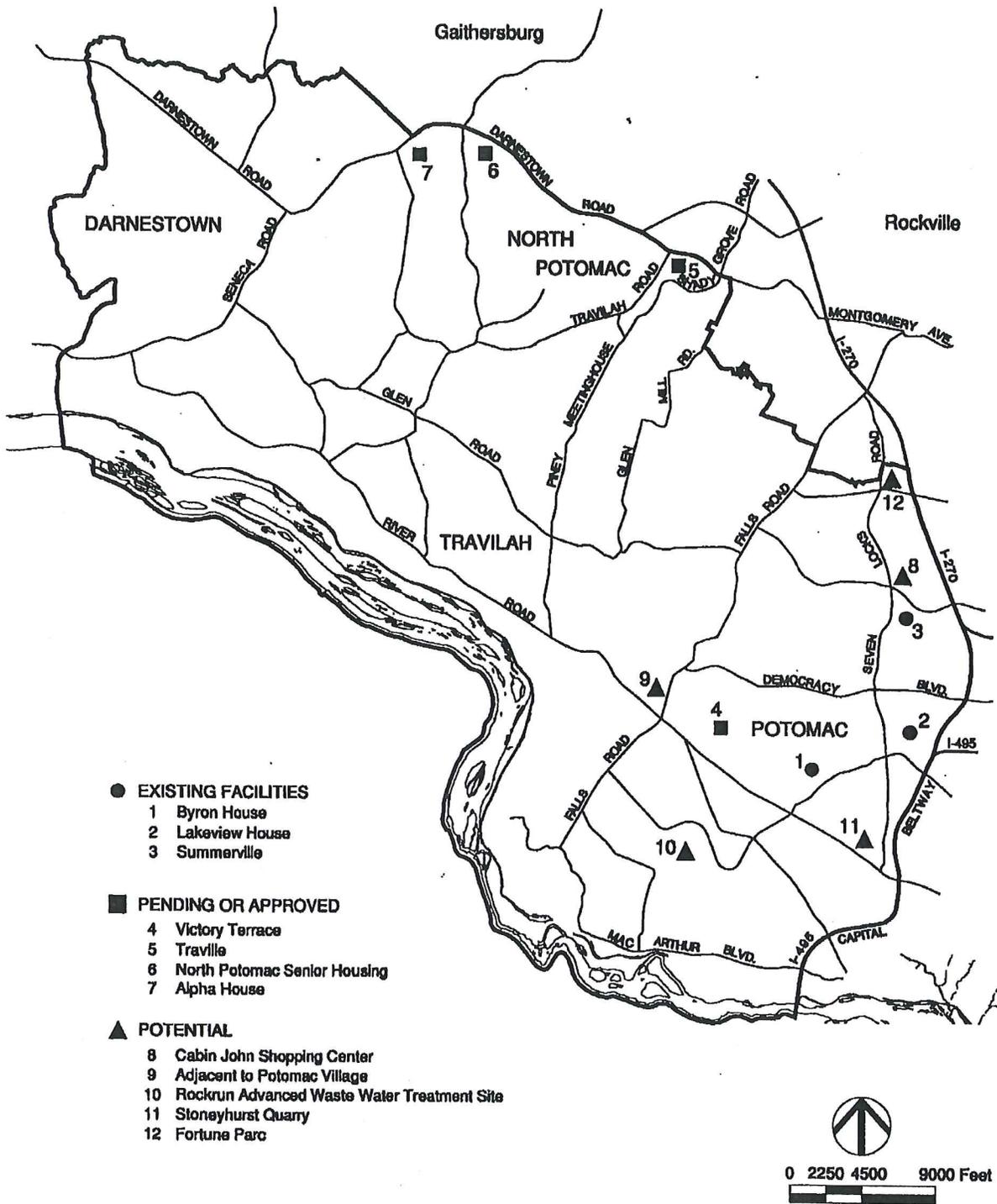
- a. Adhere to Zoning Ordinance requirements to examine compatibility with the architecture of the adjoining neighborhood. The Council is considering amendments to strengthen this section of the Zoning Ordinance.
- b. Parking should be located and landscaped to minimize commercial appearance. In situations where side or rear yard parking is not available, front yard parking should be allowed only if it can be adequately landscaped and screened.
- c. Efforts should be made to enhance or augment screening and buffering as viewed from abutting residential areas and major roadways.

There are a number of private educational institutions in the planning area and concerns have been raised about parking and traffic problems caused by queuing for drop-off and pick-up. The Council is considering amendments to the special exceptions provisions in the Zoning Ordinance to address these issues.

Housing for the Elderly

The Potomac Subregion does not fully meet its residents' needs for senior housing within its boundaries. At this time, the Subregion is approximately 450 units short of industry demand standards. This unmet need will increase significantly by 2020. The Subregion will need to accommodate close to 750 units during the next 20 years, in addition to those already existing or approved to accommodate growth in its older population. The Subregion should meet its own senior housing needs within its boundaries. (See Map 4.)

It is paramount that the needs of area low-income households should be addressed, even though these households constitute a comparatively small share of the older households in the Subregion. A large proportion of the Subregion's existing and approved senior housing is affordable. The area currently has 359 units in four projects that are approved or pending approval. Two of these, totaling 306 units, are designated for low-income residents. About two-thirds of existing senior housing units in the Subregion are designated for low-income residents.



A reasonable senior housing target for the Subregion for the next 10 to 15 years might be an average of 40 units per year, that would probably be built in larger increments every few years. Communities for households with moderate and middle level incomes should receive the highest priority, since these households currently have the fewest choices that they can both afford and qualify for. The one type of housing that might justify exceeding this recommendation for a limited increase in units is an extremely well designed life care facility. The County currently does not have any housing that meets a strict definition of life care.

Senior housing is appropriate throughout the Subregion wherever zoning permits this use, either by right or as a special exception use. Projects must meet Zoning Ordinance standards for this use, and impacts on the surrounding neighborhood must be minimized. When significant impacts cannot be mitigated, projects should be located elsewhere in the Subregion. Where it is a special exception, the project must also meet the Special Exception Guidelines in this Master Plan.

The following locations appear to be appropriate for elderly housing:

- Cabin John Shopping Center
- Stoneyhurst Quarry
- Fortune Parc.

In addition, there may be other sites including:

- Rock Run Advanced Waste Treatment Site (Avenel)
- A site adjacent to Potomac Village, including the Habibi and Srour Properties west of Falls Road and north of River Road.

The recommended zoning for Stoneyhurst Quarry is RMX-1/TDR-6. Senior housing is not currently permitted in this zone. The proposed zoning text amendments emerging from the Comprehensive Zoning Ordinance Review recommend adding senior housing as a permitted use in all RMX Zones. If this change does not occur before the Master Plan is implemented, senior housing should be added to the zone as part of the master plan process.

Affordable Housing

One goal of this Master Plan is to retain and expand the supply of affordable housing in the Potomac Subregion. The Plan supports the Montgomery County Housing Policy and endorses opportunities that will result in meeting the Policy's objectives. The Plan also supports measures to provide affordable housing in the Subregion and recommends continuing to seek ways to fill this need.

As of January 2000, the Subregion contains approximately 800 of the County's 15,600 government subsidized or mandated affordable housing units. Government funded low-income complexes include Chelsea Towers, 22 units; Lakeview House, 151 units for the elderly; Magruder's Discovery, 134 units; and Scotland, 65 units, all in the Potomac Planning Area. In addition, Potomac contains 69 scattered site units. All of these scattered site units are in the North Potomac section of the Travilah Planning Area. Finally, the Subregion offers about 260 privately owned, price controlled MPDUs.

2. *In the future, there may be a possibility for affordable housing on appropriately located publicly owned land that is proposed for reuse or sale.*
3. *Study the potential for a program to set aside land in larger subdivisions for affordable, senior, and special needs housing.*

During 2001, as it considered a number of issues surrounding provision of housing for the elderly, the Planning Board suggested creating a program to set aside land for senior housing in large subdivisions. Some variation of this concept could also be appropriate for affordable housing (in addition to the MPDU program). The Housing Policy supports this idea.

Such a program is not currently available but appears suitable for use in Potomac. The challenge is to develop appropriate incentives or tradeoffs for a set aside. Added density may not always be the best choice; adjustments to development standards, such as lot sizes and unit types, or some other benefits may be better options.

4. *Recognize the difficulty of providing affordable housing in the Potomac Subregion when distributing public funding for affordable housing.*

Potomac Subregion's high land prices and desirable location exacerbate the cost of producing affordable housing. Private and nonprofit housing providers find it particularly difficult to produce such housing in the area without assistance. As a result, production and retention of any adequate supply of low-income housing will probably depend upon directing a share of available government assistance to the Subregion.

Relevant government agencies are encouraged to direct financial assistance to projects that can reduce the shortage of affordable housing in the Potomac Subregion.

Land Use and Zoning

The land use and zoning recommendations for the Subregion highlight those parcels or areas recommended for a change in use or density. (See Foldout Map B.) A brief analysis of properties for which landowners have requested a zoning change not supported by this draft master plan is also included.

Each site was evaluated in the context of the overall objectives of this Plan, as well as for compatibility with the surrounding community. Environmental constraints, types of use, buffering, access, and the comparative density of nearby properties were considered in determining compatibility.

This Plan supports the retention and reconfirmation of existing zoning for all developed, underdeveloped, and undeveloped land in the Subregion, except for those sites recommended for change in the Plan. This Plan also supports the use of TDRs wherever increases in residential density are proposed. Further, this Plan supports the retention of existing public facilities sites in the area. Any disposition of County owned property should only occur after a careful examination of all needed services including parks and recreation.

TRANSPORTATION PLAN

Introduction

The Potomac Subregion is bounded on the east by the County's busiest transportation facilities, but its internal communities are not easily accessible from the County's primary highways, I-270 and I-495. Nonetheless, most of the Subregion's residents drive to work and experience congestion on that commute.

While it is true that significant road construction would ease congestion, at least in the short term, one of this Master Plan's goals is to preserve the Subregion's existing character. To that end, a two-lane road policy has been established and the rustic roads program applied. While these policies help preserve community character, they also constrict the road network. The area's semi-rural nature makes it difficult to serve with transit, despite apparent need and increasing traffic congestion. However, that same semi-rural character offers the opportunity to create an extensive network of off-road bikeways.

This Plan addresses streets and highways, transit, and bikeways in an effort to create a comprehensive system that, while not alleviating congestion, can serve residential communities and commercial centers, and preserve the Subregion's physical character.

Forecasting

Travel conditions in the Potomac Subregion are a function of the location and amount of development and the available transportation infrastructure and services. Developing the Subregion's circulation plan included analysis of year 2020 forecast travel conditions with a focus on the level of service provided on the area's roads.

The evaluation of transportation impacts of proposed land use patterns included three analyses. First, a regional travel demand model evaluated area-wide levels of service and forecasted regional travel demand trends. Second, a Local Area Transportation Review (LATR) assessed travel demand changes generated by development forecasts in the Subregion. Third, an intersection analysis assessed the localized impacts on intersection congestion and identified potential geometric and operational improvements.

The regional model analysis indicated that the number of trips through the Subregion would not change significantly, either by route or in total, through 2020. The LATR analysis found that critical lane volume (a measure of peak-hour intersection congestion) is currently below standard at two of thirteen studied intersections. Congestion is forecast to be worse than the standard at ten of thirteen studied intersections if no additional geometric improvements are implemented. If the improvements described in Appendix B are made, four of the thirteen intersections would still fail to meet the LATR standard. (See Table 2.)

The Plan recognizes that, given anticipated economic development, the transportation network in the Potomac Subregion will not be sufficient to meet current congestion standards. During the next 20 years approximately 7,000 new jobs and 5,000 new households are forecast to be located in the Subregion. Residential and employment growth outside the Subregion are also forecast to increase. Few improvements in transportation facilities or services are planned to accommodate these new residents and employees. As a result, traffic congestion is forecast to deteriorate.

Streets and Highways

Many of Potomac's roads reflect a rural legacy in terms of location and character, yet have to serve current suburban communities and meet future demands. Those demands have to be balanced with the unique environmental character of the Subregion and the goal of creating communities with pedestrian links to commercial and public facilities.

The two-lane road policy and the rustic roads policy are the guidelines that have most influenced the development of the Subregion's street and highway system. Their goals are supported by policies regarding a Potomac River crossing, road rights-of-way, and intersection improvements.

Two-Lane Road Policy

The two-lane road policy is intended to preserve the community's visual aspect and character by discouraging the expansion of existing roadways from two to four lanes. The policy retains the rights-of-way and setbacks during the subdivision process, and while those rights-of-way may never develop, their preservation enhances safety, allows for intersection improvements, leaves potential for pedestrian and bicycle facilities, and provides space to offset the effects of auto emissions and roadway noise. Visual screening for residences also becomes possible when ample rights-of-way are preserved.

The two-lane road policy does not prohibit the construction of localized intersection improvements such as turn lanes or auxiliary lanes. For instance, auxiliary through lanes at the intersection of Falls and River Roads in Potomac Village are consistent with the two-lane road policy. Auxiliary lane improvements cannot be mandated on an area-wide basis, but must be evaluated on a case-by-case basis.

With the exception of a few locations at the Subregion's northern and eastern periphery, there are currently no roads in the Subregion wider than two lanes. The combined effect of low-density zoning and a network of two-lane roads contributes to the area's desirable semi-rural ambience.

Recommendation

- **Maintain the 1980 Potomac Subregion Plan's system of two-lane roads with limited opportunity to expand road capacity.**

Rustic Roads

Montgomery County's Rustic Roads Program preserves historic and scenic roads that reflect the County's agricultural character and rural origins. The Program defines two rustic road categories—rustic and exceptional rustic, and two country road categories – country road and country arterial. Roads are designated based on surrounding land uses and natural features, historic value, and road characteristics. (See Table 3.)

The *Rustic Roads Functional Master Plan* (December 1996) designates five roads within the Potomac Subregion. Black Rock, Pennyfield Lock, Rileys Lock, and Violettes Lock roads are all rustic, and Swains Lock Road is designated as exceptional rustic. The Rustic Roads Program was developed, in part, to protect the sylvan nature of the Subregion's roads, particularly in Watts Branch Glen where Glen Road intersects with Glen Mill and South Glen Roads. However, the traffic volumes and accident history of these roads would typically exclude them from rustic road designation. These volumes are not due to development in the immediate vicinity, but are generated by constraints on the road network created by the two-lane road policy. For example, if River Road were widened from two to four lanes throughout the Potomac Subregion, traffic volumes and accidents in the Watts Branch Glen might be reduced to a point consistent with the present rustic roads legislation. Therefore, the eligibility of the Watts Branch Glen roads for rustic road designation is hampered by the two-lane road policy. This Plan recommends a minor change in the legislation to redefine the traffic volume and accident history criteria as guidelines, allowing the other rustic road criteria to be weighted more heavily for unique local situations where flat numerical standards may not be appropriate.

The 1980 Potomac Master Plan recommended realigning Quince Orchard Road within the Muddy Branch stream valley. In 1993, this section of Quince Orchard Road was designated an interim exceptional rustic road. The County's Department of Public Works and Transportation is currently conducting a facility planning study on this rare case of an arterial rustic road. The results of the study indicate that the full realignment recommended in the 1980 Plan is not feasible due to environmental and community concerns. The existing roadway through the stream valley is an integral portion of the needed arterial function of Quince Orchard Road, and is therefore not "intended primarily for local use" as required by the rustic roads legislation. The interim exceptional rustic road designation should therefore be removed from this portion of Quince Orchard Road. Within the Muddy Branch Stream Valley Park, any improvements required to provide the arterial function should apply the most environmentally conservative treatment possible, essentially following the existing roadway alignment.

Recommendations

- **Make a minor amendment to the rustic roads legislation, allowing traffic volume and safety criteria for rustic roads designation to be waived for roads in a planning area where a comprehensive two-lane road policy is in effect.**
- **Remove Quince Orchard Road's interim exceptional rustic road designation.**

Table 4

Street and Highway Classifications

Roadway		Limits	Minimum ROW Width (feet)	Number of Travel Lanes
Freeway				
F-8	Capital Beltway (I-495)	I-270 Spur to Potomac River	300	8, divided
F-1	I-270	Rockville City Line to I-270 Spur	300	12, divided
F-1a	I-270 Spur	I-270 to I-495	300	6, divided
Major Highways				
M-22	Darnestown Rd	Seneca Creek to Riffle Ford Rd	120	2
M-22	Darnestown Rd	Riffle Ford Rd to Muddy Branch Rd	120	4, divided
M-22	Darnestown Rd	Muddy Branch Rd to Key West Ave	150	6, divided
M-90	Darnestown Rd	Great Seneca Hwy to Glen Mill Rd	150	6, divided
M-61	Darnestown-Germantown Rd	Darnestown Rd to Great Seneca Creek	120	2-4, divided
M-5	Democracy Blvd	Seven Locks Rd to I-270 Spur	150	6, divided
M-14	Falls Rd	River Rd to Rockville City Line	120	2
M-2	River Rd	Esworthy Rd to Seven Locks Rd	150	2
M-2	River Rd	Seven Locks Rd to I-495	150	4, divided
Parkway				
EP-5	Clara Barton Pkwy	MacArthur Blvd to I-495	Varies	4
Arterial				
A-39	Bradley Blvd	I-495 to Persimmon Tree Rd	100	2
A-280	Darnestown Rd	Key West Ave to Great Seneca Hwy	100	4
A-73	Democracy Blvd	Falls Rd to Seven Locks Rd	80	2
A-32	Dufief Mill Rd	Travilah Rd to Muddy Branch Road	80	2
A-314	Falls Rd	River Rd to MacArthur Blvd	120	2
A-72	Glen Mill Rd	Wootton Pkwy to Darnestown Rd	80	2
A-300	MacArthur Blvd	I-495 to Falls Rd	80	2

Roadway		Limits	Minimum ROW Width (feet)	Number of Travel Lanes
A-293	Montrose Rd	Falls Rd to Seven Locks Rd	300	2
A-293	Montrose Rd	Seven Locks Rd to I-270	300	6, divided
A-32	Muddy Branch Rd	Dufief Mill Rd to Darnestown Rd	80	2
A-39	Oaklyn Dr	Persimmon Tree Rd to Falls Rd	80	2
A-77	Persimmon Tree Rd	River Rd to I-495	80	2
A-34	Piney Meetinghouse Rd	River Rd to Cavanaugh Dr	80	2
A-265	Quince Orchard Rd	Dufief Mill Rd to Darnestown Rd	80	2
A-1	River Rd	Seneca Rd to Esworthy Rd	80	2
A-29	River Rd	Seneca Creek to Seneca Rd	80	2
A-29	Seneca Rd	River Rd to Darnestown Rd	80	2
A-79	Seven Locks Rd	Bradley Blvd to Rockville City Line	80	2
A-34	Shady Grove Rd Ext.	Cavanaugh Dr to Darnestown Rd	100	4
A-32	Travilah Rd	Dufief Mill Rd to River Rd	80	2
A-71	Tuckerman La	Falls Rd to I-270	80	2
A-85	Westlake Dr	Democracy Blvd to Westlake Ter	90	4
A-85	Westlake Ter	Westlake Dr to I-270 Spur	90	4
Primary Residential				
P-10	Bells Mill Rd	Falls Rd to Seven Locks Rd	70	2
P-23	Brickyard Rd	Falls Rd to MacArthur Blvd	70	2
P-12	Broad Green Dr	Eldwick Way to Glen Rd	70	2
P-1	Cavanaugh Dr	Piney Meetinghouse Rd to Glen Mill Rd	70	2
P-101	Dufief Dr	Dufief Mill Rd to Darnestown Rd	70	2
P-3	Dufief Mill Rd	Darnestown Rd to Muddy Branch Rd	70	2
P-12	Eldwick Way	Broad Green Dr to Falls Rd	70	2
P-102	Esworthy Rd	River Rd to Seneca Rd	70	2
P-20	Falls Bridge La	Falls Rd to end of road	70	2
P-4	Falls Chapel Way	Falls Rd to Falls Rd	70	2
P-17	Gainsborough Rd	Democracy Blvd to Seven Locks Rd	70	2

Table 6
Bikeway Classifications

Bikeway Designation	Name	Limits	Class Type
PB-1	Darnestown Road	Seneca Road to Glen Mill Road	Class I (off-road bike path)
PB-2	Montrose Road	Falls Road to I-270	Class I (off-road bike path)
PB-3	Tuckerman Lane	Falls Road to I-270	Class I (off-road bike path)
PB-4	Democracy Boulevard	Falls Road to I-270	Class I (off-road bike path)
PB-5	Bradley Boulevard	Persimmon Tree Road to I-495	Class I (off-road bike path)
PB-6	River Road	Seneca Creek to I-495	Class I (off-road bike path)
PB-7	Oaklyn Drive	Falls Road to Persimmon Tree Road	Class I (off-road bike path)
PB-8	Persimmon Tree Road	Bradley Boulevard to I-495	Class I (off-road bike path)
PB-9	Seneca Road	Darnestown Road to River Road	Class II (on-road bike lane)
PB-10	Quince Orchard Road	Darnestown Road to Dufief Mill Road	Class I (off-road bike path)
PB-11	Dufief Mill Road	Darnestown Road to Travilah Road	Class II (on-road bike lane)
PB-12	Travilah Road	Darnestown Road to River Road	Class I (off-road bike path)
PB-13	Shady Grove Road Extended Piney Meetinghouse Road	Darnestown Road to Cavanaugh Drive Cavanaugh Drive to River Road	Class I (off-road bike path)
PB-14	Falls Road MacArthur Boulevard	Rockville City Line to MacArthur Boulevard Falls Road to I-495	Class I (off-road bike path)
PB-15	Seven Locks Road	Rockville City Line to I-495	Class I (off-road bike path)
PB-16	Rileys Lock Road	Entire length	Class III (shared use roadway)
PB-17	Violettes Lock Road	Entire length	Class III (shared use roadway)
PB-18	Pennyfield Lock Road	Entire length	Class III (shared use roadway)
PB-19	Swains Lock Road	Entire length	Class III (shared use roadway)

The Persimmon Tree Road bike path would connect the network of Class I bikeways serving the Avenel community with the Cabin John community east of I-495 in the Bethesda-Chevy Chase Planning Area. Based on the high level of community support expressed for this concept, easements across private property should be explored where right-of-way or environmental constraints exist. Network connectivity would be enhanced by extending the bike path within the Bethesda-Chevy Chase Planning Area to MacArthur Boulevard.

Public Transit

Travel forecasts indicate that the Potomac Subregion will become increasingly congested in the next twenty years, but a primary goal of this Plan is to preserve the Subregion's semi-rural character. A greater emphasis on transit and travel demand management can increase the efficient use of the roads and help reduce congestion. Continued County planning for public transit should further examine opportunities to expand public transit services in the Subregion to complement the environmental goal of the Plan and the two-lane road policy.

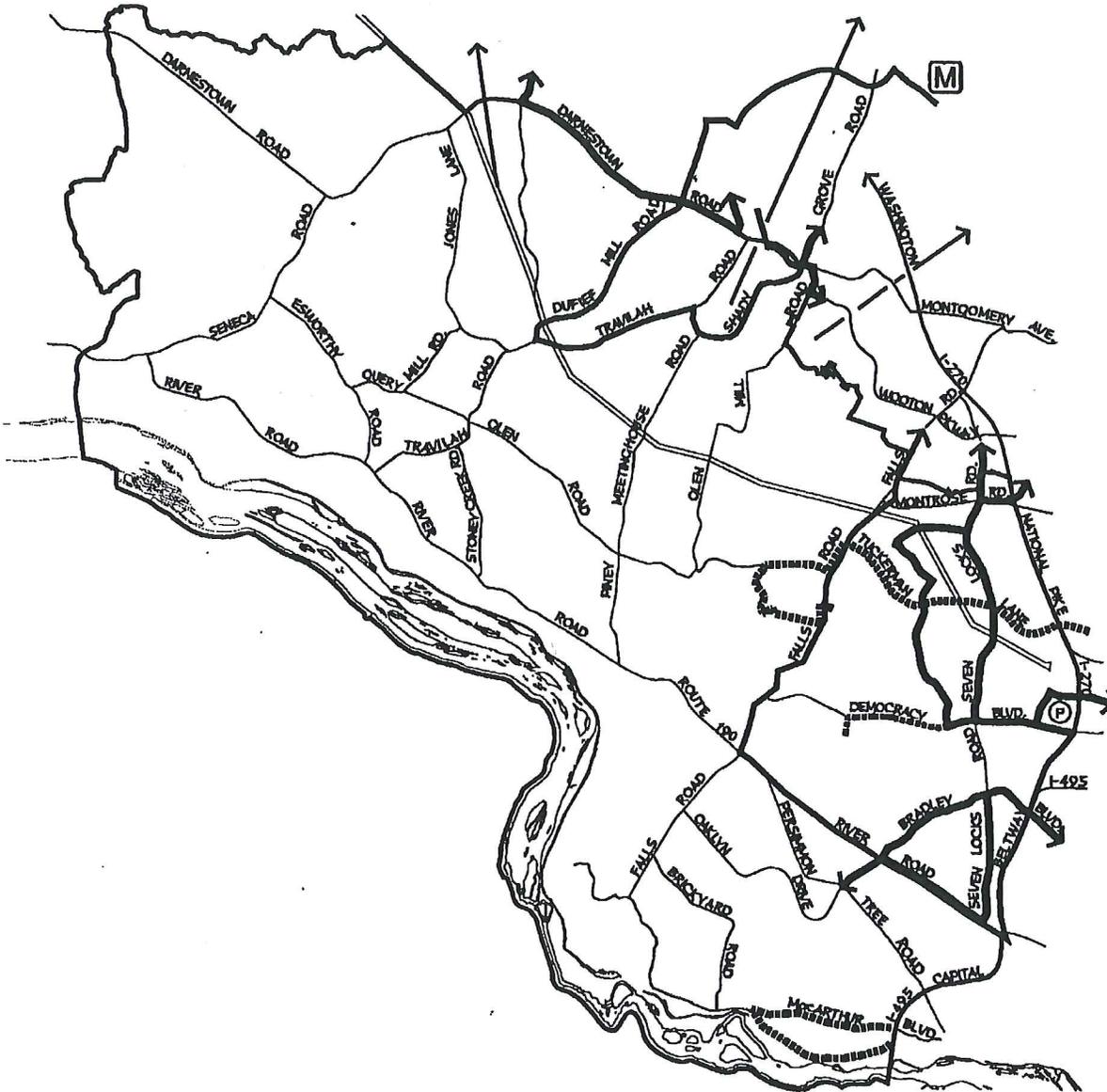
Public transit typically serves two constituencies. Some users choose transit as a competitive alternative to auto travel, others are transit-dependent and auto travel is not an option. The Subregion has both types of users and requires a transit plan which addresses the needs of both groups. Transit is an attractive option where development densities are sufficiently high to generate travelers on shared routes. Areas can then be served by vehicles operating on fixed routes or schedules. In North Potomac and part of the Potomac Planning Area sector of the Subregion, densities are high enough for transit to the I-270 corridor, which is served by rail transit—Metrorail and MARC—connecting suburban and ex-urban residents to downtown Washington and to several Montgomery County business districts. (See Map 27.)

The fixed-route WMATA and Ride-On bus systems in Potomac are generally laid out to serve the largest commuter demands for travel to job centers or to Metrorail and MARC stations. The buses also provide access to community and institutional services such as the Potomac Community Center and the Connelly School. These fixed-route bus services are periodically evaluated and revised to meet changing community needs. Private educational institutions often provide transit services to meet a substantial portion of their travel needs. The feasibility of site-specific transit service should be considered in all development proposals in the Potomac Subregion.

This Plan supports existing recommendations for the North Bethesda Transitway, proposed to connect Montgomery Mall via Rock Spring Park to the Grosvenor-Strathmore Metrorail station. A potential circumferential regional rail transit route is being evaluated by the State's *Capital Beltway Corridor Transportation Study*. This route, tentatively identified as a purple line addition to the Metrorail system, could pass through the Subregion near the Capital Beltway right-of-way. This Plan endorses the purple line concept if the study suggests it can be effectively implemented. If potential rail alignments or stations are identified in the Subregion, a limited master plan amendment would be required.

Recommendations

- **Establish two multi-modal transit centers—at the western terminus of the planned North Bethesda Transitway near Montgomery Mall and at the Trville development.**
-
- **Consider transit accessibility and the potential for applicants to provide additional transit services in all Potomac Subregion development proposals.**



Ride-On Route

- all day service



- rush hour service



Metrobus Route



Park-N-Ride Route



Park-N-Ride Route



0 2250 4500 9000 Ft

EXISTING AND PROPOSED ZONING

PROPOSED ZONING RECOMMENDATIONS

MAP B

Potomac

1. Rezone the Cabin John Center from C-1 and R-99 to RMX-2C and RT-15 to create a mixed-use neighborhood convenience center.
2. Rezone Fortune Place to the I-3 zone (optional method), to allow mixed-use development.
3. Rezone Normandie Farm from RE-2/TDR to allow development of a Country Inn.
4. Rezone the Glanville quarry from R-200 to R-200/TDR-6 to allow a compatible alternative use.
5. Rezone the Stoneyhurst quarry from R-200 to RMX-1/TDR-6 to allow a compatible alternative use.

TRAVILAH

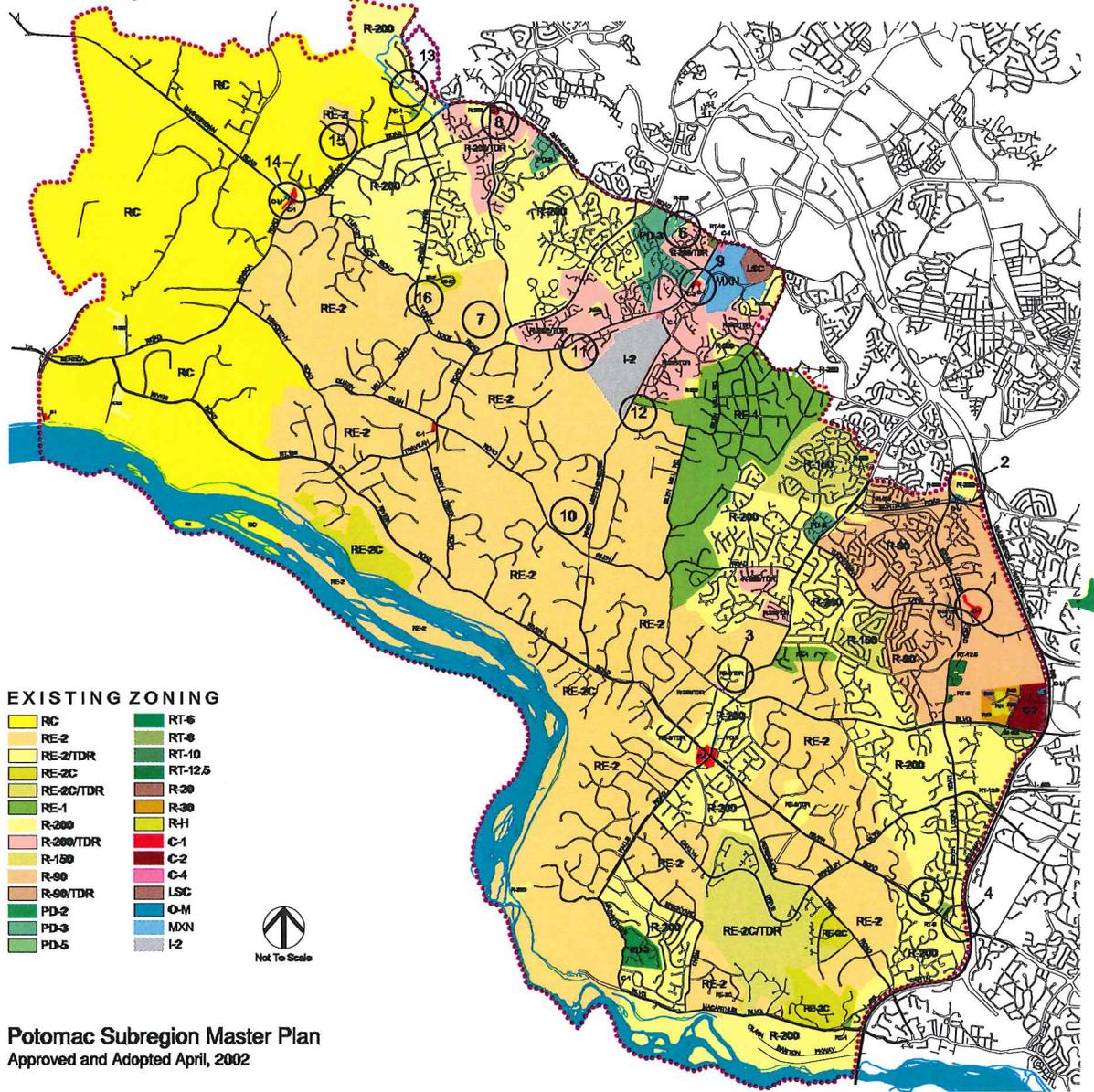
10. Rezone Lower Greenbriar properties from RE-2 to RNC.
11. Correct zoning anomaly on Johnson Property.
12. Rezone parcels 664, 626, 580 and 469 from RE-2 to RE-3C.

North Potomac

6. Rezone the Country Corner site from R-200 to R-200/TDR-10.
7. Rezone the Hanson Farm from RE-2 to PD-2 to encourage a compact development pattern that allows expansion of the adjacent stream valley park.
8. Rezone the Lerner and Naylor sites from R-200/TDR to O-M with CT standards to allow compatible redevelopment.
9. Rezone the Rickman site from C-1, C-2, R-200 and R-200/TDR to R&D to allow compatible commercial development.

Darnestown

13. Consolidate the Ancient Oak subdivision into the Subregion Master Plan and rezone from R-200 and RC to RE-1.
14. Designate an overlay zone in Darnestown Village to protect its existing character and to permit limited development with site plan review.
15. Correct zoning anomaly at Hackenfield Lane.
16. Correct zoning anomaly at High Meadow Road.

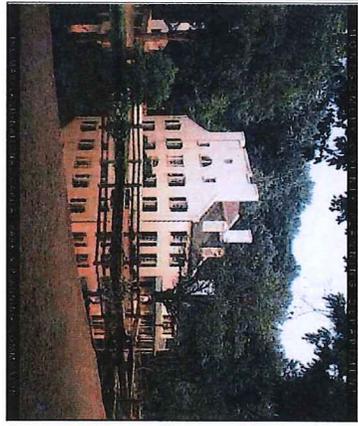


Potomac Subregion Master Plan
Approved and Adopted April, 2002



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POTOMAC SUBREGION
MASTER PLAN



MAP C: LAND USE, PARKS AND
COMMUNITY FACILITIES
MAP D: PROPOSED SEWER ENVELOPE
CHESAPEAKE AND OHIO CANAL

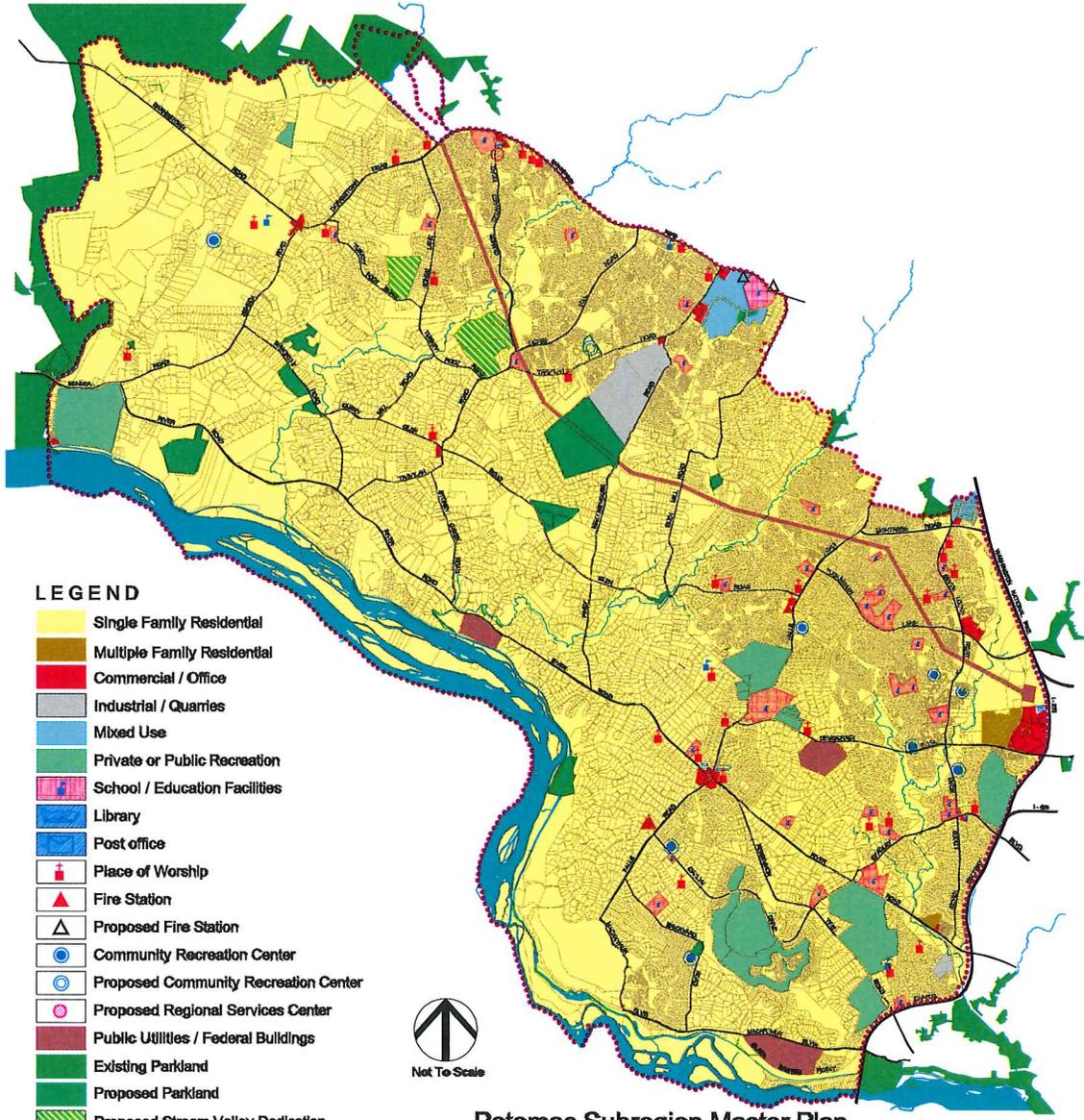


PASTORAL POTOMAC



LAND USE, PARKS AND COMMUNITY FACILITIES

MAP C



LEGEND

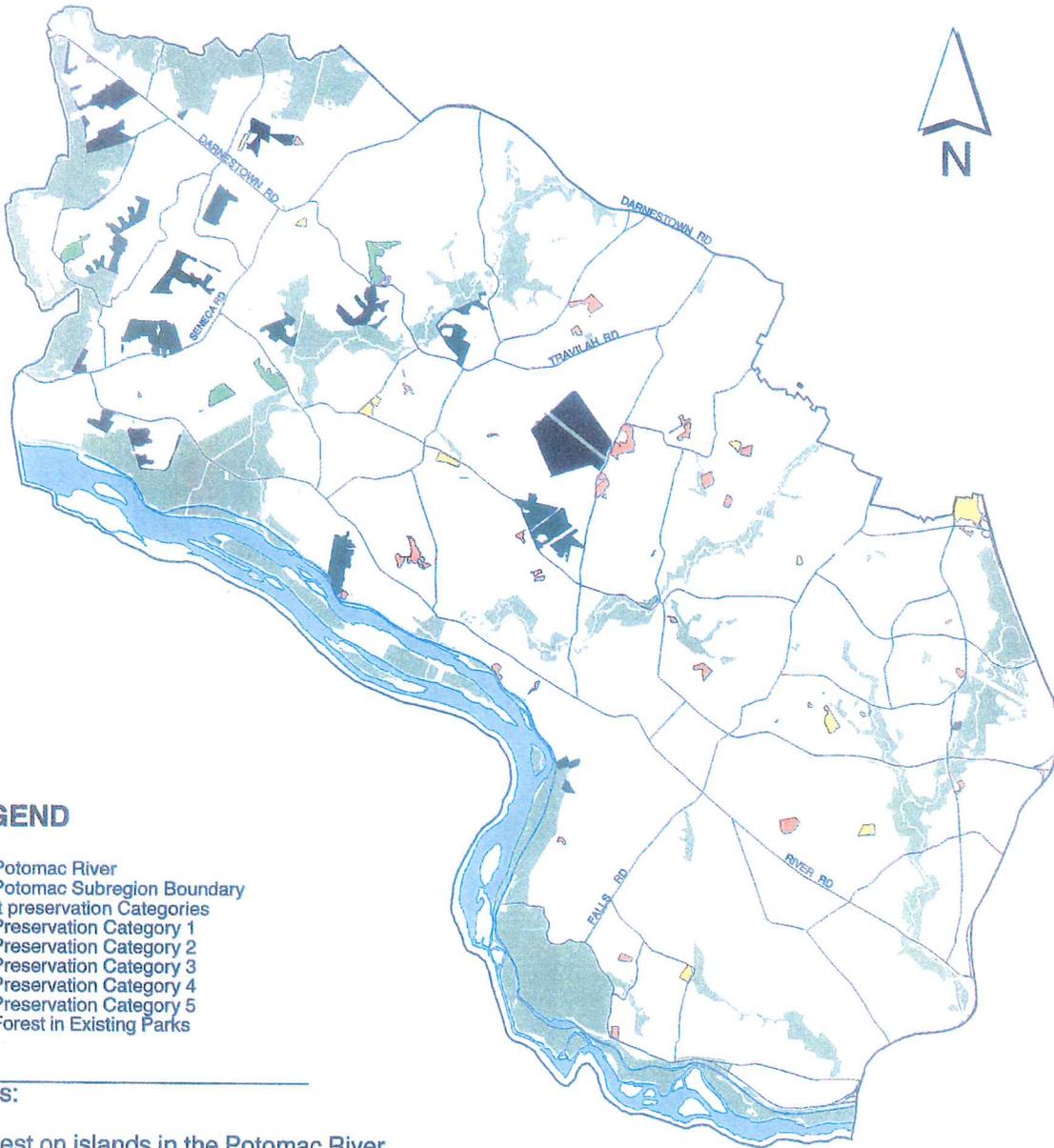
- Single Family Residential
- Multiple Family Residential
- Commercial / Office
- Industrial / Quarries
- Mixed Use
- Private or Public Recreation
- School / Education Facilities
- Library
- Post office
- Place of Worship
- Fire Station
- Proposed Fire Station
- Community Recreation Center
- Proposed Community Recreation Center
- Proposed Regional Services Center
- Public Utilities / Federal Buildings
- Existing Parkland
- Proposed Parkland
- Proposed Stream Valley Dedication



Potomac Subregion Master Plan
Approved and Adopted, April 2002

FOREST PRESERVATION

MAP F



LEGEND

- Potomac River
- Potomac Subregion Boundary
- Forest preservation Categories**
- Preservation Category 1
- Preservation Category 2
- Preservation Category 3
- Preservation Category 4
- Preservation Category 5
- Forest in Existing Parks

Notes:

* Forest on islands in the Potomac River are part of Preservation Category 1.

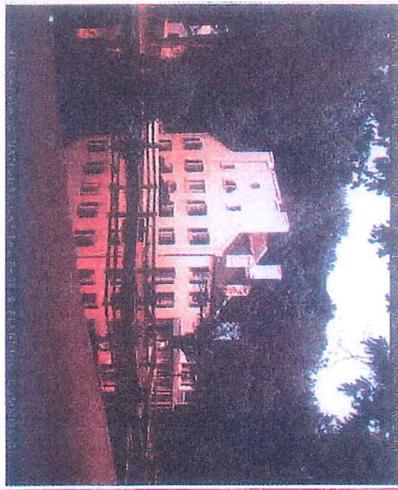
WATTS BRANCH



GREENBRIAR POND



POTOMAC SUBREGION
MASTER PLAN



MAP E: FOREST RESTORATION
MAP F: FOREST PRESERVATION



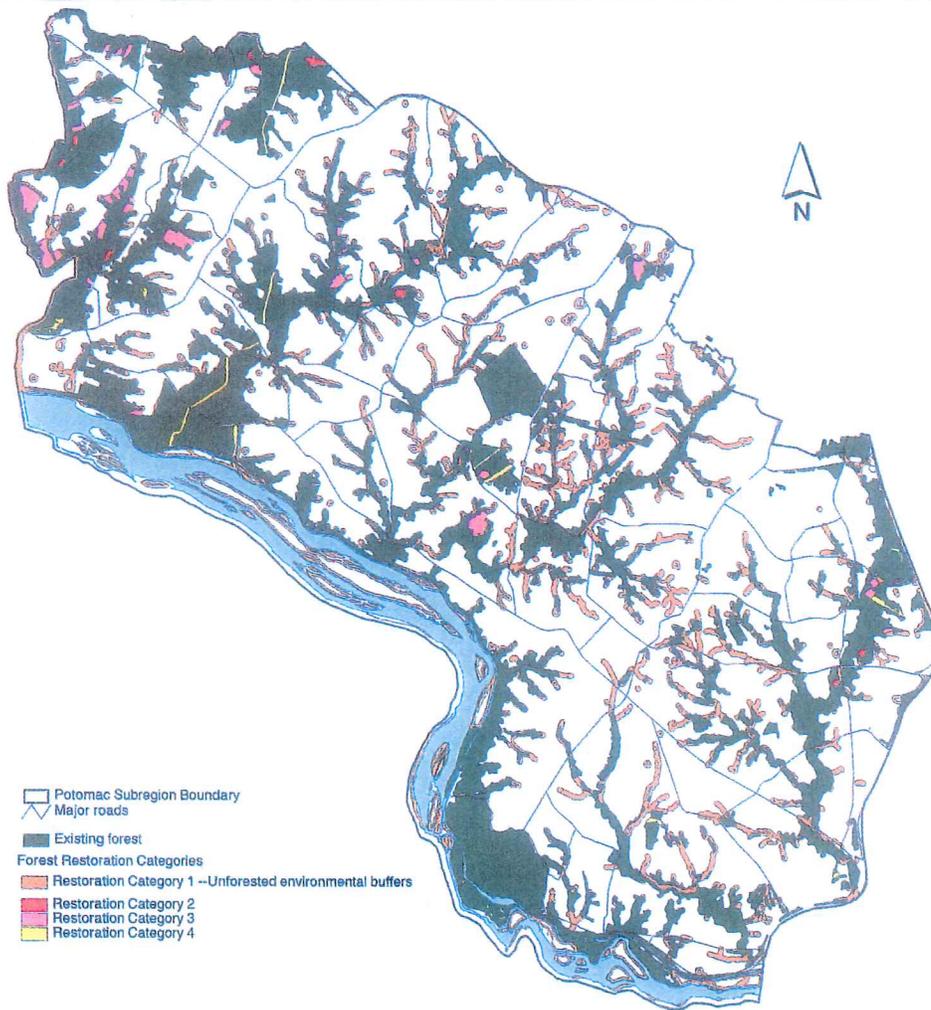
FORTUNE PARC



PINEY BRANCH

FOREST RESTORATION

MAP E



RIVER VIEW DRIVE



MUDDY BRANCH





DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Lisa Feldt
Director

May 15, 2015

Casey Anderson, Chair
Montgomery County Planning Board
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: Clewerwall Knolls (TAK), DAIC 120130270, NRI/FSD application accepted on 3/18/2013

Dear Mr. Anderson:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department ("Planning Department") has completed all review required under applicable law, I am providing the following recommendation pertaining to this request for a variance.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance can be granted under this criterion.
2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the



variance can be granted under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

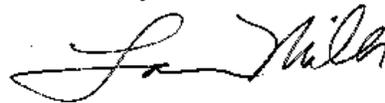
3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance can be granted under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,



Laura Miller
County Arborist

cc: Katherine Nelson, Planner Coordinator



May 4, 2015

Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Clewerwall Knolls PFCP
MHG Project No. 14.224.11

To Whom It May Concern:

On behalf of Artis Senior Living, the applicant of the above referenced Forest Conservation Plan, we hereby request a variance for the removal of one specimen tree and impact of six specimen trees, 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. In accordance with Chapter 22A-21(b) of the Montgomery County Code, the proposed removal/impact of seven trees over thirty inches in diameter would satisfy the variance requirements.

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

The subject property has a tract area of 4.39 acres. There are 2.12 acres of existing forest on-site and there are a number of significant and specimen trees. The applicant is proposing an assisted living facility on the site. The proposed construction has been designed to minimize the number of specimen trees to be impacted making use of the existing driveway and open space. The limits of disturbance has been minimized around specimen trees to provide maximum protection possible given both the regulatory requirements and design requirements of the development.

The forest conservation plan is proposing to meet the forestation requirements on-site putting 1.41 acres of forest into a forest conservation easement. The design and layout of the assisted living facility are necessary to meet the needs of the facility in order to properly care for the residents. The only alternative to these impacts would be to shift the development east which would result in more forest being removed and would create other significant and specimen trees to be impacted. Two tree impacts are along the entrance driveway and cannot be avoided due to the driveway width requirements. The proposed site location is seen as having the least environmental impacts maximizing forest saved and creating the greatest setback from Cabin John Creek. Another two of the proposed impacts are for the proposed water connection. The existing 66" water main running along River Road cannot be connected to and the proposed line must remain a minimum of 20' off of the main. Therefore, these two impacts to specimen trees cannot be avoided. All necessary stress reduction measures will be provided to the six specimen

trees to be impacted to promote their survivability. For all of the above reasons, not allowing the proposed removal and 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 proposed development is within the buildable area on the property and maximizes use of the existing developed area maximizing protection of the forested area and specimen trees. The inability to impact the subject trees would limit the development of the property and would not meet the needs of the assisted living facility. 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 Plan has been 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.*

Pursuant to Section 22A 21(d) Minimum Criteria for Approval.

(1) The Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available by any other applicants.

The variance will not confer a special privilege because the removal and disturbance are due to the development of the site. The site constraints are explained above.

(2) The variance request is not based on conditions or circumstances which result from the actions of the applicant.

The requested variance is not based on conditions or circumstances which are the result of the applicant outside the norm of a development application allowed under the applicable zoning and associated regulations. The variance is based on the proposed site layout that is utilizing the most suitable area that is available for development.

(3) The variance is not based on a condition relating to the land or building use, either permitted or nonconforming on a neighboring property.

The requested variance is a result of the proposed site design and layout on the property and not a result of land or building on a neighboring property.

(4) Will not violate State water standards or cause measurable degradation in water quality. Full ESD stormwater management will be provided as part of the proposed development.

The variance will not violate State water quality standards or cause measurable degradation in water quality. The specimen trees being removed or disturbed are not within a special protection area. We are confident that the Montgomery County Department of Permitting Services will find the storm water management concept for the proposed project to be acceptable even if conditionally approved.

As required under the law, mitigation will be undertaken for all specimen trees to be removed. 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,



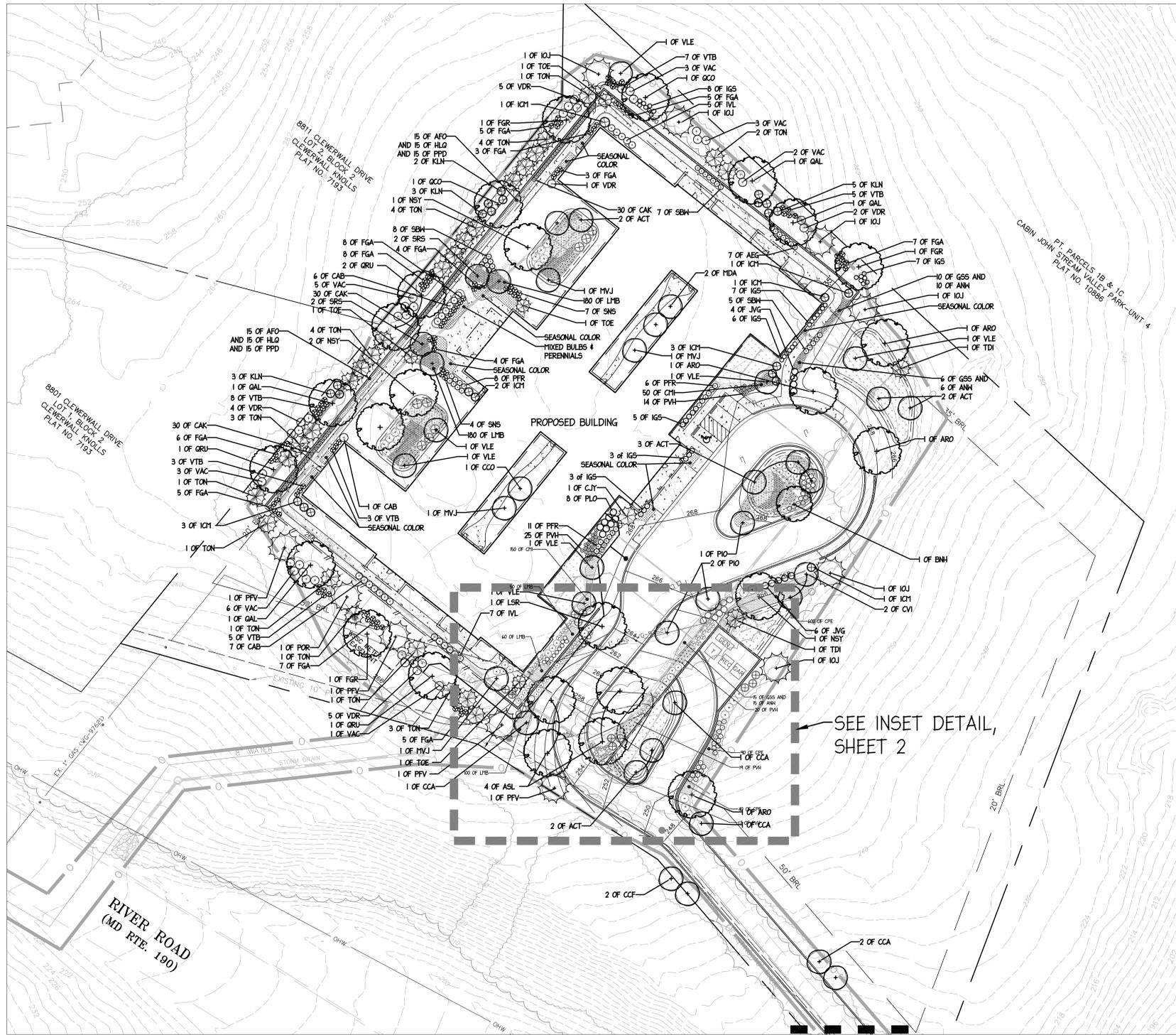
Frank Johnson

Tree Variance Detail Table

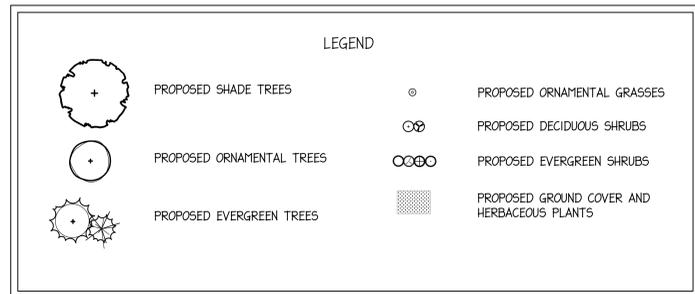
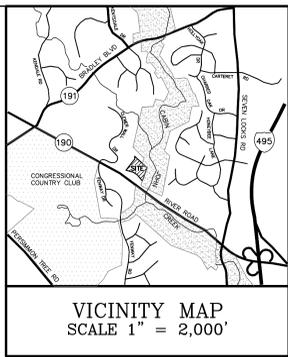
<u>Tree ID #</u>	<u>Species</u>	<u>DBH</u>	<u>Impact/Count as Removed</u>	<u>% Impacted</u>	<u>Condition</u>	<u>Mitigation</u>
7	White Oak	48	Impact Only	10%	Good	stress reduction measures
8	Red Oak	32	Impact Only	2%	Good	stress reduction measures
42	Pin Oak	37	Count as Removed	100%	Fair	37"
43	Pin Oak	40	Impact Only	30%	Good	stress reduction measures
48	White Oak	38	Impact Only	17%	Good	stress reduction measures
54	White Oak	33	Impact Only	3%	Good	stress reduction measures
55	White Oak	41	Impact Only	31%	Good	stress reduction measures

Total: 37"

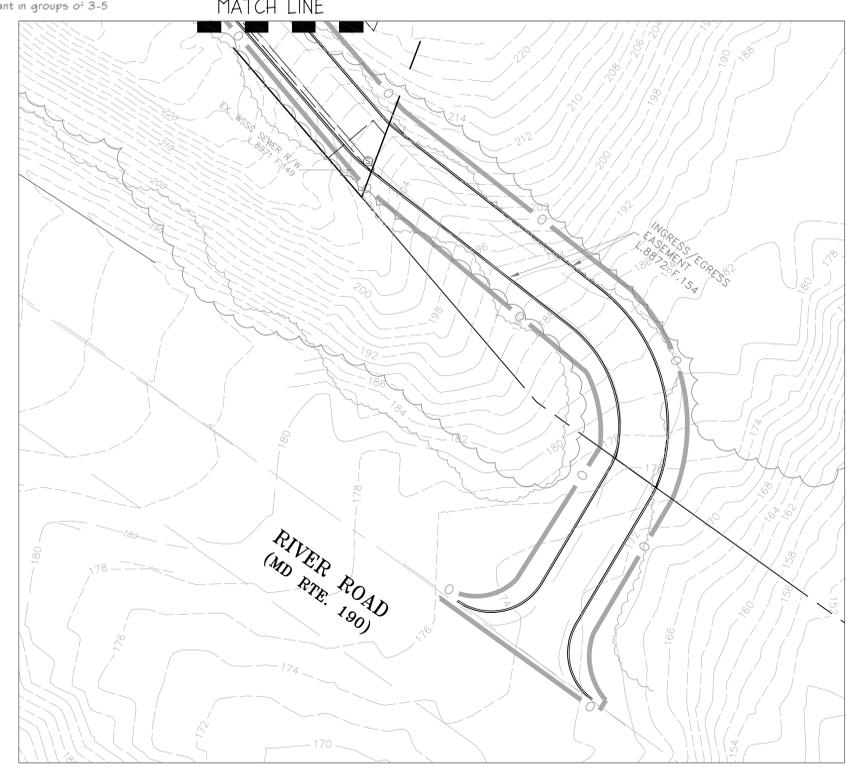
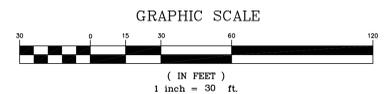
$37"/4 = 9.25"$ to be replanted with 3" trees = 4 trees



LANDSCAPE PLANT LIST									
KEY	QTY	BOTANICAL NAME	COMMON NAME	CAL	HGT	SPD	ROOT	SPACING	
ARO	4	Acer rubrum "October Glory"	October Glory Red Maple	2 1/2 - 3"			B&B		
ASL	4	Acer saccharum "Legacy"	Legacy Sugar Maple	3 - 3 1/2"			B&B		
BNH	1	Betula nigra "Heritage"	Heritage River Birch	2 1/2 - 3"			B&B		
FGR	3	Fagus grandifolia	American Beech	2 1/2 - 3"			B&B		
LSR	1	Liquidambar styraciflua "Rotundifolia"	Frutless Sweetgum	2 1/2 - 3"			B&B		
NSY	4	Nyssa sylvatica	Black Gum	2 1/2 - 3"			B&B		
QAL	4	Quercus alba	White Oak	2 1/2 - 3"			B&B		
QCO	2	Quercus coccinea	Scarlet Oak	2 1/2 - 3"			B&B		
QRU	4	Quercus rubra	Red Oak	2 1/2 - 3"			B&B		
EVERGREEN & DECIDUOUS CONIFER TREES									
CJT	1	Cryptomeria japonica "Yoshino"	Yoshino Cryptomeria		7-8'		B&B		
IOJ	6	Ilex opaca "Jenny Holman"	Jersey Holly		7-8'		B&B		
PFV	4	Pinus strobus "Vanderwolf Pyramid"	Vanderwolf Pyramid Lumber Pine		7-8'		B&B		
POR	1	Picea orientalis	Oriental Spruce		7-8'		B&B		
TDI	2	Taxodium distichum	Common Baldcypress		7-8'		B&B		
TOE	4	Thuja occidentalis "Emerald"	Emerald Arborvitae		5-6'		Com.		
TON	26	Thuja occidentalis "Nirga"	Dark American Arborvitae		5-6'		Com.		
ORNAMENTAL TREES									
ACT	9	Amelanchier canadensis "Trazan"	Tradition Serviceberry		6-7'		B&B		
CCA	5	Cercis canadensis	Eastern Redbud		7-8'		B&B		
CCF	2	Cercis canadensis "Forest Fantasy"	Forest Fantasy Eastern Redbud		7-8'		B&B		
CCO	1	Cornus x "Constellation" (Rutcan)	Constellation Dogwood		7-8'		B&B		
CVI	2	Chionanthus virginicus	White Fringetree		7-8'		B&B		
MDA	2	Magnolia x "Daybreak"	Daybreak Magnolia		7-8'		B&B		
MVJ	4	Magnolia virginiana "Jim Wilson"	Moonglow Sweetbay Magnolia		7-8'		B&B		
PIO	3	Prunus x incame "Oklame"	Oklame Cherry		7-8'		B&B		
SRS	4	Syringa reticulata "Summer Snow"	Summer Snow Tree Lilac		7-8'		B&B		
VLE	7	Viburnum lentago	Nannyberry		7-8'		B&B		
DECIDUOUS SHRUBS									
AEG	7	Abelia x "Edward Goucher"	Edward Goucher Abelia		24-30"		Com.	36" o.c.	
CAB	23	Clethra alnifolia "September Beauty"	September Beauty Summersweet		24-30"		Com.	48" o.c.	
FGA	05	Fothergilla gardenii	Dwarf Fothergilla		8-24"		Com.	36" o.c.	
IVL	17	Itea virginica "Little Henry"	Little Henry Sweetgum		24-30"		Com.	48" o.c.	
PFR	25	Potentilla fruticosa "Red Lady"	Red Lady Cnapetoli		24-30"		Com.	36" o.c.	
SNS	30	Spiraea japonica "Snowmound"	Snowmound Spirea		24-30"		Com.	36" o.c.	
SBW	20	Spiraea x bumalda "Anthony Waterer"	Anthony Waterer Spirea		8-24"		Com.	36" o.c.	
VAC	30	Viburnum acerifolium	Mayleaf Viburnum		30-36"		Com.	60" o.c.	
VDR	20	Viburnum dentatum "Ralph Senor"	Autumn Jazz Viburnum		30-36"		Com.	60" o.c.	
VTB	55	Viburnum trilobum "Bailey Compact"	Bailey Compact Cranberry Viburnum		24-30"		Com.	36" o.c.	
EVERGREEN SHRUBS									
ICM	20	Ilex crenata "Compacta"	Compact Japanese Holly		30-36"		Com.	60" o.c.	
IGS	77	Ilex glabra "Shamrock"	Shamrock Ilexberry		8-24"		Com.	36" o.c.	
JVG	23	Juniperus virginiana "Grey Owl"	Grey Owl Juniper		18-24"		Com.	36" o.c.	
KLN	16	Kalmia latifolia "Nymuck"	Nymuck Mountain laurel		30-36"		Com.	60" o.c.	
PLO	8	Prunus laurocerasus "Otto Luyken"	Otto Luyken Cherry laurel		30-36"		Com.	48" o.c.	
ORNAMENTAL GRASSES, GROUNDCOVERS & PERENNIALS									
AFO*	30	Agastache foeniculum	Anise Hyssop				#1 Cont.	24" o.c.	
ANW*	31	Aster nov-belgii "Winston Churchill"	Winston Churchill Aster				#1 Cont.	24" o.c.	
CAK	90	Carex acutiflora "Karl Foerster"	Feather Reed Grass				#2 Cont.	24" o.c.	
CMI	200	Carex morrowii "Ice Dance"	Ice Dance Japanese Sedge				#1 Cont.	12" o.c.	
CPE	730	Carex pennsylvanica	Pennsylvania Sedge				4" Pots	12" o.c.	
GSS*	31	Geranium sanguineum "Stratum"	Stratum Bloody Cranesbill				#1 Cont.	24" o.c.	
HLO*	30	Helianthus "Lemon Queen"	Lemon Queen Sunflower				#1 Cont.	24" o.c.	
LMB	570	Linopis muscan "Big Blue"	Big Blue Lythrum				4" Pots	12" o.c.	
PPD*	30	Phlox paniculata "David"	David Garden Phlox				#1 Cont.	24" o.c.	
PVI*	95	Panicum virgatum "Heavy Metal"	Heavy Metal Switchgrass				#1 Cont.	24" o.c.	



NOTE:
BIO-RETENTION FACILITY PLANTINGS, INCLUDING ADDITIONAL SHRUBS AND HERBACEOUS PLANTS NOT SHOWN HERE, ARE TO BE PROPOSED IN CONSTRUCTION-SET DRAWINGS, AND SHALL BE REVIEWED, APPROVED AND INSPECTED BY THE MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES.



TAX MAP GN123 WSSC 210NW08

LANDSCAPE PLAN
ARTIS SENIOR LIVING
CLEWERWALL KNOLLS
LOT 13, BLOCK 2 (PLAT NO. 17173)
10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

02/12/15	CONDITIONAL USE APPLICATION	PGL	
NO.	DATE	DESCRIPTION	BY

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

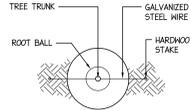
9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279
Phone 301.670.0840
Fax 301.948.0693
www.mhgpa.com

Proj. Mgr. PGL
Designer GSH
Date 02/12/15
Scale 1"=30'
Project No. 14.224.11
Sheet 1 of 2

1/15/2015 10:51:11 AM C:\Users\jg\Documents\Projects\2015\14.224.11\14.224.11.dwg (14.224.11.dwg) 1/15/2015 10:51:11 AM

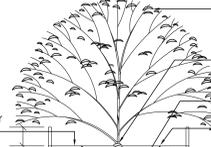
PLANTING NOTES

- THIS PLAN IS FOR PLANTING PURPOSES ONLY.
- CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL PLANT MAINTENANCE, INCLUDING SHRUBS AND GROUNDCOVER, AND SHALL MAINTAIN AREA IN A WEED AND DEBRIS FREE CONDITION, THROUGHOUT THE ONE YEAR GUARANTEE PERIOD.
- CONTRACTOR SHALL LAY OUT AND CLEARLY STAKE ALL PROPOSED IMPROVEMENTS INCLUDED ON THIS PLAN.
- CONTRACTOR IS RESPONSIBLE FOR CONTACTING 1555 UTILITY PRIOR TO BEGINNING CONSTRUCTION FOR LOCATION OF ALL UTILITY LINES. TREES SHALL BE LOCATED A MINIMUM OF 5 FEET FROM SEWER/WATER CONNECTIONS. CONTRACTOR SHALL BE LIABLE FOR DAMAGE TO ANY AND ALL PUBLIC OR PRIVATE UTILITIES.
- QUANTITIES AS SHOWN ON THE PLAN SHALL GOVERN OVER PLANT LIST TOTALS WITH QUANTITIES SHOWN ON PLAN. LANDSCAPE ARCHITECT SHALL BE ALERTED BY CONTRACTOR OF ANY DISCREPANCIES PRIOR TO FINAL BID NEGOTIATION. UNIT PRICES FOR ALL MATERIAL SHALL BE SUPPLIED TO THE OWNER AT BIDDING TIME.
- ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT. OWNER SHALL RECEIVE TAG FROM EACH PLANT SPECIES AND A LIST OF PLANT SUPPLIERS. WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL MEET THE NORMAL REQUIREMENTS FOR THE VARIETY PER THE AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN). PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT.
- CONTRACTOR IS RESPONSIBLE FOR SOIL TESTING AND PREPARATION AS OUTLINED IN THE CURRENT EDITION OF THE LANDSCAPE SPECIFICATION GUIDELINES OF THE HARTLAND LANDSCAPE CONTRACTORS' ASSOCIATION. PREPARATION SHALL INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, THE ADDITION OF SOIL AMENDMENTS, FERTILIZERS AND SUPPLEMENTAL TOPSOIL AS INDICATED BY TESTING AND SUBGRADE, FINAL GRADE AND FINISH GRADE SOIL PREPARATION.
- WHERE TREES ARE PLANTED IN ROWS, THEY SHALL BE UNIFORM IN SIZE AND SHAPE.
- SIZES SPECIFIED IN THE PLANT LIST ARE MINIMUM SIZES TO WHICH THE PLANTS ARE TO BE JUDGED. FAILURE TO MEET MINIMUM SIZE ON ANY PLANT WILL RESULT IN REJECTION OF THAT PLANT.
- ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED, FREE OF DISEASE, INSECT EGGS, AND LARVAE, AND SHALL HAVE ADEQUATE ROOT SYSTEMS.
- ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS WHICH ARE GOOD QUALITY AND ARE IN A HEALTHY GROWING CONDITION.
- GROUPS OF SHRUBS SHALL BE PLACED IN A CONTINUOUS MULCH BED WITH SMOOTH CONTINUOUS LINES. ALL MULCHED BED EDGES SHALL BE CURVILINEAR IN SHAPE FOLLOWING THE CONTOUR OF THE PLANT MASS UNLESS OTHERWISE NOTED. TREES LOCATED WITHIN FOUR FEET OF SHRUB BEDS SHALL SHARE SAME MULCH BED.
- NO EXISTING TREES SHALL BE REMOVED WITHOUT WRITTEN AUTHORIZATION FROM THE OWNER EXCEPT WHERE NOTED ON PLANS. NO GRUBBING SHALL OCCUR WITHIN EXISTING TREE AREAS.
- TREES SHALL BE LOCATED A MINIMUM OF 3 FEET FROM WALLS AND WALKS WITHIN THE PROJECT. IF CONFLICTS ARISE BETWEEN ACTUAL SIZE OF AREA AND PLANS, CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE OWNER OR LANDSCAPE ARCHITECT WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE MATERIALS.
- LARGE GROWING PLANTS ARE NOT TO BE PLANTED IN FRONT OF KITCHENS, UNDER BUILDING OVERHANGS, OR IN DRAINAGE SHALES. SHRUBS PLANTED NEAR HVAC UNITS TO BE LOCATED SO THAT SHRUBS AT MATURITY WILL MAINTAIN 1-FOOT AIRSPACE BETWEEN UNIT AND PLANT.
- CONTRACTOR TO SLIGHTLY ADJUST PLANT LOCATIONS IN THE FIELD AS NECESSARY TO BE CLEAR OF DRAINAGE SHALES AND UTILITIES. FINISHED PLANTING BEDS SHALL BE GRADED SO AS NOT TO IMPED DRAINAGE AWAY FROM BUILDING.
- TREE STAKING AND GUYING SHALL BE DONE PER DETAILS. CONTRACTOR SHALL ENSURE THAT TREES REMAIN VERTICAL AND UPRIGHT FOR THE DURATION OF THE GUARANTEE PERIOD.
- ALL TREE PITS, SHRUB BEDS AND PREPARED PLANTING BEDS ARE TO BE COMPLETELY EXCAVATED IN ACCORDANCE WITH THE PLANTING DETAILS.
- MULCH IS TO BE DOUBLE SHREDDED HARDWOOD BARK FOR TREES AND SHRUBS.
- CROWN OF ROOT FLARE SHALL BE 1/2" - 3" HIGHER (AFTER SETTLING) THAN ADJACENT SOIL.
- TAGS AND THINE ARE TO BE REMOVED AND BURLAP IS TO BE ROLLED BACK ONE-HALF ON ALL B&B PLANT MATERIAL.
- SHRUBS SHALL BE TRIANGULARLY SPACED AT SPACING SHOWN ON PLANTING PLANS WHERE MASSING IS INDICATED.
- SHADE TREES: HEIGHT SHALL BE MEASURED FROM THE CROWN OF THE ROOT FLARE TO THE TOP OF MATURE GROWTH. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE CROWN FROM THE CENTER OF THE TRUNK. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH. SINGLE TRUNK TREES SHALL BE FREE OF "Y" CROTCHES THAT COULD BE POINTS OF HEAVY LIMB STRUCTURE OR DISEASE INFESTATION.
- SHRUBS: HEIGHT SHALL BE MEASURED FROM THE GROUND TO THE AVERAGE HEIGHT OF THE TOP OF THE PLANT. SPREAD SHALL BE MEASURED TO THE END OF BRANCHING EQUALLY AROUND THE SHRUB MASS. MEASUREMENTS ARE NOT TO INCLUDE ANY TERMINAL GROWTH.
- ALL SUBSTITUTIONS OF PLANT MATERIAL ARE TO BE REQUESTED IN WRITING TO THE LANDSCAPE ARCHITECT AND APPROVED IN WRITING BY THE OWNER AND ARCHITECT. FAILURE TO OBTAIN SUBSTITUTION APPROVAL IN WRITING MAY RESULT IN LIABILITY TO THE CONTRACTOR.
- ALL CONTRACTORS SHALL BE REQUIRED TO COMPLETELY REMOVE ALL TRASH, DEBRIS AND EXCESS MATERIALS FROM THE WORK AREA AND THE PROPERTY (ESPECIALLY AT ALL CURB, GUTTERS AND SIDEWALKS) DAILY DURING INSTALLATION.
- DEAD PLANTS ARE TO BE REMOVED FROM THE JOB BY THE CONTRACTOR ON A MONTHLY BASIS. CONTRACTOR SHALL MAINTAIN AN UPDATED, COMPREHENSIVE LIST OF ALL DEAD MATERIALS REMOVED AND PRESENT A COPY OF THE LIST TO THE OWNER AT THE END OF EVERY MONTH DURING THE CONTRACT PERIOD.
- CONTRACTOR SHALL BE RESPONSIBLE TO REGRADE, HYDRO-SEED, STRAW MULCH, AND TACK ALL LAWN AREAS DISTURBED AS THE RESULT OF HIS WORK.
- CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE IMPROVEMENTS, INCLUDING SEEDING, FOR ONE FULL YEAR AS REQUIRED BY THE SPECIFICATIONS. CONTRACTOR MUST CONTACT THE OWNER AT LEAST 10 WORKING DAYS IN ADVANCE TO SCHEDULE ACCEPTANCE INSPECTION(S). CONTRACTOR MUST REPLACE ALL DEAD OR UNACCEPTABLE PLANTS DURING THE FOLLOWING RECOMMENDED PLANTING SEASON.
- THE SPECIFICATIONS FOR ALL WORK INCLUDED IN THIS CONTRACT SHALL BE LANDSCAPE SPECIFICATION GUIDELINES BY THE LANDSCAPE CONTRACTORS ASSOC., MD, CURRENT EDITION, UNLESS OTHERWISE NOTED ON THESE PLANS.
- ANY PLANTING WHICH IS SHOWN ADJACENT TO CONDENSOR UNITS SHALL BE PLANTED AS REQUIRED TO SCREEN THE UNITS. SHOULD THE CONDENSOR UNITS BE INSTALLED IN LOCATIONS DIFFERENT FROM THOSE SHOWN ON THE PLAN IT WILL BE THE CONTRACTOR'S RESPONSIBILITY TO INSTALL THE MATERIALS AROUND THE CONDENSORS AND TO ADJUST OTHER ADJACENT PLANTING ACCORDINGLY.



PLAN VIEW
NOT TO SCALE

NOTE:
 * PRUNE ONLY DEAD, BROKEN OR CROSSING BRANCHES (NO HEADING BACK)
 * ALL STAKING AND GUYING TO BE REMOVED AFTER 6 MONTHS
 * WATER @ PLANTING WHEN SOIL PIT IS 1/2 BACK FILLED



ORIENT THE SIDE OF THE TREE WHICH FACED NORTH IN NURSERY TO FACE NORTH IN THE PLANTING AREA

GUYING SYSTEM (2) HARDWOOD STAKES PER TREE; 2 STRANDS GALVANIZED WIRE TWISTED FOR SUPPORT; 1/2" HOSE LOOPS AT TRUNK

PLACE 1/8 OF ROOT BALL ABOVE ADJACENT FINISHED GRADE

FLAGGING TAPE

BERRY SOIL TO DRAIN AWAY FROM TREE

PREPARE SOIL AS SPECIFIED

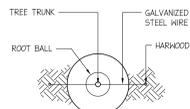
5cm HARDWOOD MULCH TO COVER ENTIRE PLANTING AREA - EXCEPT 7cm CLEAR AROUND TRUNK

CUT ROPE AND TURN BACK TOP 1/3 OF BURLAP AWAY FROM ROOT BALL. FOR TREE WITH WIRE BASKET, CUT BASKET IN FOUR PLACES AND FOLD DOWN 30cm INTO HOLE. REMOVE DEBRIS AND EXCESS SOIL FROM TOP OF BARE ROOT BALL

SLOPE SIDES

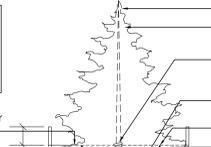
PLANTING MOUND TO INHIBIT SETTLING. ROOT BALL TO REST UPON UNDISTURBED SOIL

DECIDUOUS TREE PLANTING - UNDER 3" CALIPER
NOT TO SCALE



PLAN VIEW
NOT TO SCALE

NOTE:
 * PRUNE ONLY DEAD, BROKEN OR CROSSING BRANCHES (NO HEADING BACK)
 * ALL STAKING AND GUYING TO BE REMOVED AFTER 6 MONTHS
 * WATER @ PLANTING WHEN SOIL PIT IS 1/2 BACK FILLED



DO NOT CUT CENTRAL LEADER

ORIENT THE SIDE OF THE TREE WHICH FACED NORTH IN NURSERY TO FACE NORTH IN THE PLANTING AREA

GUYING SYSTEM 2 HARDWOOD STAKES PER TREE; 2 STRANDS GALVANIZED WIRE TWISTED FOR SUPPORT; 1/2" HOSE LOOPS AT TRUNK

PLACE 1/8 OF ROOT BALL ABOVE ADJACENT FINISHED GRADE

FLAGGING TAPE

BERRY SOIL TO DRAIN AWAY FROM TREE

PREPARE SOIL AS SPECIFIED

2" HARDWOOD MULCH TO COVER ENTIRE PLANTING AREA - EXCEPT 3" CLEAR AROUND TRUNK

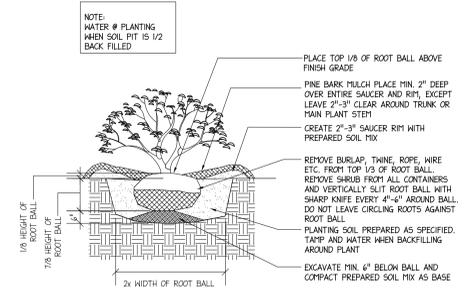
CUT ROPE AND TURN BACK TOP 1/3 OF BURLAP AWAY FROM ROOT BALL. FOR TREE WITH WIRE BASKET, CUT BASKET IN FOUR PLACES AND FOLD DOWN 1/2" INTO HOLE. REMOVE DEBRIS AND EXCESS SOIL FROM TOP OF BARE ROOT BALL

UNDISTURBED SOIL

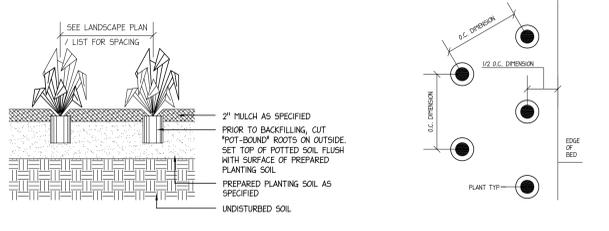
SLOPE SIDES

PLANTING MOUND TO INHIBIT SETTLING. ROOT BALL TO REST UPON UNDISTURBED SOIL

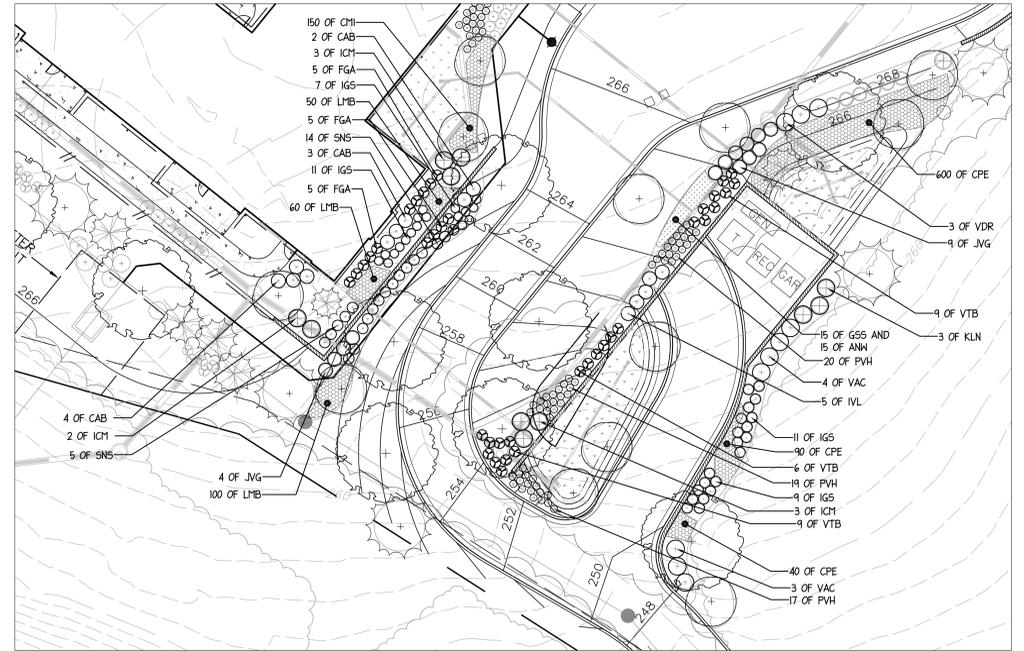
EVERGREEN TREE PLANTING - UNDER 3" CALIPER
NOT TO SCALE



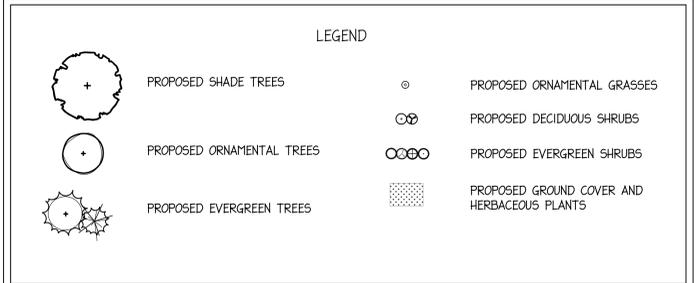
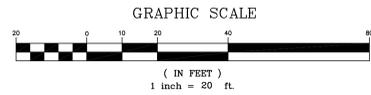
SHRUB PLANTING
NOT TO SCALE



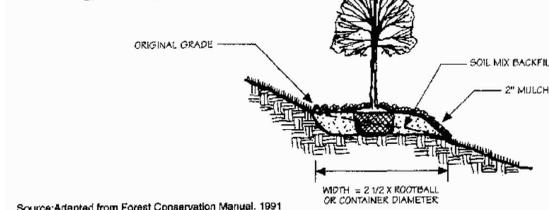
HERBACEOUS PLANTING & TRIANGULAR PLAN SPACING
NOT TO SCALE



INSET DETAIL
SCALE: 1" = 20'



Planting on Slope



Source-Adapted from Forest Conservation Manual, 1991

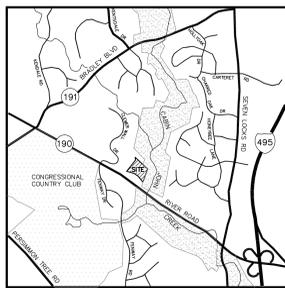
TAX MAP GN123

WSSC 210NW08

LANDSCAPE PLAN
 ARTIS SENIOR LIVING
CLEWERWALL KNOLLS
 LOT 13, BLOCK 2 (PLAT NO. 17173)
 10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

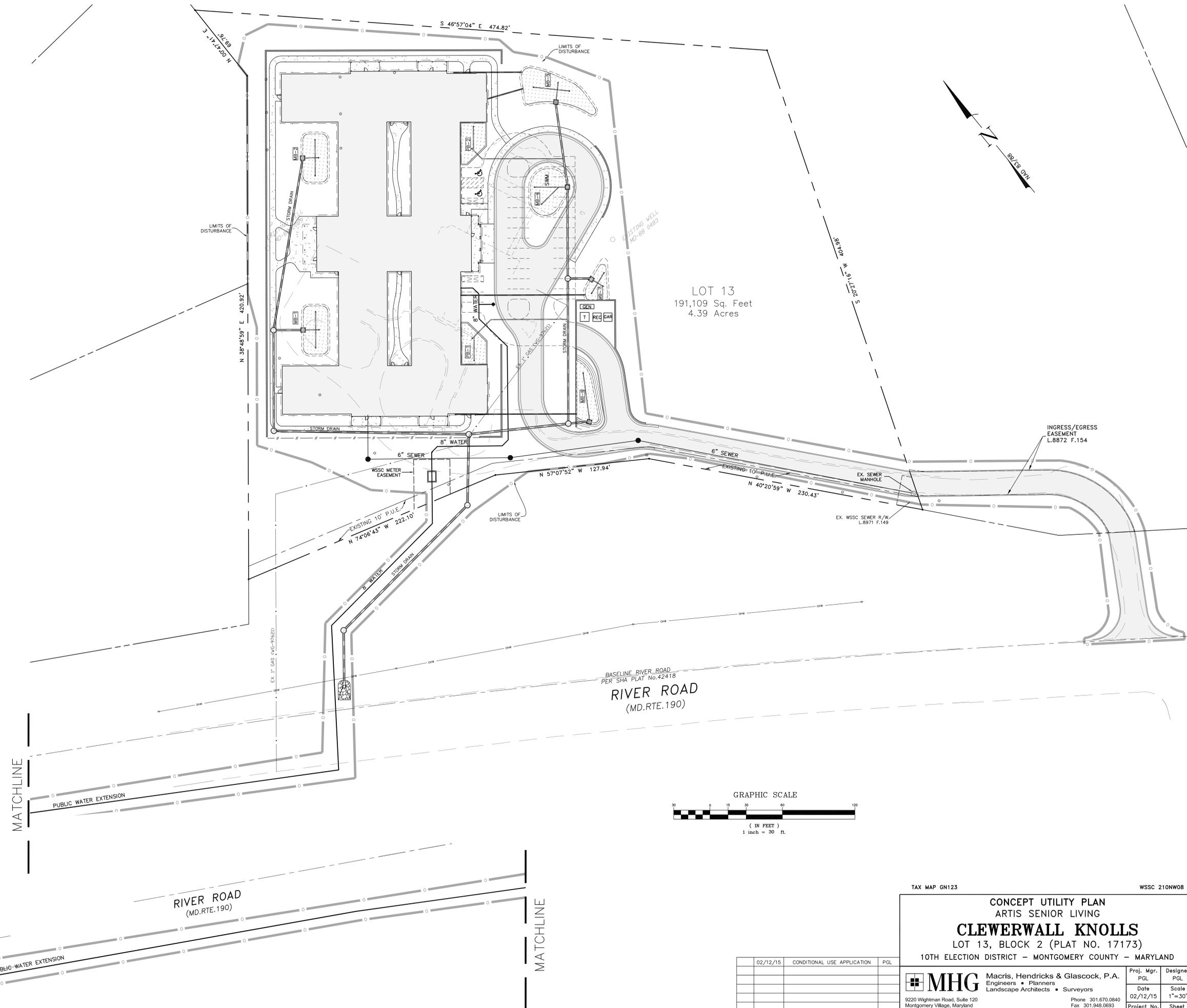
NO.	DATE	DESCRIPTION	BY
	02/12/15	CONDITIONAL USE APPLICATION	PGL

Macris, Hendricks & Glascock, P.A. Engineers • Planners Landscape Architects • Surveyors 9220 Wightman Road, Suite 120 Montgomery Village, Maryland 20886-1279	Proj. Mgr. PGL	Designer GSH
	Date 02/12/15	Scale AS NOTED
Phone 301.670.0840 Fax 301.948.0693 www.mhgpa.com	Project No. 14.224.11	Sheet 2 of 2



VICINITY MAP
SCALE 1" = 2,000'

EXISTING	Legend	PROPOSED
	Asphalt Paving	
	Concrete	
	Curb & Gutter	
	Sign	
	Utility Pole	
	Light Pole	
	Electric	
	8" SEW	
	15" S/D	
	6" WAT	
	Fire Hydrant	
	Gas	
	Telephone	
	Buildings	
	Fence	
	Limits of Disturbance	
	Building Restriction Line	



TAX MAP GN123 WSSC 210NW08

CONCEPT UTILITY PLAN
ARTIS SENIOR LIVING
CLEWERWALL KNOLLS
LOT 13, BLOCK 2 (PLAT NO. 17173)
10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

02/12/15	CONDITIONAL USE APPLICATION	PGL
NO.	DATE	DESCRIPTION

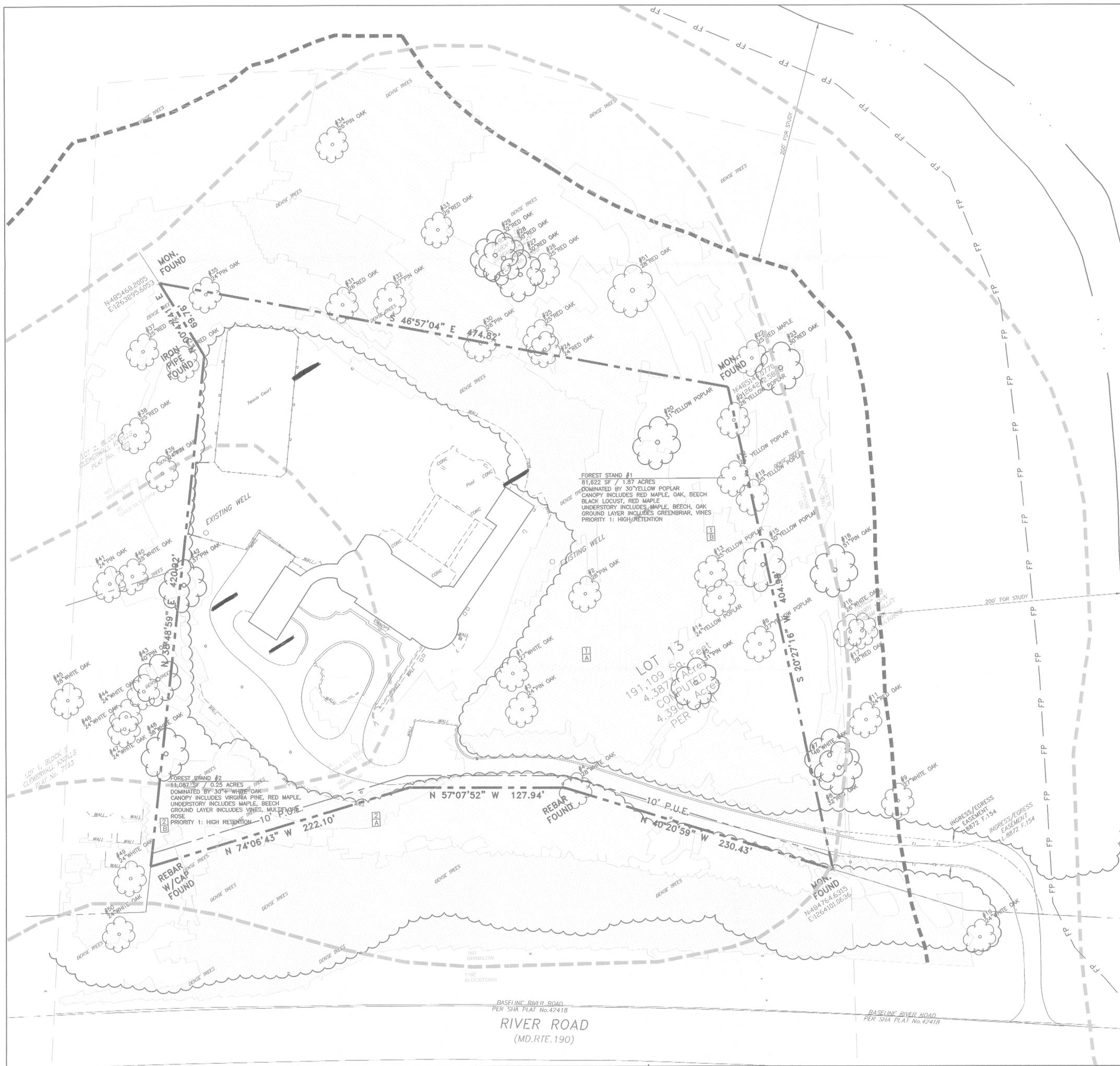
MHG Macris, Hendricks & Glascock, P.A.
Engineers • Planners
Landscape Architects • Surveyors

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279
Phone 301.670.0840
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www.mhgpa.com

Proj. Mgr. PGL
Date 02/12/15
Project No. 14.224

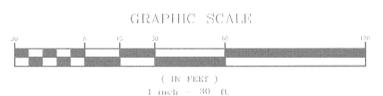
Designer PGL
Scale 1"=30'
Sheet 1 of 1

H:\2015\02\12\15\14224\1514224_Plan_Consult\1897.dwg, Created: 1/19/2015 1:45:21 PM, Copyright © 2014 Macris, Hendricks & Glascock, P.A.



LEGEND

- #1 26" RED OAK EXISTING SIGNIFICANT TREE ≥24" AND <30" DBH WITH TAG NUMBER
- #2 32" RED OAK EXISTING SPECIMEN TREE ≥30" DBH WITH TAG NUMBER
- FOREST TREELINE
- FOREST STAND BOUNDARY
- SCRUB AREA/NON-FOREST CANOPY
- SOIL BOUNDARY
- LIMITS OF SURVEY
- STEEP SLOPES ≥ 25%
- MODERATE SLOPES 15%-25% ON ERODIBLE SOILS
- PROPERTY BOUNDARY
- STREAM (FROM MNCPPC)
- STREAM BUFFER
- FOREST SAMPLE PLOT
- FEMA FLOODPLAIN



CERTIFICATION OF QUALIFIED PROFESSIONAL

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, MNC&PC AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

DATE: 3.12.2013
 MICHAEL A. NORTON
 MONTGOMERY COUNTY REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT

TITLE NATURAL RESOURCE INVENTORY & FOREST STAND DELINEATION	
PROJECT TAK PROPERTY	
PREPARED FOR/APPLICANT MR. TAK MAHINDER 8301 RIVER ROAD POTOMAC, MD 20817	
PREPARED BY NORTON LAND DESIGN LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING 17830 NEW HAMPSHIRE AVENUE, SUITE 101 P. 240.342.2329 F. 240.342.2632 WWW.NORTONLANDDESIGN.COM	
REVISIONS REVISION 1: 3/22/13 REVISION 2: 3/22/15	
WATER CLASS: I-P WATERSHED: CABIN JOHN FEMA FLOODPLAIN MAP PANEL: 24031C0435D PRELIMINARY: CABIN JOHN CREEK TAX MAP: GN123 GRID SHEET: 210NW08 DATE: MARCH 2013 SCALE: AS SHOWN SHEET NO.: L-0-1	

RIVER ROAD
(MD. RTE. 190)

SITE NARRATIVE AND FOREST SUMMARY

INTRODUCTION

Norton Land Design completed a Natural Resource Inventory & Forest Stand Delineation for the project known as Tak Property located in Potomac, Montgomery County, MD in March, 2013. The delineation was conducted using the guidelines set forth in the MDCNR State Forest Conservation Technical Manual and MNCPC's Forest Assessment Technical Manual.

GENERAL INFORMATION

This is a 4.39 acre site that consists of lot 13. The site currently hosts the existing residential structure including tennis court, pool, driveway, parking and circulation. The site is bordered by residential properties to the west, Cabin John Park to the east and north. The site has vehicle access from River Road and is provided by easement across MNCPC Park property. The site lies within the Cabin John Watershed Use I-P.

ENVIRONMENTAL FEATURES

100 YEAR FLOOD PLAIN
There are 100 yr floodplains associated with the property according to the FEMA Flood map Community Panel #24031C0435D. The primary tributary to the site is Cabin John Branch.

SOILS

The Soil Survey of Montgomery County, Maryland describes the soil types that are present on the property as follows. The general soil association for this part of the county is Glenview-Galls-Cocoran.

Soil type 1C is the Galls silt loam, 8 to 15 percent slopes, very deep and well drained. The potential productivity for trees on this soil is moderate. The restrictions to lawn and landscaping are moderate when steep slopes are encountered. The limitations for pond reservoir areas is severe due to seepage and when steep slopes are encountered. The potential for Wild herbaceous plants, hardwood trees, and coniferous trees is good. Potential for wetland plants and shallow water areas is very poor. The Galls soil is not listed on the Hydroic soils list of Maryland. This soil is not listed as prime farmland.

Soil type 16D - Brinklow-Blocktown channely silt loams, 15 to 25 percent slopes. These well drained, moderately steep soils are usually located on side slopes in the uplands. The suitability for Wild herbaceous plants, hardwood trees, and coniferous plants is good. The suitability to cultivate crops is very low due to the very low water capacity and severe hazard of erosion. The potential as habitat is good for woodland wildlife. This soil is listed as erodible. This soil is not listed as prime farmland.

WETLANDS

There are no wetlands or wetland buffers observed on or within 200' of the property during the field investigations.

STREAMS AND DRAINAGEWAYS

Cabin John Branch is to the east and north of the property beyond 200'. A 200' buffer analysis was conducted and shown on the drawing. There are no streams or buffers on the property. The site is within the Cabin John Watershed, Use I.

TOPOGRAPHY AND STEEP SLOPES

The site exhibits a moderate amount of topography. The site slopes down from the house around the property. The site begins to slope down at a larger percentage as the stream approaches. There are moderate slopes on erodible soils on the property.

CRITICAL HABITATS

There appear to be no critical wildlife habitats from the field inspection. The MDCNR and Fish & Wildlife Service have been notified of the project area and description. Copies of their correspondence will be provided when received.

CULTURAL FEATURES

Our research indicates the site is not within close proximity to individual historic sites found in the Historic Preservation Interactive Map on the MNCPC website.

FOREST STAND INFORMATION

The forest stand plot samples were done in a random method as outlined in Natural Resources Measurement, Inventory, I, E, 1975, and Stratified Point Sample Counting, Ashley, D.D., 1991. The plot size was 170 acre. Each individual stand has a minimum of two (2) forest sample plots. In the case of some forest stands that were too small to sample, the forest were generally described. These plots were conducted to inventory the most representative area of the forest stand.

The site contains 2 forest stands with a total of 2.12 acres of forest stands. There are significant specimen trees located within the forest stand. A list of the significant specimen trees in the study area along with the visual health is within this report. The individual forest areas are summarized below.

FOREST STAND #1

Forest Stand 1 (31,622 sq ft / 1.17 ac) is an upland hardwood area. The stand is dominated by 30'+ Yellow Poplar. The canopy also includes Red Maple, White Oak, Red Oak and Pin Oak. There is one canopy layer in this intermediate aged forest which is approximately 60% full. The understory consists of Red Maple and Beech. The ground layer contains Viburnum, Cucumber and Vase. Herbaceous layer could not be analyzed in winter. A small to moderate amount of downed woody material is present throughout the stand. The forest appears to be in good condition. Rotation and regenerative potential are good. There is a large amount (approximately 30%) of invasive shrubs throughout the stand. The priority for this stand is 1: High retention because of the presence of specimen trees and moderate slopes on erodible soils.

FOREST STAND #2

Forest Stand 2 (11,067 sq ft / 0.25 ac) is an upland hardwood area. The stand is dominated by 30'+ White Oak. The canopy also includes Red Maple, Yellow Poplar, Red Oak, Pin Oak. There is one canopy layer in this mature forest which is approximately 80% full. The understory consists of Loblolly Short Pine, Beech and Red Maple. The ground layer contains Multiflora Rose, moderate amount of downed woody material is present throughout the stand. The forest appears to be in good condition. Rotation and regenerative potential are good. There is a large amount (approximately 30%) of invasive shrubs throughout the stand. The priority for this stand is 1: High retention because of the presence of specimen trees and moderate slopes on erodible soils.

Significant Specimen Tree Summary 24" +

Tree Species # (Scientific Name)	Species (Common Name)	D.B.H. (Inches)	Condition	Comments
1 QUERCUS ALBA	WHITE OAK	27	GOOD	INCLUDED BARK, DEAD BROKEN LIMBS
2 QUERCUS PALUSTRIS	PIN OAK	28	FAIR	LEANING/DEAD BROKEN LIMBS
3 QUERCUS ALBA	WHITE OAK	24	GOOD	BROKEN LIMBS
4 QUERCUS ALBA	WHITE OAK	28	GOOD	DEAD BROKEN LIMBS/CO-OWNED
5 QUERCUS PALUSTRIS	PIN OAK	31	GOOD	DEAD BROKEN LIMBS/TREE LEANING ON IT
6 LIRIODENDRON TULIPERA	YELLOW POPLAR	27	GOOD	BROKEN LIMBS
7 QUERCUS ALBA	WHITE OAK	48	GOOD	INCLUDED BARK, DEAD BROKEN LIMBS/OFFSITE
8 QUERCUS RUBRA	RED OAK	27	GOOD	EXPOSED ROOTS/BROKEN LIMBS/OFFSITE
9 QUERCUS ALBA	WHITE OAK	27	GOOD	WIRE IN TREE/OFFSITE
10 LIRIODENDRON TULIPERA	YELLOW POPLAR	24	GOOD	VINES/BROKEN LIMBS/OFFSITE
11 QUERCUS RUBRA	RED OAK	24	GOOD	VINES/BROKEN LIMBS/OFFSITE
12 LIRIODENDRON TULIPERA	YELLOW POPLAR	26	FAIR	TRUNK DAMAGE/30'/BROKEN LIMBS
13 LIRIODENDRON TULIPERA	YELLOW POPLAR	25	GOOD	BROKEN LIMBS
14 LIRIODENDRON TULIPERA	YELLOW POPLAR	24	GOOD	
15 LIRIODENDRON TULIPERA	YELLOW POPLAR	30	FAIR	VINES/BROKEN LIMBS/PLT@S
16 QUERCUS ALBA	WHITE OAK	28	GOOD	WIRE IN TREE/OFFSITE
17 QUERCUS RUBRA	RED OAK	28	GOOD	LEANING/DEAD BROKEN LIMBS/OFFSITE
18 QUERCUS PALUSTRIS	PIN OAK	51	GOOD	VINES/DEAD BROKEN LIMBS/OFFSITE
19 LIRIODENDRON TULIPERA	YELLOW POPLAR	24	POOR	TRUNK DAMAGE WITH HEART ROT
20 LIRIODENDRON TULIPERA	YELLOW POPLAR	31	GOOD	BROKEN LIMBS
21 LIRIODENDRON TULIPERA	YELLOW POPLAR	26	GOOD	CO-OWNED
22 ACER RUBRUM	RED MAPLE	25	GOOD	DEAD BROKEN LIMBS/OFFSITE
23 QUERCUS RUBRA	RED OAK	30	GOOD	BROKEN LIMBS/OFFSITE
24 QUERCUS RUBRA	RED OAK	24	GOOD	DEAD BROKEN LIMBS/OFFSITE
25 QUERCUS RUBRA	RED OAK	25	POOR	ALMOST DEAD/FUNGUS/OFFSITE
26 QUERCUS RUBRA	RED OAK	25	GOOD	BROKEN LIMBS/OFFSITE
27 QUERCUS RUBRA	RED OAK	30	GOOD	OFFSITE
28 QUERCUS RUBRA	RED OAK	30	POOR	ALMOST DEAD/FUNGUS/OFFSITE
29 QUERCUS RUBRA	RED OAK	32	GOOD	LEANING/BROKEN LIMBS/OFFSITE
30 QUERCUS PALUSTRIS	PIN OAK	28	GOOD	CO-OWNED
31 QUERCUS RUBRA	RED OAK	26	GOOD	OFFSITE
32 QUERCUS PALUSTRIS	PIN OAK	27	GOOD	BROKEN LIMBS/OFFSITE
33 QUERCUS RUBRA	RED OAK	29	GOOD	BROKEN LIMBS/OFFSITE
34 QUERCUS PALUSTRIS	PIN OAK	26	GOOD	OFFSITE
35 QUERCUS PALUSTRIS	PIN OAK	24	GOOD	BROKEN LIMBS/CO-OWNED
36 QUERCUS RUBRA	RED OAK	24	GOOD	OFFSITE
37 QUERCUS RUBRA	RED OAK	25	GOOD	DEAD BROKEN LIMBS/OFFSITE
38 QUERCUS RUBRA	RED OAK	25	GOOD	OFFSITE
39 QUERCUS PALUSTRIS	PIN OAK	24	GOOD	TOP-PED/OFFSITE
40 QUERCUS ALBA	WHITE OAK	28	GOOD	BROKEN LIMBS/OFFSITE
41 QUERCUS PALUSTRIS	PIN OAK	24	GOOD	BROKEN LIMBS/OFFSITE
42 QUERCUS PALUSTRIS	PIN OAK	37	FAIR	LEANING/TREE AGAINST/BROKEN LIMBS
43 QUERCUS PALUSTRIS	PIN OAK	40	GOOD	BROKEN LIMBS/OFFSITE
44 QUERCUS ALBA	WHITE OAK	24	GOOD	BROKEN LIMBS/OFFSITE
45 QUERCUS ALBA	WHITE OAK	28	GOOD	VINES/BROKEN LIMBS/OFFSITE
46 QUERCUS ALBA	WHITE OAK	24	GOOD	VINES/BROKEN LIMBS/OFFSITE
47 QUERCUS ALBA	WHITE OAK	24	GOOD	VINES/BROKEN LIMBS/OFFSITE
48 QUERCUS ALBA	WHITE OAK	38	GOOD	INCLUDED BARK/VINES/DEAD BROKEN LIMBS
49 QUERCUS ALBA	WHITE OAK	24	GOOD	BROKEN LIMBS/OFFSITE
50 QUERCUS ALBA	WHITE OAK	24	GOOD	VINES/DEAD BROKEN LIMBS/OFFSITE
51 QUERCUS RUBRA	RED OAK	28	FAIR	TREE FELL AGAINST IT/VINES/DEAD BROKEN LIMBS/OFFSITE

* BOLD TYPE DENOTES SPECIMEN TREES

Condition Scoring System	
No Apparent Problems	Excellent
Minor Problems	Good
Major Problems	Fair
Extreme Problems	Poor

GENERAL NRI/FSD NOTES

1. THIS PROPERTY IS ZONED RE-2.
2. THE TOTAL TRACT AREA IS 4.39 ACRES.
3. SITE FIELD WORK WAS PERFORMED ON JANUARY 28, 2013 BY MICHAEL NORTON AND MICHAEL STROK, NORTON LAND DESIGN, LLC.
4. THIS SITE IS WITHIN THE CABIN JOHN WATERSHED, USE I.
5. THIS PROPERTY IS NOT WITHIN AN SPA OR PMA.
6. THERE ARE NO WETLANDS OR WPA AND BUFFERS ON THE PROPERTY OBSERVED (SEE REPORT).
7. THERE IS NO STREAM WITH BUFFER ON SITE AND WITHIN 100' OF THE PROPERTY OBSERVED (SEE REPORT). THERE IS A STREAM BEYOND THE 200' STUDY POINT (SEE DRAWING).
8. THERE IS NO FLOODPLAIN ASSOCIATED WITH THE PROPERTY ACCORDING TO THE FEMA ONLINE FIRM (1:12,500) (SEE REPORT).
9. 1' TOPOGRAPHY AND BOUNDARY SURVEY WAS PROVIDED BY POTOMAC VALLEY SURVEYS, INC. IN JANUARY 2013.
10. THERE ARE NO FRESH AGRICULTURAL SOILS ON THE PROPERTY.
11. ALL TREES 24" AND GREATER ON THE PROPERTY ARE SURVEY LOCATED AND MEASURED WITH A FORESTERS DIAMETER TAPE MEASURE.
12. ALL TREES 24" AND GREATER OFFSITE ARE LOCATED AND MEASURED BY OCCULAR ESTIMATE ONLY. ALL MANMADE STRUCTURES OFFSITE ARE LOCATED BY AVIATION AERIAL PHOTOGRAPHS AND/OR OCCULAR ESTIMATE.
13. ALL TREES UNDER 24" DBH ARE MEASURED BY OCCULAR ESTIMATE ONLY.
14. NO RARE, THREATENED OR ENDANGERED SPECIES WERE OBSERVED ON OR OFFSITE AT THE TIME OF THE FIELD INVESTIGATION. CORRESPONDENCE FROM MDNR AND US FISH AND WILDLIFE SERVICE WILL BE PROVIDED WHEN RECEIVED.
15. NO TREES OCCUR WITHIN THE STUDY AREA WHICH ARE RECOGNIZED AS CURRENT STATE CHAMPION TREES. NO TREES ARE PRESENT THAT ARE 75% OF THE DBH OF AN EXISTING STATE CHAMPION. NO TREES OCCUR WITHIN THE STUDY AREA WHICH ARE RECOGNIZED AS CURRENT COUNTY CHAMPION TREES. NO TREES ARE PRESENT THAT ARE 75% OF THE DBH OF AN EXISTING COUNTY CHAMPION.
16. THE SITE DOES NOT APPEAR IN CLOSE PROXIMITY TO INDIVIDUAL HISTORIC SITES FOUND ON THE HISTORIC PRESERVATION INTERACTIVE MAP ON THE MNCPC WEBSITE. CORRESPONDENCE FROM MARYLAND HISTORICAL TRUST WILL BE PROVIDED WHEN RECEIVED.

NRI/FSD TABULATION TABLE

ACREAGE OF TRACT:	4.39
ACREAGE OF EX. FOREST:	2.12
ACREAGE OF EXISTING WETLANDS	0.00
ACREAGE OF FORESTED WETLANDS	0.00
ACREAGE OF WETLAND BUFFERS	0.00
ACREAGE OF STREAM BUFFERS	0.00
ACREAGE OF FORESTED STREAM BUFFER	0.00
ACREAGE OF 100 YEAR FLOODPLAIN	0.00
LINEAR EXTENT OF STREAMS	0'
AVERAGE WIDTH OF STREAM BUFFER	0'

SOIL TABLE

SOILS	ERODIBLE	HYDRIC	CONTAINS 15-25% SLOPES	CONTAINS > 25% SLOPES	CAPABILITY SUBCLASS SYMBOL	PRIME AGRICULTURAL SOIL
1C GALLS SILT LOAM 8-15% SLOPES	NO	NO	N/A	YES	N/A	NO
16D BRINKLOW-BLOCKTOWN CHANNERY SILT LOAM 15-25% SLOPES	YES	NO	YES	YES	N/A	NO

CERTIFICATION OF QUALIFIED PROFESSIONAL

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND STATE, MNCPC & C AND MONTGOMERY COUNTY FOREST CONSERVATION LAWS.

3/12/2013
DATE

MICHAEL A. NORTON
MONTGOMERY COUNTY REGISTERED PROFESSIONAL
QUALIFIED PROFESSIONAL

MARYLAND NATURAL AND HISTORICAL PARKS AND PLANNING COMMISSION

NATURAL RESOURCE INVENTORY & FOREST STAND DELINEATION

NRI/FSD No. 420131430
Date Approved: 3/22/13
Expiration Date: 3/22/15
Signature: [Signature] DATE: 3/22/13

PROJECT: TAK PROPERTY

PREPARED FOR/APPLICANT: MR. TAK MAHINDER, 8301 RIVER ROAD, POTOMAC, MD 20817

NORTON LAND DESIGN
LANDSCAPE ARCHITECTURE + ENVIRONMENTAL PLANNING
17830 NW HAMPSHIRE AVENUE, SUITE 101, ASHCROFT, MD 20841
P: 240.342.2329 F: 240.342.2632 WWW.NORTONLANDDESIGN.COM

REVISIONS: [Map showing site location and revisions]

WATER CLASS: I-P	WATERSHED: CABIN JOHN	FEMA FLOODPLAIN MAP PANEL # 24031C0435D
TRIBUTARY: CABIN JOHN CREEK	200 SHEET: 21NOW08	ADD. MAP PAGES: 34 GRID: K-9
TAK MAP: GN123	DATE: AS SHOWN	PROJ. NO.: 12-115
SCALE:	DATE: MARCH 2013	SHEET NO.: L-0.2

Sequence of Events for Properties Required To Comply With Forest Conservation Plans and/or Tree Save Plans

Pre-Construction

- An on-site pre-construction meeting shall be required after the limits of disturbance have been staked and flagged, but before any clearing or grading begins. The owner shall contact the Montgomery County Planning Department inspection staff prior to commencing construction to verify the limits of disturbance and discuss tree protection and tree care measures. The attendants at this meeting should include: developer's representative, construction superintendent, ISA certified arborist or MD license tree expert that will implement the tree protection measures, Forest Conservation Inspector, and DPS sediment control inspector.
- No clearing or grading shall begin before stress-reduction measures have been implemented. Appropriate measures may include, but are not limited to:
 - Root pruning
 - Crown Reduction or pruning
 - Watering
 - Fertilizing
 - Vertical mulching
 - Root aeration matting
 Measures not specified on the forest conservation plan may be required as determined by the Forest Conservation Inspector in coordination with the arborist.
- A State of Maryland licensed tree expert, or an International Society of Arboriculture certified arborist must perform all stress reduction measures. Documentation of stress reduction measures must be either observed by the Forest Conservation Inspector or sent to the Forest Conservation Inspector at 8787 Georgia Avenue, Silver Spring, MD 20910. The Forest Conservation Inspector will determine the exact method to convey the stress reductions measures during the pre-construction meeting.
- Temporary tree protection devices shall be installed per the Forest Conservation Plan/Tree Save Plan and prior to any construction activities. Tree protection fencing locations should be staked prior to the pre-construction meeting. 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. Temporary tree protect devices may include:
 - Chain link fence (four feet high)
 - Super silt fence with wire string 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.

- Temporary protection devices shall be maintained and installed by the contractor for the duration of construction project and must not be altered without prior approval from the Forest Conservation Inspector. No equipment, trucks, materials, or debris may be stored within the tree protection fence areas during the entire construction project. No vehicle or equipment access to the fenced area will be permitted. Tree protection shall not be removed without prior approval of Forest Conservation Inspector.
- Forest retention area signs shall be installed as required by the Forest Conservation Inspector, or as shown approved plan.
- Long-term protection devices will be installed per the Forest Conservation Plan/Tree Save Plan and attached details. Installation will occur at the appropriate time during the construction project. Refer to the plan drawing for long-term protection measures to be installed.

During Construction

- Periodic inspections by Forest Conservation Inspector will occur during the construction project. Corrections and repairs to all tree protection devices, as determined by the Forest Conservation Inspector, must be made within the timeframe established by the Forest Conservation Inspector.

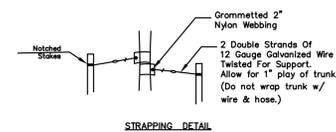
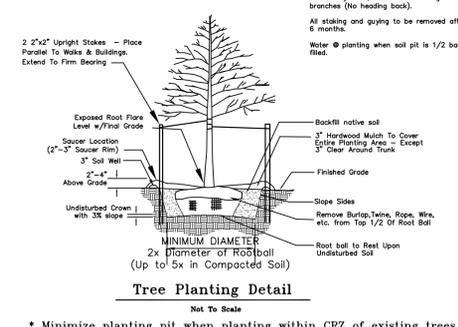
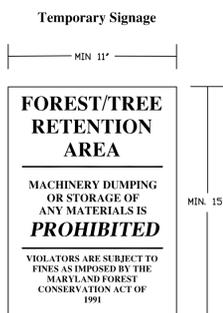
Post-Construction

- After construction is completed, an inspection shall be requested. Corrective measures which may be required include:
 - Removal and replacement of dead and dying trees
 - Pruning of dead or declining limbs
 - Soil aeration
 - Fertilization
 - Watering
 - Wound repair
 - Clean up of retention areas
- After inspection and completion of corrective measures have been undertaken, all temporary protection devices shall be removed from the site. Removal of tree protection devices that also operate for erosion and sediment control must be coordinated with both the Department of Permitting Services and the Forest Conservation Inspector. No additional grading, sodding, or burial may take place after the tree protection fencing is removed.

ID #	Common Name	Botanical Name	DBH	CRZ (s.f.)	CRZ (radius)	Conditions/Remarks
1	White Oak	Quercus alba	27	5150	40.5	Good; Included bark, vines, dead/broken limbs
2	Pin Oak	Quercus palustris	28	5539	42	Fair; Leaning, dead/broken limbs
3	Pin Oak	Quercus palustris	24	4069	36	(Co-owned) Good; Broken limbs
4	White Oak	Quercus alba	28	5539	42	(Co-owned) Good; Dead/broken limbs
5	Pin Oak	Quercus palustris	31	6789	46.5	Good; Dead/broken limbs, tree leaning or it
6	Tulip Poplar	Liriodendron tulipifera	27	5150	40.5	Good; Broken limbs
* 7	White Oak	Quercus alba	48	16278	72	(Off-st) Good; Included bark, dead/broken limbs
* 8	Red Oak	Quercus rubra	32	7235	48	(Off-st) Good; Exposed roots, broken limbs
9	White Oak	Quercus alba	27	5150	40.5	(Off-st) Good; Wire in tree
10	Tulip Poplar	Liriodendron tulipifera	24	4069	36	(Off-st) Good; Vines, broken limbs
11	Red Oak	Quercus rubra	24	4069	36	(Off-st) Good; Vines, broken limbs
12	Tulip Poplar	Liriodendron tulipifera	26	4776	39	Fair; Trunk damage @ 30', broken limbs
13	Tulip Poplar	Liriodendron tulipifera	25	4416	37.5	Good; Broken limbs
14	Tulip Poplar	Liriodendron tulipifera	24	4069	36	Good
* 15	Tulip Poplar	Liriodendron tulipifera	30	6359	45	Fair; Vines, broken limbs, split @ 5'
16	White Oak	Quercus alba	28	5539	42	(Off-st) Good; Wire in tree
17	Red Oak	Quercus rubra	28	5539	42	(Off-st) Good; Leaning, dead/broken limbs
* 18	Pin Oak	Quercus palustris	51	18376	76.5	(Off-st) Good; Vines, dead/broken limbs
15	Tulip Poplar	Liriodendron tulipifera	24	4069	36	Poor; Trunk damage w/ hear rot
* 20	Tulip Poplar	Liriodendron tulipifera	31	6789	46.5	Good; Broken limbs
21	Tulip Poplar	Liriodendron tulipifera	26	4776	39	(Co-owned) Good
22	Red Maple	Acer rubrum	25	4416	37.5	(Off-st) Good; Dead/broken limbs
* 23	Red Oak	Quercus rubra	30	6359	45	(Off-st) Good; Broken limbs
24	Red Oak	Quercus rubra	24	4069	36	(Off-st) Good; Dead/broken limbs
25	Red Oak	Quercus rubra	25	4416	37.5	(Off-st) Good; Almost dead, fungus
26	Red Oak	Quercus rubra	25	4416	37.5	(Off-st) Good; Broken limbs
* 27	Red Oak	Quercus rubra	30	6359	45	(Off-st) Good
* 28	Red Oak	Quercus rubra	30	6359	45	(Off-st) Poor; Almost dead, fungus
* 29	Red Oak	Quercus rubra	32	7235	48	(Off-st) Good; Leaning, broken limbs
30	Pin Oak	Quercus palustris	28	5539	42	(Co-owned) Good
31	Red Oak	Quercus rubra	26	4776	39	(Off-st) Good
32	Pin Oak	Quercus palustris	27	5150	40.5	(Off-st) Good; Broken limbs
33	Red Oak	Quercus rubra	29	5942	43.5	(Off-st) Good; Broken limbs
34	Pin Oak	Quercus palustris	26	4776	39	(Off-st) Good
35	Pin Oak	Quercus palustris	24	4069	36	(Co-owned) Good; Broken Limbs
36	Red Oak	Quercus rubra	24	4069	36	(Off-st) Good
37	Red Oak	Quercus rubra	25	4416	37.5	(Off-st) Good; Dead/broken limbs
38	Red Oak	Quercus rubra	25	4416	37.5	(Off-st) Good
39	Pin Oak	Quercus palustris	24	4069	36	(Off-st) Good; Toppec
40	White Oak	Quercus alba	28	5539	42	(Off-st) Good; Broken limbs
41	Pin Oak	Quercus palustris	24	4069	36	(Off-st) Good; Broken limbs
* 42	Pin Oak	Quercus palustris	37	9672	55.5	Fair; Leaning, tree against, broken limbs
* 43	Pin Oak	Quercus palustris	40	11304	60	(Off-st) Good; Broken limbs
44	White Oak	Quercus alba	24	4069	36	(Off-st) Good; Broken limbs
45	White Oak	Quercus alba	28	5539	42	(Off-st) Good; Vines, dead/broken limbs
46	White Oak	Quercus alba	24	4069	36	(Off-st) Good; Vines, dead/broken limbs
47	White Oak	Quercus alba	24	4069	36	(Off-st) Good; Vines, dead/broken limbs
* 48	White Oak	Quercus alba	38	10202	57	Good; Included bark, vines, dead/broken limbs
49	White Oak	Quercus alba	24	4069	36	(Off-st) Good; Broken limbs
50	White Oak	Quercus alba	24	4069	36	(Off-st) Good; Vines, dead/broken limbs
51	Red Oak	Quercus rubra	28	5539	42	(Off-st) Fair; Tree fell against it, vines, dead/broken limbs

Notes: Diameters are given for each trunk of multiple bole trees when division occurs below 4.5 feet. If major division occurs above 4.5 feet only the trunk diameter at 4.5 feet is given.

* Specimen tree



NOTE: PLANT CAREFULLY AROUND EXISTING TREES TO MINIMIZE IMPACTS TO THE ROOTS. WHEN ROOTS ARE ENCOUNTERED, SHIFT PLANTING LOCATIONS AS NEEDED AND/OR MINIMIZE THE SIZE OF THE PLANTING PIT.

- INSPECTIONS**
- All field inspections must be requested by the applicant
- Field Inspections must be conducted as follows:
- Tree Save Plans and Forest Conservation 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 begins
 - 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.
 - At the end of the maintenance period to determine the level of compliance with the provisions of the planning plan, and if appropriate, release of the performance bond.

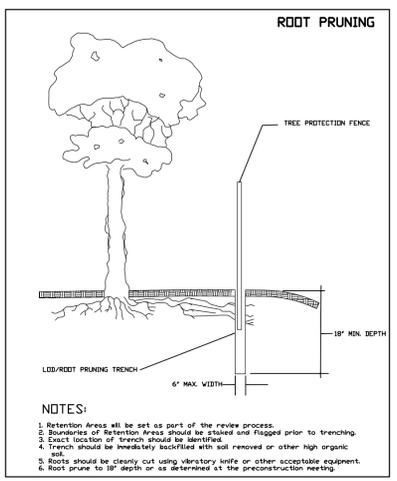
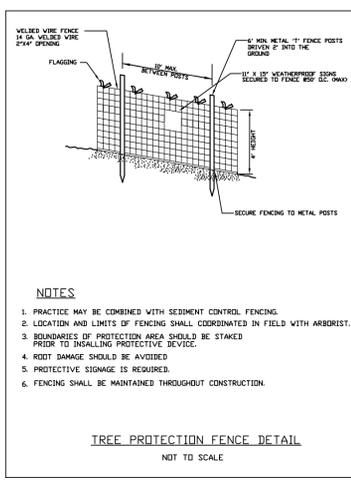
QUALIFIED PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF EXISTING STATE AND COUNTY FOREST CONSERVATION LEGISLATION.

DATE: _____ FRANK C. JOHNSON

RECOGNIZED AS QUALIFIED PROFESSIONAL BY MD. DEPT. OF NATURAL RESOURCES COMAR 08.19.06.01

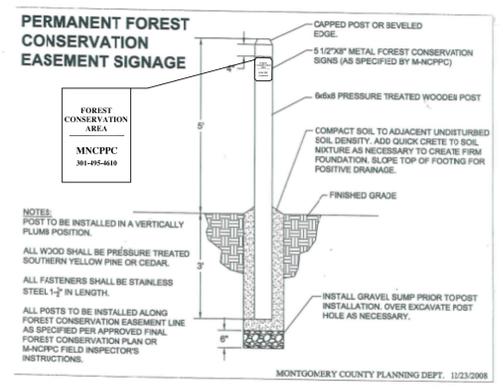
NO.	DATE	DESCRIPTION	BY
	02/12/15	CONDITIONAL USE APPLICATION	PGL



NOTE: Tree Protection Fence shall be installed on top of the Limits of Disturbance. For purposes of legibility only, the Tree Protection Fence is graphically represented adjacent to the LOD.

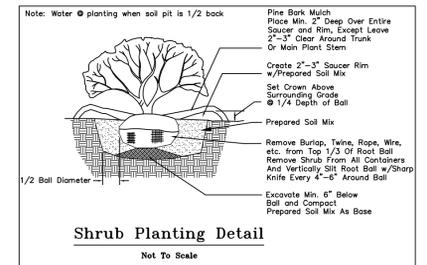
* Root Prune at LOD unless otherwise noted

NOTE: Tree Protection Fence shall be installed on top of the Limits of Disturbance. For purposes of legibility only, the Tree Protection Fence is graphically represented adjacent to the LOD.



Forest Conservation Monument Detail (or approved equivalent)

Note: Monument to be placed in a manner to not disturb existing property markers. If existing property marker exists, proposed FC monument to be offset at a distance needed to ensure that property marker is not disturbed.



TAX MAP GN123 WSSC 210NW08

PRELIMINARY FOREST CONSERVATION PLAN
ARTIS SENIOR LIVING

CLEWERWALL KNOLLS
LOT 13, BLOCK 2 (PLAT NO. 17173)
10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

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

9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279

Phone 301.670.0840
Fax 301.948.0693
www.mhga.com

Proj. Mgr. PGL	Designer AEJ
Date 02/12/15	Scale NTS
Project No. 14.224.11	Sheet 2 of 2

LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS

(January 13, 2015)

Tax Account No.	Name	Address	Lot/Parcel	Block
Subject Property				
10-02806272	Mahinder K. Tak	8301 River Road Bethesda, MD 20817-2707	Lot 13	
Adjoining and Confronting Property Owners				
10-00851353	Paul E. Shorb Rev. Res. Tr. Joan L. Shorb Rev. Res. Tr.	6220 Garnett Drive Chevy Chase, MD 20815	Lot 1	
10-00855305	The Michael D. Barnello Rev. Tr. The Susan Dianne Barnello Rev. Tr.	8811 Clewerwall Drive Bethesda, MD 20817-6901	Lot 2	
10-02045772	Montgomery County, Maryland	Executive Office Building 101 Monroe Street Rockville, MD 20850	Par. N780	
10-02163767	Montgomery County, Maryland	Executive Office Building 101 Monroe Street Rockville, MD 20850	Par. N078	
10-00848220	Montgomery County, Maryland	Executive Office Building 101 Monroe Street Rockville, MD 20850	Par. P304	
10-00860131	Paul A. and L.M.A. Ballard	8621 Fenway Road Bethesda, MD 20817	Lot 7	
10-00848878	John Carlson & Mona Yacoubian	8625 Fenway Road Bethesda, MD 20817-2740	Lot P6	
10-00848446	John and C. S. Vanoudenaren	8629 Fenway Road Bethesda, MD 20817	Lot P5	
10-00853990	Richard A. Sullivan, Jr. and J. S. Sullivan	8633 Fenway Road Bethesda, MD 20817	Lot P4	
10-00853977	Anatolio B. Cruz III and Jill Lynch	8701 Fenway Drive Bethesda, MD 20817-2711	Lot P3	
10-00859393	Laurence J. Long, et al., Tr.	8901 Clewerwall Drive Bethesda, MD 20817-6903	Lot 3	
10-00872971	Elizabeth Gordon and Jonathan Graham	8617 Fenway Road Bethesda, MD 20817	Lot 1	
Homeowners Associations and Civic Associations				
	Bethesda-Chevy Chase CC	Ginanne Italiano 7910 Woodmont Avenue, #1204 Bethesda, MD 20814		
	Carderock Springs Citizens Assn.	President P.O. Box 237 Cabin John, MD 20827-0831		
	Clarksburg Village Forum	David Stein P.O. Box 1435 Clarksburg, MD 20871		

LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS

(January 13, 2015)

Tax Account No.	Name	Address	Lot/Parcel	Block
	Clarksburg Village Forum	Ilene Lillian P.O. Box 1435 Clarksburg, MD 20871		
	Congressional Forest Community Association	Fritz Konigshofer 9211 Beech Hill Drive Bethesda, MD 20817		
	East County Citizens Advisory Board	Chair 3300 Briggs Chaney Road Silver Spring, MD 20904		
	Montgomery County Air Park	c/o John Luke 7940 Airpark Road Gaithersburg, MD 20879		
	Montgomery County Civic Federation	Carol Ann Barth 10602 Lockridge Drive Silver Spring, MD 20901		
	Montgomery County Renters Alliance, Inc.	Hermoine Freeman _____, MD		
	Montgomery County Renters Alliance, Inc.	Matthew Losak 1001 Spring Street, #316 Silver Spring, MD 20910		
	Montgomery County Taxpayers League	Joan Fidler 7400 Pyle Road Bethesda, MD 20817-5641		
	Montgomery Preservation, Inc.	c/o Judith Christensen 6 Walker Avenue Gaithersburg, MD 20877		
	Northern Montgomery County Alliance	c/o Julius Cinque 22300 Slidell Road Boys, MD 20841		
	Potomac Chamber of Commerce	President P.O. Box 59160 Potomac, MD 20859		
	Riverhill Condominium Assn.	Carolyn Caludis 8028 Quarry Ridge Way Bethesda, MD 20817		
	Riverhill Condominium Assn.	Martin Zamula 8030 Quarry Ridge Way Bethesda, MD 20817		
	Riverhill Condominium Assn.	Addie Moray 8042 Quarry Ridge Way Bethesda, MD 20817		
	Riverhill Condominium Assn.	Linda Guest 8005 Quarry Ridge Way Bethesda, MD 20817		

LIST OF ADJOINING AND CONFRONTING PROPERTY OWNERS

(January 13, 2015)

Tax Account No.	Name	Address	Lot/Parcel	Block
	Riverhill Condominium Assn.	Maria Repka 8007 Rising Ridge Road Bethesda, MD 20817		
	Riverhill Condominium Assn.	Dale Hoscheit 7920 Quarry Ridge Way Bethesda, MD 20817		
	Riverhill Condominium Assn.	Chris Majerle 7347-D Hanover Parkway Greenbelt, MD 20770		
	Riverhill Condominium Assn.	John Tiernan 7916 Quarry Ridge Way Bethesda, MD 20817		
	Sierra Club – Montgomery County Group	c/o Jim Fary, Chair 2836 Blue Spruce Lane Silver Spring, MD 20906-3166		
	Washington Metropolitan Area Transit Authority	c/o Shyam Kannan 600 Fifth Street, NW Washington, DC 20001		
	West Bradley Citizens Association	Sandy Vogelgesang 9009 Charred Oak Drive Bethesda, MD 20817		
	West Bradley Citizens Association	Carl Kownig 9014 Charred Oak Drive Bethesda, MD 20817		
	West Montgomery County Citizens Association	Ginny Barnes 10311 Glen Road Potomac, MD 20854		
Other				
	Maryland-National Capital Park and Planning Commission	Intake Section 8787 Georgia Avenue Silver Spring, MD 20910		
	Macris, Hendricks and Glascock, P.A.	Patrick La Vay 9220 Wightman Road, Suite 120 Montgomery Village, MD 20886-1279		
	Linowes and Blocher LLP	Erin E. Girard, Esq. 7200 Wisconsin Avenue, Suite 800 Bethesda, MD 20814	301-961-5153	