



Thrive Assisted Living Facility at Black Hill Site Plan No. 820160100

MJS

Molline Jackson, Area 3 Senior Planner, Project Plan, molline.jackson@montgomeryplanning.org, 301.495.4573

RAW

Richard Weaver, Area 3 Supervisor, Preliminary Plan richard.weaver@montgomeryplanning.org, 301.495.4544

KRR

Kipling Reynolds, Area 3 Chief, kipling.reynolds@montgomeryplanning.org, 301.495.4645

Completed: 01-06-17

Description

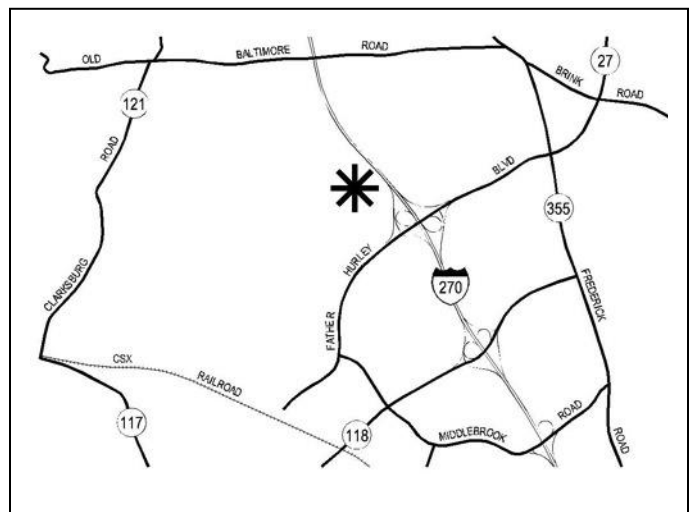
Thrive Assisted Living Facility at Black Hill Site Plan No. 820160100

The Applicant is requesting to construct a 140-room assisted living facility, associated parking facility (61 parking spaces), lighting, and landscape on Lot 22 of the Black Hill mixed-use development. The subject property is 2.31 acres of land; developed under the TMX-2 Zone within the Germantown Employment Area Sector Plan.

Staff Recommendations: Approval with Conditions

Application Filing Date: March 28, 2016

Applicant: Palomino Capital, LLC. d/b/a Thrive Senior Living



Summary

- In accordance with section 7.7.1 B.1, this Site Plan application was reviewed under the Zoning Ordinance in effect prior to October 30, 2014, due to the grandfathering provisions. The Subject Property (Lot 22) is one of 12 lots approved within the Black Hill mixed use development (Zoned TMX-2); Germantown Employment Area Sector Plan. The Applicant is not requesting any additional density, as per the amended Project Plan and Preliminary Plan; the proposed use and structure are consistent with the previous approvals.
- There are no changes proposed to the Final Forest Conservation Plan (approved August 13, 2013).
- In accordance with the previously approved traffic study and analysis, the additional 38 bedrooms within the assisted living facility do not result in any changes to the recommended roadway improvements.
- Staff has not received correspondence in opposition to this application.

TABLE OF CONTENTS

	Page No.
EXECUTIVE SUMMARY	3
SECTION 1: STAFF RECOMMENDATION AND CONDITIONS	4
SECTION 2: SITE LOCATION AND ANALYSIS	8
Location	8
Vicinity	9
SECTION 3: APPLICATION AND PROPOSAL	11
Previous Approvals	11
Proposal	12
SECTION 4: ANALYSIS AND FINDINGS	13
SECTION 5: CITIZEN CORRESPONDENCE	26
SECTION 6: CONCLUSION	26
TABLES	Page No.
Table 1: Project Plan - Data Table for the TMX-2 Zone	15
ILLUSTRATIONS	
Figure 1: Zoning Map	9
Figure 2: Black Hill Development Aerial Photo	10
Figure 3: Subject Property Aerial Photo	12
Figure 4: Rendered Site Plan	12
Figure 5: Original Project Plan (before)	16
Figure 6: Amended Project Plan (after)	17
Figure 7: Crystal Rock Streetscape	18
Figure 8: Employee Open Space	19
Figure 9: Main Entrance Feature	20
Figure 10: Surface Parking Facility	20
Figure 11: Planter Boxes & Seat Wall (Plan View)	21
Figure 12: Planter Boxes & Seat Wall (Section)	21
Figure 13: Public Use Space & Circulation Diagram	22
Figure 14: Hiker/Biker Trail Plantings	23
Figure 15: Capital Bikeshare Station Location	25
APPENDIX	26

Executive Summary

The Thrive Assisted Living Facility (2.31 acres) is located on Lot 22 of the Black Hill mixed use development (107.78 gross tract area) in Germantown, MD. In accordance with the approved Project Plan and Preliminary Plan, this facility is a small component to a larger community and currently planned to be the only age-restricted residential building onsite. In accordance with the Germantown Employment Area Sector Plan, the assisted living facility will improve the overall diversity of housing types for the entire community. The original approvals were recently revised in 2016 to increase the total number of assisted living unit from 102 to 140 units. The additional 38 bedrooms were determined to have minimal impact on the total number of trips, and the associated Traffic Impact Analysis was revised to reflect this change.

Of the total residential uses approved for the entire development (0.39 FAR or 1,851,560 sf.), the assisted living facility makes up approximately 0.02 FAR or 115,000 sf. of the gross tract area for the entire Black Hill mixed-use development. The total combined residential uses approved for Site Plan Phase 2A (895,615 sf.) and proposed by Assisted Living Facility Site Plan (115,000 sf.) make up roughly 55% or 0.21 FAR of the total residential uses. The proposed use and structure meets the intent of the Sector Plan recommendations, and this Site Plan application fulfills the requirements of the TMX-2 Zone. Upon the construction of the remaining residential uses and non-residential uses, 14.17 BLTs will be purchased when the development exceeds 0.5 FAR (2,345,760 sf.). Currently, this application combined with previous approvals does not exceed the 0.5 FAR threshold, but verification will be required prior to the issuance of the first building permit. Therefore, this application meets the recommendations of the Project Plan and Preliminary Plan approvals, and pose no change to the non-residential uses approved for the overall development.

This proposal will provide 61 surface parking spaces (not including 11 on-street parking spaces) and public use space (19%). The public use space is provided in addition to the 51% of public use space approved for the entire development. This application also exceeds the 5% green area requirement for the internal parking area.

The Applicant is also working closely with Montgomery County Department of Transportation (MCDOT) to finalize the traffic mitigation agreement (TMAg) prior to the certification of the Site Plan; which will locate bikeshare facilities onsite and promotes alternative means of transportation for employees and visitors. This application meets the goals and intent of the TMX-2 Zone, the Sector Plan and the previous approvals. Therefore, Staff recommends approval subject to the following conditions of approval in Section 1.

SECTION 1: STAFF RECOMMENDATIONS AND CONDITIONS

Staff recommends approval of Site Plan No. 820160100. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹

Previous Approvals

1. Project Plan Conformance

The development must comply with the conditions of approval for the amended Project Plan No. 92012004A as listed in MCPB Resolution No. 16-024 dated May 3, 2016.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for the amended Preliminary Plan No. 12012021A as listed in MCPB Resolution No. 16-025 dated May 3, 2016.

3. Public Roads Infrastructure Site Plan

The development must comply with the conditions of approval for the amended Site Plan No. 82013025A as listed in MCPB Resolution No. 16-027 dated May 3, 2016.

4. Stormwater Management

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated April 20, 2016, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

Open Space, Facilities and Amenities

5. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 19,200 square feet of public use space (19% of net tract area) on-site.
- b) The Applicant must install streetscape improvements, including the undergrounding of utilities, along the property's frontage along the public and private roadways, consistent with their respective Certified Site Plan.
- c) In accordance with the Certified Site Plan, adequate seating will be provided in patio seating areas within the private amenity areas.
- d) In accordance with the Certified Site Plan, adequate seating will be provided near the main entrance and porte cochere.

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

- e) Before the issuance of use and occupancy certificates, all associated public use space areas must be completed concurrent with the Development Program, as delineated on the Certified Site Plan.

6. Common Open Space Covenant

The record plat must reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 (Covenant).

7. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the pedestrian system (trails and sidewalks), bikeshare station, private amenity areas, parking facilities, trash receptacles, and seating areas.

8. Transportation

- a) Before the release of any building permit, the Applicant will participate in a Transportation Demand Management (TDM) program, through the Traffic Mitigation Agreement, that allows Commuter Services to promote and verify that all employees and visitors have access to existing and future transit facilities, available commuter options, and alternatives to single occupancy auto commuting. Prior to the certification of the Site Plan, the Applicant will provide a TMAg to be approved by the Montgomery County Department of Transportation (MCDOT).
- b) In accordance with the Certified Site Plan, the Applicant will provide a bikeshare station, along Baltusrol Drive (otherwise known as C Street), between the surface parking facilities and in close proximity of the Community Center. The final location of the bikeshare station will be approved by MCDOT and indicated on the Certified Site Plan, based on the requirements of the bikesharing system in a highly visible, convenient and well-lit location on the Subject Property.
- c) The bikeshare station will accommodate a minimum of 19-dock (approximately 53-feet by 6-feet) plus an additional 6-feet for access.
- d) Prior to the issuance of the building permit, the Applicant will be required to pay the capital cost for the station and five (5) years of associated operating costs.

9. Pedestrian & Bicycle Circulation

- a) The Applicant must provide a minimum of five (5) public bicycle parking spaces.
- b) The specific location(s) of the public bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide an 8-foot wide public shared use pathway between the community center building (Lot 21) and the surface parking facility on the Subject Property.
- d) The Applicant must provide an 8-foot pedestrian sidewalk along Baltusrol Drive (otherwise known as C Street).
- e) The Applicant must provide a maximum of 61 total parking spaces (including four van accessible handicap spaces).

- f) Prior to the certification of the Site Plan, the Applicant must satisfy the conditions of approval as prescribe by the Montgomery County Department of Permitting Services – Right of Way Division (DPS-ROW). DPS-ROW will send confirmation regarding their approval to M-NCPPC.

10. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (MCFRS) Fire Code Enforcement Section in its letter dated August 25, 2016, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCFRS may amend if the amendments do not conflict with other conditions of Site Plan approval.

11. Building Lot Terminations (BLTs)

- a) Prior to the release of the building permit, the Applicant must submit or show evidence of a certified running tabulation of the individual building square footages based on the cumulative total square footage of the Preliminary Plan No. 12012021A. If at the time of the first building permit, building permits issued under Preliminary Plan No. 12012021A, including this project, exceeds 0.5 FAR, then prior to the building permit being released the Applicant must provide proof of purchase of the 14.1 BLTs.

12. Landscaping

- a) Provide shade trees along the pathways and trails. Indicate on their respective site details that these trees will be professionally pruned so as not to obstruct the views of vehicles, bikes and pedestrians.
- b) Provide a streetscape detail demonstrating an adequate clearing height for shade trees along the pathways.
- c) The streetscape design along Baltusrol Drive (otherwise known as C Street) will include street trees (at a maximum of 30 feet on-center), pedestrian oriented street lights (at a maximum of 60 feet on-center).
- d) The shade trees within the parking facility will be spaced at a maximum of 30 feet on-center.

13. Lighting

- a) Before issuance of the any building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the lighting plans conform to the Illuminating Engineering Society of North America (IESNA) standards for mixed-use development.
- b) All onsite down-lights must have full cut-off fixtures.
- c) Deflectors will be installed on all fixtures causing potential glare or excess illumination.
- d) Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties. As indicated on the Certified Site Plan and

within the associated lighting details, the maximum height of the light pole must include the mounting base.

14. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, the Applicant must complete a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a) Prior to the release of the first building permit, M-NCPPC Staff will review the cost estimate of the materials and facilities to establish the total surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, water features, planter boxes, on-site lighting, site furniture, trash enclosures, retaining walls, fences, railings, private roads, public artwork(s), pathways and associated improvements within the relevant blocks of development. The surety must be posted before issuance of the any building permit within each relevant block of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by inspection and potential reduction of the surety.
- d) The bond or surety for each block shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific sheets depicting the limits of each block.

15. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

16. Certified Site Plan

Before approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape Plans.

SECTION 2: SITE LOCATION AND ANALYSIS

Location

The Black Hill development consists of approximately 107.70 acres in size, zoned TMX -2; located approximately 1.5 miles north of the Germantown Town Center, and 0.6 miles north of the interchange of Ridge Road/Father Hurley Boulevard (MD 27) and I-270. The development is located west of I-270, south of Black Hill Regional Park and north of the existing Cloverleaf townhouse development (zoned R-30). Outlined in red below, the Black Hill community is one of the largest undeveloped mixed use properties remaining in Montgomery County.

The Site Plan No. 820160100 - Thrive Assisted Living Facility is one of twelve lots within the Black Hill development, and makes up 2.31 acres of the gross tract area or 2% of the mixed-up development ("Subject Property"). The Subject Property is located northeast edge of the stream valley, near the intersection of Crystal Rock Drive (public roadway) and Baltusrol Drive (private roadway, otherwise known as C Street). The Subject Property is currently forested and identified with a red star (Figure 1) and highlighted in yellow (Figure 3) below.

The residents and employees of this facility will not only benefit from the local public facilities listed below, but are also within walking distance of several public amenities including but not limited to the Corridor Cities Transitway (CCT) station, bikeshare stations, a community center, a hiker/biker trail, and Black Hill Regional Park.

Local Public Facilities include:

- The Germantown Library,
- Montgomery College Campus with the new Holy Cross Hospital (No. 82011011B, 18.27-acres),
- Waters Landing Elementary School,
- Martin Luther King Jr. Middle School,
- Seneca Valley High School, and
- BlackRock Center for the Arts.

Surrounding Commercial and Residential developments include:

- Century (No. 82003007B, 57-acres approved February 2016),
- Germantown Center Town (No. 819990010, 24.74 acres approved November 1998)
- Churchill Town Sector (No. 819840510, 14.27-acres approved May 1984),
- Cloverleaf Center (No. 81998006B, 18.26-acres approved February 2004),
- Milestone (No. 82001009E, 65-acres approved July 2015), and
- Shops at Seneca Meadows (No. 82010014A, 22.9 acres).

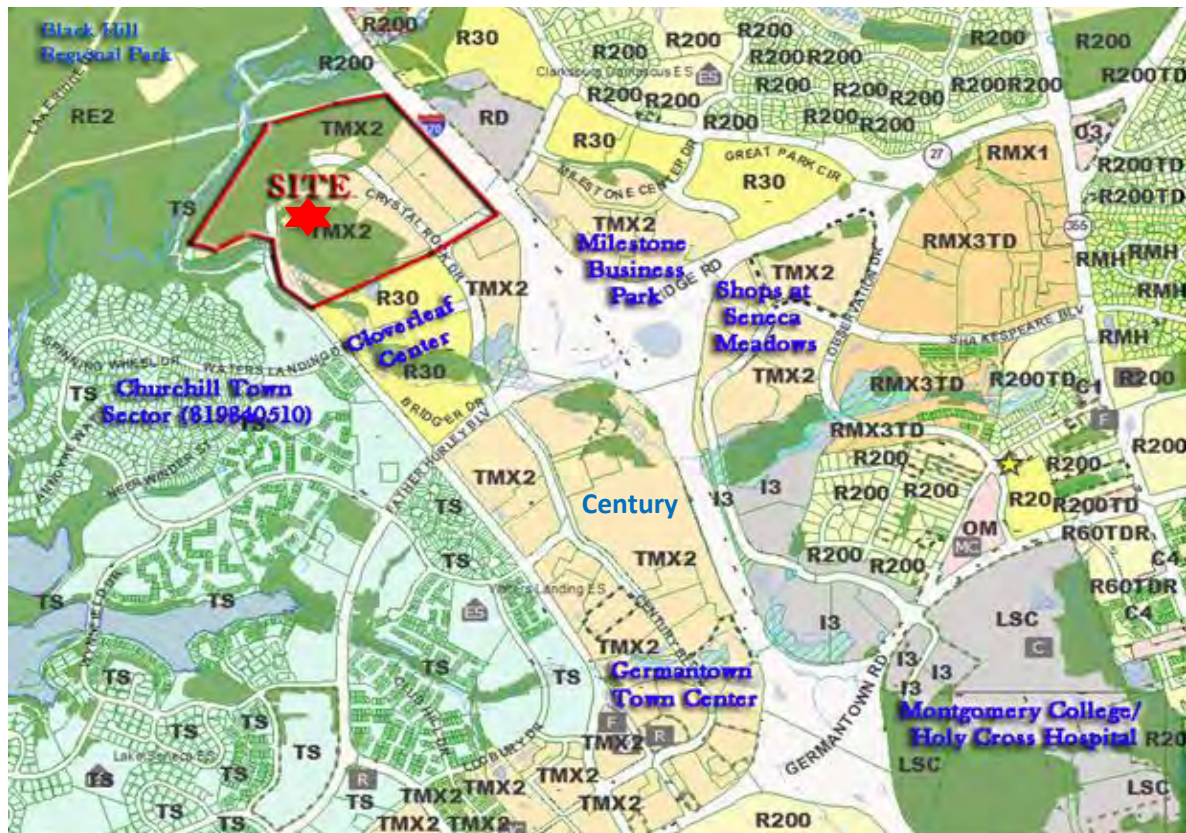


Figure 1: Zoning Map

Vicinity

The Black Hill property is located in the northern portion of the 2009 Germantown Employment Area Sector Plan (“North End District” as referenced in the Sector Plan), within walking distance of the proposed CCT station and Black Hill Regional Park. In March 1995, the property was developed as Waters Landing Golf Driving Range (Site Plan No. 819950170). However, the driving range was considered an interim use. Since the approval of the Project Plan, Preliminary Plan, and Infrastructure Site Plan, Crystal Rock Drive and Century Boulevard (public roads) have been constructed.

The natural topography generally falls away from I-270 (high point), slopes downward toward the existing townhouses within the Cloverleaf Center, and naturally drains into the Little Seneca Creek (lowest point). A tributary of Little Seneca Creek boards the southwest portion of the site and includes a forested stream buffer between the property and the Cloverleaf Center development. There are no historic features located on-site.



Figure 2: Black Hill Development Aerial Photo



Figure 3: Subject Property Ariel Photo

SECTION 3: APPLICATION AND PROPOSAL

Previous Approvals

In accordance with the 1989 Germantown Master Plan, Preliminary and Site Plans were approved for the property (Lerner property) with 1,300,000 square feet (sf.) of commercial space in the TS Zone. As a condition of the original approval, the Applicant also dedicated approximately 64-acres of the land towards open space; which was added to the Black Hill Regional Park. The parkland dedication increased the size of the park (i.e. public amenities), ensured a forested stream valley buffer, and expanded the recreational opportunities for the public.

The zoning of the property was changed from TS to TMX-2 in October 2009 as part of the adopted Sectional Map Amendment (SMA) following the approval of the Germantown Employment Area Sector Plan. The parkland dedication was not included within the Sector Plan boundary; therefore, the zoning on the dedicated parkland remains TS and is not included in the original application for the Project and Preliminary Plans.

Project and Preliminary Plans

In May 2013, the Planning Board approved Project Plan No. 920120040 and Preliminary Plan No. 120120210 for 3,284,000 sf. (0.7 FAR) of mixed-use development, including 1,097,800 sf. of office use, 91,400 sf. of hotel use (350-rooms), and 1,618 total residential units (including 190 MPDUs, and 1,078 age-restricted units) on 107.70-acres of land (11 lots) zoned TMX-2.

In May 2016, the Planning Board approved amendments to both the Project Plan No. 92012004A and Preliminary Plan No. 12012021A to modify the traffic study, revise the APF, modify the conditions of approval, and the SWM concept. The overall lot configuration and total density was changed to 12 lots and 3 parcels with a maximum allowable density of 1,097,800 square feet of office space, 91,400 square feet of retail space, a 350-room hotel, and a total of 1,229 residential units (including 12.5% MPDUs). The age-restriction was eliminated from the multi-family and townhouse residential units, and the townhouse unit types were also eliminated from the Project Plan. The assisted living facility was increased from 102-beds to 140-beds.

Site Plans

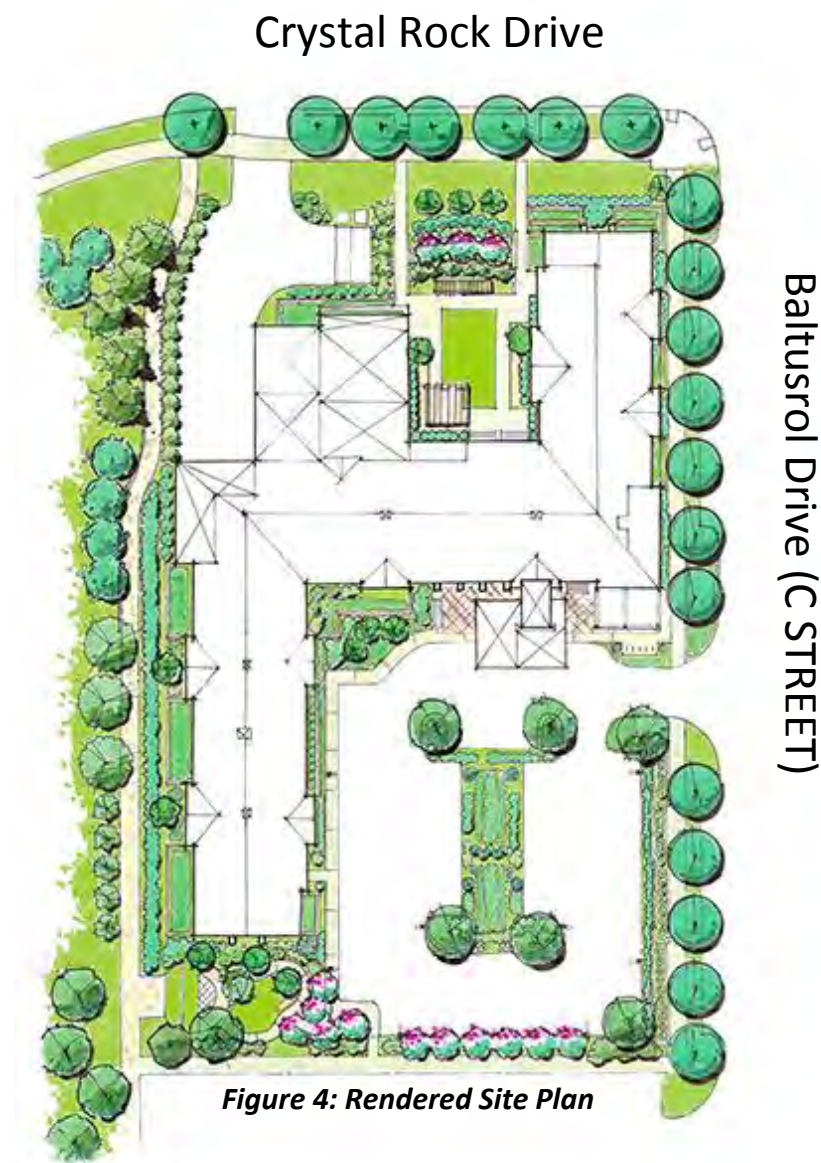
In June 2013, the Planning Board approved the Infrastructure Site Plan No. 820130250, the Final Forest Conservation Plan (FFCP) and the construction of Crystal Rock Drive and Century Blvd. (public roadways), including public utilities consisting of 6.69-acres of land zoned TMX-2. The Preliminary Plan and Project Plan approvals included the SWM concept approval (November 2012).

In December 2015, the Planning Board approved Site Plan No. 82013025B for the extension of Dorsey Mill Road from the current terminus (east of I-270) bridging over I-270 and connecting into Century Blvd. (west of I-270).

In May 2016, the Planning Board approved Site Plan No. 820150060 for the construction of 649 residential units (including 82 MPDUs), 7,325 square feet of commercial uses, public amenities, parking facilities, landscape, and lighting (Phase 2A) on 29.55 acres of land zoned TMX-2. This application was approved concurrently with the amended Project Plan and Preliminary Plan.

Proposal

In accordance with the previous approvals, the Applicant is requesting to construct an assistant living facility (115,000 square feet with 140-bedrooms), associated parking facilities (61 surface parking spaces, including 4 van accessible spaces), additional public use space and green areas, lighting, and landscape amenities.



SECTION 4: ANALYSIS AND FINDINGS

- 1. The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.***

Staff finds that this application substantially meets the goals and objectives of the previous approvals. A development plan, diagrammatic plan or a schematic development plan are not required for this development. This Site Plan application conforms to the Amended Project Plan No. 92012004A in terms of the size, uses, and building height. The assisted living facility (115,000 square feet) is consistent with the previous approvals. The residential uses approved for Phase 2A (895,615 square feet) combined with this Site Plan application make up roughly 55 percent or 0.21 FAR of the total residential uses allowed for the entire Black Hill mixed-use development. Therefore, this application is well within the development ceiling approved for residential uses (1,851,560 square feet). The remaining residential units (840,945 square feet) will be constructed in future phases.

The building height of the assisted living facility (72-feet) will not exceed the maximum height allowed (143-feet) by the approved Project Plan.

- 2. The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.***

Under Section 7.7.1.B.1, the application is subject to the zoning code in effect on October 29, 2014. However, because under Section 7.7.1.A.2 a use must have existed on October 29, 2014 to be subject to the old code, the proposed use, must be reviewed under the current zoning code. Under the CRT zone (Section 3.3.2.E.2.C), the Residential Care Facility (Over 16 persons), is considered limited. A Residential Care Facility is allowed as a limited use, and the subject lot abuts or confronts a property zoned Agricultural, Rural Residential Detached that is vacant or improved with an agricultural or residential use, site plan approval is required under Section 7.3.4. This application satisfies the limited use requirement.

Staff finds that the Site Plan meets the requirements of the TMX-2 Zone, and that the urban renewal plan is not applicable to this proposal. In anticipation of future development, the Project and Preliminary Plans established the initial parameters for the entire mixed-use development and sustainable green neighborhoods criteria. The residential uses are consistent with the previously approved Project and Preliminary Plans. Combined with the other uses and stages of development, the Black Hill mixed-use development fulfills the purposes of the zone by 1) demonstrating conformance with the Sector Plan, 2) encouraging land assembly, 3) providing a variety of housing opportunities,

4) promoting the effective use of transit facilities, and 5) providing for BLTs. Under the Optional Method of development, greater densities are permitted, but additional public facilities and amenities will be provided by the Applicant. The calculation of required BLTs is referenced on page 31 of the Project Plan no. 92012004A Staff Report. In accordance with the conditions of approval, the Applicant will show evidence of a certified running tabulation of the individual building square footages in accordance with the Preliminary Plan No. 12012021A. If this development exceeds the 0.5 FAR threshold, the Applicant will provide the necessary proof of purchase of the 14.7 BLTs prior to the issuance of the first building permit.

Table 1: Project Data Table below compares the previously approved and amended Project Plan and Preliminary Plan to this Site Plan application.

The Site Plan meets the development standards of the TMX-2 Zone. With respect to building height, setbacks, and the density of this development is under all the maximum standards allowed.

Table 1: Site Plan - Data Table for the TMX-2 Zone

	Approved Project Plan No. 92012004A	Amended Preliminary Plan No. 12012021A	Site Plan Application No. 820160100
Gross Tract Area	4,691,520 sf. (107.70 ac.)	4,691,520 sf. (107.70 ac.)	100,687 sf. (2.31 ac.)
Roadway Dedication(s)	469,661 sf. (10.78 ac.)	469,661 sf. (10.78 ac.)	N/A
Net Tract Area	4,221,751 sf. (96.92 ac.)	4,221,751 sf. (96.92 ac.)	100,687 sf. (2.31 ac.)
Uses:			
Assisted Living Units	140 units	140 units	140 units
Density:			
Residential	0.39 (1,851,560 sf.)	0.39 (1,851,560 sf.)	0.02 (115,000 sf.)
Total	0.7 (3,284,000 sf.)	0.7 (3,284,000 sf.)	0.02 (115,000 sf.)
Public Use Space:			
On-site Public Use Space	51% (2,143,100 sf.)	51% (2,143,100 sf.)	19% (19,200 sf.)
Parking Lot Green Area	5%	5%	7%
Building Heights (feet)	35 – 143	35 – 143	72
Min. Building Setbacks (feet):			
From I-270	200	200	830
Adj. to Public ROW	0	0	25
Adj. to Residential Zone	90	90	900
From Parkland	170	170	170
Max. Total Parking (spaces):	6,188	6,188	
On-street Parking	N/A	N/A	11
Off-street Parking	N/A	N/A	61
Handicap Accessible	20	N/A	4
Min. Bicycle Parking (racks)	48	N/A	5

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

Building Location and Structures

Considering the natural topography of the Lot 22 and limitations of the building's program, Staff finds that the building location and structures are safe and adequate. Crystal Rock Drive is one of two main entrances into the Black Hill mixed use development. The existing slopes rises to a plateau, which gradually flats out as the roadway curves into the community and connects into Century Blvd. Visitors entering from the Crystal Rock Drive access point will first view the rear façade of the Assisted Living building, located south of Crystal Rock Drive. The building's facade is setback approximately 55-feet from Crystal Rock Drive with two building wings extending away from the center spine toward the main roadway. The rhythm of building facades along Crystal Rock Drive streetscape is greatly improved with the placement of assisted living facility positioned closer to the street edge. As illustrated in Figure 5 below (before), the original Project Plan envisioned a surface parking facility closer to the street edge at the corner intersection of Crystal Rock Drive and Baltusrol Drive. However, the amended Project Plan depicted in Figure 6 below (after) brought the assisted living facility closer to the street's edge.



Figure 5 – Original Project Plan (before)

Figure 6 below illustrates the relocation of the building's footprint. The building has shifted to be more consistent the Sector Plan recommendations and to be more engaged with the street's edge (Figure 6 below) and the Sector Plan recommendations. The Sector Plan encourages an urban grid pattern with buildings flanked on either side to frame critical view sheds and create pedestrian oriented streetscapes.

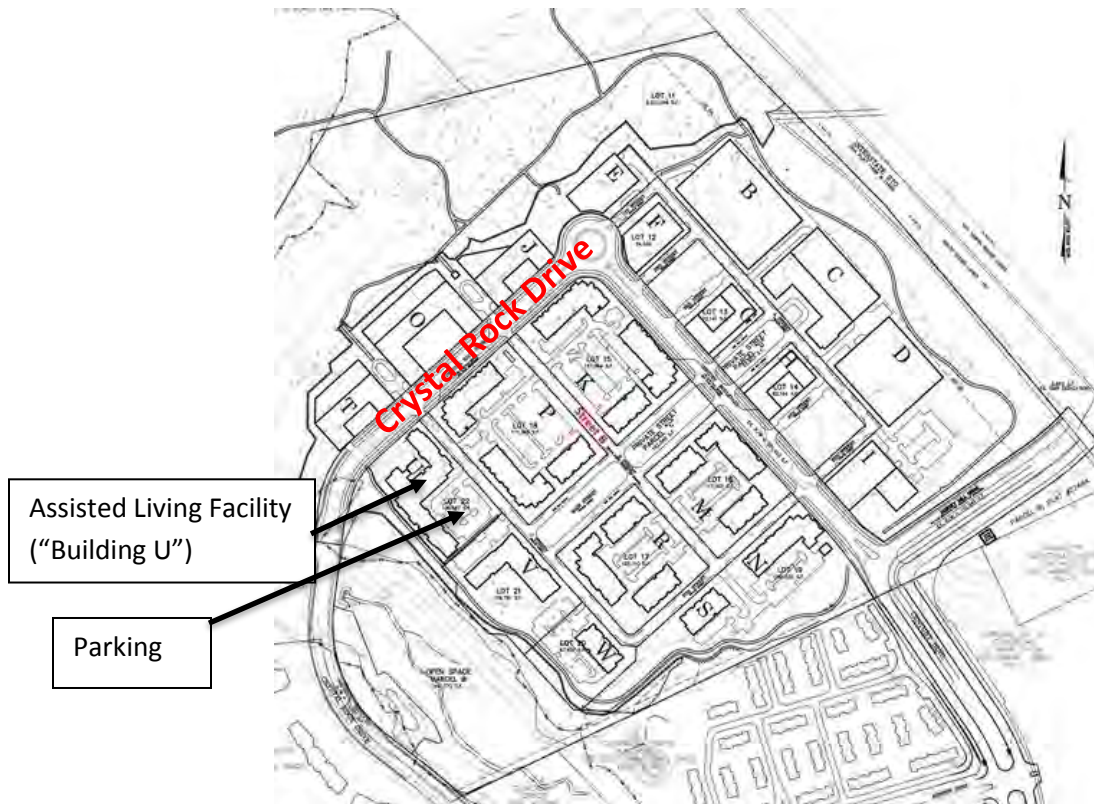


Figure 6 – Amended Project Plan (after)

The building's setback is necessary to accommodate access from the street edge to the first floor of the building. The building extensions hug the private amenity area, which is elevated above the street grade along Crystal Rock Drive. Two lead walls and stairwells connect the private amenity area to the pedestrian streetscape. The stairwells signify a significant change in elevation that is necessary to access the first floor of the building. Plantings, stormwater management facilities, and utilities are placed in the green area between the pedestrian sidewalk and the building's rear façade. As indicated in Figure 7 below, the building extensions, retaining walls, and plantings provide street frontage along the pedestrian sidewalk.



Figure 7 – Crystal Rock Streetscape

The central spine of the building runs parallel to Crystal Rock Drive with three wings extend outward. The longest of the three wings of the building stretches back toward the southern edges of the property, aligned parallel to Balthusrol Drive and is setback approximately 188-feet from the street edge. The main entrance of the building fronts onto the surface parking facility.

Upon initial review of the building layout, Staff was concerned about the walkability of the streetscape as it relates to building frontage along Balthusrol Drive. Staff has worked with the Applicant to consider several different building design iterations. As a resolution to this issue, the main entrance to the building is oriented toward Baltusrol Drive. Bike racks (5), signage, and planter boxes have also been added along the streetscape to further activate the streetscape. The current layout optimizes the building's efficiency (i.e. required programming within the building), provides scenic views toward the stream valley buffer, and works with the existing grades with minimal disturbance to the stream valley buffer. Staff finds that that the proposed streetscape improvements, considering the limitations of the building's program, are safe and adequate. Therefore, the building layout is efficiently placed on the Subject Property and conforms with the intent of the Sector Plan recommendations.

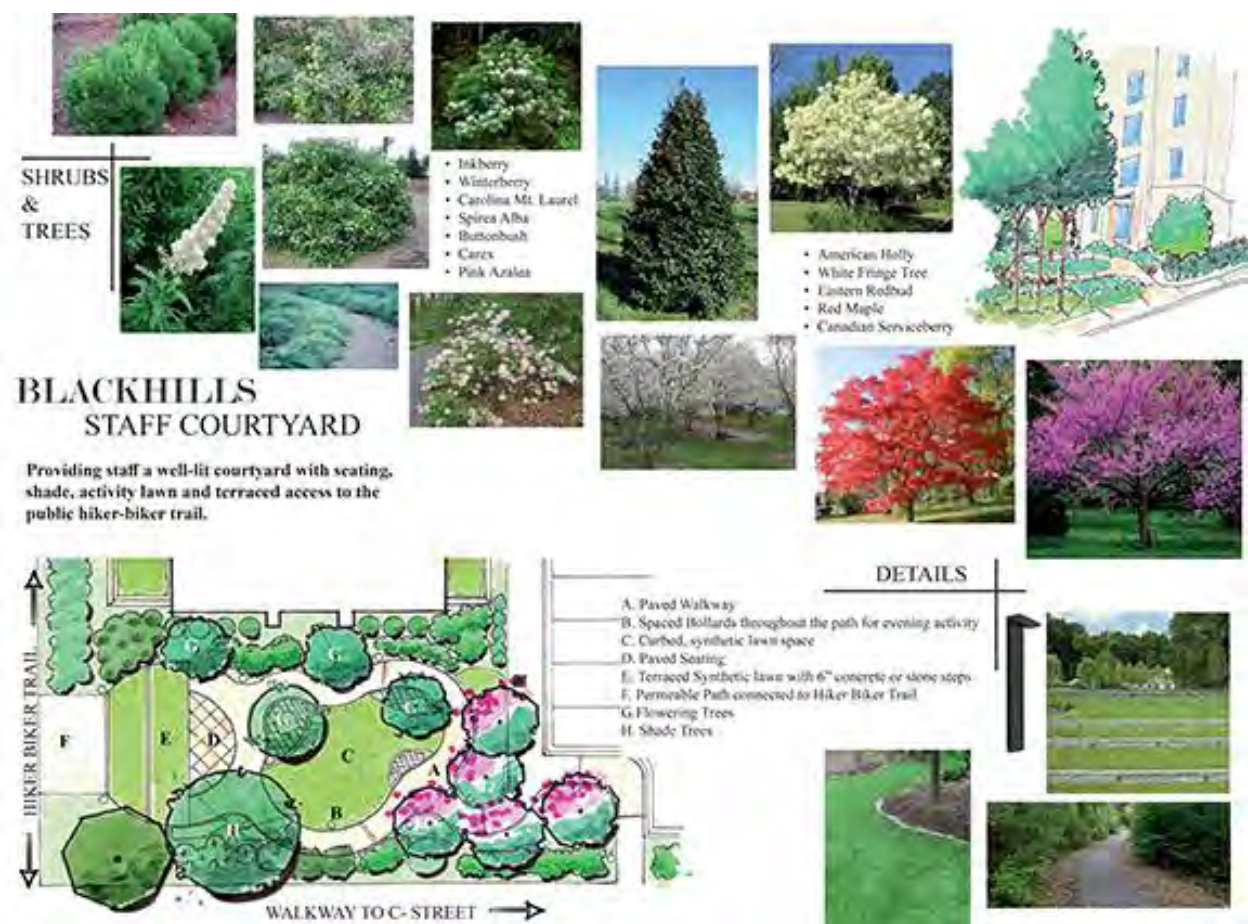


Figure 8 – Employee Open Space Area

Open Space

Staff finds that the open spaces provide safe and adequate gathering space for the residents and employees. The assisted living facility is a special use that requires direct supervision and professional support for a majority of their residents. The Applicant is concerned about adequate monitoring of visitors that occupy the open space areas. Upon initial review of the open space areas, Staff recommended that the Applicant also consider the health and welfare of their most independent residents (i.e. best case scenario), their employees, and family members that may live within walking distance of this facility. The Site Plan has since been revised to accommodate an employee open space area (Figure 7 above, 85 feet by 47 feet) at the south toe of the building extension, directly adjacent to the community center, the shared use path, the parking facility, and the 8-foot hiker/biker trail. This open space area is designed to provide a transitional use between the surface parking facilities and shared use pathways, and efficiently accommodate movement throughout the community.



Figure 9 – Main Entrance Feature

The main entrance (Figure 9 above) is designed to engage the streetscape along Baltusrol Drive and welcome visitor on-site. The covered entry (i.e. porte cochere), sunshades, bicycle racks (5), and water fountain articulate and introduce the hierarchy of the main entrance of the building.



Figure 10 – Surface Parking Facility

The surface parking facility (Figure 10 above, and Figures 11 and 12 below) is adequately screened with the use of planting boxes from the private roadway and the pedestrian sidewalk. The planter boxes provide a buffer (between the parked cars and pedestrians) and seating along the sidewalk.

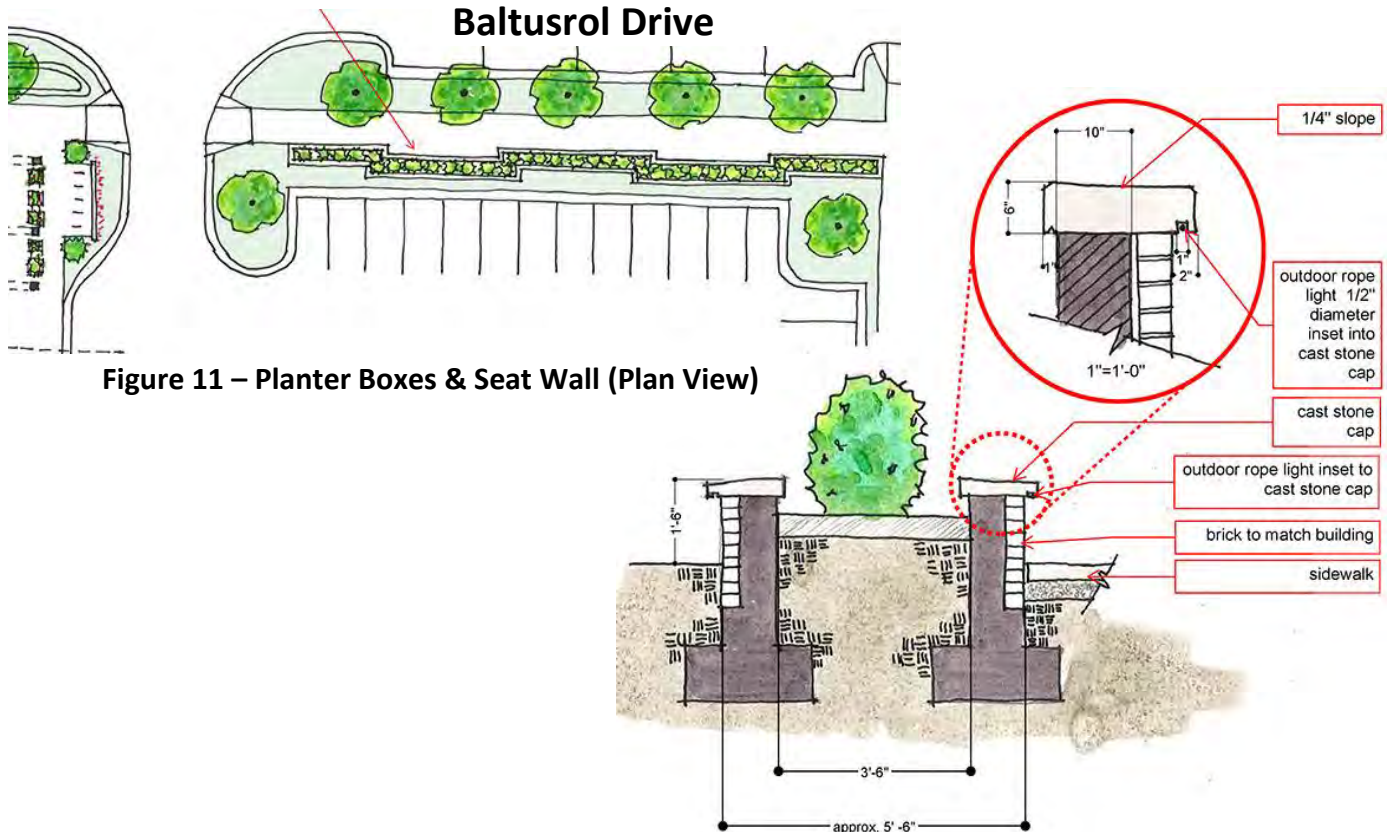


Figure 11 – Planter Boxes & Seat Wall (Plan View)

Figure 12 – Planter Boxes & Seat Wall (Section)

Landscape & Lighting

Staff finds that the landscape and lighting features are safe and adequate. The entrance to the Black Hill development begins with Lot 22 and sets the tone for the character of the overall community. The hierarchy of the main roadway (I.e. Crystal Rock Drive) is emphasized by the width of the street, building orientation, planted retaining walls, shade trees, and the 10-foot pedestrian sidewalk along the streetscape. These elements protect the pedestrian realm, softens hard edges, and instinctively provide a sense of arrival for visitors.

Staff was initially concerned about the placement of the service driveway and dumpsters along the main roadway. However, considering the limitations of the existing slope, building program requirements, and the building orientation, the Applicant is providing adequate screening of “back of house” activities with evergreen plantings, fencing, retaining walls, and trash enclosures. As indicated in Figure 13 below highlighted in blue, the public use space (19%, highlighted in purple below) provided along Baltusrol Drive

and between parking facilities is proposed in addition to the 51% of public use space approved for the entire Black Hill development. Large canopy trees are also located along the streetscape and understory planting help to soften hard edges (i.e. retaining walls and the building) and provide shade and comfort along the pedestrian streetscape.

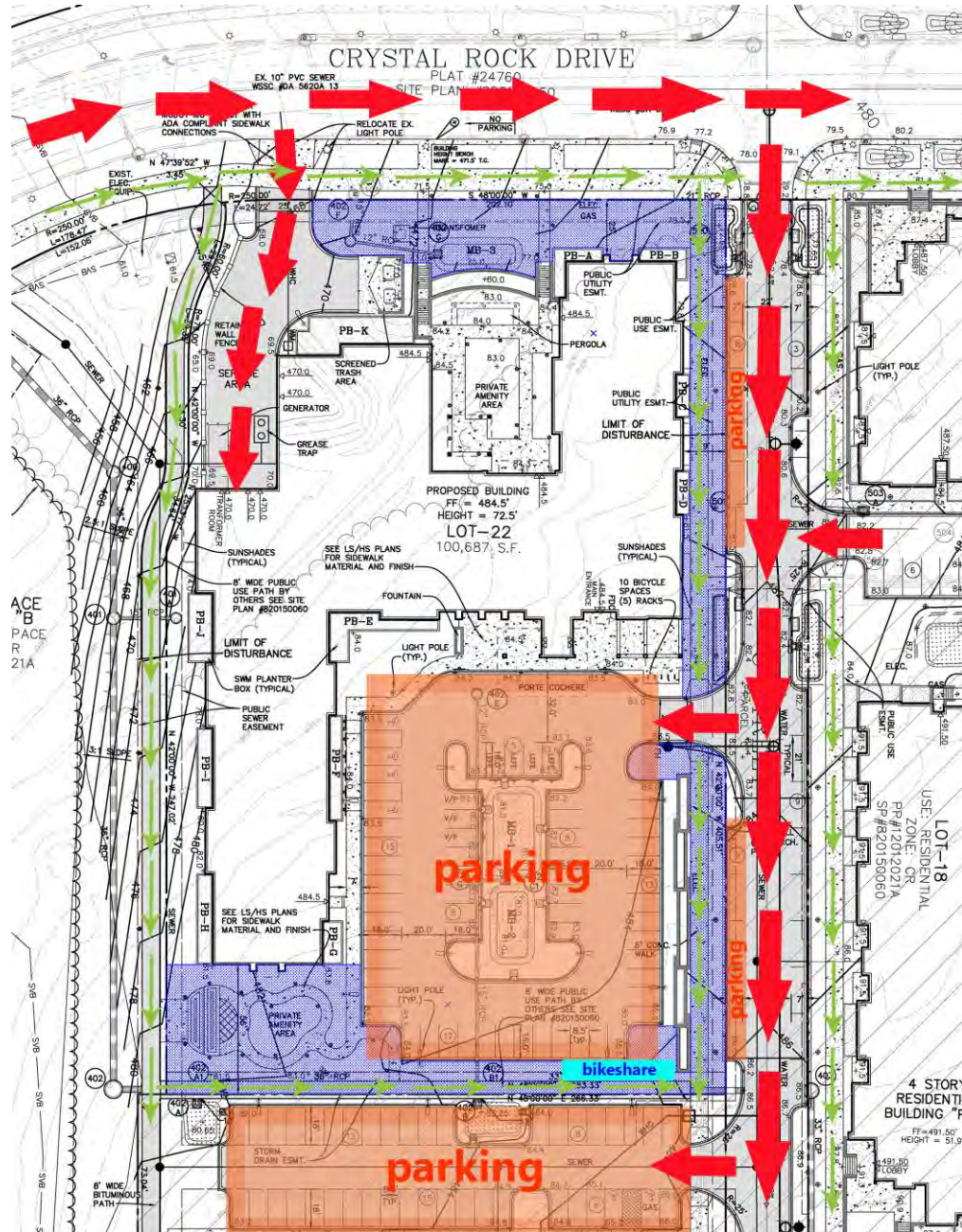


Figure 13 – Public Use Space (purple) & Circulation Diagram (green & red arrows)

Shade trees, understory plantings, ornamental trees, and groundcovers will also be installed along the hiker/biker trail (Figure 14 below), at the base of the building, the entrance, and within the surface parking facility. The proposed lighting at the entrances

of the building, along the sidewalks, and hiker/biker trail provide clear visibility without creating light pollution or glare along the public roadways or adjacent to residential uses.

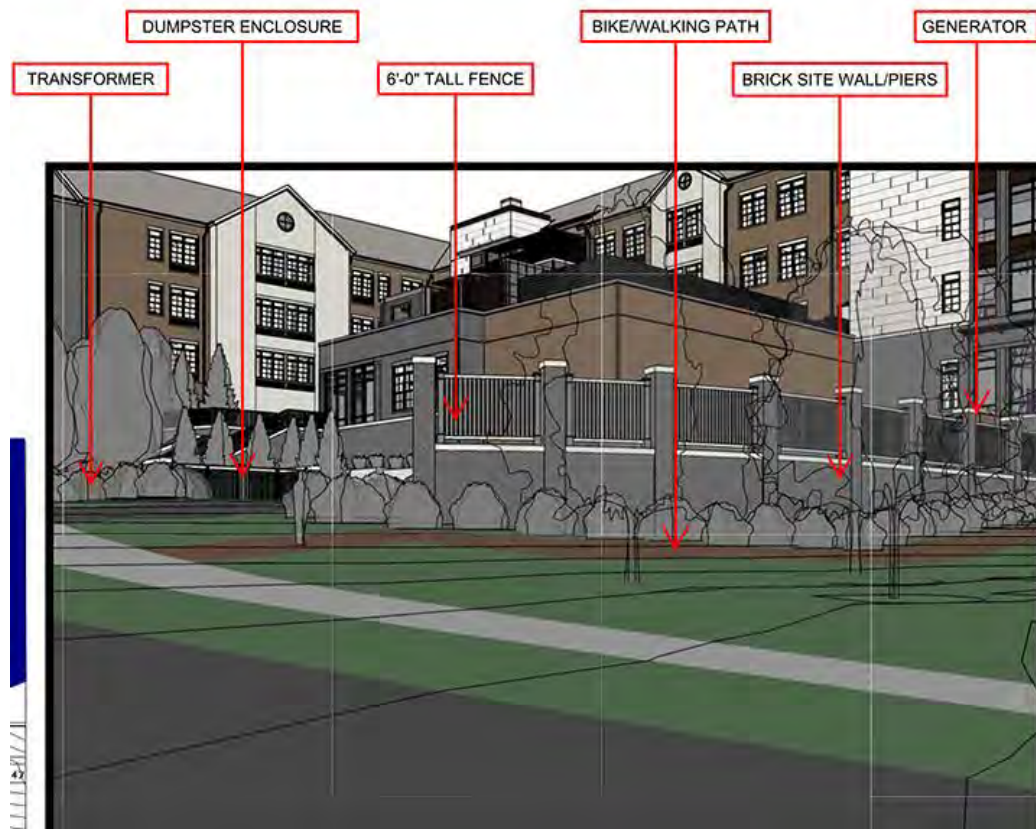


Figure 14 – Hiker/Biker Trail Plantings

Staff has worked closely with the Applicant to encourage activation of the streetscape through the use of planter boxes and shade trees to enhance walkability around the Subject Property. Staff finds that the Applicant has adequately addressed the initial concerns, while maintaining the integrity of the building's program.

Recreation Facilities

The 8-foot hiker/biker trail is located adjacent to the south-western boundary of the Subject Property (near the stream valley buffer). In accordance with the conditions of approval, the Applicant and the Master Developer of the larger mixed use development (Lerner Enterprises) will coordinate the construction of the public use spaces, the public share use pathway (on-site) and the hiker/biker trail (off-site) to ensure safe, adequate, and efficient community connections throughout the development. These recreation amenities are available to the public, adequately lite, and properly maintained by the respective property owners.

Circulation Systems

The vehicular, pedestrian and bicycle circulation systems (Figure 15 below) are fully integrated throughout the Subject Property and connected into the larger mixed use development. Internal pedestrian sidewalks connect into the adjacent public right of way, private roadways, and the hiker/biker trail. The streetscape and the community culture are enhanced by overlapping circulation systems. Due to the low volume and low speeds anticipated on Balthusrol Drive (also known as Street C), it is assumed that bicyclists will be able to share the lane with vehicles. No special bicycle signage is needed on Balthusrol Drive.

The vehicular circulation design directs traffic around and through the Subject Property with minimal impacts to pedestrian circulation (Figure 13 above). In accordance with the previously approved Preliminary Plan, the revisions to the traffic study and analysis were approved and certified on December 2016. As compare to the original approvals, the total number of bedrooms increased by 38 bedrooms. However, this increase in bedrooms within the assisted living facility do not result in any changes to the recommended roadway improvements. The circulation systems efficiently and adequately provide a safe atmosphere for end-users.

The Fire and Rescue Services also stated that the Applicant is required to provide 20-foot wide travel lanes to accommodate fire access and still create an environment that was hospitable to pedestrians and bicyclists. However, some of the surface parking spaces have been reduced to 16-feet by 8.5-feet to minimize the amount of impervious surface in close proximity to the stream valley buffer.

Per the conditions of approval, the Applicant is also working closely with the Montgomery County Department of Transportation (MCDOT) to encourage alternative means of transportation for visitors and employees via the Capital Bikeshare program. The Applicant is required to complete a TMAg, which includes the positioning of a bikeshare station (19-dock minimum; approximately 53-feet by 6-feet). As indicated below in Figure 16 below, the bikeshare station will be located directly adjacent to the public shared use path and between the parking facility.

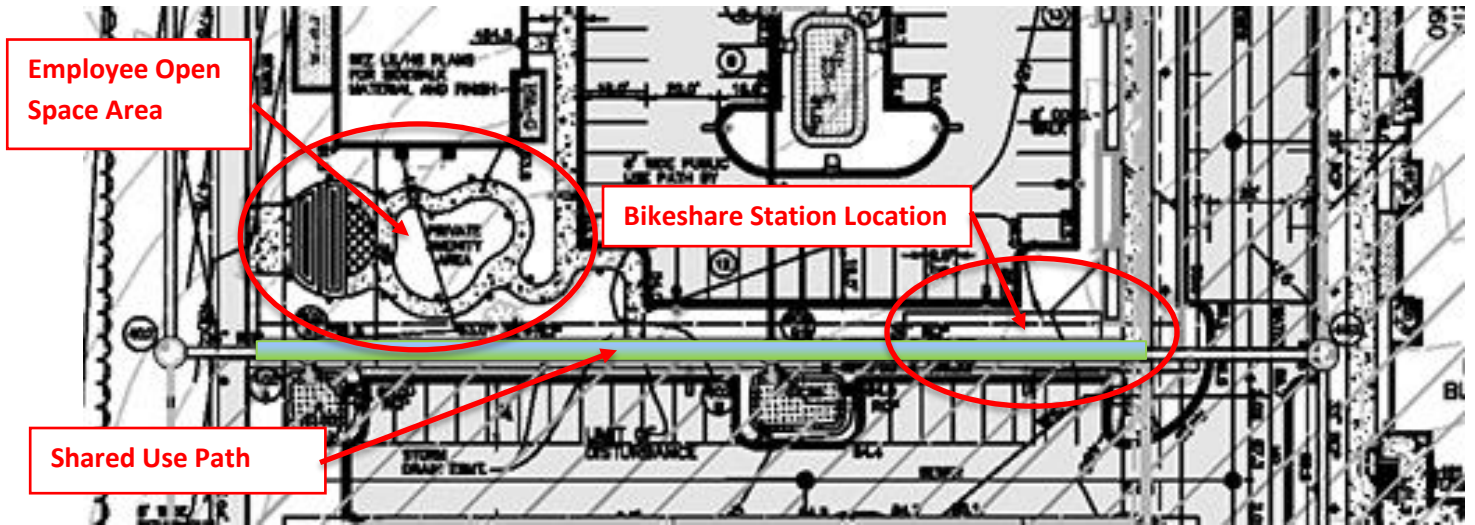


Figure 15 – Capital Bikeshare Station location

MCDOT has reviewed and approved the turning movements from the service driveway onto Crystal Rock Drive. Staff finds that the service driveway and the access from the surface parking facility are safe, adequate and efficient.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

Staff finds that the age-restricted residential use is compatible with the surrounding uses. The assisted living facility is an important and critical residential resource that provides an alternative housing opportunity. In accordance with the recommendations of the Sector Plan, this application will accommodate an increasing demand for senior housing within walking distance of the CCT station (page 29 of the Sector Plan). The new construction of senior housing within this mixed-use development affords the aging population the ability to age in place. These uses are also consistent with the previous approval and adds more diversity to housing types within the Black Hill development.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The Final Forest Conservation Plan (FFCP) for the development was originally approved on August 15, 2013 as No. 820120250 Crystal Rock – Public Roads Infrastructure Plan and was subsequently updated to include the Dorsey Mill Road interchange (Site Plan Amendment No. 82013025B) on December 17, 2015. The FFCP (Amendment A) was modified to reflect the changes to the Dorsey Mill Road alignment and the associated

SWM facilities. The SWM concept plan was approved for Site Plan No. 820160100 on April 20, 2016 with conditions, as prescribed in the approval letter [Appendix B].

SECTION 5: CITIZEN CORRESPONDENCE

Community Outreach

The Applicant has met all signage, noticing and pre-submission meeting requirements. Notice for the Site Plan application was sent out January 14, 2016, and a community meeting was held in the evening on February 2, 2016 at the Up-county Regional Services Center in Germantown, MD. Staff has not received any community correspondence.

SECTION 6: CONCLUSION

Staff recommends approval of the Site Plan application. The uses and requested density will not exceed the requirements of the amended Project Plan and Preliminary Plan applications. The circulation through the development is efficiently well-integrated into the surrounding transportation, pedestrian and bicycle network. In accordance with the conditions of approval, the development meets the intent of the previously approved sustainable design criteria (as discussed in the Project Plan approval; page 39, Table 2) and the requirements of the 2009 Germantown Employment Area Sector Plan.

APPENDIX

- A. Letters of Justification
- B. Agency Approval Letters
- C. Approved Resolutions
- D. Submitted Drawings

LAW OFFICES
SHIPLEY & HORNE, P.A.

Russell W. Shipley
 Arthur J. Horne, Jr.*
 Dennis Whitley, III*
 Robert J. Antonetti, Jr.

1101 Mercantile Lane, Suite 240
 Largo, Maryland 20774
 Telephone: (301) 925-1800
 Facsimile: (301) 925-1803
 www.shpa.com

Bradley S. Farrar
L. Paul Jackson, II*
* Also admitted in the District of Columbia

February 17, 2016

Mr. Richard Weaver, Area 3 Supervisor
 Montgomery County Department of Planning
 M-NCPPC
 8787 Georgia Avenue
 Silver Spring, MD 20910

**RE: Application for Site Plan No. 820160100 & Site Plan No. 82013025C
 (Proposed Lot 22, Black Hill)
 Statement of Justification for Thrive Senior Living**

Dear Mr. Weaver:

On behalf of our client, Palomino Capital, LLC, d/b/a Thrive Senior Living (the "Applicant"), we hereby submit this Statement of Justification in support of a proposed Site Plan application for the above captioned site within the Black Hill development. The subject property, identified as proposed Lot-22, Black Hill, is located at the southwest corner of Crystal Rock Drive and C Street in Germantown, Maryland (the "Property").

I. Introduction:

The Property consists of approximately 2.31 acres (100,687 square feet) of gross tract area now located in the CR-0.75 (Commercial/Residential) zone. The Property was previously zoned TMX-2 (Mixed-Use) Zone under which prior development plans were approved and pursuant to which the instant Application is being submitted.

II. Development Data Summary and Comparison:

	Previous Use	Existing
Zone	TMX-2	CR-0.75
Use(s)	Undeveloped	140-unit Assisted Living Facility
Acreage	2.31±	2.31±
Lots	1	1

Square Footage/GFA	N/A	100,687 \pm square feet
Building Height	0	4 Story
Off-Street Parking Spaces	0	63
Handicapped Spaces (Van)	0	2
Loading Spaces	0	1
Bicycle Spaces	0	10 (5 racks)

III. Relevant Prior Approvals for the Property:

Under the TMX-2 zone, Project Plan No. 920120040 ("Current Project Plan") was approved on May 30, 2013, and Preliminary Plan No. 120120210 ("Current Preliminary Plan") was approved on July 8, 2013. The current approvals provide for the overall development of the Black Hill project in phases with an overall floor area ratio ("FAR") of 0.7 (3,284,000 square feet), with approximately 1,097,800 square feet of office development, 243,240 square feet of hotel development (350 keys), 1,851,560 square feet of residential development and 91,400 square feet of retail space, including twelve public amenity areas. For the residential units, 440 non age-restricted units were approved, and 1,178 age-restricted units were approved. The Current Preliminary Plan realigned Crystal Rock Drive, abandoning a portion of the prior alignment and creating Century Boulevard.

One condition of the Current Project Plan approval required the Applicant to obtain the Infrastructure Site Plan approval prior to any other site plan approvals. On June, 27, 2013, the Planning Board approved Site Plan No. 820130250 titled "Crystal Rock Public Roads Infrastructure" ("Infrastructure Site Plan") for the Crystal Rock Drive and Century Boulevard rights-of-way. A Final Forest Conservation Plan (No. 820130250) was submitted and approved with the Infrastructure Site Plan.

In late 2013, the Planning Board approved a new record plat (File No. 220131360) which shows the new road alignment. Additionally, the prior approvals reflected that the subject Property (i.e. proposed Lot 22) would contain 102 units for an assisted living use. It should be noted that on or about December, 2014, the master developer for the overall Black Hill project filed applications for amendments to the approved Black Hill Project Plan, Preliminary Plan and Site Plan (for Phase 2A) (hereinafter referred to as the "Master Project Amendments"). It is anticipated that said amendment(s) to the Project Plan and Preliminary Plan will reflect that the assisted living use proposed for the Property will consist of 140 units.

IV. Overview of the Project:

The Applicant is submitting the instant site plan for the Black Hills development under the TMX-2 zone as the construction of Century Boulevard and Crystal Rock Drive moves toward completion. This Site Plan Application (No. 820160100) proposes site plan approval for

February 17, 2016
 Thrive Senior Living (Site Plan)
 Page 3

140 unit assisted living facility for the Property. The overall Black Hill project a significant number of multifamily dwelling units, 6,050 square feet of retail space, the fitness center/pool house, and approximately 5.91 acres of public use space. The public use space includes the Central Green, several Corner Parks the Southern Park including playgrounds, pavilions, the trail and streetscape. This Site Plan constitutes a portion of the senior living uses approved in the original Project Plan.

In the 2009 *Germantown Employment Area Sector Plan* ("Sector Plan"), a mixed-use development is recommended for the Property. The instant Site Plan request is in conformance with the mix of uses proposed in the Project Plan as well as the Sector Plan. The Site Plan also complies with the relevant provisions of the Sector Plan and the Germantown Employment Area Sector Plan: Urban Design Guidelines.

V. Site Plan's Conformance with the Zoning Ordinance:

Section 59-D-3.4(c) sets forth the findings that the Planning Board must make for approval of a site plan application. Based on the submitted Site Plan Application, the Site Plan satisfies each requirement for Section 59-D-3.4(c):

- A. *the site plan...is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

RESPONSE: The instant Site Plan is consistent with the approved Project Plan in terms of land use, density, and building height. The proposed assisted living facility is part of the overall multi-phased, mixed-use-development known as Black Hill. The assisted living square footage of approximately 100, 687 square feet is well within the development ceiling approved by the current Project Plan which allows for 1,432,440 square feet of commercial use and 1,851,560 square feet of residential use. The remaining density will be provided in future phases of development. It should be noted that the general locations and character of the public use spaces will be provided by the master developer in upcoming development applications on property not owned by the Applicant.

The proposed building height and setbacks from the existing development on the adjoining property meet the standards set by the Current Project Plan. The proposed building height is 4 stories, within the 72 foot limit set forth in the Current Project Plan conditions of approval.

As set forth by the current Project Plan approval, the development will strive to meet applicable LEED standards to achieve the required LEED certification. The proposed assisted living building will apply the principles of the LEED-ND requirements using an integrated design process led by a well-qualified LEED professional. The Applicant will make a good faith effort to obtain a LEED Silver rating for the proposed building.

- B. *the site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

RESPONSE: The proposed assisted living project meets the development standards of the TMX-2 Optional Method of Development. Of the development standards, five standards are explicitly stated. They are net lot area, public use space setback from adjoining single family residential zone, maximum FAR, and BLT requirements. The other development standards are set by the approved Project Plan.

The proposed Site Plan meets the relevant above stated development standards, although each Site Plan is not required to meet all standards (rather, the aggregate of all site plan approvals for Black Hill must meet the approved Project Plan standards). The public use space proposed in the Master Project Amendments exceeds the minimum 20% required for the overall Black Hill project. The proposed Lot 22 does not adjoin property lines for the Cloverleaf Townhome Condominiums.

The Current Project Plan conditions of approval set the maximum building lot coverage, building heights, and setbacks from adjoining lots. The building heights are required to step down from 143 feet as the development moves away from 1-270 and the future transit center with the lowest height of 35 feet along the residential edges. The proposed building in the Site Plan will adhere to this requirement and is 4 stories in height (consistent with Condition # 2(c) in the Current Project Plan).

- C. *the locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

RESPONSE: The Site Plan has been designed to ensure that the locations of the proposed assisted living building, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.

The building location provides wide illuminated sidewalks allowing for ease of pedestrian movement and clear sight lines for vehicles. The proposed recreational areas and open spaces are located either within the main building (for the residents of the facility), or in the courtyard located along the site's boundary with Crystal Rock Drive. The Property also has a perimeter hiker/biker trail along its southern boundary. The proposed access to the parking facilities is located along future C Street. Additionally, a loading area is located on the southern side of the building with an access/exit point from Crystal Rock Drive. The proposed loading area has adequate space to allow for a delivery truck turn around, thus providing safe access onto Crystal Rock Drive.

February 17, 2016
Thrive Senior Living (Site Plan)
Page 5

- D. *each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

RESPONSE: The building and assisted living use will be compatible with the existing and proposed adjacent development. The proposed assisted living use will be adjacent to the future mixed use residential and public space elements of the planned Black Hill project. The location of the proposed assisted living use was acknowledged in the Current Project Plan for Black Hill.

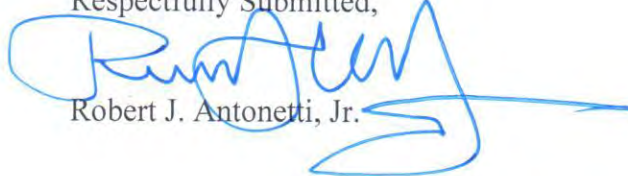
- E. *the site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

RESPONSE: In conjunction with the Infrastructure Site Plan, a Final Forest Conservation Plan No. 820130250 ("FFCP") was submitted and approved. The forest conservation requirements of the approved FFCP were based upon the limits of disturbance necessary for the construction of Century Boulevard and Crystal Rock Drive. The FFCP approval stated that subsequent forest conservation plans would be necessary. Therefore, a final forest conservation plan amendment (No. 82013025C) is being submitted with this Site Plan application.

VI. Conclusion:

As demonstrated by the contents of this Application, the instant Site Plan complies with the Zoning Ordinance requirements and the prior approvals governing the Black Hill development. We look forward to working with Technical Staff on this exciting application and ultimately in presenting this high quality assisted living use to the Planning Board. Thank you in advance for your consideration.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Robert J. Antonetti, Jr.", with a long horizontal flourish extending to the right.

Robert J. Antonetti, Jr.

cc: Mr. Charlie Sabin
Mr. Bill Davis
Michael Plitt, P.E.



A VETERAN-OWNED
SMALL BUSINESS

CORPORATE OFFICE
Baltimore, MD

Suite H
9900 Franklin Square Drive
Baltimore, Maryland 21236
410.931.6600
fax: 410.931.6601
1.800.583.8411

DELMARVA OFFICE
1.800.396.4491

FIELD LOCATIONS

Arkansas
Maryland
New York
North Carolina
North Dakota
Ohio
Texas
Virginia
Washington State
West Virginia

February 4, 2016

Appendix A

Mr. Mike Garcia
Maryland National Capital Park and Planning Commission
Planning Area #3
8787 Georgia Avenue
Silver Spring, MD 20910

RE: Black Hills
Montgomery County, Maryland
Our Job No.: 2007-0310

Dear Mr. Garcia:

As a follow-up to our phone conversation this afternoon, it has been brought to our attention that the Traffic Impact Analysis previously reviewed by your office for the Black Hills project indicated that 102 assisted living beds were planned as part of the development on the subject site. The traffic study and analysis was conducted based on this assumption.

It has been brought to our attention that the number of beds that are reflected on the final plans have been increased to 140. Accordingly, I have prepared the attached exhibit which shows the anticipated trip generation for 140 assisted living beds versus 102 assisted living beds. A review of the attached exhibit indicates that the increase in 38 beds would result in the addition of one trip during the morning peak hour and two trips during the evening peak period. We have reviewed the results of the Intersection Capacity Analysis conducted for the 22 intersections shown on Exhibit 10 of the Traffic Impact Analysis, and it is clear that the addition of one (1) trip during the morning peak period or two (2) trips during the evening peak period would not result in any of the study area intersections operating at unacceptable levels of service or that the impact of the Black Hills development would no longer be mitigated based on the recommended improvements.

Therefore, based on the above information, and the information shown on the attached exhibit, the increase in the number of assisted living beds from 102 to 140, as previously noted, would have no impact on the finding of the report. As you are aware we will be making some minor "housekeeping" adjustments to the report as requested and we will include the change discussed above. These changes have no impact on the findings of the report. It would be greatly appreciated that the appropriate people be made aware that the findings of the study are still appropriate and that the project can proceed accordingly.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn Cook". The signature is fluid and cursive, with the first name "Glenn" and last name "Cook" clearly distinguishable.

Glenn E. Cook
Vice President

GEC:rek

(F:\2007\2007-0310A_Black Hills\DOCS\CORRESP\ANALYST\Ltr_TIS_Garcia.docx)

TRIP GENERATION FOR BLACK HILLS**TRIP RATES / FORMULAE****Assisted Living Facilities (Beds, Montgomery County)**

Morning Trips = 0.03 x Beds

Evening Trips = 0.06 x Beds

IN/OUT

35/65

61/39

TRIP TOTALS

	MORNING PEAK HOUR			EVENING PEAK HOUR		
	IN	OUT	TOTAL	IN	OUT	TOTAL
<i>Assisted Living Facilities (Beds, Montgomery County)</i>						
102 beds	2	1	3	3	3	6
140 beds	3	1	4	4	4	8

Net Increase	1	0	1	1	1	2
---------------------	----------	----------	----------	----------	----------	----------



TRIP GENERATION FOR
SUBJECT SITE



LERNER

March 14, 2016

To Whom It May Concern:

By my signature on this statement I, James D. Policaro, Vice President of Development, hereby affirm that Thrive Development Partners, is authorized to pursue, sign for and file for a Site Plan for the development of Lot-22, Churchhill Town Sector, Germantown, property, Tax ID #: 02-03279881.

Sincerely,

James D. Policaro, P.E.
Vice President | Development

cc: Mr. Charlie Sabin/Thrive Development Partners
Mr. Michael D. Plitt/ Macris, Hendricks & Glascock, PA
File

Writer's Direct Phone
301-692-2375

Writer's Direct Fax
301-692-2631

CSS Site Plan Comments:

Traffic Mitigation: Commuter Services provides information to employees throughout the County, and requests that the Applicant be required to work with MCDOT to adopt a Transportation Demand Management program through a Traffic Mitigation Agreement. The proposed assisted living facility is part of the overall multi-phased, mixed use Black Hill development. Given the fact this is to be a Transit Oriented Development, and the site's proximity to the Germantown Transit Center and future transportation facilities, it is critical that Commuter Services have the ability to inform employees and visitors at the Project about options and promote alternatives to single occupancy auto commuting. A TMAg is required as part of the conditions of approval for the Black Hill mixed-use development. However, as this project will be under separate ownership, it will need to have a separate TMAg.

Bikesharing: On the site plan, show the proposed location for a bikeshare station on the Project near the intersection of Crystal Rock Drive and Building C. The space should accommodate a 19-dock station, 52-53 feet by 6 feet (plus an additional 6 feet for access) in dimension. The final location will be selected by the Applicant with approval of MCDOT, based upon the requirements of the bikesharing system in a highly-visible, convenient and well-lit location on the Project. The Applicant will be required to pay the capital cost for the station and five (5) years of associated operating costs. The Applicant will also be required to take other actions in concert with the MCDOT to promote use of bikesharing among employees and visitors at the Project.

H:\TransPolicy\Commuter Services\DRC DOCS for Subdivision Review\Black Hill Thrive Asstd Lvg\Thrive Site Plan Comments.12.8.16 CSS Final.docx

Sandra L. Brecher

Chief, Commuter Services Section
Montgomery County Department of Transportation
Office of Transportation Policy
101 Monroe Street, 10th Floor
Rockville, MD 20850
(240) 777-8383
sandra.brecher@montgomerycountymd.gov
www.montgomerycountymd.gov/commute



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

April 20, 2016

Mr. Steve Wilde
Macris, Hendricks and Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886

Re: **Site Development Stormwater Management Plan** Request for Black Hills Lot 22
Preliminary Plan #: 120120210
SM File #: 281604
Tract Size/Zone: 2.31 acres/ TMX-2
Total Concept Area: 2.31 acres
Lots/Block: 22
Parcel(s): C
Watershed: Great Seneca Creek

Dear Mr. Wilde:

Based on a review by the Department of Permitting Services Review Staff, the Site Development Stormwater Management Plan for the above mentioned site is **acceptable**. The Site Development Stormwater Management Plan proposes to meet required stormwater management goals via micro bioretention and planter boxes.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Landscaping shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.
5. Proposed Street C and the main storm drain that serve Lot 22 must be in place prior to start of construction on Lot 22.
6. Design of the micro bioretention and planter box facilities must comply with the latest version of Water Resources Technical Policy for Safe Placement of Surface Fed Stormwater Management Practices to provide pedestrian safety.

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

Mr. Steve Wilde
April 20, 2016
Page 2 of 2

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. This approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,



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

MCE: wrc

cc: C. Conlon
SM File # 281604

ESD Acres:	2.31
STRUCTURAL Acres:	0
WAIVED Acres:	0

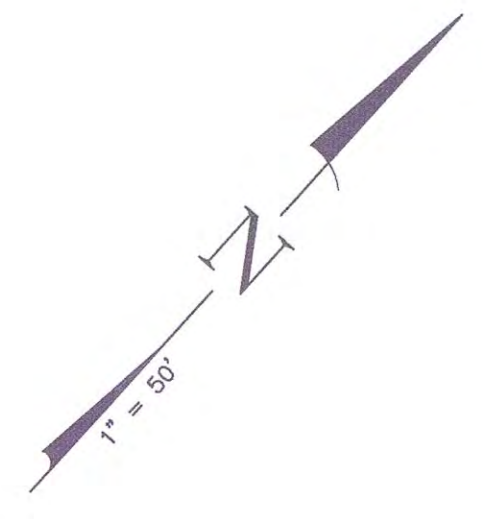
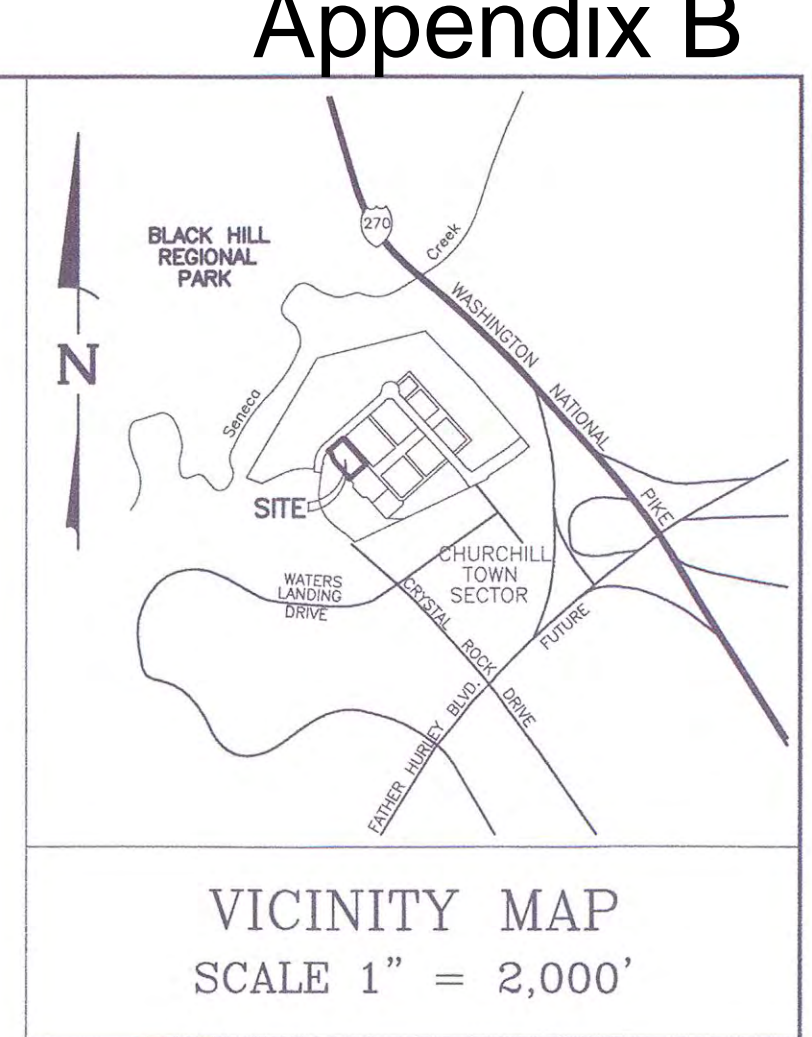
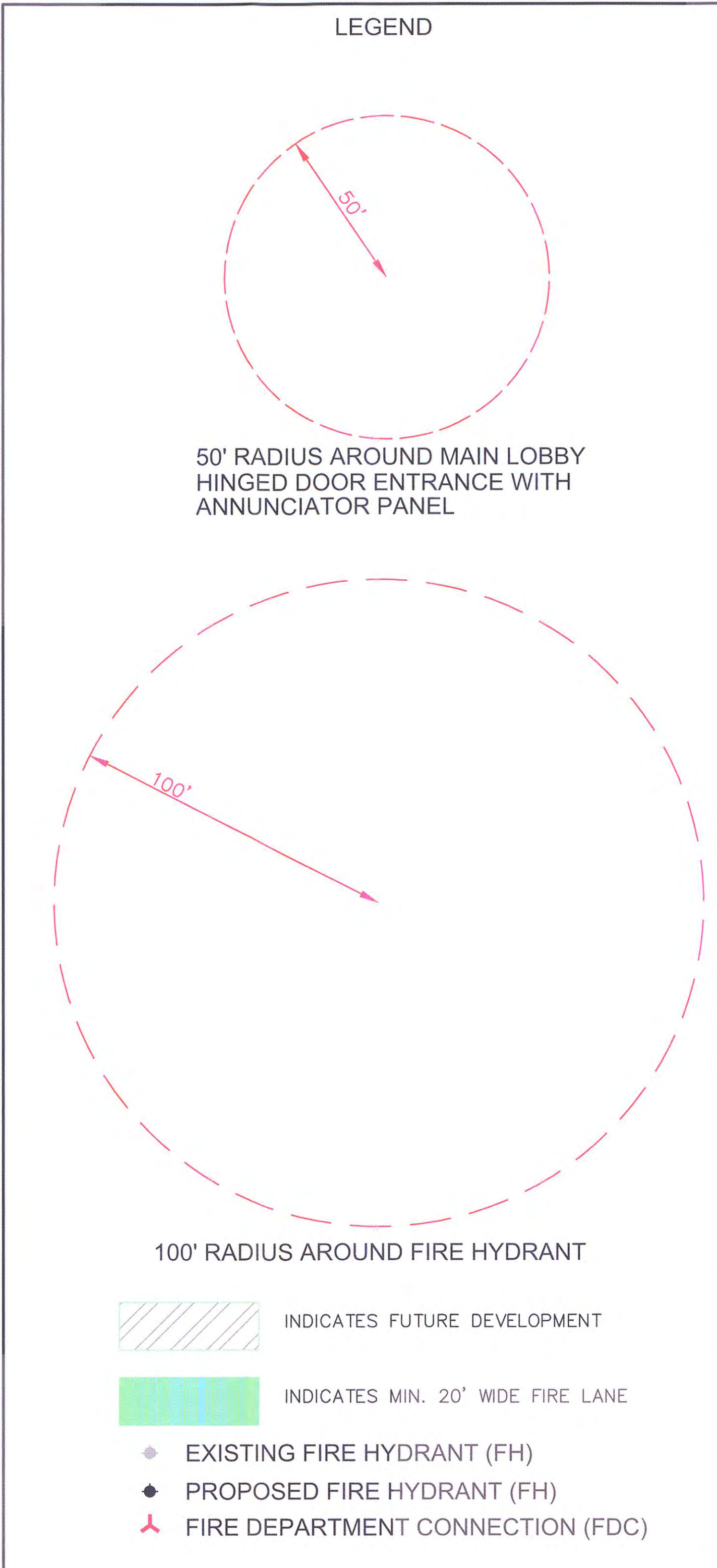
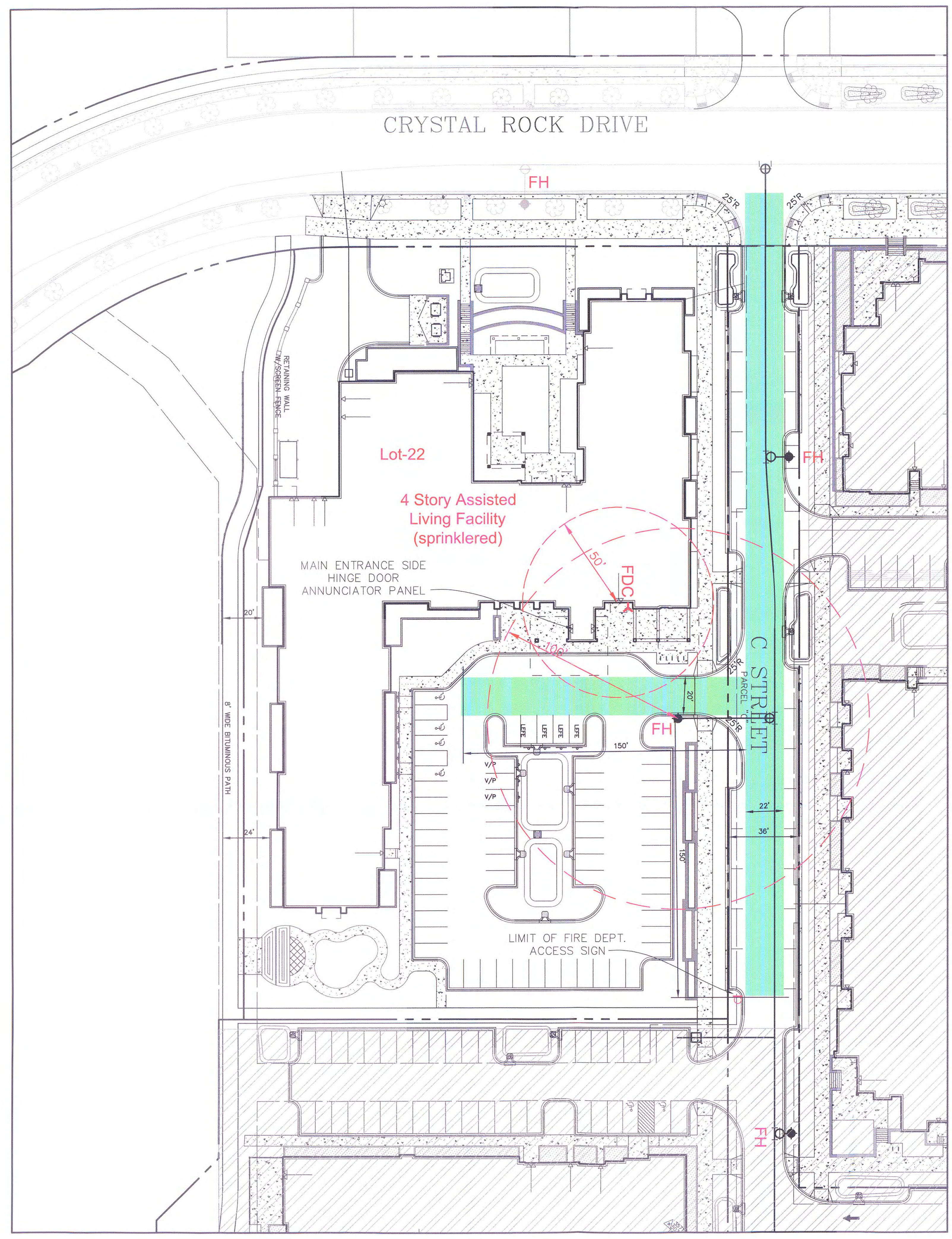


Department of Permitting Services
Fire Department Access and Water Supply Comments

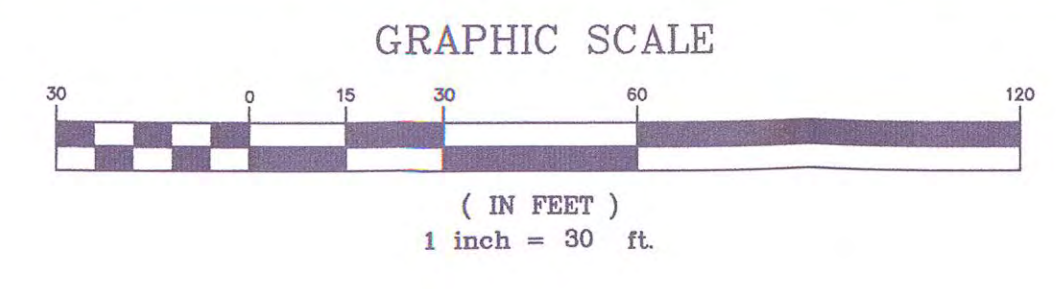
DATE: 25-Aug-16
TO: Mike Plitt
Macris, Hendricks & Glascock
FROM: Marie LaBaw
RE: Thrive Assisted Living - Black Hill
820160100

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **25-Aug-16**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



FIRE CODE ENFORCEMENT
Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
BY: SJL FM: 43 DATE: 8/25/18



REVISIONS		
NO.	DATE	DESCRIPTION

2016.08.25 08:45:33 04/00'
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: 07/02/2018

EMERGENCY ACCESS PLAN
LOT 22 - CHURCHILL TOWN SECTOR GERMANTOWN
THRIVE ASSISTED LIVING
BLACK HILL
2ND 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.mhgsa.com

Proj. Mgr. MDP	Designer MDP
Date 8-25-16	Scale 1" = 30'
Project No. 10-102-41	Sheet 1 of 1



MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Black Hill - Assisted Living

Site Plan #810160100
 Preliminary Plan Number: 1-

Street Name: Crystal Rock Drive

Master Plan Road
 Classification: Business

Posted Speed Limit: 35 mph

Street/Driveway #1 (Service Driveway)

Street/Driveway #2 (_____)

Sight Distance (feet) OK?
 Right 430 ✓
 Left 480' ✓

Sight Distance (feet) OK?
 Right _____
 Left _____

Comments: Crystal Rock Drive
is currently not open to the public

Comments: _____

GUIDELINES

Classification or Posted Speed
 (use higher value)

Tertiary	-	25 mph
Secondary	-	30
Business	-	30
Primary	-	35
Arterial	-	40
		(45)
Major	-	50
		(55)

Required
 Sight Distance
 in Each Direction*

150'
 200'
 200'
 250'
 325'
 400'
 475'
 550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.



3/17/16
 Date

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a licensed Professional Engineer under the laws of the State of Maryland, License No. 14979, Expiration Date: 07-02-16

Montgomery County Review:

☐ Approved
☐ Disapproved:

By: _____

Date: _____



14501 Sweitzer Lane • Laurel, Maryland 20707-5901

Appendix B

COMMISSIONERS

Chris Lawson, Vice Chair
Fausto Bayonet
Omar M. Boulware
Howard A. Denis
Mary Hopkins-Navies

GENERAL MANAGER
Carla A. Reid

April 12, 2016

Black Hills Germantown, LLLP
c/o Mr. James Policaro
Lerner Enterprises
2000 Tower Oaks Boulevard
Rockville, MD 20852

Re: WSSC Project No. DA5620Z13, Black Hills, Amended Letter of Findings #4

Dear Mr. Policaro:

The letter of findings for the Black Hills project has been amended per your request. This amendment supersedes any previous letter of findings. The following changes have been approved:

- change in number of parts of the project

HYDRAULIC SUMMARY TABLE	
Proposed Development: 1,229 Apt, 1,097,800 SF Office, 91,400 SF Retail, 243,240 SF Hotel, 2 Swimming Pools	
200-ft Sheet: 229NW13	
SEWER	WATER
WWTP Service Area: Seneca Creek	Hydraulic Zone Group: Montgomery High
Mini-Basin Number: 15-052	Pressure Zone: 660A
	High Grade: 670 feet
	Low Grade: 614 feet

The following is a list of conditions that apply to this project and must be met before a Systems Extension Permit (SEP) will be issued.

PAY ABANDONMENT/RELOCATION COSTS

The development may necessitate the relocation / abandonment of existing WSSC facilities. There is an existing 8-inch sewer main, built under Contract No. 94-1599B that may need to be removed to facilitate the proposed sewer extension to the existing 20-inch sewer main (93-9683A). Such work and related expenses will be the responsibility of the applicant. The applicant must take all necessary and appropriate steps to ensure continuous and uninterrupted service to all WSSC customers.

Black Hills Germantown, LLLP
 April 12, 2017
 Page 2

MANDATORY REFERRAL PROCESS

This project may be subject to the Maryland-National Capital Park and Planning Commission's Mandatory Referral Program, depending on its planned water / sewer infrastructures and associated appurtenances. It is the Applicant's responsibility to contact the appropriate County's Department of Park and Planning for specific guidance and their standards for Mandatory Referral Review. During Phase 2 Design Review, WSSC must be notified, if the project is subject to the Mandatory Referral Process.

SANITARY SEWER CONDITIONS

REQUIRED SANITARY SEWER MAIN SIZES

The table below shows the design flow for the segments indicated on the sketch.

Segment	Design Flow (mgd)
A-B	0.80
B-C	1.22
C-D	1.34
D-E	1.71
F-G	0.33
G-H	0.93
H-I	0.95
M-N	0.51
N-I	0.81
I-E	1.76
E-J	3.00

Please note that based on the available topography, the sewer sizes may be 10-inch. However, if the design necessitates lower slopes than indicated by the topography, the sewer sizes may increase. This will be determined when profiles are available.

SERVICE DEPENDENT ON OTHER CONSTRUCTION

Since this project will be built in separate parts, the following table provides information on which parts are dependent on the other parts being constructed and released for service:

Part	Dependencies
1	Part 2
2	None
3	Part 1 & 2
4	Part 1 & 2

Black Hills Germantown, LLLP
 April 12, 2017
 Page 3

WATER MAIN EXTENSION CONDITIONS

REQUIRED WATER MAIN SIZES

The diameters of the proposed mains, **12, 10, and 8-inches**, are shown on the attached sketch.

ISOLATION VALVES

Provide sufficient numbers of isolation valves on the new mains to provide redundancy. See sketch for suggested valve locations and requirements on existing lines.

PRESSURE REDUCING VALVES REQUIRED

Due to high water pressure conditions (greater than 80 psi), the on-site plumbing system requires pressure reducing valves for buildings with first floors below 485 feet.

OUTSIDE METERS

Any residential water service over 300 feet in length will require an outside meter. Any commercial water service connections, built to serve a standard or minor site utility (on-site) system over 80 feet in length will require an outside meter. Exceptions will be considered for existing properties / complexes currently served by inside meters where replacements or new service is required.

SERVICE DEPENDENT ON OTHER CONSTRUCTION

Water service is dependent on project number DA4188Z05 being constructed and released for service. The WSSC cannot guarantee when this project will be completed. In addition, the following table provides information on which parts are dependent on other parts as this project will be built in separate parts.

Part	Dependencies
1	Part 2
2	None
3	Part 1 & 2
4	Part 1 & 2

EASEMENT CONDITIONS

COORDINATION WITH OTHER BURIED UTILITIES

Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC easement unless specifically approved by WSSC. Longitudinal occupancy of WSSC easements (by other utilities) is not permitted. Proposed utility crossings of WSSC pipelines or easements that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at the design plan review phase. Refer to WSSC Pipeline Design Manual Part Three, Section 3. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including impacts to proposed street and building layouts.

The applicant must provide a separate “Utility Plan” to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and easements. Upon completion of the site construction, any utilities that are found to be located within WSSC’s easements (or in conflict with WSSC pipelines) must be removed and relocated at the applicant’s expense.

IMPACTS DUE TO GRADING / PIPE LOADING CHANGES

Any grading, change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC easement requires **advance approval** by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street easement requires WSSC approval directly on the original GEP **prior to** approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation, or abandonment) of existing WSSC facilities is done at the sole expense of the applicant / builder / developer. For Relocations work associated with a Systems Extension Project or a Site Utility Project, contact the Development Services Group. Please arrange for this review before plan submittal. See WSSC Design Manual C-11.

PROVIDE FREE EASEMENT TO WSSC

Easements across your property for water and sewer line placement must be provided at no cost to the WSSC. The Applicant shall execute and deliver on-property easements prior to the Certificate of Substantial Completion, which shall constitute an irrevocable offer by the Applicant to convey all on-property easements to WSSC.

ADHERE TO MINIMUM EASEMENT WIDTHS

The minimum easement width for a normal (14 inches diameter or less) extension, either water or sewer, installed at normal depth is 20 feet. A minimum easement width of 30 feet is required when both normal-diameter water and gravity sewer lines are installed in the same easement at normal depth. Installation of deep or large water and/or sewer mains will require additional easement width. For minimum horizontal separation between a building and a WSSC pipeline, refer to the requirements in the current applicable Pipeline Design Manual, Part Three, Section 3. c. 2. Based on WSSC requirements, the minimum spacing between adjacent buildings with both water and sewer lines between them should be at least 40 feet and, in some cases, greater when connections, fire hydrants, or deep sewer or water lines are involved. Balconies and other building appurtenances are not to be within the easement. Additionally, water and sewer pipeline alignment should maintain 5 feet horizontal clearance from storm drain pipeline/structures and other utilities.

Black Hills Germantown, LLLP
April 12, 2017
Page 5

CONNECTION AND SITE UTILITY CONDITIONS

MINIMIZE CONNECTION LENGTHS

The length of all connections should be minimized.

SITE UTILITY PROCESS REQUIRED

The Site Utility process is usually required for water lines greater than 2 inches in diameter or sewer lines greater than 4 inches. Contact Permit Services at 301-206-4003 or at www.wsscwater.com for more information on electronic submittal of Site Utility plans.

ENVIRONMENTAL CONDITIONS


The applicant must resolve all environmental issues directly with the Environmental reviewer. All outstanding environmental issues must be resolved prior to the Design Phase.

The next step in the process is Phase 2, Review for System Integrity. Contact Permit Services at 301-206-4003 or at www.wsscwater.com for more information on electronic submittal of System Integrity Review Packages. Should you wish to schedule a pre-design meeting, please contact Andres F. Villarraga at (301) 206-8247, or andres.villarraga@wsscwater.com.

Sincerely,



Andres F. Villarraga
Project Manager
Development Services Group



Beth E. Kilbourne, P.E.
Development Unit Coordinator
Development Services Group

Enclosure

cc: Mr. Paul Swienton – Macris, Hendricks & Glascock, P.A.
Mr. Alan Soukup – Department of Environmental Protection –
Montgomery County Government



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MAY 3 2016

MCPB No. 16-024

Project Plan No. 92012004A

Black Hill

Date of Hearing: March 10, 2016

RESOLUTION

WHEREAS, under Section 59-7.7.1.B.1 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board reviewed this application under the procedures and standards of the Zoning Ordinance in effect prior to October 29, 2014, including the zoning then in effect; and

WHEREAS, under Section 59-D-2 of the Zoning Ordinance in effect prior to October 29, 2014, the Montgomery County Planning Board is authorized to review Project Plan applications; and

WHEREAS, on May 23, 2012, North Village – 270 Ltd. Partnership C/O Lerner Enterprises (“Applicant”) filed an application for approval of a Project Plan for a mixed-use development with a total of 3,284,000 square feet (0.7 FAR), including 1,097,800 square feet of office use, 91,400 square feet of retail use, 243,240 square feet of hotel use, and 1,618 total residential units (including 190 MPDUs) on 107.70 acres of TMX-2 zoned-land, located north of Father Hurley Boulevard/ Ridge Road (MD 27), between Crystal Rock Drive and I-270 (“Subject Property”), in the Germantown West Policy Area and Germantown Employment Area Sector Plan (“Sector Plan”) area; and

WHEREAS, on January 23, 2015, Black Hills Germantown, LLP, C/O Lerner Enterprises (“Applicant”) filed an amendment application to modify the conditions of approval in order to eliminate the age-restriction on the multi-family units, decrease the total number of residential units to 1,229 units (including 136 MPDUs), revise the development phasing, increase the public use space, change the internal circulation, and modify the parking facilities.

WHEREAS, Applicant’s Project Plan Amendment application was designated Project Plan No. 92012004A, Black Hill (“Application” or “Project Plan”); and

WHEREAS, following review and analysis of the Application by Planning Board Staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the

Approved as to
Legal Sufficiency:

Christina Sorrento 4/6/16

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

Planning Board, dated February 29, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 10, 2016, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on March 10, 2016, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Presley, seconded by Commissioner Wells-Harley with a vote of 5-0; Commissioners Anderson, Dreyfuss, Fani-Gonzalez, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Project Plan No. 92012004A to modify the conditions of approval, eliminate the age-restriction from the multi-family units, decrease the total number of residential units to 1,229 units (including 136 MPDUs), revise the development phasing, change the internal circulation and modify the parking facilities on the Subject Property, subject to the following conditions:¹

1. DEVELOPMENT CEILING

The development is limited to a maximum 0.7 FAR on the 107.70 acres, including the following:

- a. Employment uses may not exceed the following:
 1. 0.31 FAR
 2. Office Use: 1,097,800 square feet;
 3. Retail Use: 91,400 square feet; and
 4. Hotel Use: 350 rooms (243,240 square feet).
- b. Residential uses may not to exceed the following:
 1. 0.39 FAR
 2. Senior adult housing: 140 units; and
 3. Non age-restricted multi-family: 1,089 units

2. BUILDING HEIGHTS AND DENSITY

- a. Building heights must not exceed 143 feet for the multi-family, office, retail and hotel uses.
- b. The building heights of the multi-family buildings, directly adjacent to the Cloverleaf community (southeast), must not exceed 50 feet.
- c. The building height of the Senior Adult housing facilities (identified as Building U, Lot 22 on the Project Plan) must not exceed 72 feet.

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

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

- d. The building heights on the southern border must be terraced to ensure compatibility with the existing residential developments (e.g. Cloverleaf community).

3. HOUSING

The senior housing and associated facilities, hereinafter referred to as Senior Adult housing, must not be converted into non age-restricted units without first revising the traffic study for the approved Project and Preliminary Plans. Occupancy of the Senior Adult housing is limited to persons 62 years and older as defined in Section 59-A-2.1 of the Zoning Ordinance.

4. MODERATE PRICED DWELLING UNITS (MPDUs)

The development must provide a minimum of 12.5 percent MPDUs onsite, evenly distributed within the multi-family buildings, and consistent with the requirements of Chapter 25A.

- a. Senior Adult housing facilities without a full kitchen do not qualify as a complete dwelling unit; therefore, the Senior Adult housing facility will not include MPDUs.
- b. Prior to the certification of each future Site Plan, the Department of Housing and Community Affairs (DHCA) must review and approve the bedroom distribution of the MPDUs.

5. PUBLIC FACILITIES, AMENITIES, AND OTHER DESIGN FEATURES

- a. The Applicant must provide 51 percent of the net lot area for on-site public use space, as shown on the Project Plan. The final design and details will be determined during the Site Plan review process.
- b. The streetscape design along the private streets must include street trees (at a maximum of 30 feet on-center), street lights (at a maximum of 60 feet on-center), public art, and street furniture.
- c. Appropriate signage must be provided indicating that the public use spaces and the public artworks must be easily and readily accessible for the enjoyment of the general public.
- d. The public use space must include Black Hill Preserve, Preserve Plaza, Village Green North and South, Main Street East and West Park, Main Street Retail Plaza, South Residential Linear Parks, Gateway Plaza, Hiker/Biker Trail, Transit Plaza, neighborhood greens spaces and public artworks.
- e. The final locations for the retail uses must activate the streetscape along Century Blvd, the gateway entrance to the development (at the intersection of Century Blvd and Dorsey Mill Road) and the public use space areas.

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

6. OTHER DESIGN FEATURES

The Applicant will meet the goals and objectives set forth within the Table 2: Public Facilities, Amenities and Other Design Features (Optional Method development column) of the Staff Report. As required in Section 59D-2.11, the incorporation of other design features will create a sustainable environment capable of supporting the greater densities and intensities requested under the Optional Method of development. The Applicant must submit supporting drawings and documentation addressing the following criteria prior to the Certified Site Plan approval.

- a. Provide pedestrian sidewalks at a minimum width of 10 feet on both sides of public streets, and 5 feet on both sides of the private streets. The sidewalks must be free and clear of all obstructions, including but not limited to stairwells, utility boxes, and tree pits.
- b. Provide a minimum tree canopy coverage of 40 percent of the total net tract area. The tree canopy coverage must include the preservation of existing forest and new tree plantings.
- c. Submit architectural drawings for the parking facilities (Buildings B and D) directly adjacent to I-270, including architectural and design treatment for the northeast and southwest facades.

7. PUBLIC USE SPACE

- a. All record plats that include public use space must include a note that all public use spaces as illustrated on the Certified Site Plan(s) must be maintained in perpetuity by the property owners and access must be provided to the general public.
- b. The Applicant must provide a minimum of 20% of the net lot area as public use space.

8. Building Lot Termination (BLTs) Development Right

- a. The Applicant must provide proof of purchase and/or payment of 14.17 BLTs to the Department of Permitting Services prior to the issuance of building permits for density in excess of the base 0.5 FAR (or 2,345,760 sf.) of combined non-residential and residential square footage.
- b. Prior to the release of each building permit, the Applicant must submit to the Department of Permitting Services a certified running tabulation of the individual building square footage and the cumulative total square footage for this project against the 0.5 FAR.

9. DEVELOPMENT STAGING

The development will be built in the following six phases. With the exception of Phase 1 (already completed), the uses within Phases 2 thru 6 may be constructed in any order. However, the public amenities and facilities associated with the specific uses must be constructed with each phase as shown. The public use

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

spaces and associated amenities listed below must reference the conditions above. The construction and inspection schedules will be determined at Site Plan.

- a. Phase 1 consists of the pre-construction activities and construction of the public infrastructure, associated SWM facilities, and the realignment of Crystal Rock Drive and Century Blvd.
- b. Phase 2 (a and b) will include the construction of residential units (approximately 53% of the total number), clubhouse, office building (G) with associated retail uses, the 350-room hotel building (C) with associated retail uses, Senior housing facilities (Building U), a portion of the parking facilities (B), associated public amenities (Main Street: east/west parks and retail plaza), neighborhood green spaces, and necessary infrastructure.
- c. Phase 3 will include the construction of the remaining residential units (approximately 47% of the total number), associated public amenities (South Residential Green, natural/hard surface hiker/biker trails, Nature Pavilion and Preserve Plaza), and infrastructure.
- d. Phase 4 consists of office buildings (H) with associated retail uses, the remaining portion of the parking facilities, associated public amenities (natural/hard surface biker/hiker trail and Black Hill Preserve) and infrastructure.
- e. Phase 5 consists of the construction of two office buildings (Buildings I & F) with associated retail uses, remaining portion of the parking garage (Buildings B & D), associated public amenities (Gateway Plaza, and Village Green north/south), and infrastructure.
- f. Phase 6 consists of the construction of office building E, associated public amenities, and infrastructure.

10. COORDINATION FOR ADDITIONAL APPROVALS REQUIRED PRIOR TO THE SITE PLAN APPROVAL

- a. The Applicant must coordinate with the Division of Transit Services with regard to improvements to Ride-On bus facilities in the local vicinity of this project.
- b. The Applicant must coordinate with Montgomery County Department of Transportation regarding the bike station within the Transit Plaza.

BE IT FURTHER RESOLVED that all elements shown on the latest electronic version, submitted in December 2015 via ePlans to the M-NCPPC, and as of the date of the Staff Report February 29, 2016, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and having considered the entire record, all applicable elements of

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

Section 59-D-2.42, and the relevant provisions of Section 59-D-2.43, the Planning Board FINDS, with the conditions of approval, that:

- (a) The Application would comply with all of the intents and requirements of the zone.*

The Project Plan Amendment was reviewed under the Zoning Ordinance in effect prior to October 30, 2014. The Property is zoned TMX-2. In accordance with the zone and the Project Plan requirements, this amendment will provide significant public facilities, amenities and other design features that will create an environment capable of supporting the greater densities and intensities.

- (1) Implement the recommendations of the approved and adopted Sector Plans for Transit Station Development Areas by facilitating mixed-use development with a compatible network of interconnecting streets, open spaces, plazas, and civic and community oriented uses. Providing flexible development standards, and encouraging designs that produce desirable relationships among individual buildings, the circulation system, public spaces, and adjacent areas, and foster use of non-auto forms of transportation, including pedestrian, bicycle, and public transit;*

The Project Plan implements the recommendations of the Sector Plan by providing a mixed-use development within walking distance of the Corridor Cities Transit (CCT) station. In accordance with the original Project Plan approval, the amendment was reviewed as per the following established design criteria:

Public Use Space and Placemaking Features - The public amenities are appropriately scaled based on the neighborhood's hierarchy throughout the mixed-use development. The hierarchy is based on the building heights and the character of the roadways. Open space areas directly adjacent to the public roadways, hiker/bike trails, and the Main Street central green spaces make the grandest gestures as these public facilities are more accessible to the general public (i.e. a larger population). Open space areas directly adjacent to the residential dwelling units and along the private roadways (internal to the site, along 5th Street and Streets B and C) are intentionally more intimate as these public facilities will be more accessible to the local residents (i.e. a smaller population). Other public use spaces, green spaces, on-site recreation facilities, and off-site design features add quality to the neighborhood, establish a way-finding system, and create desirable placemaking characteristics. Onsite public use space equates to 51 percent (2,153,134 sf.) of the net tract area, which exceeds the 20 percent minimum required in the TMX-2 zone. The clubhouse, hiker/biker trail connections,

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

multi-purpose fields, open lawn areas, and open play areas offer a variety of active and passive activities. The recreational supply and demand values are determined during the Site Plan process. The streetscape design within the public right-of-way provides a pedestrian connection to the CCT station and the trail system.

Linkages and Pedestrian Orientation - The entire mixed-use development is organized around a street grid pattern. Crystal Rock Drive and Century Blvd. are the primary roadways, mainly intended to direct local and regional traffic through the development. The primary roadways will accommodate bicycles, motorcycles, vehicular traffic, and on-street parking during off-peak hours. The amended Project Plan will eliminate 2nd Street; therefore, increasing the block length by ± 220 feet. Blocks K and P are approximately ± 500 feet long by ± 350 feet wide. Although the length of the block has increased, the proposed buildings do not prohibit pedestrians from walking through the surface parking facility to Street B or C. Access to public space is provided through the use of sidewalks and trails. Ground floor retail and public use spaces enhance the streetscape and are conveniently located along the primary roadways in order to attract transit commuters, activate the public use spaces, and calm vehicular traffic. The extension of Dorsey Mill Road was approved with the original Project Plan and Site Plan No. 82013025B. The design and construction of Dorsey Mill Road is subject to change based on the Applicant's coordination with SHA's approval. In the center of the development, the building footprints and frontages along Street B have been modified from the previous approvals to reflect the changes to the parking facilities. Street B is considered a secondary roadway, because it provides a direct connection (mainly utilized by the local residents) from the southeast to the northwest side of the development. Street B also provides access to the surface parking facilities (within the internal blocks). The multi-family residential buildings have been broken up into smaller footprints and are designed to enclose the outer edges of the larger blocks (along Main Street, Street C, 5th Street, Century Blvd. and Crystal Rock Drive).

(2) Encourage Land Assembly;

The Property is owned by Lerner Enterprises (the Applicant). The Project Plan Amendment and Preliminary Plan Amendment will reassemble the previously approved 11 lots into 12 lots and 5 parcels. The entire property is 107.70 acres; the net tract area is 96.92 acres (90% of the gross tract area).

(3) Provide a variety of housing opportunities;

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

The Project Plan amendment is requesting a different housing type mix that reduces the variety of housing opportunities previously approved to include: 1) fee simple townhomes, 2) age-restricted multi-family units, and 3) assisted living. This amendment will modify the housing options to include: 1) non age-restricted multi-family dwelling units, and 2) an assisted living facility on 96.92 acres of land. The Planning Board finds that the amended mix of housing still meets the intent of the Sector Plan to provide a variety within walking distance of the future CCT station. The residential building façade treatments and articulations will express variations through the use of different color palettes.

The Project Plan will provide 8 different building types, façade treatments and a variety of unit types (e.g. 1 bedroom, 2-bedroom, and 3 bedroom units).

(4) Promote the effective use of transit facilities; and

The close proximity of the Property to the future CCT station facilitates the convenient use of public transit. The pedestrian circulation system connects sidewalks and hike/biker trails in order to generate high walking and transit scores within the neighborhood. The Sector Plan recommends that the minimum number of required off-street parking spaces (6,295 spaces) become the maximum allowed onsite.

(5) Provide for Building Lot Terminations (BLTs)

BLTs are required by the TMX-2 Zone to support the Agricultural Land Preservation Fund under Chapter 2B (Section 59-C-14.27). For any building permit to construct floor area above the standard method of development, the Applicant is required to purchase BLTs at a rate of 12.5% of the total density that exceeds 0.5 FAR (2,345,760 sf.). Prior to construction of the remaining 0.2 FAR, the Applicant is required to purchase 14.17 BLTs when the development reaches this threshold. The calculation of BLTs is based on the proportionate mix of residential (56% of the total requested density) and non-residential uses (44% of the requested density).

In accordance with the additional provisions for the optional method of development (Section 59-C-14.25), the density and building height should generally decrease as the distance from a transit facility increases; and lower as the distance to single family homes decreases. Buildings are sited to minimize the impact of shadows on single family neighborhoods outside the TMX zones.

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

Building heights may be adjusted to avoid or minimize environmental impacts; and the project meets all the standards and requirements of the TMX zone.

(b) The application would be consistent with the applicable Sector Plan

The Board finds that the amended Project Plan application conforms with the recommendations of the Sector Plan and the 2010 Germantown Urban Design Guidelines. The Project Plan proposes a mix of office (1,097,800 sf.), a 350-room hotel (243,240 sf.) and retail uses (91,400 sf.); which provides for approximately 5,106 jobs. The jobs to housing ratio (approximately 4.15) will be more consistent with the recommendations of the Sector Plan, due to the reduction in the total number of residential units (1,229 units). The mix of jobs and housing is consistent with the land use flexibility provided in the Sector Plan (page 18). The proposed mix of retail, office and hotel uses provides significant opportunities for employment with housing in the Germantown Employment Area. The proposed mix of uses are appropriately located away from the concentration of commercial uses in the Town Core. The Sector Plan recommends (on pages 25 and 65) shorter block lengths (250 feet to 350 feet). However, the largest block is 347 ft. wide by 494 ft. long. Although the length of the block has increased, the circulation through the surface parking facility is feasible. Per the Urban Form recommendations of the Sector Plan (pages 10, 20, and 21), high quality landscape designs were encouraged through the design of neighborhood parks, green space areas, and through the activation of the streetscapes. The landscape and streetscape designs enhance the walkability of the site; which is the primary purpose of the zone.

(c) Because of its location, size, intensity, design, operational characteristics and staging, it would be compatible with and not detrimental to, existing or potential development in the general neighborhood.

The location, size, and intensity of the development are compatible with the existing developments in the general neighborhood. The development will not be detrimental to potential developments and supports future development by having completed the Century Blvd. and Crystal Rock Drive roadways through the site. Adequate access to the development and the proposed CCT station is provided along Crystal Rock Drive, Century Blvd., and Dorsey Mill Road. The urban grid pattern adequately manages the local and regional traffic flow through the development, reduces walking distances, provides alternative internal connections, and establishes the framework for an efficient streetscape design.

(d) The proposal would not overburden existing public services nor those programmed for availability concurrently with each stage of construction and, if located within a transportation management district designated under Chapter

MCPB No. 16-024
 Project Plan No. 92012004A
 Black Hill
 Date of Hearing: March 10, 2016

42A, article II, is subject to a traffic mitigation agreement that meets the requirements of that article.

The mixed-use development will not overburden the existing public facilities and services, as the initial stages of construction include major roadway improvements to the existing public facilities. The TMA will all be finalized before the first stage of construction. The Property is located within the Germantown West Policy Area; which does not stipulate any Transportation Policy Area (TPAR) trip mitigation requirements. The Subject Property is within the Seneca Valley High School Cluster area. The 440 high rise multi-family units approved under Resolution MCPB 13-38 are subject to a School Facility Payment at the elementary school level pursuant to the Subdivision Staging Policy in effect for FY 2013. The 649 low rise multi-family units (and 140 senior housing units) approved under this Project Plan are not subject to a School Facility Payment pursuant to the Subdivision Staging Policy in effect for FY 2016. The development phasing currently consists of six stages. The first phase constructed the public roadways and infrastructure improvements that are necessary to ensure safe and adequate circulation on and offsite. The second stage of construction consists of residential, office, some retail, and hotel uses.

(e) The proposal will be more efficient and desirable than could be accomplished by the use of the standard method of development.

Requirements of the TMX-2 zone

The data table below lists the required development standards approved by the Planning Board and binding on the Applicant. The Planning Board finds, based on the data table and other evidence and testimony of record, that the Application meets all of the applicable requirements of the optional method of development in the TMX-2 zone.

	Required/ Allowed by Previous Approvals	Amended Project Plan No. 92012004A
Gross Tract Area	N/A	4,691,520 sf. (107.70 ac.)
Public ROW Dedication	461,593 sf. (10.61 ac.)	469,661 sf. (10.78 ac.)
Net Lot Area	N/A	

MCPB No. 16-024
 Project Plan No. 92012004A
 Black Hill
 Date of Hearing: March 10, 2016

Max. Commercial (gross floor area):		
Office/ Employment	1,500,000 sf.	1,097,800 sf.
Retail	110,000 sf.	91,400 sf.
Hotel (max. 350-rooms)	Hotel	243,240 sf.
Total Commercial	1,610,000 sf.	1,432,440 sf.
Residential Units		
Non Age-restricted Units	440 units	953 units
Age-restricted	1,178 units	140 units
MPDUs (min.)	190 units	136 units
Total Units	1,618 units	1,229 units
Max. FAR		
Commercial Uses	0.31 (1,432,440 sf.)	0.31 (1,432,440 sf.)
Residential Uses	0.39 (1,851,560 sf.)	0.39 (1,851,560 sf.)
Total FAR	0.70 (3,284,000 sf.)	0.70 (3,284,000 sf.)
Min. BLTs (12.5% of Floor Area)		
Residential Uses	7.3	7.29
Non-residential Uses	6.8	6.88
Total BLTs	14.1	14.17
Min. Building Setback (ft.)		
From I-270	200	200
From a residential zone	90	90
From Parkland	170	170
Max. Building Height (ft.)	143	143
Building C (Hotel)	143	143
Building E (Office)	143	143
Building F (Office)	143	143
Building G (Office)	143	143
Building H (Office)	143	143
Building I (Office)	143	143
Building J (Multi-family)	125	125
Building K-1 (Multi-family)	125	125
Building K-2 (Multi-family)	N/A	125
Building K-3 (Multi-family)	N/A	125
Building L (Multi-family)	125	125

MCPB No. 16-024
 Project Plan No. 92012004A
 Black Hill
 Date of Hearing: March 10, 2016

Building M-1 (Multi-family)	125		125
Building M-2 (Multi-family)	N/A		125
Building M-3 (Multi-family)	N/A		125
Building N-1 (Multi-family)	50		50
Building O (Multi-family)	125		125
Building P-1 (Multi-family)	125		125
Building P-2 (Multi-family)	N/A		125
Building P-3 (Multi-family)	N/A		125
Building R-1 (Multi-family)	72		72
Building R-2 (Multi-family)	N/A		72
Building R-3 (Multi-family)	N/A		72
Building S-1 (Multi-family)	50		50
Building T (Multi-family)	72		72
Building U (Assisted Living Facility)	72		72
Building V-1 (Community Center & Multi-family)	72		72
Building W-1 (Multi-family)	72		72
Public Use Space (% of Net Tract Area):			
Onsite Public Use Space	41.24%		51%
Off-street Parking			
Min. Bicycle Spaces	315 spaces		309 spaces
Min. Motorcycle Spaces	100 spaces		120 spaces
Total Spaces	6,295 spaces		6,188 spaces

Under Zoning Ordinance Section 59-C-6.215(b), a further requirement of optional method projects is the provision of additional public amenities:

“Under the optional method greater densities may be permitted and there are fewer specific standards, but certain public facilities and amenities must be provided by the developer. The presence of these facilities and amenities is intended to make possible the creation of an environment capable of supporting the greater densities and intensities of development permitted.”

To this end, the Application is proffering the following package of amenities and public facilities:

MCPB No. 16-024
 Project Plan No. 92012004A
 Black Hill
 Date of Hearing: March 10, 2016

1. **Black Hill Preserve** – Located north of Crystal Rock Drive, adjacent to Buildings E, J, O, and T.
 2. **Gateway Plaza** – Located north of Dorsey Mill Road, directly adjacent to Buildings I and N.
 3. **Village Green North** – Located south of I-270 and north of Century Blvd., directly adjacent to Buildings B, F, and G.
 4. **Village Green South** – Located south of I-270 and north of Century Blvd., directly adjacent to Buildings D, H, and I.
 5. **Main Street - Retail Plaza** – Located south of I-270 and north of Century Blvd., directly adjacent to Buildings C, G, and H.
 6. **Main Street - East Park** – Located south of Century Blvd., toward the center of the Property between Buildings L and M.
 7. **Main Street - West Park** – Located south of Century Blvd., toward the center of the Property between Buildings Q and R.
 8. **Transit Plaza** – Located at the intersection of Street B and Crystal Rock Drive.
 9. **Neighborhood Parks** –
 - a. M-1 Retail Plaza – Located near Building M-1 at the intersection of 5th Street and Century Blvd.
 - b. M-3 Community Garden Area – Located near Building M-3 at the intersection of Street B and 5th Street.
 - c. R-3 Bocce Ball Court – Located near Building R-3 at the intersection of Street B and 5th Street.
 - d. R-3 Neighborhood Green – Located near Buildings R-1 and R-3 at the intersection of Street C and 5th Street.
 10. **South Residential Green Space (aka “Linear Park”)** – Located at the end of Dorsey Mill Road and Street B, between the existing Cloverleaf Center townhouses and the multi-family Buildings S and W.
 11. **Walking/Cycling Trail and Public Green Space** – Located south of I-270 and Black Hill Preserve, along the perimeter of the property.
 12. **Nature Path and Connection to Black Hill Regional Park** – Located south of I-270 and Black Hill Preserve, near Buildings B and E.
 13. **Nature Pavilion** – Located south of I-270 and Black Hill Preserve. Near the traffic circle at the intersection of Century Blvd. and Crystal Rock Drive, between Buildings E and J.
 14. **Preserve Plaza** – Located south of I-270 and Black Hill Preserve. Near the traffic circle at the intersection of Century Blvd. and Crystal Rock Drive, between Buildings E and J.
 15. **Park Dedication** – Located off-site, north of Black Hill Preserve.
 16. **The Community Center** – Located on the first floor of Building V-1.
- (f) *The proposal will include moderately priced dwelling units in accordance with Chapter 25A of this Code, if the requirements of that chapter apply.*

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

The Project Plan must provide 12.5 percent MPDUs onsite (136 units) as required by Chapter 25A. In accordance with the conditions of approval, MPDUs will be evenly distributed within the multi-family dwelling units. The Applicant and the Department of Housing and Community Affairs (DHCA) will continue to work on a final agreement during the Site Plan review process.

- (g) *The proposal satisfies any applicable requirements for forest conservation under Chapter 22A.*

The Final Forest Conservation Plan for the Property was originally approved on August 15, 2013 as Site Plan No. 820120250 Crystal Rock – Public Roads Infrastructure Plan and was subsequently updated to include the Dorsey Mill Road intersection #82013025B on December 17, 2015.

- (h) *The proposal satisfies any applicable requirements for water quality resources protection under Chapter 19.*

The Property is not located within a Special Protection Area, and a Water Quality Plan is not required. The original Stormwater Management Concept was approved in November 2012 and uses a variety of stormwater management techniques to meet the ESD requirements. In accordance with the conditions of the original Stormwater Management approval, each respective Site Plan application will require Stormwater Management approval.

- (i) *Any public use space or public facility or amenity to be provided off-site is consistent with the goals of the applicable Master or Sector Plan and serves the public interest better than providing the public use space or public facilities and amenities on-site.*

The Project Plan exceeds the 20 percent minimum public use space requirement by providing approximately 51 percent of the net tract area. However, the parkland dedication (1994) and the streetscape (10.78-acres) within the public ROW will provide additional public benefits off-site.

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

BE IT FURTHER RESOLVED that this Project Plan shall remain valid as provided in Montgomery County Code § 59-D-2.7; and

MCPB No. 16-024
Project Plan No. 92012004A
Black Hill
Date of Hearing: March 10, 2016

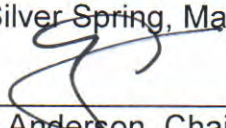
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Planning Board and that the date of this Resolution is MAY 3 2016 (which is the date that this Resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Dreyfuss, with Chair Anderson and Commissioners Dreyfuss and Presley voting in favor, and Vice Chair Wells-Harley and Commissioner Fani-González absent, at its regular meeting held on Thursday, April 21, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

Appendix C

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AENUE
4TH FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON
MPDU MANAGER, DHCA
100 MAYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

MIGUEL IRAOLA
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202

JAMES POLICARO
BLACK HILLS GERMANTOWN, LLC
2000 TOWER OAKS BOULEVARD
8TH FLOOR
ROCKVILLE, MD 20852

CHRIS TRUNBULL
WELLS & ASSOCIATES
1420 SPRING HILL ROAD
SUITE 610
TYSONS, VA 20132

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GAITHERSBURG, MD 20878

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
355 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDDEP-WATER & WASTEWATER POLICY
255 ROCKVILLE PIKE
SUITE 120
ROCKVILLE, MD 20850

MIKE PLITT
MACRIS, HENDRICKS & GLASCOCK, PA
9220 WIGHRMAN ROAD
SUITE 120
MONTGOMERY VILLAGE, MD 20886

CHRIS SCHEIN
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202

MICHAEL CONLEY
WHI
3404 LELAND STREET
CHEVY CHASE, MD 20815

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ESHAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

JAMES POLICARO
LERNER ENTERPRISES
2000 TOWER OAKS BOULEVARD
8TH FLOOR
ROCKVILLE, MD 20852

ROBERT BREWER
LERCH, EARLY & BREWER
3 BETHESDA METOR CENTER
SUITE 460
BETHESDA, MD 20814

FRANK ANDRE
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MAY 3 2016

MCPB No. 16-025
Preliminary Plan Amendment No. 12012021A
Black Hill
Date of Hearing: March 10, 2016

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, in June 2013, the Planning Board, by Resolution MCPB No. 13-38, approved Preliminary Plan No. 120120210, creating 11 lots for mixed-use development with 1,097,800 square feet of office use, 91,400 square feet of retail use, 243,240 square feet of hotel use, and 1,618 total residential units (including 190 MPUDs) on 107.70 acres of land in the TMX-2 zone, located north of Father Hurley Boulevard, east of Crystal Rock Drive and west of I-270 ("Subject Property"), in the Germantown Employment Area Sector Plan ("Sector Plan") area; and

WHEREAS, on January 23, 2015, Black Hill Germantown, LLP, c/o Lerner Enterprises ("Applicant") filed an application for approval of an amendment to the previously approved Preliminary Plan(s) to modify the traffic study to reflect changes to the office, assisted living facility, and residential uses (non age-restricted), update the Adequate Public Facilities (APF), modify the conditions of approval, and stormwater management (SWM) concept for the Subject Property; and

WHEREAS, Applicant's application to amend the Preliminary Plan was designated Preliminary Plan No. 12012021A, Black Hill ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated February 29, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 10, 2016, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Suite 200, Bethesda, Maryland 20814

MNCPPC Legal Department
www.MCParkandPlanning.org

Chairman's Office: 301.495.4605 Fax: 301.495.1320

E-Mail: mcp-chairman@mncppc.org

WHEREAS, on March 10, 2016, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Presley, seconded by Commissioner Fani-Gonzalez with a vote of 5-0; Commissioners Anderson, Dreyfuss, Fani-Gonzalez, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 12012021A to modify the traffic study, revise the APF, modify the conditions of approval, and the SWM concept. The following conditions will supersede the original conditions of approval:¹

- 1) Approval under this Preliminary Plan is limited to 12 lots and 3 parcels for a maximum of 1,097,800 square feet of office space, 91,400 square feet of retail space, a 350-room hotel, and a total of 1,229 residential units (including 12.5% MPDUs). No more than 140 of the units dedicated to Senior Adult housing units.
- 2) The Housing and Related Facilities for Senior Adults, hereinafter referred to as Senior Adult housing, may not be converted into non age-restricted units without first revising the traffic study for the approved Project and Preliminary Plans. Occupancy of the Senior Adult housing is limited to the definition (Section 59-A-2.1) in the Zoning Ordinance. Senior Adults are defined as persons 62 years and older.
- 3) The Preliminary Plan must comply with all conditions of approval for the Project Plan No. 92012004A.
- 4) Prior to the release of the first building permit for Phase 2 of the development, as specified in the Project Plan, the Applicant must submit design details to the Montgomery County Department of Transportation ("MCDOT") and the State Highway Administration ("SHA") and construct the following roadway improvements to the extent required by MCDOT and SHA:
 - a. Construct Crystal Rock Drive and Century Boulevard to full width standards through the Property in accordance with Montgomery County Department of Permitting Services approved phased Black Hill Crystal Rock Drive and Century Boulevard Public Roadway Plans.
 - b. The Applicant must construct the following improvements at the intersection of Ridge Road (MD 27) and Observation Drive:
 - Restripe a second left-turn lane on southbound Observation Drive eastbound MD 27.
 - Provide necessary traffic signal modifications.
 - c. The Applicant must participate on a pro rata share to provide the following improvements at the MD 355/ West Old Baltimore Road intersection.
 1. Widen eastbound approach of West Old Baltimore Road to provide for a separate right-turn lane to southbound MD 355.

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

2. Widen the northbound approach of MD 355 to provide for a separate left-turn lane on to westbound West Old Baltimore Road.
 3. Widen the southbound approach of MD 355 to provide separate right-turn lane to westbound West Old Baltimore Road.
 4. Install traffic signal if warranted by the background development.
- 5) Prior to the release of the building permit which contains the 371st residential unit in Phase 2 of the development as specified in the Project Plan (excluding the assisted living units), the Applicant must submit 70% design completion details to SHA and MCDOT for the MD 118/MD 355 intersection to construct the following improvements:
- I. On MD 355, construct a third southbound through/right-turn lane.
 - II. On MD 355, construct a second southbound left-turn lane to Germantown Road (MD 118).
 - III. On westbound Germantown Road (MD 118), construct a separate right turn lane on to northbound MD 355.
 - IV. Provide necessary traffic signal modification

These improvements must be completed prior to the issuance of any use and occupancy permit exceeding the 549th residential unit (excluding the assisted living units).

- 6) Prior to the release of the building permit which contains the 371st unit in Phase 2 of the development as specified in the Project Plan (excluding the assisted living units), the Applicant must complete 100% design to SHA and MCDOT and posting of bonds at MD 27/MD 355 to construct the following improvements:
- I. Construct a second dedicated eastbound left-turn lane on MD 27 to northbound MD 355.
 - II. Provide necessary traffic signal modifications.

These improvements must be completed prior to the issuance of any use and occupancy permit exceeding the 549th residential unit (excluding the assisted living units).

- 7) Prior to release of each building permit after Phase 2A, excluding the assisted living units, the Applicant must submit to DPS a certified running tabulation of the vehicle trips associated with the individual building square footage and the cumulative total of vehicle trips associated with each building permit pulled on the Property. Prior to the vehicle threshold being met, the Applicant must construct the following improvements before the release of the triggering building permit.
- a. Prior to the release of any building permit exceeding 22% of the total peak hour trips (549 vehicle trips in the AM or 512 vehicle trips in the PM, whichever threshold is met first) for the development as specified in the Preliminary Plan, the Applicant must construct the following improvements at the intersection of Father Hurley Boulevard and Crystal Rock Drive:
 - I. Provide necessary traffic signal modifications as per MCDOT.

- II. Construct a second dedicated northbound right-turn lane on Crystal Rock Drive to eastbound Father Hurley Boulevard.
- b. Prior to the release of any building permit exceeding 30% of the total peak hour trips (749 vehicle trips in the AM or 698 vehicle trips in the PM, whichever threshold is met first) for the development as specified in the Preliminary Plan, the Applicant must construct the following improvements at the intersection of MD 118 and MD 117:
 - I. Construct a second northbound left turn lane on Germantown Road (MD118) onto westbound Clopper Road (MD 117).
 - II. Provide necessary traffic signal modifications.
- c. At the Ridge Road (MD 27)/ Brink Road intersection:
 - i. Participate in the construction of a second westbound through lane on Brink Road.
 - ii. Provide necessary traffic signal modifications.
- 8) The Applicant must show on the record plat a parcel for the following private streets as well as construct the roads to the design standards specified below:
 - a. Private Street A with a minimum parcel width of 37.34 feet from 1st Street to 5th Street. Private Street A must be constructed to Montgomery County Department of Transportation ("MCDOT") Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.
 - b. Private Street B with a minimum parcel width of 37.34 feet from Crystal Rock Drive to 5th Street. Private Street B must be constructed to Montgomery County Department of Transportation ("MCDOT") Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.
 - c. Private Street C with a minimum parcel width of 37.34 feet from Crystal Rock Drive to 5th Street. Private Street C must be constructed to MCDOT Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.
 - d. Private 1st Street with a minimum parcel width of 37.34 feet from Century Boulevard to Street A. Private 1st Street must be constructed to MCDOT Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.
 - e. Private 2nd Street with a minimum parcel width of 37.34 feet from Century Boulevard to Street A. Private 2nd Street must be constructed to MCDOT Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.
 - f. Private 3rd Street with a minimum parcel width of 37.34 feet from Century Boulevard to Street A. Private 3rd Street must be constructed to MCDOT Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.
 - g. Private 4th Street with a minimum parcel width of 37.34 feet from Century Boulevard to Street A. Private 4th Street must be constructed to MCDOT

Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.

- h. Private 5th Street with a minimum parcel width of 37.34 feet from Street C to Street A. Private 5th Street must be constructed to MCDOT Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.
 - i. Private Main Street (North and South sections) with a minimum parcel width of 131.34 feet from Street C to Street A. Private Main Street must be constructed to MCDOT Road Code Standard MC-2003.09: Primary/Principal Secondary Residential Street Modified as shown on the Certified Preliminary Plan.
- 9) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated November 16, 2012, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.
- 10) Final location and number of MPDUs to be determined at the time of Site Plan.
- 11) The Applicant must provide proof of purchase and/or payment of the required BLTs within each phase of development in accordance with the Site Plan conditions.
- 12) The record plat must reflect the following: private streets from back of curb to back of curb to be located within separate parcels; private streets and adjacent sidewalks to be included within a public use and access easement.
- 13) The record plat must reflect a Category I easement over all areas of stream valley buffers and forest conservation as shown on the approved forest conservation plan.
- 14) The record plat must reflect all areas under Homeowners Association (HOA) ownership, if applicable.
- 15) The final number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bike paths will be determined at Site Plan.
- 16) In the event that a subsequent Site Plan approval substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration, location or right-of-way width or alignment, or an increase in units or square footage above those specified in Condition #1, the Applicant must obtain approval of a Preliminary Plan amendment prior to certification of the Site Plan.
- 17) At the time of Site Plan, the Applicant must comply with Section 59-C-14.27 of the Zoning Ordinance regarding Special Regulations for use of BLT Development Rights.

- 18) The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for a total of 145 months (12 years) from the original initiation date (August 8, 2013) of the Planning Board Resolution according to the following schedule:
 - I. Within 85 months (7 years) - Issuance of building permits for Phases I and II as identified by Project Plan.
 - II. Beyond 85 months (years 7 -12) – issuance of building permits for all remaining development.
- 19) The Subject Property is within the Seneca Valley High School Cluster area. The 440 high rise multi-family units approved under Resolution MCPB 13-38 are subject to a School Facility Payment at the elementary school level pursuant to the Subdivision Staging Policy in effect for FY 2013. The 649 low rise multi-family units (and 140 senior housing units) approved under this Preliminary Plan are not subject to a School Facility Payment pursuant to the Subdivision Staging Policy in effect for FY 2016.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Preliminary Plan substantially conforms to the Sector Plan.*

The Sector Plan contains recommendations for roadway, transit, and bikeway facilities. Crystal Rock Drive and Century Boulevard will both function as a business district street (B-11) with four lanes (two in each direction) and a right-of-way of 100 feet. Dorsey Mill Road extended will function as a business district street (b-11) with four lanes (two in each direction and right-of-way of 150 feet. Dorsey Mill Road extended will also include a 50 foot transitway for the future CCT and a shared-use path (SP-66). In accordance with the Mandatory Referral (MR2016007), Dorsey Mill Road extended bridges over I-270, and is proposed to have separated bicycle lanes (also known as a cycle track) on both sides of the road and a shared use path on the south side of the road. This is consistent with the current recommendations in the Sector Plan, but also provides an enhancement with separated bicycle lanes.

2. Public facilities will be adequate to support and service the area of the approved subdivision.

The site is located within the Seneca Valley school cluster. The public schools within this cluster are reviewed on an annual basis. Based on the modifications in this Application, a school facilities payment is required for the 440 high-rise multi-family unit; however, is not required for the 649 low-rise multi-family units. The Applicant must make a School Facilities Payment to MCDPS for the 440 high-

rise multi-family units at the elementary school level. The timing and amount of the payment will be in accordance with Chapter 52 of the Montgomery County Code.

The office and residential uses will be reduced, and the number of beds in the assisted living facility will be increased. The residential mix will be modified to allow for all non age-restricted multi-family units. As a result of these changes, the development will generate 118 additional trips in the AM peak hour and 114 additional trips in the PM peak hour. The retail space is intended to support the development and is not intended to attract any trips outside the development, thus there is a 100% internal capture of the retail trips. The Preliminary Plan will satisfy the LATR and TPAR requirements of the Adequate Public Facilities (APF) review, as conditioned. The traffic study was revised and submitted (dated April 2015) to determine the impact of the development on the area transportation system. Twenty-one local intersections were identified as critical intersections for analysis to determine whether they meet the applicable congestion standard. The Brink Road/ Ridge Road intersection and the Frederick Road (MD 355)/ West Baltimore Road intersection were not reanalyzed with the updated traffic impact study, because it did not exceed the Critical Lane Volume (CLV) threshold, and the Applicant agreed to construct the improvements and complete their mitigation requirement as conditioned in the original Preliminary Plan approval.

Adequate vehicular and pedestrian access is provided. Vehicular access to the Property is from Crystal Rock Drive and Century Blvd. A 10-foot sidewalk will be installed along the public right-of-way and connected into the existing pathways at the edges of the Property. This Property will be served by public water and sewer systems, under the W-3 and S-3 categories, as allowed and approved by the County. WSSC has accepted the conceptual design of the sewer and water supply systems.

The Preliminary Plan has been reviewed by the Montgomery County Fire and Rescue Services, who have determined that there is appropriate access for fire and rescue vehicles. Electrical and telecommunications services are also available to serve the development.

3. The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable Master Plan, and for the type of development or use contemplated.

The size, shape, width, and orientation of the lots were reviewed to determine if the lots are appropriate given the location of this development for the types and uses intended for each lot. As labeled on the Preliminary Plan, Lots 15, 18, 19, and 20 were modified to accommodate a different building footprint and housing

type. Multi-family residential units are provided within these lots and the urban grid pattern is consistent with the previous approval. The lots are appropriately sized to meet the Sector Plan recommendations for building massing and compatibility to the transit station.

4. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.

The Final Forest Conservation Plan for this Property was originally approved in August 2013 as Site Plan No. 820120250 Crystal Rock – Public Roads Infrastructure Plan, and was subsequently updated to include the Dorsey Mill Road intersection (Site Plan No. 82013025B) in December 2015. The Preliminary Plan conforms to the Chapter 22A, because it is unchanged from the amended Project Plan No. 92012004A approval.

5. All stormwater management requirements shall be met as provided in Chapter 19, article II, title “stormwater management” Section 19-20 through 19-35.

The original SWM concept was approved in November 2012 and uses a variety of techniques to meet the ESD requirements. In accordance with the original SWM approval, each respective Site Plan application will require a subsequent SWM approval.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAY 3 2016 (which is the date that this Resolution is mailed to all parties of record); and

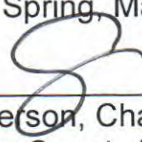
BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland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

* * * * *

MCPB No. 16-025
Preliminary Plan No. 12012021A
Black Hill
Page 9

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Dreyfuss, with Chair Anderson and Commissioners Dreyfuss and Presley voting in favor, and Vice Chair Wells-Harley and Commissioner Fani-González absent, at its regular meeting held on Thursday, April 21, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

Appendix C

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AENUE
4TH FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON
MPDU MANAGER, DHCA
100 MAYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

MIGUEL IRAOLA
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202

JAMES POLICARO
BLACK HILLS GERMANTOWN, LLC
2000 TOWER OAKS BOULEVARD
8TH FLOOR
ROCKVILLE, MD 20852

CHRIS TRUNBULL
WELLS & ASSOCIATES
1420 SPRING HILL ROAD
SUITE 610
TYSONS, VA 20132

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GAITHERSBURG, MD 20878

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
355 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDDEP-WATER & WASTEWATER POLICY
255 ROCKVILLE PIKE
SUITE 120
ROCKVILLE, MD 20850

MIKE PLITT
MACRIS, HENDRICKS & GLASCOCK, PA
9220 WIGHRMAN ROAD
SUITE 120
MONTGOMERY VILLAGE, MD 20886

CHRIS SCHEIN
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202

MICHAEL CONLEY
WHI
3404 LELAND STREET
CHEVY CHASE, MD 20815

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ESHAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

JAMES POLICARO
LERNER ENTERPRISES
2000 TOWER OAKS BOULEVARD
8TH FLOOR
ROCKVILLE, MD 20852

ROBERT BREWER
LERCH, EARLY & BREWER
3 BETHESDA METOR CENTER
SUITE 460
BETHESDA, MD 20814

FRANK ANDRE
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MAY 3 2016

MCPB No. 16-027
Site Plan No. 82013025A
Black Hill
Date of Hearing: March 10, 2016

RESOLUTION

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

WHEREAS, under Section 59-7.7.1.B.1, the Planning Board reviewed this Site Plan under the procedures and standards of the Zoning Ordinance in effect prior to October 29, 2014, including the zoning then in effect; and

WHEREAS, in June 2013, the Planning Board, by Resolution MCPB No. 13-93, approved Site Plan No. 820130250 for the approval to construct Crystal Rock Drive and Century Boulevard (public roads) and certain public utilities as shown on the Preliminary Plan, ahead of the development of buildings and other structures on 6.69 acres of zoned-land, located approximately 1.5 miles north of the Germantown Town Center, and 0.6 miles north of the interchange of Ridge Road/ Father Hurley Boulevard (MD 27) and I-270 ("Subject Property"), in the Germantown Employment Area Sector Plan ("Sector Plan") area; and

WHEREAS, in December 2015, the Planning Board approved an amendment to the previously approved Site Plan, designated Site Plan No. 82013025B (MCPB No. 15-151), to the Final Forest Conservation Plan ("FFCP") to reflect the grading and construction of Dorsey Mill Road ("Application" or "Amendment"); and

WHEREAS, in January 2015, Black Hill Germantown, LLP, c/o Lerner Enterprises ("Applicant") filed an application for approval of an amendment to the previously approved Site Plan to update the FFCP and the associated stormwater management ("SWM") on the Subject Property; and

WHEREAS, Applicant's application to amend the Site Plan was designated Site Plan No. 82013025A, Black Hill ("Site Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, Suite 100, Silver Spring, Maryland 20910

MNCPPC Legal Department

www.MCParkandPlanning.org

Chairman's Office: 301.495.4605 Fax: 301.495.1320

E-Mail: mcp-chairman@mncppc.org

100% recycled paper

MCPB No. 16-027
Site Plan No. 82013025A
Black Hill
Page 2

Planning Board, dated February 29, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 10, 2016, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on March 10, 2016, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Amy Presley, seconded by Commissioner Wells-Harley with a vote of 5-0; Commissioners Anderson, Dreyfuss, Fani-Gonzalez, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82013025A for revisions to the FFCP and associated SWM subject to the following conditions:¹

1. Project Plan Conformance
The development must comply with the conditions of approval for the amended Project Plan No. 92012004A.
2. Preliminary Plan Conformance
The development must comply with the conditions of approval for the amended Preliminary Plan No. 12012021A.
3. Forest Conservation & Tree Save
 - a) The development must comply with the conditions of the Final Forest Conservation Plan. The Applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services issuance of sediment and erosion control permits. With the exception of clearing and grading activities allowed in Condition 4, no clearing or grading is permitted with the infrastructure plan.
 - b) All Category I conservation easements must be recorded prior to any land disturbing activities.
 - c) Record plat of subdivision must reflect a Category I conservation easement over all areas of stream buffers and forest conservation.
 - d) Conservation easements may be recorded using a metes and bounds description and sketch if preceding recordation of plats, provided the recording information for the conservation easement is referenced and the easement line is shown on subsequent record plats.

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

- e) Amendments to the Final Forest Conservation Plan must be submitted and approved by the Planning Board with all future site plans, mandatory referrals, and special exceptions, prior to any clearing and grading.
- f) The submission and approval of an amended Final Forest Conservation Plan must be consistent with any subsequent approvals.
- g) No encroachment into stream buffers for stormwater management facilities or sediment control facilities is allowed without permission of the Planning Board, except for necessary outfalls and temporary sediment control facilities in non-forested portions of the stream buffers. If at later stages of stormwater review and design it is determined that the SWM facility is not properly sized and must be enlarged to accommodate the drainage areas, the Applicant will have to find additional space outside the stream buffer. This may require the reconfiguration of layouts and loss of developable area.
- h) The Applicant must plant three 3" caliper native canopy trees on-site as mitigation for the Variance trees removed.
- i) The Final Forest Conservation Plan must show location and species of all mitigation plantings.
- j) Category I conservation easements must be placed over all areas of forest retention, forest planting, and stream/environmental buffers as shown on the Final Forest Conservation Plan prior to any land disturbing activities.

4. Clearing and Grading

The following may proceed upon approval of the Infrastructure Site Plan, Sediment and Erosion Control Plans and Final Forest Conservation Plan: a) clearing and mass grading for the roads, sewer, and staging and stockpiling being approved by this Infrastructure Plan; and b) installation of temporary sediment and erosion control devices. Clearing and grading activities will not be permitted beyond the limits of disturbance submitted as part of this Site Plan, until subsequent approvals for each individual Site Plan are approved.

5. SWM

The development is subject to SWM Concept approval conditions dated November 16, 2012 unless amended and approved by the Montgomery County Department of Permitting Services.

6. Transportation & Circulation

- a) The median within Century Boulevard will be extended to discourage left turning movements from the secondary intersections in close proximity of the traffic circle.
- b) Americans with Disabilities Act (ADA) ramps will be aligned to provide the shortest distance possible at pedestrian crossings.
- c) The pedestrian crossing near the intersection of Dorsey Mill Road and Century Boulevard will be improved with two ADA ramps.

MCPB No. 16-027
Site Plan No. 82013025A
Black Hill
Page 4

- d) Pedestrian sidewalks must be a minimum of 5 feet or greater.
- e) All intersections with the primary roadways (i.e. Century Boulevard and Crystal Rock Drive) must all meet the minimum development standards. Two-lane streets will be a minimum of 22 feet wide to ensure adequate passing distance, and one-way streets will be a minimum of 20 feet wide.

7. Site Design

- a) The grading design along I-270 is subject to change when the respective Site Plan application is accepted and reviewed.

8. Landscaping

- a) Provide equivalent replacement of the natural vegetation, in the area that will be disturbed by the redistribution of the excess topsoil along the northeastern property boundary, directly adjacent to I-270.
- b) Provide landscape planting details.
- c) The equivalent replacement of the natural vegetation along I-270 is intended to serve as an intermediate solution and is subject to be modified with the review and approval of subsequent Site Plan applications.

9. Lighting

- a) The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.
- b) The height of the light poles within the public right-of-way will not exceed 20 feet including the mounting base.

10. Landscape Surety

- The Applicant must provide a performance bond in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:
- a. The amount of the surety must include plant material. Surety to be posted prior to issuance of first building permit for the development, and will be tied to the development program.
 - b. Provide a cost estimate of the materials, which, upon Staff approval, will establish the initial bond amount.
 - c. Completion of plantings will be followed by inspection and bond reduction. Inspection approval starts the 1-year maintenance period and bond release occurs at the expiration of the 1-year maintenance period.
 - d. Provide a screening/landscape amenities agreement that outlines the responsibilities of the Applicant and incorporates the cost estimate. Prior to issuance of the first building permit, the agreement will be executed.

11. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified

Site Plan. The development program must include the following items in its phasing schedule:

- a. Sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.
- b. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the FFCP, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- c. The development program must provide phasing for installation of landscaping and lighting.
- d. The development program must provide phasing of dedications, SWM, sediment and erosion control, and other features.

12. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the FFCP approval, SWM concept approval, development program, inspection schedule, and Site Plan Resolution on the approval or cover sheet.
- b. Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Modify the Project Data Table to reflect development standards enumerated in the Staff Report.
- d. Ensure consistency of all details and layout between Site and Landscape Plans.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of 82013025A, submitted via ePlans to the M-NCPPC as of the date of the Staff Report February 29, 2016, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that the Site Plan Amendment will only modify the FFCP.

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

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

MCPB No. 16-027
Site Plan No. 82013025A
Black Hill
Page 6

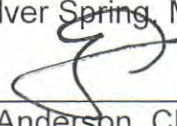
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAY 3 2016 (which is the date that this Resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Presley, seconded by Commissioner Dreyfuss, with Chair Anderson and Commissioners Dreyfuss and Presley voting in favor, and Vice Chair Wells-Harley and Commissioner Fani-González absent, at its regular meeting held on Thursday, April 21, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

Appendix C

MR. RICHARD BRUSH, MANAGER
MCDPS-WATER RES. PLAN REVIEW
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. LISA SCHWARTZ
DHCA
100 MARYLAND AENUE
4TH FLOOR
ROCKVILLE, MD 20850

MS. SUSAN SCALA-DEMBY
MCDPS-ZONING
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. CHRISTOPHER ANDERSON
MPDU MANAGER, DHCA
100 MAYLAND AVENUE
4TH FLOOR
ROCKVILLE, MD 20850

MIGUEL IRAOLA
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202

JAMES POLICARO
BLACK HILLS GERMANTOWN, LLC
2000 TOWER OAKS BOULEVARD
8TH FLOOR
ROCKVILLE, MD 20852

CHRIS TRUNBULL
WELLS & ASSOCIATES
1420 SPRING HILL ROAD
SUITE 610
TYSONS, VA 20132

MR. GREG LECK
MCDOT
100 EDISON PARK DRIVE
4TH FLOOR
GAITHERSBURG, MD 20878

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
355 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ALAN SOUKUP
MCDDEP-WATER & WASTEWATER POLICY
255 ROCKVILLE PIKE
SUITE 120
ROCKVILLE, MD 20850

MIKE PLITT
MACRIS, HENDRICKS & GLASCOCK, PA
9220 WIGHRMAN ROAD
SUITE 120
MONTGOMERY VILLAGE, MD 20886

CHRIS SCHEIN
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202

MICHAEL CONLEY
WHI
3404 LELAND STREET
CHEVY CHASE, MD 20815

MR. RICHARD BRUSH, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. ESHAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE
2ND FLOOR
ROCKVILLE, MD 20850

JAMES POLICARO
LERNER ENTERPRISES
2000 TOWER OAKS BOULEVARD
8TH FLOOR
ROCKVILLE, MD 20852

ROBERT BREWER
LERCH, EARLY & BREWER
3 BETHESDA METOR CENTER
SUITE 460
BETHESDA, MD 20814

FRANK ANDRE
HORD COPLAN MACHT
750 E PRATT STREET
SUITE 1100
BALTIMORE, MD 21202

EXTERIOR MATERIAL LEGEND		
TAG	MATERIAL	DESCRIPTION
TRESPA	TRESPA	TRESPA METEON PANELS. COLOR: PURE WHITE, SATIN FINISH
AC-1	ALUMINUM COPING	ALUMINUM COPING WITH MITERED CORNERS. COLOR: TBD
AC-2	ALUMINUM COPING	ALUMINUM COPING WITH MITERED CORNERS. COLOR: DARK BRONZE
AS	ALUMINUM STOREFRONT	YKK ANODIZED PLUS. 2"x4 1/2" FRONT GLAZED EXTERIOR FRAMING. COLOR: YBSN DARK BRONZE
B&B	BOARD AND BATTEN	JAMES HARDIE FIBER CEMENT TRIM AND BATTEN BOARDS. FINISH: SMOOTH. PAINT COLOR: SW 7020 BLACK FOX. SEE DETAILS FOR DIMENSIONS.
B-1	FIBER CEMENT BANDING	JAMES HARDIE FIBER CEMENT TRIM AND SIDING. SEE DETAILS FOR DIMENSIONS. FACTORY PRIME. PAINT SW 6048 TERRA BURN
B-2	FIBER CEMENT BANDING	JAMES HARDIE FIBER CEMENT TRIM AND SIDING. SEE DETAILS FOR DIMENSIONS. FACTORY PRIME. PAINT SW 7020 BLACK FOX
BR-1	BRICK	MODULAR MASONRY BRICK VENEER. CHEROKEE BRICK: AUGUSTA SMOKE
BR-2	BRICK	MODULAR MASONRY BRICK VENEER. CHEROKEE BRICK: AUTUMN SMOKE
BR-3	THIN BRICK	THIN BRICK VENEER TO MATCH FIELD BRICK
CP	CEMENTITIOUS PANEL	JAMES HARDIE CEMENTITIOUS PANEL CLAD COLUMN OR BEAM. PROVIDE REGLETS AT CORNERS. FINISH: SMOOTH. FACTORY PRIME. PAINT COLOR: SW 7002 DOWNY
CS	CAST STONE	CAST STONE SILL, LINTEL, BANDING, CAPS. MANUF: ADVANCED ARCHITECTURAL STONE. COLOR: CLASSIC WHITE
DS	DOWNSPOUT	ALUMINUM DOWNSPOUT WITH PAC-GLAD FINISH. COLOR: DARK BRONZE
L-1	LOUVER	ARCHITECTURAL EXTRUDED ALUMINUM PTAC LOUVER. COLOR: SW 7020 BLACK FOX
L-2	LOUVER	ARCHITECTURAL EXTRUDED ALUMINUM PTAC LOUVER. COLOR: SW 7020 BLACK FOX
MCP	METAL COMPOSITE PANEL	ALUMINUM COMPOSITE METAL PANEL. COLOR: DARK BRONZE TO MATCH STOREFRONT
MR	METAL ROOF	BATTEN SEAM METAL ROOF PANELS: BERRIDGE. COLOR: GALVALUME
MS	METAL SUNSHADE	MANUFACTURED METAL SUNSHADE. COLOR: DARK BRONZE TO MATCH STOREFRONT
PP-1	TRESPA	TRESPA METEON FACADE PHENOLIC PANELS WITH CONCEALED FASTENERS. THICKNESS: 3/8". COLOR: PURE WHITE, SATIN FINISH
S-1	CEMENTITIOUS SIDING	JAMES HARDIE: HARDIPLANK; SELECT CEDARMILL; 7.25" WIDTH; FACTORY PRIMED. PAINT SW 6048 TERRA BURN
S-2	CEMENTITIOUS SIDING	JAMES HARDIE: HARDIPLANK; SELECT CEDARMILL; 7.25" WIDTH; FACTORY PRIMED. PAINT SW 7020 BLACK FOX
S-3	CEMENTITIOUS SIDING	JAMES HARDIE: HARDIPLANK; SELECT CEDARMILL; 7.25" WIDTH; FACTORY PRIMED. PAINT SW 7002 DOWNY
SR	SHINGLE ROOF	GLASS FIBER REINFORCED ASPHALT SHINGLE ROOF. MANUF: GAF. TIMBERLINE HD. COLOR: WEATHERED WOOD
STP-1	STRUCTURAL STEEL	STRUCTURAL STEEL PAINTED SW 7002 DOWNY, INTUMESCENT PAINT
T-1	FIBER CEMENT TRIM	JAMES HARDIE. THICKNESS: 5/4". FINISH: SMOOTH. FACTORY PRIME. PAINT SW 7002 DOWNY. PROVIDE AT ALL CORNERS @ SIDING, AND AT WINDOWS AND DOORS @ SIDING. REFER TO DETAILS FOR SIZING.
T-2	FIBER CEMENT TRIM	JAMES HARDIE. THICKNESS: 5/4". FINISH: SMOOTH. FACTORY PRIME. PAINT SW 7020 BLACK FOX. PROVIDE AT ALL CORNERS @ SIDING, AND AT WINDOWS AND DOORS @ SIDING. REFER TO DETAILS FOR SIZING.
VF	DECORATIVE VINYL FENCE	CERTAINTEED CHESTERFIELD WITH CERTANGRAIN TEXTURE (WHITE)

TRIBUTE AT BLACK HILL

GERMANTOWN, MD



COPYRIGHT (C)
THOMPSON HANCOCK WITTE &
ASSOCIATES, INC.

2100 RiverEdge Parkway
Suite 900
Atlanta, GA 30328

PH: 770 916 2220
FAX: 770 916 2299

www.thw.com

PLANNING SITE
PLAN SUBMITTAL

Project No.: 201550
Date: 2016-09-21
Drawn By: Author
Checked By: Checker

EXTERIOR
PRESENTATION
ELEVATIONS

P-200

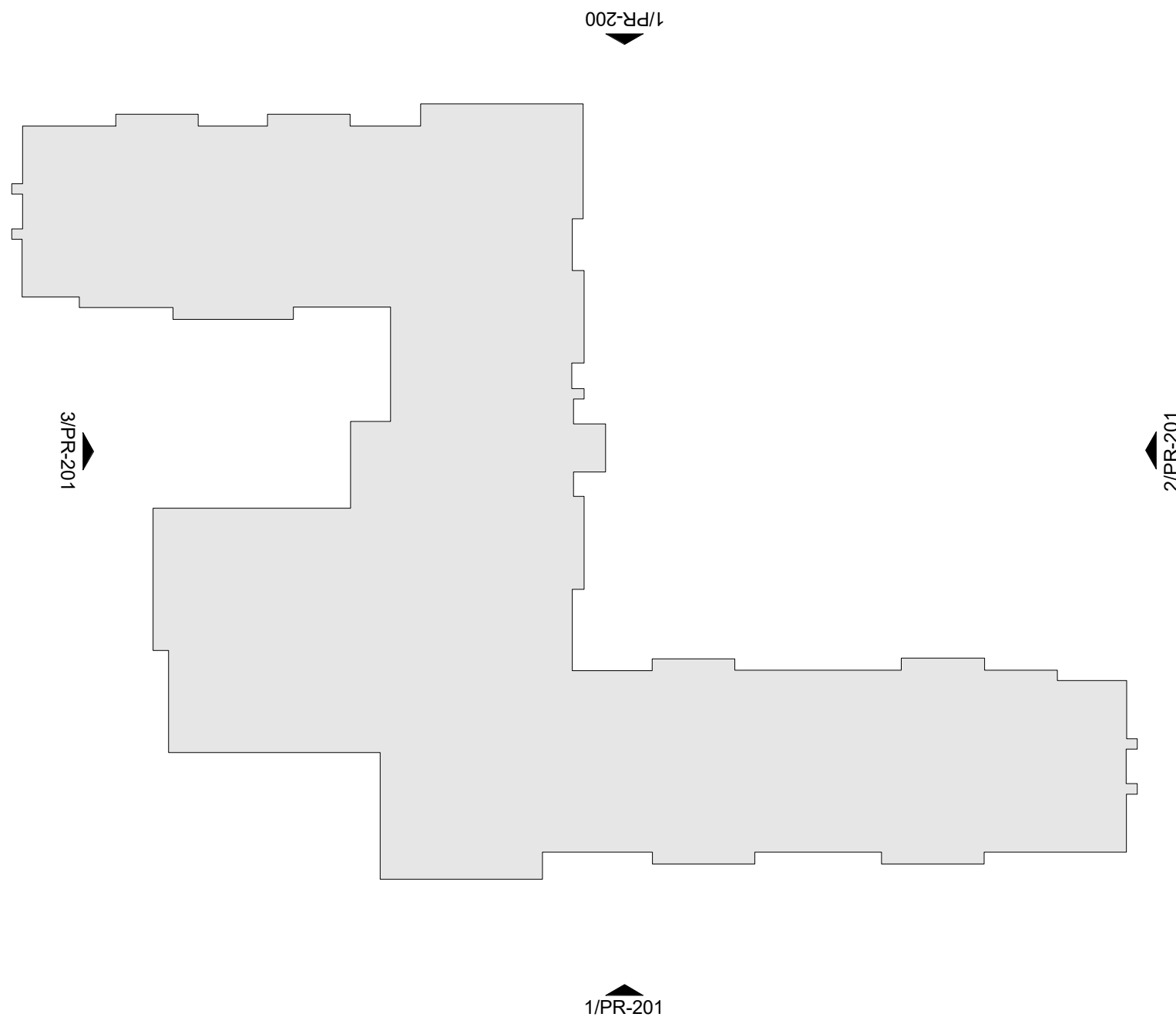
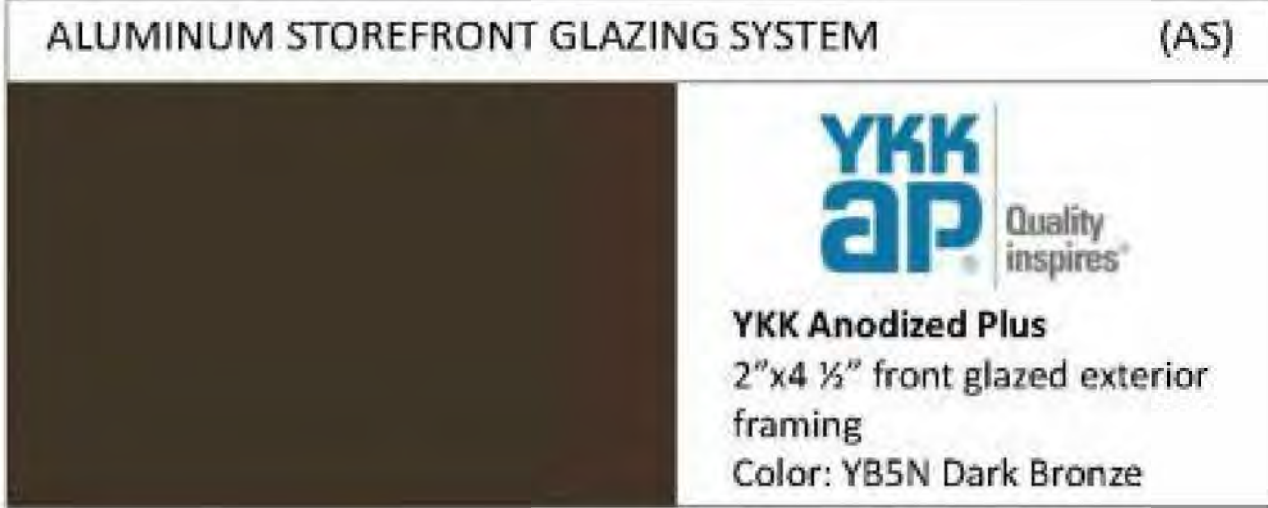
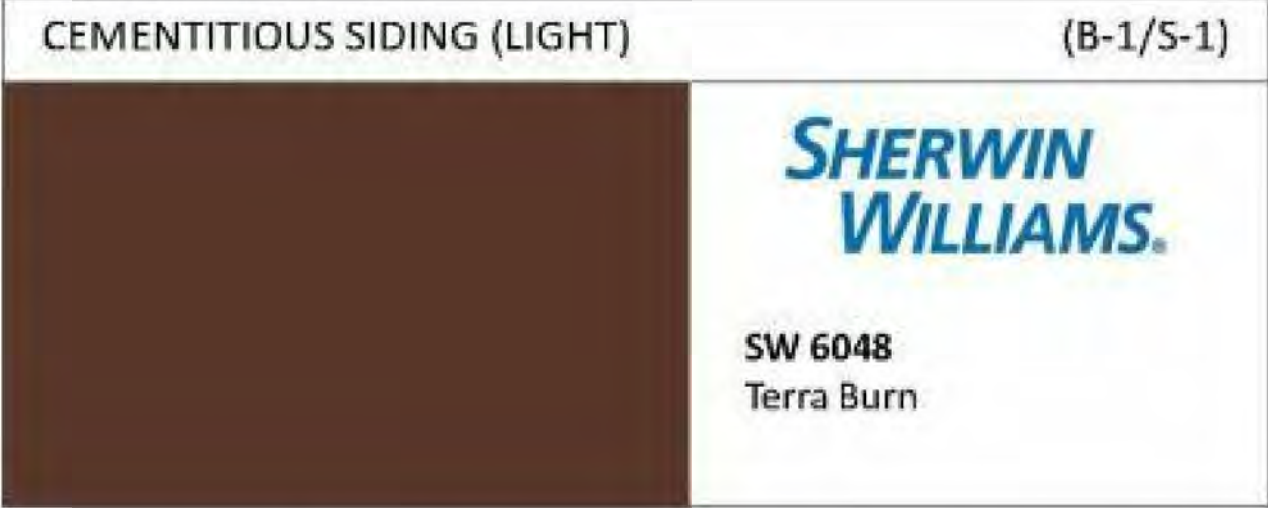
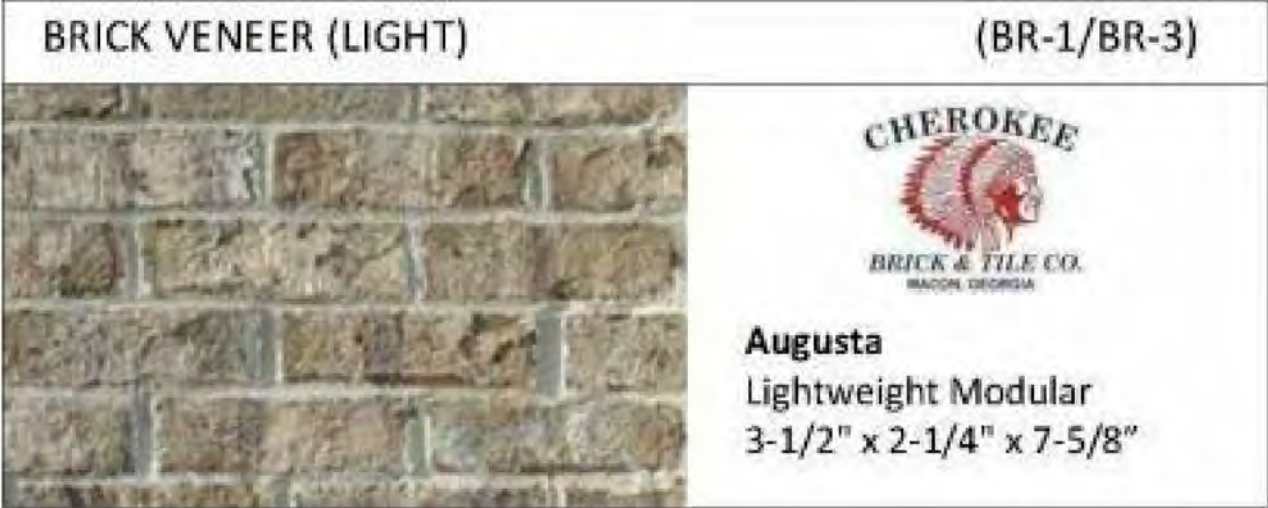
DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Site Plan Approval No. 8-20160100, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: THRIVE DEVELOPMENT PARTNERS CHARLIE SABIN
Company Contact Person

Address: 117 17TH ST., NW SUITE 1500, ATLANTA, GA 30363
Phone: 404-834-8527
Email: charlie.sabin@thrivedp.com

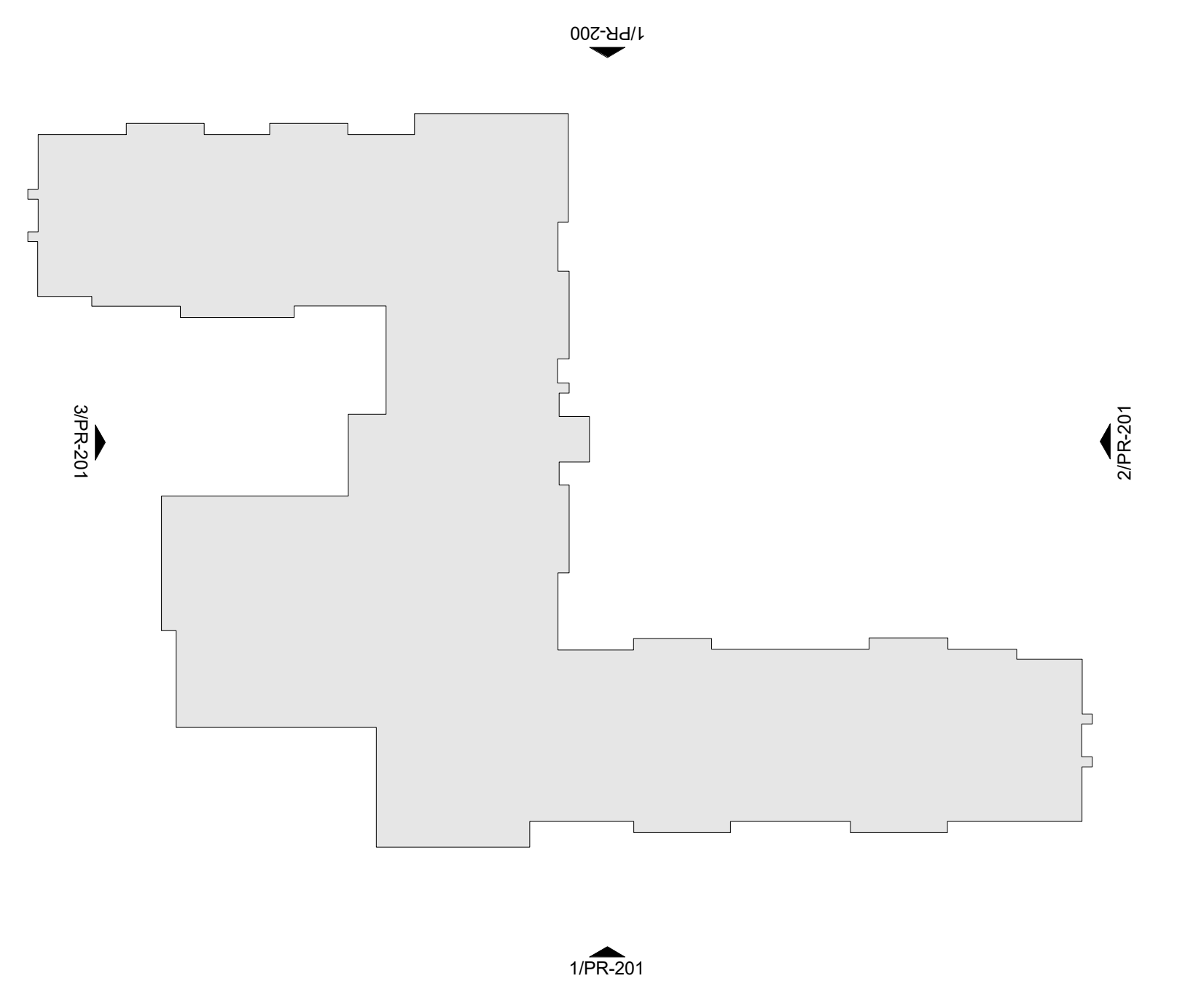
Signature: _____



1 NORTH ELEVATION

3/32" = 1'-0"

EXTERIOR MATERIAL LEGEND		
TAG	MATERIAL	DESCRIPTION
TRESPA	TRESPA	TRESPA METEON PANELS. COLOR: PURE WHITE, SATIN FINISH
AC-1	ALUMINUM COPING	ALUMINUM COPING WITH MITERED CORNERS. COLOR: TBD.
AC-2	ALUMINUM COPING	ALUMINUM COPING WITH MITERED CORNERS. COLOR: DARK BRONZE
AS	ALUMINUM STOREFRONT	YKK ANODIZED PLUS. 2"x4 1/2" FRONT GLAZED EXTERIOR FRAMING. COLOR: YB8N DARK BRONZE.
B&B	BOARD AND BATTEN	JAMES HARDIE FIBER CEMENT TRIM AND BATTEN BOARDS. FINISH: SMOOTH. PAINT COLOR: SW 7020 BLACK FOX. SEE DETAILS FOR DIMENSIONS.
B-1	FIBER CEMENT BANDING	JAMES HARDIE FIBER CEMENT TRIM AND SIDING. SEE DETAILS FOR DIMENSIONS. FACTORY PRIME. PAINT SW 6048 TERRA BURN.
B-2	FIBER CEMENT BANDING	JAMES HARDIE FIBER CEMENT TRIM AND SIDING. SEE DETAILS FOR DIMENSIONS. FACTORY PRIME. PAINT SW 7020 BLACK FOX.
BR-1	BRICK	MODULAR MASONRY BRICK VENEER. CHEROKEE BRICK. AUGUSTA
BR-2	BRICK	MODULAR MASONRY BRICK VENEER. CHEROKEE BRICK. AUTUMN SMOKE
BR-3	THIN BRICK	THIN BRICK VENEER TO MATCH FIELD BRICK
CP	CEMENTITIOUS PANEL	JAMES HARDIE CEMENTITIOUS PANEL. CLAD COLUMN OR BEAM. PROVIDE REGLETS AT CORNERS. FINISH: SMOOTH. FACTORY PRIME. PAINT COLOR: SW 7002 DOWNY
CS	CAST STONE	CAST STONE SKILL. LINTEL BANDING. CAPS. MANUF. ADVANCED ARCHITECTURAL STONE. COLOR: CLASSIC WHITE.
DS	DOWNSPOUT	ALUMINUM DOWNSPOUT WITH PAC-CLAD FINISH. COLOR: DARK BRONZE
L-1	LOUVER	ARCHITECTURAL EXTRUDED ALUMINUM PTAC LOUVER. COLOR: SW 7002 DOWNY
L-2	LOUVER	ARCHITECTURAL EXTRUDED ALUMINUM PTAC LOUVER. COLOR: SW 7020 BLACK FOX.
MCP	METAL COMPOSITE PANEL	ALUMINUM COMPOSITE METAL PANEL. COLOR: DARK BRONZE TO MATCH STOREFRONT
MR	METAL ROOF	BATTEN SEAM METAL ROOF PANELS. BERRIDGE. COLOR: GALVALUME
MS	METAL SUNSHADE	MANUFACTURED METAL SUNSHADE. COLOR: DARK BRONZE TO MATCH STOREFRONT.
PP-1	TRESPA	TRESPA METEON FACADE. PHENOLIC PANELS WITH CONCEALED FASTENERS. THICKNESS: 3/8". COLOR: PURE WHITE, SATIN FINISH
S-1	CEMENTITIOUS SIDING	JAMES HARDIE. HARDIPLANK. SELECT CEDARMILL. 7.25" WIDTH. FACTORY PRIMED. PAINT SW 6048 TERRA BURN
S-2	CEMENTITIOUS SIDING	JAMES HARDIE. HARDIPLANK. SELECT CEDARMILL. 7.25" WIDTH. FACTORY PRIMED. PAINT SW 7020 BLACK FOX.
S-3	CEMENTITIOUS SIDING	JAMES HARDIE. HARDIPLANK. SELECT CEDARMILL. 7.25" WIDTH. FACTORY PRIMED. PAINT SW 7002 DOWNY
SR	SHINGLE ROOF	GLASS FIBER REINFORCED ASPHALT SHINGLE ROOF. MANUF. GAF. TIMBERLINE HD. COLOR: WEATHERED WOOD.
STP-1	STRUCTURAL STEEL	STRUCTURAL STEEL PAINTED SW 7002 DOWNY. INTUMESCENT PAINT.
T-1	FIBER CEMENT TRIM	JAMES HARDIE. THICKNESS: 5/4". FINISH: SMOOTH. FACTORY PRIME. PAINT SW 7002 DOWNY. PROVIDE AT ALL CORNERS @ SIDING, AND AT WINDOWS AND DOORS @ SIDING. REFER TO DETAILS FOR SIZING.
T-2	FIBER CEMENT TRIM	JAMES HARDIE. THICKNESS: 5/4". FINISH: SMOOTH. FACTORY PRIME. PAINT SW 7020 BLACK FOX. PROVIDE AT ALL CORNERS @ SIDING, AND AT WINDOWS AND DOORS @ SIDING. REFER TO DETAILS FOR SIZING.
VF	DECORATIVE VINYL FENCE	CERTAINTED CHESTERFIELD WITH CERTANGRAIN TEXTURE (WHITE)



DEVELOPER'S CERTIFICATE
The Undersigned agrees to execute all the features of the Site Plan Approval No. 8-20160100, including Approval Conditions, Development Program, and Certified Site Plan.
Developer's Name: THRIVE DEVELOPMENT PARTNERS CHARLIE SABIN
Company Contact Person
Address: 117 17TH ST., NW SUITE 1500, ATLANTA, GA 30363
Phone: 404-834-8527
Email: charlie.sabin@thrivedp.com
Signature: _____

TRIBUTE AT BLACK HILL
GERMANTOWN, MD

THW DESIGN
THOMPSON HANCOCK WITTE & ASSOCIATES, INC.
2100 RiverEdge Parkway
Suite 900
Atlanta, GA 30328
PH: 770 916 2220
FAX: 770 916 2299
www.thw.com

PLANNING SITE PLAN SUBMITTAL
Project No.: 201550
Date: 2016-09-21
Drawn By: Author
Checked By: Checker
EXTERIOR PRESENTATION ELEVATIONS
P-201

DEVELOPER'S CERTIFICATE

The Undersigned agrees to execute all the features of the Site Plan Approval No. B-20160100, including Approval Conditions, Development Program, and Certified Site Plan.

Developer's Name: THRIVE DEVELOPMENT PARTNERS CHARLIE SABIN
Company Contact Person

Address: 117 17TH ST., NW SUITE 1500, ATLANTA, GA 30363

Phone: 404-834-8527

Email: charlie.sabin@thrivedp.com

Signature: _____

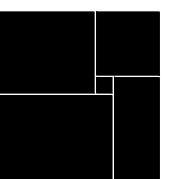
THRIVE BLACK HILLS PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE	REMARKS
	ACE SUN	13	Acer rubrum 'Red Sunset'	Red Sunset Maple	B & B	3"Cal	12' - 14'	
	AME CAN	3	Amelanchier canadensis	Canadian Serviceberry	B & B	2.5"Cal	8'-9'	
	CER CAN	14	Cercis canadensis	Eastern Redbud	B & B	2"Cal		
	CHI VIR	1	Chionanthus virginicus	White Fringetree	B & B	2"Cal	8'-9'	
	COR FLO	14	Cornus florida	Eastern Dogwood	B & B	2"Cal	8'-9'	
	FAG GRA	3	Fagus grandifolia	American Beech	B & B	3"Cal	12' - 14'	
	GLE SH2	12	Gleditsia triacanthos inermis 'Shademaster'™	Shademaster Locust	B & B	3"Cal	12' - 14'	
	ILE AME	6	Ilex opaca	American Holly	B & B		10'-12'	
	JUN EAS	24	Juniperus virginiana	Eastern Red Cedar	B & B		6'-7'	
	MAG SWE	7	Magnolia virginiana	Sweet Bay	B & B		8'-9'	
SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT			REMARKS
	CEP OCC	5	Cephalanthus occidentalis	Buttonbush	3 gal			
	ILE SKY	21	Ilex crenata 'Sky Pencil'	Sky Pencil Japanese Holly	5 gal			
	ILE SHA	77	Ilex glabra 'Shamrock'	Inkberry	5 gal			
	ILE W3	11	Ilex verticillata	Winterberry	15 gal			
	ITE V12	12	Itea virginica	Virginia Willow	5 gal			
	KAL CAR	14	Kalmia latifolia 'Carol'	Carol Mountain Laurel	7 gal			
	MYR CER	26	Myrica cerifera	Wax Myrtle	7 gal			
	MYR PUM	37	Myrica cerifera 'Pumila'	Dwarf Wax Myrtle	5 gal			
	MYR PEN	8	Myrica pensylvanica	Northern Bayberry	7 gal			
	PRU OTT	108	Prunus laurocerasus 'Otto Luyken'	Luykens Laurel	5 gal			
	RHO PER	11	Rhododendron periclymenoides	Pink Azalea	5 gal			
	RHO VIS	37	Rhododendron viscosum	Swamp Azalea	7 gal			
	TAX REP	68	Taxus baccata 'Repandens'	Spreading English Yew	3 gal			Spaced 30" O.C.
	VIB ARR	23	Viburnum dentatum	Viburnum	5 gal			
FERNS AND VINES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT			REMARKS
	DRY MAR	25	Dryopteris marginalis	Marginal Shield Fern	3 gal			
	POL ACR	6	Polystichum acrostichoides	Christmas Fern	3 gal			
	POL DYC	10	Polystichum x Dyce's	Dyce's Holly Fern	3 gal			
GRASSES	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT			REMARKS
	CAR STR	12	Carex stricta	Tussock Sedge	3 gal			
	JUN EFF	115	Juncus effusus	Soft Rush	2 gal			
	SCH COA	97	Schizachyrium littorale	Coastal Little Bluestem	2 gal			
GROUND COVERS	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT		SPACING	REMARKS
	CAR SED	691	Carex pensylvanica	Pennsylvania Sedge	1gal @ 14"		14" o.c.	
	HYP CAL	1,628	Hypericum calycinum	Creeping St. John's Wort	1 gal		18" o.c.	
	LIR MUS	782	Liriope muscari	Lily Turf	1 gal		12" o.c.	
	OPH JAP	639	Ophiopogon japonicus	Mondo Grass	1 gal		12" o.c.	
	OPH DWA	1,027	Ophiopogon japonicus 'Dwarf'	Dwarf Mondo Grass	4"pot		6" o.c.	

Rev Date Description

TRIBUTE AT BLACK HILLS

GERMANTOWN, MD

THW
DESIGN

COPYRIGHT ©
THOMPSON HANCOCK WITTE &
ASSOCIATES, INC.

2100 RiverEdge Parkway
Suite 900
Atlanta, GA 30328

PH: 770 916 2220
FAX: 770 916 2299

www.thw.com

PLANNING
SITE PLAN
SUBMISSION

Project No.: 201550

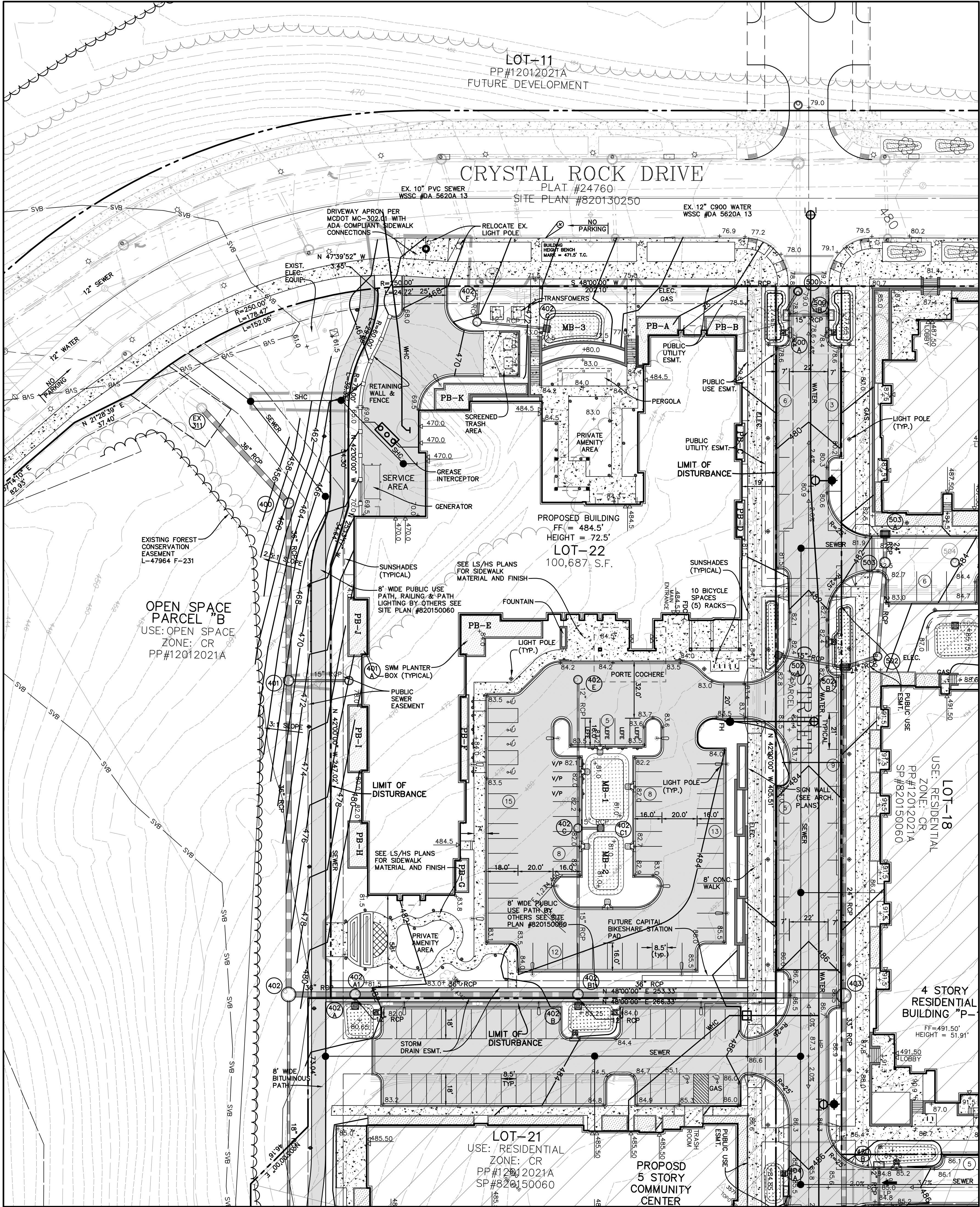
Date: 2016-12-05

Drawn By: SLS

Checked By: RLF

LANDSCAPE PLAN

L-401P



VICINITY MAP
SCALE 1" = 2,000'

Legend	
EXISTING	PROPOSED
	Paving
	Curb & Gutter
	Sign
	Utility Pole
	Lamp Post
	Post or Bollard
	Tree
	Electric
	Overhead Wires
	Sanitary Sewer
	Storm Drain
	Water Line
	Fire Hydrant
	Gas
	Telephone
	Buildings
	Concrete
	Spot Elevation
	Contour
	Edge of Tree Line
	Stream Valley Buffer
	Limit of Disturbance LOD

PARKING SPACES MARKED V/P ARE FOR VAN POOL VEHICLES
PARKING SPACES MARKED LELE ARE FOR LOW EMISSION FUEL EFFICIENT VEHICLES

DEVELOPER'S CERTIFICATE

The undersigned agrees to execute all the features of the Site Plan Approval No. 8-20160100, including Approval Conditions, Development Program, and Certified Site Plan.

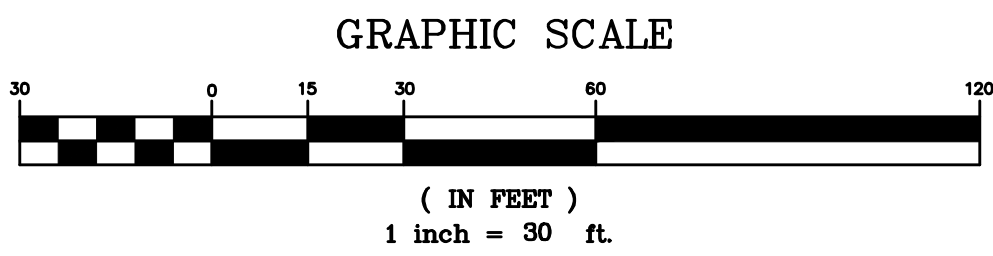
Developer's Name: THRIVE DEVELOPMENT PARTNERS CHARLIE SABIN
Company Contact Person

Address: 117 17TH ST., NW SUITE 1500, ATLANTA, GA 30363

Phone: 404-834-8527

Email: charlie.sabin@thrivepd.com

Signature: _____



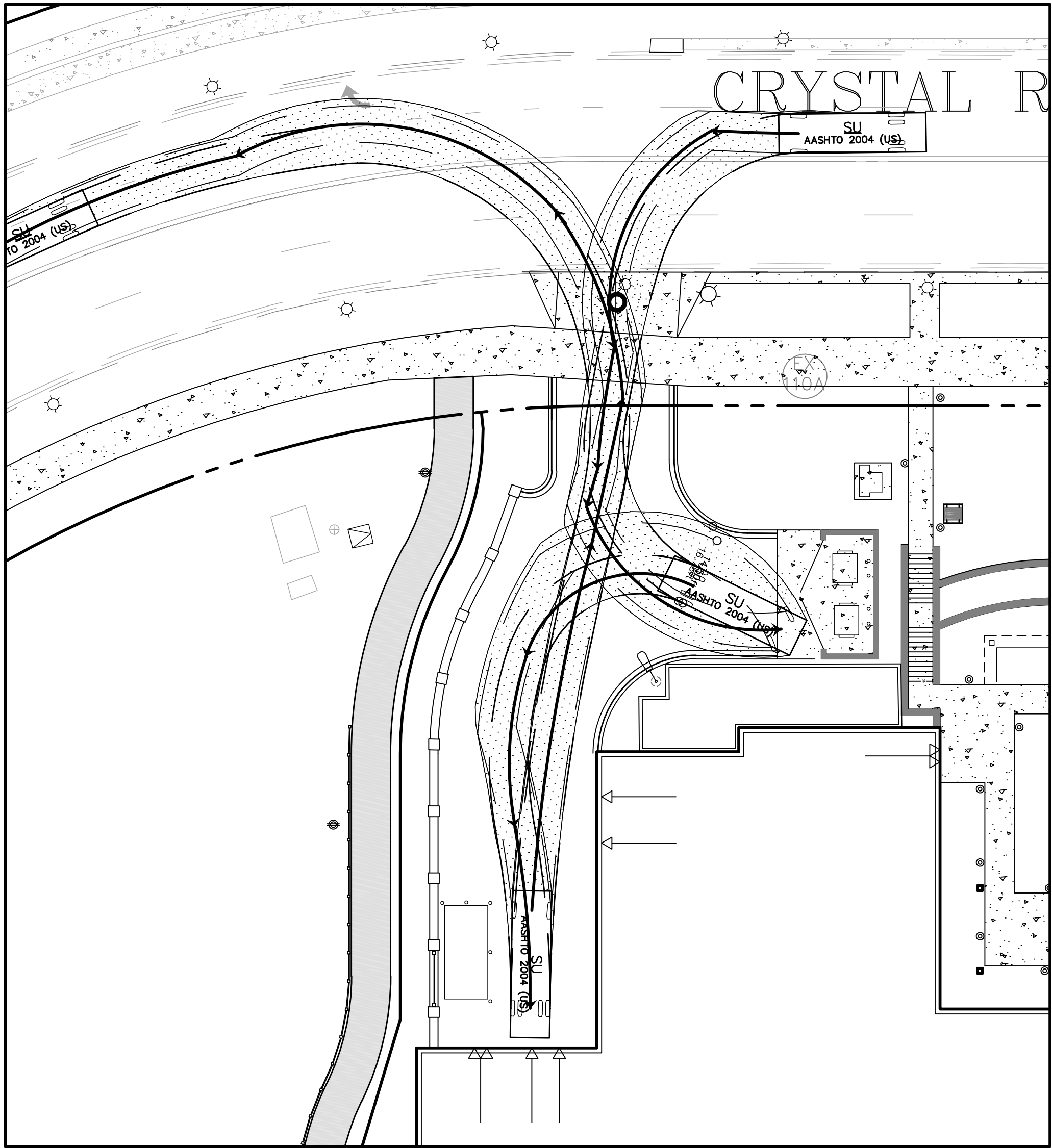
REVISIONS	
NO.	DATE

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. 14078, Expiration Date: 07/02/2018

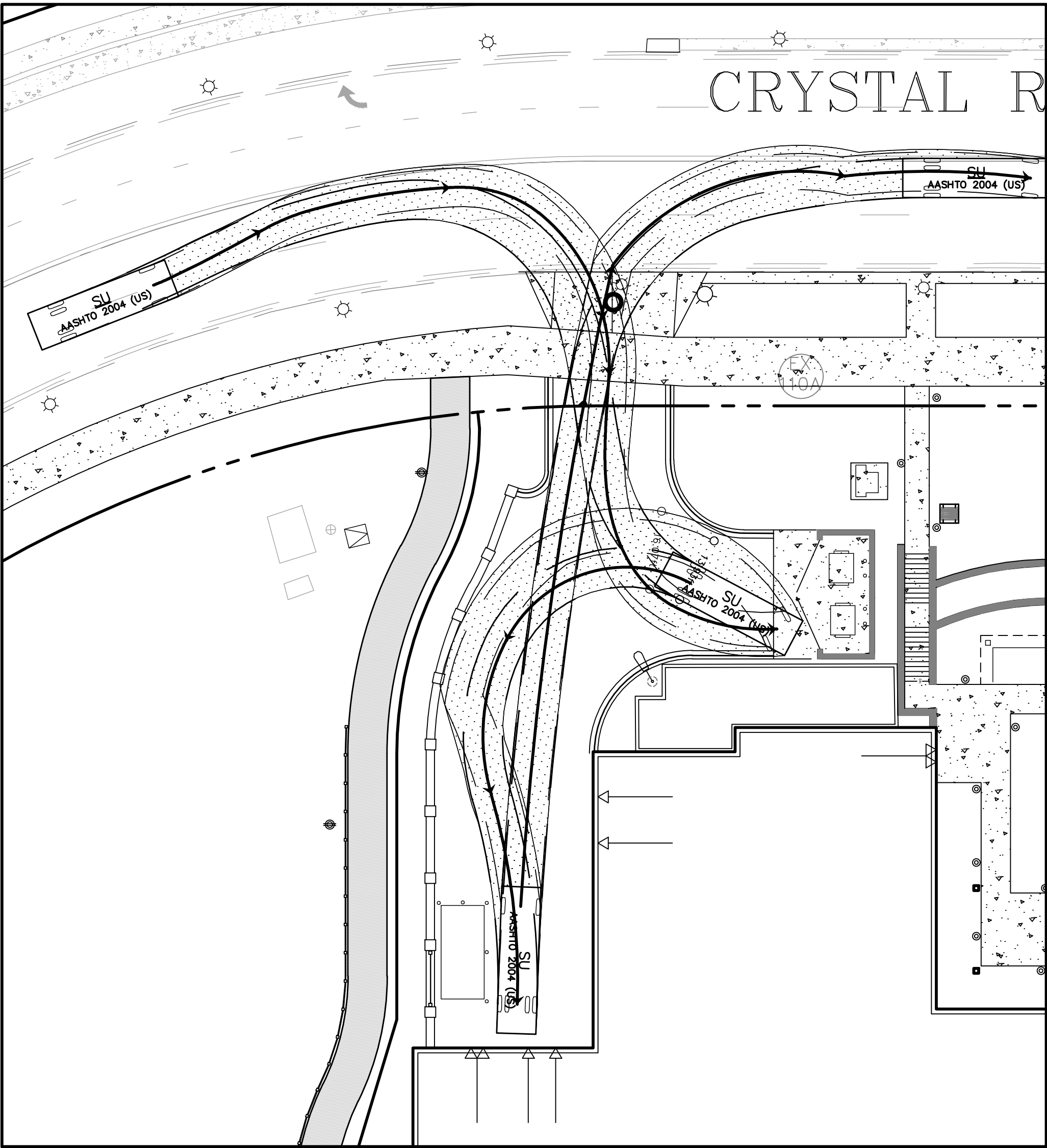


Macris, Hendricks & Glascock, P.A.
Engineers • Planners
Landscape Architects • Surveyors
9220 Wightman Road, Suite 120
Montgomery Village, Maryland
20886-1279
Phone 301.670.0840
Fax 301.948.0693
www.mhgpa.com

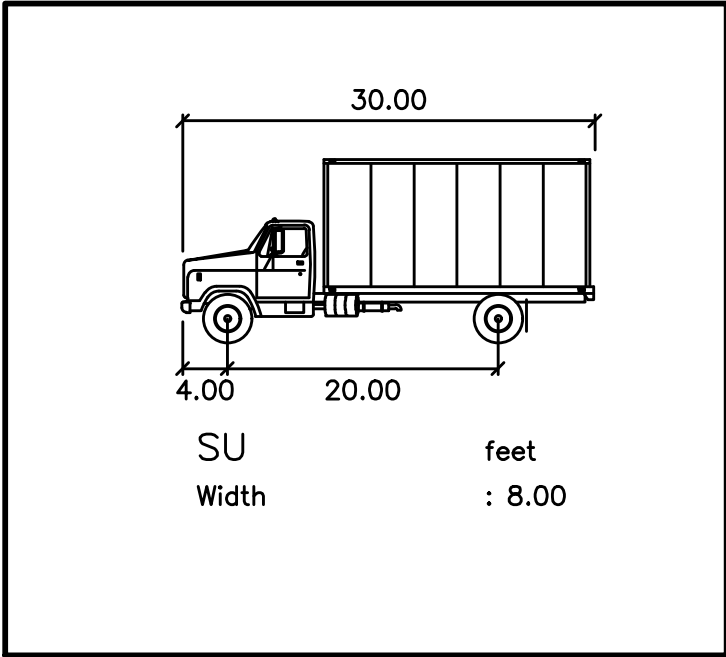
Proj. Mgr.	Designer
MDP	MDP
Date	Scale
12-5-16	1" = 30'
Project No.	Sheet
10-102-41	3 of 3



APPROACH FROM EAST IN AND OUT



APPROACH FROM WEST IN AND OUT



TRUCK MANUVERING EXHIBIT

LOT 22 – CHURCHILL TOWN SECTOR GERMANTOWN

THRIVE ASSISTED LIVING

BLACK HILL

2ND ELECTION DISTRICT – MONTGOMERY COUNTY – MARYLAND

MHG

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

Macris, Hendricks & Glascock, P.A.

Engineers ■ Planners
Landscape Architects ■ Surveyors

Phone 301.670.0840
Fax 301.948.0693
www.mhgpa.com

Proj. Mgr. MDP	Designer MDP
Date 10–3–16	Scale 1" = 20'
Project No. 10–102–41	Sheet 1 of 1

I:\101024\B\4_1_TRUCK MANUVERING.dwg, Copyright © 2015 Macris, Hendricks & Glascock, P.A.