

OZAH NO. CU 20-02

APPLICATION OF EDMONSON & GALLAGHER PROPERTY SERVICES, LLC.

FOR AN INDEPENDENT LIVING FACILITY

FREDERICK ROAD

GAITHERSBURG, MD 20874

EXHIBIT LIST

1. Application
2. M-NCPPC Checklist
3. Transmittal Sheet (MNCPPC)
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5. Letter of Representation by Petitioner's Counsel
6. Letter of Authorization to file Application
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 - a. Cover Sheet (Sheet 1 of 3)
 - b. Existing Conditions Plan (Sheet 2 of 3)
 - c. Site Plan (Sheet 3 of 3)
10. Color -Coded Utility Plan
11. Fire Access Plan
12. Truck Turning Exhibit
13. Site Distance Plan
14. Approved NRI-FSD
 - a. Plan
 - b. Notes and Details
15. Preliminary Forest Conservation Plan
 - a. Cover Sheet & Tree Removal Plan (Sheet 1 of 3)
 - b. Forest Conservation Plan (Sheet 2 of 3)
 - c. Forest Conservation Plan Notes and Details (Sheet 3 of 3).
16. Stormwater Concept Plan
 - a. Cover Sheet (Sheet 1 of 4)
 - b. Drainage Area Map (Sheet 2 of 4)
 - c. Plan View (Sheet 3 of 4)
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 - e. Application Acknowledgement by MCDPS
17. Landscape and Lighting Plan
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 - d. Notes and Details (Sheet 4 of 5)

- e. Photometrics (Sheet 5 of 5)
- 18. Green Area Exhibit
- 19. Recreation Exhibit
- 20. Architectural Plans
 - a. Cover Sheet (G0001)
 - b. Tabulations, Abbreviations, and Symbols (G0002)
 - c. Key Plans (A0101)
 - d. Cellar Floor Plan (A0200)
 - e. First Floor Plan (A0201)
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 - i. Roof Plan (A0205)
 - j. Exterior Elevations-South (A0301)
 - k. Exterior Elevations-Courtyard (A0302)
 - l. Exterior Elevations-North (A0303)
 - m. Exterior Elevation (A0306)
 - n. Exterior Elevation (A0307)
 - o. Building Section (A0311)
- 21. Enlarged Unit Plans
 - a. Enlarged Unit Plans-One Bedroom (A0230)
 - b. Enlarged Unit Plans-One Bedroom (A0231)
 - c. Enlarged Unit Plans-Two Bedroom(A0232)
- 22. Traffic Study Exemption Letter
- 23. Cross Section
 - a. Eastern Cross Section
 - b. Northern Cross Section
- 24. List of Area Civic Associations/HOA/Adjoining Confronting Property Owners
- 25. Certified Zoning Map
- 26. CD
- 27. 2/13/20- Email Exchange between Nana Johnson, Applicant and Staff; Re: May 11th hearing date.
- 28. 2/14/20- Applicant's acceptance of requirement for Posting of signs.
- 29. 2/18/20- Letter from Sean Hughes to Nana Johnson.
 - a. Applicant's Statement of Justification.
- 30. 3/27/20- Notice of Public Hearing
- 31. 3/30/20- Revised Statement of Justification
- 32. 4/10/20- Applicant's Pre-Hearing Statement.
 - a. Email from Jody Kline with exhibit 32 attached.
- 33. 4/10/20- Letter from Jody Kline with amended materials enclosed (**Ex 34-49;51**).
- 34. 4/10/20- Applicant's Amended Statement of Justification.
- 35. 4/10/20-Approved FDA
 - a. Approved FDA Plan

- b. Approved FDA letter.
- 36. Fire Department Access Plan
- 37. SDAT Real Property Search.
- 38. Color-Coded Utility Exhibit 2.
- 39. Preliminary Conservation Plan
 - a. Cover Sheet & Tree Removal Plan (Sheet 1 of 3)
 - b. Forest Conservation Plan (Sheet 2 of 3)
 - c. Forest Conservation Plan Notes and Details (Sheet 3 of 3).
- 40. Green Area Exhibit
- 41. Landscape & Lighting Plan
 - a. Cover Sheet (Sheet 1 of 5)
 - b. Landscape Plan (Sheet 2 of 5)
 - c. Landscape Furnishing (Sheet 3 of 5)
 - d. Notes and Details (Sheet 4 of 5)
 - e. Photometrics (Sheet 5 of 5)
- 42. Recreation Exhibit
- 43. Sight Distance Plan
- 44. Conditional Use Site Plan
 - a. Cover Sheet (Sheet 1 of 3)
 - b. Existing Conditions Plan (Sheet 2 of 3)
 - c. Site Plan (Sheet 3 of 3)
- 45. Site Plan Rendering
- 46. Stormwater Concept Plan
 - a. Cover Sheet (01)
 - b. Drainage Area Map (Sheet 2)
 - c. Plan View (Sheet 3)
- 47. Tree Canopy Coverage Exhibit
- 48. Truck Turning Exhibit
- 49. Variance Request
- 50. 4/15/20- Notice of Motion to Amend.
- 51. Amended Plans Submitted on 4/10/2020 by Jody Kline.
 - a. Conditional Use Permit Set
 - i. Cover Sheet
 - ii. Tabulations, Abbreviations & Symbols
 - b. Architectural
 - i. Architectural Site Plan
 - ii. Key plans
 - iii. Cellar Floor Plan
 - iv. First Floor Plan
 - v. Second Floor Plan
 - vi. Third Floor Plan
 - vii. Fourth Floor Plan
 - viii. Roof Plan

- ix. Enlarged Unit Plans-One Bedroom
 - x. Enlarged Unit Plans-One Bedroom
 - xi. Exterior Elevations-South
 - xii. Exterior Elevations-Courtyard
 - xiii. Exterior Elevations-North
 - xiv. Exterior Elevation
 - xv. Exterior Elevation
 - xvi. Building Section.
52. Technical Staff Report dated 4/23/2020.
53. 5/5/20-SWM Concept Approval Letter
54. 5/5/20- Affidavit of Posting.
55. 5/6/20- Email from Lynn Robeson to Phil Estes asking for the PFCP Approval Plan and Planning Board Recommendation letter.
56. Planning Board resolution approving the Preliminary Forest Conservation Plan dated 4/30/20.
- a. Email from Jody Kline (5/6/20) with exhibit 56 attached.
57. 5/6/20- Email from Staff to Lynn Robeson to Lynn Robeson; Re: Delay in receiving the Planning Board Letter, PFCP Approval Plan and Staff Report attached.
58. 5/7/20- Planning Board Letter Unanimously Approving Conditional Use (3-0) with conditions.
59. 5/11/20- Email from Lynn Robeson to Joseph Gothard; Re: OZAH can reconvene the hearing to address his concerns.
- a. Email from Joseph Gothard sent to Montgomery County Council.
60. 5/13/20- Letter from Joseph and Kristina Gothard; Re: Concerns they wish to address before this Conditional Use is approved.
- a. Email from Joseph Gothard with exhibit 60 attached.
61. 5/13/20- Email from Lynn Robeson Hannan to Joseph Gothard; Re: Instructions on how to access May 11th hearing on OZAH's website and dates acceptable to him before May 21st to reconvene hearing.
62. 5/15/20- Letter from Jody Kline to Lynn Robeson Hannan; Re: Submission of Suggested Condition for Resident Transportation Measures.
- a. Email from Jody Kline.
63. 5/15/20- Email exchange between Jody Kline and Lynn Robeson Hannan; Re: parking of shuttle vans.
64. 5/15/20- Email from Lynn Robeson Hannan to Joseph Gothard; Re: Contact OZAH about possible date to reconvene hearing.
65. 5/18/20-Email from Joseph Gothard (sent on Sunday 5/17/20) to Lynn Robeson; Re: Possible dates to reconvene hearing.
66. 5/18/20- Email exchange between Jody Kline and Lynn Robeson; Re: Available dates that will work to reconvene hearing.
67. 5/19/20- Email exchange between Jody Kline and Lynn Robeson; Re: Thursday, May 21, 2020 at 2:00pm hearing to address Joseph Gothard's concerns.
68. 5/20/20- Email from Lynn Robeson Hannan to Joseph Gothard; Re: Exhibit 60 attached forwarded to OZAH from Council Staff, and with instructions on how to access the hearing.

69. 5/20/20- Email Exchange between Lynn Robeson and Jody Kline; Re: No additional exhibits other than the ones presented at May 11th hearing.
70. 5/20/20- Email Exchange between Lynn Robeson and Phil Estes; Re: Staff approves Applicants condition proposed in exhibit 62.
71. 5/21/20- Email from Joseph Gothard to Lynn Robeson; Re: Asking him to clarify whether letter sent to council is the same as exhibit
72. 5/28/20- Letter from Jody Kline to Lynn Robeson, Elsabettes Tesfaye and Joseph Gothard; Re: Submission of Revised Site Plan and Landscaping Plan.
 - a. Revised Site Plan
 - b. Revised Landscaping Plan.
73. Letter from Joseph Gothard dated 5/17/2020; Re: 8 items they wish to address concerning approval of the Conditional Use.
74. 6/3/20- Email Exchange between Joseph Gothard and Jody Kline; Re: Clarifying concerns of Item 8 in exhibit 73 letter and set-back requirements.
75. 6/3/20- Email from Lynn Robeson; Re: Section 59.3.3.2.C.2.c of the Zoning Ordinance.
76. 6/8/20- Email from Joseph Gothard to Lynn Robeson; Re: He could not find the 60 ft Building Height Development Standard in the Zoning Ordinance Ch59.
77. 6/8/20- Email from Lynn Robeson to Joseph Gothard; Re: copy of all the *use* standards for independent living facilities for seniors in Section 59.3.3.2.C of the Zoning Ordinance, highlighting the sections relevant to height.
78. 6/10/20- Email from Jody Kline to Lynn Robeson; Re: Amended Plans Site Plan and Landscaping Plan will be submitted once Jane Pryzgocki has them signed.
79. 6/10/20- Email from Lynn Robeson; Re: She doesn't believe that it's necessary to amend all the plans that formed the basis of his burden of proof, stating three exceptions.
80. 6/10/20- Email Exchange between Lynn Robeson and Jane Pryzgocki; Re: Plans submission.
81. 6/10/20- Email from Jane Pryzgocki; Re: Plans Attached.
 - a. Site Plan
 - b. Landscaping Plan
 - c. FCP Plan (Cover Sheet & Tree Removal)
 - d. FCP Plan
82. 6/11/20- Letter from Jody Kline; Re: 81(a)-81(d) enclosed.
83. Email from Phil Estes to Lynn Robeson Hannan; Re: Staff confirms that Plans submitted on May 28th conforms to County Zoning Ordinance (Email sent on June 1, 2020).
84. 7/1/20- Notification of Decision and Applicable Procedures.
85. 7/1/20- **Hearing Examiner's Report and Decision.**