



The Village at
**PROVIDENCE
POINT**
A National Lutheran Community

June 28, 2021

Mr. Gerald Winegrad
1328 Washington Drive
Annapolis, Maryland 21403

Re: The Village at Providence Point

Dear Gerald,

At your request, the following commitments are provided by National Lutheran Communities & Services (NLCS) concerning the design and development of The Village at Providence Point--A National Lutheran Community, (TVPP) in Annapolis, Maryland. NLCS intends to incorporate the following commitments and assumptions in the amended Planned Unit Development re-filing with the City of Annapolis Office of Planning and Zoning. We expect them to be included in the City's approval process and to be incorporated into the Planning Commission's final decision on this CCRC development.

The intentions and assumptions described in this letter detailing the commitments are subject to final design conditions and to the City's approval, and any changes required by the City and/or Planning Commission or other governmental jurisdiction may require a modification to these intentions and/or assumptions. Any statistics included in our letter should be assumed as "approximate," (e.g. as accurate as we can determine at the present time within reasonable tolerances), subject to final design and to approval of the City Planning and Zoning staff and the Planning Commission.

FOREST CONSERVATION – NO NET LOSS

- The Forest Conservation Plan (FCP) as submitted will include the entire 175.6 acres of the site. The FCP will encompass land owned by both TVPP and Katherine Properties.
 - The land pertaining to the FCP currently has 124 acres of existing forest. Approximately 77 acres of existing forest on what will remain with Katherine Properties and 47 acres of existing forest that will ultimately be owned by TVPP.
 - The NLCS Forest Conservation Plan will limit forest clearing to approximately 27.3 acres. The Forest Conservation Plan will reforest 23.9 acres with credit being provided by the City for an additional 3.5 acres of street trees. The combination of reforestation and the street trees will total 27.4 acres of reforestation. The reforestation will be completed with 21.3 acres on the property to be retained by Katherine Properties and by 2.6 acres to be reforested on TVPP property. The

planned reforestation and credit for street trees will meet/exceed the amount of forest clearing, therefore, achieving the “no-net-loss” requirement. The total of 27.4 acres of reforestation and street trees, coupled with the 77 acres of existing forest to be retained on the Katherine Properties and the 19.7 acres of existing forest to remain after TVPP is constructed on its land equals 124.1 acres of forest to remain in perpetuity.

- As noted in the Forest Conservation Plan, there are currently 124 acres of forest on the overall approximately 175.6 acre site; of these 124 acres, 99 acres are outside of the Critical Area, and 25 acres are within the Critical Area. Through its Forest Conservation Plan, the attached Declaration of Covenants, Conditions and Restriction for the TVPP property (“Restrictive Deed Covenants”), and the attached Conservation Easement for the adjacent Katherine Properties property (“Conservation Easement”), NLCS pledges to permanently preserve 124 acres of forest. The Restrictive Deed Covenants and the Conservation Easement will be recorded in the Anne Arundel County land records prior to the issuance of any building permit for the TVPP project.
- NLCS also commits that in preparing the site for its CCRC, when removing some trees at or under 6 inches DBH from the development footprint, it will transplant/replant as many of them as is feasible, considering the health of the tree in question and similar factors, as part of its forest conservation plan. For existing trees that cannot be transplanted, new trees will be substituted and planted.

STORMWATER MANAGEMENT

By oversizing the site’s bio retention facilities and by adopting the following measures, NLCS will not simply meet, but will exceed, the City’s requirement and policy objective of providing 125% Environmental Site Design (ESD) volume on-site. Inherent to the new stormwater plans, the project will also manage stormwater generated on site from a 25-year storm event.

The measures and calculations currently contained in the stormwater management plan we are preparing to refile with the City this month are:

- Provide overall 125.9% ESD volume on site.
- Seventy-Nine (79) micro-bioretenion facilities (surface or planters) at the sources of stormwater—120%
- Approximately 62,000 square feet of green roofs—4%
- Rooftop and non-rooftop disconnects—1%. The disconnect feature is an ESD measure provided by Maryland Department of Environment (MDE) that recognizes the benefit of allowing storm runoff to flow to conservation areas.

- Additionally, approximately 15,300 sq. ft. of porous pavement driveways for 28 of our cottages will provide an additional 0.5% ESD volume for which we are not taking credit in the event the soils do not adequately percolate.
- Restoration of approximately 502 feet of a degraded stream channel flowing under Spa Road from Annapolis Middle School and through the Mas Que Farm area to Crab Creek. The plan to be submitted for this stream restoration outfall near Annapolis Middle School is estimated to provide additional water quality volume treatment of 17,300 cf.
- The combination of the ESD features and the proposed stream restoration will exceed the required 125% ESD storm water management treatment onsite and will control a 25-year storm event so as to retain all of the stormwater generated on site and not to increase rate, volume, or pollutant loads from pre-development conditions from such a 25-year storm event.
- NLCS has created the stormwater management design so that if a major storm event would overtake the system, any water overflow would revert to the natural hydrology of the project as if the site was undeveloped. Therefore, NLCS does not need or intend to create an underground storage facility or alter the drainage patterns of the site in order to achieve the stormwater goals and maintain the natural hydrology of the site.

CONSERVATION EASEMENT

- Katherine Properties, as grantor, intends to execute and record in the land records of Anne Arundel County a perpetual Conservation Easement to the Scenic Rivers Land Trust prior to the issuance of building permits for the TVPP site and project. The Conservation Easement shall provide for permanent protection of approximately 77 acres of forest on the 123.1 acre Katherine Properties' portion of the 175.6 acre site to be retained by the owner of Katherine Properties (shown on the approved Forest Conservation Plan and in the Critical Area). These forest protections include forest on the 75 acre conservation area required by the Annexation Agreement and on the remaining property owned by Katherine Properties (see sketch attached). Additional forest areas totaling 21.3 acres will be planted on the Katherine Properties site as required by the City forest conservation law to achieve 100% reforestation and meet the no net loss of forest required. This Conservation Easement will extinguish all development rights on the approximately 123.1 acre site to be retained by the owner of Katherine Properties, including land in the Critical Area, except for a new or relocated Wellness House to be built close to Spa Road and limited construction of new equestrian related structures, picnic pavilions and trails (collectively totaling no more than 53,000 square feet), as these exceptions are detailed in the attached Conservation Easement. No such additions for the Wellness House or the equestrian center will remove protected forest areas. The Katherine Properties land included in the Conservation Easement will constitute all land of Katherine Properties except that conveyed to TVPP.

- This Conservation Easement shall be perpetual, is an easement in gross and as such it is inheritable and assignable and runs with the land as an incorporeal interest in the Property, and is enforceable with respect to the Property by its grantee against its grantor and their personal representatives, heirs, successors, and assigns.
- The copy of the Conservation Easement attached has been agreed upon by the owner/grantor, Scenic Rivers Land Trust, NLCS and you, and will be filed together with our resubmission of plans for TVPP. Subject to approval by the City, it will be executed and recorded as provided above.
- The NLCS/TVPP 52.5 acre site will be subject to the Restrictive Deed Covenants. The attached Restrictive Deed Covenants have been agreed upon by NLCS/TVPP and you, and shall be filed together with our resubmission of plans for TVPP. Subject to approval by the City, it will be executed and recorded in the land records of Anne Arundel County prior to the issuance of building permits for the TVPP site and project.
- The 52.5 acre site will be limited in development to 302 housing units, a 48 suite healthcare center, chapel, multi-purpose building and fitness center. No other development, expansions of existing improvements, or new improvements may be added to and/or constructed on the site, and all such development rights shall be extinguished as provided in the attached Restrictive Deed Covenants with the limited modifications and exceptions noted therein. All such limited expansions, modifications and exceptions shall be restricted to the approximately 11.3 acres of land area shown on the sketch attached (generally the area of the proposed main TVPP building and land near Forest Drive along Skippers Lane). No such expansion modification or exception may result in the removal of protected forest areas or removal of trees except for diseased or dying trees or those that otherwise present a hazard to property or public safety, and these trees must be replaced.
- NLCS shall assure that all forest remaining on the 52.5 acre site after the TVPP project is completed (including all trees to be planted on the site in connection with the TVPP project) are preserved and maintained, and may not be cleared or cut except as provided above.
- Except as otherwise explicitly permitted in the attached Restrictive Deed Covenants, no modifications or exceptions may increase the amount of impervious surfaces and the total impervious surface within the 52.5 acres may not exceed 15.25 acres.

TRAFFIC IMPROVEMENTS

- Based on the July 2018 Traffic Impact Study prepared for the City by STV Incorporated of Baltimore, NLCS has committed to obtaining the necessary design and other approvals for roadway improvements from the City of Annapolis, Anne Arundel County, and the Maryland State Highway Administration, and thereafter installing at its cost of these roadway improvements and further efforts to improve traffic flows as delineated below (assuming they are approved):

Roadway Improvements

1. Widening the south leg of Spa Road approaching Forest Drive to add a second northbound left turn lane. The resultant lane use for this approach would be double left turn lanes and a shared through and right turn lane;
2. A new deceleration lane on Spa Road for southbound right turns accessing the development site at Skippers Lane from Spa Road;
3. Converting the intersection of Forest Drive at Crystal Spring Farm Road to a right-in, right-out only intersection to remove potential conflicts for westbound lefts entering the site and northbound lefts exiting the site; and,
4. Changing the southbound lane use at the intersection of Forest Drive at South Cherry Grove Avenue from a shared through/left turn lane and a dedicated right turn lane, to a dedicated left turn lane and a shared left/through/right turn lane while maintaining split phasing in the north and southbound directions.

Further efforts committed to addressing traffic

- NLCS believes its commitment to the design and construction of Skippers Lane through the TVPP site is a significant and equitable contribution to the relief road concept in the Comprehensive Plan. However, in order to further enhance the concept of the relief road, NLCS is willing to provide an additional six-figure contribution to the cost of the relief/connector road rights-of-way to connect the CCRC development on the west side from the edge of the NLCS development to Newtowne Drive where Skippers Lane now ends at the CVS. NLCS has reached agreement with the City and the adjacent land owners to facilitate the acquisition and dedication of rights-of-way in order that the City can design and construct this link section of Skippers Lane; NLCS's pledge of an additional six-figure contribution for rights-of-way acquisition is contingent upon the City assuring that it or existing property owners will be responsible for undertaking the design and construction obligations of this Skippers Lane link and upon the cooperation of all affected property owners to make their land available for the road rights-of-way. NLCS will not be responsible for designing or constructing this additional section of Skippers Lane. NLCS has already submitted a schematic plan and profile of the Skippers Lane section on TVPP's site to the City for their information and use in designing the additional section of Skippers Lane.
- NLCS will obtain all necessary approvals from Anne Arundel County and the Maryland State Highway Administration and cover any associated costs to implement signalization timing improvements at the Cherry Grove and Spa Road intersections along Forest Drive as recommended in the STV study. The timing of the signalization lights along Forest Drive is a regular maintenance issue for the county, and the county may use the TVPP development as a means to upgrade their entire single system on Forest Drive.
- NLCS has met with the Annapolis Middle School principal and is committed to coordinating school start and dismissal hours and related vehicle staging and bus traffic to avoid traffic conflicts as much as possible with: (a) construction workers and associated truck arrivals and departures; and (b) the work schedules of employees once the CCRC opens. Additionally, NLCS commits to discussing and reviewing the school calendar and

schedule on a regular basis with the Annapolis Middle School principal and making any adjustments as necessary in work schedules of employees.

- After approval of its CCRC applications and during its final design phase, NLCS will prepare a construction management plan for input from affected parties. A final construction management plan will be prepared with input from the City of Annapolis, Anne Arundel County, and the Maryland State Highway Administration, and will be submitted at the time of application for a grading permit to alleviate traffic, noise, and dust problems during the construction phase of the project. NLCS is committed to this advance planning with the City, County, and State for construction traffic management. During the construction phase, parking will be provided onsite or on immediately adjoining properties for workers and the project management team. In addition, to the extent reasonably possible, NLCS shall work to assure that the roadway and other traffic improvements detailed above will be installed in the early stages of the project's construction to assist traffic flow.
- Once the CCRC opens for residents' occupancy, bus or van transportation will be provided for the CCRC residents to area locations, including shopping, doctor's appointments, and trips to downtown Annapolis.
- NLCS is committed to not having the project impede the steady flow of traffic along Spa Road as a consequence of the operation of TVPP. Other than a stop sign on the new Skippers Lane road running through the CCRC property where it exits at Spa Road, NLCS commits to never requesting any other traffic controls such as a traffic light or stop signs on Spa Road to stop Spa Road traffic at the intersection where Skippers Lane will exit. Given the proposed extension of Skippers Lane to the west as a relief road, there should be no need to seek additional traffic controls on Spa Road. If at some point in the future the City of Annapolis makes a connection between Skippers Lane, across Spa Road and across Forest Drive to Gemini, NLCS will not object to a request by the City for the installation of a traffic light at the intersection of Skippers Lane and Spa Road.

PHASE I ARCHAEOLOGICAL STUDY

- NLCS did contract with Applied Archaeology and History Associates, Inc. (AAHA) to complete a Phase I archaeological study of the site. A report on the site was provided on February 10, 2021 to the Village at Providence Point and detailed the activity and investigation conducted by AAHA. The study results indicated that the site was a "late nineteenth- to twentieth-century artifact scatter likely associated with dumping activity along Crystal Spring Farm Road. The survey did not reveal features or artifact patterning suggesting the site could contribute meaningful data about the development of rural Anne Arundel County or suburban Annapolis. As such, it is recommended not eligible for inclusion on the NHRP. No further archaeological investigation is recommended."

HIGH ENERGY EFFICIENT BUILDINGS

- NLCS commits to designing high energy efficiency into its buildings, which may include the use of solar panels. The specific high energy efficient components will be determined during the final design process.

SEDIMENT AND EROSION CONTROL

- NLCS commits that sediment and stormwater plans filed with the City as part of its grading permit will exceed applicable regulations for sediment and erosion control during the grading and construction process. The plans will include best industry practices to attempt to achieve 100% containment of sediment and prevent erosion and release of sediment to tributaries of Crab Creek. The construction manager will install sediment and erosion control measures prior to construction, and will maintain them continuously in good working order during the construction process and the stabilization period.

We understand that you will withdraw your opposition to the TVPP project as a result of our commitments, if our resubmission of plans for TVPP meet these commitments and thereby alleviate your four major concerns over the project on forest conservation, stormwater management, easements/deed covenants that extinguish other development with the exceptions noted above, and traffic concerns. We look forward to continuing to work with you constructively through the City approval process and on to design and construction.

Sincerely,

Lawrence R Bradshaw

Lawrence R. Bradshaw
President & CEO

PROPOSED OWNERSHIP AND DEVELOPMENT AREAS AS OF JUNE, 2021

TVPP AREA TO BE DISTURBED: (30.0 AC.)

TVPP PROPERTY TOTAL (52.5 ACRES)

FOREST CONSERVATION: KATHERINE PROPERTIES PROPERTY (48.1 ACRES)

ANNEXATION CONSERVATION EASEMENT PROPERTY (75.0 ACRES)

LEGEND

- PROP. RIGHT-OF-WAY
- EXISTING TREELINE
- CRITICAL AREA LINE
- FOREST CONSERVATION / REFORESTATION AREA
- HORSE TRAIL

LOT	AREA (SF)	AREA (AC)	DESCRIPTION
LOT 1	3,158,100	72.500	FARM
LOT 2	2,100,956	48.231	FOREST
LOT 3	708,722	16.155	MULTI-PURPOSE
LOT 4	275,449	6.323	COTTAGES
LOT 5	457,831	10.510	COTTAGES
LOT 6	600,843	13.793	DUPLEXES
LOT 7	108,900	2.500	WELLNESS HOUSE
DEDICATION	244,620	5.616	DEDICATION
TOTAL	7,650,415	175.63	

AREA TO BE CONVEYED TO TVPP
 KATHERINE PROPERTIES, LLC 22.35 AC.
 KATHERINE PROPERTIES, INC 19.74 AC.
 AIC FOREST LLC, CAMPUS DRIVE LLC, 1623 FOREST LLC & AIC FOREST II LLC 10.13 AC.
 EAJ FOREST DRIVE, LLC 0.28 AC.

TOTAL: 52.50 AC.



- LEGEND
- PROJ. RIGHT-OF-WAY
 - PROJ. EDGE OF PAVEMENT
 - PROJ. CURB & GUTTER
 - PROJ. CONTOUR
 - PROJ. BUILDING
 - EXISTING PROJ. CONCRETE SIDEWALK
 - PROJ. ASPHALT ROADWAY
 - PROJ. STORMWATER FACILITY
 - LIMIT OF DISTURBANCE

