



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

MCPB
Item #
10/16/08



MEMORANDUM

DATE: October 3, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Subdivision Supervisor *CC*
Development Review Division

FROM: Richard A. Weaver, Planner Coordinator (301-495-4544) *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: One Lot for a Senior Living Facility and One Outlot

PROJECT NAME: Sunrise Senior Living of Olney
CASE #: 120080350
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RE-2/TDR
LOCATION: On the north side of Olney Sandy Spring Road (MD 108), approximately 2600 feet east of Prince Phillip Drive.

MASTER PLAN: Olney

APPLICANT: Sunrise Development L.L.C.
ENGINEER: Gutschick, Little and Weber
ATTORNEY: Holland and Knight

FILING DATE: May 21, 2008
HEARING DATE: October 16, 2008

RECOMMENDATION: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one lot for a long-term care, assisted living facility containing 74 units with a maximum of 94 beds.
- 2) Applicant is bound to the conditions of approval for Special Exception S-2712..
- 3) The proposed development must comply with the conditions of the preliminary forest conservation plan, dated December 11, 2007. The applicant must satisfy all conditions before the Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits. Conditions include, but are not limited to:
 - a. Approval of Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan, prior to any clearing, grading or demolition on the site.
- 4) The applicant must dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 5) The applicant must construct all road improvements within the rights-of-way shown on the approved preliminary plan to the full width mandated by the master plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 6) To satisfy the Policy Area Mobility Review (PAMR) requirement to mitigate six (6) weekday site-generated peak-hour trips, the Applicant must pay \$20,000.00 to Montgomery County Department of Transportation (MCDOT) towards its real-time transit information sign program prior to the release of building permits for the proposed development
- 7) The record plat must reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 8) The record plat must provide for dedication of 75 feet of right-of-way from the centerline of MD 108 Olney – Sandy Spring Road.
- 9) The certified preliminary plan must show existing and proposed street trees along Olney-Sandy Spring Road on the plan.
- 10) The record plat must reflect the liber and folio for the "access and use easement" if executed with adjacent property owner..
- 11) The applicant must comply with the conditions of the MCDPS stormwater management approval dated March 28, 2008.
- 12) Prior to issuance of access permits, the applicant must comply with the conditions of the State Highway Administration (SHA) letter dated July 11, 2008, unless otherwise amended.
- 13) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board resolution.
- 14) The record plat must show necessary easements

SITE DESCRIPTION (Vicinity Map - Attachment A)

The site, shown below and in Attachment A, is 5.0 acres in size and is located on the north side of Olney-Sandy Spring Road (MD 108) between Prince Phillip Drive and Old Baltimore Road. The site is classified in the RE-2/TDR Zone. There are 4.68-acres of forest onsite and numerous large and specimen trees. There are streams immediately off-site and wetlands, floodplain and associated buffers on-site. The property is within the Hawlings River watershed; a Use /IV-P watershed. The area surrounding the subject site contains a mix of multifamily and single-family residences as well as several medical-related office uses.



PROJECT DESCRIPTION (Preliminary Plan – Attachment B)

The application proposes to create one 4.89 acre lot for a proposed assisted living facility as approved under Board of Appeals action S-2712 (Attachment C). The long-term care, assisted living facility will contain 74 units with a maximum of 94 beds and associated site amenities. The plan provides the required 45 parking spaces (2 handicapped and 43 standard), in addition to one loading space for deliveries. Site access will be via an existing median break and curb cut on Olney-Sandy Spring Road. Vehicular circulation will be provided by a two-way drive aisle along the southwestern portion of the property and a one-way drive aisle with drop-off area adjacent to the front door of the facility. Parking is proposed along the west side and rear of the proposed building. Several sidewalks within the site are proposed and will be connected to the existing sidewalk along Olney-Sandy Spring Road. Pathways are proposed throughout the site to allow residents access to all sides of the building.

An adjacent property owner to the west of the subject property has negotiated with the applicant to maintain certain features of their yard that currently encroach onto the subject property. The yard features in question are non-structural and, therefore, do not violate any setback or building permit regulation, nor do these features in any way conflict with the use that is proposed on the subject property. The proposed outlot, shown on the western portion of the property, includes these features and could be conveyed to the adjacent property owner or maintained by Sunrise with an easement established on it to allow use of, and access to, the yard features. Sunrise wishes to have flexibility with respect to the possible conveyance and at this time is not inclined to commit to the outlot's future. Staff does not oppose creating the outlot, but advises that building permits cannot be issued for a structure on it.

ANALYSIS AND FINDINGS

Master Plan Compliance

The proposed use is consistent with the Olney Master Plan. The master plan indicates that special exceptions "should be compatible with the development pattern of the adjoining uses in terms of height, size, scale, traffic and visual impact of the structures and parking lots." Special Exception Case No S-2712 made the necessary findings for compliance with the Olney Master Plan. Staff finds that the preliminary plan continues to be in conformance with the master plan.

Public Facilities

Roads and Transportation Facilities

A review of the Local Area Transportation Review indicates that a traffic study is not required as part of the FY2007-2009 Growth Policy Adequate Public Facilities test. The proposed facility is estimated to generate less than 30 peak-hour trips during the weekday morning (6:30 A.M. – 9:30 A.M.) and evening (4:00 P.M. – 7:00 P.M.) peak periods.

This application is required to satisfy the 2007-2009 Growth Policy test for Policy Area Mobility Review (PAMR). The proposed use is estimated to generate more trips than the

threshold value of three peak-hour trips during the weekday morning and evening peak-periods. For FY 2007, to satisfy the PAMR test in the Olney Policy Area, an applicant is required to mitigate 25% of peak-hour site-generated trips. In this instance, with a trip generation of 24 peak-hour trips, six (6) peak-hour trips during both the morning and evening peak periods will need to be mitigated. With these requirements along with the sidewalk system previously discussed, staff finds that vehicular facilities and pedestrian access will be safe and adequate for the proposed development.

Other Public Facilities and Services

Public facilities and services are available and will be safe and adequate to serve the proposed development. The Property will be served by public water and public sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services, are operating according to the Growth Policy resolution currently in effect and will be safe and adequate to serve the Property. All public utilities, including gas, electric, water, sewer, and telecommunications, are readily available to the site.

Environment

Forest Conservation

This property is subject to the Montgomery County Forest Conservation Law; a Forest Conservation Plan has been submitted for approval. There are 4.68- acres of forest existing on-site and 2.08-acres of forest will be retained in a Category I Forest Conservation Easement. There is no planting requirement and all areas of the stream valley buffer will be forested. Staff finds that the concept for meeting forest conservation requirements complies with Chapter 22A, the Montgomery County Forest Conservation Law.

Environmental Guidelines

The James Creek runs to the east of the property and a tributary is directly to the north. There are two areas of wetlands onsite with the floodplain associated with James Creek. All environmental buffers are protected by a Category I Conservation Easement with a small area of encroachment for stormwater management facilities.

This property is entirely within the Patuxent Primary Management Area but is not subject to the PMA requirements due to the existing zoning, RE2/TDR. It is subject to the non-conformance standards, which include using Best Management Practices (BMPs) to minimize the impacts of the higher density. The part of the property that lies outside the environmental buffer is considered to be the transition area of the PMA. The Planning Board's Environmental Guidelines recommend an impervious limit of 10 percent only for transition areas that are zoned RE-2 or less dense. Since the subject property is zoned RE2/TDR-2, which is of greater density than RE-2, the imperviousness guideline limit does not apply.

The Environmental Guidelines recommend the use of stormwater management (SWM) and BMPs to minimize the impacts of higher density zones within the PMA. In response to this requirement, the applicant has proposed the use of a green roof and has minimized the footprint of the building. The green roof is in addition to an otherwise effective stormwater management system approved by MCDPS. The stormwater management concept consists of sand filters to provide on-site water quality control. MCDPS is not requiring channel protection volume controls because the one-year post-development peak discharge is no more than 2.0 cubic feet per second. Staff finds that the application meets all requirements of the Environmental Guidelines.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Citizen Correspondence and Issues

This plan was submitted on May 21, 2008 and, therefore, the applicant was required to hold a pre-submission meeting with interested parties. The applicant appropriately noticed the meeting time and location as required and held the meeting on April 22, 2008 at a location near the subject property in Olney. The sign-in sheet indicates that 14 citizens, including one State Delegate, attended the meeting. The plan was presented to the citizens and discussion took place. The notes of the meeting are included as Attachment D. In addition, written notice was given by the applicant and staff of the plan submittal and the public hearing date. At this time, no further citizen correspondence has been received by staff on this application

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Sandy Spring/Ashton Master Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Vicinity Development Map
Attachment B – Proposed Development Plan

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Sunrise Senior Living Facility of Olney				
Plan Number: 120080350				
Zoning: RE-2/TDR				
# of Lots: 1				
# of Outlots: 1				
Dev. Type: Institutional				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	87,120 sq. ft.	209,523 sq. ft.		10/2/08
Lot Width	150 ft. minimum	525 ft.		10/2/08
Lot Frontage	25 ft. minimum	530 ft.		10/2/08
Setbacks				10/2/08
From street	50 ft. min. from MD 108	Must meet minimum ¹		10/2/08
Side	40 ft. Min.	Must meet minimum ¹		10/2/08
Rear	35 ft. Min.	Must meet minimum ¹		10/2/08
Height	50 ft. Max.	May not exceed maximum ¹		10/2/08
Max Resid'l Comm'l s.f. per Zoning	Special Exception	Must comply with SE		10/2/08
Building coverage	35% Max.	11% shown		10/2/08
TDRs	No			10/2/08
Site Plan Req'd?	No			10/2/08
FINDINGS				
SUBDIVISION 10/2/08				
Lot frontage on Public Street		Yes		10/2/08
Road dedication and frontage improvements		Yes	Agency letter	12/14/08
Environmental Guidelines		Yes	Staff memo	12/14/08
Forest Conservation		Yes	Staff memo	12/14/08
Master Plan Compliance		Yes		10/2/08
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	3/28/08
Water and Sewer (wssc)		Yes	Agency comments	7/14/08
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	7/14/08
Local Area Traffic Review		Yes	Staff memo	12/17/07
Policy Area Mobility Review		Yes	Staff memo	12/17/07
Transportation Management Agreement		No	Staff memo	12/17/07
Fire and Rescue		Yes	Agency letter	6/25/08

¹ As determined by MCDPS at the time of building permit.

SUNRISE SENIOR LIVING OF OLNEY (120080350)

Attachment A



Map compiled on June 10, 2008 at 3:05 PM | Site located on base sheet no - 224NW03

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Key Map



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Research & Technology Center



1 inch = 400 feet

1 : 4800

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
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