

Special Exception S-2841 Spring Arbor Olney (Danshes Property)

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Description

B. Special Exception S-2841:

Spring Arbor Olney (Danshes Property)

Request for a Special Exception for a 107-unit Domiciliary Care Home, located on 37.68 acre property identified as Parcel P771 on Tax Map HT5, on the east side of Georgia Avenue (MD 97) approximately 1,000 feet south of its intersection with Old Baltimore Road, RNC Zone, Olney Master Plan Area.

Staff Recommendation: *Approval with conditions*

- **Application Filed:** March 26, 2012
- **Public Hearing:** October 4, 2013
- **Applicant:** Sonia Danshes Trust; HHHUNT Corporation

Summary

1. With the recommended conditions, the proposed use conforms to all applicable requirements and regulations for approval of a Domiciliary Care Facility Special Exception (59-G-2.37 of County Zoning Ordinance) and the Development Standards under the optional Method of Development for the RNC Zone.
2. The proposed use is consistent with the recommendations of the Olney Master Plan
 - Sewer and Water Category change was approved in 2011.
 - The development will be located close to Georgia Avenue to preserve environmentally sensitive stream valleys on the property.
 - The Facility will use an existing sewer line in Georgia Avenue and avoid disruption of local stream valley to build new gravity sewer lines.
 - The Facility is setback 300 feet from Georgia Avenue, three times the 100 feet distance recommended by the Olney Master Plan.
 - Visibility from Georgia Avenue and adjacent residences is substantially reduced through a combination of substantial setbacks, landscaping and forest preservation.
 - Building design was revised from one-story to two-stories.
 - Impervious surface has been reduced to approximately 10.9 percent.
 - Driveways are redesigned to reduce excess paving but provide safe and adequate access.
 - The Facility is designed to blend with the adjoining residential communities.
 - Substantial landscaping provides screening of the parking area from Georgia Avenue. The proposed lighting will not cause glare on adjoining properties.
3. The Special Exception is subject to approval of a Preliminary Plan of Subdivision, and the adequacy of public facilities will be determined by the Planning Board at that time. A Site Plan approval is required under the optional method of development in the Rural Neighborhood Zone (RNC).



TABLE OF CONTENTS

I. RECOMMENDATION	3
II. STATEMENT OF THE CASE	4
III. APPLICATION	5
A. The Subject Property	5
B. Planning and Zoning History	5
C. Neighborhood and Its Character	5
IV. PROPOSED USE	7
A. Project Description	7
B. Operation	7
V. ANALYSIS AND FINDINGS	8
A. Consistency with the Master Plan	8
B. Environment	10
C. Compatibility	12
D. Future Reviews	15
VI. SPECIAL EXCEPTION FINDINGS	16
A. Standard for Evaluation (59-G-1.2.1)	16
B. General Development Standards (59-G-1.23)	18
C. General Conditions (59-G-1.21)	21
D. Standards and Requirements (59-G-2)	28
VII. COMMUNITY OUTREACH	31
VIII. CONCLUSION	32
IX. ATTACHMENTS:	32
A. Plans and drawings	
B. Letters	
C. Supplemental information	

I. RECOMMENDATION

Staff recommends APPROVAL of the proposed Special Exception with the following conditions:

1. The assisted living facility must be limited to a maximum of 107 units with no more than 135 beds.
2. The total number of employees on the site must not exceed 50 at any one time.
3. The proposed development must comply with the conditions of the Preliminary Forest Conservation Plan.
4. The Applicant must obtain approval of a Preliminary Plan per Chapter 50 of Montgomery County Code. If changes to the special exception site plan or other related plans are required, the Applicant must file a copy of the revised special exception site plan and related plans with the Board of Appeals.
5. The Applicant and Facility must comply with all applicable sections of the County Noise Ordinance (Chapter 31B of the County Code).
6. Garbage/dumpster pick-up must comply with time of day restrictions specified in Chapter 48-solid waste regulations which specify that no pick-ups may occur between 9:00 p.m. and 7:00 a.m. on any weekday, or between 9:00 p.m. and 9:00 a.m. on Sundays and federal holidays.
7. A sign permit must be obtained for the proposed monument sign from the Montgomery County Department of Permitting Services (MCDPS). If MCDPS determines that a variance is required, the Applicant must obtain a sign variance or adjust the design of the proposed sign to conform to all applicable regulations. A copy of the approved sign permit, along with any revised drawing related to the sign, must be submitted to the Board of Appeals before the sign is posted, and a copy of the permit for the approved sign must be submitted to the Board of Appeals.

II. STATEMENT OF THE CASE

The Sonia Danshes Trust and HHHUNT Corporation, Co-applicants (“Applicant”) seek a Special Exception identified as S-2841 (“Application” or “Special Exception”) to build and operate a 107-unit, 135 bed, Domiciliary Care Facility (“Facility”) consisting of two, two-story structures including basement space in the assisted living wing. The subject property is identified as Parcel P771 on Tax Map HT51 which is located on the east side of Georgia Avenue, approximately 1,000 feet of its intersection with Old Baltimore Road in the Olney Master Plan area (“Property” or “Subject Property”) The Property is zoned Rural Neighborhood Cluster (RNC).

The Property is currently owned by the Sonia Danshes Trust and HHHunt Corporation is the contract purchaser. Notification of the Application is properly posted. The Board of Appeals has issued a notice scheduling a public hearing of this Application for October 4, 2013 before the Hearing Examiner.

Proposed Development (Illustrative)



The two buildings; the *assisted living wing* located closer to Georgia Avenue, and the smaller, *special care wing*, located to the east of the assisted living wing, will be connected by an enclosed walkway and will have a total gross floor area (GFA) of 136,736 square feet (the GFA is Rounded to 136,750 square feet in the Applicant’s Report). The Facility will provide service for aging individuals and those suffering from Alzheimer’s and dementia with the combined total of 135 residents; 85, assisted living and 50, special care residents. The Facility will be in operation 24 hours of the day, 7

days a week. The Facility will have a maximum of 100 staff members in varying shifts. The Special Exception site plan provides for 99 parking spaces.

At the time of this writing, no letters or other communications have been received from members of the community either in support or in opposition to the Application.

III. APPLICATION

A. The Subject Property

The Subject Property is irregularly shaped and consists of 37.68 acres of land. The topography slopes to the south and east. Approximately 93 percent of the Property is covered with forest. The Property contains two main streams channels, a 100-year flood plain, and several wetlands. It currently consists of 35.15 acres of forest and several stream-channels and wetland areas.



B. Planning And Zoning History

The general area within which the Subject Property is located was placed in the Residential Agricultural (R-A) Zone prior to 1967 (staff was unable to determine the initial zoning date). The *1967 Olney Sectional Map Amendment (SMA E-998)* confirmed the R-A Zoning of the Property. The R-A Zone was renamed RE-2 in 1973 and the subsequent SMAs for Olney Master Plan Area—G-256 adopted in 1980 and G-564, adopted in 1987—confirmed the Property's RE-2 Zone. With the adoption of G-838 in 2005, the Property rezoned from RE-2 to RNC Zone.

C. Neighborhood and Its Character

The boundary of the neighborhood surrounding the Subject Property is defined by the following roads (including properties locating along either side of the streets):

North: Old Baltimore Road

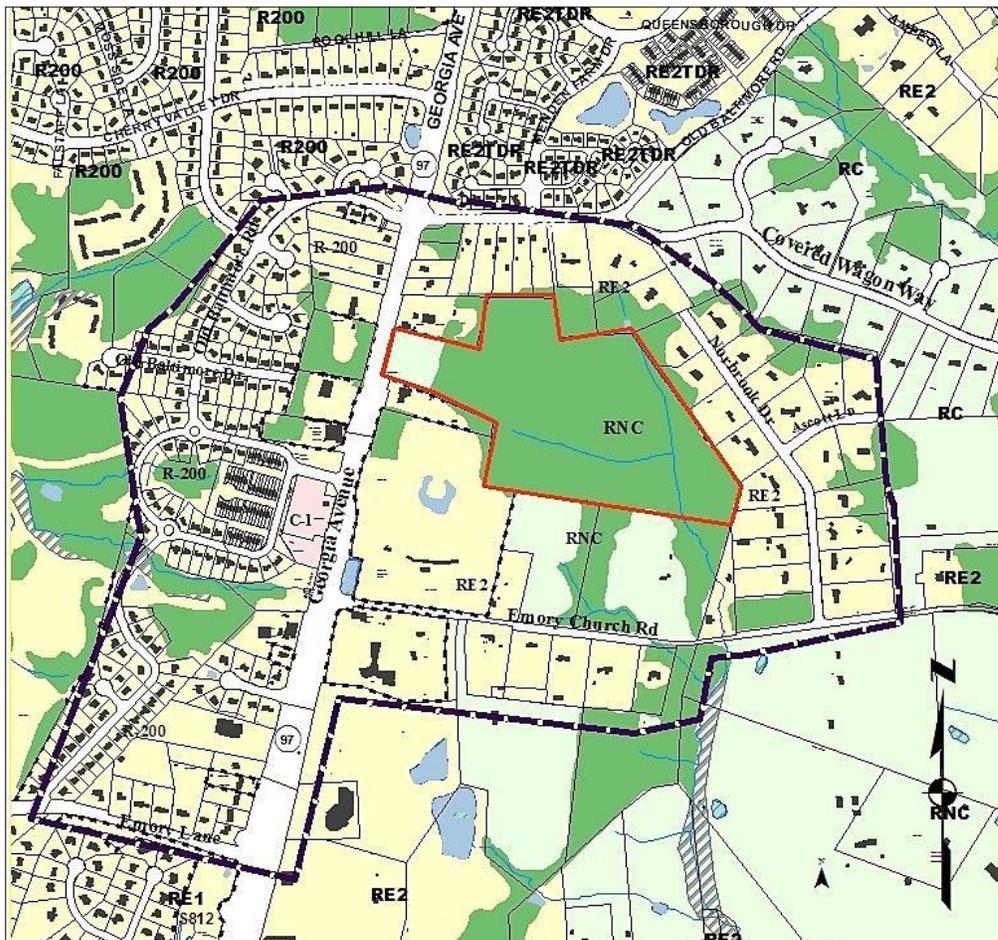
East: Norbrook Drive and Ascot Lane

West: Old Baltimore Road and Gooseneck Terrace

South: Emory Lane and Emory Church Road.

The eastern portion of the neighborhood consists of RE-2 Zoned large-lot residential properties, undeveloped land in the RNC Zone, a residential property designated by the Master Plan for Historic Preservation, the Sandy Spring Volunteer Fire Station and the Golden Bear Golf Range, all in the RE-2 Zone. The portion of the neighborhood that is west of Georgia Avenue is predominantly developed with single-family detached dwellings in the R-200 Zone, with the exception of a small neighborhood shopping center on commercially zoned (C-1) property located adjacent to Georgia Avenue. Other nonresidential uses in this portion of the neighborhood include a church, a day care center, and a Verizon building all in the R-200 Zone. A 3.5-acre property that was recently approved (S-2819) for a 65-bed assisted living facility for Alzheimer's and other memory loss patients is located directly across the road from the Subject Property in the R-200 Zone.

Vicinity Map



Staff's definition of the boundaries of the surrounding neighborhood slightly differs from that of the Applicant's due to the fact that the staff's version attempts to include signalized intersections incorporated in the traffic statement. In addition, staff's boundaries are consistent with that of the boundaries used in S-2819 Olney Assisted Living facility recently approved across the road from the Subject Property.

IV. PROPOSED USE

A. Project Description

The Applicant proposes to construct and operate a two-story, 107-bed domiciliary care facility to provide service for eighty-five individuals in the assisted living wing and 50 individuals in the special care wing. The Facility will be traditionally styled, and have approximately 136,750 square feet of gross floor area. The buildings will incorporate design elements and scale that would allow them to blend with the residential and institutional character of the surrounding area.

Spring Arbor Olney Square Footages		
	Assisted living	Special Care
Basement	21,323SF	20,376SF
1st Floor	39,608 SF	20,456SF
2nd Floor	34,973 SF	NA
Building Total	95,904 SF	40,832. SF
Project total	136,736 SF*	

*In the Applicant’s Planning Report the total square footage for the project was rounded to 136,750 SF.

The Special Exception plan provides for 99 parking spaces at five locations, dispersed in areas around the Facility. The parking spaces include eight handicap-accessible spaces of which six are van-accessible.

B. Operation

The Facility will have a total of 100 employees working various shifts on 24 –hour day. The Application proposes the following shift summary:

Assisted Living and Special Care Staff Summary		
Administrative staffing (Monday-Friday)	Resident Care Staffing (Monday-Friday)	Resident Care Staffing (Saturday and Sunday)
8:00 a.m.—4:00 p.m.	6:00 a.m.—2:00 p.m.	7:00 a.m.—3:00 p.m.
9:00 a.m.—5:00 p.m.	7:00 a.m.—3:00 p.m.	3:00 p.m.—11:00 p.m.
	8:00 a.m.—4:00 p.m.	11:00 p.m.—7:00 a.m.
	11:00 a.m.—7:00 p.m.	
	3:00 p.m.—11:00 p.m.	
	11:00 p.m.—7:00 a.m.	

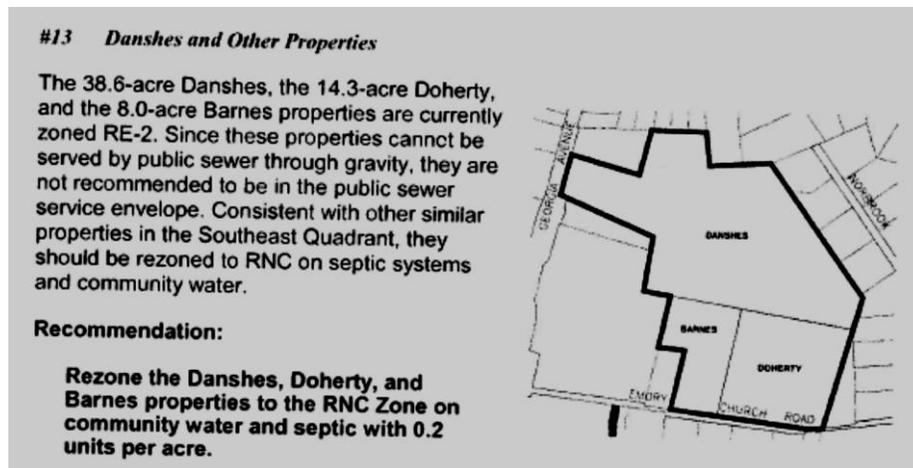
The Applicant has agreed that no more than 50 employees will be on site at one time, based on the most intense shift overlap being 9:00 a.m. to 5:00 p.m. Monday through Friday. Food items are delivered by semi-trucks and trailer up to three times a week with other non-food deliveries occurring about once a week. Mail delivery services are expected to visit the Facility on a daily basis between the hours of 10:00 a.m. and 3:00 p.m.

Trash is scheduled to be picked up two to three times a week between the hours of 7:00 a.m. and 9:00 p.m. This schedule is consistent with the requirements specified in Chapter 48-*Montgomery County Solid Waste Regulations*. The Special Exception plan provides for four dumpsters, placed at two locations behind the two buildings.

V. ANALYSIS AND FINDINGS

A. Consistency with the Master Plan

The Property is part of the Southeast Quadrant of Olney (page 24), where future development was a focus of the 2005 Olney Master Plan (“Master Plan”). The Master Plan provides general recommendations for the area as well as specific recommendations for more than a dozen properties in the quadrant. The Danshes property is one of three abutting properties that were discussed as a group on page 37 of the Master Plan.



Public Sewer and Water/Cluster Development

The Master Plan recommends reclassifying the three properties from the RE-2 Zone to the Rural Neighborhood Cluster (RNC) Zone. The Master Plan states that the properties could not be served by gravity sewer service and should, therefore be limited to the standard method development using community water service and septic systems. The maximum density for this type of development is 0.2 dwelling units to the acre, which the Master Plan also recommends for these properties.

Underlying the Application is a sewer category change request that has been conditionally approved by the Director of the Department of Environmental Protection. On June of 2011, the Planning Board reviewed the sewer and water category change request and recommended its approval. The Planning Board acted under the understanding that the assisted living facility proposed for the Property would be located near Georgia Avenue and would preserve environmentally sensitive stream valleys on the Property. The Planning Board understood that the proposal to use an on-site pressure sewer system and a short off-site gravity sewer main extension to reach an existing sewer under Georgia Avenue adequately addresses the sewer extension issue raised by the Master Plan. The proposed sewer which uses the existing main in Georgia Avenue avoids significant disruption to construct a lengthy gravity sewer within the

stream valley buffers that extend from the Property and towards the southeast. The Planning Board concurred with its staff's finding that the proposed Facility could satisfy the RNC Zone requirement to use the option of cluster development method in order to allow the provision of public water and sewer services without serious environmental impacts.

The Director of the Department of Environmental Protection conditioned the sewer category change on the Planning Board's approval of a Preliminary Plan that uses the optional, cluster development method. The proposed project would connect to the existing sewer line beneath Georgia Avenue. This decision reflects the belief that institutional uses on this Property—even with community sewer service—could meet the intent of the Olney Master Plan. The decision also indicates that the public policy allowing private institutional facilities to locate with community sewer service in areas not necessarily recommended for such service by the relevant master plan can reasonably meet some master plan recommendations.

Special Exception uses along Georgia Avenue

The 2005 Olney Master Plan has, as a primary goal, the provision of “a wide choice of housing types and neighborhoods for people of all income levels and ages and appropriate locations and densities” (p 15). The Housing Plan section also makes recommendations for the ongoing provision of housing for the elderly. The Master Plan (p 62) supports elderly housing projects of appropriate densities at appropriate locations. The Master Plan discourages Special Exception uses along the portion of Georgia Avenue between Norbeck Road and the Town Center in order to preserve the area's generally low-density residential character (p 42).

Visibility and Setback

The Master Plan recommends “a minimum of 100-foot setback for any dwelling or other structure along this stretch should be provided from the road right-of-way.” (p.41). It further recommends that “the negative impacts of Special Exception uses such as non-residential character, visibility of parking lots, excessive size, height and scale of buildings, and intrusive lighting” be minimized, and that uses with excessive imperviousness be discouraged.

The proposed project reflects a serious effort to reduce the non-residential effects of an assisted living facility at this location. While it is located in an area “discouraged” from allowing Special Exceptions, it complies with the Master Plan recommendations for forest preservation, natural resource protection, building setback, and the creation of undeveloped open space in the Southeast Quadrant. In addition, substantial row of trees will be planted in the areas between Georgia Avenue and the building. The Facility is set back from the road a minimum of 300 feet, three times the distance recommended by the Master Plan.

With the combination of forest preservation, the natural topography of the Property and extensive landscaping, the Facility will be barely visible from the Georgia Avenue.

Although many are by-right-uses, there are other commercial and institutional activities permitted by right in the immediate vicinity, including a fire station, church, and a retail center, so this use is not proposed for an exclusively residential area. With the existing land use pattern and the project's clear efforts to reduce institutional impacts and preserve natural resources, the Staff recommends approval of the proposed development.

B. Environment

Consistency with Environmental Guidelines

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) was approved for this 37.68-acre site on December 22, 2011. The Property currently has 35.15 acres of forest, with the remainder of the Property maintained in mowed grass with few scattered trees.

The Property drains to the Batchellors Forest Tributary of the Northwest Branch, which is classified by the State of Maryland as Use-IV waters. The topography slopes to the south and east towards a large wetland and stream system located within the forest. The Property contains several stream channels and nontidal wetland areas. There is a 100-year floodplain associated with the two stream channels. There are a few areas of steep slopes, primarily located within the environmental buffer, and there are no highly erodible soils on the Property.

Impervious Areas

Although this Property is not located in an area that has impervious limits, (i.e., Special Protection Area or Patuxent Primary Management Area), per the recommendations of the Olney Master Plan and the Countywide Stream Protection Strategy, the Applicants have made efforts to minimize impervious surfaces for the project:

- The building design was revised from a one-story to two-story building in order to reduce the footprint.
- The amount of surface parking area was reduced. The internal driveway that was originally designed to circle the entire perimeter of the two buildings was revised to that which was determined to be the minimum necessary to allow safe and adequate access to parking and to accommodate fire and rescue vehicles.
- The development is clustered near Georgia Avenue and away from the streams.
- The project preserves over 84 percent of the site as open space. Instead of the minimum 13.10 acres of forest, the project preserves 27.23 acres (72 percent of the site area) of forest.

The proposed impervious area was reduced from approximately 13.2 percent under the original plan submission to 10.9 percent. Based on Staff's analysis of approved residential developments located in the RNC Zone in the Olney and Damascus areas, the average amount of impervious area for projects is approximately 9.0 percent. With the use of two stories, the reduction in surface parking spaces, the revision to the circular driveway, the development located away from the streams, large open space area, and extensive forest save areas, Staff finds that the Applicant has made significant strides to reduce impervious coverage to acceptable levels.

Forest Conservation

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. A Preliminary Forest Conservation Plan (PFCP) has been submitted for

review and is recommended for approval as a separate action by the Planning Board as part of this Special Exception Application. There is approximately 35.15 acres of existing forest on the Property. The forest is dominated by tuliptree (*Liriodendron tulipifera*), red maple (*Acer rubrum*), and black walnut (*Juglans nigra*). There are three hundred and twelve (312) large or specimen trees located on or adjacent to the Property.

The project proposes to clear 7.92 and retain 27.23 acres of forest. Approximately 13.75 acres of the retained forest is located within the environmental buffer and the majority of the remaining 13.48 acres of forest is contiguous upland forest located adjacent to the environmental buffer. There is no forest planting requirement for this project and all of the retained forest and areas within the environmental buffer will be protected in a Category I conservation easement.

Forest Conversation Variance Request

The Applicant submitted a variance request in a letter dated June 18, 2013 (Attachment B). The Applicant's variance request proposes to remove two (2) trees that are 30 inches and greater, DBH, and to impact, but not remove, twenty (20) trees that are considered high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law. One of the trees included in the variance request to be impacted is dead (Tree #139), so it is deleted from the request, resulting in nineteen impacted trees rather than twenty. Eight of the trees to be impacted are located on the adjacent historic property to the north, known as the Berry-Mackall House, and are therefore subject to the variance provision, regardless of their size.

For a complete analysis of conformance with Chapter 22A, please refer to the Preliminary Forest Conservation Plan staff report being considered concurrently with this Special Exception review.

Noise

The *Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development* (June 1983), indicates that in this area of the County, a 60 dBA Ldn goal has been established as an achievable level of transportation generated noise impact on exterior spaces for residential properties. 45 dBA Ldn is established as the goal for interior noise levels. The *Traffic Noise Impact Analysis* provided by the Applicant indicates that there will be an impact from the traffic on Georgia Avenue that exceeds 60 dBA Ldn on certain outdoor open space located between the proposed Assisted Living Building and Georgia Avenue. This open space is proposed to be used by the residents for outdoor recreation. Based on the analysis, a noise barrier may be required and the Applicant will be required to submit a Barrier Analysis Report with the Site Plan. The noise analysis determined that there will be no impact from the traffic on Georgia Avenue to the interior of the building, so standard construction materials should be sufficient.

Stormwater Management

A stormwater management concept plan has been resubmitted with the revised Special Exception plan addressing earlier comments from the Montgomery County Department of Permitting Services. The Applicant's engineer anticipates concept plan approval will be granted

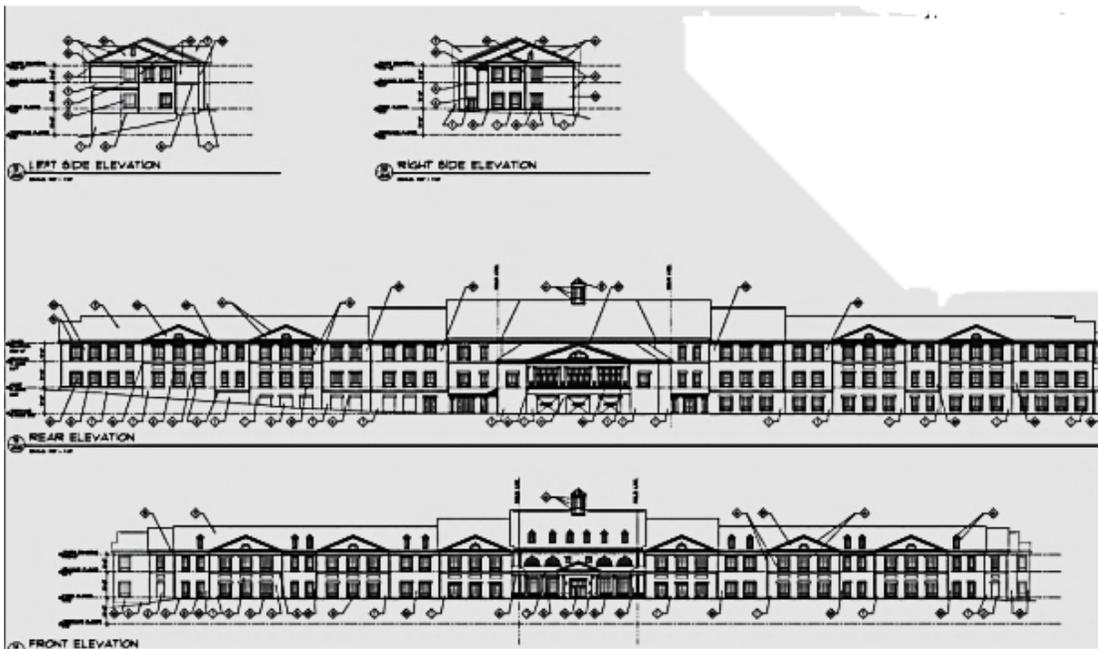
in the coming few weeks. The stormwater management concept incorporates the use of drywells, micro-bioretenion facilities, rain gardens, and pervious pavement.

C. Compatibility

Building, Exterior

The proposed two-story facility has been designed to blend with the adjoining residential communities. The proposed building incorporates architectural features and materials that match the character of the surrounding structures. Substantial landscaping provides screening of the parking area from Georgia Avenue. The proposed lighting will not cause glare on adjoining properties.

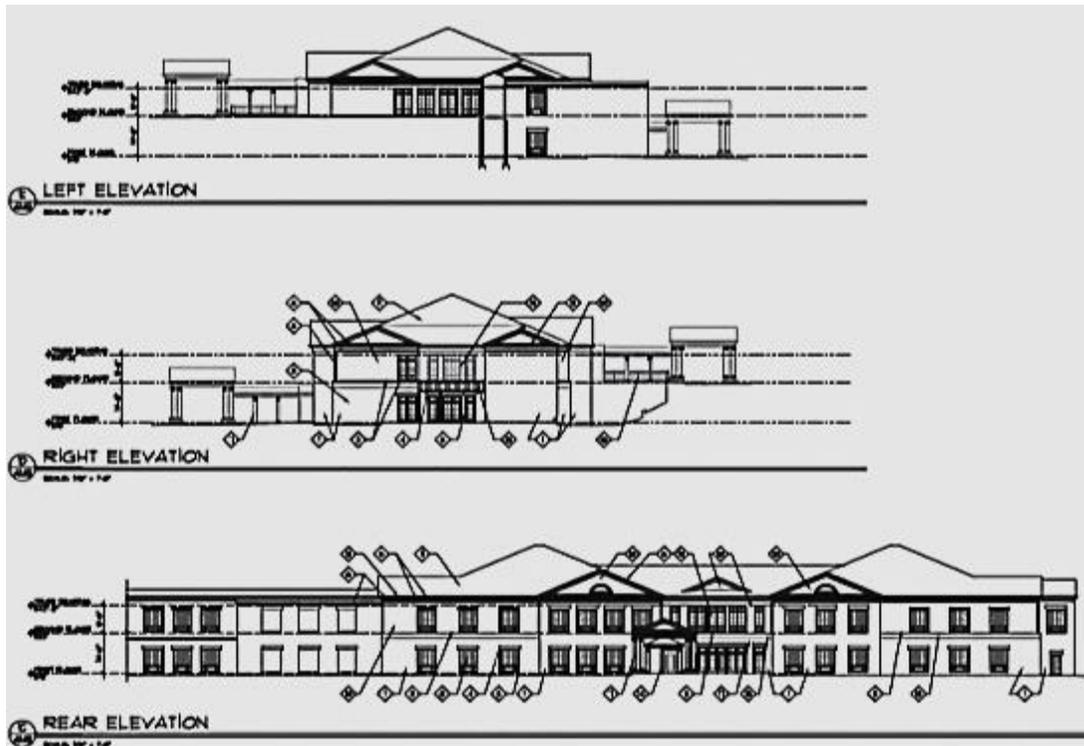
Elevations Assisted Living (Illustrative)



The assisted living wing (the building closest to Georgia Avenue) is set back 300 feet from the Georgia Avenue ultimate right-of-way and sits at an elevation lower than the adjoining fire station to the south and the residential/historic property to the north. A combination of topography, ample landscaping, and creative site design renders the building barely visible from the road. The assisted living wing is a two-story building plus a basement with a brick façade complemented by accent panels and siding. It is connected to the special care wing located to the east by a covered walkway to facilitate easy access between the two wings of the Facility and the various services within each wing.

The special care wing is a two-story building dedicated to house 50 residents with special care needs such as Alzheimer's, dementia and other critical conditions. Building features and architectural elements of the special care wing mirror the assisted living wing. The area around the special care wing features two enclosed court yards surrounded by eight foot high aluminum fences to provide safety and security to the residents.

Special Care Building (illustrative)



The Applicant’s Planning and Engineering Report provides the following descriptions of the exterior features of the two buildings:

“The front elevation features pedimented bays residential style windows as well as a central entrance with a columned porte-cochere and large half round windows. The classically proportional façade incorporates a generous amount of brick complemented by panels of traditional siding in a Williamsburg palette.”

Building, Interior

The Applicant’s statement indicates that approximately one half of the residential units are located on the first floor of the building with the remaining half being located on the second floor.

The amenities in the assisted living wing include a large library with loud and quiet areas, café, living rooms, activity rooms, sunroom, music rooms and a large formal dining room overlooking the preserved natural environment at the rear portion of the property. The amenities are located at the first and second floors as well as the terrace level.

The assisted living wing is also designed to project and provide a “home-like” quality of life. Services provided for the residents include supporting medical facilities, small swimming therapy area, game rooms, theater and beauty salon. The building’s supporting services—the commercial kitchen, laundry, maintenance shop, house and residents’ storages, and staff

lounge—are located on the terrace level. The east end of the terrace level also contains an area with a doctor’s office with exam room, therapy room and a therapy pool. This area is connected to the upper level of the adjacent special care wing by enclosed walk way.

The special care wing interior is designed with consideration for those with memory loss. The design features include smaller scale spaces and residential finishes. Each level of the special care wing has its own entrance. Each floor of the building is divided into two wings each with eight to thirteen residents housed in single and double occupancy rooms. Each wing has its own shared living room. Each floor has a dining room, serving kitchen, a cottage care coordinator, nurses’ office, a medication room and a controlled multi-sensory therapy room. The floor plan also includes an activity room, family room, resident’s laundry, a spa as well as staff and support functions.

Access

Access to the Facility will be provided from Georgia Avenue by a 48-foot wide driveway (separated by a median) that narrows to 24 foot in the interior of the property. The driveway extends about 220 feet and splits into two driveways, encircling the two buildings (with the exception of small gap at the rear of Building #1). Parking spaces are located at five locations along the driveway loop. The last revised Special Exception site plan, dated August 29, 2013, shows a network of five-foot sidewalks leading to strategically placed gathering areas near the two buildings. The sidewalk system is also connects with the sidewalk along Georgia Avenue.

Open Space, Landscape and Lighting

The Master Plan recommends that any future Special Exception along the area between Georgia Avenue and Norbeck Rod and MD 108 should be landscaped such that they are not



visible from the road. In particular, their lighting design should be carefully considered to make sure no halo effect or nightglow is produced by excessive lighting. (p.41)

The cluster method of development is intended to preserve large areas of contiguous rural open space, consistent with the recommendations and guidelines of the Olney Master Plan. Under the optional method of development, common open space is applied towards the rural open space requirement. Common open space is intended for common use by the residents for the neighborhood and

may be either centrally positioned in the neighborhood bordered by streets and building lots; or configured as an open space bordered with streets on all sides and generally intended for a smaller neighborhood.

In accordance with section 59C-9.574 (h2), the total rural open space makes up roughly 85 percent of the Site (31.80 acres). The forest to be retained (approximately 27.29 acres) and green space areas (approximately 4.51 acres) were included in the total rural open space and are clearly illustrated on the Open Space Plan. The development is clustered toward the front of the property and is accessed directly from Georgia Avenue. The forest to be retained is primarily located east of the main entrance of the Site and along the north and south property boundaries. The proposed use will be served by one main entrance, three drop-off points, five parking facilities and two loading areas. The onsite recreational amenities include four gathering areas that adequately address the specific needs of the residents and staff.

The pedestrian sidewalk makes a continuous loop along the roadways and the rear façade of the proposed buildings. It will be a minimum of 5 feet wide, but increases to 7 feet when confronted by the parking facilities to ensure adequate handicap accessibility at all times. The parking facilities and paved surfaces are adequately buffered with shade trees from the Georgia Avenue right-of-way, in order to reduce visual impacts and the urban heat island effects that may cause heat waves and/or heat strokes for the elderly. The proposed shading for paved surfaces exceeds the minimum requirement by providing 33.7 percent (approximately 30,510 square feet) of shade over the roadways throughout the Site. The layout of the parking facilities is specifically designed to separate the needs and requirements of the visitors, staff and the Fire & Rescue Department.

The total internal landscaped areas for the surface parking facilities (5) exceed the minimum requirement by providing 22.5 percent (approximately 9,979 square feet) of green space. The loading and dumpster areas are located along the rear façades of each of the proposed buildings, and are adequately buffered by the existing treeline. The Applicant has worked with M-NCPPC Staff to improve the original building design and the impervious surfaces to accommodate a 2.35 percent reduction from the original concept.

The maximum height of the proposed lighting is 15 feet, with full-cutoff devices installed on the fixtures that directly abut the north, south and east property boundaries. The illumination levels have also been reduced near the entrance of the Site, in order to meet the minimum requirement (i.e., 0.1 foot-candles) and reduce any light pollution spilled on the neighboring properties. The proposed LED fixtures are designed for ease of maintenance and maximize post spacing while maintaining uniform illumination.

D. Future Reviews

The Subject Property is not recorded by record plat. If the Special Exception request is granted, it will be required to go through the subdivision process for a review of adequate public facilities and compliance with subdivision regulations. The Property must be recorded by plat before a building permit is issued.

A site plan approval is required under the optional method of the Rural Neighborhood Zone (59-C.576). Design, landscaping and other amenities will be addressed in more details at site plan review where the Special Exception plan will be presented with more developed and refined design, architecture, and landscape details.

Subject Site and Proposed project



VI. SPECIAL EXCEPTION FINDINGS

A. Standard For Evaluation (59-G-1.2.1)

A Special Exception must not be granted without the findings required by this Article. In making these findings, the Board of Appeals, Hearing Examiner, or District Council, as the case may be, must consider the inherent and non-inherent adverse effects of the use on nearby properties and the general neighborhood at the proposed location, irrespective of adverse effects the use might have if established elsewhere in the zone. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are not a sufficient basis for denial of a Special Exception. Non-inherent adverse effects are physical and operational characteristics not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with inherent adverse effects, are a sufficient basis to deny a Special Exception.

As established in previous Special Exception cases, seven criteria are used to identify the physical and operational characteristics of a use. Those criteria are *size, scale, scope, lighting, noise, traffic, and the environment*. What must be determined is whether these effects are acceptable or would create adverse impacts sufficient to result in denial. The inherent, generic physical and operational characteristics associated with a nursing home or domiciliary care home are (1) buildings and related outdoor recreational areas or facilities (2) parking areas, (3) lighting, (4) vehicular trips to and from the site by employees, visitors, residents, delivery, and trash pick-up (5) Noise generated by equipment for The Facility include an emergency generator.

Many of the characteristics of the Special Exception are inherent. The proposed scale of the building, the internal vehicular circulation system, and the on-site parking areas shown on the Special Exception site plan are operational characteristics typically associated with a nursing home or domiciliary care home. The proposed two-story buildings are designed in a manner that complements the surrounding residential characteristics of the surrounding development in terms of size, scale, scope, massing, architectural features, building materials and orientation. The design of the buildings and site layout also complement the environmentally sensitive nature of the Property and has taken measures to protect existing forest, stream valleys.

The large size of the Subject Property, relative to the proposed development envelope which utilizes only about 11 percent of the Property coupled with the substantial size of area dedicated for preservation of various environmental resources on the site, is a non-inherent characteristic. But this non-inherent characteristic is one that is a positive influence on the design and use of the Facility and it is a valuable amenity and cannot be considered as sufficient basis for denial.

There is no evidence to suggest that the operation of the proposed use would cause objectionable noise so long as County regulations regarding noise (Chapter 31B) and trash/dumpster pickup (Chapter 48-21) are followed. However, staff is recommending that the Applicant must submit a Barrier Analysis Report with the future site plan to ensure that there will be no impact to the outdoor open space located between the proposed building and Georgia Avenue.

Due to the nature of the Facility and its residents who are less likely to use vehicles due to age or related health issues, the level of traffic expected to be generated by the Facility is relatively small. The majority of the traffic near and on the Property will be generated by the Facility's staff and visitors. Based on the traffic analysis by staff, the vehicular and pedestrian movement surrounding the site and on Georgia Avenue would be safe and adequate.

The 37.68-acre Property has a significant level of environmental features. The substantial size stream valley buffers, and forest conservation areas, streams, floodplains, wetlands, and varying degrees of slopes are non-inherent characteristics of the site. However these characteristics, in addition to serving as natural buffer between the adjacent developments and the Facility, are also natural amenities that provide a special aesthetic quality and serene natural environment to the residents of the Facility. Therefore, these particular non-inherent characteristics do not warrant a denial of the Application.

The proposed Facility is consistent with all applicable standards of the RNC Zone and satisfies all applicable requirements for a nursing home or domiciliary care home Special Exception. The lighting concept, as proposed, is appropriate for the proposed use at the subject location.

With the recommended conditions of approval, the inherent and non-inherent impacts associated with the proposed use do not rise to a level sufficient to warrant a denial of the Application.

B. General Development Standards (59-G-1.23)

(a) Development Standards. Special Exceptions are subject to the development standards of the applicable zone where the Special Exception is located, except when the standard is specified in Section G-1.23 or in Section G-2.

Development Standard			
RNC-Optional Method	Required		Proposed
	§59-9.574 RNC Zone	§59-G-2.37 (S-2841)	
Minimum net Lot Area of Development	10 ac	5 ac	37.55ac (net)
Minimum Lot width			
• @ Front building line BRL)	100 ft	-	320 ft
• @ Street line	25 ft	-	320 ft
Minimum Building Setback			
Front	15 ft	-	301.66
Side			-
▪ One side	17 ft	>20 ft	106.11 ft
▪ Sum of both sides	35	-	117.84 ft
▪ Rear	30 ft	-	740ft
Maximum Building Height	35 ft	-	35ft
Maximum Building Coverage	35% (for single family unit)	-	8%
Rural Open Space	65%-85%	-	84.69

(b) Parking requirements. Special Exceptions are subject to all relevant requirements of **Article 59-E.**

Section 59-E-3.7—Parking requirements §59-G-2.35(c) (1)

Domiciliary Care Home: One parking space for every 4 beds and one space for every 2 employees on largest work shift. See finding below.

59-G-2.37(D) (Specific Special exception requirement)

Off-street parking must be provided in the amount of one space for every 4 beds and one space for 2 employees on the largest work shift, except the board may specify additional off-street parking spaces where the method of operation or type of care to be provided indicates an increase will be needed.

A total of 84 parking spaces are required for the use

1 space/4 beds@135 beds = 34

1 space/2 employees@ 100 employees=50

The Special Exception site plan provides a total of 99 spaces, six van-accessible handicap spaces and two regular handicap parking spaces. The proposed parking spaces are sufficient to accommodate the parking needs of 100 employees (full and part-time) as well as visitors.

59-E-2.3. Standard for Bicycle and Motorcycle parking

All parking facilities containing more than 50 parking spaces shall provide one bicycle parking space or locker for each 20 automobile parking spaces in the Facility. Not more than 20 bicycle parking stalls or lockers shall be required in any one facility. (59-E-2.3 (a))

Three motorcycle spaces and a locker for five bicycles are proposed.

Bicycle parking facilities shall be so located as to be safe from motor vehicle traffic and secure from theft. Interior storage and lockers are encouraged. They shall be properly repaired and maintained. (59-E-2.3 (b))

The bicycle locker, which is most likely to be utilized by staff of the Facility, will be located on the terrace level of the assisted living wing, by the rear entrance, under the first floor porch.

All parking facilities containing more than 50 parking spaces shall provide motorcycle stalls equal to at least 2 percent of the number of auto spaces. Not more than 10 motorcycle stalls shall be required on any one lot. . (59-E-2.3 (d))

Three motorcycle spaces are provided in the parking area behind the assisted living wing.

(c) Minimum frontage (waiver)

The Subject Property has 320 feet of frontage on Georgia Avenue and meets the minimum requirements of 25 feet.

(d) Forest conservation. If a Special Exception is subject to Chapter 22A, the Board must consider the preliminary forest conservation plan required by that Chapter when approving the Special Exception application and must not approve a Special Exception that conflicts with the preliminary forest conservation plan.

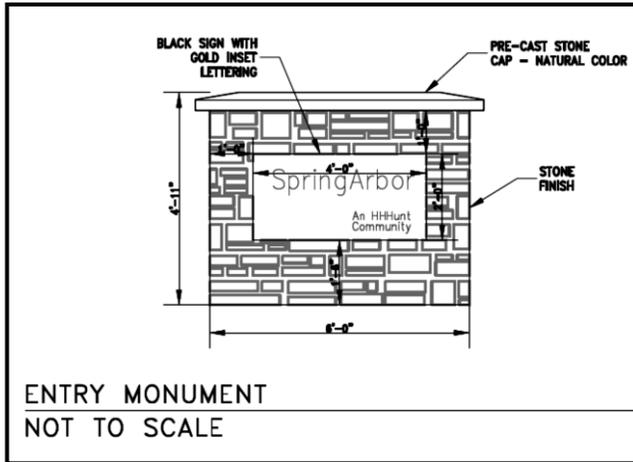
The site is subject to Chapter 22A Montgomery County Forest Conservation Law. Preliminary Forest Conservation Plan recommendations are reviewed by the Planning Board as a regulatory item, separate from the review of the Special Exception Application. Staff is recommending approval of the PFCP, with conditions. This Application is also subject to Chapter 22A-21, which requires that a variance be granted by the Planning Board for the proposed removal of 2 specimen trees and impacts to the critical root zones of 19 specimen trees of which eight are located on the adjacent historic property to the north. Staff recommends approval of the forest conservation plan and the requested variance. Please refer to the Forest Conservation Plan staff report being reviewed concurrently with this Special Exception for a complete analysis of Chapter 22A.

(e) Water Quality Plan

Not applicable

(f) Signs. The display of a sign must comply with Article 59-F.

A 29.52 square-foot (4'11"X6.0") monument sign is proposed as part of the Application. All signs placed on the Property must meet the requirements of Section 59-F-4.2 (a) in terms of



number, location and size and Section 59-F-4.1 (e) regarding illumination. The proposed sign exceeds the two-square-foot of area allowed in a residential area (59-F.2 (a) (1) and therefore, a sign variance may be required. The determination of compliance with Section 59-F-4.2 (a), sign requirements in a residential zone, is made by MCDPS..

Because of the wide frontage that the Property has along Georgia Avenue and

the amount of traffic on Georgia Avenue, staff is of the opinion that the proposed sign as it is currently proportioned is appropriate at the location shown on the Special Exception Site Plan. If the special exception request is granted, the sign will also be subject to staff review as part of the Site Plan review process.

(g) Building compatibility in residential zones. Any structure that is constructed, reconstructed or altered under a Special Exception in a residential zone must be well related to the surrounding area in its siting, landscaping, scale, bulk, height, materials, and textures, and must have a residential appearance where appropriate. Large building elevations must be divided into distinct planes by wall offsets or architectural articulation to achieve compatible scale and massing.

The proposed buildings are compatible with the surrounding area in terms of scale, bulk, height, and architectural features. The exterior of the proposed Facility appears residential in character and incorporates several features of single-family detached homes in the adjacent residential communities. The proposed buildings also relate and blend well with the architectural elements and features of existing buildings that surround site.

The proposed landscape plan provides for extensive screening that includes a combination of shade and ornamental trees and shrubs, on all sides of the Facility including the frontage on Georgia Avenue.

(h) Lighting in residential zones. All outdoor lighting must be located, shielded, landscaped, or otherwise buffered so that no direct light intrudes into an adjacent residential

property. The following lighting standards must be met unless the Board requires different standards for a recreational facility or to improve public safety:

- (1) Luminaires must incorporate a glare and spill light control device to minimize glare and light trespass. (See finding under (2) below)
- (2) Lighting levels along the side and rear lot lines must not exceed 0.1 foot candles.

The lighting plan adequately and efficiently provides a safe vehicular and pedestrian environment. The proposed lighting will not cause glare on adjoining properties, nor will it exceed the 0.1 foot-candle standard at the side and rear property lines. A photometric study was submitted with the Application to show that the proposed modification satisfies this requirement.

C. General Conditions (59-G-1.21)

- (a) A Special Exception may be granted when the Board or the Hearing Examiner finds from a preponderance of the evidence of record that the proposed use:

- (1) Is a permissible Special Exception in the zone.

The proposed use is permitted by Special Exception in the RNC Zone.

- (2) Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a Special Exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a Special Exception to be granted.

With staff's recommended conditions of approval, the proposal satisfies the specific Special Exception standards and requirements of Section 59.G-2.37 for granting of a Special Exception for a nursing home or domiciliary care home.

- (3) Will be consistent with the General Plan for the physical development of the District, including any master plan adopted by the Commission. Any decision to grant or deny a Special Exception must be consistent with any recommendation in a master plan regarding the appropriateness of a Special Exception at a particular location. If the Planning Board or the Board's technical staff in its report on a Special Exception concludes that granting a particular Special Exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant the Special Exception must include specific findings as to master plan consistency.

The Property is located in the area identified as the "Quadrant" in the 2005 Olney Master Plan. The proposed Facility is consistent with the recommendations of the Master Plan. The proposal meets the Master Plan's goal of providing housing choices for the elderly at a density and scale generally harmonious with the largely residential character of this part of Olney.

The Plan, as its primary goal, specifies that “a wide choice of housing types and neighborhoods for people of all income levels and ages and appropriate locations and densities” (p 15). Addressing Special Exception uses, on page 4, the Master Plan recommends discouraging Special Exception uses along the portion of Georgia Avenue between Norbeck Road and the Town Center to preserve the area’s low-density residential character. The Master Plan also recommends that “the negative impacts of Special Exception uses such as non-residential character, visibility of parking lots, excessive size, height and scale of buildings, and intrusive lighting” be minimized.

The design of the Facility has been revised from a single-story, single building that was originally proposed to the current two-story, two buildings scheme to reduce building footprint thereby, minimizing impervious surface areas and increasing forest retention. The proposed two-story facility has been designed to blend with the adjoining residential communities. The proposed building incorporates architectural features and materials that match the character of the surrounding structures. Substantial landscaping and natural topographical features along with substantial setback provide screening and buffering of the Facility and associated parking area and driveways from Georgia Avenue. The proposed lighting will not cause glare on adjoining properties. The Facility will also use public sewer so that development can be clustered away from environmentally sensitive areas and a greater area of forest can be preserved had septic reserve area been necessary. The connection to the existing sewer line in Georgia Avenue also avoids disruption for new sewer construction along a lengthy section of stream valley both on and offsite.

The Facility will provide aging residents with a measure of independence while making necessary services, including medical care and recreational services available to them on-site. The proposal meets the Master Plan goal of providing housing choices for the elderly at a density and scale generally harmonious with the largely residential character of this part of Olney. The proposed Facility is appropriate amongst the existing mix of institutional, residential, and light commercial uses in the area.

(4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.

The proposed use will be in harmony with the general character of the neighborhood and satisfies this requirement.

Considerable effort has been made to integrate the 136,736 square-foot Facility into the area in a manner that is compatible with existing residential developments in terms of scale, bulk, height materials, texture and architectural features. The buildings’ physical presence is substantially diminished by the sheer size of the 37.68-acre Property (of which only about 11% of it would be developed), the integration of the natural topographic features into the designs of the buildings, and the overall site lay out of the

development. Adequate off-street parking spaces are provided to satisfy the needs of the Facility.

- (5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

The proposed use will not be detrimental to the use, peaceful enjoyment, economic value or development of adjacent properties or the general neighborhood, provided that the Applicant complies with the recommended conditions of approval of this application. Due to its nature, the use would not generate a level of traffic that would raise concern for congestion on the streets. The proposal provides for safe, sufficient and orderly internal traffic and pedestrian circulation. The single access point is adequate to accommodate the site-generated traffic.

Sufficient on-site parking spaces are provided to accommodate the parking needs of the Facility. In addition, the Special Exception site plan shows 3 motorcycle spaces in the southwestern parking area behind the assisted living wing and a bicycle rack with five spaces will be located near its rear entrance. The parking facilities and paved surfaces are adequately buffered with shade trees from Georgia Avenue, in order to reduce visual impacts and the urban heat island effects that may cause heats waves and/or heat strokes for the elderly.

Spring Arbor: Georgia Avenue Entrance Perspective



The proposed Facility is designed to blend with the prevailing low density residential, institutional, and semi-rural character of the surrounding area. The building, courtyards (passive recreation areas), parking area, and the trash dumpsters are separated by substantial distances from the nearest residential uses. The proposed screening and

buffering in the form of landscaping, fences, forest retention, and topography ensure that the Property and activities are adequately screened and buffered from adjoining residential dwellings.

(6) Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

The proposed use is not expected to cause any objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the site. Sources generating noise outside the structure including HVAC equipment, an emergency generator and other noise generating activities (loading/unloading, delivery/refrigeration trucks) do not appear to be unusual for the type of use proposed. As depicted on the Special Exception site plan, the generator will be located in front of the assisted living wing closer to the road, substantially distanced from the nearest residential development, and will be screened and buffered by conservation areas, extensive landscaping, and the building itself.

A natural gas operated emergency generator will be located behind the assisted living wing. It is approximately 95 feet from the nearest property line. It will be located inside of a masonry enclosure, which will significantly reduce the noise level. The masonry enclosure for the generator will be attached to the enclosure for the dumpsters. According to information provided by the Applicant's engineer, the generator will be tested weekly, mostly on Wednesdays, for approximately 15 minutes (no more than 20 minutes), between the hours of 10:00 a.m. and 12:00 p.m. to allow it to run a diagnostic to test its readiness. The generator is programmed to alert the user to any problems so that any issues can be addressed before there is a need for using the equipment. The generator produces 70 dBA at a distance of 23 feet from the exhaust pipe and it will be placed reasonably distanced from the building and at a lower level than the building that it will not affect residents.

The Applicant's engineer also stated that the HVAC units are a combination of the through-the-wall style, for the resident rooms, and central units for the common areas. The through-the-wall units are similar to residential HVAC systems and therefore, will produce no more noise than typical residential units. The Applicant indicated that the final design is not yet completed but to the extent possible, the HVAC systems will be located to the rear of the assisted living wing. (near the generator). The location of the HVAC system will be several hundred feet from the closest residentially occupied property and should have no impact on adjoining residents.

In addition to the requirements noted in this report, the Applicant must adhere to current County regulations regarding noise (Chapter 31B) and trash/dumpster pickup (Chapter 48-21).

Trash will be picked up two to three times a week between 7:00 a.m. and 9:00 p.m. Staff recommends the pickup hours must be revised to between 8:00 a.m. and 9:00 p.m. to be

consistent with the Solid Waste Regulations. The trash dumpsters will be located in the rear yard (south) at two locations behind each building. The Special Exception site plan and landscaping plans show the dumpsters will be enclosed by 6-foot-high vinyl screen fences. The dumpster enclosures are not visible from the road or any of the adjoining properties.

The use will be adequately screened and buffered from the views of neighboring properties, with minimal lighting and glare, and no significant traffic impact.

(7) Will not, when evaluated in conjunction with existing and approved Special Exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of Special Exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special Exception uses that are consistent with the recommendations of a master plan do not alter the nature of an area.

Staff has identified at least Five Special Exception uses within the surrounding area (as defined by Staff):

- *S-2819 Olney assisted Living: a 64-unit, domiciliary care facility for individuals suffering from Alzheimer's, dementia, and other forms of memory loss.*
- *BAS-134: a Horticultural nursery and Commercial greenhouse use at 16901 Georgia Avenue, granted in 1972. The site later became a golf park with the approval of Special Exception S-2187 in 1995.*
- *S-2187: The Olney Golf Park located at 3414 Emory Church Road granted in 1995*
- *S-1717: a major home occupation use at 17045 Old Baltimore Road, granted in 1989*
- *BAS-735: a public utility building for Verizon at 16900 Georgia Avenue, granted in 1980*

The Special Exception for S-2819 was approved in January of 2012, and the facility has not yet been built. The Golf Park is still active. Staff is not certain how many of the remaining Special Exception uses are currently active. There is also a child care center located across the street from the subject site. The day care use is a Special Exception use under the current Ordinance, but because it predates the current requirements, it is grand fathered as a "by right use".

The predominant characteristic of the neighborhood is one that features a variety of mostly institutional and other nonresidential uses housed in low-rise buildings along both sides of Georgia Avenue, with low-density residential developments concentrated behind the nonresidential uses.

The proposed Special Exception will not increase the number, intensity, and scope of approved Special Exceptions in the area enough to affect the area adversely or alter its residential nature. By its nature, the proposed use is residential, and one that generated only a minimal volume of traffic. The Facility is designed to project a residential

appearance with architectural feature, building style and materials. The portion of the building that is closest Georgia Avenue is set back from the road more than three times (300 feet) recommended by the Master Plan. Landscaping, natural topography and innovative site lay out further reduce visibility of the development. There are no parking areas in the front yard. The parking areas are set back over 300 feet from the road and are not likely to be visible from the road. The proposed use is constant with the recommendation of the applicable Master Plan and will not change the predominantly residential nature of the area.

- (8) Will not adversely affect the health, safety, security, morals, or general welfare of residents, visitors, or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

The proposed Special Exception will not adversely affect the health, safety, security, morals or welfare of residents, visitors or workers in the area. The proposed project will add to the vitality of the neighborhood by providing a needed service to the community. The Facility would provide a valuable service to the community by offering the elderly including those in need of the Facility's specialized services, an opportunity to remain in their community.

- (9) Will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.**

(A) If the Special Exception use requires approval of a Preliminary Plan of Subdivision, the Planning Board must determine the adequacy of public facilities in its subdivision review. In that case, approval of a Preliminary Plan of Subdivision must be a condition of granting the Special Exception.

The subject Special Exception is subject to approval of a Preliminary Plan of Subdivision, and is a condition of its approval. The adequacy of public facilities will be determined by the Planning Board at that time.

(i) Water and Sewer Service

The Property is currently in water category W-6 and sewer category S-6. A water and sewer category change has been conditionally approved for the site in 2011 with W-1 water category designation and S-3 sewer category designation. The final approval for the new designations will require the Planning Board approval of a Preliminary Plan of Subdivision that uses the optional cluster development method under the RNC Zone requirements.

Sewer service will be provided via the existing main under Georgia Avenue. Information provided by the Applicant indicates that a 16-inch water main is available for water service and a short sewer extension will be required to reach the existing sewer within Georgia Avenue. The Applicant proposes a pressure sewer to pump sewage up to the Georgia Avenue gravity sewer due to the topography.

(ii) Transportation

Based on information submitted by the Applicant, the Facility would generate a maximum of four peak-hour trips during the weekday morning (6:30 a.m. to 9:30 a.m.) and a maximum seven peak-hour trips during the weekday evening (4:00 p.m. to 7:00 p.m.) peak periods, respectively. Therefore, no traffic study is required to satisfy the Local Area Transportation Review test.

Transportation Policy Area Review (TPAR)

The Property is located in the Olney Policy Area. According to the 2012-2016 Subdivision Staging Policy (SSP), the Olney Policy Area is adequate under the roadway test and inadequate under transit test, requiring 25% of Impact Tax as TPAR payment. The requirements of Transportation Policy Area Review, however, will be analyzed at the time of Preliminary Plan of Subdivision review when the Adequate Public Facility test is conducted.

Site Access and Vehicular/Pedestrian Circulation

Access to the Facility will be provided from Georgia Avenue via a monumental driveway which will be a right-in/right-out only. Based on the site distance analysis submitted by the Applicant, the proposed driveway will satisfy the State Highway Administration (SHA) sight distance requirements. The proposed driveway is subject to the SHA review and approval when the Applicant requests an access permit from the SHA.

The proposed access points and internal traffic/pedestrian circulation system shown on the Special Exception site plan and finds them to be adequate. The requested Special Exception will not have an adverse effect on the nearby road system provided that the following conditions are met:

- 1. Total development under the subject Special Exception Application is limited to an assisted living facility with a maximum number of 107 units.*
- 2. The Applicant must address the Transportation Policy Area Review (TPAR) requirements at the time of Preliminary Plan of Subdivision application.*

(iii) Fire and Police

The proposed Facility is located within close proximity to fire and police stations. The Sandy Spring Volunteer Fire Department is located on the adjacent property to the south. The Applicant has conveyed 4,700 square feet of land to the adjacent Fire Station to allow for future expansion of the station. The Montgomery County Police Department satellite facility is located about a mile from the Subject Property at 17821 Georgia Avenue.

(B) If the Special Exception:

- (i) does not require approval of a new Preliminary Plan of Subdivision; and**

- (ii) the determination of adequate public facilities for the site is not currently valid for an impact that is the same as or greater than the Special Exception's impact;**

Then the Board of Appeals or the Hearing Examiner must determine the adequacy of public facilities when it considers the Special Exception application. The Board of Appeals or the Hearing Examiner must consider whether the available public facilities and services will be adequate to serve the proposed development under the Growth Policy standards in effect when the application was submitted.

The Special Exception is subject to approval of a Preliminary Plan of Subdivision, and the adequacy of public facilities will be determined by the Planning Board at that time.

- (C) With regard to public roads, the Board or the Hearing Examiner must further find that the proposed development will not reduce the safety of vehicular or pedestrian traffic.**

The proposed use will be adequately served by existing public facilities. The Local Area Transportation Review (LATR) Guidelines require that a traffic study be performed if the use generates 30 or more peak hour trips. As noted, the proposed Facility would generate a maximum of four trips during the weekday morning peak period and a maximum of seven trips during the weekday evening peak period. Therefore, a traffic study is not needed to satisfy LATR requirements. The proposed use is not likely to negatively impact the safety of vehicular or pedestrian traffic.

- (b) Nothing in this Article relieves an Applicant from complying with all requirements to obtain a building permit or any other approval required by law. The Board's finding of any facts regarding public facilities does not bind any other agency or department which approves or licenses the project.**

No finding is required.

- (c) The Applicant for a Special Exception has the burden of proof to show that the proposed use satisfies all applicable general and specific standards under this Article. This burden includes the burden of going forward with the evidence, and the burden of persuasion on all questions of fact.**

The Application satisfies all applicable general and specific standards. The Applicant has met the burden of proof under the specific requirements of Section 59-G-2.37 "Nursing Home or Domiciliary Care Home" and the general conditions under Section 59-G-21(a).

D. Standards and Requirements (59-G-2)

Section 59-G-2.37. Nursing home or domiciliary care home.

(a) A nursing home of any size, or a domiciliary care home for more than 16 residents (for 16 residents or less see "Group home") may be allowed if the board can find as prerequisites that:

- 1. the use will not adversely affect the present character or future development of the surrounding residential community due to bulk, traffic, noise, or number of residents;**

The use will not adversely affect the present character or future development of the surrounding residential community. The Special Exception site and landscape plans provide for extensive landscaping, generously sized green spaces, and sufficient building setbacks. The Facility is substantially distanced from the residential properties to the rear, and the presence of slopes, screening and buffering effectuates an environmentally sensitive and compatible design. The Facility is also set back from the road by three times the setback required by the Master Plan. Moreover, with the combination of the natural topography of the Property, forest preservation and ample landscaping the proposed Facility is hardly visible from Georgia Avenue.

- 2. The use will be housed in buildings architecturally compatible with other buildings in the surrounding neighborhood; and**

The exterior of the proposed buildings appear residential and incorporate several features of the single-family detached homes in the area including a residential type entrance, windows, and low roofing. The two-story Facility will have building façade complemented by accent panel of siding to maintain consistency with the residential character of the surrounding area. The proposed design of the buildings will be appropriate and relate well with the characteristics of existing residential uses as well as the low-rise nonresidential buildings in the area.

- 3. The use will be adequately protected from noise, air pollution, and other potential dangers to the residents.**

The use will be adequately protected from noise, air pollution, and other potential dangers to the residents. The Facility is designed with a primary goal of creating a safe environment, taking into consideration the unique nature of the intended residents of the Facility. In addition to substantial setbacks from the adjacent road and the adjoining non-residential uses to the south and west, the Special Exception and landscape plans provide for substantial screening in the form of landscaping, and forest preservation, and fences.

- 4. The Board of Appeals may approve separate living quarters, including a dwelling unit, for a resident staff member within a nursing home or domiciliary care home.**

No separate living quarters are proposed as part of the subject Application

(b) The following requirements must apply to a nursing home housing 5 patients or less:

- 1. The minimum lot area must be as stated for the applicable zone but in no case less than 7,500 square feet.**

2. **The minimum street frontage must be 50 feet.**
3. **Minimum setbacks, minimum green area, maximum coverage and maximum height are those prescribed in these regulations for the zone.**

The proposed Facility is designed to house a maximum of 135 residents and, therefore, this requirement is not applicable.

- (c) The following requirements apply to all new nursing homes, additions to existing nursing homes where the total number of residents is 6 or more, and to all domiciliary care homes for more than 16 residents.**

1. **The minimum lot area in the rural zone must be 5 acres or 2,000 square feet per bed, whichever is greater.**

The Property, which is located in the RNC Zone, comprises a net area of 37.55 acre of land. With .28 ac (12,197.8 square feet) for each bed, the lot area per bed is well above the minimum requirement.

2. **In all other zones, the minimum lot area must be 2 acres or the following, whichever is greater:**
 - a. **In the RE-2, RE-2C, RE-1 and R-200 Zones, 1,200 square feet for each bed.**
 - b. **In the R-150, R-90, R-60 and R-40 zones, 800 square feet for each bed.**
 - c. **In the R-T, R-30 and R-20 zones, 600 square feet for each bed.**
 - d. **In the R-10, R-H, C-O, C-T and C-2 zones, 300 square feet for each bed.**
 - e. **In the town sector and planned neighborhood zones, 800 square feet per bed.**

Not Applicable

3. **Minimum side yards are those specified in the zone, but in no case less than 20 feet.**

The proposal satisfies this requirement. The Facility will be set back from the northern and southern property lines a minimum of 106.11 feet and 117.8 feet respectively.

4. **Maximum coverage, minimum lot frontage, minimum green area, minimum front and rear yards and maximum height, are as specified in the applicable zone.**

The proposed development meets or exceeds these requirements (see Development standards table in section VI)

- (d) Off-street parking must be provided in the amount of one space for every 4 beds and one space for 2 employees on the largest work shift, except the board may specify additional off-street parking spaces where the method of operation or type of care to be provided indicates an increase will be needed.**

A total of 84 parking spaces are required for the use. The Special Exception site plan provides a total of 99 spaces, including six van-accessible and two regular handicap spaces. The

number of parking spaces is sufficient to accommodate the parking needs of 100 employees (full and part-time) as well as visitors. The Special Exception site plan provides for three motorcycle spaces on the terrace level of the assisted living wing and a bicycle locker to accommodate five bicycles at the rear portion of the building under the first floor porch.

- (e) An application must be accompanied by a site plan, drawn to scale, showing the location of the building or buildings, parking areas, landscaping, screening, access roads, height of buildings, topography, and the location of sewers, water lines, and other utility lines. The site plan must also show property lines, streets, and existing buildings within 100 feet of the property, and indicate the proposed routes of ingress and egress for automobiles and service vehicles. A vicinity map showing major thoroughfares and current zone boundaries within one mile of the proposed home must be included.**

A Special Exception site plan has been submitted with all the appropriate information related to the proposed development of the site.

- (f) An application for a Special Exception for this use must include an expansion plan showing the location and form of any expansions expected to be made in the future on the same site.**

The Applicant has indicated that there is no plan for future expansion of the Facility.

- (g) Any nursing home, or domiciliary care home for more than 16 residents, lawfully established prior to November 22, 1977, is not a nonconforming use, and may be extended, enlarged or modified by Special Exception subject to the provisions set forth in this section.**

Not applicable

- (h) Any application for nursing home and/or care home which is pending at the Board of Appeals as of February 24, 1997 at the request of the applicant, may be processed under the applicable provisions of the Zoning Ordinance in effect at the time the application was filed.**

Not applicable

VII. COMMUNITY OUTREACH

The Applicant indicated that presentations were made on the proposed Special Exception to members of the community, including the Greater Olney Citizen Association (GOCA), on a number of occasions during the past two years. The sessions included discussions, questions and answers on various issues and concerns of the community. The future expansion plan of the adjacent Fire Station was among the issues discussed at these meetings. The Applicant agreed to convey 4,700 square feet of the Property to the Fire Department for the adjacent station's future expansion. The Applicant intends to continue working with the community. The following are meetings that already had taken place and scheduled future meetings between the Applicant and the community:

Meetings Held

July 12 2011	GOCA Meeting
May 15, 2012	Meeting with Sandy Spring Volunteer Fire Department Officials
October 23, 2012	Meeting with Sandy Spring Volunteer Fire Department Officials
March 13, 2013	GOCA Meeting
August 19, 2013	GOCA Meeting

Upcoming Meetings:

September 10, 2013 GOCA Meeting (See Attachment C: Supplemental information)

At the time of this writing, no communication has been received from the community either in support or in opposition of the proposed development.

VIII CONCLUSION

The proposed Special Exception satisfies all applicable requirements for approval of a Special Exception as specified in the Montgomery County Zoning Ordinance. Moreover, the proposed development is consistent with the recommendations of the 2005 Olney Master Plan. There are no unacceptable traffic, circulation, noise or environmental impacts associated with the Application provided that the recommended conditions are satisfied.

Based on the foregoing analysis, staff recommends Approval of Special Exception S-2841, subject to the conditions found in Page 3 of this report.

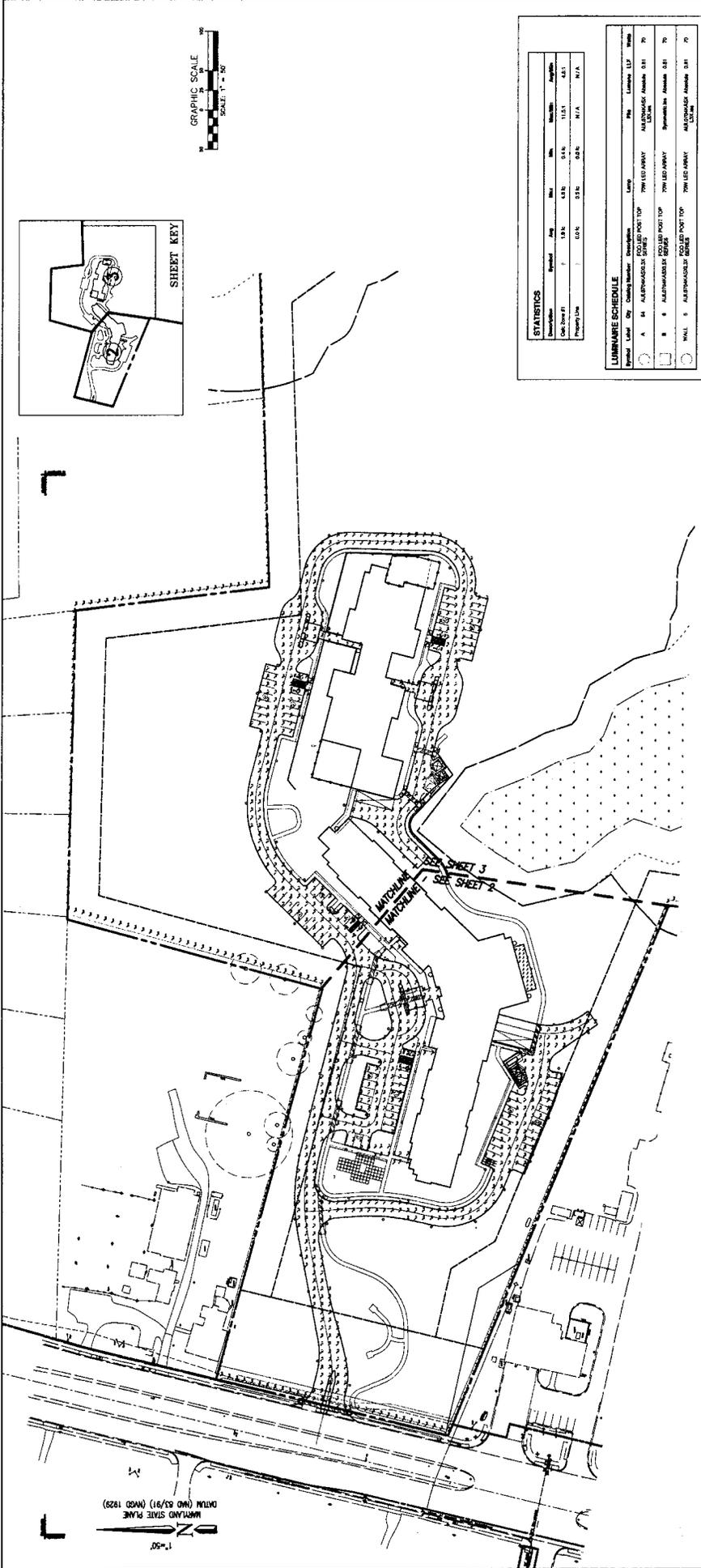
IX. ATTACHMENTS

- A Plans and drawings
- B. Letters
- C. Supplemental information

PLANS AND DRAWINGS

Attachment-A





1" = 30'
N
MARIANA STATE PLANT
DATA (NO. 83/91) (MSB 1929)

GRAPHIC SCALE
SCALE 1" = 30'

SHEET KEY

STATISTICS	
Number	1
Area	1.4%
Perimeter	1.4%
Volume	0.4%
Weight	N/A
Height	N/A
Length	N/A
Width	N/A

LUMINAIRE SCHEDULE			
Code	Qty	Location	Notes
A	4	ALTERNATE 1: 70M LED AWAY	70M LED AWAY
B	4	ALTERNATE 2: 70M LED AWAY	70M LED AWAY
C	1	ALTERNATE 3: 70M LED AWAY	70M LED AWAY

CALL "MISS UTILITY" AT 1-800-257-7777
 48 Hours Before Start of Construction
 The following utility lines are shown on this plan. They are shown for informational purposes only. The utility companies are responsible for the accuracy of the information shown on this plan. The utility companies are not responsible for the accuracy of the information shown on this plan. The utility companies are not responsible for the accuracy of the information shown on this plan.

SPRING ARBOR - OLNEY
 OLNEY - ELECTION DISTRICT No. 8
 MONTGOMERY COUNTY, MARYLAND

DATE	BY	DESCRIPTION
05/10/2017
05/10/2017
05/10/2017

RODGERS CONSULTING
 10000 ...
 ...

LIGHTING PLAN - COVER SHEET

DATE	BY	DESCRIPTION
...
...
...

Decorative Outdoor Full-Circuit LED

Specifications:
 - Luminaire: ...
 - Mounting: ...
 - Finish: ...

Decorative Outdoor Full-Circuit LED

Specifications:
 - Luminaire: ...
 - Mounting: ...
 - Finish: ...

Decorative Outdoor Full-Circuit LED

Specifications:
 - Luminaire: ...
 - Mounting: ...
 - Finish: ...

Anchor Guide

Anchor Guide:
 - Luminaire: ...
 - Mounting: ...
 - Anchor: ...

Decorative Outdoor Full-Circuit LED

Specifications:
 - Luminaire: ...
 - Mounting: ...
 - Finish: ...



Catalog Number AUL 070 4K AS B L3 S H SMA 12 F4C 09 P07 ABG BK	
Type: A	Notes:

SPECIFICATIONS

FIXTURE

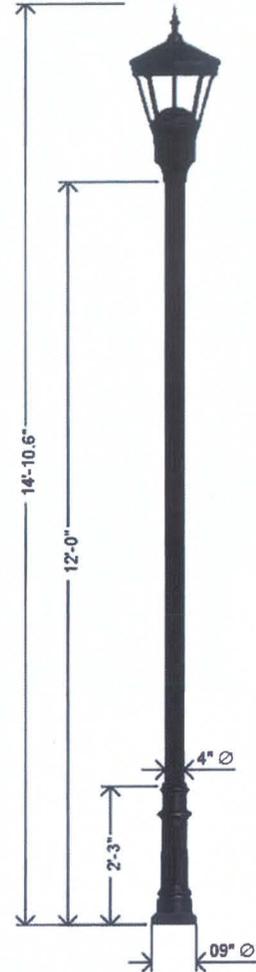
Utility Arlington FCO LED
 •[AUL 070 4K AS B L3 S H]
 Prefix: AUL
 Source/Wattage: 70 Watt Driver
 Color Temperature: 4000K
 Voltage: Auto-sensing voltage 120-277 volt
 Finish: Black
 Optic: Asymmetric, Full Cutoff LED
 Finial: Spike Style Finial
 Dimming: None
 Photocontrol Receptacle: NEMA Twistlock Photocontrol Receptacle
 Photocontrols: None
 Prewired Leads: None
 Luminaire EPA: 1.38
 Luminaire Weight: 47

POLE

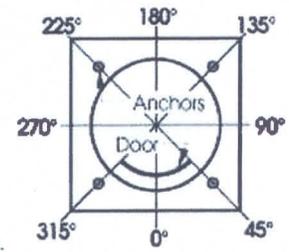
Salem Aluminum Pole
 •[SMA 12 F4C 09 P07 ABG BK]
 Prefix: Salem, Aluminum Pole
 Height: 12 feet (Actual Height: 12'-0")
 Shaft Style: F4C 4 inch diameter Fluted, .125 wall
 Base: 9 inch Square Base
 Sitelink Base: None
 Tenon: 3 X 3 Tenon
 Pole Mounting: Anchor bolts, galvanized steel
 Finish: Powder Coat Paint Finish, Black
 Base EPA: 1.63125
 Base Weight: 18
 Anchor Bolt: AB-26-4

Your Assembly Wind Load status: Pass
 Passed for wind speed: 90 MPH
 For further details, review the Structural Analysis Report.

**Salem Aluminum Pole
 Utility Arlington® FCO LED**



Anchorage/Orientation Plan



Hand Hole is at 0 deg.

Customer Approval:

signature

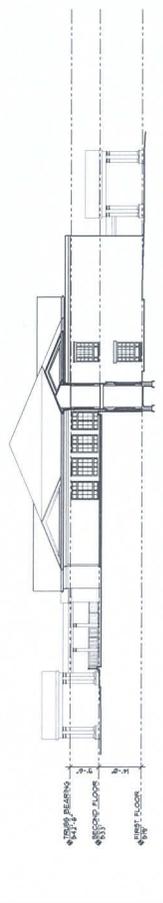
date

Job Name: Product Basket

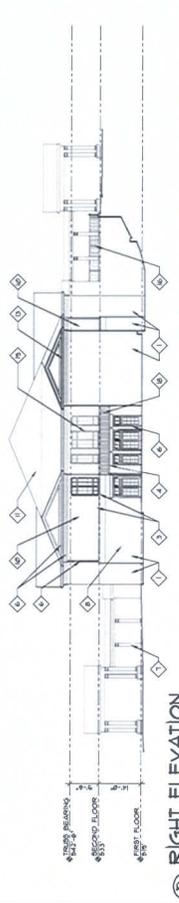
Client Name: Spring Arbor

Created By: Richard Roser

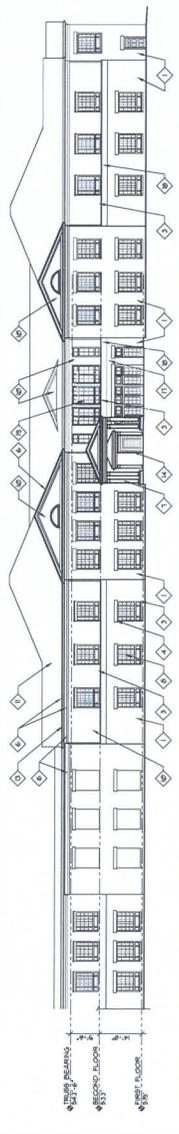
Date: 30-Aug-13



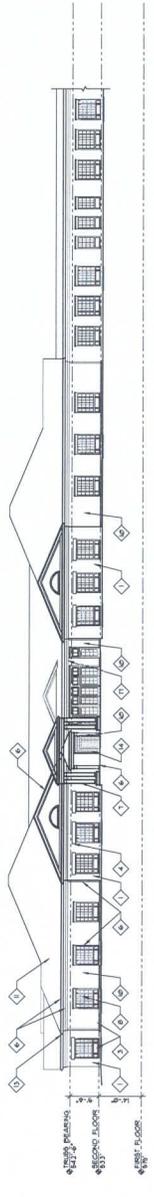
C LEFT ELEVATION
SCALE: 1/8" = 1'-0"



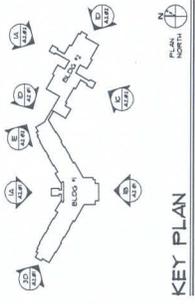
D RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



E REAR ELEVATION
SCALE: 1/8" = 1'-0"



A FRONT ELEVATION
SCALE: 1/8" = 1'-0"



KEY PLAN
SCALE: 1/8" = 1'-0"

- ELEVATION KEYNOTES**
- 1 BRICK VENEER FIELD BRICK - DIMENSION 8' 0" x 8' 0"
 - 2 RECESSED BRICK
 - 3 BRICK POINT/LOCK BULL FIELD BRICK
 - 4 ARCHITECTURAL PRECAST CONCRETE LINTEL
 - 5 ARCHITECTURAL PRECAST CONCRETE BAND
 - 6 COMPOSITE TRIM
 - 7 ORNAMENTAL COLUMNS
 - 8 VINYL WINDOW - GRILLE PATTERN AS INDICATED
 - 9 PVC GRILLE
 - 10 VINYL SIDING
 - 11 ASPHALT/FIBERGLASS SHINGLES (TRADITIONAL)
 - 12 STANDING SEAM METAL ROOF
 - 13 PREPARED ALUMINUM GUTTERS AND DOWNPOUTS
 - 14 2" x 4" x 8" ALUMINUM TRIM AND SHIELDS
 - 15 3/4" x 1/2" x 8" ALUMINUM TRIM AND SHIELDS
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SPRING ARBOR OLNEY
ASSISTED LIVING/SPECIAL CARE FACILITY
MONTGOMERY COUNTY, MARYLAND

OWNER APPROVAL SIGNATURE _____
DATE _____
SHEET TITLE
BUILDING ELEVATIONS
BLDG. #2
DATE: 04/17/13
REVISED:
REVISIONS:
A2.02
RUD PROJECT NO.
DATE PLOTTED: 03-11-13

EDWARD H. WINKS
JAMES D. SNOW
ARCHITECTS P.C.
211 EAST PRAIRIE STREET, BALTIMORE, MARYLAND 21202
410-524-1414 FAX: 410-524-4151
www.edwardh.winks.com

FOR ILLUSTRATIVE PURPOSES



Spring Arbor
Georgia Avenue Entrance Perspective
8.22.13

RODGERS
CONSULTING
Knowledge • Creativity • Enduring Values

19847 Century Boulevard
Suite 200
Germantown, Maryland 20874
Ph. 301.948.4700 (Main)
Ph. 301.253.6609 (Frederick)
Fx. 301.948.6256
www.rodgers.com

LETTERS

Attachment-B





SANDY SPRING VOLUNTEER FIRE DEPARTMENT, INC.

POST OFFICE BOX 295
SANDY SPRING, MARYLAND 20860
301-774-7400

18 August 2013

Mrs. Rebecca Walker
Miles & Stockbridge, P.C.
11 North Washington Street, Suite 700
Rockville, MD 20850

Reference: Spring Arbor Olney,
Sept. 19, 2013 hearing at Park & Planning

Dear Mrs. Walker:

I have met with the Board of Directors, Chief operational and Administrative officers of the Sandy Spring Volunteer Fire Department, during the month of August 2013. We find the revised plan much more to our liking, due to further setback from Georgia Avenue and the building's location away from the current Station 40 building.

We are very appreciative of the H.H. Hunt Co. and the Danshes family who have worked closely to provide approximately 4,761 square feet on our northern property line, by a land transfer so that we might expand our station by adding two larger additional engine bays in the future. The transfer of this property during the permit processes is a welcomed gift to us and the community.

We feel that Arbor Spring Olney can be compatible and we (SSVFD) can be good neighbors; we encourage approval at the September 19, 2013, hearing.

Sincerely,

Alden English, Past President

Michael Valente, President

Michael Kelley, Fire Chief

Cc Board of Directors, SSVFD



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Maryland Department of Transportation
August 27, 2013

Mr. Mike Lenhart
Lenhart Traffic Consulting, Inc.
331 Redwood Grove Court
Millersville, Maryland 21108

RE: Montgomery County
Georgia Avenue (MD 97)
Danshes Property
SHA Tracking No: 12APMO028XX
County Tracking No: S-2841
Mile Post: 10.51

Dear Mr. Lenhart:

Thank you for the opportunity to review the sight distance evaluation, dated July 23, 2013, for the proposed Danshes Property development in Montgomery County. The State Highway Administration (SHA) offers the following comment:

Access Management Division Comment:

1. The posted speed along MD 97 in the vicinity is 50 miles per hour. The corresponding design speed per SHA Access Management Division policy is 60 miles per hour. The intersection sight distance required looking south from the access is 575 feet (AASHTO 2001, Page 668, 9-58, Case B2 Right Turn from Site Access to MD 97). The measured intersection sight distance looking south is in excess of 600 feet and meets the requirement. The vertex sight point has been offset 14.5 feet from the edge of travel way (AASHTO 2001, page 660). As a result, the SHA has no comment on the site distance evaluation. Please complete the attached sight distance evaluation form per the analysis and P.E. stamp/sign the completed form. Further comments will be provided upon receipt of a formal SHA improvement plan submission to our office, including hydraulic reports and computations.

Please submit 6 sets of plans and a CD containing the plans and supporting documentation in PDF format, as well as a point by point response, to reflect the comments noted above directly to Mr. Steven Foster attention of Mr. Jonathan Makhlof. Please reference the SHA tracking number on future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <http://www.roads.maryland.gov/pages/amd.aspx>. If you have any questions, or require additional information, please contact Mr. Jonathan Makhlof at 410-545-5586, by using our toll free number in Maryland only at 1-800-876-4742 (x5586) or via email at jmakhlof2@sha.state.md.us.

Sincerely,

for Steven D. Foster, Chief/Development Manager
Access Management Division

SDF/JWR/JMM

My telephone number/toll-free number is 410-545-5600
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

SUPPLEMENTAL INFORMATION

Attachment-C



TO: Elsabett Tesfaye, Planner Coordinator, Montgomery County Department of Planning
FROM: Rodgers Consulting, Inc.
SUBJ: Spring Arbor Olney Special Exception
DATE: August 16, 1013

The following points are offered to supplement the First Revised Planning and Engineering Report (dated June 2013) for Spring Arbor Olney Assisted Living/Special Exception Care Facility.

Imperviousness

In view of the Olney Master Plan language (p. 42) noted in the Planning Report to “discourage special exception uses with excessive imperviousness levels”, redesign of the facility to a two story building complex (assisted living and specialty care linked through a 2 story enclosed connection) following discussions with planning staff, has resulted in a substantial decrease in impervious surface for the project, directly in line with these tenets of the Master Plan directive. The original design had **13.2%** impervious surface, while the new design boasts approximately **10.85%**, a reduction of **2.35%**. This translates into .885 acres of a 37.68 acre site or 38,571 square feet of impervious surface removed via the current footprint. The presence of wetlands and forest on site created tremendous challenges in an effort to balance the two “sides” of the development envelope, namely imperviousness and open space in all its various configurations on this site. The resultant plan minimizes imperviousness per the directive in the Master Plan and creatively utilizes the sensitive features of this very large site as amenities for its residents, visitors and employees.

Architectural Information

The following square footages reflect the building configurations submitted with respect to the redesigned building layout which includes the Assisted Living Building, closest to Georgia Avenue and its “sister” Special Care building, located adjacent and connected to it via a covered two story walkway.

Square Footages Clarification

Assisted Living:

Basement: 21,322.51 SF
1st Floor: 39,608.17 SF
2nd Floor: 34,972.69 SF
Building Total: 95,903.37 SF

Specialty Care:

1st floor: 20,375.64 SF
2nd floor: 20,455.57 SF
Building total: 40,831.21 SF

Total Square Footage: 136,734.58 SF (This number was rounded in the Planning Report to 136,750 SF given the preliminary nature of the submission and to allow flexibility for the applicant).

Enhanced Description of Building and Interior Uses

Spring Arbor Olney is designed in a connected building scenario. The main building, situated closer to Georgia Avenue is the assisted living facility and is a two and one-half story building with a brick façade complemented by accent panels of siding. This building is connected by an exterior enclosed walkway to the adjacent specialty care/critical care building. An exhibit highlighting this unique connection will be submitted to visually present the nature of the covered connection which will facilitate care and provide seamless access between the two structures. The special care/critical care building has a similar façade and is a two-story structure. The assisted living facility has approximately 85 residents living in multiple individual living unit configurations. Each apartment will have its own bath, compact kitchen, living/dining area and bedroom with the exception of the studio apartments which will have a combined living/sleeping area.

Located on the first floor level of the assisted living building is the dining room where all meals are served including an exterior dining porch for occasional seasonal-appropriate use. There is a private dining room and a service alcove for dining functions. The first floor incorporates an octagonal parlor on axis with the main entrance and the dining room entrance. Adjacent to the main entrance is a café for light morning meals and a formal living room on the alternate side of the entrance foyer. Adjacent to the café is a sunroom and across from the sunroom is a wellness (exercise) area. As the sunroom flanks the café on one side of the main entrance, on the other side flanking the living room is a large activity room. Providing control of the entrance is a concierge desk adjacent to the Resident Care Coordinator with an adjacent secure room for medications.

Approximately one half of the resident's apartments are located on the first floor, with the other half being located on the second floor, where additional amenities are provided. Typical amenities that this floor plan can accommodate include a salon, a spa, a billiard/puzzle room and a multi roomed library centrally located on the second floor. Additionally, sunrooms/sitting areas will be situated at the end of each hallway on the second floor as well as the first floor. Two elevators will serve the building and both will also serve the terrace level. On the terrace level are the building support services: the commercial kitchen, laundry/maintenance shop, house storage, a staff lounge and resident storage. The terrace level also has some resident amenities including a theater and snack bar. On the east end of the terrace level is an area designated for a doctor's office with exam room, therapy room, and a therapy pool. There will be an enclosed walkway connecting the doctor's office/therapy area to the adjacent specialty care/critical care wing.

The specialty care/critical care wing is a two story building complementing the main building. The upper level of this building connects to the terrace level of the main building and the second level of the specialty care building connects to the main floor of the assisted living building. Each level of the specialty care building has its own entrance. Each floor can operate independently from a resident's perspective, thus allowing for smaller communities, which is a recommended approach for memory care patients. Following that direction, each floor is divided into two wings each with eight to thirteen residents housed in single and double occupancy rooms. Each wing has its own living room. Centrally located on each floor are a dining room, serving kitchen, a cottage care coordinator, nurses' office, a medication room, and a snoezelen room used for therapy associated with dementia. The innovative snoezelen room is a controlled multisensory environment room specifically designed to deliver stimuli to various senses, often using light, color, sound and music. The floor plan includes an activity room, a family room, resident laundry, and a spa as well as staff and support functions. At each level there are enclosed outdoor courtyards which are adjacent to living rooms. At the west end of the building there is a service corridor on each level. Along these corridors are the elevator, main kitchen, and laundry. The service corridors connect to the two-level connector to the main building. All efforts have been made to include a wide array of services to provide first class care to residents of both the assisted living facility and its sister facility devoted to specialty care where 50 residents are to be housed.

In response to a question from staff, the applicant has agreed that no more than 50 employees will be on site at one time, based upon the most intense shift overlap being 9 a.m.-5 p.m. Monday through Friday.

Special Exception Compatibility Issues

Specific language excerpted from the Olney Master Plan as noted in the Planning Report (June 2013) emphasizes the need for a minimum 100 foot setback for any structure from the Georgia Avenue right-of-way to make certain that views along the road are confined to trees and vegetation. The building's front face is situated 314' from the existing R-O-W, or 300' from the dedicated right-of-way line, far in excess of the recommended minimum 100 foot setback. The proposed building elevation has been set at a lower elevation fronting to Georgia Avenue than the adjacent Fire Department facility to its south and the residential property to the north. An exhibit, to be provided to staff early next week, will highlight the fact that the building's location and height coupled with the topography and landscaping will create a situation that will block the view of most of the building's façade from Georgia Avenue.

Additionally, a zealous landscape plan will frame the building as it greets visitors who will be able to enjoy with the residents they are visiting a variety of active and passive open spaces strategically situated throughout the site. The façade of the buildings are classically proportioned and are residential in style and boast building materials that complement the surrounding residential community.

Free-standing lighting is capped at 12' poles to underscore the residential nature of the project. Efforts to minimize any potential negative impacts to disrupt the residential character of the neighborhood are reinforced by a minimal building frontage of only 75' at Georgia Avenue, devoid of parking areas.

Community Outreach

The following meetings have been held with the community:

- July 12, 2011 GOCA Meeting
- March 13, 2013 GOCA Meeting
- May 15, 2012 Meeting with Sandy Spring Volunteer Fire Department Officials
- October 23, 2012 Meeting with Sandy Spring Volunteer Fire Department Officials

Upcoming Meetings:

- August 19, 2013 GOCA Officer's Meeting
- September 10, 2013 GOCA Meeting

The applicant and consultants have worked closely with the community throughout the process, particularly as it relates to donating a portion of the original site to the adjacent Fire Department for their future expansion. This is an issue supported by the community, who also voiced interest in a two story version of the facility early in the process. The community continues to work cooperatively with the applicant, to date.

Elderly/Senior Housing Need

The Olney Master Plan recognizes the need to "support elderly housing projects of appropriate densities at appropriate locations", within the Master Plan geographic area. This is a goal that accrues to Montgomery County at large where the percentage of seniors will catapult in the near future as baby boomers continue to age and need more specialized services of the nature proposed herein. Diversity in Montgomery County-Montgomery County Planning Department (March 2011) noted that older adults as a percentage of the total population will continue to increase through 2030, and by

2040 the senior population in the County will increase by an overwhelming 73 percent. The recently adopted Housing Element of the General Plan (April 2011) confirms County policy that seeks to make it easier for seniors to age within their communities for as long as they desire, by providing a wide variety of housing types and appropriate services to assist seniors as the need arises. The location of an assisted care facility in a residential neighborhood facilitates interaction with family and the community at large for the residents.

A recent AARP report Beyond 50- A Report to the Nation on Livable Communities: Creating Environments for Successful Aging, notes that while moving is not typical for this age group, when and if they must relocate, more than half prefer and tend to stay in the same County, an opportunity the establishment of this special exception would facilitate. Further validation of the County's policy support of facilities and services for our aging population was emphasized in a March 13, 2012 briefing: **Shaping our Future: Adapting to Change-Our Growing Senior Population** held by the County Council. In a wide ranging discussion and presentation by experts on the subject, cogent land use decisions that support opportunities for senior housing were deemed important and accessibility to care and services was pinpointed as vital to allow elder residents to remain in their communities which generally translates into remaining healthier for longer. The establishment of this service-oriented assisted living facility, handsomely integrated into a residential community takes a big step towards implementing these types of housing policies.



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

OFFICE OF THE CHAIRMAN

June 15, 2011

Mr. Robert G. Hoyt, Director
Department of Environmental Protection
255 Rockville Pike, Suite 120
Rockville, Maryland 20850

Dear Mr. Hoyt:

On June 9, 2011, the Montgomery County Planning Board considered the 2011-1 Administrative Delegation Package of water and sewer category change requests. The Planning Board made the following recommendations:

11A-CLO-02: Odd Fellows Lodge (Attachment #2 Pages 3-6)

The 1998 Sandy Spring-Ashton Master Plan recommends water and sewer service for this property, which is included in the Sandy Spring/Ashton Rural Village Overlay Zone.

Recommendation: Approve W-1

WSSCR 11A-OLN-01: Sonia Danshes (Attachment #2 Pages 7-12)

This property is recommended for the RNC Zone in the 2005 Olney Master Plan. The Plan assumed that this property could not be served by gravity and therefore recommended it for standard method development at 0.2 units to the acre. The applicant proposes to concentrate development close to Georgia Avenue and will preserve stream valleys in the headwaters of Northwest Branch. The use—assisted living and Alzheimer's care—is allowed by special exception in the zone.

Recommendation: Approve W-1 and S-3 conditioned on Planning Board approval of a preliminary plan that uses the optional cluster development method.

WSSCR 11G-TRV-02 Lakewood Estates (Attachment #2 Pages 13-16)

The 2002 Potomac Subregion Master Plan supports sewer service to these properties.

Recommendation: Approve S-1

WSSCR 11A-POT-04: Weissman (Attachment #2 Pages 16-22)

The 2002 Potomac Subregion Master Plan supports sewer service to this property

Recommendation: Approve S-1.

Mr. Robert G. Hoyt
June 15, 2011
Page Two

WSSCR 11A-TRV-03: Rickman Travilah LLC (Attachment #2 Pages 23-27)

The Great Seneca Science Corridor rezoned this property as CR. It is therefore eligible for sewer service. This site is within the Piney Branch Special Protection Area and subject to further development requirements.

Recommendation: Approve S-1 conditioned on the applicant providing DEP a recorded covenant that applies the Piney Branch Sewer Agreement Recommendations.

Thank you for the opportunity to make recommendations to the Administrative Hearing record.

Sincerely,

A handwritten signature in black ink, reading "Françoise M. Carrier". The signature is written in a cursive style with a long horizontal flourish at the end.

Françoise M. Carrier
Chair

FC:KN:rb

cc: Keith Levchenko, Montgomery County Council
David Lake, MCDEP
Alan Soukup, MCDEP
Clara Moise, Montgomery County Planning Department
Katherine Nelson, Montgomery County Planning Department

Nelson, Katherine

From: Boyd, Fred
Sent: Monday, February 07, 2011 11:12 AM
To: Nelson, Katherine
Subject: category change request comments

WSCCR 11A-CLO-02: Odd Fellows Lodge

The 1998 Sandy Spring-Ashton Master Plan recommends water and sewer service for this property, which is included in the Sandy Spring/Ashton Rural Village Overlay Zone.

WSCCR 11A-OLN-01: Sonia Danshes

This property is recommended for the RNC Zone in the 2005 Olney Master Plan. The Plan assumed that this property could not be served by gravity and therefore recommended it for standard method development at 0.2 units to the acre. We understand that this proposal concentrates development close to Georgia Avenue and preserves undeveloped land in the headwaters of Northwest Branch. The use—assisted living and Alzheimer's care—is allowed by special exception in the zone, so providing water and sewer service would enable a use that is considered appropriate in this residential zone.

fred

Frederick Vernon Boyd, AICP
Community-Based Planning Division
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, Maryland 20910
301 495 4654 (office)
301 495 1304 (fax)
fred.boyd@mncppc-mc.org

From: Nelson, Katherine
Sent: Friday, February 18, 2011 10:22 AM
To: Alan (Montgomery County Gov't.) 'Soukup (Alan.Soukup@MontgomerycountyMD.gov)
Subject: category change request comments

Alan,

The following are comments on the category change requests:

WSSCR 11A-CLO-02: Odd Fellows Lodge

The 1998 Sandy Spring-Ashton Master Plan recommends water and sewer service for this property, which is included in the Sandy Spring/Ashton Rural Village Overlay Zone.

WSSCR 11A-OLN-01: Sonia Danshes

This property is recommended for the RNC Zone in the 2005 Olney Master Plan. The Plan assumed that this property could not be served by gravity and therefore recommended it for standard method development at 0.2 units to the acre. We understand that this proposal concentrates development close to Georgia Avenue and preserves undeveloped land in the headwaters of Northwest Branch. The use—assisted living and Alzheimer's care—is allowed by special exception in the zone, so providing water and sewer service would enable a use that is considered appropriate in this residential zone.

WSSCR 11G-TRV-02 DEP
WSSCR 11A-POT-04 Weissman

The Potomac Subregion Master supports these applications.

WSSCR 11A-TRV-03 Rickman Travilah LLC

The Great Seneca Science Corridor (no longer the Potomac Subregion) master plan supports this application.

WSSCR 11A-CLO-01 Shri Mangal Mandir

Staff is not ready to provide comments on this application at this time.
Has the applicant provided any additional information?

Katherine E. Nelson
Planner Coordinator
Planning Area 3
Montgomery County Planning Department
Maryland-National Capital Park & Planning Commission
(301) 495-4622
(301) 495-1303 (fax)
8787 Georgia Avenue
Silver Spring, MD 20910-3760
Katherine.Nelson@mncppc-mc.org

Olney Planning Area

WSSCR 11A-OLN-01: Sonia Danshes

Property Information and Location Property Development	Applicant's Request Administrative Action and Policy Justification				
<ul style="list-style-type: none"> ▪ 17000 Block, Georgia Ave. (MD 97) ▪ Parcel P771, Chas & Benjamin ▪ District 08, acct. no. 00723142 ▪ Map tile: WSSC – 223NW03; MD – HT51 ▪ East side of Georgia Ave., north of Emory Church Rd. ▪ RNC Zone; 37.68 acres ▪ Olney Planning Area Olney Master Plan (2005) ▪ Northwest Branch Watershed (MDE Use IV) ▪ <u>Existing use</u>: unimproved, mostly woodlands ▪ <u>Proposed use</u>: assisted living & nursing home 	<p>Existing – Requested – Service Area Categories</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W-6</td> <td style="width: 50%; text-align: center;">W-3</td> </tr> <tr> <td>S-6</td> <td style="text-align: center;">S-3</td> </tr> </table> <p>Administrative Action Maintain W-6 and S-6, with advancement to W-1 and S-3 conditioned on Planning Board approval of a preliminary plan that uses the optional cluster development method. Administrative policy V.F.1.a.: Consistent with Existing Plans.</p> <p><u>Service notes:</u></p> <ul style="list-style-type: none"> • Sewer service will be provided via the existing sewer main at Georgia Ave. (contract no. 84-6258A), not from the existing sewer main at Norbrook Dr. (contract no. 73-5697A). • As part of the preliminary plan review, DEP and M-NCPPC staff will determine whether open space on this site will retain categories W-6 and S-6 under the RNC cluster. 	W-6	W-3	S-6	S-3
W-6	W-3				
S-6	S-3				

Potomac – Cabin John Planning Area

WSSCR 11A-POT-04: Howard Weissman

Property Information and Location Property Development	Applicant's Request Administrative Action and Policy Justification				
<ul style="list-style-type: none"> ▪ 10820 Rock Run Dr., Potomac ▪ Property ID: Lot 1B, Block 4, Fawsett Farms ▪ District 10, acct. no. 00867963 ▪ Map tile: WSSC – 210NW11; MD – FN23 ▪ West side of Rock Run Dr., south of Chandler Rd. ▪ R-200 Zone; 23,476 sq.ft. (0.54 ac.) ▪ Potomac – Cabin John Planning Area Potomac Subregion Plan (2002) ▪ Rock Run Watershed (MDE Use I) ▪ <u>Existing use</u>: single-family house (built 1957) ▪ <u>Proposed use</u>: replace the existing house 	<p>Existing – Requested – Service Area Categories</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">W-3</td> <td style="width: 50%; text-align: center;">W-3 (no change)</td> </tr> <tr> <td>S-6</td> <td style="text-align: center;">S-1</td> </tr> </table> <p>Administrative Action Approve S-1. Administrative policy V.F.1.a.: Consistent with Existing Plans.</p> <p><u>Note:</u> This case satisfied the Water and Sewer Plan's abutting mains policy and qualified for direct approval of a single sewer service hookup. DEP issued a sewer service order to WSSC on December 21, 2010 (on file).</p>	W-3	W-3 (no change)	S-6	S-1
W-3	W-3 (no change)				
S-6	S-1				

September 10, 2013
Buffington RE/MAX Olney Community Room
3300 Olney-Sandy Spring Road

7:30 I. CALL TO ORDER

1. Introductions (Name, Association, Representative/Alternate/Guest)
2. Approval of Minutes/Agenda

7:35 II. PUBLIC COMMENTS & ANNOUNCEMENTS

Suresh Patel (Manager in DGS Division of Building Design and Construction) will give an update on the Olney Library Renovation

7:50 III. NEW BUSINESS

1. Spring Arbor Development Plan (see page 2 for motion and background information)
2. Marian Fathers Development Plan – Tom Natelli

9:30 IV. OFFICERS/COMMITTEE/LIAISON REPORTS

- | | |
|--|------------------|
| 1. President's Report (see page 2) | Barbara Falcigno |
| 2. Correspondence Report | Greg Intoccia |
| 3. Chamber of Commerce Report (www.olneymd.org) | Joe Buffington |
| 4. Olney Town Center Advisory Committee Report | Helene Rosenheim |
| 5. Nomination Committee Report | Matt Zaborsky |
| 6. Civic Federation Report (www.montgomerycivic.org) | Arnie Gordon |
| 7. Transportation Report | Paul Jarosinski |

9:50 V. ADJOURNMENT

Dates to remember: Next Meeting **October 8, 2013**
Topic: Transportation

Background Information for New Business

Spring Arbor

Spring Arbor (www.springarborliving.com) is an assisted living facilities proposed for the Danshes Property located on Georgia Ave just north of the Fire Department. They presented to GOCA on July 2011 and March 2012 (http://www.goca.org/wp-content/uploads/minutes-agendas/Minutes_2011-07-12.pdf and http://www.goca.org/wp-content/uploads/minutes-agendas/Minutes_2012-03-13.pdf). In response to comments by Planning Staff and GOCA, their new plan has changed from a one story to a two story building and land will be donated to the Sandy Spring Fire House that is adjacent to the property. The Officers Committee makes the following motion:

Whereas the site plan has changed and the building is now two stories with a smaller footprint and more open space, and whereas land adjacent to the Sandy Spring Fire Department was donated for future expansion of that station, GOCA supports the proposed use and current site plan.

President's Report

- ^ We are looking for a new liaison to the OTCAC to represent GOCA. Responsibilities would be to attend both GOCA and OTCAC meetings.
- ^ Planning Board approved the site plan for the Trotters Glen Development Hearing on July 22. There will be no vehicle connection between Emory Church Rd and Batchellors Forest Road.
- ^ The Board of Education passed a resolution authorizing the initiation of condemnation proceedings, as allowed by Maryland state law, to acquire a plot of land adjacent to the current William H. Farquhar Middle School site. The Board approved beginning the process of condemning the land for public use because it is needed for the modernization of the school. Full Board of Education resolution:
<http://www.montgomeryschoolsmd.org/boe/meetings/agenda/2013/072913/04.2.1%20Wm%20H%20Farquhar%20MS%20Mod.pdf>

- ^ From the Legislative Chair of MCCF:

The Montgomery County Delegation's fall calendar is provided below. These events are leading up to the General Assembly session that begins in January 2014. For the latest information: www.montgomerycountydelegation.com

- Thursday, October 17. Consolidated Transportation Program Presentation ("Road Show") by State Highway Administration.
- Wednesday, November 20. Joint House and Senate Priorities Hearing. This hearing is an opportunity for the public to respond to the Road Show and to bring other issues of importance for the 2014 Session to the attention of the legislators.
- Monday, December 2. Hearing before MC House Delegation on Local Bills (those that apply only to Montgomery County).
- Wednesday, December 4. Hearing before MC House Delegation on Bi-County Bills. (Bi-County bills refer to legislation that requires the approval of the Montgomery County and the Prince George's County Delegations. It covers WSSC and Maryland National Park and Planning Commission.)

All the above events begin at 7:00 p.m. and are held in the 3rd Floor Hearing Room, Stella Werner Council Office Bldg., 100 Maryland Ave., Rockville, MD 20850.

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