



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

MCPB No. 20-124  
Site Plan No. 82014010B  
Spring Arbor - Olney  
Date of Hearing: November 12, 2020

**DEC 03 2020**

**RESOLUTION**

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

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on July 17, 2014, the Planning Board, by Resolution MCPB No. 14-56, approved Site Plan No. 820140100 for a Domiciliary Care Home with a maximum of 107 units and 135 beds and associated parking facilities on 37.68 acres of RNC zoned-land, located at 17001 Georgia Avenue, 1,000 feet south of the intersection with Old Baltimore Road ("Subject Property"), in the 2005 *Olney Master Plan* ("Master Plan") area; and

WHEREAS, on November 14, 2018, the Planning Director approved an amendment to the previously approved site plan, designated Site Plan No. 82014010A, to reduce the overall building height, revise the residential building footprint, and minor modifications to site grading, parking, lighting, and landscaping on the Subject Property; and

WHEREAS, on July 29, 2020, FDG Olney Senior Living, LLC ("Applicant") filed an application for approval of an amendment to the previously approved site plans for the following modifications on the Subject Property:

1. Reallocate the number of approved beds within the domiciliary care home, increasing the total unit count from 107 to 130, without exceeding the originally approved density of 135 beds;

2. Change the fencing materials at the trash enclosures from a 6'-0" tall vinyl screen fence to an 8" split face CMU wall with galvanized corrugated decking doors for greater overall durability;
3. Change the enclosure around the special care wing courtyards from an 8'-0" tall aluminum picket fence to an 8'-6" aluminum or vinyl decorative screen wall at Enclosed Patio A and a 7'-8" tall wood and aluminum fence at Enclosed Courtyard B;
4. Change the wall-mounted sconce lighting fixtures to a mix of three different wall mounted sconce fixtures, which will not alter the approved photometrics; and

WHEREAS, Applicant's application to amend the site plan was designated Site Plan No. 82014010B, Spring Arbor – Olney Limited Major Site Plan Amendment ("Site Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 6, 2020, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on November 19, 2020, Staff presented the Amendment to the Planning Board as a consent item for its review and action; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82014010B to reallocate the number of approved beds within the facility, which will increase the unit count from 107 to 130, change fencing materials at the trash enclosures, change the enclosure around the special care wing courtyards, and change the wall-mounted sconce lighting fixtures, subject to the following conditions:<sup>1</sup>

11. Site Design

- a) The exterior character, proportion, materials and articulation must be substantially similar to the illustrative elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.

16. Density

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

The Site Plan is limited to a Domiciliary Care Home on the Subject Property, for up to 130 units and 135 beds.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Site Plan No. 82014010B, Spring Arbor – Olney Limited Major Site Plan Amendment, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

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

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

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan was required for the Subject Property. The Site Plan is in conformance with Special Exception S-2841. The building location, layout, circulation pattern, landscaping, and lighting plan all substantially reflect the Site and Landscape Plans submitted for the Special Exception.

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

The Subject Property is approximately 37.68 acres and is zoned RNC. As discussed below, the Application continues to comply with the development standards of the RNC zone.

#### Development Standards

The following Project Data Table indicates compliance with the Zoning Ordinance. Only the standards that are affected by this Amendment are listed; a comprehensive modified data table will be included on the Certified Site Plan with the following information.

*Table 1: Project Data Table for the RNC Zone, Optional Method Cluster Development*

<b>Development Standard</b>	<b>Required / Allowed</b>	<b>Approved SE (as modified)</b>	<b>Approved (Orig. SP)</b>	<b>Approved (Amend. A)</b>	<b>Approved (Amend. B)</b>
Number of dwelling units	107	130	107	107	130 <sup>2</sup>
Number of beds	Up to 135	Up to 135	Up to 135 <sup>3</sup>	Up to 135	Up to 135

The increase in density approved by this Amendment is consistent with the conditions of approval for S-2841, as modified, and the project continues to meet the development standards of the RNC zone.

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

Location of Buildings and Structures

The location of the building and associated structures will remain unchanged and as previously approved. The approved changes are minor adjustments to the heights and materials of the screen walls at the enclosed open amenity areas and the use of masonry materials for the trash enclosures. The locations of the buildings and structures will remain safe, adequate, and efficient.

Lighting

The lighting for the Subject Property will remain safe, adequate, and efficient. The Amendment changes the wall-mounted sconce lighting fixtures to a mix of three different wall mounted sconce fixtures. This change will not alter the previously approved photometrics as the wall mounted sconces are centrally located around the building and will not contribute towards any light trespass at the property lines. The lighting poles remain unchanged as previously approved.

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

The approved changes to the heights and materials for Enclosed Patio A, Enclosed Courtyard B, and the trash enclosures are compatible with the existing

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<sup>2</sup> In June of 2020, the Board of Appeals reviewed the Applicant's request to modify the Special Exception, as outlined in this Amendment. Once approved, a copy of the Certified Site Plan will be filed with the Board of Appeals and serves as the Special Exception Site Plan.

<sup>3</sup> While Site Plan No. 820140100 approved up to 135 beds, the building floor plans only provided for 125 beds within the 107 units.

structures on-site. The change in height and material for Enclosed Patio A is from an 8'-0" height aluminum picket fence to an 8'-6" height vinyl or aluminum decorative screen wall. Enclosed Courtyard B is changed from the same 8'-0" height aluminum picket fence to a 7'-8" height wood and aluminum fence, consisting of 5'-0" height of aluminum fence and 2'-8" of wood lattice on the top of the fencing. These changes in material and height at the enclosed amenity areas continues to assure the safety and security of the special care residents within an open amenity space, while also providing enhanced materiality and detail to better connect with the residential architecture of the building. The change to the materials at the trash enclosures will replace the 6'-0" height vinyl fencing with an 8" split face concrete masonry unit (CMU) wall at the same height. The CMU enclosures will be for a total of four dumpsters and a generator at two different locations, with galvanized corrugated steel decking doors at each location. The change in materiality for the enclosures will result in substantially more durable and attractive enclosure walls, as well as better compatibility with the building materials and architecture. The enhanced durability of the enclosure walls will also provide better protection for the generator, which is utilized for resident care during power outages.

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

Not applicable, this Site Plan Amendment does not include any areas covered by Chapter 22A or Chapter 19.

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

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

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 03 2020 (which is the date that this resolution is mailed to all parties of record); and

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

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**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, November 19, 2020, in Wheaton, Maryland.



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Casey Anderson, Chair  
Montgomery County Planning Board