



Friends House Inc: S-452-D and S-856-B Modification to Approved Special Exceptions

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Completed: 11-23-2016

Description

Friends House Inc: S-452-D and S-856-B

B. Request for modification of two existing Special Exceptions:

S-452-D, Housing and Related Facilities for Senior Adults and Persons with Disabilities (59-G-2.35, 2004 Zoning Code) and S-856-B Nursing Home or Domiciliary Home (59-G-2.37, 2004 Code), for a development of a total of 446 units, located on Parcels N214 and N225, 62.18 acres 17340 Quaker Lane (along Norwood Road), Sandy Spring approximately 550 feet north of the intersection of Norwood Road and Dr. Bird Road RE-2 Zone, 1998 Sandy Spring/Ashton Master Plan.

Staff Recommendation: Approval with conditions

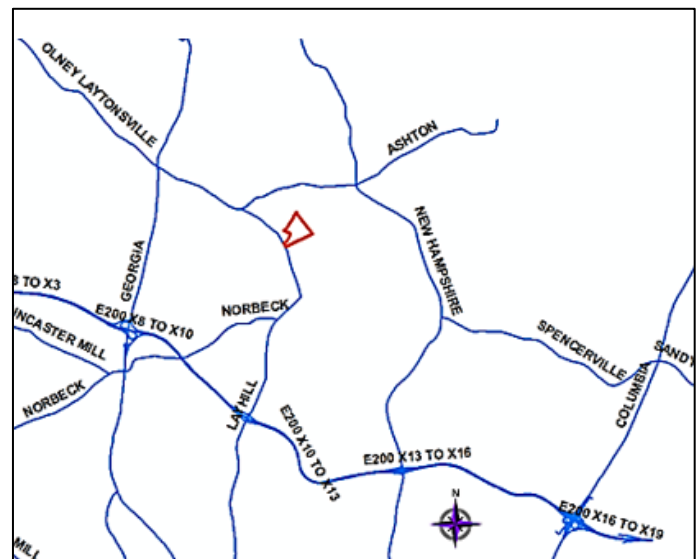
Application Filed: January 6, 2016

Planning Board Hearing: December 8, 2016

OZAH Public Hearing: December 19, 2016

Applicant: Friends House, Inc.

Reviewing Authority: 2004 Montgomery County Zoning Ordinance



Summary

- With the recommended conditions, the proposed uses conform to all applicable requirements and regulations for approval of a Housing and Related Facilities for Senior Adults and Persons with Disabilities (59-G-2.35) and a Domiciliary Care Facility Special Exception (59-G-2.37) of County Zoning Ordinance and the Development Standards under the RE-2 Zone.
- The proposed uses are consistent with the recommendations of the 1998 Sandy Spring /Ashton Master Plan and the site-specific objective and recommendations of the Plan.
- Approval of the requested Special Exception modifications will not cause undue harm or adverse impact on the immediate neighborhood.
- There are no traffic, circulation, noise or environmental issues associated with the application provided that the recommended conditions are satisfied.
- The Applications are in compliance with the Montgomery County Planning Board Environmental Guidelines. The Application is in compliance with Chapter 22A Montgomery County Forest Conservation Law and staff has recommended an amended Forest Conservation Plan (FCP) with conditions. (see attached FCP report)

SECTION I: STAFF RECOMMENDATION AND CONDITIONS OF APPROVALS

Staff recommends approval of S-452-D and S-856-B, subject the following conditions:

1. The Special Exception uses must be limited to a total of 316 independent living units, and a total of 130 assisted-living units/nursing beds, and the existing adult day care program.
2. The Special Exception Modification Site Plan must show the rights-of-way from the centerlines of Norwood Road along the property southern and northwestern frontages of the subject property.
3. Prior to issuance of the initial building permits, the Applicant must coordinate with the Montgomery County Department of Transportation (MCDOT) to provide the necessary additional traffic control markings and signs to assure safe crossing of Norwood Road to access the Metrobus stops (for the Z2 route) on the opposite side of the road along Norwood Road.
4. The Applicant must provide internal sidewalk connections and crossings of driveways/curb cuts that are ADA compliant.
5. At the time of building permit, the Applicant must demonstrate compliance with Section 4.1.2 (5)(d)(ii) of the Maryland Accessibility Code.
6. The Applicant must submit, at the time of the Hearing Examiner public hearing on these applications, written proof that the age restrictions applied to the subject development qualify for at least one type of exemption from familial status requirements of the Federal Fair Housing Act.
7. A note indicating that a minimum of 20 percent of the dwelling units must be permanently reserved for households of low income (at or below 60 percent of area median income) must be included on the Special Exception Site Plan.
8. Prior to the approval of the Special Exception Application, the Applicant must record covenants on the property that permanently reserve a minimum of 20 percent of the dwelling units for households of low income (at or below 60 percent of area median income)
9. No future applications for modification of the Approved Special Exception shall be filled separately for S-452-D or S-856-B. Any proposed modification on the property must amend both cases as approved in the subject Major Modification of the Approved Special Exception Site Plan.
10. Prior to the closing of the record by the Hearing Examiner, the Landscape Plan must be revised to provide a dense evergreen screen composed of American Holly (*Ilex opaca*) placed adjacent to the historic property at the curve in the access road to facilitate the screening of automobile headlights shining onto the historic property from the access road.

II. PROJECT DESCRIPTION

A. Background

The Applicant, Friends House, Inc. requests a modification to two existing Special Exceptions (Case No. 452 and Case No. S-856B) for Housing and Related Facilities for Elderly or Handicap Persons and Nursing Home and Domiciliary Care Home on its 62.2-acre retirement community campus. Since the inception of the retirement community approximately 50-years ago, several Special Exceptions and modification to Special Exceptions have been approved for various facilities including, assisted living facilities, memory care, independent living apartments and cottages, and adult day care. Table 1 summarizes all previous Special Exception approvals for the subject property.

Table 1-Approved Special Exception on the Subject property

Case No.	Approval Date	Application
CBA-1885	October 26, 1965	Special Exception for a church sponsored Care home for the elderly:
CBA-1915	December 26, 1965	Modification to amend number of required parking spaces
CBA-2673	October 9, 1969	Construction of addition of a 40-bed nursing home
CBA-2673	August 10, 1972	To amend nursing home to allow for 20 semi-private rooms and 1 single room for a total of 41 beds
S-261	September 19, 1973	To add 4 more beds (total 45)-no exterior modification
S-513	January 19, 1977	New 50-bed nursing care home: existing 45-beds home to be converted into sheltered housing facility for elderly for intermediate care. (Connected facilities)
A-345		A 22' variance from the required 67' side yard setback for the new building
A-345	September 2, 1978	Additional side yard variance of 3' for a total of 25'
S-452	October 31, 1979	Four 4-unit apartment building for a total of 22 units
S-856	March 2, 1983	Modify S-261 and S-452 to allow addition to rehabilitation and personal area of nursing and care home and to build six detached cottages.
S-452-A	February 21, 1991	Construction of 5 detached houses of 2 units each for a total of 10 units
S-452	May 20, 1991	Addition and modification to a unit at 17315 Quaker Road-add master bedroom, bath, alcove and garage
S-452-B	July 13, 1993	To add 5 apartments to existing housing for elderly-3 One bed room units, 2 studio units to be attached to existing apartment building
S-452-C	June 10, 1997	To construct 2-story, 90-unit apartment facility for elderly and ancillary use adult day care facility in assisted living facility Modify parking so that 16 of proposed 22 spaces are distributed to other proposed parking areas.
S-856-A	June 10, 1997	To permit construction of 30 room assisted living facility and to add to the nursing home a 28-unit for dementia patients and a pharmacy.
S-856-A	September 16, 1997	To add second story to pharmacy addition to allow for second floor dining room to service the nursing home
S-856-A	November 13, 2003	Revise design of proposed addition so it is more suitable for Alzheimer's patients

In the current application (S-452-D and S-856-B), the Applicant is requesting a Major Modification of the last approved Special Exceptions to allow a total of 356 new living units for seniors with various care needs as well as a wide range of income levels. The modifications include new additions, expansions and upgrading of buildings throughout the campus, redesigning of on-site circulation patterns and modifying access to the campus, retention of 90 existing units (8 units in duplex cottages and 82 skilled nursing beds) and removal of 156 existing living units. The Applicant's revised statement (October 31, 2016) indicates that upon completion of all phases of the development, the total number of units on site will be 446 living units that includes 126 independent living apartments, up to 158 lodge apartments, 32 cottage duplex units; 48 assisted living units, and 82 beds in the skilled nursing hall.

The Applicant proposes, as part of these applications, a four-phase program to implement the proposed modifications.

Table-2 Proposed Phases of Development/Modifications

	Existing Units to Remain	Phase 1	Phase 2	Phase 3	Phase 4	Total
New Independent living		80		30	16	126
Lodge Apt Units		33			125	158
Duplex Cottage Dwelling Units	8	24				32
Assisted Living			48			48
Skilled Nursing beds	82					82
Total	90	137	48	30	141	446

Table-2.1 Proposed Phases of Development/modifications

Phase I	Phase II	Phase III	Phase IV
<ul style="list-style-type: none"> Removal of 25 HUD units to allow for construction for the new low income housing tax credit (LIHTS) building Construction of multi-family building 72 new LIHTS units and 8 market rate units (New Independent living) Construction of 3 lodge apartments (33 d.u.) Construction of 12 cottages with 24 units. 	<ul style="list-style-type: none"> Addition of 48 units to the Assisted Living and memory care facility 	<ul style="list-style-type: none"> Expand Commons Building with 6 additional independent unit apartments (Haviland Hall) Construction of new 24-unit independent living apartment building (C/D wing). 	<ul style="list-style-type: none"> Construction of the remaining 11 Lodge Apartments (with total of 125 units including 16 new independent living apartment units (all market rate) in a new B-wing.
<p>New Staff: 3 full time and 2 full time equivalent (5 to 6 part time employees) Total = 8 employees</p>	<p>New Staff: 20 Full time additional staff Total=20 staff</p>	<p>New Staff: 4 full time, 1.5 full time equivalent (4 par-time) Total = 8 employees</p>	<p>New Staff: 21 Full time additional staff Total=21 staff</p>

B. Site Description

The Friends House Retirement community is located at 17340 Quaker Lane approximately 2,000 feet south of Olney-Sandy Spring Road (MD108). It is an irregular inverted L-shaped property with interrupted frontages on Norwood Road (Figure 1.) Quaker Lane is an internal lane that starts and ends within the 62.2-acre property and connects the various residential areas on the Retirement Community campus.

The property is improved with various buildings including assisted living facilities, and independent living facilities, Alzheimer care unit, and a number of independent living cottages. The existing developments on the site are connected by a network of small internal roads.

The Northwest Branch mainstem crosses the property from northwest to southeast. The north side of the stream is undeveloped and mostly forested. There are smaller tributary streams within the forest. A pond and tributary to Northwest Branch exist on the developed side of the stream. There is a 100-year floodplain associated with Northwest Branch.

The subject property abuts three single-family detached homes located within the Sandy Spring Village and zoned R-200 to the north. To the northeast and east, the property abuts three other single-family detached residences homes and two large and heavily wooded parcels of land all in the Rural Neighborhood Cluster (RNC) Zone. To the south, the property abuts the 139-acre Sandy Spring Friends School, which is zoned RE-2. A historic site known as “Norwood”, a circa 1751 house listed in the Master Plan for Historic Preservation (#28/13), is located at 17201 Norwood Road adjacent to the southwestern portion of the property. To the west across Norwood Road, To the west across Norwood Road, are a single-family dwelling on a large parcel of land, two unimproved large parcels and a cluster of single-family homes in the RNC Zone within the Ashton Green Subdivision. (See Figure 2 for locations).

Figure 1: The Subject Site



C. Surrounding Neighborhood

The applicant has not defined the surrounding neighborhood for the subject Application. For the purposes of these Applications, staff defines the surrounding area as follows (Figure 2):

North: Olney-Sandy Spring Road

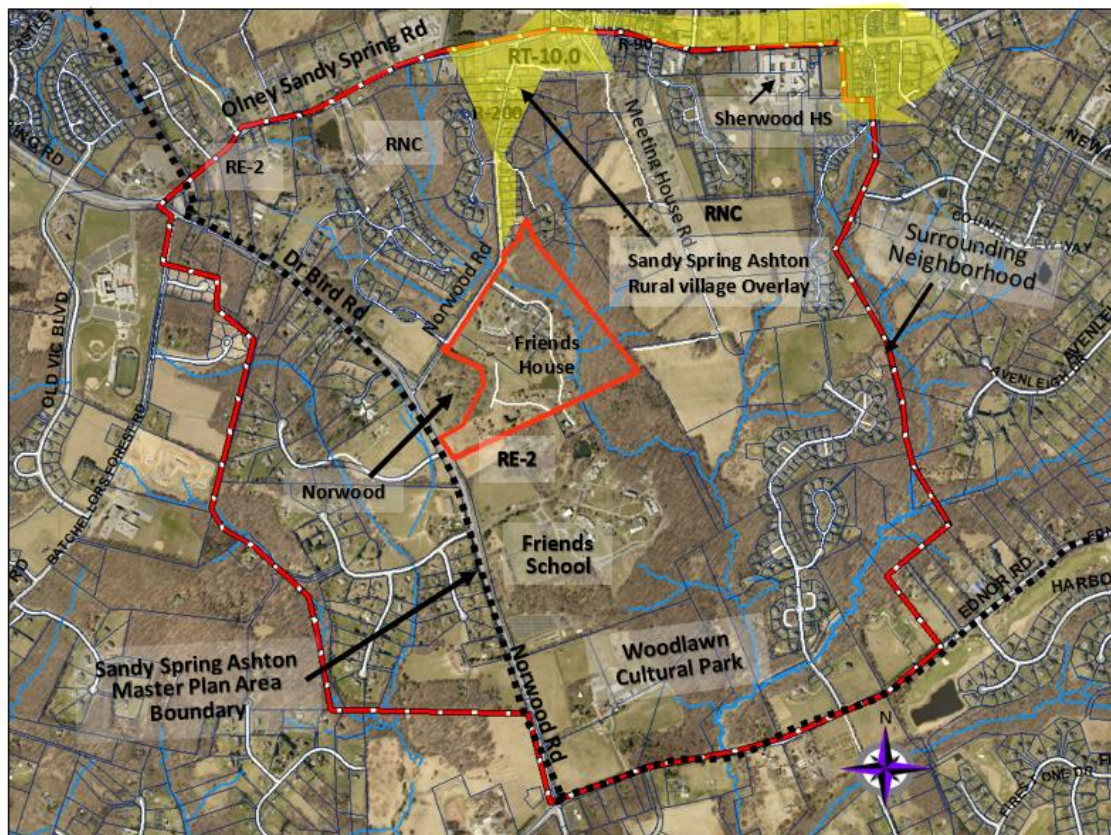
East: The Northwest Branch mainstem and the eastern boundary of the RNC zoned area

South: Ednor Road

West: Dr. Bird Road and Norwood Road including properties located on the west side of both roads that are outside of the Sandy Spring/Ashton Master Plan Area.

The surrounding area is developed with single family dwellings in a village type development with rural character in an area defined by a variety of environmental features including streams, steep and gentle slopes and park lands. The area for the most part is in the RE-2 and RNC zones. The exceptions being small areas at the northern edge of the defined neighborhood boundaries along Olney-Sandy Spring Road and within the Sandy Spring Village center that are zoned R-200, RT-10.0 and R-90.

Figure 2: Surrounding Neighborhood



D. Zoning and Land Use History

Available records indicate that the property was placed in the Residential Estate 2 (RE-2) Zone prior to 1981. The 1981 Sectional Map Amendment (SMA) G-293 for the Sandy Spring/Ashton

Planning Area confirmed the property’s RE-2 Zone. The 1998 Sandy Spring/Ashton Sectional Map amendment (G-770) retained the property in the RE-2 Zone.

E. Proposed Use

As noted, the Applications (S-452-D and S-856-B) propose major modifications of the last approved Special Exception Site Plan to allow removal, retention, expansion and new construction of buildings and living units, to continue the existing assisted and independent living uses for seniors with various care needs, as well as a wide range of income levels. Upon completion of all phases of the development, the total units on site will be 446 living units that includes 126 independent living apartments; a maximum of 158 lodge apartments; 32 cottage duplex units; 48 assisted living units; and 82 beds in the skilled nursing hall. The proposed changes include:

- 1) The permanent removal of two cottages presently located within proposed conservation easement;
- 2) Construction of a new 80-unit low income tax credit financed apartment building;
- 3) Addition of a new 48 unit assisted living facility to the existing nursing home, as well as a modest expansion of the nursing home to allow the conversion of semi-private rooms to private rooms;
- 4) Preservation of 8 duplex cottage units;
- 5) Preservation of a 25-unit wing of HUD program apartments on a temporary basis;
- 6) Construction in phase 1 of 13 new single and duplex cottage units and 33 lodge units;
- 7) Eventual replacement of certain of existing cottage buildings with lodges;

The most recent Special Exception Site Plan (S-452-C and S-856-A) was approved for a total of 338 living units of which only 246 of the units were constructed.

Existing Number of Employees and Future Staffing Needs to Support Proposal

The existing number of total non-management support employees is 189. This group of employees works seven days a week and can be broken into three main shifts of 7 a.m.-3 p.m., 3 p.m.-11 p.m., and 11 p.m.-7 a.m. In addition, there are 15 additional management staff that work Monday through Friday, from 9:00 a.m. to 5:00 p.m. There will be no new management employees added as a result of Phases I-IV proposed in these Applications. The number of support employees will increase as the proposed modifications implemented through phases I-IV. The Applicant Phasing Plan (See appendix A) shows the increases in the number of support employees (non-management) as follows:

Table 3: Proposed New Employees

Existing Shift	Phases/New employees	Shift/ proposed growth%
#1 (7am-3pm): 25 employees	Phase I: 8 positions	#1 (7am-3pm): 40%
#2 (3pm-11pm):20 employees	Phase II: 20 positions	#2 (3pm-11pm): 40%
#3 (11pm-7am): 15 employees	Phase III: 8 positions	#3 (11pm-7am): 20%
	Phase IV: 21 positions	
	Total=57 New employees	

Figure 3: Special Exception Site Plan

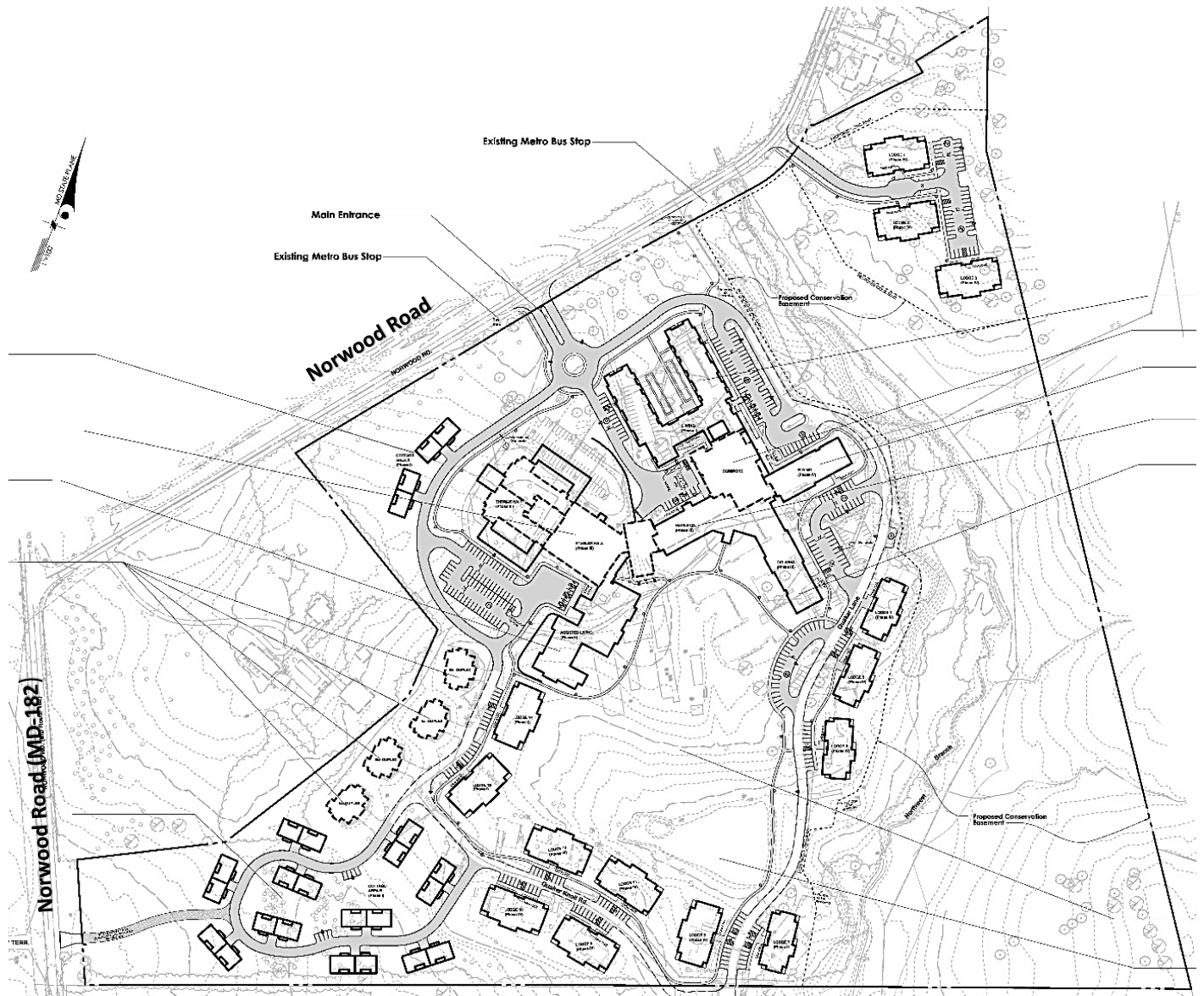
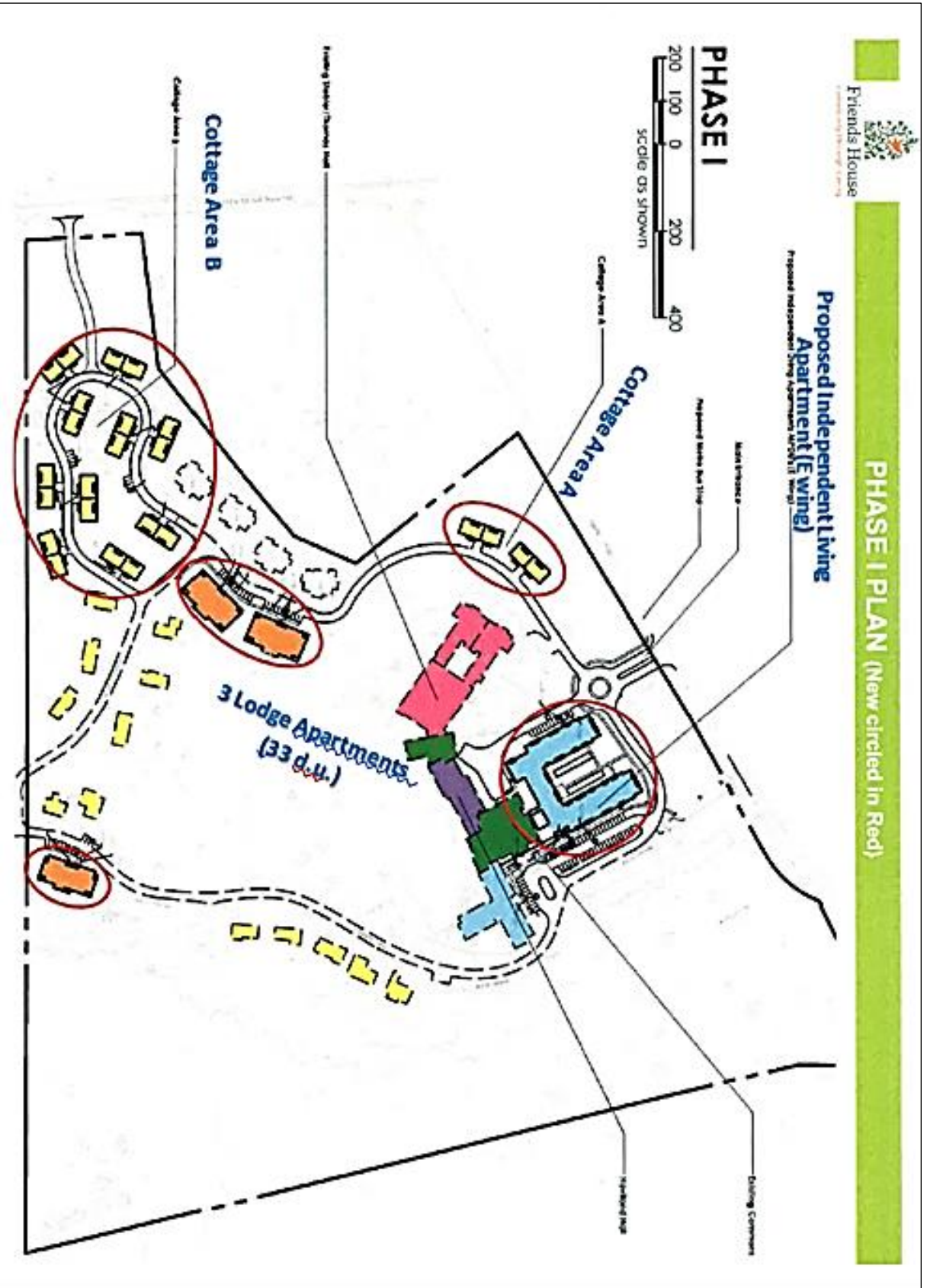


Figure 4: Phase I plan



III ANALYSIS AND FINDINGS

A. Master Plan

Figure 5: 1998 Sandy Spring/Ashton Master Plan Land Use Plan

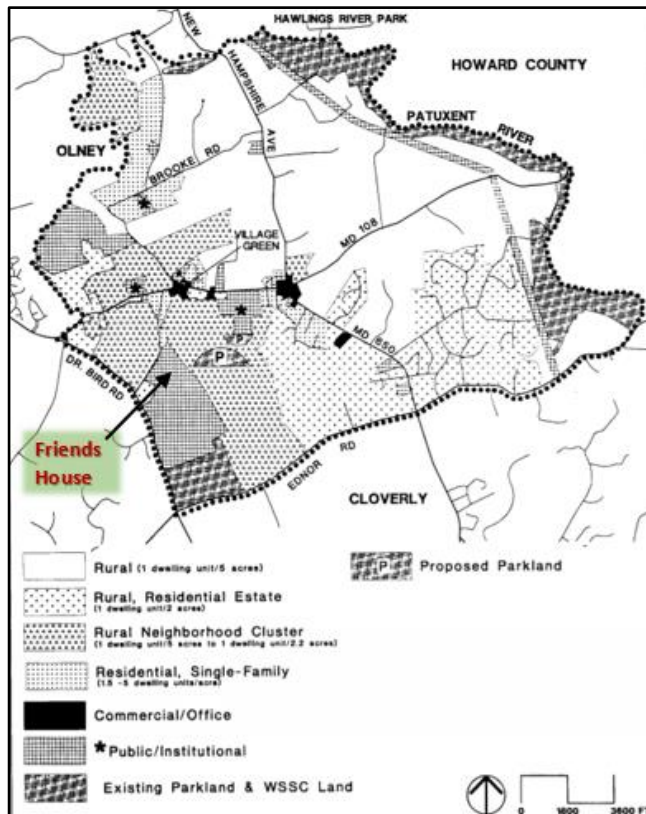
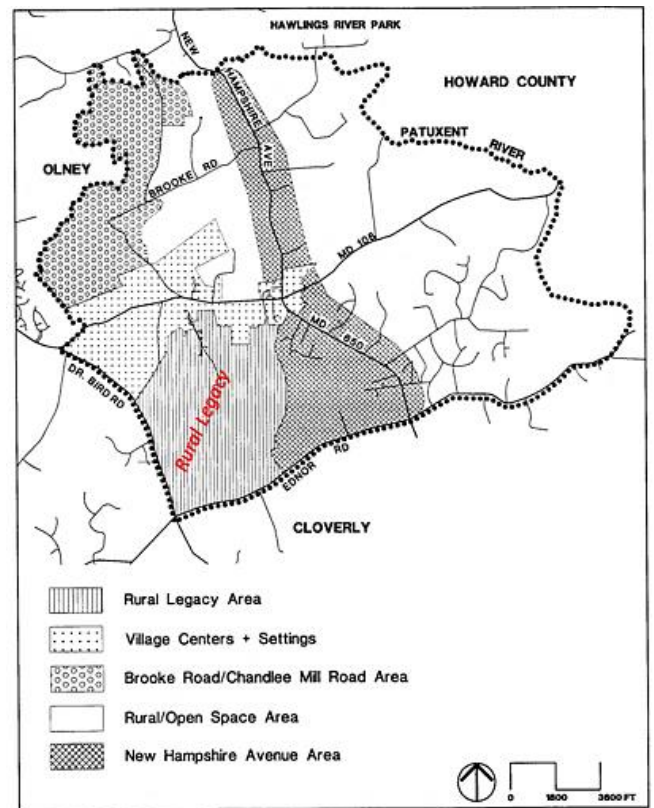


Figure 5.1 Analysis Areas



The property is within the *1998 Sandy Spring/Ashton Master Plan* and is located at the southwestern edge of the Master Plan area (Figure-5) identified as “the Rural Legacy Area” (Figure 5.1). The Rural Legacy area includes significant portions of remaining developable land, approximately 400 acres. The Master Plan set objectives in the Rural Legacy Area, to “Develop a rural open space pattern which preserves rural character and provides an attractive setting for new neighborhoods and existing institutions.” P.16

Friends House is one of the two “existing institutions” identified in the Master Plan, which makes the following recommendation: “Continue the rural setting of the Sandy Spring Friends School and Friends House Retirement Community. Expansion of these institutions should include at least 60 percent open space overall and the open space should be located so as to maintain the rural setting.” (P. 16) The Friends House Application shows open space equivalent to more than 75 percent of the property’s area. This amount of open space meets the Master Plan’s goal for open space in this part of Sandy Spring.

The proposed Special Exception Modifications are compatible with the existing rural character of the surrounding area.

B. Transportation

The property is located on the northern corner of T-intersection formed by Dr. Bird Road, the State controlled segment of Norwood Road (MD 182), and the County controlled segment of Norwood Road. The Special Exception Modifications propose the following vehicular access points:

- Upgrade the existing southwestern access point from the County segment of Norwood Road to become a main access.
- Add a new northeastern access point from the County segment of Norwood Road to access the three proposed new buildings.
- Add a third Fire Department access point from State Segment of Norwood (MD 182).

The MCDOT is not requiring deceleration and acceleration lanes at the proposed curbs cuts along their segment of Norwood Road. In addition, a fire access point is required from the State segments of Norwood Road with no deceleration and acceleration lanes. Any widening of the paved way roadway would not maintain the rural characteristics along Norwood Road as recommended in the *1998 Sandy Spring/Ashton Master Plan*.

Public Transit Service

Metrobus Route Z2 operates along Norwood Road between the Paul S. Sarbanes Transit Center in Silver Spring and the intersection of Georgia Avenue and MD 108 in Olney with half hour headways on weekdays only. Three bus stops are located along property frontage of Norwood Road northeast of Dr. Bird Road.

Pedestrian and Bicycle Facilities

There is no sidewalk along the property frontage on the County's segment of Norwood Road, but a shared-use path exists on the opposite side (west) of Norwood Road in the Bancroft subdivision. A five-foot wide sidewalk along the property frontage on the County's segment of Norwood Road would be desirable but its construction would adversely impact the existing mature trees that contribute to the existing rural characteristics along this segment of Norwood Road. Thus, staff does not recommend that a sidewalk be constructed.

A note on the Special Exception Site Plan indicates that bicycle facilities for approximately 25 spaces are provided within the parking area at various places. In front of main buildings near the handicap parking spaces, the plans show two sets of Inverted-U bike racks having four racks and 3 individual racks for short-term bicycle parking. The plan also show one bicycle parking in the parking lots of each of the 14 lodge apartment buildings. The note also indicates an assumed 1 space/per garage totaling 57 bicycle spaces being provided within the garages attached to the cottage/duplexes as the buildings constructed in Phases I through IV.

With the recommended conditions:

- The crossings of Norwood Road are safe to access the Metrobus stops (for the Z2 route) on the west side of Norwood Road.
- The internal sidewalk connections and crossings of driveways and curb cuts are ADA compliant by being at-grade crossings.

Local Area Transportation Review (LATR)

The proposed increase in housing units will generate the following number of peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.) as shown in Table 4:

Table 4: Local Area Transportation Review

Land Use	Number	Weekday Peak-Hour	
		Morning	Evening
Existing Land Uses			
Independent living Units	143	27	36
Assisted-Living Units/Nursing Beds	103	3	6
Subtotal	246	30	42
Additional Senior Living Units			
Independent living Units	178	36	44
Assisted-Living Units/Nursing Beds	27	1	2
Subtotal	205	37	46
Total	451	67	88

A traffic study was submitted to satisfy the LATR test because the “total” number of site-generated peak-hour trips is 30 or more within the weekday morning and evening peak periods. Based on the traffic study results, the capacity/Critical Lane Volume (CLV) values at the studied intersections are shown in Table 5 below for the following traffic conditions:

1. Existing: The traffic condition as it currently exists including the trips generated by the existing Friends Home.
2. Background: The existing condition plus the trips generated from approved but un-built nearby developments, in the pipe line.
3. Total: The background condition plus the additional site-generated trips based on the proposed increase in housing units.

Studied Intersection	CLV Standard	Traffic Condition					
		Existing		Background		Total	
		AM	PM	AM	PM	AM	PM
Olney-Sandy Spring Rd. & Norwood Rd.	1,450	961	884	968	899	972	906
Dr. Bird Rd.-Norwood Rd. & Norwood Rd.	1,450	786	836	800	844	826	874
Norwood Rd & South Campus Dr.	1,350	146	153	147	158	183	223
Norwood Rd & Existing Campus Dr.	1,350	138	146	139	151	----	----
Norwood Rd. & New North Campus Dr.	1,350	----	----	----	----	136	135

Table 5: Local Area Transportation Review

As shown in Table 5 above, the calculated CLV values do not exceed the applicable CLV standard. The CLV standard is 1,450 for the intersections on the border of the Olney Policy Area

and Patuxent Policy Area and 1,350 for the intersections entirely within Patuxent Policy Area. Thus, the LATR test is satisfied.

Transportation Policy Area Review (TPAR)

The property is in the Rural West Policy Area, which is exempt from making a payment under the transit and roadway test and, therefore a TPAR impact tax payment is not required.

Staff recommends the following conditions related to the APF test of the transportation requirements for the subject Special Exception cases:

1. The Special Exception cases must be limited to a total of 316 independent living units and a total of 130 assisted-living units/nursing beds, and the existing adult day care program.
2. The Applicant must show on the Special Exception site plan the rights-of-way from the centerlines of Norwood Road along the property 's frontages.
3. Prior to issuance of building permit The Applicant must coordinate with Montgomery County Department of Transportation (MCDOT) to provide the necessary additional traffic control markings and signs to assure safe crossing of Norwood Road to access the Metrobus stops (for the Z2 route) on the opposite of the along Norwood Road.
4. The Applicant must install internal sidewalk connections and crossings of driveways/curb cuts that are ADA compliant.

C. Environment

Environmental Guidelines

The Natural Resources Inventory/Forest Stand Delineation ("NRI/FSD") 419970710 for this property was approved on November 21, 1996 and recertified on October 24, 2003. The NRI/FSD identifies the environmental constraints and forest resources on the subject property. The NRI/FSD calls out the site to be a total of 62.18 acres of which 20.14 acres are existing forest separated into four (4) distinct forest stands. The site also contains multiple perennial streams, a farm pond, and several wetland areas. The site is located within the Northwest Branch watershed, which is classified by the State of Maryland as Use IV waters. The property is not located within a Special Protection Area, nor is it located within the Patuxent River Primary Management Area .

Forest Conservation

The FCP for the subject property (CBA-1855) was originally approved as a phased FCP. This means the entire property was approved as a PFCP and part of the property was approved as a FFCP. The overall 62.18-acre site has a PFCP approval dated October 24, 2003. The area of the property west of the stream also had FFCP approval dated October 24, 2003. The area of the property east of the stream never obtained FFCP approval. These Applications amend the previously approved FFCP for west of the stream and create a new FFCP for the area east of the stream, effectively creating one FFCP for the entire property.

The original plan that was subject to Chapter 22A was #CBA-1855, entitled Friends House (Parcel C), created the FCP for the property and is the reason the Special Exception Application has different numbers (S-856 & S-452) than the underlying FCP.

This site is zoned RE-2 which is assigned a Land Use Category of Medium Density Residential (MDR) in the Land Use Table of the Trees Technical Manual. This gives the site an afforestation requirement of 20% of the net tract and a conservation threshold of 25%.

The NRI/FSD shows a net tract area of 62.18 acres with a total of 20.30 acres of forest on the project site. The FFCP amendment shows a net tract area of 58.70 with 16.59 acres of forest. The difference in the numbers is due to a previously recorded sewer and storm drain easement that was deducted out of the net tract area. The FFCP proposes to remove 3.93 acres and retain 12.66 acres of forest. When the numbers of the total tract area, land use category, total amount of forest, forest removed and forest retained are entered into the Forest Conservation Worksheet, it results in a total afforestation/reforestation requirement of 4.51 acres.

The Applicant intends to meet the 4.51 acres planting requirement through 3.36 acres of onsite planting and 1.15 acres of mitigation credit in an offsite forest conservation bank. The revised plan reduces forest clearing by 0.49 acre acres and increases forest retention by .22 acres. The total amount of Category I conservation onsite has increased by 1.87 acres. All the retained forest and the environmental buffer areas, except specific areas excluded due to existing conditions from the previous approval, will be protected by a Category I Conservation Easement.

The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Environmental Guidelines and the Forest Conservation Law. (see attached Forest Conservation Report- Attachment B).

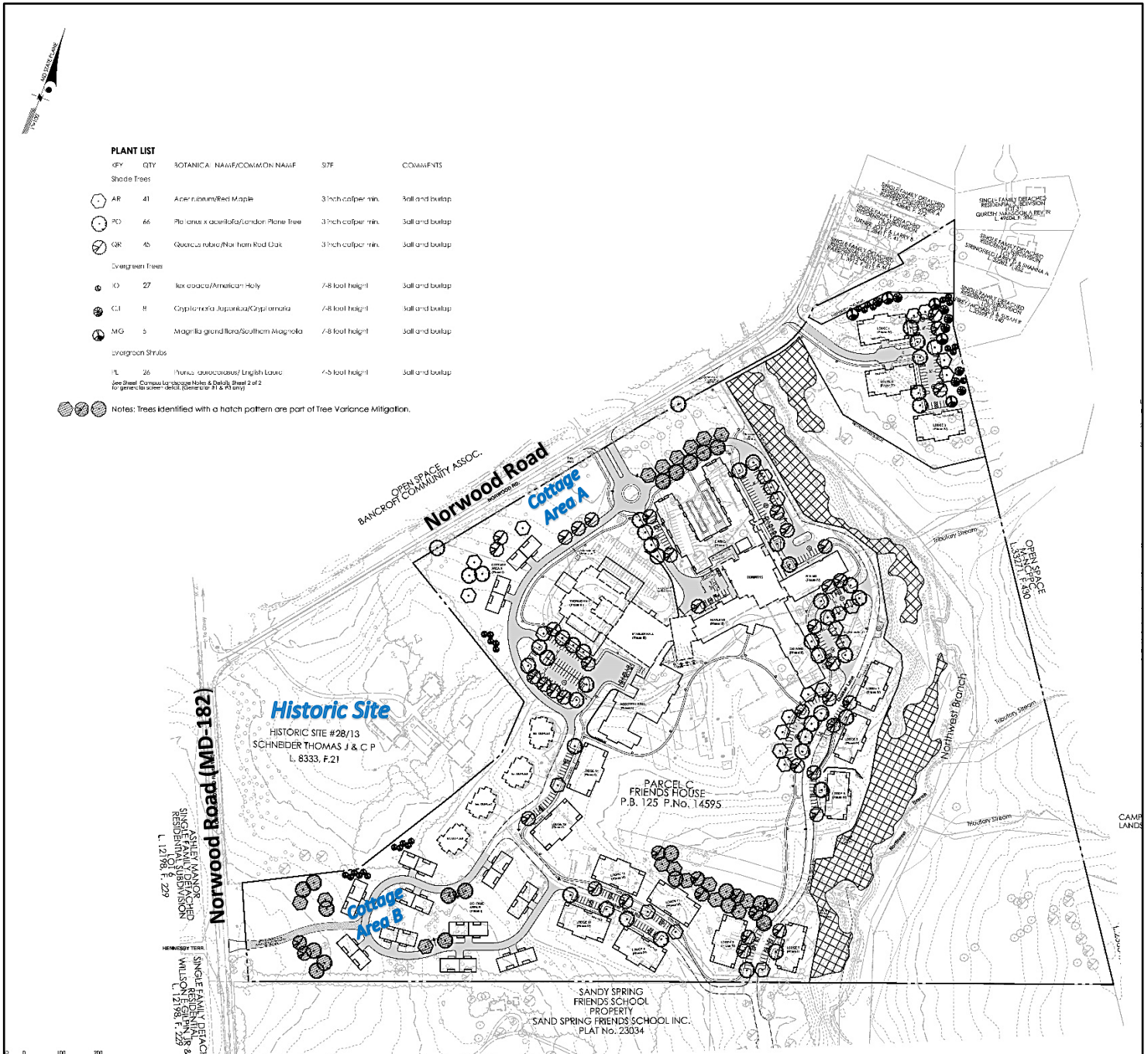
D. Landscape and Lighting

Landscaping Requirements (Section 59-E-2.7, 2.8 and 2.9)

The Applicant has submitted an overall Campus Landscaping Plan for this multi-phase project as part of their Applications.

The Landscape Plan provides landscaping for parking facilities to improve the attractiveness of the facilities, provide relief from unshaded areas, and to minimize noise, glare and light trespass. In addition, the planting plan improves pedestrian safety, optimizes traffic circulation patterns and provides a better definition of entrances and exits through the use of interior islands.

Figure 6: Campus Landscape Plan



The project includes a total of fourteen parking facilities with six or more parking stalls as defined in Section 59-A-2. These facilities range in size from eight spaces up to forty-eight spaces. In all cases, staff has reviewed the parking facilities to determine the applicability of each portion of the code. In each case, the Applicant has met the parking facilities landscape shading requirements under 59-E-2.73 and 59E-2.83 by providing a mix of over story shade trees comprised of Sycamore (*Platanus occidentalis*), Northern Red Oak (*Quercus rubra*) and Red Maple (*Acer rubrum*). In addition, the Applicant has met the parking facilities landscaping requirements under Section 59-E-2.72 by providing at least one shade tree for every 40-feet of parking area perimeter. Finally, in applying Section 59-E-2.83(c), screening requirements for parking structures, staff has determined that the nearest residential lot is on an adjacent piece of land at least 530 feet away from the closest parking facility on the property. In this case, staff has determined that the parking facility screening requirements are not applicable given the distance to the nearest residential lot.

In addition, staff recommends a dense evergreen screen composed of American Holly (*Ilex opaca*) placed adjacent to the historic property at the curve in the access road. This planting is intended to facilitate the screening of automobile headlights shining onto the historic property from the access road.

Lighting Requirements (Sections 59-G-1.23)

The Applications have included a photometric plan showing measured lighting intensity across the entire site in foot-candles. The photometric plan also shows locations where lighting fixtures will be mounted and includes the manufacturer's specifications on the lighting fixtures being proposed. The lighting proposed for the site serves multiple purposes including illumination of the site entrance, drive lanes, and parking lots and improves visibility in all of these areas for pedestrian safety.

The Applicant proposes a total of twenty pole mounted and thirty-five bollard mounted lighting fixtures to illuminate the Norwood Road entrance, the parking facilities, internal pathways and portions of the internal access road. Staff has determined that the photometric plan meets the requirements under Section 59-G-1.23(h) by indicating that no light level above 0.01 foot-candles will spill across any property boundary and that each lighting fixture has a full cut-off device to reduce glare and light trespass. The lighting as proposed will be adequate to provide visibility to the areas for vehicular and staff circulation during nighttime hours. The lighting will not have a negative impact to neighboring property owners with either direct light or light glare.

E. Historic Preservation

The subject property adjoins the historic site known as Norwood, a circa 1751 house listed in the Master Plan for Historic Preservation (#28/13), located at 17201 Norwood Road southwest of the property. The Historic Preservation staff had previously raised concerns over cumulative effect on the historic site created by the number of additional dwelling units, orientations, and designs of proposed cottages in Cottage Area A and Cottage Area B. In response to staff's comments, the Applicant revised the Special Exception Site Plan and addressed the concerns that were raised including reducing the number of units located in the area immediately

adjacent the Historic Property. The Historic Preservation Section is satisfied with the revised plan (see Attachment B: M-NCPPC Historic Preservation staff memo of September 30, 2016)

Moreover, as noted in Section III D above, Staff is recommending that the Applicant further revise the Landscape Plan to add a dense evergreen screen composed of American Holly (*Ilex opaca*) in the area adjacent to the historic property at the curve in the access road. Staff believes that this additional planting coupled with the heavily wooded area surrounding the rear portion of the historic property, facilitates the screening of automobile headlights shining onto the historic property from the access road and further ensures adequate buffering and screening of the historic property.

F. Community Concerns

At the time of the staff report publication, one letter of opposition was received from the residents of the adjacent historic property, 17201 Norwood Road (Thomas J. and Cynthia P Schneider). The Schneiders expressed concerns regarding the proximity of the proposed units to the property line they are sharing with Friends House property. The areas of concerns are currently open fields.

As noted in Section III E above, the Historic Preservation staff reviewed the Application and had voiced concerns regarding the proposed development near the historic property. In particular, the Historic Preservation staff believed that the introduction of four new structures to a location near the northeast boundary with the historic site (Cottage Area A) and the introduction of twenty new dwelling units south of the existing duplex cottages (Cottage Area B) could have a cumulative effect on the historic site (Figure 6). The Applicant revised the Special Exception Site Plan and the Landscape Plan to address the issues raised by the Historic Preservation staff. Upon reviewing the revised plans, the Historic Preservation Section had offered the following comments on the revised design (Attachment B):

“The revised plans responded to comments about the impact to the adjacent historic site by reducing from four to two new structures (“Cottage Area A”) to be constructed in a location near the northeast boundary with the historic site, and by orienting these structures such that they are roughly aligned one behind the other, thereby reducing the visual impact on the historic site. This, coupled with the planting of shade trees and the placement of the buildings, satisfactorily addresses previously raised historic preservation concerns.”

“Staff had previously raised concerns over cumulative effect on the historic site created by the number of additional dwelling units proposed for “Cottage Area B”. Staff is satisfied that the design of the duplexes, their orientation, and the introduction of new buffering trees will mitigate any adverse visual impact on the historic site.”

As noted in Sections III- D (Landscaping and Lighting) and E (Historic Preservation) the technical staff has recommended additional planting to further ensure that automobile headlights would not infiltrate onto the historic property from the access road.

The Sandy Spring Civic Association has discussed the Application at its June, 2016 and July, 2016 meetings. No official comments have been received from the Civic Association. However, a document submitted by the Applicant (see attachment C) indicates that the Association

supported the application at its July, 2016 meeting but there is no indication of a final vote or decision.

IV GENERAL DEVELOPMENT STANDARDS (§ 59-G-1.23)

- a. Development Standards-59-G-1.23 (a): 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.**

The subject property is in the RE-2 Zone which permits the proposed uses by Special Exception. The proposal conforms to all applicable current development standards of the RE-2 Zone. Table 6 summarizes the relevant development standards for the RE-2 Zone that are applicable to the proposed Special Exception modification requests:

Table 6: Development Standard: RE-2 Zone

Development Standards 2004 Code	G-2.35: S-452 Housing and Related Facilities for Senior Adults and Persons with Disabilities		G-2.37: S-865-B Nursing Home or Domiciliary Home	
	Required	Proposed	Required	Proposed
Minimum Lot Area	87,120SF (2 AC)	62.2 acre	1,200 SF/ bed	
Minimum lot Frontage <ul style="list-style-type: none"> • at front building line • at street line 	150 FT 25 FT	1,600 FT 1,518 FT	150 FT 25 FT	1,600 FT 1,518 FT
Minimum Building Setback <ul style="list-style-type: none"> • Front • Side <ul style="list-style-type: none"> • One side • Sum of both sides • Rear 	50 FT ¹ 17 FT 35 FT 35	50 FT Min 17 FT Min 35 FT Min 35 FT Min	50 FT 17 FT 35 FT 35 FT	50 FT Min 17 FT Min 35 FT Min 35 FT Min
Building coverage	25 percent	13 percent	25 percent	13 percent
Maximum Building Height	50 SF	38 FT	50 FT	38 FT
Minimum Parking Setback (59-E-2.83 (b)) <ul style="list-style-type: none"> • Front • Side • Rear 	50 FT 27 FT 45 FT	225 FT 27 FT 45 FT	50 FT 27 FT 45 FT	225 FT 27 FT 45 FT
Minimum Green area 59.-G-2.35	70 percent	78 percent	70 percent	78 percent

- b. Parking Requirements—59-G-1.23 (b): Special Exceptions are subject to all relevant requirements of Article 59-E.**

¹*59-G-2.35 permits: four stories or the height limit of the applicable zone, whichever is less. Additional height up to six stories is permitted if the additional height is in conformity with the general character of the neighborhood considering population density, design, scale and bulk of the proposed building, traffic and parking conditions

Section 59-E-3.7—Parking requirements

- 1. 59-G-2.35: Housing and related facilities for senior adults or persons with disabilities. Base parking requirements for housing for senior adults or persons with disabilities must be determined in accordance with the location of the property in relation to the Parking Policy Areas approved by the District Council on June 28, 1984, and maintained by the Planning Board. The base parking requirements vary according to the number of bedrooms in each dwelling unit.**

Section 59-E-3.33 (b)(2), (3), and (4) state that for housing and related facilities for senior adults and persons with disabilities the Director/Planning Board may approve reductions in the standards parking requirements contained in Section 59-E-3.7. Any reductions granted must be in accordance with the parking credit schedule, which must be applied sequentially with succeeding percentage applying to the balance:

Although the Application could qualify for two types of parking credits; the Special Exception Site Plan shows that only the 10 percent credit was allowed for provision of shuttle bus service is used in the parking tabulation. Regardless, adequate parking accommodations are provided at various locations on the Campus. All parking spaces except for the garage spaces in the duplex dwellings are provided on surface parking lots that are reconfigured and relocated to accommodate the proposed modifications and expansions throughout the 62-acre retirement community campus.

- 2. 59-G-2.37 (D) Nursing home or Domiciliary Care Home**

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 48 parking spaces are required for the nursing home use (Table 7). As noted, adequate parking accommodations are provided to serve all uses on the subject property including the existing and proposed nursing home or Domiciliary Care Home facilities.

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))

The Special Exception Site Plan shows two sets of Inverted-U bike racks having four racks each and three individual racks for short-term bicycle parking. The plan also show one bicycle parking in the parking lots of each of the 14 lodge apartment buildings. A note also indicates that the plan assumes that 57 additional bicycle spaces within 32 garages

attached to the cottage/duplexes will be provided. The Application meets and exceeds this requirement.

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 Special Exception Site Plan identifies the 25 bicycle spaces and sufficiently addresses this requirement. The Applicant intends to properly maintain the spaces.

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))

The parking tabulation on Special Exception Site Plan indicates that two motorcycle spaces are provided. The Applicant’s revised plan (submitted October 18, 2016) shows the two motorcycle spaces. Given the nature of the uses on the property, the proposed motorcycle stalls adequately satisfy this requirement.

Table 7: Parking Tabulation

	S-452-D: 59-G-2.35: Housing and related facilities for senior adults or persons with disabilities	S-856-B: 59-G-2.37(D) Nursing Home or Domiciliary Care Home
Required	141 efficiency and 1Br@1 sp/d.u = 141 sp 175 two-br or more @1.35 sp/d.u= <u>236 sp</u> Subtotal 377 sp	82 skilled nursing bed @0.25 sp/bed 21 sp 20 care home employees (largest shift) @0.50 sp/employee <u>10sp</u> Subtotal 31 sp
	10 percent credit for the provision of shuttle bus -38 sp Total 339 sp	48 one BR DU @0.25 sp/bed 12 Sp 20 care home employees (largest shift) @0.50 sp/employee <u>5 sp</u> Subtotal 17 sp Total 48 sp
Total Required for S-452-D and S-856-D: = 387		
Provided S-452 B and S-856A	Regular Parking spaces 371 sp ADA Parking Spaces 30 sp Total 401 sp (not including motorcycle or bicycle spaces)	
	Motorcycle Spaces 2 sp Bicycle Spaces 25 sp	

As shown in Table 7, the total parking spaces, not including motorcycle or bicycle spaces, proposed by the Application exceed the required number of spaces for all uses on the property by 21 and therefore, the parking requirement is satisfied.

(c) Forest Conservation-59-G-23 (d): 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. The property has a previously approved forest conservation plan, S-1855 (see Section III C), which is being amended to accommodate the proposed expansion and modification as part of this Application. Staff is recommending approval of the Amended FCP, with conditions. This Special Exception site is also subject to Chapter 22A-21, which requires that a variance be granted by the Planning Board for the Applicant to remove several specimen trees located at various locations on the property. As noted earlier, the Application satisfies all applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Environmental Guidelines and the Forest Conservation Law.

(d) Signs (59-G-1.23(f)): The display of a sign must comply with Article 59-F.

No new sign is proposed. Any temporary construction signs must comply with all applicable requirements of Article 59-F. All signs placed on the property must meet the requirements of Section 59-F-4.2 (a) in terms of number, location and area and Section 59-F-4.1 (e) regarding illumination.

(e) Building compatibility in residential zones (59-G-1.23 (g)): 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 sitting, 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 Friends House Retirement Community which was established in the mid-1960s is developed with several types of facilities and housing types that are dedicated to provide various level of residential accommodation for the elderly ranging from independent living, assisted living and care homes. Building elevations are compatible in scale and massing with the various types of housing types within the 62-acre campus and relate well with the rural-residential nature of the surrounding area in terms of its scale, bulk, height, and architectural features.

(f) Lighting in residential zones —59-G-23(h): 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.**
- (2) Lighting levels along the side and rear lot lines must not exceed 0.1 foot candles.**

The Lighting Plan is adequate and safe for vehicular and employee movement. The proposed lighting serves multiple purposes including illumination of the site entrance, visibility lighting in the employee parking area and area lighting near the building structures. A photometric study submitted with the Application shows measured lighting

intensity across the entire property in foot-candles, the locations of lighting fixtures and the manufacturer's specifications on the proposed lighting fixtures. The Photometric Plan show that the 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. Moreover, propose and recommended landscaping along with existing trees will help eliminate the impact of glare. (see Section III D details)

V. STANDARD FOR EVALUATION (59-G-1.2.1)

S-452-D: 59-G-2.35: Housing and related facilities for senior adults or persons with disabilities

S-856-B: 59-G-2.37: Nursing home or Domiciliary Care Home

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 Housing and Related Facilities for Senior Adults and Persons with Disabilities and 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; and.*
- (5) Noise generated by equipment's for the various uses including emergency generators.*

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 modifications, additions and renovation are designed in a manner that complements the prevailing rural-residential character of the surrounding development in terms of size, scale, scope, massing, architectural features, building materials and orientation.

The large size of the subject property, relative to the proposed development envelope which utilizes only about 13 percent of the property, the various types of buildings (i.e., two-and three story buildings, duplexes and cottages housing a diverse range of facilities (i.e., nursing home, independent living, pharmacy, day care) are non-inherent characteristics. These non-inherent characteristic are positive influences on the design and use of the facility. They are also valuable amenities to the residents of the retirement community and the larger Sandy Spring community. They cannot be considered as sufficient basis for denial.

The 62-acre property contains significant environmental features including stream valley buffers, forest conservation areas, streams, floodplains, wetlands, and gentle slopes are non-inherent characteristics of the site. However, these characteristics, in addition to serving as natural buffer between the adjacent developments and the Friends House campus, are also natural amenities that provide a special aesthetic quality and serene natural environment to the residents of the retirement community. Therefore, these non-inherent characteristics do not warrant a denial of the Application.

Retirement communities typically have residents who are less likely to drive, therefore, the level of traffic generated by the facilities 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 reviewed by staff, the vehicular and pedestrian movement surrounding the site and on Norwood Road will be safe and adequate.

There is no evidence to suggest that the operation of the proposed uses will cause objectionable noise so long as County regulations regarding noise (Chapter 31B) and trash/dumpster pickup (Chapter 48-21) are followed.

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.

VI 59-G-1.21. GENERAL CONDITIONS

S-452-D: 59-G-2.35: Housing and related facilities for senior adults or persons with disabilities

S-856-B: 59-G-2.37: Nursing home or Domiciliary Care Home

(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 RE-2 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-2.35 for granting of a Special Exception for Housing and Related Facilities for Senior Adults or Persons with Disabilities and Section 59-G-2.37 for granting 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**

The property is located in the area identified as the "Rural Legacy" in the 1998 Sandy Spring/Ashton Master Plan. The facilities 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 proposed modifications to the approved Special Exception Site Plan is consistent with the Master Plan's objective for the Rural Legacy Area and its specific recommendations for the subject and the adjoining properties (see discussion Section III-A above).

- (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.

During the past 50 years, several modifications, additions and expansions had been made to the various housing types on the 62-acre campus. The modifications and expansions resulted in enhanced services and upgrading of facilities to provide modernized amenities and quality care to the residents. The modifications and additions were also found to address issues raised at the time (review of S-452-C S-856-A in 1997) concerning compatibility with the 1980 Sandy Spring Master Plan. The current Special Exception Site Plan reflect sensitivity to issues raised in the past, and reflects site and buildings design consistence with the recommendations of the 1998 Sandy spring/Ashton Master Plan recommendations.

New and modified improvements proposed in the subject application are compatible with existing residential developments on campus and in the surrounding area in terms of scale, bulk, height materials, texture and architectural features. The physical presence of the buildings is substantially diminished by the sheer size of the 62-acre property (of which only about 13 percent of it would be developed) and the overall site layout of the development. Adequate off-street parking spaces are provided to satisfy the needs of the various facilities.

Figure 7: Elevations -Commons

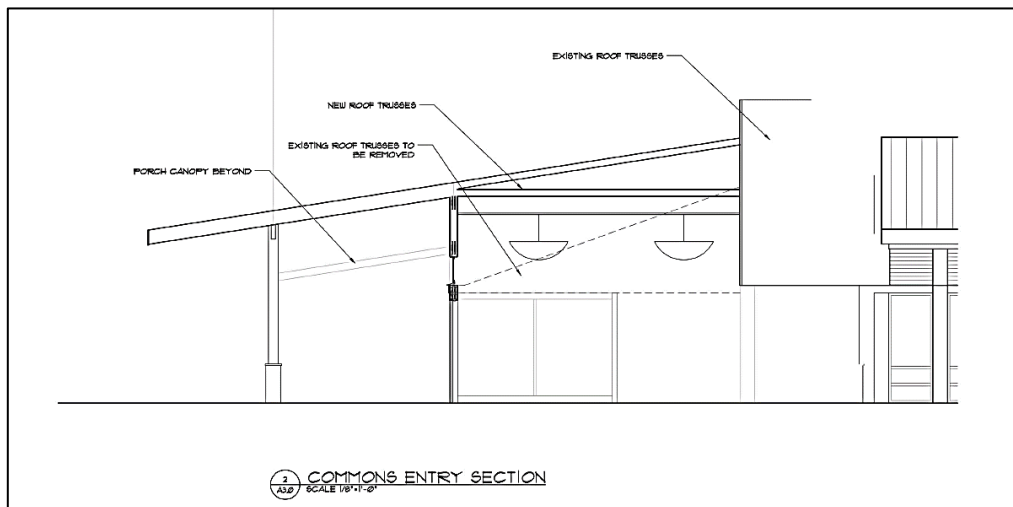
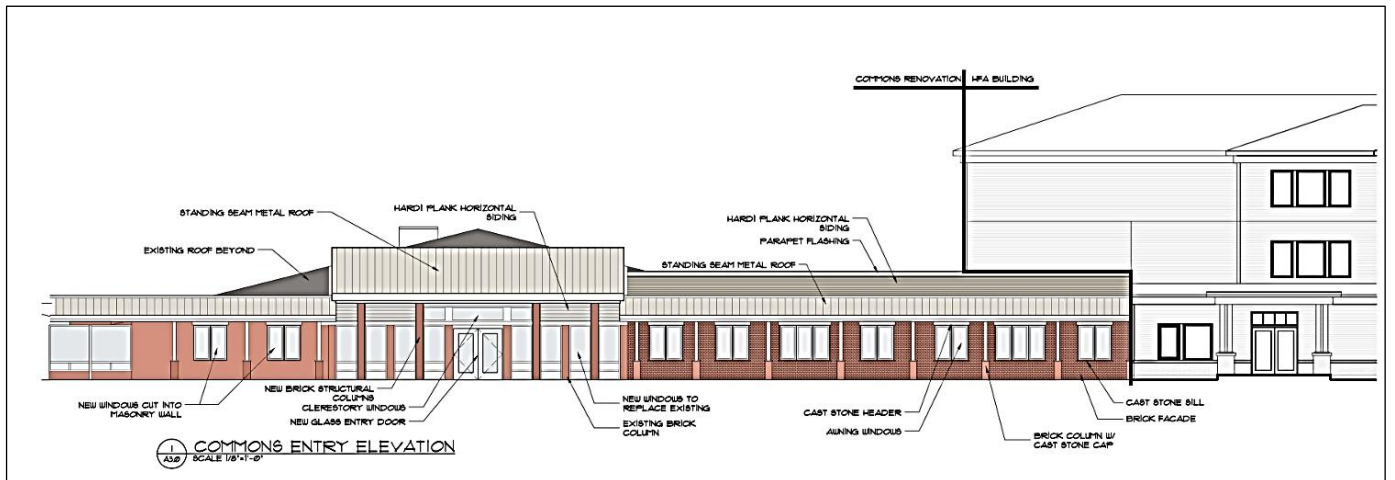


Figure 8: Elevations -Single Cottage



Figure 9: Elevations -Large duplex cottage

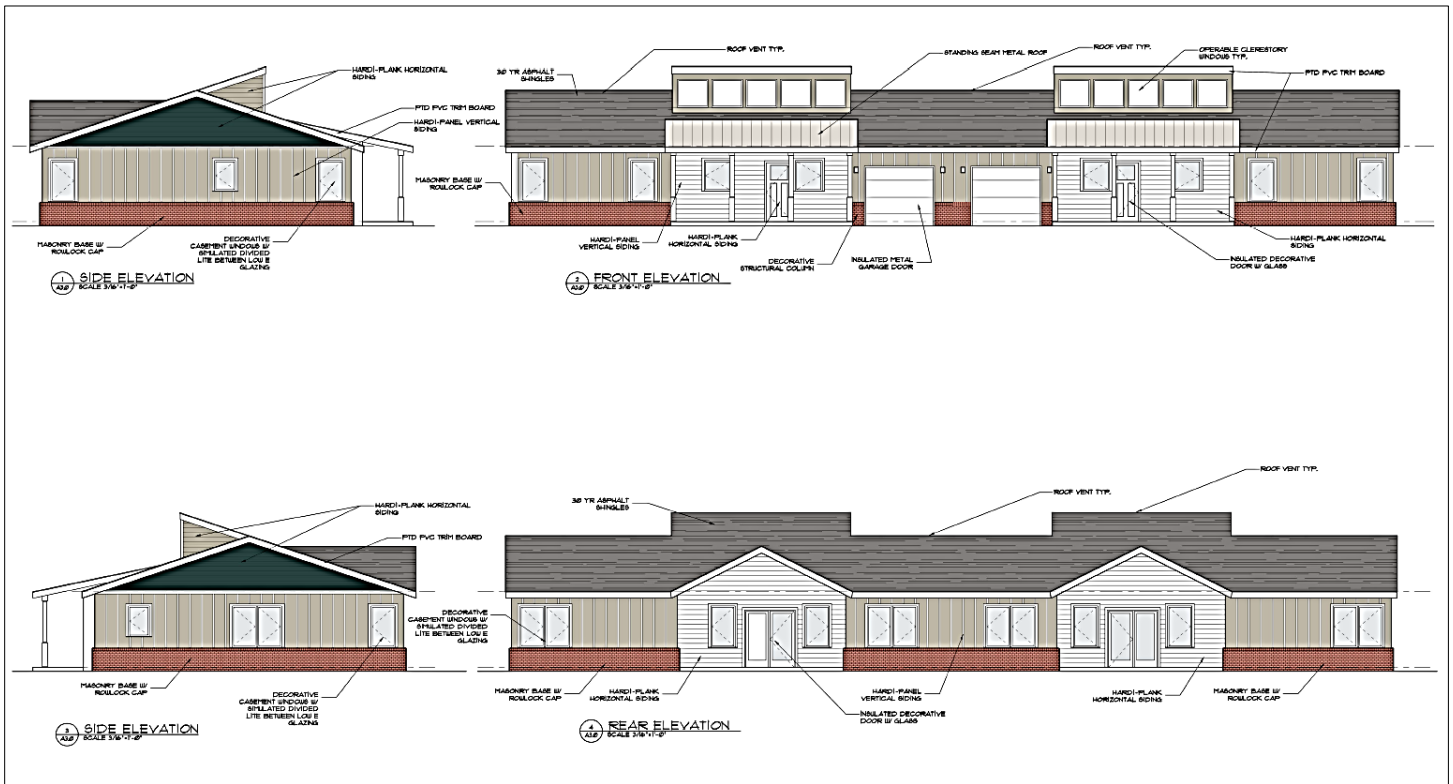


Figure 10: Elevations -Lodges



- (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 uses will not generate a level of traffic that will raise concern for congestion on the streets. The proposal provides for safe, sufficient and orderly internal traffic and pedestrian circulation. The two access points are adequate to accommodate the site-generated traffic. One additional emergency fire access is also provided.

Adequate on-site parking spaces are provided to accommodate the parking needs of the facilities. In addition, the Special Exception Site Plan provides for two motorcycle spaces and a minimum of 25 bicycle spaces within the central parking area associated with the multi-unit buildings and the smaller multi-unit buildings identified on the plans as lodges. (Figure 10) The parking facilities and paved surfaces are adequately buffered with trees from Norwood Road.

The proposed facilities are designed to be integrated into the community and complement the prevailing low-density rural character of the surrounding area. The building, yards (passive recreation areas), parking areas, generators and the trash dumpsters are separated by substantial distances from the nearest residential uses. The proposed screening and buffering in the form of landscaping, 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 uses are 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, there are three existing electrical generators two of which will remain in place for the Phase I development. The remaining one will be relocated to an area near its current location. All three will be screened and buffered and are located more than 500 feet from the nearest residential dwelling to the southwest. The Applicant indicated that the new affordable housing multi-family building (E-Wing) is not expected to require an independent or supplemental power source of its own.

With respect to the HVAC system, the Applicant revised statement of October 31, 2016 indicates that HVAC equipment will be located on the roofs of E Wing, B Wing, C/D Wing, Haviland Hall, the new assisted living wing, and the new portions of Stabler/Thomas

Hall. HVAC service for the lodges and cottages will be ground mounted and directly adjacent to the structure that the equipment serves. The statement further stated that the equipment will all be LEED qualified, and as such, it will be small, ultra-efficient and quiet.

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).

The Applicant's revised statement indicates that trash is picked up six days a week (every day except Sunday) between 12:00 p.m. and 3:00 p.m. The dumpsters for trash and recyclables are located behind the proposed E Wing building near the kitchen and loading dock. The Special Exception Site Plan shows that the dumpsters will be enclosed by 6.5 feet high enclosure wall. The dumpster enclosure is not visible from the road or any of the adjoining properties.

The statement further stated that Friends House staff pick up trash from the Independent living residences three days a week (Monday, Wednesday and Friday). Staff then places the picked up residential trash in the dumpster.

The uses 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 the following two approved Special Exception uses within the surrounding area; both on the adjoining property to the south:

- *S-1375 and modifications A and B: A private educational institute (Sandy Spring Friends school) approved in 1987. The southern portion of the school site also has a Special Exception for a sawmill approved in 1971. It appears that the portion of the property was consolidated into the school property after 1971 and that the sawmill use is no longer active.*

The predominant characteristic of the neighborhood is rural, low density, residential uses with a few institutional uses (places of worship, schools, police facilities) that are housed in low-rise buildings along Norwood Road and Olney-Sandy Spring Road.

The proposed Special Exception Modifications will not increase the number, intensity, and scope of approved Special Exceptions in the area within the defined neighborhood enough to affect the area adversely or alter its rural residential nature. By its nature, the proposed use is residential, and one that generates only a minimal volume of traffic. The

facilities are designed to project a residential appearance with architectural features, building style and materials. Landscaping, natural topography and site layout will reduce visibility of the development. The proposed uses are consistent 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 Modifications 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 facilities would provide a valuable service to the community by offering the elderly including those in need of the facilities' 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 modification is not subject to approval of Preliminary Plan or modification of an existing Preliminary Plan.

- (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 proposed uses will be adequately served by existing public facilities. The Application is not subject to approval of a preliminary plan because the property is a recorded lot already approved for the existing uses. The proposed modifications do not alter the conditions of the originally approved preliminary plan.

(i) Water and Sewer Service

The Montgomery County Department of Environmental Protection (MCDEP) Water and Wastewater Policy group indicated that:

- *The use of public (community) water service for this project is consistent with the existing W-1 water category designated for this site.*
- *The use of public (community) sewer service for this project is consistent with the existing S-1 sewer category designated for this site.*

(ii) Transportation

The Applicant has been working with the staff of the M-NCPPC and MCDOT to ensure that all transportation issues have been addressed. Staff finds that any transportation related potential impacts concerning the proposed project will be adequately mitigated.

As noted under ‘Section III-B: Transportation’ of this report, existing access points from Norwood Road to the property will be modified, reconstructed and relocated. The applicant has obtained approval of the proposed access plan from the County Fire Rescue Access Department and MCDOT (Attachment A).

A traffic study was submitted because the “total” number of site-generated peak-hour trips is 30 or more within the weekday morning and evening peak periods. Based on the traffic study results, the capacity/Critical Lane Volume (CLV) values at the studied intersections do not exceed the applicable CLV standard (Table 5) and therefore, the LATR test is satisfied.

The subject property is located in the Rural West Policy Area, which is exempt from making a payment under the transit and roadway test. Therefore, a TPAR impact tax payment is not required.

M-NCPPC and MCDOT Staff have reviewed the proposed access point and internal traffic/pedestrian circulation system shown on the Special Exception Site Plan and finds them to be adequate. Staff has recommended a number of conditions to ensure conformance to the traffic requirements.

(iii) Fire and Police

The proposed retirement community campus is located within close proximity to fire and police stations. The Sandy Spring Volunteer Fire Station is located 1 mile (2 minutes) from the subject property at 17921 Brooke Road to the north. The Montgomery County Police Department satellite facility is located about 3 miles (8 minutes) from the subject property at 17821 Georgia Avenue.

- (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 LATR Guidelines require that a traffic study be performed if the use generates 30 or more peak hour trips. As discussed earlier, the proposed facility will generate a maximum of 67 trips during the weekday morning peak period and a maximum of 88 trips during the weekday evening peak period. Based on the traffic study results, the capacity/CLV values at the studied intersections were evaluated. As shown in Table 5 (Section III B), the calculated CLV values do not exceed the applicable CLV standard. The CLV standard is 1,450 for the intersections on the border of the Olney Policy Area and Patuxent Policy Area and 1,350 for the intersections entirely within Patuxent Policy Area. Thus, the LATR test is satisfied.

- (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-2.35 "Nursing Home or Domiciliary Care Home", Section 59-G-2.37 "Housing and related Facilities for Elderly or Handicap Persons", and the General Conditions under Section 59-G-21(a).

VIII. STANDARDS AND REQUIREMENTS (59-G-2.35):

S-452-B

Pursuant to Section 59-G-2.35 a Special Exception may be granted for Housing and Related Facilities for Senior Adults or Persons with Disabilities, subject to the following provisions:

- (a) Prerequisites for granting:**

- (1) A minimum of 15 percent of the dwelling units are permanently reserved for households of very low income, or 20 percent for households of low income, or 30 percent for households of MPDU income. If units are reserved for households of more than one of the specified income levels, the minimum percentage must be determined by agreement with the Department of Housing and Community Affairs in accord with Executive regulations. Income levels are defined as follows:**

- (A) "MPDU income" is the income limit determined by the Department of Housing and Community Affairs in the administration of the moderately priced dwelling unit (MPDU) program, as prescribed by Chapter 25A.
- (B) "Low income" is income at or below 60 percent of the area median income adjusted for household size.
- (C) "Very low income" is income at or below 50 percent of the area median income adjusted for household size.
- (D) "Area median income" is as determined annually by the U.S. Department of Housing and Urban Development.

The Applicant's amended statement (submitted to staff by e-mail on October 31, 2016) indicates that Friends House will continue affordable housing for seniors of all income groups. The Applicant further stated that in conjunction with Housing for America, Friends House will provide low income tax credit financed housing for lower income residents. The amended statement indicates that more than 20 percent of the dwelling units will be permanently reserved for households of low income (at or below 60 percent of area median income).

The proposed 80-unit apartment building (E-wing) is a tax credit (LIHTC) financed low income housing that Friends House is constructing in partnership with Homes for America (HFA). The Applicant amended statement indicates that of the total 80 units, 72 units will be dedicated for individuals whose income falls at or below 60 percent of the Montgomery County median income level while 8 units will be market rate. The Applicant explained that the 72 low income units represent 22 percent of the total 316 (Phases I thru IV) independent living units. Thus, the project exceeds the minimum 20 percent the 20 percent minimum low income units required under Section 59-G-2.35(a)(1). There are no MPDU units proposed as part of this application.

Staff recommends that the Applicant record covenants on the property that permanently reserve a minimum of 20 percent of the dwelling units for households of low income (at or below 60 percent of area median income) to implement this requirement of the Zoning Ordinance.

- (2) The site or the proposed facility has adequate accessibility to or provides on- site public transportation, medical service, shopping areas, recreational and other community services frequently desired by senior adults or persons with disabilities.**

The property has adequate accessibility to public transportation, medical service, shopping areas, recreational and other community services. Staff has provided the following information regarding access to public transportation in the immediate area:

Metrobus Route Z2 operates along Norwood Road between the Paul S. Sarbanes Transit Center in Silver Spring and the intersection of Georgia Avenue and MD 108 in Olney with half hour headways on weekdays only. Three bus stops are located along the property frontage of Norwood Road northeast of Dr. Bird Road.

- (3) The site or the proposed facility is reasonably well protected from excessive noise, air pollution, and other harmful physical influences.**

The existing pattern of development in the area, which is characterized by rural residential developments and institutional uses (schools and places of worship), limits the subject property, from harmful physical influences such air pollution.

The Applicant has indicated that there is no plan to upgrade the existing emergency power system at the Phase I development stage. Future relocation, modification or new installations in Phases I thru IV will be assessed as these phases commence. The Applicant also stated that roof top and ground mounted HVAC equipment will be screened, substantially distanced from adjoining residential homes and will be small size, efficient and quiet.

Given the placement of the buildings on the property relative to adjoining properties and the existing road, and considering current traffic pattern on the adjacent streets, potential visual and noise intrusion to and from the 62-acre campus would be minimal.

(b) Occupancy of a dwelling unit is restricted to the following:

- (1) A senior adult or person with disabilities, as defined in Section 59-A-2.1;**
- (2) The spouse of a senior or disabled resident, regardless of age or disability;**
- (3) A resident care-giver, if needed to assist a senior or disabled resident; or**
- (4) In a development designed primarily for persons with disabilities rather than senior adults, the parent, daughter, son, sister or brother of a handicapped resident, regardless of age or disability.**

The Applicant has indicated that occupancy of a unit in the assisted living facility at Friends House will be restricted to the persons described in §59-G-2.35 (b)(1) of the Montgomery County Zoning Ordinance.

Additional Occupancy Provisions are:

- (5) Age restrictions must comply with at least one type of exemption for housing for older persons from the familial status requirements of the federal “Fair Housing Act,” Title VIII of the Civil Rights Act of 1968, and subsequent amendments thereto. (In that Act, “familial status” refers to discrimination against families with children.)**

The Applicant’s amended statement, dated October 31, 2016, maintains that the Application meets this requirement. The statement states “occupancy of the independent living portions of the Friends House campus will be primarily restricted to senior adult residents 62 years and older and is not designed primarily for persons with disabilities. However, persons with mobility features/limitations are also eligible for occupancy. Independent living units occupied by (non-age-restricted) residents with mobility limitations are expected not to exceed 20 percent of the total units, therefore, the project would meet the Fair Housing Act’s exemption from the law’s familial status requirement that 80 percent of the occupied units must be occupied by at least one person who is 55 or older.”

(6) Resident staff necessary for operation of the facility are also allowed to live on site.

There will be no separate living quarters for staff within the senior housing facilities.

(c) Development standards, other than density, in residential zones where allowed by Special Exception:

(1) Minimum setbacks:

(A) From street: 50 feet. Except for an access driveway, this must be maintained as green area. However, if development does not exceed the height limit of the applicable one-family zone, the minimum setback specified by the zone applies.

(B) From side and rear lot lines: 25 feet or as specified by the relevant zone, whichever is greater.

The proposal meets or exceeds the minimum setback requirements for all yards. Therefore, the proposal satisfies the requirements.

(2) Maximum building height: four stories or the height of the applicable zone, whichever is less. Additional height up to six stories is permitted if the additional height is in conformity with the general character of the neighborhood considering population density, design, scale and bulk of the proposed building, traffic and parking conditions.

The proposed buildings will have a maximum height of 38 feet (3 stories), which is lower than the maximum 50 feet of height allowed in the RE-2 zone. The proposed building will be in conformity with the general character of the retirement community and the various types of housing on the campus as well as the surrounding neighborhood.

(3) Maximum lot coverage: As specified by the relevant zone.

The Maximum lot coverage for the RE-2 Zone is 25%. With 13 percent lot coverage, the proposal satisfies this requirement.

(4) Minimum green area:

(A) R-60, R-90, and the RT Zones: 50 percent

(B) R-150 and R-200 Zones: 60 percent

(C) RE-1, RE-2, and RE-2C Zone: 70 percent, except where the minimum green area requirement is established in an approved and adopted master plan.

The Board may reduce the green area requirement by up to 15 percent if it is necessary to accommodate a lower building height for compatibility reasons.

The proposal is in compliance with this requirement. A green area of 78 percent is provided. A waiver is not necessary in this case.

- (d) Development standards, other than density, in the R-30, R-20, R-10 and R-H Zones are as specified by the relevant zone in Section 59-C-2.41, except that the lot coverage and building setbacks may be modified as specified in Section 59-C-2.42 concerning standards for moderately priced dwelling units.

Not applicable. The property is in the RE-2 zone.

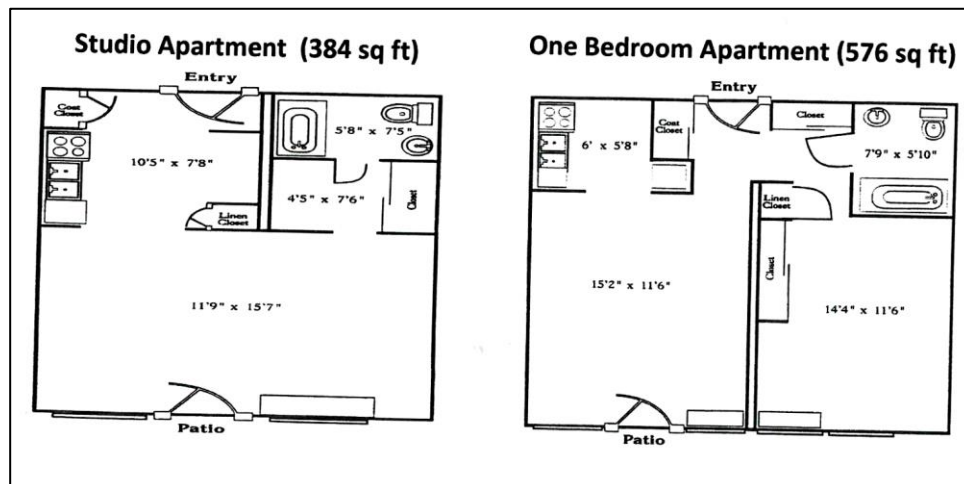
(e) Maximum density:

In the Rural, Rural Cluster, RE-2, RE-2C, RE-1, R-200, R-150, R-90, R-60, R-40, RT-6, RT-8, RT-10, and RT-12.5 Zones, the number of units is governed by the overall size of the building as determined in accordance with the development standards by Paragraph (c) of this section. Minimum unit size is governed by the minimum space and other relevant standards of Chapter 26, title "Housing Standards," of this Code, as amended.

Section 26-5 (a) of the Housing and Building Maintenance Standards specifies the following.

- (a) Floor area, dwelling unit. Every dwelling unit must contain at least 150 square feet of floor area for the first occupant and at least 100 additional square feet of floor area for every additional occupant. The floor area of that part of any room where the ceiling height is less than five feet or where the room width is less than seven feet must not be considered in computing the habitable space of the room to decide its maximum permissible occupancy.

Figure 11: Existing Apartment units



Based on supplemental documents submitted by the Applicant, all units in the proposed facility exceed the minimum 150 square feet of area. The sizes of the one-room units in the existing unfurnished apartments in the independent living building is 384 square feet for studio apartments and 576 square feet for a one-bedroom apartment (Figure 11). Studio and one bedroom apartments in the existing Cottage Apartments consists of 540 square feet and 720 square feet of areas respectively.

(f) Parking and loading:

Parking must be provided in accordance with the provisions of Section 59-E-3.7 and Section E-2.83. The Board must require adequate scheduling and long-term continuation of any services for which parking credits are granted in accordance with Section 59-E-3.33 (b) and may require additional parking for any facilities and services provided in accordance with Paragraph (g)(2) of this section, if they serve nonresident senior adults or persons with disabilities. When considering the need for additional parking, the Board may consider the availability of nearby public or private parking facilities.

As shown in section IV the Application satisfies the parking requirement. Staff recommends that at the time of building permit, the Applicant must demonstrate compliance with Section 4.1.2 (5)(d)(ii) of the Maryland Accessibility Code

(g) Additional provisions:

(1) One or more of the following ancillary facilities and services may be included to serve the residents and possibly nonresident senior adults or persons with disabilities. The Board may restrict the availability of such services to nonresidents and specify the manner in which this is publicized.

- (A) Provision for on-site meal service;**
- (B) Medical or therapy facilities or space for mobile medical or therapy services;**
- (C) Nursing care;**
- (D) Personal care services;**
- (E) Day care for senior adults or persons with disabilities;**
- (F) On-site facilities for recreation, hobbies or similar activities; or**
- (G) Transportation to such off-site facilities and services as shopping, religious, community or recreational facilities, or medical services.**

The Applicant's amended statement of October 31, 2016, states that the facility offers services under both an entry fee and a fee for service basis. Entry fee services include: use and maintenance of residential units; maintenance of the buildings and grounds; lawn care; trash removal; and some utilities. Fees for service opportunities allow residents to receive housekeeping and laundry service as they wish. There are on-site barber and beauty shops and a "country store". There are multiple transportation options to services not available on-site. The facility also offers several meal plan options.

The proposal meets the requirement for ancillary facilities.

(2) Retail facilities may be included to serve exclusively the residents of the building.

As noted above the existing facility includes a country store and pharmacy use approved as part of a previous Special Exception modification (Table 1).

- (3) The application must contain a vicinity map showing major thoroughfares, public transportation routes and stops, and the location of commercial, medical and public services within a one-mile radius of the proposed facility.**

The Applicant has provided a vicinity map showing the above referenced information as part of the application.

- (4) Construction is subject to all applicable Federal, State and County licenses or certificates.**

The proposal is subject to the building permit process. Moreover, the project is subject to the review and certification process of the Housing Opportunity Commission and the Department of Housing and Community Affairs for the financing of the project and other applicable requirements.

- (h) Provisions governing facilities approved prior to March 7, 1990:**

D. STANDARDS AND REQUIREMENTS (59-G-2)

S-856-B

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 adequately distanced from the closest residential properties in the surrounding neighborhood and the presence of gentle slopes, screening and buffering effectuates an environmentally sensitive and compatible design. Moreover, with the combination of the natural topography of the property, forest preservation and landscaping the proposed facility is well screened from Norwood Road.

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

The exterior of the proposed buildings appears 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 buildings 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 including the multi-unit assisted living facility as well as independent living apartment buildings, "Lodges" (small, 8 to 15-unit apartment buildings-Figure 10) and "Cottages" (duplex units- Figure 9) 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, the Special Exception Site and Landscape Plans provide for substantial screening in the form of landscaping, and forest preservation.

- 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 Nursing and Domiciliary Care Home Facilities are designed to house a maximum of 130 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 is in the RE-2 (Residential Estate 2 Zone); this requirement is not applicable.

- 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.**

The 62-acre campus is adequality sized to accommodate the proposed assisted living facility as well as the various independent living facilities, cottages and duplexes

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

The proposal satisfies this requirement (see Development Standards Table 6 under section IV).

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 Table under Section IV).

(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.

Adequate parking accommodations is provided to serve all uses on the campus of the retirement community (Table 7, Section IV).

(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 modification to an Approved Special Exception Site Plan has been submitted with all the appropriate information related to the proposed modification and new improvements 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 Application proposes a phasing program to implement the proposed modifications. The Applicant's amended statement, dated October 31, 2016 details plans under the four phases (Also See Appendix A- Phasing Diagrams).

(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.

The Applicant is requesting modification of uses established prior to 1977. The two approved Special Exceptions have undergone various modifications and expansions over the past 50 years. The last modifications for the two Special Exceptions were approved in 1997.

(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

V. CONCLUSION

The proposed Special Exception Modifications in S-452-D and S-856-B satisfy all applicable requirements for approval of a Special Exception as specified in the 2004 Montgomery County Zoning Ordinance. The proposed modifications will result in upgraded and efficient facilities and improved services for the residents of the retirement community. When the last Special Exception Modifications (S-452-C and S-856-A) were approved for the property in June of 1997, the Board of Appeals determined that Friends House conforms to all the applicable requirements of the Zoning Ordinance. The current proposal does not alter any of the Board's previous findings or determinations of compatibility with surrounding properties and the general neighborhood.

The proposed use is consistent with the recommendations of the 1998 Sandy Spring/Ashton Master Plan. With the proposed conditions the Application satisfies the required standards in terms of traffic, circulation, noise or environmental elements.

Based on the foregoing analysis, Staff recommends Approval of S-452-D and S-856-B, subject to the conditions found on Page 2 of this report.

ATTACHMENTS

- A. Plans and drawings
- B. Environmental and Transportation planning and Historic Preservation comments
- C. Supplemental information
- D. Phasing Diagrams, Unit information, Staffing Tables
- E. Comparative Analysis Staff comments and recommendation

S-452-C and S-856-B/ET/112316

PLANS AND DRAWINGS

Attachment-A



Development Program

Building	Area	Volume	Value	Cost	Revenue	Net
1	100,000	100,000	100,000	100,000	100,000	0
2	200,000	200,000	200,000	200,000	200,000	0
3	300,000	300,000	300,000	300,000	300,000	0
4	400,000	400,000	400,000	400,000	400,000	0
5	500,000	500,000	500,000	500,000	500,000	0
6	600,000	600,000	600,000	600,000	600,000	0
7	700,000	700,000	700,000	700,000	700,000	0
8	800,000	800,000	800,000	800,000	800,000	0
9	900,000	900,000	900,000	900,000	900,000	0
10	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	0
Total	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	0

Development Standards

Item	Standard
1	100,000
2	200,000
3	300,000
4	400,000
5	500,000
6	600,000
7	700,000
8	800,000
9	900,000
10	1,000,000

Parking Tabulation (SF-E-3.7)

Category	Area	Volume	Value	Cost	Revenue	Net
1	100,000	100,000	100,000	100,000	100,000	0
2	200,000	200,000	200,000	200,000	200,000	0
3	300,000	300,000	300,000	300,000	300,000	0
4	400,000	400,000	400,000	400,000	400,000	0
5	500,000	500,000	500,000	500,000	500,000	0
6	600,000	600,000	600,000	600,000	600,000	0
7	700,000	700,000	700,000	700,000	700,000	0
8	800,000	800,000	800,000	800,000	800,000	0
9	900,000	900,000	900,000	900,000	900,000	0
10	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	0
Total	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	0

Tract Area Tabulation

Tract	Area	Volume	Value	Cost	Revenue	Net
1	100,000	100,000	100,000	100,000	100,000	0
2	200,000	200,000	200,000	200,000	200,000	0
3	300,000	300,000	300,000	300,000	300,000	0
4	400,000	400,000	400,000	400,000	400,000	0
5	500,000	500,000	500,000	500,000	500,000	0
6	600,000	600,000	600,000	600,000	600,000	0
7	700,000	700,000	700,000	700,000	700,000	0
8	800,000	800,000	800,000	800,000	800,000	0
9	900,000	900,000	900,000	900,000	900,000	0
10	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	0
Total	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	0

General Notes

1. The information provided herein is for informational purposes only and does not constitute a contract or any other legal instrument. It is subject to change without notice.

2. The information provided herein is based on the information provided to the consultant and is not to be used for any other purpose.

3. The information provided herein is not to be used for any other purpose.

4. The information provided herein is not to be used for any other purpose.

5. The information provided herein is not to be used for any other purpose.

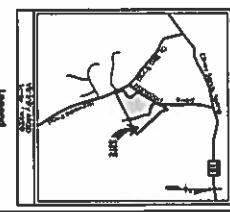
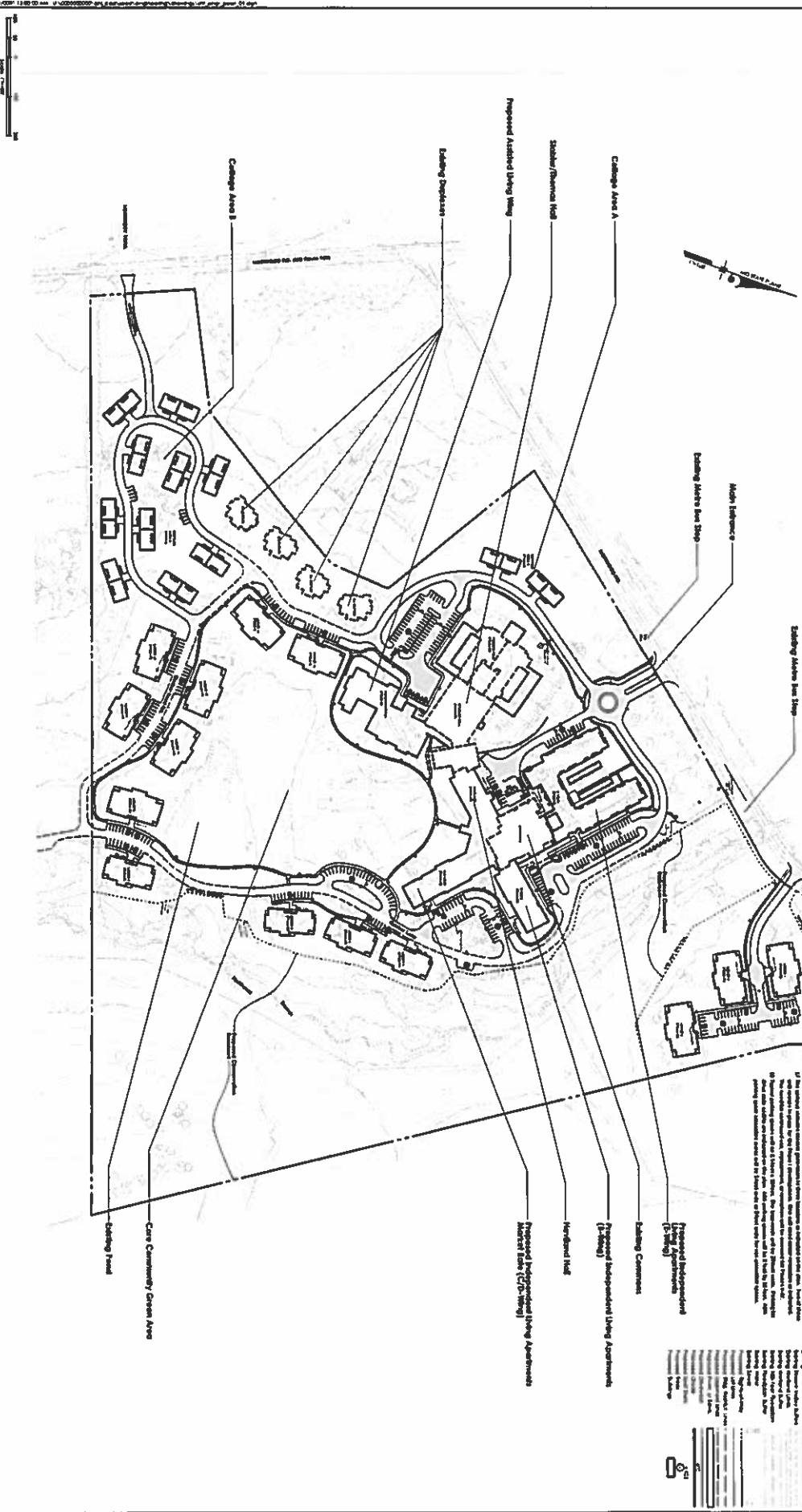
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8. The information provided herein is not to be used for any other purpose.

9. The information provided herein is not to be used for any other purpose.

10. The information provided herein is not to be used for any other purpose.



1 of 6

Project No. 1000

Site No. 1000

Scale: 1" = 100'

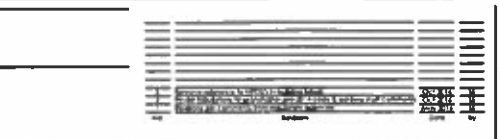
Date: 10/1/2010

Owner/Developer:
FRIENDS HOUSE RETIREMENT COMMUNITY
 1750 Overland Drive, Spring, Maryland 21157

Project:
Campus Master Plan for SPECIAL EXCEPTION

Site No. 1000

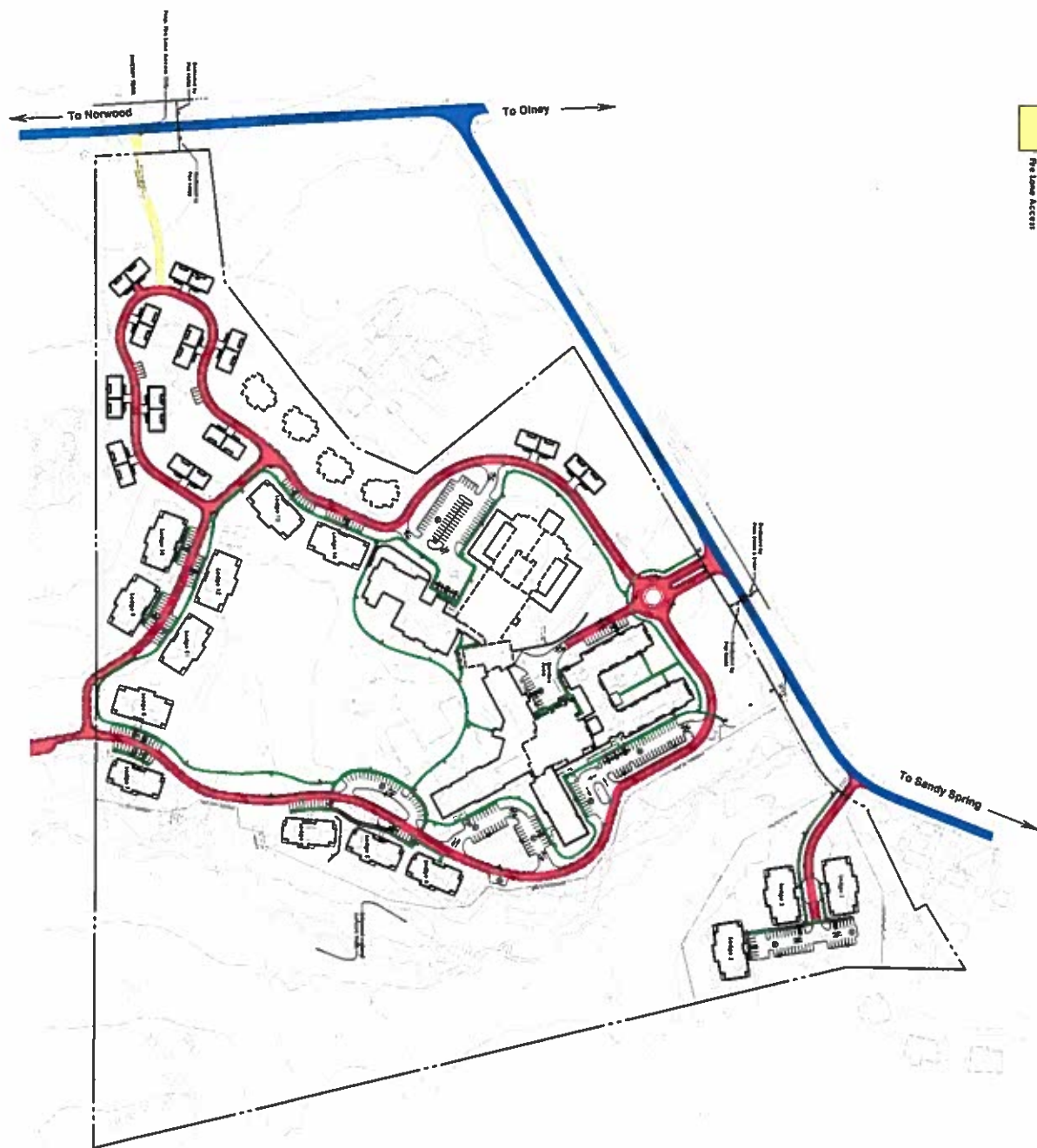
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Stantec

200 North 10th Street, Suite 200
 Minneapolis, Minnesota 55401
 Phone: (612) 666-2222 Fax: (612) 666-2222

Friends House Retirement Community



Project Description:
 This project is a campus circulation plan for the Friends House Retirement Community. The plan shows the layout of buildings, parking lots, and circulation routes for vehicles, pedestrians, and fire lanes. The plan is intended to be used for the design and construction of the project.

Project Location:
 The project is located at 17400 Quaker Lane, Lehigh Valley, Pennsylvania 18002.

Project Owner:
 Friends House Retirement Community

Project Manager:
 [Name]

Project Engineer:
 [Name]

Project Date:
 [Date]

Project Status:
 [Status]

Project Notes:
 [Notes]

Legend:

- Existing Public Roads
- Vehicle Circulation Route
- Pedestrian Circulation Route
- Fire Lane Access

Revision No.	Date	By	Check
1	1/1/2011	[Name]	[Name]

Owner/Developer:
FRIENDS HOUSE RETIREMENT COMMUNITY
 17400 Quaker Lane, Lehigh Valley, Pennsylvania 18002
 Phone: [Phone Number]
 Fax: [Phone Number]
 Website: [Website]
 Email: [Email Address]

Project Manager:
 [Name]
 [Title]
 [Phone Number]
 [Email Address]

Project Engineer:
 [Name]
 [Title]
 [Phone Number]
 [Email Address]

Project Date:
 [Date]

Project Status:
 [Status]

Project Notes:
 [Notes]

Revision No.	Date	By	Check
1	1/1/2011	[Name]	[Name]

Friends House Retirement Community

Stantec

200 E. 6th Street, Suite 200
 Philadelphia, PA 19106
 Phone: (215) 466-8282 Fax: (215) 466-8181
 www.stantec.com

Friends of Cause
Railroad Community

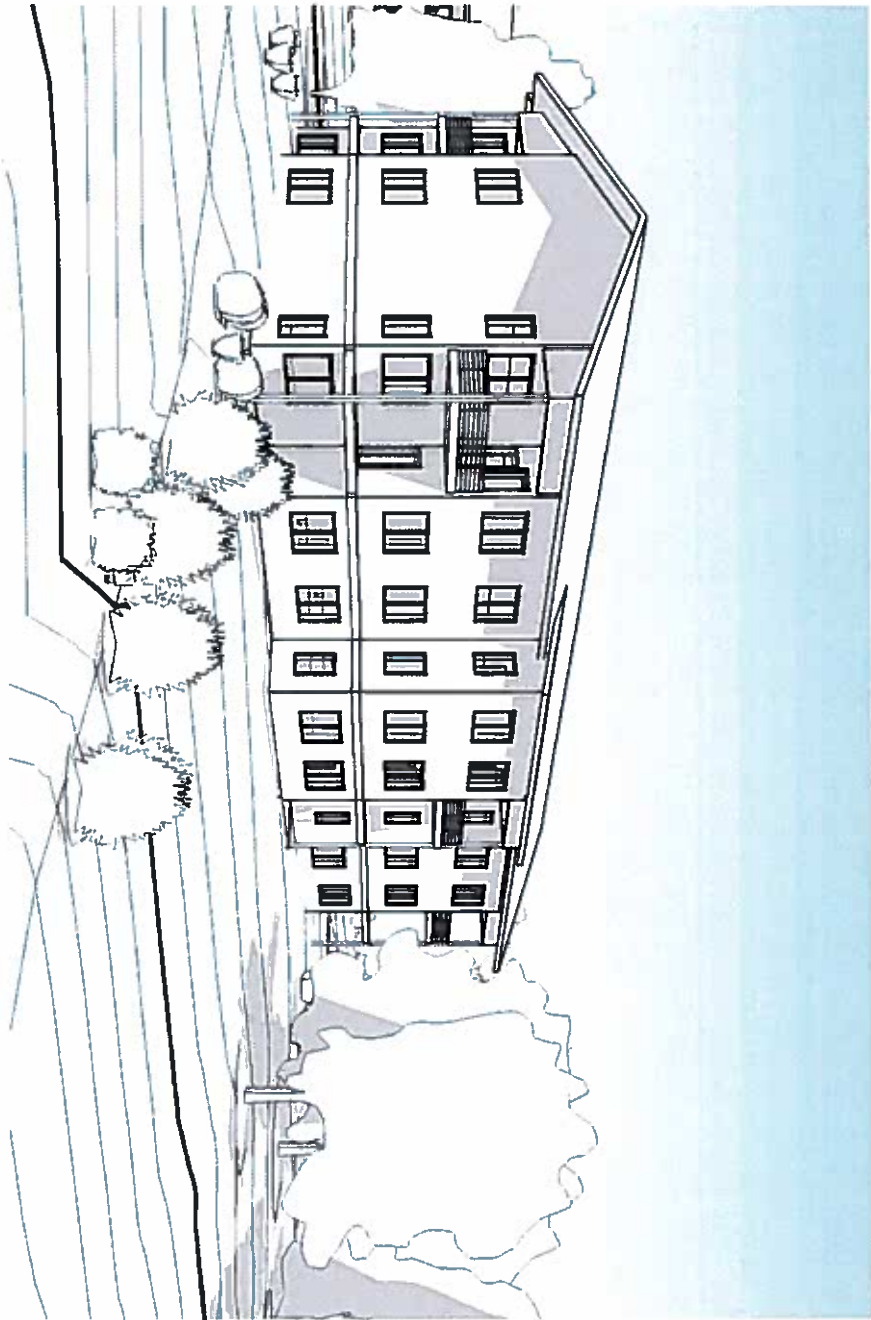
View of Site from North



Lenhardt Rodgers
ARCHITECTURE PARTS 025

Friends of Cause
Rathbone Community

Lodge #7



Lenhardt Rodgers
ARCHITECTURE + INTERIORS

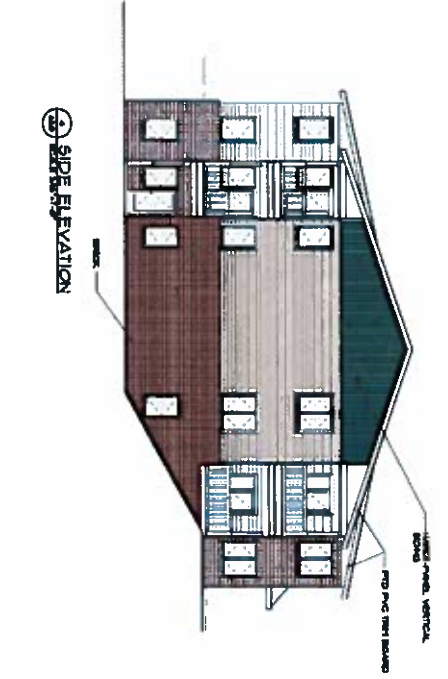
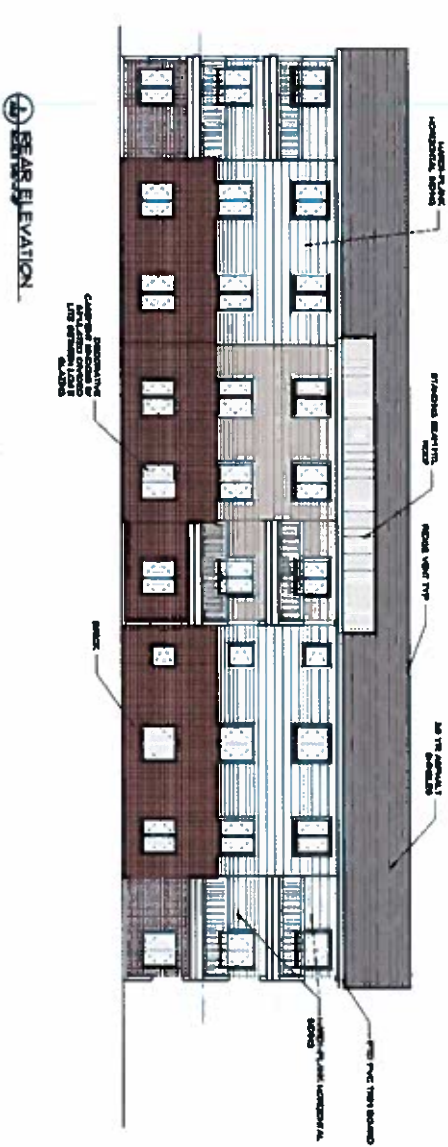
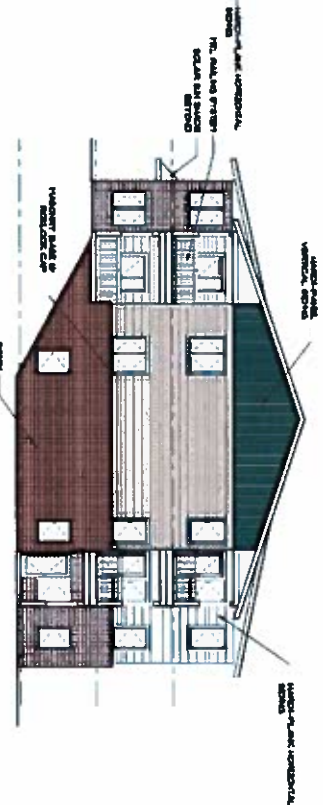
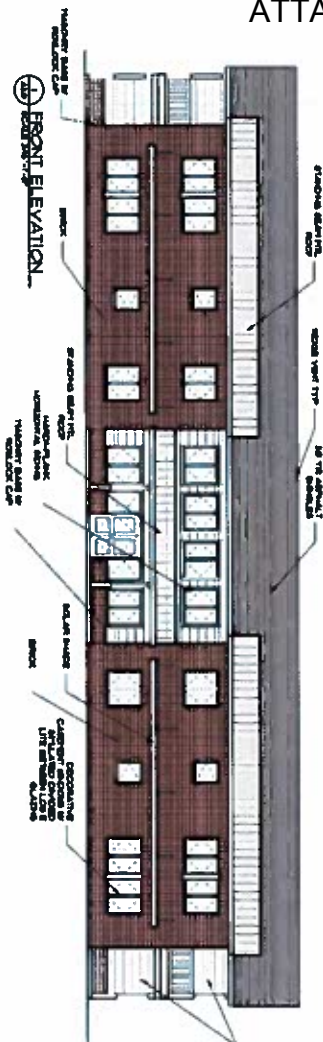
Friends of Cause
Rebuilding Community

Lodges



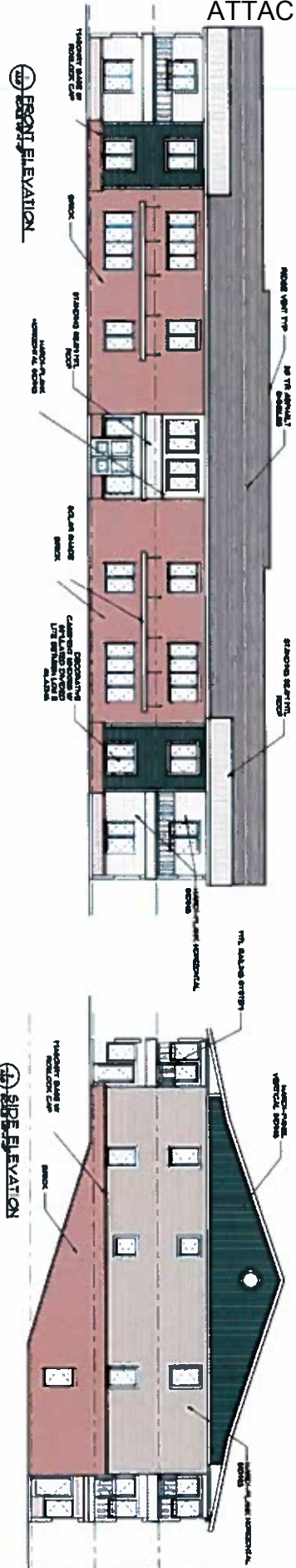
Lenhardt Rodgers
ARCHITECTURE + INTERIORS





SCHMATIC DESIGN FOR SPECIAL EXCEPTION

Leland Rodgers ARCHITECTURE PARTNERS 481 S. BROADWAY SUITE 200 NEW YORK, NY 10014 TEL: 212.512.2100 FAX: 212.512.2101 WWW: LRODGERS.COM		Project Name: 13-11 Date: 08/08/13 Scale: AS SHOWN
Architect: Leland Rodgers Architecture Partners Designer: Leland Rodgers Draftsman: Leland Rodgers Date: 08/08/13	Client: Landmark Properties Contact: John B. Breen Title: Vice President Phone: 609.426.2800 Email: john.breen@landmarkproperties.com	Title: Architect Name: Leland Rodgers License No.: 020000000 State: NY



SCHEMATIC DESIGN FOR SPECIAL EXCEPTION

Lanmark Rodgers
 ARCHITECTURE+INTERIORS
 4441 GARDEN ST. SUITE 100
 FORT MYERS, FL 33901
 TEL: 888.351.7530
 WWW.LANMARKRODGERS.COM

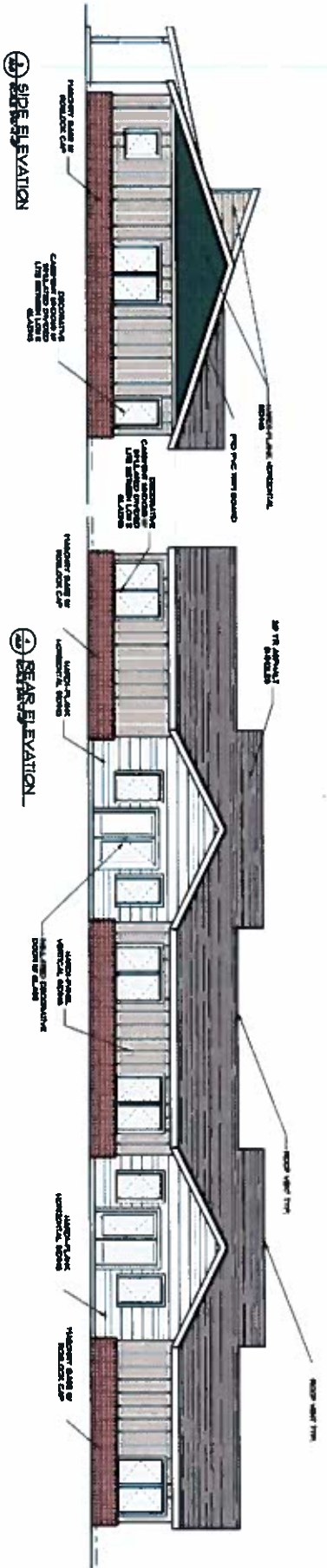
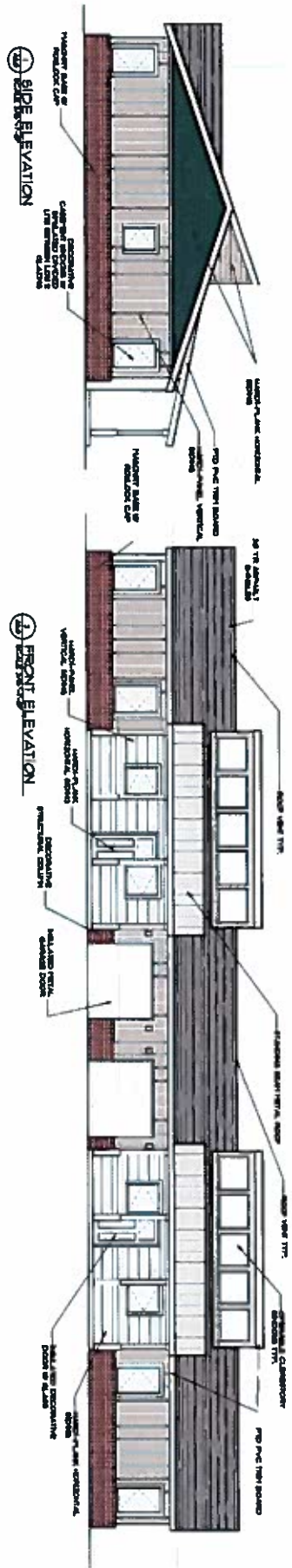
Architect	Name	
Principal	Name	
Assistant	Name	
Architect	Name	
Assistant	Name	
Assistant	Name	
Assistant	Name	
Assistant	Name	
Assistant	Name	

Special Exception
 Master Plan

Project Name
 4441 GARDEN ST. SUITE 100
 FORT MYERS, FL 33901

PROJECT NO. 13-11
 DRAWING TITLE
 LAMAR LODGE ELEVATIONS
 DATE: 03/15/11
 DRAWN BY: [Name]

A3.0



SCHEMATIC DESIGN FOR SPECIAL EXCEPTION

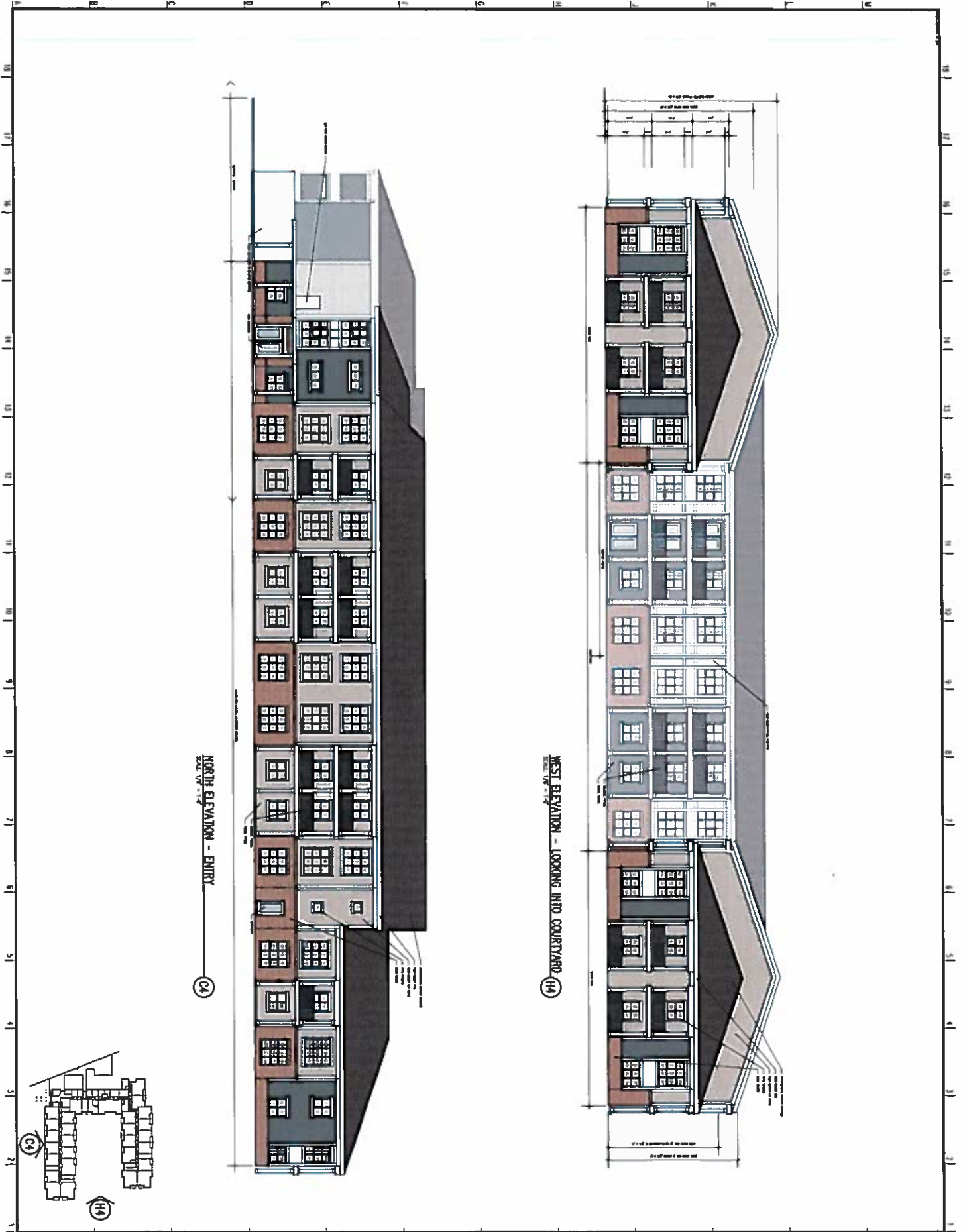
Luskoff Rodgers
 ARCHITECTURE & INTERIORS
 438 E. Broadway Ave.
 Fort Worth, TX 76102
 www.luskoffrogers.com

Architect	Address
Client	Address
Contractor	Address
City	Address
State	Address
Zip	Address
Phone	Address
Fax	Address
E-mail	Address
Website	Address

Special Exception
 Header Plan

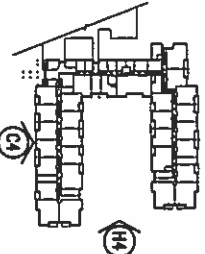
Project No. 13-11
 Date: 11/13/13

A3.0



NORTH ELEVATION - ENTRY
SCALE: 1/8" = 1'-0"

WEST ELEVATION - LOOKING INTO COURTYARD
SCALE: 1/8" = 1'-0"

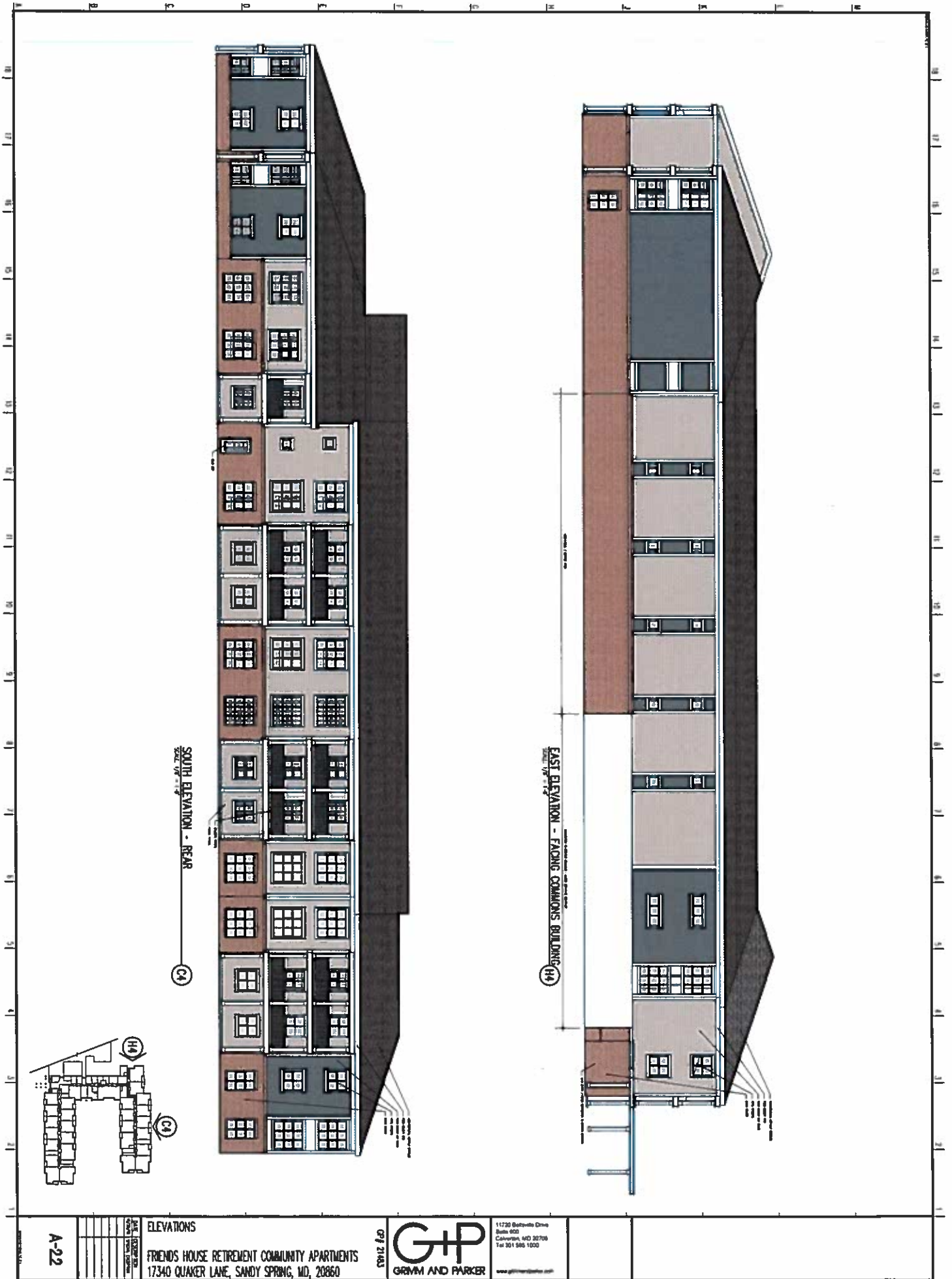


A-21

ELEVATIONS
 FRIENDS HOUSE RETIREMENT COMMUNITY APARTMENTS
 17340 QUAKER LANE, SANDY SPRING, MD, 20860

07/21/03
GFP
 GRIMM AND PARKER
 www.grimmnparker.com

11720 Beltsville Drive
 Suite 802
 Columbia, MD 21046
 Tel 301 586 1000

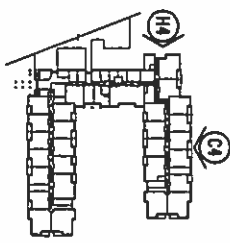


SOUTH ELEVATION - REAR

(C)

EAST ELEVATION - FACING COMMONS BUILDING

(M)



ELEVATIONS

FRIENDS HOUSE RETIREMENT COMMUNITY APARTMENTS
17340 QUAKER LANE, SANDY SPRING, MD, 20860

GP 2143



11720 Baltoyle Drive
Suite 602
Calverton, MD 20719
Tel 301 586 1000

www.grimm-parker.com

A-22



VIEW OF ENTRY

G1



A-23

DATE	DESCRIPTION

PERSPECTIVE VIEWS
 FRIENDS HOUSE RETIREMENT COMMUNITY APARTMENTS
 17340 QUAKER LANE, SANDY SPRING, MD, 20860

07/21/03



11720 Belleville Drive
 Suite 800
 Columbia, MD 21050
 Tel 301 986 1000

www.grimm-parker.com



AERIAL VIEW INTO COURTYARD (A)

DATE	DESCRIPTION

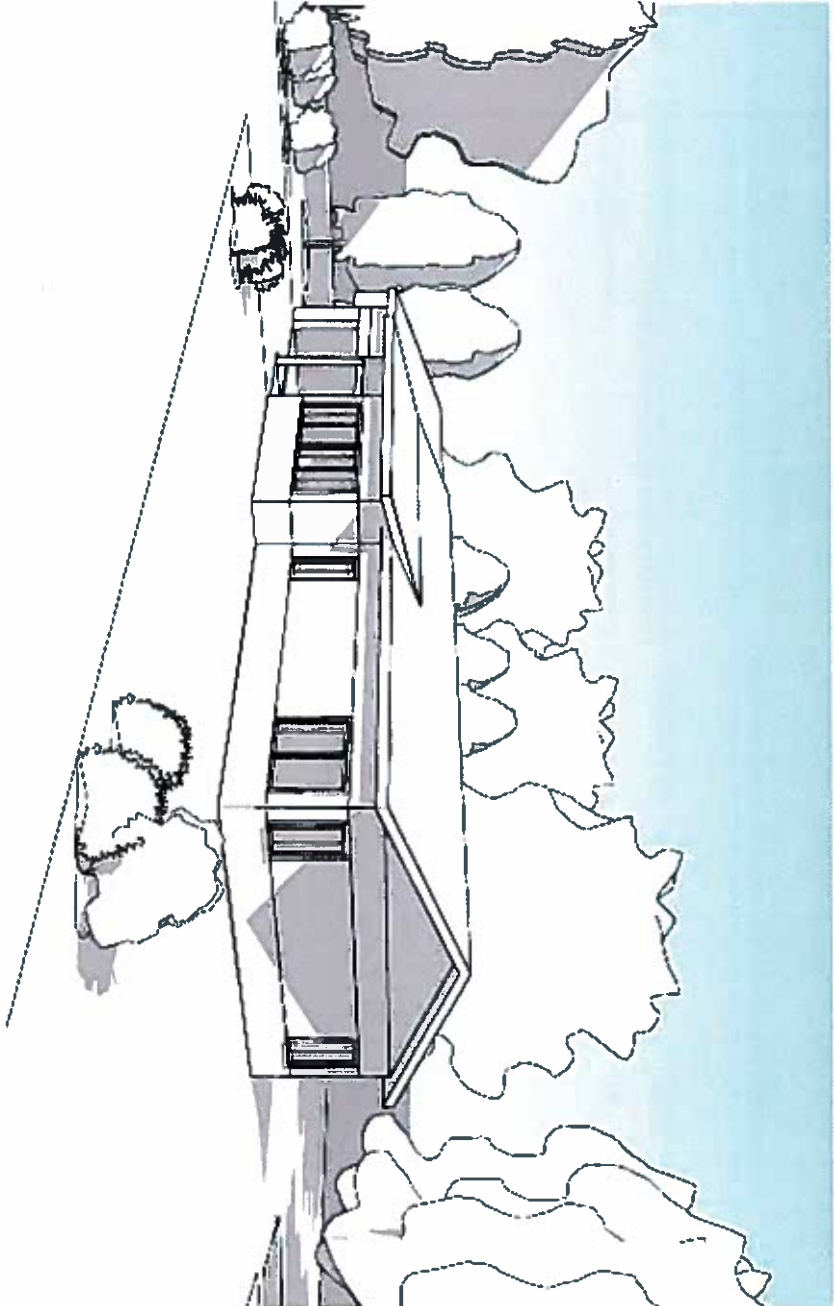
PERSPECTIVE VIEWS
 FRIENDS HOUSE RETIREMENT COMMUNITY APARTMENTS
 17340 QUAKER LANE, SANDY SPRING, MD, 20860



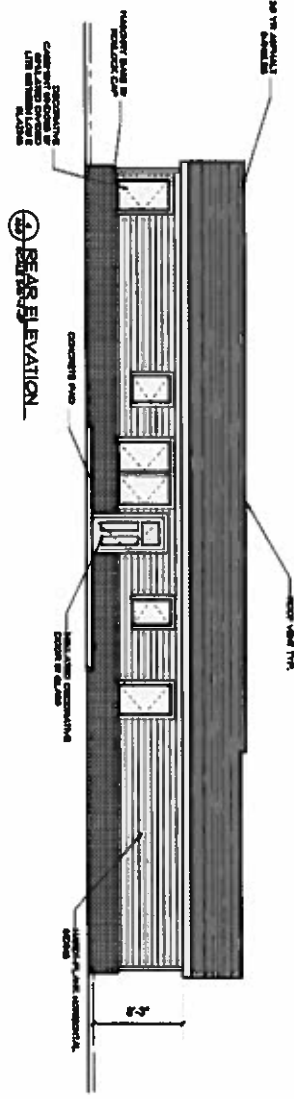
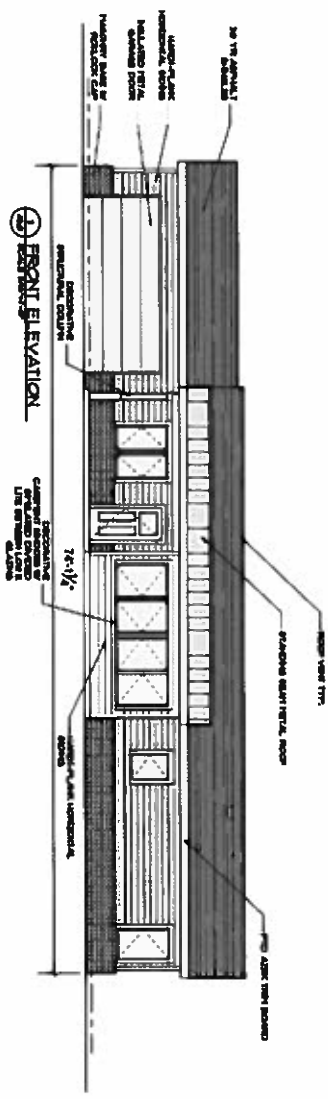
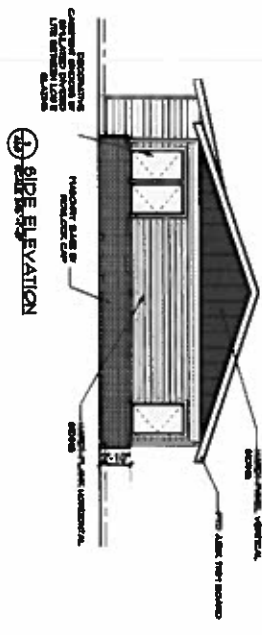
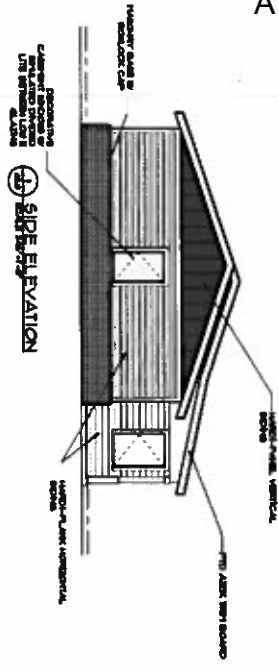
11720 Belleville Drive
 Suite 600
 Calverton, MD 20729
 Tel 301 596 1000
www.grimm-parker.com

Friends of Cause
Religious Community

Single Cottage



Lenhardt Rodgers
ARCHITECTURE + INTERIORS



SCHEMATIC DESIGN FOR
SPECIAL EXCEPTION

Leatherl Rodgers
ARCHITECTURE + INTERIORS
429 S. Simpson Ave
Fort Worth, TX 76102
www.leatherlrogers.com

Architect	Leatherl Rodgers
Client	Special Exception
Project Name	Master Plan
Address	
City	
State	
Zip	

Project No.	13-11
Revision Title	ALPHABETIC
Date	
Scale	
Author	
Checker	
Printer	

A3.0

**ENVIRONMENTAL PLANNING, TRANSPORTATION PLANNING,
AND HISTORIC PRESERVATION COMMENTS**

Attachment-B





MCPB
Item No. 3
Date: 12-08-16

Forest Conservation Plan Amendment No. CBA-1855, Sandy Spring Friends House

JP
EAW
KRR

Joshua Penn, Planner Coordinator, Area 3 joshua.penn@montgomeryplanning.org, 301.495.4546

Richard A. Weaver, Supervisor, Area 3, richard.weaver@montgomeryplanning.org, 301.495.4544

Kipling Reynolds, Chief, Area 3, kipling.reynolds@montgomeryplanning.org, 301.495.4575

Completed 11/23/16

Description

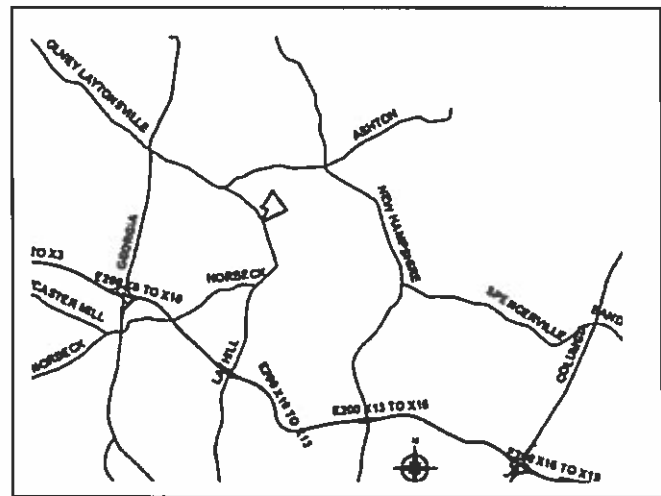
A. Forest Conservation Plan Amendment No. CBA-1855: Sandy Spring Friends House -
Request for approval of an amended Forest Conservation Plan as part of a Special Exception application for an assisted living facility. Located on Parcels N214 and N-225, 62.18 acre 17340 Quaker Lane (along Norwood Road), Sandy Spring approximately 550 feet north of the intersection of Norwood Road and Dr. Bird Road RE-2 Zone, 1998 Sandy Spring Master Plan.

Staff Recommendation: Approval with conditions

Application Filed: January 6, 2016

Applicant: Friends House, Inc.

Reviewing Authority: Chapter 22A



- Staff Recommendation: Approval with Conditions
- The Planning Board must act on the Forest Conservation Plan Amendment (CBA-1855) for Conditional Use Application S-856-B & S-452.
- The development proposed under this application fully complies with Chapter 22A, the Forest Conservation Law.

FOREST CONSERVATION PLAN RECOMMENDATION AND CONDITIONS:

Approval of Revised Final Forest Conservation Plan, subject to the following conditions:

1. The Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the approved Forest Conservation Plan. The Category I Conservation Easement approved by the M-NCPPC Office of the General Counsel must be recorded in the Montgomery County Land Records by deed prior to the start of any demolition, clearing, or grading on the Subject Property.
2. The Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved forest bank for the 1.15 acres of offsite planting prior to any clearing, grading or demolition on the project site.
3. The Applicant must provide financial surety to the M-NCPPC Planning Department for the 3.36 acres of new forest planting prior to the start of any demolition, clearing, or grading on the Property.
4. The Applicant must submit a two-year Maintenance and Management Agreement approved by the M-NCPPC Office of General Counsel prior to the start of any demolition, clearing or grading on the Property. The maintenance and management agreement is required for all forest planting areas credited toward meeting the requirements of the Forest Conservation Plan, including the reforestation of environmental buffers.
5. The Applicant must install permanent Category I Conservation Easement signage along the perimeter of the conservation easements.
6. Afforestation plantings that are located outside the limits of disturbance must occur within the first planting season following release of the first building permit after approval of the conditional use application. Plantings within areas of future disturbance must occur in the first planting season following the stabilization of the applicable disturbed area.
7. The Final Sediment Control Plan must be consistent with the final limits of disturbance shown on the approved Final Forest Conservation Plan.
8. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.

SITE DESCRIPTION

The Friends House Retirement community is located at 17340 Quaker Lane approximately 2,000 feet south of Olney Sandy Spring Road (MD 108), located generally east of the intersection of Norwood Road

and Doctor Bird Road (“Subject Property” or “Property”) (Figure 1). It is an irregular inverted L-shaped property with interrupted frontages on Norwood Road. Quaker Lane is an internal lane that starts and ends within the 62.2-acre property and connects the various residential areas on the Retirement Community’s campus.

The property is improved with various buildings including assisted living facilities, and independent living facilities, Alzheimer care unit, and a number of independent living cottages. The existing developments on the site are connected by a network of small internal roads.

The Northwest Branch mainstem crosses the property from northwest to southeast. The north side of the stream is undeveloped and mostly forested. There are smaller tributary streams within the forest. A pond and tributary to Northwest Branch exist on the developed side of the stream. There is a 100-year floodplain associated with Northwest Branch.

The subject property abuts three single-family detached homes located within the Sandy Spring Village and zoned R-200 to the north. To the west, northeast, and east, the property abuts four additional single-family detached residences homes and several large and heavily wooded parcels of land all in the Rural Neighborhood Cluster (RNC) Zone. To the south, the property abuts the 139-acre Sandy Spring Friends School, which is zoned RE-2. A historic site known as “Norwood”, a circa 1751 house listed in the Master Plan for Historic Preservation (#28/13), is located at 17201 Norwood Road adjacent to the southwestern portion of the property. To the west across Norwood Road, are single-family developments in the RNC Zone.



Figure 1: 2015 Aerial Photograph

PROJECT DESCRIPTION

The Applicant requests a Major Modification of the last approved Special Exception to allow removal, retention, expansion, and new construction of buildings and living units, to continue the existing assisted and independent living uses for seniors with various care needs, as well as a wide range of income levels. Upon completion of all phases of the development, the total units on site will be 446 living units that includes 126 independent living apartments; a maximum of 158 lodge apartments; 32 cottage duplex units; 48 assisted living units; and 82 beds in the skilled nursing hall.

ANALYSIS AND FINDINGS

Environmental Guidelines

The Natural Resources Inventory/Forest Stand Delineation ("NRI/FSD") 419970710 for this Property was approved on November 21, 1996 and recertified on October 24, 2003. The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property. The NRI/FSD calls out the site to be a total of 62.18 acres of which 20.14 acres are existing forest separated into four (4) distinct forest stands. The site also contains multiple perennial streams, a farm pond, and several wetland areas. The site is located within the Northwest Branch watershed, which is classified by the State of Maryland as Use IV waters. The Property is not located within a Special Protection Area (SPA), nor is it located within the Patuxent River Primary Management Area (PMA).

Forest Conservation

The FCP for the Subject Property (CBA-1855) was originally approved as a phased FCP. This means the entire Property was approved as a Preliminary FCP and part of the Property was approved as a Final FFCP. The overall 62.18-acre site has a PFCP approval dated October 24, 2003. The area of the Property west of the stream also had FFCP approval dated October 24, 2003. The area of the Property east of the stream never obtained FFCP approval. This application is asking to amend the previously approved FFCP for west of the stream and create a new FFCP for the area east of the stream, effectively creating one FFCP for the entire Property.

The original plan that was subject to Chapter 22A was #CBA-1855, entitled Friends House (Parcel C), created the FCP for the Property and is the reason the Special Exception application has different numbers (S-856 & S-452) than the underlying FCP.

This site is zoned RE-2 which is assigned a Land Use Category of Medium Density Residential (MDR) in the Land Use Table of the Trees Technical Manual. Development of the site as proposed yields an afforestation requirement of 20% of the net tract and a conservation threshold of 25%.

The NRI/FSD shows a net tract area of 62.18 acres with a total of 20.30 acres of forest on the project site. The FFCP amendment shows a net tract area of 58.70 with 16.59 acres of Forest. The difference in the net tract areas is due to a previously recorded sewer and storm drain easement that was deducted out of the net tract area on the FFCP. The FFCP will remove 3.93 acres and retain 12.66 acres of forest. The Forest Conservation Worksheet calculations result in a total afforestation/reforestation requirement of 4.51 acres.

The Applicant will meet the 4.51 acres planting requirement through 3.36 acres of onsite planting and 1.15 acres of mitigation credit in an offsite forest conservation bank. With the reduction of the area within the storm drain and sewer easement, the revised plan reduces forest clearing by 0.49 acre acres and increases forest retention by .22 acres. The total amount of Category I conservation onsite has increased by 1.87 acres. All the retained forest and the environmental buffer areas, except specific areas excluded due to existing conditions from the previous approval, will be protected by a Category I Conservation Easement.

The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Environmental Guidelines and the Forest Conservation Law.

Forest Conservation Variance

Section 22A-12(b) (3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. The law requires no impact to trees that: measure 30 inches or greater, diameter at breast height (DBH); are part of an historic site or designated with an historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species (“Protected Trees”). Any impact to a Protected Tree, including removal or disturbance within the Tree’s critical root zone (“CRZ”) requires a variance. An application for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law.

Variance Request - The Applicant submitted a revised Variance Request dated November 8, 2016 (Attachments B) and replaced all previous versions. The Applicant proposes to remove nineteen (19) trees that are either 30 inches and greater, DBH. In addition, the Applicant proposes and to impact, but not remove, twenty-one (21) others that are considered high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law.

Table 1: Variance Trees to be removed

ID	COMMON NAME	SIZE	BOTANICAL NAME	CONDITIO N	REMARKS	Impact
11	* Oriental Plane	22"-26"-32"	Plantanus orientalis	Good		TBR

13	*	Oriental Plane	40"	Plantanus orientalis	Good		TBR
67	*	White Oak	42"	Quercus alba	Good		TBR/ See note below
75	*	Honey Locust	32"	Gleditsia triacanthos	Good		TBR
76	*	Honey Locust	32"	Gleditsia triacanthos	Good		TBR
77	*	Willow Oak	41"	Quercus phellos	Good		TBR/ See note below
97	*	Pin Oak	44"	Quercus palustris	Good		TBR
120	*	Red Maple	17"-26"- 32"	Acer rubrum	Good	Splits @ 2'	TBR
122	*	Sugar Maple	30"	Acer saccharum	Good		TBR
125	*	Red Maple	32"-32"- 26"	Acer rubrum	Poor	Heavily pruned; splits @ 3'; off- site	TBR
149	*	Red oak	35"	Quercus sp.	Good		TBR/ See note below
150	*	Red Maple	30"	Acer rubrum	Good		TBR
158	*	Red Maple	35"	Quercus sp.	Good		TBR
168	*	Sugar Maple	32"	Acer saccharum	Good		TBR
169	*	White Pine	42"	Pinus strobus	Good		TBR
170	*	Red Maple	32"	Acer rubrum	Good		TBR
181	*	Dawn Redwood	34"	Metasequoia glyptostroboides	Good		TBR
182	*	White Pine	39"	Pinus strobus	Good		TBR
214	*	White Ash	31"	White Ash	Good		TBR/ See note below

Table 2: Variance Trees (onsite) to be Impacted

ID		COMMON NAME	SIZE	BOTANICAL NAME	CONDITION	REMARKS	Impact
10	*	Oriental Plane	38"	Plantanus orientalis	Good		26% of CRZ Impacted
17	*	Oriental Plane	38"	Plantanus orientalis	Good		13% of CRZ Impacted
19	*	White Pine	40"	Pinus strobus	Good		30% of CRZ Impacted
35	*	Tulip Poplar	34"	Liriodendron tulipifera	Good		15% of CRZ Impacted
37	*	Tulip Poplar	32"	Liriodendron tulipifera	Good		26% of CRZ Impacted
60	*	White Oak	33"	Quercus alba	Good		7% of CRZ impacted
61	*	Pin Oak	39"	Quercus palustris	Good		17% of CRZ Impacted
72	*	White Pine	38"	Pinus strobus	Good		11% of CRZ Impacted
73	*	White Pine	32"	Pinus strobus	Good		5% of CRZ Impacted
74	*	White Pine	32"	Pinus strobus	Good		8% of CRZ Impacted
92	*	Black Walnut	44"	Juglans nigra	Good		33% of CRZ Impacted
93	*	Black Walnut	43"	Juglans nigra	Good		4% of CRZ Impacted
98	*	Slippery Elm	30"	Ulmus rubra	Good		4% of CRZ Impacted
108	*	Black Walnut	30"	Juglans nigra	Good		22% of CRZ impacted
110	*	Sycamore	30"	Platanus occidentalis	Good		2% of CRZ Impacted
218	*	Slippery Elm	32"	Ulmus rubra	Good		4% of CRZ impacted

Table 3: Variance Trees (offsite) to be Impacted

ID		COMMON NAME	SIZE	BOTANICAL NAME	CONDITIO N	REMARKS	Impact
219		Norway Maple	27"	Acer platanoides	Good		12% CRZ impacted
244		Ash	17"	Fraxinus sp.	Good		8% CRZ impacted
245		Ash	14"	Fraxinus sp.	Good		14% CRZ impacted

259	Oak	18"	Quercus sp.	Good		5% CRZ impacted
354	Catalpa	22"	Catalpa bignonioides	Good		20% CRZ impacted

Unwarranted Hardship Basis

Per Section 22A-21(a), an applicant may request a variance from Chapter 22A if the applicant can demonstrate that enforcement of Chapter 22A would result in an unwarranted hardship.

The development program proposed by the Applicant entails some demolition of existing buildings. Specifically tree #125 which is already in poor condition is adjacent to an existing building slated for removal. The building is already in the CRZ of tree #125 and the tree would not be able to survive the impacts required for building demolition. It is also critical to remove tree #158 in order to implement any proposed improvements to the main building. If a variance is not provided for the removal of the trees referenced above then the Applicant would not be able to implement its requested program and this would be considered an "unwarranted hardship" to the property owner. Specific impacts can be viewed in the Tree Variance Exhibit included in Attachment D with the Applicants full Variance Request.

Based on the above information, Staff concludes that the Applicant has a sufficient unwarranted hardship to justify a variance request.

Variance Findings - Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted. Staff has made the following determinations in the review of the variance request and the proposed Forest Conservation Plan:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the impact or removals of the requested trees is due to the location of the trees and necessary site design requirements. Through the planning process the impacts have been minimized as much as possible. Therefore, Staff believes that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions and necessary design requirements.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the existing conditions and not a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The plan has a forest conservation planting requirement of which 3.36 acres of forest plantings will be done onsite within the stream valley buffer.

Additionally, this Property will be developed in accordance with the latest Maryland Department of the Environment criteria for stormwater management. This includes Environmental Site Design to provide for protecting natural resources to the maximum extent practical. This includes limiting the impervious areas and providing on-site stormwater management systems. A Stormwater Management Concept has been approved by the Montgomery County Department of Permitting Services to ensure that this criterion is enforced.

In addition to the SWM and FCP mitigation requirements, new trees are being proposed to offset the proposed Variance Trees to be removed. At a rate of ¼":1" removed, the Applicant will be providing a minimum of 53 (3") trees as mitigation which will help to offset the loss of the variance trees being removed as part of this project. Therefore, Staff concurs that the project will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provision - There are nineteen (19) variance trees proposed for removal in this variance request. Of the nineteen trees, one is located within existing forest and its loss is accounted for in the forest conservation worksheet and mitigation for its loss is included in the reforestation requirement as determined by the worksheet. Mitigation for the removal of the remaining eighteen (18) freestanding trees located outside of the existing forest is recommended. Mitigation should be at a rate that approximates the form and function of the trees removed. Therefore, Staff recommends that replacement occur at a ratio of approximately 1" Diameter at Breast Height (DBH) for every 4" DBH removed, using trees that are a minimum of 3" DBH. This means that for the 627 caliper inches of trees removed, they will be mitigated by planting 53 native, canopy trees with a minimum size of 3" DBH on the site. While these trees will not be as large as the trees lost, they will provide some immediate canopy and ultimately replace the canopy lost by the removal of these trees.

There are twenty-one (21) other variance trees with some disturbance within their critical root zones, but they are candidates for safe retention and will receive adequate tree protection measures during construction. No mitigation is recommended for trees impacted but retained.

County Arborist's Recommendation on the Variance - In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist on October 18, 2016. A revised variance request was forwarded on November 9, 2016. On November 18, 2016, the County Arborist issued recommendations on the variance request and recommended the variance be approved with mitigation (Attachment E).

Variance Recommendation - Staff recommends that the variance be granted with the mitigation recommended above.

CONCLUSION

Forest Conservation Plan revision CBA-1855 meets all applicable requirements of Chapter 22A of the County Code. Therefore, Staff recommends that the Planning Board approve the Forest Conservation Plan revision with the conditions cited in this staff report. The variance approval is included in the Planning Board's approval of the Preliminary Forest Conservation Plan.

Attachments

Attachment A – Previously Approved PFCP/FFCP

Attachment B – Proposed Final Forest Conservation Plan

Attachment C- Conservation Easement Comparison Exhibit

Attachment D- Applicant's Variance Request dated November 8, 2016

Attachment E- County Arborist Letter dated November 18, 2016



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

November 10, 2016

MEMORANDUM

TO: Elsabett Tesfaye, Planner Coordinator
Area 3 Division

VIA: Fred Boyd, Supervisor
Area 3 Division

FROM: Ed Axler, Transportation Planner Coordinator
Area 2 Division

SUBJECT: Friends House Retirement Community
Special Exception Cases No. S-452-C & S-856-B
Rural West or Patuxent Policy Area

This memorandum is transportation planning staff's Adequate Public Facilities (APF) review of the subject special exception cases to increase the number of senior living units.

RECOMMENDATIONS

The transportation planning staff recommends the following conditions related to the APF test of the transportation requirements for the subject special exception cases:

1. The special exception cases must be limited to an increase of 178 for a total of 321 independent living units, an increase of 27 for a total of 130 assisted-living units/nursing beds, and the existing adult day care program.
2. The Applicant must show on the plan the rights-of-way from the centerlines of Norwood Road along the property southern/State and northwestern/County frontages.
3. The Applicant must provide and clearly show on the plans at least 20 bicycle parking spaces that includes five sets of inverted-U bike racks (two that are labeled as having four racks) in front of main buildings and the other required parking spaces.
4. The Applicant must work with Montgomery County Department of Transportation (MCDOT) to provide the necessary additional traffic control markings and signs to assure safe crossing of Norwood Road to access the Metrobus stops (for the Z2 route) on the opposite of the along Norwood Road.
5. The Applicant must provide internal sidewalk connections and crossings of driveways/curb cuts are ADA compliant by being at-grade crossings.

DISCUSSION

Site Location and Vehicular Site Access Points

The site is located on the northern corner of T-intersection formed by Dr. Bird Road, the State (route MD 182) segment of Norwood Road, and the County segment of Norwood Road. The proposed vehicular access points are as follows:

- Upgrade the existing southwestern access point from the County segment of Norwood Road to become a monumental access.
- Add a new northeastern access point from the County segment of Norwood Road to access the three proposed new buildings.

The MCDOT is not requiring deceleration and acceleration lanes at the proposed curbs cuts along their segment of Norwood Road. In addition, the three fire accesses are required from the County and State segments of Norwood Road with no deceleration and acceleration lanes. Any widening of the paved travelway would not maintain the rural characteristics along Norwood Road as recommended in the 1998 *Sandy Spring/Ashton Master Plan*.

Master-Planned Roadways and Bikeway

In accordance with the 1998 *Sandy Spring/Ashton Master Plan*, 2005 *Olney Master Plan* and the 2005 *Countywide Bikeways Functional Master Plan*, the designated roadways and bikeway are as follows:

1. The segment of Norwood Road southeast of Dr. Bird Road is State route MD 182 and is recommended as a two-lane major highway, M-60, with a 120-foot wide right-of-way and a Class I bike path, PB-38, in the 1998 *Sandy Spring/Ashton Master Plan*. The newer 2005 *Countywide Bikeways Functional Master Plan* recommends bike lanes, PB-27, although a shared use path now exists on the northwest/opposite side. The existing right-of-way is 120-foot wide.
2. The segment of Norwood Road northeast of Dr. Bird Road is a County road and is recommended as a two-lane arterial, A-256, with an 80-foot wide right-of-way and a Class II on-road bikeway, PB-67, in the 1998 *Sandy Spring/Ashton Master Plan*. The newer 2005 *Olney Master Plan* and the 2005 *Countywide Bikeways Functional Master Plan* recommend a shared use path, SP-38, that does not exist along the property frontage but exists on the northeast side approximately 1,430 feet to the south near Excaliber Lane. The existing right-of-way is between 72 and 79-foot wide.

The required rights-of-way from the centerlines of both segments of Norwood Road have been dedicated as shown on Plat number 14595.

Quaker Lane and Quaker Knoll Lane are not listed in any master plan and are private roads with 20-foot wide paved travelways.

Public Transit Service

Only the Metrobus route Z2 operates along Norwood Road between the Paul S. Sarbanes Transit Center in Silver Spring and the intersection of Georgia Avenue and MD 108 in Olney with half hour headways on weekdays only. Three bus stops are located along property frontage of Norwood Road northeast of Dr. Bird Road.

Pedestrian and Bicycle Facilities

There is no sidewalk along the property frontage of the County's segment of Norwood Road, but a shared-use path exists on the opposite side. A five-foot wide sidewalk along the property frontage of the County's segment of Norwood Road would be desirable but its construction would adversely impact the existing mature trees that contributes to the existing rural chrematistics along this segment of Norwood Road.

A note on the special exception plan indicates that bicycle facilities for approximately 25 spaces are provided within the parking area at various places. In front of main buildings near the handicap parking spaces, the plans show two sets of Inverted-U bike racks having four racks and 3 individual racks for short-term bicycle parking. The plan also show one bicycle parking in the parking lots of each of the 14 Lodge apartment buildings. The note also indicates a possibility of providing 67 bicycle spaces within the garage spaces attached to the Cottage/duplexes.

The Applicant must assure that

- The crossings of Norwood Road are safe to access the Metrobus stops (for the Z2 route) on the opposite of the along Norwood Road.
- The internal sidewalk connections and crossings of driveways/curb cuts are ADA compliant by being at-grade crossing.

Prior Planning Board Action

Before 1990, the Friends House on Parcel C had an 80-bed nursing home, 100 low-income elderly apartments, a 5-unit elderly apartment wing, and 7 detached/duplex elderly cottages.

Special Exception Case No. S-452-A was reviewed in December 1990 to increase the existing elderly housing facility by 10 duplex units.

The Planning Board at its January 23, 1997, public hearing recommended denial of Special Exception Case No. S-452-C to add 90 more independent-living units because of the original plan's impact to the rural entry into Sandy Spring and its relation with the nearby historic Norwood House which adjoins the Friends House property. Also at the January 23, 1997, public hearing, the Planning Board recommended approval of Special Exception Case No. S-856-A for an adult day care and a 30-unit assisted-living facility.

Subsequently, the Planning Board at its April 17, 1997, public hearing for Special Exception Cases No. S-452-C recommended approval to add 90 more independent-living units.

There are no underlying preliminary plan or site plan approval on this site.

Local Area Transportation Review (LATR)

The proposed increase in housing units would generate the following number peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and the evening peak period (4:00 to 7:00 p.m.):

Land Use	Number	Weekday Peak-Hour	
		Morning	Evening
Existing Land Uses			
Independent Living Units	143	27	36
Assisted-Living Units/Nursing Beds	103	3	6

Subtotal	246	30	42
Additional Senior Living Units			
Independent Living Units	178	36	44
Assisted-Living Units/Nursing Beds	27	1	2
Subtotal	205	37	46
Total	451	67	88

A traffic study was submitted to satisfy the LATR test because the "total" number of site-generated peak-hour trips is 30 or more within the weekday morning and evening peak periods. Based on the traffic study results, the capacity/Critical Lane Volume (CLV) values at the studied intersections are shown in the table below for the following traffic conditions:

1. **Existing:** The traffic condition as it currently now including the trips generated by the existing Friends Home.
2. **Background:** The existing condition plus the trips generated from approved but un-built nearby developments.
3. **Total:** The background condition plus the additional site-generated trips based on proposed increase in housing units.

Studied Intersection	CLV Standard	Traffic Condition					
		Existing		Background		Total	
		AM	PM	AM	PM	AM	PM
Olney-Sandy Spring Rd. & Norwood Rd.	1,450	961	884	968	899	972	906
Dr. Bird Rd.-Norwood Rd. & Norwood Rd.	1,450	786	836	800	844	826	874
Norwood Rd & South Campus Dr.	1,350	146	153	147	158	183	223
Norwood Rd & Existing Campus Dr.	1,350	138	146	139	151	----	----
Norwood Rd. & New North Campus Dr.	1,350	----	----	----	----	136	135

As shown in the table above, the calculated CLV values do not exceed the applicable CLV standard. The CLV standard is 1,450 for the intersections on the border of the Olney Policy Area and Putuxent Policy Area and 1,350 for the intersections entirely within Putuxent Policy Area. Thus, the LATR test is satisfied.

Transportation Policy Area Review (TPAR)

The Applicant satisfies the Policy Area Review test without making a TPAR payment because developments located in the Rural West Policy Area are exempt from the TPAR roadway and transit tests.

EA



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

September 30, 2016

MEMORANDUM

TO: Elsabett Tesfaye, Area 3
FROM: Scott Whipple, ^{SW}Historic Preservation Supervisor
SUBJECT: Special Exception Applications No. S-452/S-856-D
Friends House, Inc.
17340 Quaker Lane, Sandy Spring

The property at 17340 Quaker Lane in Sandy Spring is immediately adjacent to the historic site known as Norwood, a 1751 house listed in the Master Plan for Historic Preservation (#28/13), located at 17201 Norwood Road.

The subject property is improved with a number of buildings, including four duplex residential structures ("Existing Duplexes") located near the southeast boundary with the historic site. The view of these existing duplexes from the historic site is partially obscured by existing trees.

The revised plans responded to comments about the impact to the adjacent historic site by reducing from four to two new structures ("Cottage Area A") to be constructed in a location near the northeast boundary with the historic site, and by orienting these structures such that they are roughly aligned one behind the other, thereby reducing the visual impact on the historic site. This, coupled with the planting of shade trees and the placement of the buildings, satisfactorily addresses previously raised historic preservation concerns.

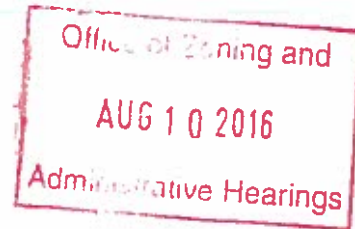
Staff had previously raised concerns over cumulative effect on the historic site created by the number of additional dwelling units proposed for "Cottage Area B". Staff is satisfied that the design of the duplexes, their orientation, and the introduction of new buffering trees will mitigate any adverse visual impact on the historic site.

Supplemental Information

Attachment-C



Board of Appeals for Montgomery County MD
 Office of Zoning and Administrative Hearings
 100 Maryland Ave
 Room 200
 Rockville MD 20850



Aug 5, 2016

RE: Case No. S-856-B (S-452)

Dear Sirs:

We are uncertain regarding the status of the above case since the public hearing scheduled on May 9, 2016 was postponed. Therefore we are submitting this written statement for consideration in the pending matter.

The following provides a context for the comments we will make below regarding the proposal by the Friends House, Inc.

We are the next door neighbors to the Friends House, Inc. residing at 17201 Norwood Road, Sandy Spring, MD 20860, commonly referred to as "Norwood". We live in a Historic Registry listed house and property (which include two barns, a carriage house, several out buildings and a box wood garden predating the boxwood garden at Mt. Vernon. The house was built in 1751, with an addition in 1866/67. The barns and carriage house were built immediately after the Civil War in 1866/67. We acquired the property in 1988 and fully restored the house at that time and the carriage house in 1999-2000. In both cases we were awarded the Montgomery County History Restoration Award for our restorations, awarded in 1989 and 2000. The property is very important historically not only for the Northeast corner of Montgomery County because it was built by the original family settling the area (the wife was the daughter of Lord Baltimore's Chief of Staff), but because of its excellent state of preservation. The County owned Woodlawn Manor, further down Norwood Road, was built by the same family for a younger son. The property is regularly on the historic tour circuit for that part of Montgomery County.

The Friends House, Inc. resides on property originally owned by the original owners of our property, Norwood. So there is a sentimental connection between the properties. In addition they have been good neighbors and we personally are committed to its mission and role in the Sandy Spring and regional community.

That said we take strong exception to portions of the proposed expansion plan set forth by the Friends House, Inc., copy of which is attached as it was presented to the community. We have not seen the actual plan submitted to the County.

In short our exception to the proposal simply has to do with the locations of proposed buildings. Specifically we strongly oppose their proposal to build units directly adjacent to our property line, and also toward the front of our property toward Norwood Road currently occupied by an open field. On attached documents I have circled specific proposed building locations that we

EXHIBIT NO. 31
 REFERRAL NO. EA S-856B
+ S-452-D

strongly oppose locating where they are presently being proposed, and also we have drawn lines that we strongly feel should remain open space in order to protect the historic rural character of our property, Norwood.

Allowing the Friends House Inc. to build in locations they are proposing would destroy the historic rural character and space around Norwood, turning the area into simply suburb like housing project. Relocating the proposed buildings would preserve one of the more important historic properties in Montgomery County.

The proposal drawings show a sight line that is a single straight line that perhaps might be appropriate if the human eye worked like a laser beam, but totally ignores the wide angle nature of human sight and the fact that that if a person walks to the side of the house or simply turns one's head slightly, then all they would see would be the new construction. Moreover the proposal involves destroying well over half of the woods that separates and buffers the properties, which would further denigrate the historic character of the property.

Thank you for your consideration. If you have any questions, please feel free to contact us.



Thomas J. Schneider 202-669-9024



Cynthia P. Schneider 301-706-9260

17201 Norwood Road

Sandy Spring MD 20860



MONTGOMERY COUNTY, MARYLAND

October 27, 2016

Montgomery County
RECEIVED

OCT 28 2016

Planning Department

Mr. and Mrs. Thomas J. Schneider
17201 Norwood Road
Sandy Spring, MD 20860

Re: Board of Appeals Case No. S-856-B, Petition of Friends House

Dear Mr. and Mrs. Schneider:

I am the Hearing Examiner assigned to the above case for the Office of Zoning and Administrative Hearings (OZAH). While technically not required under OZAH's Rules of Procedure, I am forwarding to you an e-mail addressed to the applicant and Staff of the Montgomery County Planning Department regarding deadlines in the above case. The reason I forward the e-mail is because I specifically refer to your letter of August 5, 2016 (Exhibit 31).

Under OZAH's Rules of Procedure, the Hearing Examiner is not required to include individuals on communications with the applicant unless those individuals have become "parties" to the proceeding. The definition and procedure for becoming a "party" to a case are set forth in Rule 3.1 (on pages 6 and 7 of the Rules). OZAH's Rules of Procedure governing special exceptions (now called conditional uses) can be found on its website at <http://www.montgomerycountymd.gov/ozah/>. Should you wish to become a party, you will need to include your e-mail address with your contact information.

Due to the prohibition on *ex parte* communications, I am unable to speak with you directly outside of the record of the case. This means that my any communication with me must be made with all parties present or at the public hearing. Any written communication you wish to submit must copy the Applicant and will be placed in the record of the case. Please copy Ellen Forbes and Sara Behanna of our office as well so we can ensure that your communications are placed in the official file. You may direct procedural questions to either Ms. Forbes or Ms. Behanna at the phone number below. You may contact both the Applicant and Staff of the Montgomery Planning Department directly to communicate any concerns with the application.

Sincerely,

Lynn A. Robeson
Hearing Examiner

cc: Soo Lee-Cho, Esquire
Jody Kline, Esquire
Rich Weaver, Planning Department
✓ Elsabet Tefaye, Planning Department

Robeson, Lynn

From: Robeson, Lynn
Sent: Thursday, October 27, 2016 11:16 AM
To: 'Soo Lee-Cho'
Cc: 'Jody Kline'; 'Weaver, Richard'; Tesfaye, Elsabet; Grossman, Martin
Subject: S-856-B, Friends House--Analysis under the 2014 Zoning Ordinance

Ms. Lee-Cho, I spoke with Staff yesterday regarding the timing of this case. Staff informed me that the Planning Board hearing is set for November 17, 2016.

As previously noted, the Planning Board interprets the 2014 Zoning Ordinance to limit the ability to grandfather under the 2004 Code. The ZTA introduced to resolve this is still pending but may be enacted by the time the decision is issued. As previously indicated, I must base my decision on the law in effect as of the date of the decision.

If the Applicant insists on proceeding with the public hearing on December 5, 2016, I am requesting the Applicant to provide an analysis of the design under new Code to Staff no later than **Friday, November 4, 2016**. This is because compliance with the new code may require some site redesign, which would be up to the Applicant rather than Staff. It would also have to be reviewed by Staff in a very short time frame. If staff cannot meet that time frame, of course, we would have to postpone the public hearing. If the Applicant does not provide an analysis under the new Code without review and recommendation from Staff, the application may have to be referred back to Staff or the Planning Board depending on the outcome of ZTA 16-14, causing additional delay.

As you also may know, adjacent property owners have filed an opposition to the application requesting that the Applicant eliminate some of the development near their property, which they advise is a historic property. They have requested changes to the site design. I do not know whether the Applicant intends to address these changes.

For those reason, the Applicant should submit its analysis of whether the existing application meets the requirements of the 2014 Zoning Ordinance **no later than Friday, November 4, 2016**. Depending on whether the application complies with both the new and old Codes, we will discuss the time frame for Staff review when submitted.

*Lynn A. Robeson
Hearing Examiner
Office of Zoning and Administrative Hearings
100 Maryland Avenue
Rockville, MD 20850
PH: (240) 777-6660
Fax: (240) 777-6665*



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

August 25, 2016

Mr. Fernando Benitez
Stantec
20410 Century Blvd.
Germantown MD 20874

Re: **STORMWATER MANAGEMENT CONCEPT**
Request for Friends House Retirement
Preliminary Plan #: NA
SM File #: 281939
Tract Size/Zone: 62.18
Total Concept Area: 32.78
Lots/Block: NA
Parcel(s): N225, N214
Watershed: Northwest Branch

Dear Fernando:

Based on a review by the Department of Permitting Services Review Staff, the Stormwater Management Concept for the above mentioned site is **acceptable**. The Stormwater Management Concept proposes to meet required stormwater management goals via MicroBioretention, Enhancement MicroBioretention, BioSwale, and Permeable Pavement.

The following **items** will need to be addressed **during/** the detailed sediment control/stormwater management plan stage:

1. Submission and approval of a **Site Development Stormwater Management Plan** is required prior to Site Plan approval. If the project will be submitted in phases, each phase must be clearly indicated in the submission by clearly showing the phasing limits on the plan and by giving each phase a unique name (i.e. Phase 1, Phase 2, etc.).
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. A Floodplain District permit will be required for the proposed work in the 100yr Floodplain and its associated 25' Buffer.

This list may not be all-inclusive and may change based on available information at the time.

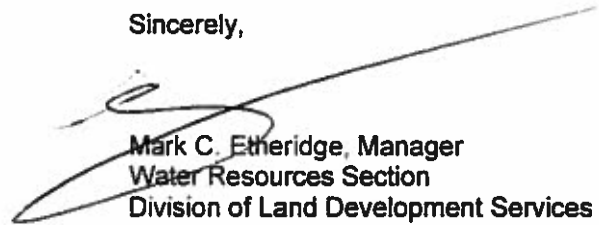
This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.



Mr. Fernando Benitez
August 25, 2016
Page 2 of 2

If you have any questions regarding these actions, please feel free to contact Bill Musico at 240-777-6340.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: WJM

cc: C. Conlon
SM File # 281939

ESD Acres:	32.78
STRUCTURAL Acres:	0.0
WAIVED Acres:	0.0

Olney
Commercial Area
Restaurants,
Salons, Banks,
Grocery,
Pharmacies,
Doctors, Churches

Medstar
Montgomery
Hospital

Churches

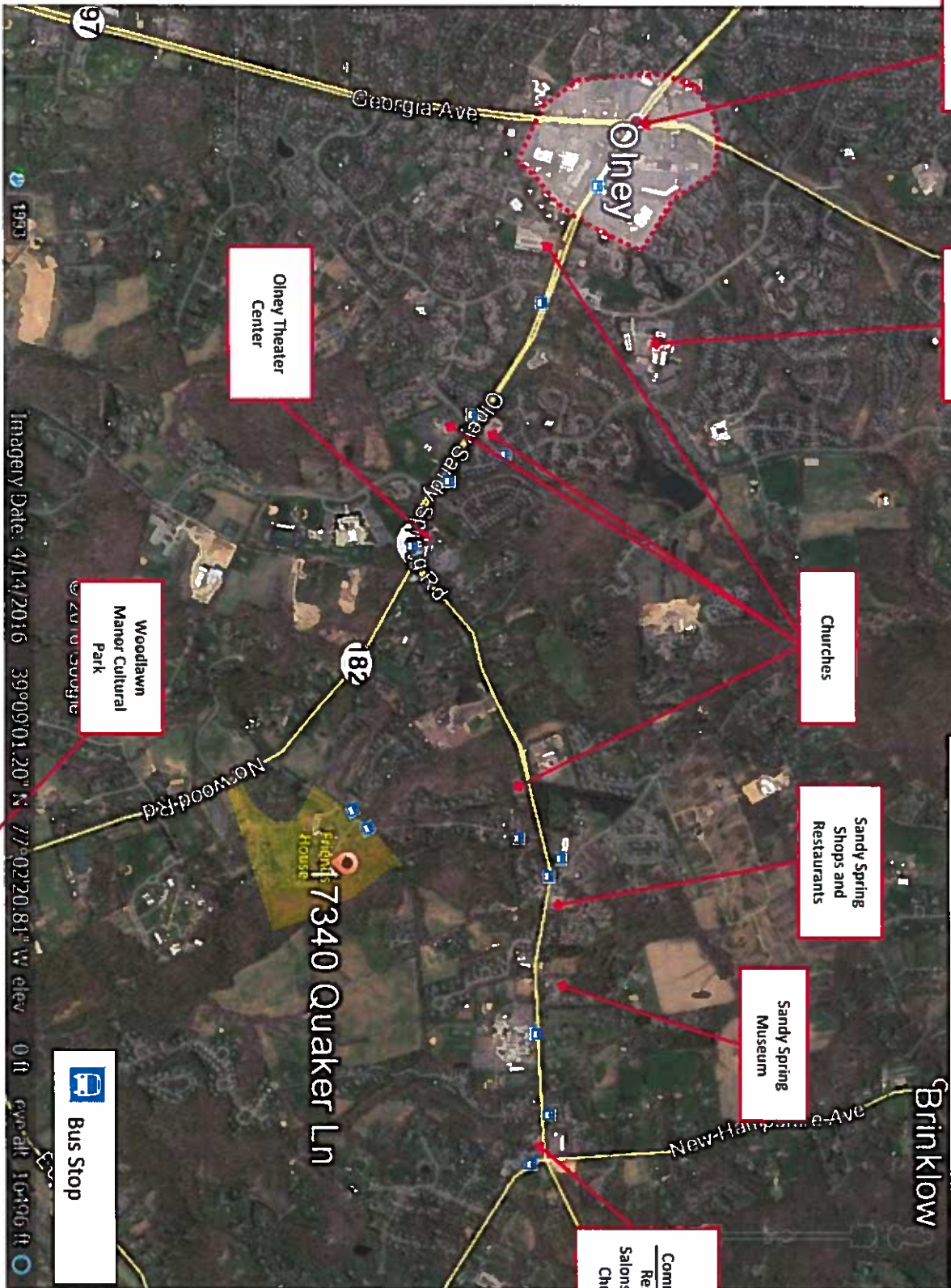
Sandy Spring
Shops and
Restaurants

Sandy Spring
Museum

Ashton
Commercial Area
Restaurants,
Salons, Post Office,
Church, Bank

FRIENDS HOUSE

LOCAL SERVICES



Olney Theater
Center

Woodlawn
Manor Cultural
Park

 **Bus Stop**

Imagery Date: 4/14/2016 39°09'01.20" N 77°02'20.81" W elev 0 ft gpx file 164106.ft

**PHASING DIAGRAMS, UNIT INFORMATION,
STAFFING TABLES**

Attachment-D



Phasing Diagrams
Unit Information
Staffing Tables
October 4, 2016

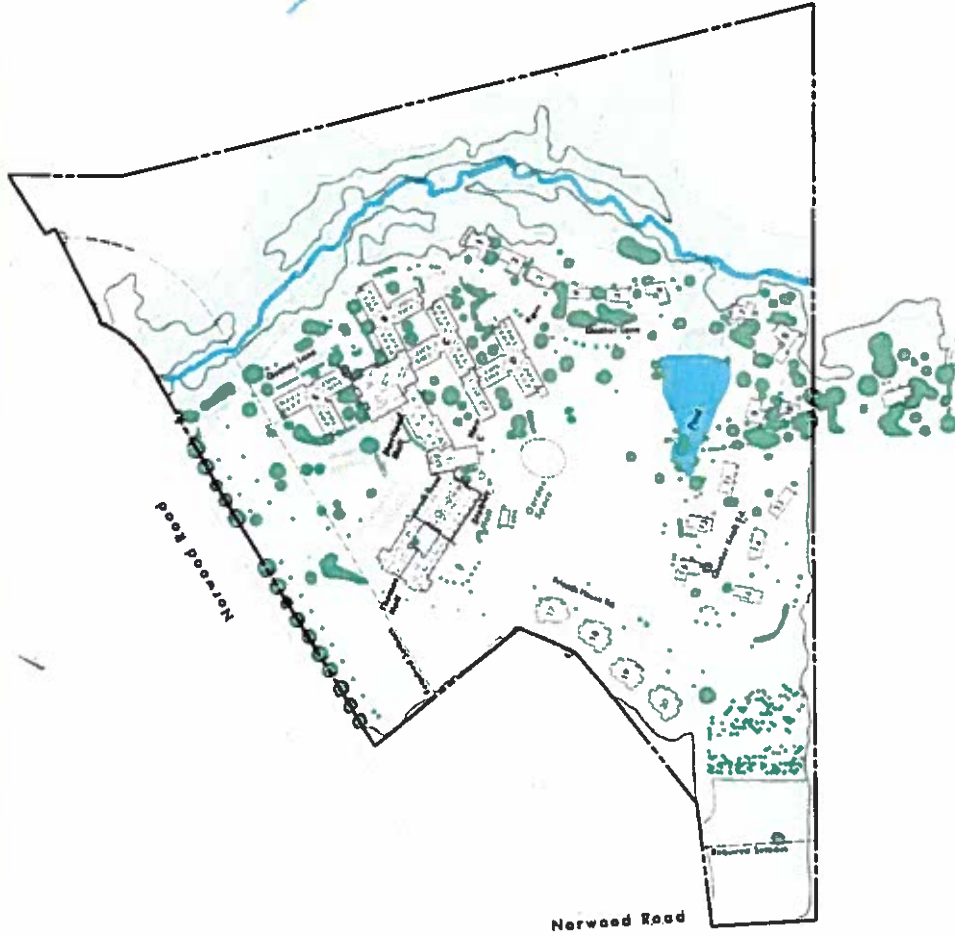


Friends House
community through caring



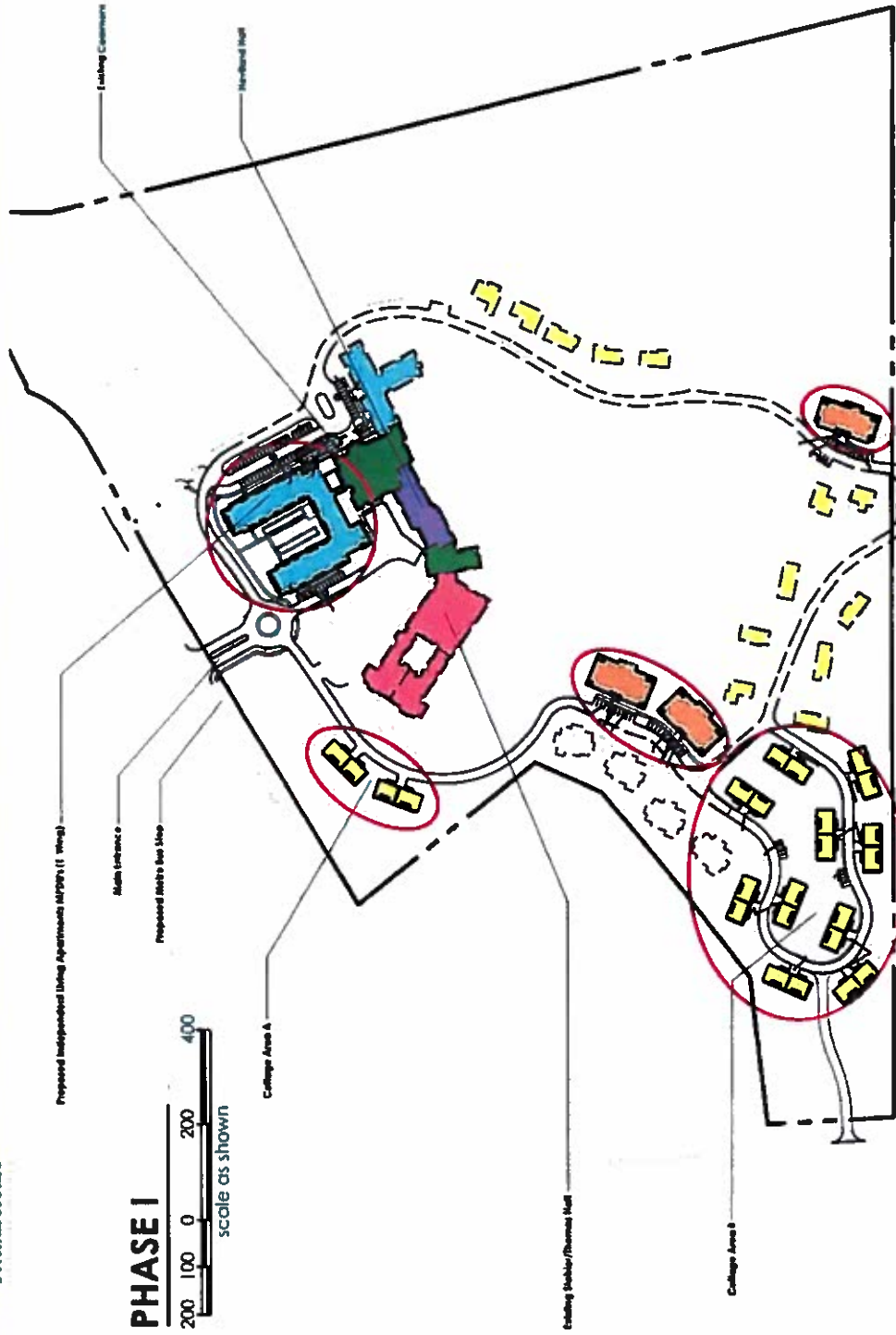


EXISTING CONDITIONS PLAN





PHASE I PLAN (New circled in Red)





PHASE I

Staffing Tables

Unit information (color corresponds with Plan)

Parcel/Building	Unit Type	Phase	Existing		Proposed		Unit count	Phase I	Existing condition	Proposed		Count
			Condition	to Remain	New	New				New	New	
E Wing	Independent living apartment	I	25 d.u.'s	0 d.u.'s	80 d.u.'s	80 d.u.'s	80 d.u.'s					
B Wing	Independent living apartment	IV	25 d.u.'s	0 d.u.'s	0 d.u.'s	20 d.u.'s	20 d.u.'s					
C/D Wing	Independent living apartment	III	55 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Hawthland Hall	Independent living apartment	III	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
	Total apartments		105 d.u.'s	0 d.u.'s	80 d.u.'s	100 d.u.'s	100 d.u.'s					
Lodge #1	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #2	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #3	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #4	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #5	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #6	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #7	I.L. Lodge apartments (3 story)	I	0 d.u.'s	0 d.u.'s	13 d.u.'s	13 d.u.'s	13 d.u.'s					3
Lodge #8	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #9	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #10	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #11	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #12	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s					
Lodge #13	I.L. Lodge apartments (2 story)	I	0 d.u.'s	0 d.u.'s	10 d.u.'s	10 d.u.'s	10 d.u.'s					
Lodge #14	I.L. Lodge apartments (2 story)	I	0 d.u.'s	0 d.u.'s	10 d.u.'s	10 d.u.'s	10 d.u.'s					
	Total lodges		0 d.u.'s	0 d.u.'s	33 d.u.'s	33 d.u.'s	33 d.u.'s					
Cottage Area A	I.L. Cottage homes	I	0 d.u.'s	0 d.u.'s	4 d.u.'s	4 d.u.'s	4 d.u.'s					1
Cottage Area B	I.L. Cottage homes	I	0 d.u.'s	0 d.u.'s	20 d.u.'s	20 d.u.'s	20 d.u.'s					3
Existing cottages	I.L. Cottage homes		19 d.u.'s	17 d.u.'s	0 d.u.'s	17 d.u.'s	17 d.u.'s					
	Total cottages		19 d.u.'s	17 d.u.'s	24 d.u.'s	41 d.u.'s	41 d.u.'s					
Existing duplexes	I.L. duplexes		8 d.u.'s	8 d.u.'s	0 d.u.'s	8 d.u.'s	8 d.u.'s					
	Total dwelling units		132 d.u.'s	45 d.u.'s	137 d.u.'s	182 d.u.'s	182 d.u.'s					8
Hawthland Hall	Assisted Living	III	21 units	0 units	0 units	0 units	21 units					
New A.L. wing	Assisted Living	II	0 units	0 units	0 units	0 units	0 units					
	Total assisted living units		21 units	0 units	0 units	0 units	21 units					
Stable/Thomas Hall	Skilled nursing	III	82 beds	82 beds	0 beds	0 beds	82 beds					
	Total resident care units		109 units	108 units	0 units	108 units	108 units					
	Total Living Units		235 I.u.'s	148 I.u.'s	137 I.u.'s	285 I.u.'s	285 I.u.'s					

Estimated Number of People 750

Days per week

Additional Staff

Shift

6am - 2:30 pm

7am - 3:30 pm

8am - 4:30 pm

8am - 12pm

9am - 5pm

10am - 2pm

11am - 7pm

12pm - 430 pm

12pm - 8 pm

330pm - 11pm

4pm - 7pm

4pm - 12am

430pm - 730pm

5pm - 8pm

11pm - 7am

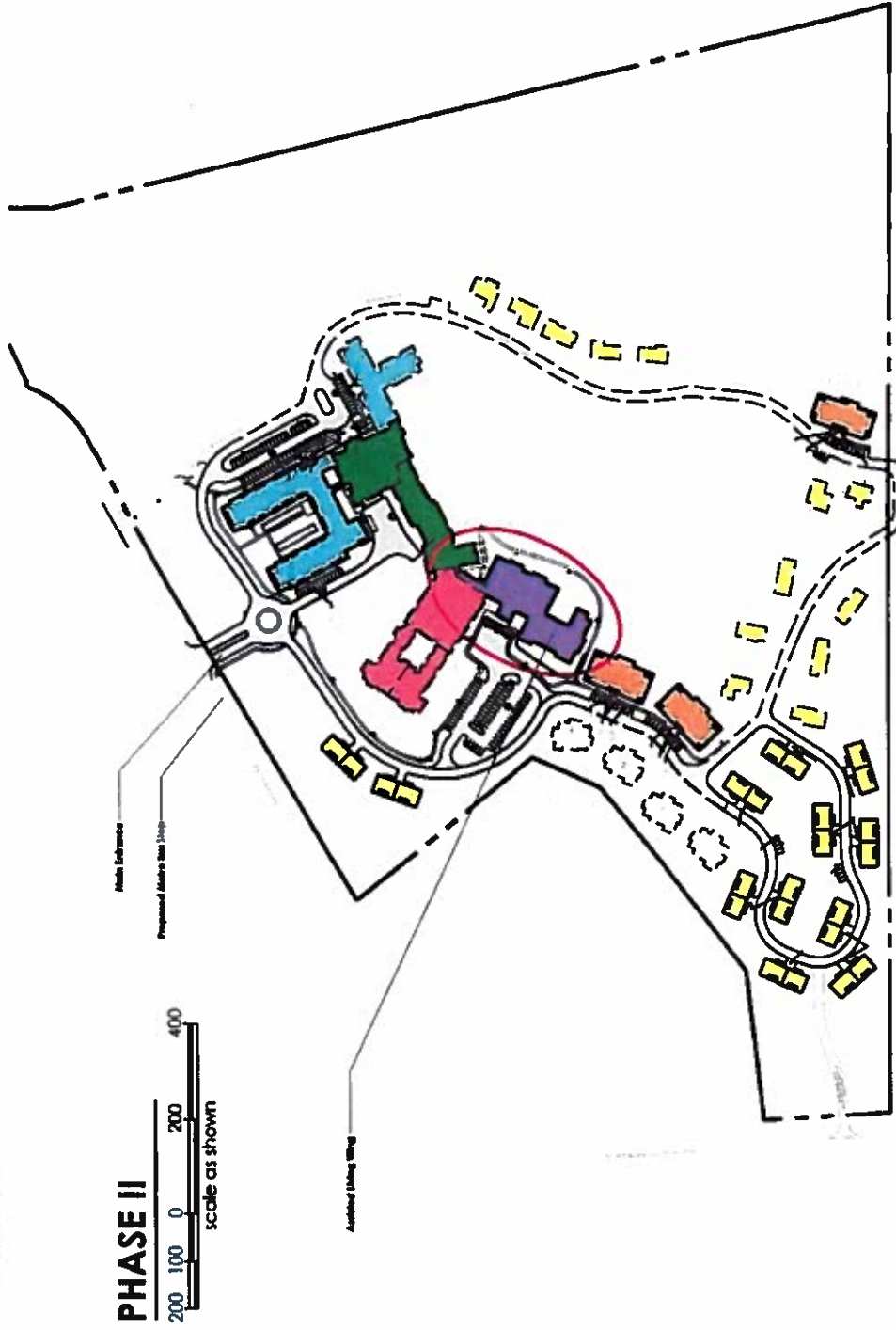
Total Positions

8



Friends House

PHASE II PLAN (New circled in Red)





PHASE II

Staffing Tables

Unit Information (color corresponds with Plan)

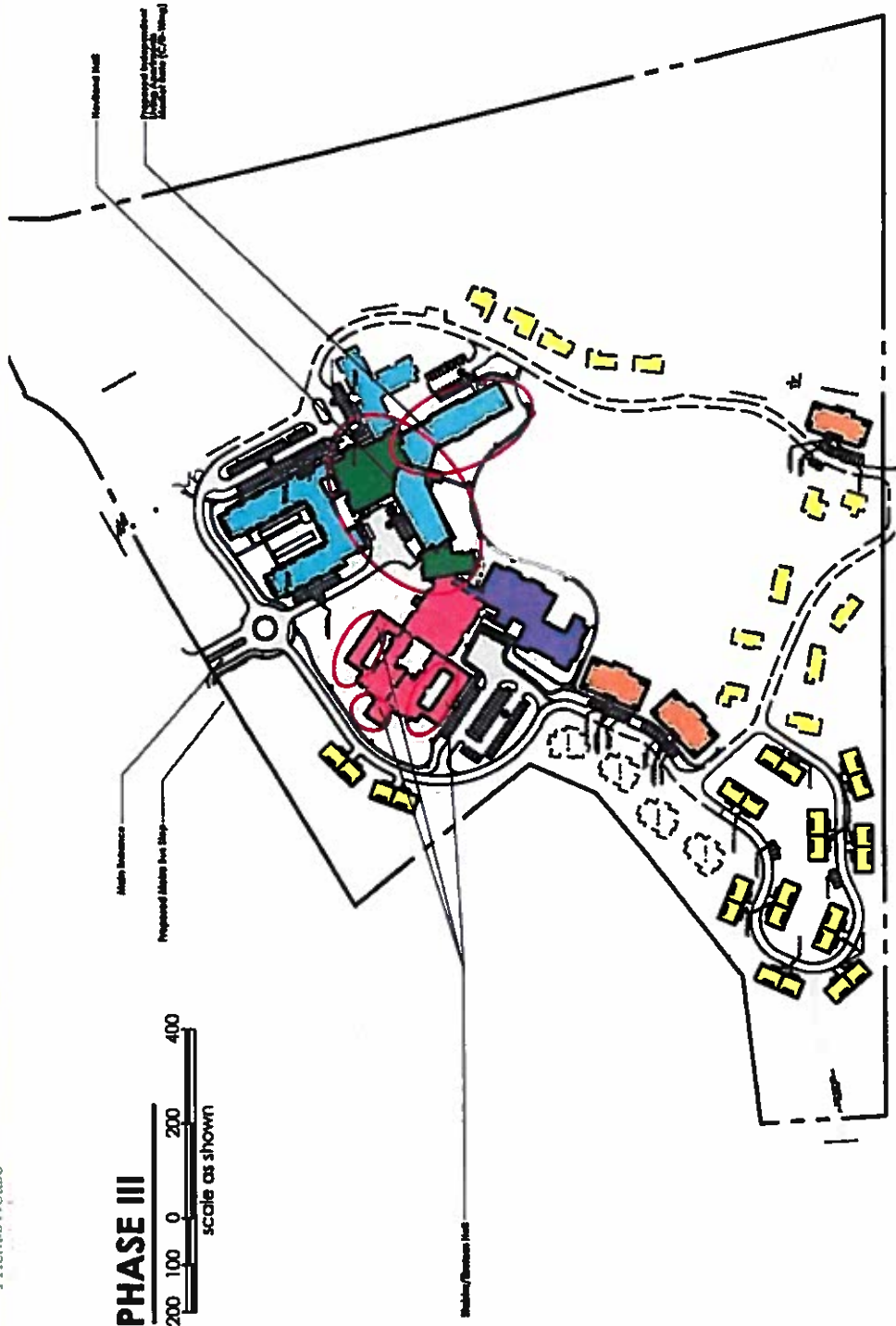
Parcel/Building	Unit Type	Phase	Existing		Proposed		Unit count
			To Remain	New	New	New	
E Wing	Independent living apartmt	I	80 d.u.'s	0 d.u.'s	0 d.u.'s	80 d.u.'s	334
B Wing	Independent living apartmt	IV	20 d.u.'s	0 d.u.'s	0 d.u.'s	20 d.u.'s	
C/D Wing	Independent living apartmt	III	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Hawland Hall	Independent living apartmt	III	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Total apartments			100 d.u.'s	0 d.u.'s	0 d.u.'s	100 d.u.'s	
Lodge #1	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	20
Lodge #2	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #3	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #4	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #5	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #6	I.L. Lodge apartments (3 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #7	I.L. Lodge apartments (3 story)	I	13 d.u.'s	0 d.u.'s	0 d.u.'s	13 d.u.'s	
Lodge #8	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #9	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #10	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #11	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #12	I.L. Lodge apartments (2 story)	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #13	I.L. Lodge apartments (2 story)	I	10 d.u.'s	0 d.u.'s	0 d.u.'s	10 d.u.'s	
Lodge #14	I.L. Lodge apartments (2 story)	I	10 d.u.'s	0 d.u.'s	0 d.u.'s	10 d.u.'s	
Total lodges			33 d.u.'s	0 d.u.'s	0 d.u.'s	33 d.u.'s	
Cottage Area A	I.L. Cottage homes	I	4 d.u.'s	0 d.u.'s	0 d.u.'s	4 d.u.'s	20
Cottage Area B	I.L. Cottage homes	I	20 d.u.'s	0 d.u.'s	0 d.u.'s	20 d.u.'s	
Existing cottages	I.L. Cottage homes		17 d.u.'s	0 d.u.'s	0 d.u.'s	17 d.u.'s	
Total cottages			41 d.u.'s	0 d.u.'s	0 d.u.'s	41 d.u.'s	
Existing duplexes	I.L. duplexes		8 d.u.'s	0 d.u.'s	0 d.u.'s	8 d.u.'s	182
Total dwelling units			182 d.u.'s	0 d.u.'s	0 d.u.'s	182 d.u.'s	
Hawland Hall	Assisted Living	III	0 units	0 units	0 units	0 units	
New A.L. wing	Assisted Living	II	0 units	48 units	48 units	48 units	
Total assisted living units			0 units	48 units	48 units	48 units	
Stabler/Thomas Hall	Skilled nursing	III	82 beds	0 beds	0 beds	82 beds	130
Total resident care units			82 units	48 units	48 units	130 l.u.'s	
Total Living Units			264 l.u.'s	48 l.u.'s	48 l.u.'s	312 l.u.'s	

Additional Staff	Phase II		Days per week	People
	Estimated Number of People	Proposed New		
Shift				
6am - 2:30 pm				
7am - 3:30 pm			7	6
8am - 4:30 pm			7	2
8am - 12pm			2	2
9am - 5pm			7	2
10am - 2pm			5	1
11am - 7pm				
12pm - 430 pm				
12pm - 8 pm				
330pm - 11pm			7	2
4pm - 7pm			7	3
4pm - 12am				
430pm - 730pm				
5pm - 8pm				
11pm - 7am			7	2
Total Positions				20



Friends House

PHASE III PLAN (Now circled in Red)





PHASE III

Staffing Tables

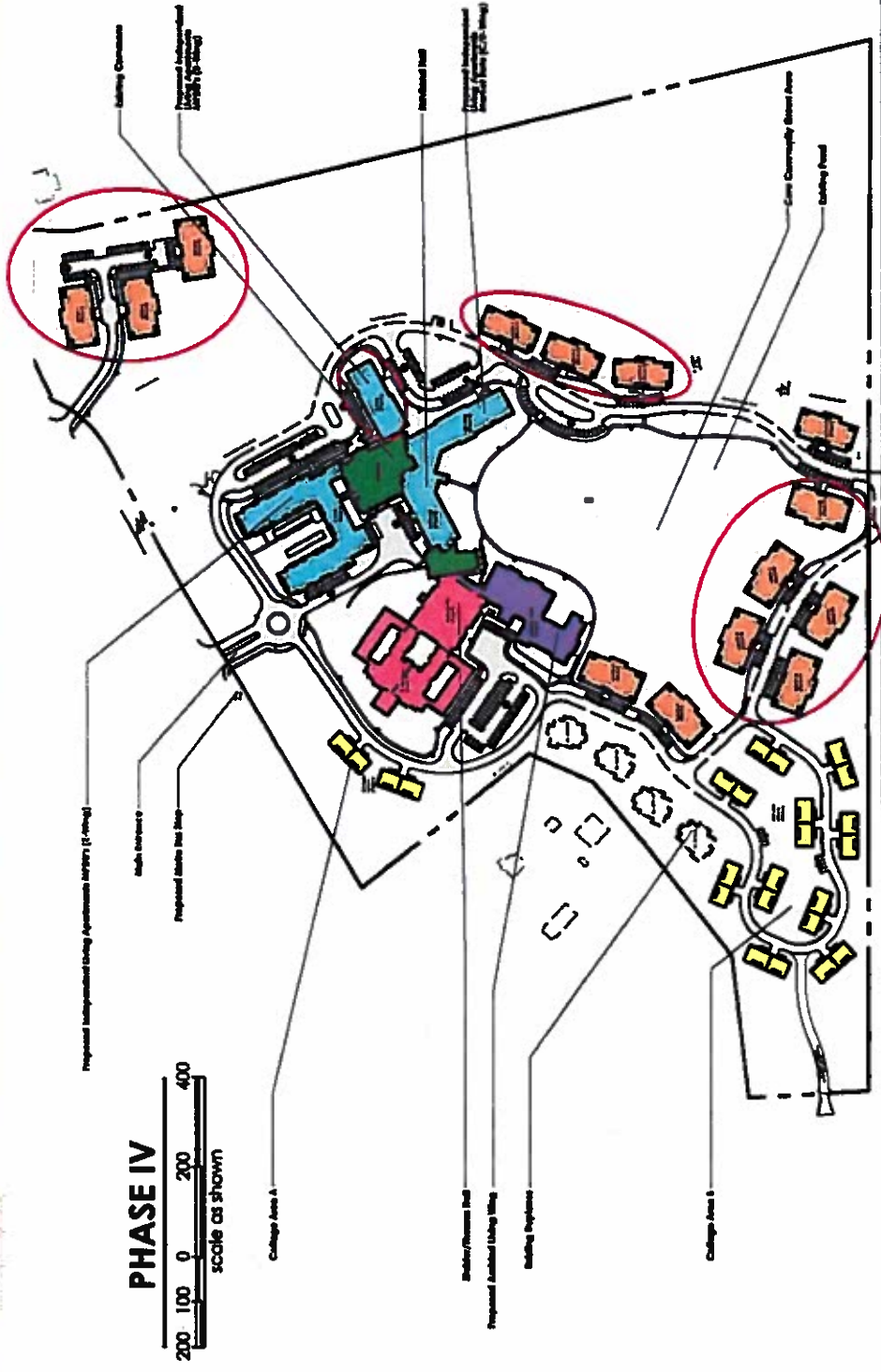
Unit Information (color corresponds with Plan)

Parcel/Building	Unit Type	Phase	Existing		Proposed		Unit count
			To Remain	New	New	Count	
E Wing	Independent living apartment I	I	80 d.u.'s	0 d.u.'s	0 d.u.'s	80 d.u.'s	385
B Wing	Independent living apartment IV	IV	20 d.u.'s	0 d.u.'s	0 d.u.'s	20 d.u.'s	
C/D Wing	Independent living apartment III	III	0 d.u.'s	24 d.u.'s	0 d.u.'s	24 d.u.'s	
Haviland Hall	Independent living apartment III	III	0 d.u.'s	6 d.u.'s	0 d.u.'s	6 d.u.'s	
Total apartments			100 d.u.'s	30 d.u.'s	30 d.u.'s	130 d.u.'s	
Lodge #1	1.L. Lodge apartments (2 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	Estimated Number of People
Lodge #2	1.L. Lodge apartments (3 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #3	1.L. Lodge apartments (3 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #4	1.L. Lodge apartments (3 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #5	1.L. Lodge apartments (2 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #6	1.L. Lodge apartments (3 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #7	1.L. Lodge apartments (3 story) I	I	13 d.u.'s	0 d.u.'s	0 d.u.'s	13 d.u.'s	
Lodge #8	1.L. Lodge apartments (2 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #9	1.L. Lodge apartments (2 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #10	1.L. Lodge apartments (2 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #11	1.L. Lodge apartments (2 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #12	1.L. Lodge apartments (2 story) IV	IV	0 d.u.'s	0 d.u.'s	0 d.u.'s	0 d.u.'s	
Lodge #13	1.L. Lodge apartments (2 story) I	I	30 d.u.'s	0 d.u.'s	0 d.u.'s	30 d.u.'s	
Lodge #14	1.L. Lodge apartments (2 story) I	I	33 d.u.'s	0 d.u.'s	0 d.u.'s	33 d.u.'s	
Total lodges			43 d.u.'s	0 d.u.'s	0 d.u.'s	43 d.u.'s	
Cottage Area A	1.L. Cottage homes	I	4 d.u.'s	0 d.u.'s	0 d.u.'s	4 d.u.'s	
Cottage Area B	1.L. Cottage homes	I	20 d.u.'s	0 d.u.'s	0 d.u.'s	20 d.u.'s	
Total cottages			24 d.u.'s	0 d.u.'s	0 d.u.'s	24 d.u.'s	
Existing cottages			41 d.u.'s	0 d.u.'s	0 d.u.'s	41 d.u.'s	
Existing duplexes			8 d.u.'s	0 d.u.'s	0 d.u.'s	8 d.u.'s	
Total dwelling units			182 d.u.'s	30 d.u.'s	30 d.u.'s	212 d.u.'s	
Haviland Hall	Assisted Living	III	0 units	0 units	0 units	0 units	
New A.L. wing	Assisted Living	II	48 units	0 units	0 units	48 units	
Total assisted living units			48 units	0 units	0 units	48 units	
Stabler/Thomas Hall	Skilled nursing	III	82 beds	0 beds	0 beds	82 beds	
Total resident care units			130 units	0 units	0 units	130 units	
Total Living Units			312 i.u.'s	30 i.u.'s	30 i.u.'s	342 i.u.'s	

Additional Staff Shift	Phase III		Days per week	People
	Proposed New	Count		
6am - 2:30 pm				
7am - 3:30 pm				
8am - 4:30 pm			3	3
9am - 12pm				
9am - 5pm				
10am - 2pm				
11am - 7pm			7	7
12pm - 4:30 pm			5	5
12pm - 8 pm				
3:30pm - 11pm				
4pm - 7pm				
4pm - 12am				
4:30pm - 7:30pm			7	7
5pm - 8pm				
11pm - 7am				
Total Positions				8



PHASE IV PLAN (Now circled in Red)



**COMPARATIVE ANALYSIS-STAFF COMMENTS AND
RECOMMENDATION**

Attachment-E



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

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Kipling Reynolds, AICP, Chief, Area 3
Richard Weaver, Supervisor, Area3

FROM: Elsabett Tesfaye, Planner Coordinator (301) 495-1301

DATE: November 28, 2016

SUBJECT: S-452-D and S-856-B: Friends House - Staff's review of the Applicant's Supplemental Comparative Analysis: Compliance of Application Proposal with New Zoning Ordinance Standards (2014)

At the request of the Hearing Examiner, the Applicant has submitted a Conformity Analysis to analyze how the proposed Special Exception Applications conform to the new Zoning Ordinance (2014). Attached, you will find a comparative chart showing compliance with the 2014 Ordinance.

The Hearing Examiner requested this because of a pending ZTA that may affect these Applications. If you have any questions, please contact, Elsabett Tesfaye at (301) 495-1301.

FRIENDS HOUSE
Case Nos. S-452-D and S-856-B

¹Staff's review of the Applicant's Supplemental Comparative Analysis
Compliance of Application Proposal with New Zoning Ordinance Standards (2014)

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
Division 7.3. Regulatory Approvals		
Section 7.3.1 Conditional Use		
Section 7.3.1.E. Necessary Findings		
Section 7.3.1.E.1.a	This section is not applicable because if the applicant is being tested under the standards of the new Zoning Ordinance, all previous approvals are being superseded. However, the subject application incorporates elements that comply with prior relevant approval conditions.	Staff concurs with the Applicant's response. Some portions of the Uses have been established as far back as 50 years ago and were found to meet the requirements of the times.
Section 7.3.1.E.1.b. Satisfies Requirements of the Zone		
Section 4.4.4. RB-2 Zone Development Standards:		
Sect. 4.4.4.B.1. Lot and Density Min. Lot Area - 2 acres Min. Lot Width at Front Building Line - 150 ft. Min. Lot Width at Front Lot/Street Line -25 ft. Max. Lot/Building Coverage - 25%	Project complies. Site tract area is 62.9 acres (gross tract area) Project complies. Tract has greater than 1600 feet at building line. Project complies. Tract has 1518 feet at street line. Project complies. Project covers approximately 13% of tract area	The Application satisfies these requirements.

¹ Staff modified the Applicant's Supplemental Comparative Analysis dated November 14, 2016, by creating additional column for staff comments and by adding an additional page for Staff's recommended conditions of approval highlighting those elements that differ from findings and conditions of approval contained in the staff report dated November 25, 2016.

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>Sect. 4.4.4.B.2. Placement- Principal Building</p> <p>Min. Front Street Setback - 50 ft.</p> <p>Min. Side Setback -17 ft.</p> <p>Min. Sum of Side Setbacks - 35 ft.</p> <p>Min. Rear Setback- 35 ft.</p>	<p><u>Project complies.</u> Principal building set back at least 75 feet from street.</p> <p><u>Project complies.</u> Principal building set back at least 25 feet from side.</p> <p><u>Project complies.</u> Principal building set back a minimum of 35 feet from both sides.</p> <p><u>Project complies.</u> Principal building set back a minimum of 35 feet from rear.</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>Sect. 4.4.4.B.2. Placement - Accessory Structures</p> <p>Min. Front/Street Line Setback - 80 ft.</p> <p>Min. Side Setback - 15 ft.</p> <p>Min. Rear Setback-10 ft.</p>	<p>Not applicable to project</p> <p>Not applicable to project</p> <p>Not applicable to project</p>	<p><i>Not applicable</i></p> <p><i>All buildings are used and operated as principal structures.</i></p>
<p>Sect. 4.4.4.B.2. Placement- Specifications for Accessory Structure Setbacks</p> <p>a. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.</p> <p>b. Any accessory structure on a lot or parcel abutting a national historical park must be set back a minimum of 200' from the national historical park unless the accessory structure is exempted under Section 6.4.3.C.3.</p>	<p>a. Not applicable to project</p> <p>b. Not applicable to project</p>	<p><i>Not applicable</i></p> <p><i>Not applicable</i></p>

NRW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NAPPC Findings
<p>c. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building.</p> <p>d. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building or 600 square feet, whichever is greater. Buildings for an agricultural use are exempt from this size restriction.</p>	<p>c. Not applicable to project</p> <p>d Not applicable to project</p>	<p>Not applicable</p> <p>Not applicable</p>
<p>Sect. 4.4.4.B.3. Height Principal Building - 50 ft. Accessory Structure - 50 ft.</p>	<p><u>Project complies.</u> Maximum height of building is 38 feet.</p> <p><u>Project complies.</u> Maximum height of accessory structure is 38 feet.</p>	
<p>Section 7.3.1. E. 1. b. satisfies Use Standards Section 3.3.2.C.2.a. Independent Living Facility for Seniors or Persons with Disabilities- Conditional Use</p>		
<p>i. The site facility must meet all applicable regulatory standards</p> <p>ii. Resident staff Necessary for the operation of the facility are allowed to live on-site</p> <p>iii. Occupancy limited to specified categories</p>	<p><u>Project complies.</u> The facility will comply with all applicable Federal, State, and County standards and requirements as shown herein.</p> <p>Project complies. Residents will be limited to the categories listed in the zoning ordinance.</p>	<p><i>The application satisfies this requirement. The project proposes 22 percent low income units. Staff recommends that the Applicant record covenants on the property that permanently reserve a minimum of 20 percent of the dwelling units for households of low income (at or below 60 percent of area median income).</i></p> <p><i>The Application does not propose a resident staff to live on-site.</i></p> <p><i>Occupancy will be restricted to the persons described in §3.3.2.C.2.a.iii of the Montgomery County Zoning Ordinance.</i></p>

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NEW GODD (2014 Zoning Ordinance)	Applicant's Comments	M-NAPPCC Findings
<p>Section 3.3.2C.2.b. Conditional Use Standards: Independent Living Facility for Seniors</p>		
<p>i. The site has adequate access to services required by seniors.</p> <p>Provide map identifying services.</p>	<p><u>Project complies.</u> The property is within walking distance of the commercial district of Sandy Spring. The Town Center of Olney is within a short driving distance and with shopping, dining, and services located therein. MedStar Montgomery Hospital is also within a short driving distance.</p> <p><u>Project complies.</u> An aerial photo annotated with the location of commercial, office, dining, and health, and transportation services is part of the Petitioner's application.</p>	<p>The Application satisfies this requirement.</p> <p><i>In a supplemental submittal (e-mail, November 21, 2016) the Applicant has provided an aerial photo annotated with the location of services in the surrounding area.</i></p>
<p>ii. Ancillary and retail facilities on site may be provided.</p>	<p><u>Project complies.</u> The subject application includes proposals for an on-site gift shop / secondhand store focused on sales to residents.</p>	<p>The Applicant statement also indicates that there are on-site barber and beauty shops and a "country store".</p>
<p>iii. A minimum of 15% of the dwelling units is permanently reserved for households of very low income, or 20% for households of low income, or 30% for households of MPDU income. If units are reserved for households of more than one of the specified income levels, the minimum percentage must be determined by agreement with the Department of Housing and Community Affairs under Executive regulations. Income levels are defined in Section 1.4.2, Defined Terms.</p>	<p><u>Project complies.</u> The Petitioner has demonstrated to the satisfaction of DHCA that is affordable residence program will comply with this standard.</p>	<p>The Application satisfies this requirement. The Application Provides for 22 percent of low income housing.</p>

² Comments and conditions of approval with bolded *italics* are findings that are slightly different than findings in the Staff Report dated November 25, 2016.

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NPPC Findings
<p>iv. The maximum building height of an Independent Living Facility for Seniors or Persons with Disabilities is 60 feet and the maximum density is determined by the Hearing Examiner under the development standards of Section 3.3.2.C.2.b.vi through Section 3.3.2.C.2.b.ix, without regard to any other limitation in this Chapter.</p>	<p><u>Project complies.</u> Buildings on site will not exceed 38 feet in height.</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>V. Height, density, coverage, and parking must be compatible with surrounding areas and the Hearing Examiner may modify height, density, coverage, and parking to maximize the compatibility of buildings with the residential character of the surrounding neighborhood.</p>	<p><u>Project complies.</u> The application demonstrates that the highest density of the facility will be located at the core of the 60-acre campus. Buildings proposed to be located on the perimeter along public roads or near existing residential structures are single story and modest in size and mass. The residential character of the surrounding neighborhood is respected by proposed development.</p>	<p><i>The Application satisfies this requirement</i></p>
<p>vi. The minimum front setback is 50 feet. Except for an access driveway, this setback area must be maintained as green area; however, if development does not exceed the height limit of the applicable residential zone, the minimum setback specified by the zone applies.</p>	<p><u>Project complies.</u> Buildings are set back at least 75 feet from the front of the site.</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>vii. The minimum side and rear setback is 25 feet or as specified by the relevant zone, whichever is greater.</p>	<p><u>Project complies.</u> Minimum rear setback is 35 feet; minimum side yard setback of proposed building is 25 feet.</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>viii. The minimum green area is: (a) 70% in the RE-2... zone, except where the minimum green area requirement is established in a master plan.</p>	<p><u>Project complies.</u> Green area is in excess (78%) of minimum requirement.</p>	<p><i>The Application satisfies this requirement.</i></p>

ATTACHMENT E

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NQPPC Findings
ix. The Hearing Examiner may reduce the green area requirement by up to 15% if it is necessary to accommodate a lower building height for compatibility reasons.		

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NPPC Findings
<p>Section 3.3.2.E.2.c.ii. Residential Care Facility (Over 16 Persons) - Conditional Use Standards (Nursing Home)</p>		
<p>(a) The facility may provide ancillary services such as transportation, common dining room and kitchen, meeting or activity rooms, convenience commercial area or other</p>	<p><u>Project complies.</u> Applicant proposes such ancillary services.</p>	<p><i>The Application satisfies this requirement</i></p>
<p>(b) A group home for children must provide ample outdoor play space, free from hazard and appropriately equipped for</p>	<p>Not applicable.</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>(c) Where residential dwelling units are provided</p> <p>(1) The maximum residential density per lot area is 15 units per acres or the maximum density allowed in the zone, whichever is greater; and</p> <p>(2) The minimum green area is 50%.</p>	<p>Not applicable. ("Residential dwelling units" include kitchens which are not provided in this facility.)</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>(d) Where facility size is based on the number of beds, not dwelling units, the following lot area is required:</p> <p>(3) In all other zones, the minimum lot area is 2 acres or the following, whichever is greater:</p> <p>(i) In RE-2...: 1,200 square feet per</p>	<p><u>Project complies.</u> Gross tract area is greater than 2 acres (60.9 acres). Density per bed is far below 1200 SF lot area per bed.</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>(e) The minimum side setback is 20 feet.</p>	<p><u>Project complies.</u> Minimum side yard from residential care facility is 1800 +/- Feet</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>(f) In the R-10 and R-20 zones, the development standards of the apartment building type apply,</p>	<p>Not applicable.</p>	<p><i>The Application satisfies this requirement.</i></p>

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
(g) Independent dwelling units must satisfy the MPDU provisions of	Not applicable to residential care facility.	The Application satisfies this requirement.
(h) In a continuing care retirement community, occupancy of any independent dwelling unit is restricted to persons 62 years of	Not applicable.	The Application satisfies this requirement.
(i) Height, density, coverage, and parking standards must be compatible with surrounding uses.	Project complies. The organization of buildings and parking is intended to be compatible in terms of height and massing and to reduce impact on the boundaries of the Friends House community.	The Application satisfies this requirement.
Section 7.3.1.E.1.b. To the extent the Hearing Examiner Finds Necessary to Ensure Compatibility, Meets Applicable General Requirements Under Article 59-5		
Division 6.2 Parking, Queuing, and Loading Section 6.2.3 Calculation of Required Parking		
B. Handicapped Spaces - The applicant must provide the minimum number of parking spaces required for handicapped persons under State law.	Project complies. Thirty (30) handicapped spaces are provided, in excess of requirements.	<p>With recommended conditions the Application will satisfy this requirement</p> <p>Staff recommends the following conditions:</p> <ul style="list-style-type: none"> The Applicant must provide internal sidewalk connections and crossings of driveways/curb cuts that are ADA compliant. At the time of building permit, the Applicant must demonstrate compliance with Section 4.1.2 (5)(d)(ii) of the Maryland Accessibility Code.
C. Motorcycle/Scooter Parking -Any parking facility with more than 50 parking spaces must provide at least 2% of the number of vehicle spaces, up to a maximum requirement of 10, for a motorcycle or scooter; more than 10	Project complies. Project provides required number of motorcycle spaces (2) for single parking facility with more than 50 spaces (74 spaces in parking area).	The Application satisfies this requirement

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>D. Car-Share Spaces 1. A parking facility with SO to 149 parking spaces must have a minimum of one car-share parking space. One additional car-share parking space is required for each 100 parking spaces more than 149, or fraction thereof, up to a maximum requirement of 5. A parking facility may provide more car-share parking spaces than required.</p>	<p>Project complies. A designated car share spaces will be shown on the Master Plan (based on a single parking facility containing 74 spaces).</p>	<p>With recommended conditions, the Application will satisfy this requirement: The Applicant must submit a revised Conditional Use Site Plan showing designated car-share spaces.</p>
<p>E. Spaces for Charging Electric Vehicles – Any parking facility constructed after May 12, 2014, containing 100 parking spaces or more, must have a minimum of one parking space ready to be converted to a station for charging electric vehicles for every 100 parking spaces, or fraction thereof.</p>	<p>Not applicable to project. (No parking facility on site contains more than 74 parking spaces.)</p>	<p>The Application satisfies this requirement.</p>
<p>Division 6.2: Parking, Queuing, and Loading Section 6.2.4 Parking B. Vehicle Parking Spaces: Baseline Minimums <i>Independent Living Facility for Seniors or Persons with Disabilities</i>-1 space per Dwelling Unit PLUS 0.5 spaces per Employee Residential Care Facility- 0.25 spaces per Bed PLUS 0.50 spaces per Employee</p>	<p>Project complies. A total of 158 parking spaces are required for the senior living facility. With 403 parking spaces to be provided, there is more than adequate parking to address the needs of the entire Friends House community including the retirement care facilities. Project complies. A total of 43 parking spaces are required to satisfy this use which is more than covered by the 403 parking spaces provided. (See response above.)</p>	<p>The Application satisfies this requirement.</p>

ATTACHMENT E

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>C. Bicycle Parking Spaces <i>Independent Living Facility for Seniors or Persons with Disabilities</i> (where 20+ dwelling units) - 0.25 spaces per Dwelling Unit minimum; 50 spaces maximum; 95% of which must be Long-Term spaces</p> <p><i>Residential Care Facility</i> (where dwelling units) - 0.25 spaces per Dwelling Unit minimum; 50 spaces maximum; 95% of which must be Long-Term spaces</p>	<p>Project complies. A total of 57 bicycle spaces will be provided. Of the 57 bicycle spaces provided, 32 are Long-Term, which constitutes 64% of the total provided, which does not meet the New Code's requirement that 95% of spaces be Long-Term.</p>	<p><i>The Application does not fully meet this requirement. Staff would support a waiver of this requirement or alternative compliance</i></p>
<p>Division 6.2.5 Vehicle Parking and Design Standards: Parking, Queuing, and Loading</p> <p>B. Location: Each required parking space must be within 1/4 mile of an entrance to the establishment served by such facilities.</p>	<p>Project complies. All parking facilities and spaces are within 1/4 mile of an entrance.</p>	<p><i>The Application satisfies this requirement</i></p>

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>G. Facilities for Conditional Uses in Residential Detached Zones: - Any off-street parking facility for a conditional use that is located in a Residential Detached zone where 3 or more parking spaces are provided must satisfy the following standards:</p> <ol style="list-style-type: none"> 1. Location - Each parking facility must be located to maintain a residential character and a pedestrian-friendly street. Setbacks <ol style="list-style-type: none"> a. The minimum rear parking setback equals the minimum rear setback required for the detached-house. b. The minimum side parking setback equals 2 times the minimum side setback required for the detached house c. In addition to the required setbacks for each parking facility. <ol style="list-style-type: none"> i. the required side and rear parking setbacks must be increased by 5 feet for a parking facility with 150 to 199 parking spaces; and ii. the required side and rear parking setbacks must be increased by 10 feet for a parking facility with more than 199 parking spaces. 	<p><u>Project complies:</u></p> <ul style="list-style-type: none"> • Parking has been located and arranged to have a safe and efficient residential character • Proposed parking satisfies the setback requirements for parking facilities 	<p><i>The Application satisfies this requirement.</i></p>

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>L. Commercial Vehicle Parking for Properties with a Residential Use</p> <p>3. RE-2 Zone</p> <p>a. Up to 3 light commercial vehicles and one unoccupied recreational vehicle may be parked on any lot or parcel in the RE-2 Zone at any one time. One additional recreational vehicle may be used for dwelling purposes on the property for up to 3 days in any month.</p>	<p><u>Project complies.</u> Any vehicles maintained by the Applicant will satisfy these parking standards.</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>Division 6.2 Parking, Queuing, and Loading Section 6.2.6 Bicycle Parking</p> <p>A. Long-Term Spaces</p> <ol style="list-style-type: none"> 1. Location, Access and Security 2. Space Dimensions 3. Signs <p>B. Short-Term Spaces</p> <ol style="list-style-type: none"> 1. Location, Access and Security 2. Racks 	<p><u>Project complies.</u> The locational and design standards for bicycle parking will be satisfied (although not shown on the 100'-scale site plan.)</p>	<p><i>The Application satisfies this requirement</i></p> <p><i>The Conditional Use Site Plan shows two sets of inverted-U bike racks having four racks each and three individual racks for short-term bicycle parking. The plan also show one bicycle parking in the parking lots of each of the 14 lodge apartment buildings. A note also indicates that the plan assumes that 57 additional bicycle spaces within 32 garages attached to the cottage/duplexes will be provided.</i></p>
<p>Division 6.2 Parking, Queuing, and Loading Section 6.2.8 Loading Design Standards</p>		
<p>B. Required Off-Street Loading Spaces</p> <p>C. Location and Design</p>	<p><u>Project complies.</u> The locational and design standards for loading spaces will be satisfied (although not shown on the 100'-scale site plan.)</p>	<p><i>The Application will Satisfies this requirement</i></p> <p><i>The last revised CU Site and Landscape Plans (October, 2016), show the location of the loading spaces and screening.</i></p>

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>Division 6.2 Parking, Queuing, and Loading Section 6.2.9 Parking Lot Landscaping and Outdoor Lighting</p> <p>C. Parking Lot Requirements for 10 or More</p> <ol style="list-style-type: none"> 1. Landscaped Area 2. Tree Canopy 3. Perimeter Planting 4. Lighting 	<p>Project complies. The locational and design standards are satisfied as shown on enlarged sheets of the landscape plan and the photometric plan.</p>	<p><i>The landscape plan which is drawn to satisfy the requirements of the 2004 Old Zoning Ordinance will need minor revisions to address the specific details of Section 6.2.9.C.1-3.</i></p> <p><i>The Lighting plan and Photometric study meet the requirements of this section and Section 6.4.4</i></p>
<p>Section 7.3.1.E. Conditional Use- Necessary Findings (continued)</p> <p>Section 7.3.1.E.1.c. Substantially conforms with the recommendations of the applicable master plan.</p>	<p><u>Project complies.</u> For the reasons set forth in a lengthy Statement of Justification, the proposed use and design conforms with the recommendations in the applicable area Master Plan.</p>	<p><i>The Application satisfies this requirement.</i></p>
<p>Section 7.3.1E.1.d. Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan.</p>	<p><u>Project complies.</u> Friends House is a longstanding feature in the neighborhood, most of which has developed around an existing Friends House campus. Proposed new development is consistent and compatible with the existing Friends House and surrounding development.</p>	<p><i>The Application satisfies this requirement.</i></p>

ATTACHMENT E

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>Section 7.3.1.E.1.e. Will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendation of a master plan does not alter the nature of an area.</p>	<p>Project complies. The Friends House proposal will expand the existing seniors community but will do so in a manner that does not alter the existing character of the neighborhood.</p>	<p>The Application satisfies this requirement.</p>

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>Section 7.3.1.E.1.f. Impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:</p> <p>i. other public facilities. If an approved adequate public facilities test is currently valid and the subdivision plan is not filed concurrently or if a preliminary will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage; or</p> <p>ii. If a preliminary subdivision plan is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage</p>	<p><u>Project complies.</u> The proposed Friends House expansion will have no effect on public schools nor on the transportation network as demonstrated in a favorable traffic report. The property is now and will continue to be served by adequate public sewer and water service.</p>	<p><i>The Application satisfies this requirement. The proposed uses will be adequately served by existing public facilities. The Application is not subject to approval of a preliminary plan because the property is a recorded lot already approved for the existing uses. The proposed modifications do not alter the conditions of the originally approved preliminary plan.</i></p>

NEW CODE (2014 Zoning Ordinance)	Applicant's Comments	M-NCPPC Findings
<p>Section 7.3.1.E.1.g. Will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or in combination of an inherent and a non-inherent adverse effect in any of the following categories:</p> <ul style="list-style-type: none"> i. The use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood; ii. Traffic, noise, odors, dust, illumination, or a lack of parking; or iii. The health, safety, or welfare of neighboring residents, visitors, or employees. <p>Section 7.3.1.E.2. Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.</p>	<p><u>Project complies.</u> Friends House is an existing and well accepted feature in the Sandy Spring neighborhood. The expansion proposed in the subject application will not cause any inherent adverse effects.</p>	<p><i>The Application satisfies this requirement.</i></p>
	<p><u>Project complies.</u> Special attention has been devoted to the design of new buildings, whether multi-family or cottages, to ensure that the use remains in character with the surrounding rural residential neighborhood.</p>	<p><i>The Application satisfies this requirement.</i></p>

Staff Recommendation to meet the new zoning code.

If the applicant was required to comply with the new zoning code, then staff recommends approval of *CU-S-452-D* and *S-856-B*, subject the conditions listed on page 2 of the staff Report along with the following revisions and additions to address requirements of the new zoning code:

1. The *Conditional Use* uses must be limited to a total of 316 independent living units, and a total of 130 assisted-living units/nursing beds, and the existing adult day care program.
6. *The Conditional Use Site Plan must be revised to show a designated car-share spaces.*
7. The Applicant must submit, at the time of the Hearing Examiner public hearing on these applications, written proof that the age restrictions applied to the subject development qualify for at least one type of exemption from familial status requirements of the Federal Fair Housing Act.
8. A note indicating that a minimum of 20 percent of the dwelling units must be permanently reserved for households of low income (at or below 60 percent of area median income) must be included on the *Conditional Use* Site Plan.
9. Prior to the approval of the *Conditional Use* Application, the Applicant must record covenants on the property that permanently reserve a minimum of 20 percent of the dwelling units for households of low income (at or below 60 percent of area median income)
10. No future Applications for modification of the Approved *Conditional Use* shall be filed separately for S-452-D or S-856-B. Any proposed modification on the property shall amend both cases as approved in the subject Major Modification of the Approved Conditional Use Site Plan.
11. Prior to the closing of the record by the Hearing Examiner, the Landscape Plan must be revised as follows:
 - a. to provide a dense evergreen screen composed of American Holly (*Ilex opaca*) placed adjacent to the historic property at the curve in the access road to facilitate the screening of automobile headlights shining onto the historic property from the access road.
 - b. **To address the specific details of 6.2.9.C. 1, 2 and 3**