



Item # 6

MCPB 06-19-03

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



MEMORANDUM

DATE: June 13, 2003
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief
Development Review Division
FROM: Wynn E. Witthans, RLA, AICP
Planning Department Staff
(301) 495-4584

REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 83 MPDU multifamily Elderly Apartments on 4.66 acres
PROJECT NAME: Randolph Manor
CASE #: 8- 03013
REVIEW BASIS: Sec. 59-D-3, M. C. Zoning Ordinance

ZONE: R-90
LOCATION: On Randolph Road, 750 feet west of Fairland Road
MASTER PLAN: Eastern Montgomery County – Colesville, White Oak and Vicinity
APPLICANT: J. Kirby Development
FILING DATE: November 8, 2002
HEARING DATE: June 19, 2003

STAFF RECOMMENDATION: Approval of 83 MPDU multifamily Elderly Apartments on 4.66 acres with the following conditions:

1. Signature Set Requirements

- A. Submit a Site Plan Enforcement Agreement, Development Review Program for staff review and approval prior to approval of the signature set as follows:

Development Program to include a phasing schedule as follows:

- 1) Streets tree planting must progress as street construction is completed, but no later than six months after completion construction.
 - 2) Community-wide pedestrian pathways and outdoor areas must be completed prior to seventy percent occupancy of each phase of the development.
 - 3) Landscaping associated with the parking lot and building shall be completed as construction of building is completed.
 - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of building is completed
 - 5) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
- B. Site Plan Enforcement Agreement to delineate transportation management program as noted in the Special Exception S-conditions of approval dated May 28, 2003.
- C. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
- a. Undisturbed stream buffers.
 - b. Limits of disturbance.
 - c. Methods and locations of tree protection.
 - d. Forest Conservation areas.
 - e. Conditions of DPS Stormwater Management Concept approval letter dated December 3, 2002.
 - f. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 - g. The development program inspection schedule.
 - h. Conservation easement boundary.
 - i. Streets trees 50 feet on center along all public streets.
- D. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
- E. No clearing or grading prior to M-NCPPC approval of signature set of plans.

F. Provision of final recreation analysis for staff review to show conformance with the elderly requirement in the Recreation Guidelines.

G. Provision of final site and landscape plan to include the sidewalk connection to Randolph Road along the east side of the entrance for staff review prior to signature set approval.

ISSUES OF THE SITE PLAN REVIEW

On May 28, 2003, (the effective date of the Opinion) Special Exception Case No. S-2554 for Randolph Manor was approved by the Board of Appeals for 83 MPDU housing units for independent seniors.

The Preliminary Plan was heard by the Planning Board on June 5, 2003 and was approved. This project enjoys a Green Tape review status for an all MPDU project and was scheduled for Planning Board review immediately after the release of the Board of Appeals Opinion.

The applicant has responded to landscaping and sidewalk recommendations made by Planning Board staff.

PROJECT DESCRIPTION: Surrounding Vicinity

Adjacent the property to the south, east and west is land zoned R-90 and developed as single-family detached neighborhoods with lots of 1/3 to 1 acre in size. To the south and west of the site, homes are setback from the site 60 – 100 feet with a stream valley in-between.

Opposite the northeast boundary is the former Smithfield School that is a designated historic site #33/24 on the Montgomery County Master Plan for Historic Preservation. A fence is in place along the property line.

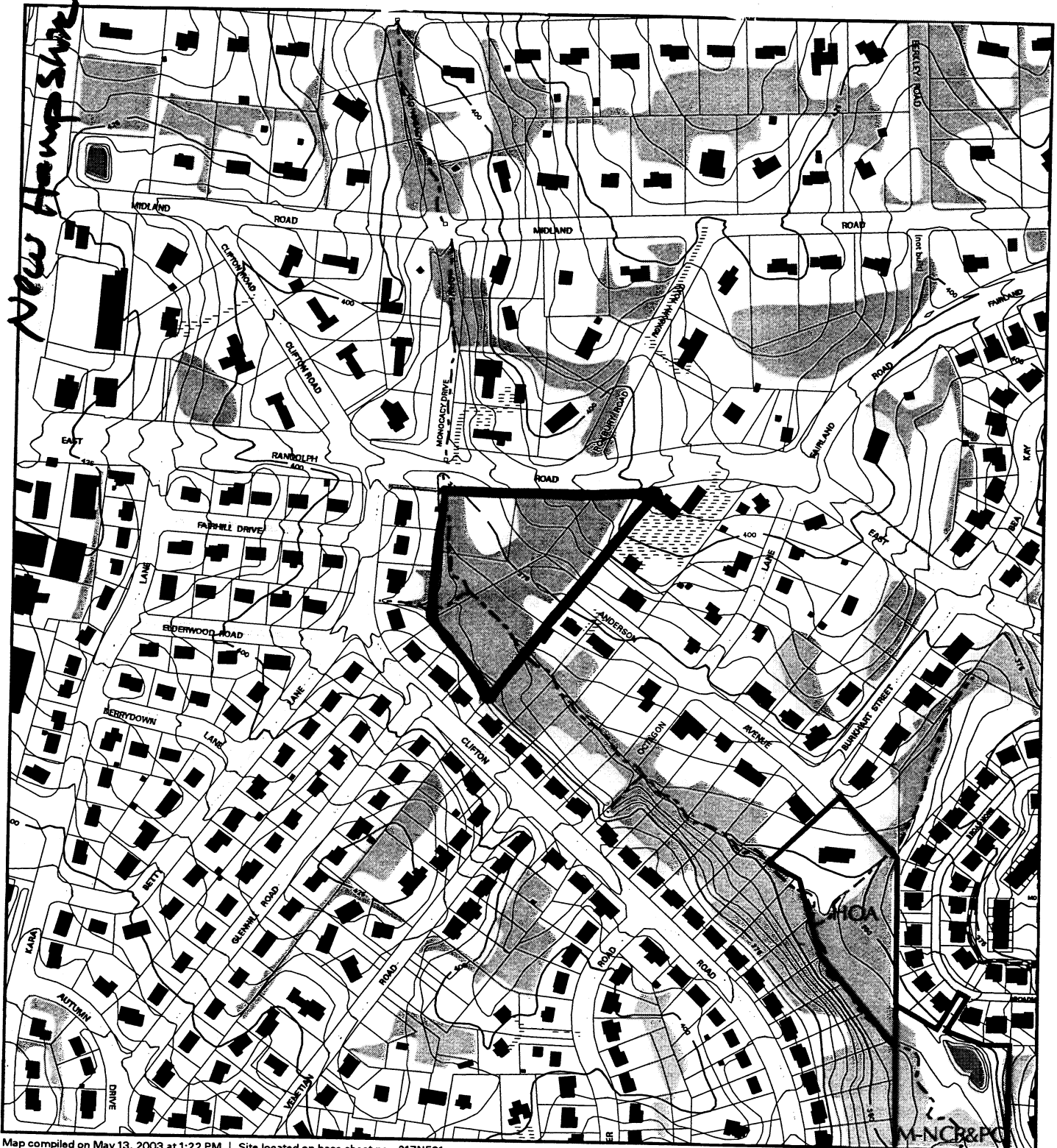
North of the site, opposite Randolph Road is land zoned RE-1 and developed with single-family residences on predominately ¼ acre lots. Homes opposite the site are 140 and 180 feet back from the northern edge of the property.

PROJECT DESCRIPTION: Site Description

The site is located on the south side of Randolph Road, 1,000 feet from New Hampshire Avenue. The site has a Class II perennial stream that runs along the western edge of the property. The site is unimproved.

VICINITY MAP FOR

RANDOLPH MANOR



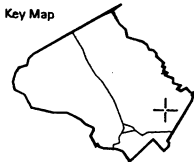
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Key Map



Research & Technology Center



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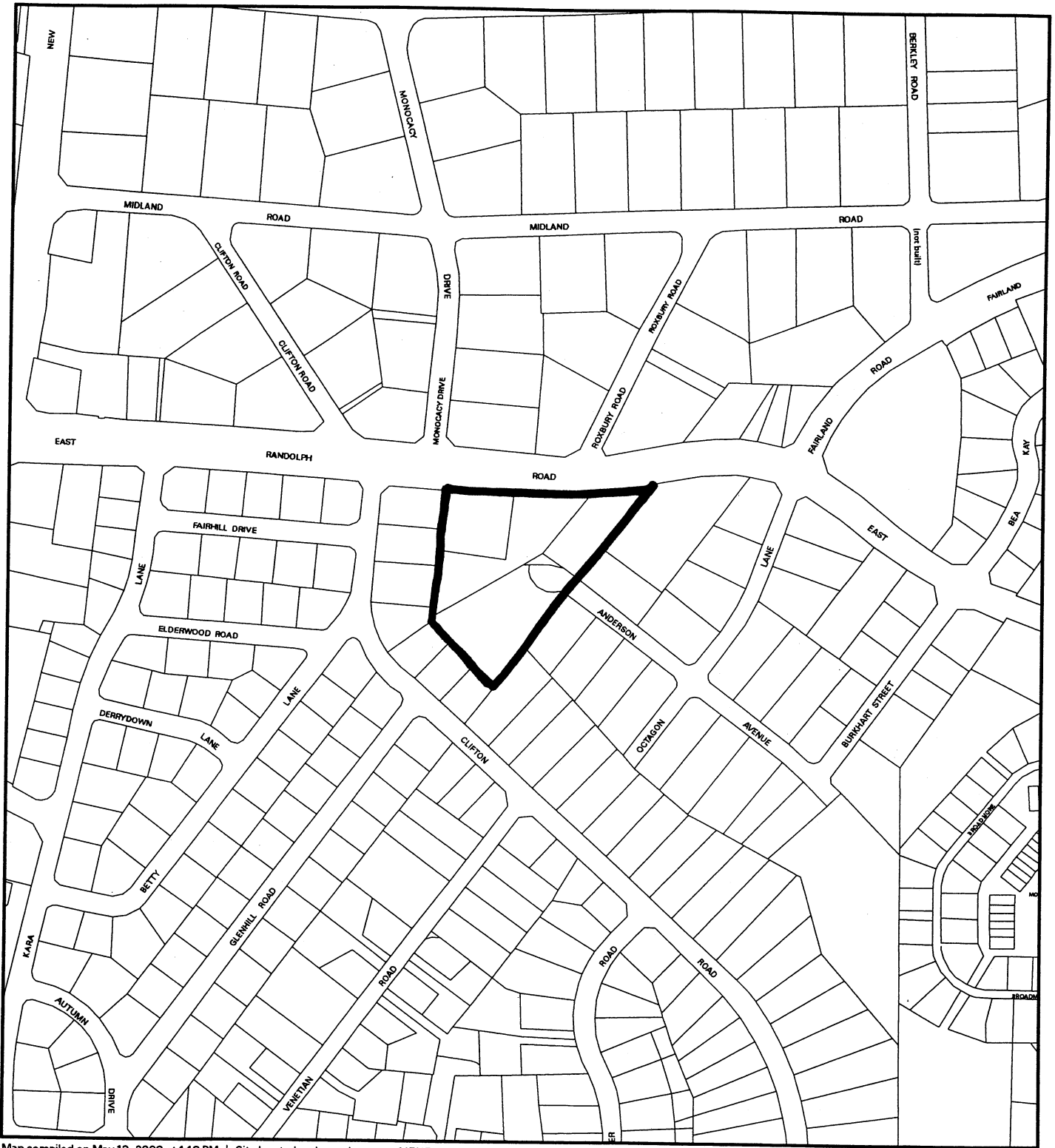
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue - Silver Spring, Maryland 20910-3760



VICINITY MAP FOR

RANDOLPH MANOR



Map compiled on May 13, 2003 at 1:18 PM | Site located on base sheet no - 217NE01

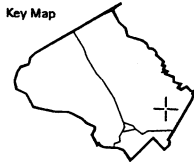
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Key Map



SA

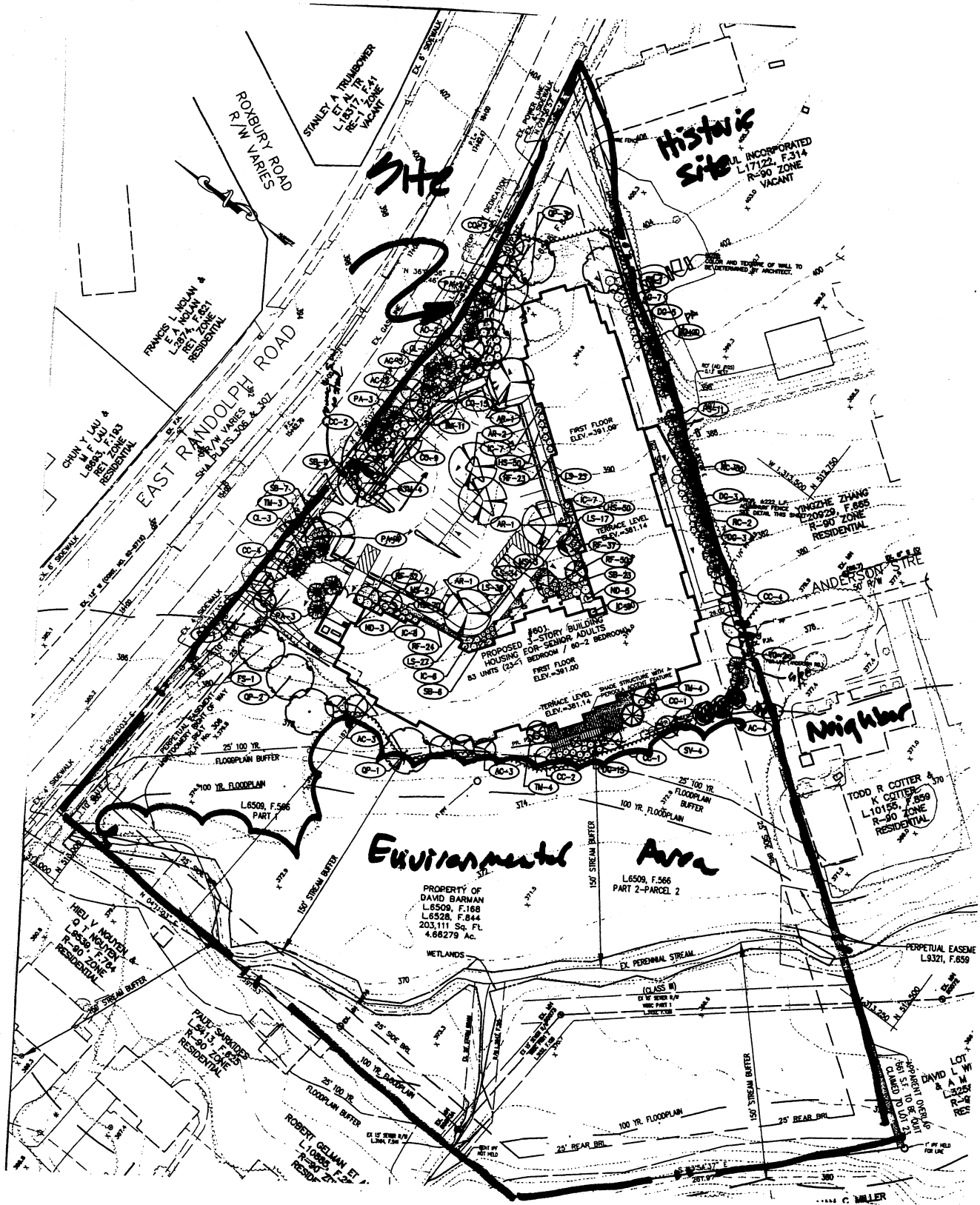
PROJECT DESCRIPTION: Proposal

The proposal is to build a single 83-unit apartment building with 23 –1 bedroom units and 60- 2 bedroom units. The building is proposed to be 35 feet in height with 3 stories in the front and four in the rear of the unit. The building will be constructed of vinyl siding and brick with a gabled roof.

An outdoor seating area is proposed in the back of the building, adjacent the forested and stream valley area. The project also proposes a number of amenities within the building – computers, health suite, exercise area, salon, media and game room, arts and crafts room, hospitality suite and central laundry. There will be off-site transportation three times a week. No dining is provided on site. A porch and sitting area is located adjacent the parking lot. A loading dock is located along the east wing with a screened enclosure, an internal trash compactor and small external dumpsters.

The parking area is adjacent East Randolph Road and is in front of the building. An internal drive provides access to the front door and loading dock area to the east.

The applicant seeks a parking credit from the Planning Board in regards to the MPDU land use proposed with this site plan review approval. The provision of 44 parking spaces reflects .53 parking spaces per unit. This conforms to the developer's experience with other projects where .39 to .57 parking spaces per unit have been satisfactorily provided.



6 A

Site Plan
 Randolph, MA

PROJECT DESCRIPTION: Prior Approvals

The Board of Appeals approved a Special Exception for the Special Exception use effective May 28, 2003. The Opinion is available in the staff file and the Planning Board's packet. The Planning Board adopted the recommendations for the Special Exception and a parking waiver in its review of the Special Exception. The site plan conforms to all aspects for the Special Exception approval. The conditions of approval are attached.

On June 5, 2003, the Planning Board approved Preliminary Plan #1-03035 for Randolph Manor. The conditions of approval are as follows (Opinion not yet released):

Staff Recommendation: *Approval, Under the DeMinimis Provisions of the FY 2003 Annual Growth Policy, Subject to the Following Conditions:*

- 1) *Approval under this preliminary plan is limited to eighty-three elderly housing units and bound by all conditions of approval under Board of Appeals Special Exception Case No. S-2554*
- 2) *Record Plat to reflect dedication of road right-of-way or recordation of a perpetual easement along the south side of East Randolph Road to accommodate the existing sidewalk along the roadway*
- 3) *Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT) on the design of the proposed right-in/right-out site access driveway on East Randolph*
- 4) *Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits*
- 5) *Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation*
- 6) *Compliance with the conditions of approval of the MCDPS stormwater management approval dated, August 12, 2002*
- 7) *Access and improvements, as required, to be approved by MCDPWT under letter dated May 22, 2003 unless otherwise amended*
- 8) *A final landscape and lighting plan must be submitted as part of the site plan application for review and approval*
- 9) *Final approval of the building location, on-site parking, site circulation, sidewalks connections be determined at site plan*
- 10) *This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed*
- 11) *The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion*
- 12) *Other necessary easements*

The site plan conforms to the Preliminary Plan Approval.

ANALYSIS: Conformance to Master Plan

The proposed use conforms to the recommendations of the 1997 Approved and Adopted White Oak Master Plan which recommends *providing affordable senior housing in locations served by public transportation and close to commercial amenities.*

ANALYSIS: Conformance to Development Standards for R-90 MPDU Zone

Table 1 – Conformance with Applicable Development Standards		
<i>Development Standards – R-90 Zone (MPDU)</i>	Requirement	Proposal
Height	40'	35'
Coverage Limitations		
Minimum Green Area	50%	79%
Building Coverage	30%	13.59%
Maximum Density of Development	Governed by the overall size of the building as determined in accordance with the combined height and setback standards ¹ .	Meets height and setback standards.
Building Setbacks		
From street	25'	36.5'
From side	25'	26'
From rear	25'	275'
Parking Setbacks		
From street	25'	25'
From side	50'	100'
Area Requirements		
Minimum Lot Area	9,000 sq ft.	4.66 Acres (203,111 SF)

Parking:

Total
 Standard 23 x .85 per 1-BR = 20
 60 x 1.15 per 2-BR = 69
 Sub total 89 spaces

Credits for 17 spaces due to MPDU category of use per 59-E-3.33 (b)(3) - to be granted by the Planning Board.

Waiver of 28 parking spaces by Board of Appeals per 59.E-4.5 based on parking demand analysis as proposed by applicant.

Total Proposed parking spaces are 44.

¹ R-90/MPDU establishes a standard of 4.39 dwelling units per acre however the special exception use requirements change the standard to be whatever density can meet the height and setback standards.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with approved Special Exception Case S-2554 Approved by the Board of Appeals for Montgomery County on May 28, 2003.*
2. *The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.*
3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. Buildings

The building is located with optimal orientation to the site and with the ability to place a planted buffer between the proposed building and the adjacent existing homes. The parking is arranged in the front of the building allowing for optimal orientation for visitors and convenience for residents. Sitting areas near the door provide for convenience in going from the building to transit or other vehicle.

b. Open Spaces

The stormwater management concept consists of (1) on-site water quality control via construction of a structural sand filter, dry wells, and other non-structural methods. On -site water quantity control as provided by the nature of the development (one year runoff less than 2 cfs per outfall

c. Landscaping and Lighting

Landscaping for the site provides an attractive buffer along Randolph Road that will create an attractive frontage for the project and will buffer views of the parking from adjacent views. The evergreen buffer along the eastern boundary of the site will provide adequate screening between this project and the adjacent neighborhood homes and the historic site next door. Preservation of the trees will also provide valuable screening between this site and the adjacent neighborhood and will provide attractive background to the open spaces for the future residents.

c. Recreation

Recreation demand will be shown to satisfy the recreation calculations table when submitted at the public hearing.

d. Vehicular and Pedestrian Circulation

The street connections conform to the approved lot access as presented and approved with the Preliminary Plan.

The pedestrian paths and sidewalks will create a complete pedestrian system on site and will connect to the sidewalk the site is providing along Randolph Road. The pedestrian systems will provide for the on site enjoyment and connection to transit and other off site destinations.

Transportation services will be provided via a shuttle or similar vehicle three times a week to nearby medical services, shopping areas, recreational and community services and to provide transportation once a month to regional amenities as determined to be appropriate by the petitioner.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The building is sited to provide optimal orientation to Randolph Road and to preserve a maximum of environmentally sensitive areas. The setback and planted evergreens provided at the edges of the site will provide adequate screening between the existing homes and the proposed project. The height of the proposed structure is also compatible with the adjacent homes and is not overwhelming due to its location on the lot and the separation between units.

The activity associated with the proposed elderly housing will not cause any negative effect on adjacent residential and historic uses.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The site is grandfathered and therefore exempt for Forest Conservation requirements due to an approved Preliminary Plan of Subdivision that occurred within the grandfathering period of 1984-1991.

APPENDIX

- A. Conditions of Approval from the Special Exception case.
- B. DPS Stormwater Management Concept Plan Approval of December 3, 2002.

4. *The provision of appropriate lighting, if the parking is to be used after dark.*

The Board finds that the requested waiver of 28 spaces will not impair any of these enumerated objectives. The Board finds that the Petitioner's Parking Analysis (Ex. 16(a)) demonstrates that the 89 parking spaces required under the Zoning Ordinance for the proposed use (which equals 1.07 spaces per unit) exceeds the actual parking demand, which was determined in the Parking Analysis, through the examination of two similar facilities, to be .48 spaces per unit. The Board finds that the two senior adult housing facilities reviewed in the Parking Analysis are sufficiently similar in terms of location and the demographics of residents to provide a reasonable basis for determining the projected parking demand of the Project. The Board also finds that the results of the Parking Analysis were accepted by M-NCPPC Technical Staff and the Department of Permitting Services.

The Board finds that the proposed parking for the Project, including the waiver of 28 spaces, will provide .53 spaces per unit which exceeds the average parking demand for senior adult housing shown in the Parking Analysis of .48 spaces per unit and is therefore adequate for the proposed use. The Board finds that Petitioner's TPMP, including the increase in the off-site transportation service to three times per week and the provision of an additional monthly off-site trip to regional amenities and attractions as determined appropriate by the Applicant, supports the reduction in the required number of parking spaces required in the Parking Waiver. The Board finds that the TPMP, including the proposed fence along the western property line, will ensure all residents and employees will park on the Property and will discourage visitors to the Property from parking in the surrounding community. The Board finds that the parking areas proposed in the Special Exception will be adequately lighted and safe for pedestrian and vehicular circulation.

Therefore, based on the evidence and testimony of record, the Board GRANTS the requested Waiver from the requirements of Article 59-E.

Further, based on the foregoing, the Board GRANTS this Special Exception subject to the following conditions:

1. The Petitioner is bound by its testimony and exhibits of record, the testimony of its witnesses and representations of its attorney, to the extent that such evidence and representations are identified in this opinion.
2. Approval of Final Forest Conservation Plan prior to release of sediment and erosion control or building permit. Prior to site plan signature set, approval of Reforestation Plan for all unforested portions of the stream buffer (-11,000± square feet) in compensation for loss of priority forest and encroachment at the edge of the stream buffer (currently -750± square feet).

-
3. Compliance with Department of Permitting Services requirements for stormwater management.
 4. Conformance with Chapter 50 (Subdivision Regulations) of the Montgomery County Code. Approval of a Preliminary Plan of subdivision is required by the Montgomery County Planning Board, prior to the issuance of any building permits.
 5. Exterior wall construction to maintain interior noise levels in compliance with the requirements of Montgomery County.
 6. Petitioner to amend the TPMP (Ex. 41(e)) to provide transportation service three times a week to nearby medical services, shopping areas, recreational and community services and to provide transportation once per month for residents to regional amenities as determined to be appropriate by the Petitioner.
 7. Petitioner must abide by all of the provisions of the TPMP.
 8. Petitioner to obtain necessary licenses and certificates to operate the proposed facility prior to commencing operation.

On a motion by Louise L. Mayer, seconded by Allison Ishihara Fultz, with Angelo M. Caputo and Donna L. Barron, Vice-Chairman in agreement, and Donald H. Spence, Jr., Chairman necessarily absent, the Board adopted the following Resolution:

BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled case.



Donna L. Barron
Vice-Chairman, Montgomery County Board of Appeals



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

December 3, 2002

Robert C. Hubbard
Director

Richard B. Anderson
Patton Harris Rust & Associates, PC
8818 Centre Park Drive
Columbia, MD 21045

Re: Stormwater Management **CONCEPT** Request
for Randolph Manor
Preliminary Plan #: 1-03036
SM File #: 206350
Tract Size/Zone: 4.94 acres/R-90
Total Concept Area: 1.9 acres
Tax Plate: JR561
Parcel(s): P112, P113
Liber/Folio: 6509/566
Montg. Co. Grid: 31F8
Watershed: Northwest Branch

Dear Mr. Anderson:

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 consists of on-site water quality control via construction of a structural sand filter, dry wells, and other non structural methods. On-site water quantity control is provided by the nature of the development (one-year runoff <2cfs per outfall).

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

1. All disturbed areas must be topsoiled per the Montgomery County "Standards and Specifications for Topsoiling," prior to stabilization with grass.
2. Review of the stormwater management computations will occur at the detailed plan review stage.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. 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.



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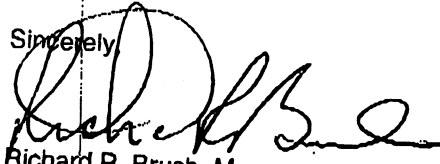
DEC 06 2002

PATTON HARRIS RUST & ASSOC., P.C.
COLUMBIA, MD.

Richard B. Anderson
December 3, 2002
Page 2

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:enm.mce

cc: M. Shaneman
S. Federline
SM File # 206350

QN - ON; Acres: 1.9
QL - ON; Acres: 1.9