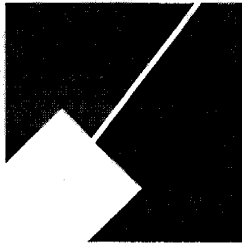


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

MCPB
Item # 11-12
07/07/05

MEMORANDUM: SPECIAL EXCEPTION

DATE: June 29, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow , Chief, Development Review Division
Carlton Gilbert, Zoning Supervisor, Development Review Division *RKX* *CG*

FROM: Dan Janousek , Zoning Analyst, Development Review Division
(301) 495-4564 *DJ*

RE: Rock Creek Kay-Cee Inc. & Rock Creek Council, No. 2797, Knights
of Columbus Club, 5417 West Cedar Lane, Bethesda, MD 20814

SUBJECT: a. Special Exception CBA-143-A, modification to existing private
club and service organization special exception, to permit 2,224
square feet of additions to an existing building and to permit the use
of the building for 30 private functions per year.

b. Special Exception S-2641, a new special exception to permit the
parking of motor vehicles, off street, in connection with commercial
uses.

ZONE: R-60/TDR

FILING DATE: March 31, 2005

PUBLIC HEARING: July 22, 2005

RECOMMENDATION

APPROVAL with conditions:

1. The petitioner is bound by all submitted statements and plans as modified in this report and by these conditions.

1. The petitioner is bound by all submitted statements and plans as modified in this report and by these conditions.
2. Compliance with the general and specific conditions for the use in Section 59-G-1.2 and 59-G-2.42 of the Zoning Ordinance.
3. Limit the use to thirty (30) private functions per year with a maximum of 200 people allowed per private function. Knights of Columbus members must be present at such private functions.

Note: "Private" functions are separate functions from Knights of Columbus' regular and special activities.

4. Limit off-street parking in conjunction with Suburban Hospital to 65 spaces maximum, Monday through Friday, and, only between the hours of 6:00 a.m. and 6:00 p.m.
5. Environmental Planning staff supports approval of this petition with the following condition:
 - a. Submit a tree save plan to M-NCPPC Environmental Planning staff prior to Montgomery County Department of Permitting Services issuance of erosion and sediment control permits. This plan must be prepared by an ISA (International Society of Arboriculture) certified arborist.
6. Transportation staff supports approval of this petition as it meets the adequate public facilities test for transportation requirements with the following conditions:
 - a. Limit the facility to no more than 11,720 square feet of recreational and community center uses (ITE Land Use Code 495).
 - b. Proposed revision to existing parking lot striping and circulation layout to include provision of adequate and sufficient Americans for Disabilities Act (ADA) accessible parking spaces.

PROJECT SUMMARY

The petitioner requests approval of a modification of an existing private club and service organization special exception (the "Service Organization Special Exception") and for a new special exception for off-street parking in connection with a commercial use (the "Parking Special Exception"). The Property is located at 5417 West Cedar Lane in Bethesda, and it is zoned R-60/TDR. The Property is subject to Board of Appeals Case No. 911 and is operated by the Knights of Columbus. The Service Organization Special Exception is a modification request to build in three minor phases, 2,224 square feet of additions to the existing 9,496 square foot building for a total of 11,720 sq. ft. of development. The Parking Special Exception request is for approval of 65 parking

spaces in conjunction with Suburban Hospital between the hours of 6:00 a.m. and 6:00 p.m. Monday through Friday.

Background

Special Exception History

In 1954, through an Opinion in Case No. 143 (the "1954 Opinion"), the Board approved a private club/service organization special exception for the Knights of Columbus on the Property. In 1960, through an Opinion in Case No. 911 (the "1960 Opinion"), the Board approved a modification to the Service Organization Special Exception. No further modifications have been requested since 1960.

Knights of Columbus Activities

The Knights of Columbus is a fraternal benefit society that was formed to render financial aid to members and their families. The organization currently consists of approximately 550 members (largely unchanged since 1954). Mutual aid and assistance is offered by the Knights of Columbus to sick, disabled and needy persons. Social and intellectual fellowship is promoted through educational, charitable, religious, social welfare, war relief, and public relief works.

The main level of the building includes Cantrel Hall, which is used by the Knights of Columbus and for private functions. This main level includes a coatroom, restrooms, a warming kitchen (limited facilities for caterers to warm and assemble meals prepared off-site (no cooking or significant food preparation is performed on site)), a lounge, the Cantrel Hall, and additional storage facilities. The main level of the building is also used for administrative purposes (offices and additional storage, etc.) The lower level contains a lounge for Knights of Columbus members.

Major Knights of Columbus activities on the Property:

- 1) Two general membership meetings per month, held on Thursdays at 7:30 p.m., with an average attendance of 30 members.
- 2) Two meetings per month of the Executive Committee, held on a Tuesday and a Wednesday at 7:30 p.m., with an average attendance of 12 members.
- 3) Family Night, held monthly on a Friday Evening, with special emphasis on children (average attendance of 50 people).
- 4) A monthly Saturday morning breakfast for about 20 Down's Syndrome children and their parents.
- 5) Three (3) annual parties, one on New Year's Eve, and two on Saturday nights, one in the Spring (St. Patrick's Day party), and one in October (Oktoberfest party) (average attendance of 180 people each).
- 6) Annual installation dinner (average attendance of 120 people).
- 7) Annual Anniversary Dinner, held on the first Sunday in June (average attendance of 60 people); a Workers Appreciation Party, held on the last Sunday in June (average attendance of 100 people).
- 8) Annual memorial service held on Veteran's Day (average attendance of 120 people).

Other Knights of Columbus Activities on the Property:

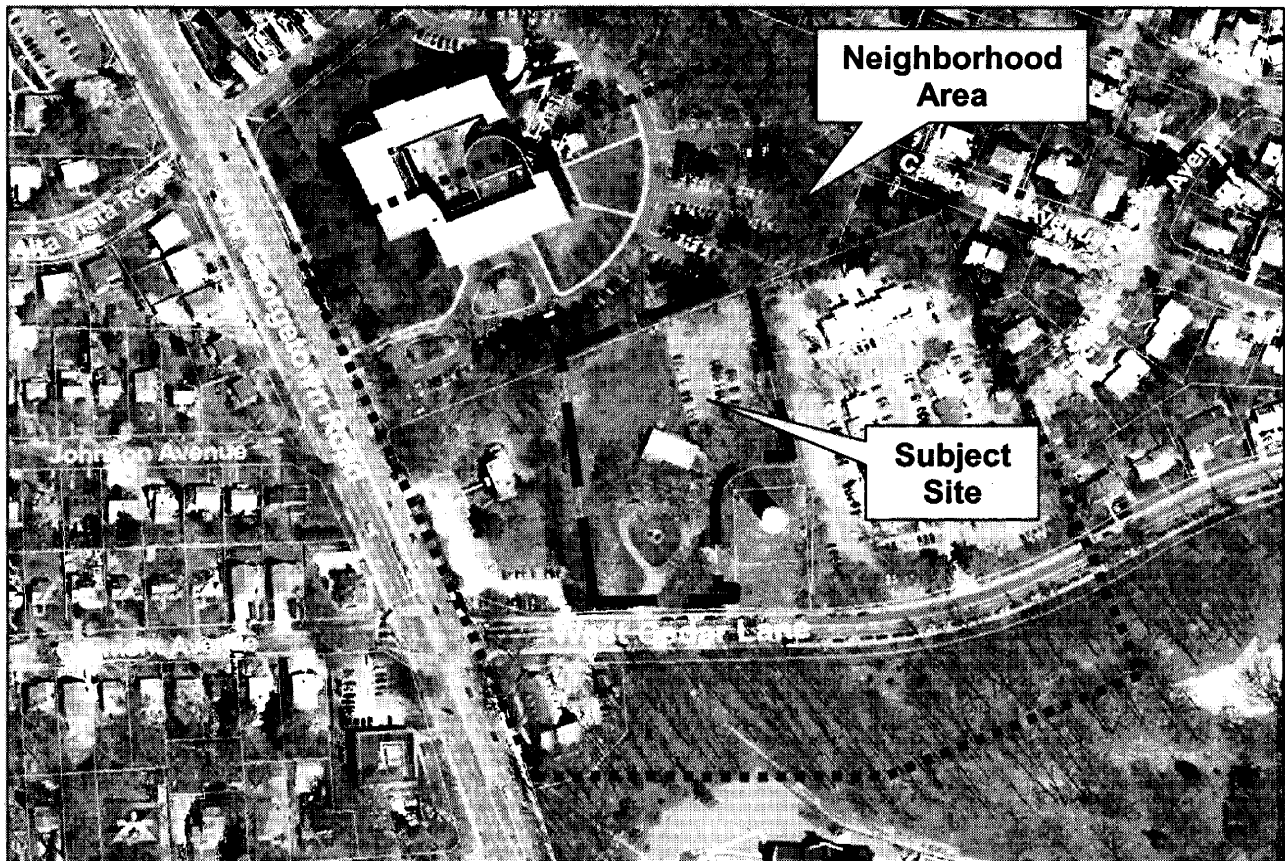
1. Chess tournament for elementary school students held on the afternoon of the Sunday before Easter (average of 100 students participate).
2. Annual dinner and service awards program to recognize over 100 elementary school teachers.
3. Cash donations to over 30 organizations.
4. Rental of Cantrel Hall for private functions on weekends, principally wedding receptions, with an average attendance of 100-120 people.
5. Precinct voting site during primary and general elections.

Note: Knights of Columbus members are present throughout these functions. Knights of Columbus Activities are not the same as "private" functions. However, Knights of Columbus members will be present at private functions.

Neighborhood Description

The Property is surrounded by non-residential special exception uses: to the west by the Foundation for Advanced Education in the Sciences (FAES), Board of Appeals Cases CBA-916 and S-615; to the north by the American College of Cardiology (Case No. S-2435); and to the east by a cluster of commercial townhouses (Case No. 1587) used primarily for medical and some general offices; to the immediate southeast by a WSSC water tower; and to the south, across West Cedar Lane, by the National Institutes of Health and the Bethesda-Chevy Chase Volunteer Fire Company No. 20.

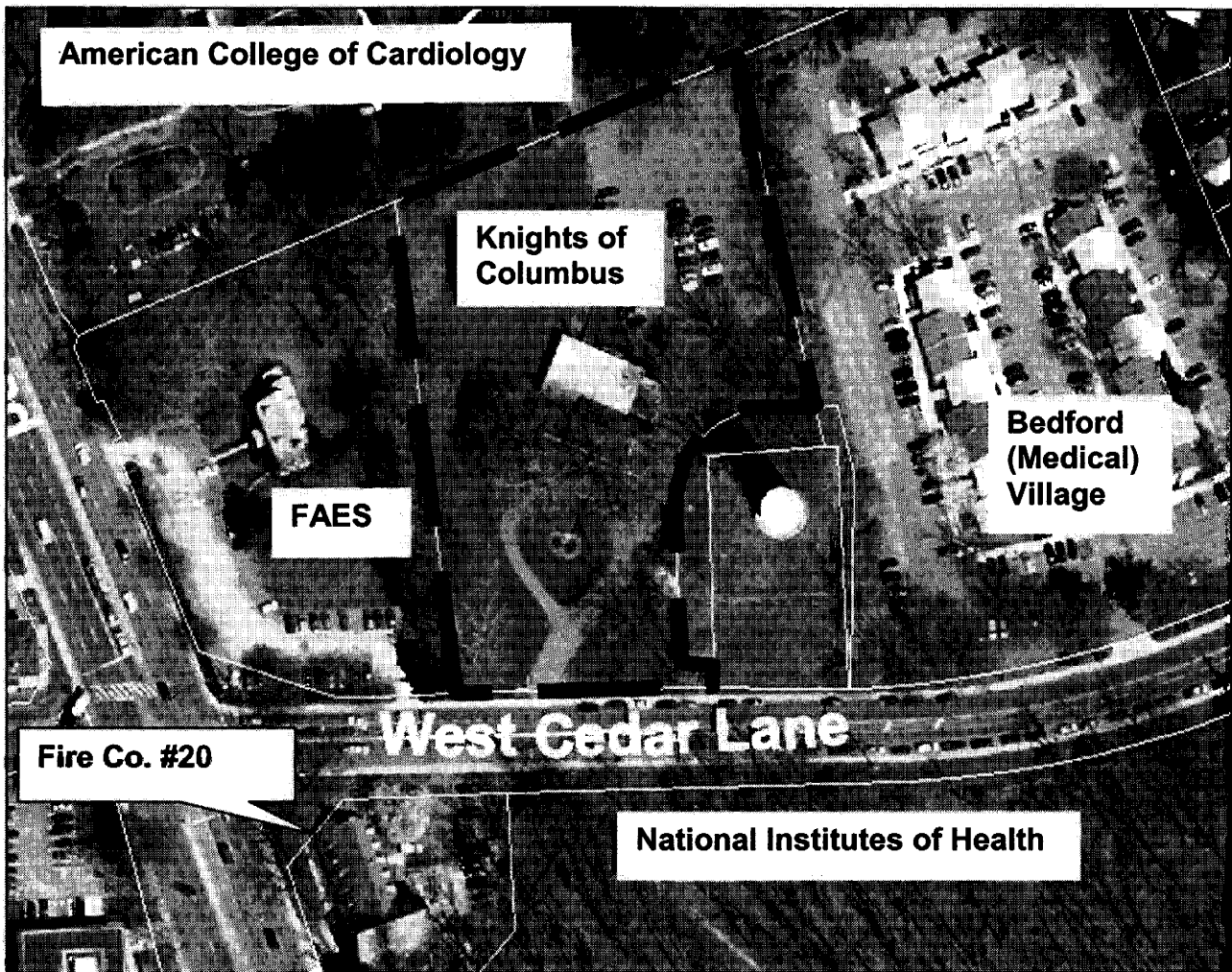
Figure 1. Neighborhood area



Property Description

The Property is an irregularly-shaped parcel (Parcel 499 on Tax Map HP121) consisting of approximately 2.31 acres, or 102,979 square feet, and it is located at 5417 West Cedar Lane, approximately 180 feet east of the intersection of Old Georgetown Road and West Cedar Lane. The Property is zoned R-60/TDR, and is subject to the 1990 Bethesda-Chevy Chase Master Plan. The topography of the Property is such that it slopes upward from Cedar Lane towards the existing structure; a 9,496 square foot building that sits on a crest at the middle of the Property. The Property then slopes downward to the north towards the adjoining property. A retaining wall is on the Property's north edge. The Property is landscaped and screened from adjacent uses and there are several large trees located throughout the Property. The Property is improved with a three-level building containing approximately 9,496 square feet, and a 68-space parking facility located on the north side of the Property. The parking facility is accessed via a circular driveway that provides a convenient drop off area on the south side of the building and access to the main parking facility behind the building. The parking facility is not visible from West Cedar Lane.

Figure 2. Property and Adjacent Uses



ELEMENTS OF THE PROPOSAL

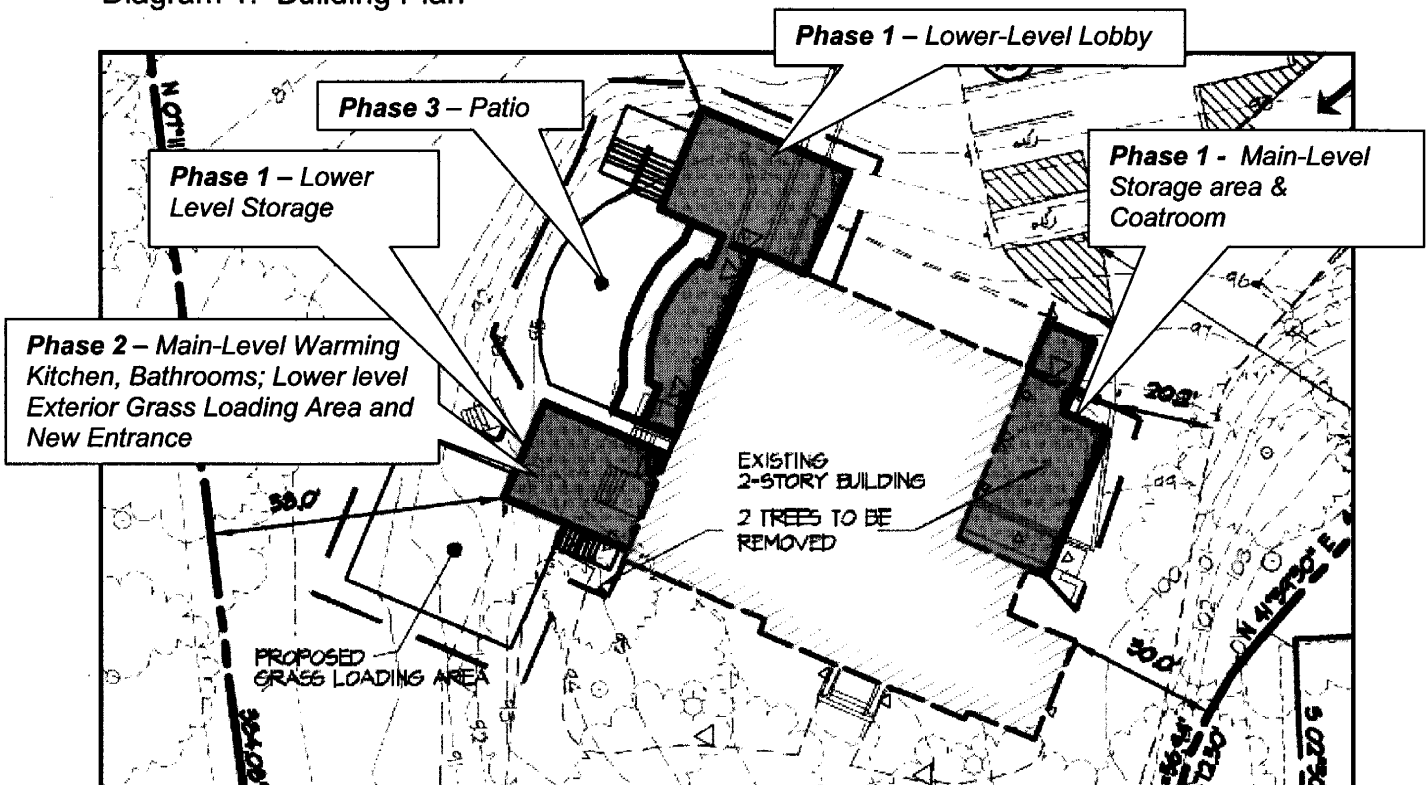
Proposed Modification to the Service Organization Special Exception

Through the proposed modification to the Service Organization Special Exception, the Knights of Columbus seek approval of a three-phase modernization of Cantrel Hall and express authorization of their long-established practice of renting the Property for private functions. The proposed three-phase modernization of Cantrel Hall is designed to make the building more attractive and functional. The modernization will not result in any increase in attendance capacity for Cantrel Hall.

Development Phases

The applicant will construct three (3) phases of additions to add 2,224 square feet to the existing 9,496 square-foot building for 11,720 sq. ft. of total development. Phase I is anticipated to take nine months to complete and will involve modifications to the lower level to add a new lobby for the basement lounge and a new unfinished storage area. Phase I modifications to the main level involve construction of a new storage area, a new coatroom/storage area, and improvements to the existing warming kitchen.

Diagram 1. Building Plan



Phase II will begin after completion of Phase I and will include interior renovations to the existing restrooms and warming kitchen on the main level. Phase II will also include construction of a separate service entrance to a new landscaped grass service entrance

and loading area. This grass pad will serve caterer's service vehicles. Phase III, the final phase, will begin after Phase II and will involve construction of a partially enclosed patio deck on the west side of Cantrel Hall on the main level. Phase III modifications to the lower level will be limited to the construction of the deck supports and outside stairway.

Private Events

Since the mid-1950's, the Knights of Columbus have rented the Property for private functions. These private functions, usually weddings, are always held on weekends and have an average attendance of 100 to 120 people. The Knights of Columbus' representatives are on-site throughout these functions. Although never expressly permitted nor prohibited by the 1954 Opinion or the 1960 Opinion, the Knights of Columbus believe the better practice would be to receive express authority from the board for up to 30 private functions annually through the proposed modification and, therefore, this request is included in the subject petition.

Proposed Parking Special Exception

Since the early 1990s, the Knights of Columbus have rented out 65 parking spaces to Suburban Hospital for weekday hospital employee parking. The hours are limited to 6 a.m. to 6 p.m. for this parking. Hospital employees who use this parking lot are shuttled to and from the Property and the hospital by a courtesy van. The Knights of Columbus desire to obtain approval for this off-street parking for Suburban Hospital employees in conjunction with the proposed Modification to the Service Organization Special Exception.

ADDITIONAL REVIEW REQUIREMENTS

The Property is required to conform to Chapter 50 and be subdivided under minor subdivision regulations for plat recordation. A detailed Final Tree Save Plan (FCP) was submitted to M-NCPPC on June 27, 2005. The Department of Permitting Services (DPS) must approve a final erosion and sediment control plan, and the plan must be consistent with the approved Tree Save Plan (Source: Environmental Planning Division's technical staff). Environmental Planning staff has yet to review the Tree Save plan.

COMMUNITY ISSUES

Planning staff has not received any reports or other concerns from neighborhood residents.

ANALYSIS

Master Plan

The property is within the 1990 Bethesda-Chevy Chase Master Plan area. The proposed use is consistent with the Bethesda-Chevy Chase Master Plan in terms of the nature and the appropriateness of the use, and it will be compatible with the other adjacent special exception uses. The Bethesda-Chevy Chase Master Plan supports the continued existence of the R-60 zone for the Property and surrounding neighborhood. The Master Plan recognizes that *“occasionally, a school or club will construct new facilities or additions which require special exception approval”* (page 33). These occasional changes are to be reviewed on a case-by-case basis. Existing zoning was reconfirmed in the Master Plan, and the Property is specifically referenced in the Master Plan on Page 35. The Master Plan makes specific recommendations in the event that lot assemblage between the Property and the adjacent property to the west were to occur. The petitioner plans no such lot assemblage. The Master Plan recommends that no new special exceptions be approved for the site. The parking special exception is a newly requested use. However, staff finds that this new request for parking in conjunction with Suburban Hospital will not cause any adverse impact on adjacent properties, which contain existing special exception uses that are similar in nature, in terms of parking, to the requested parking.

Master Plan Roadways and Bikeways

The 1990 Bethesda/Chevy Chase Master Plan classifies West Cedar Lane as an arterial roadway with a minimum 80-foot right-of-way. Wisconsin Avenue and Old Georgetown Road are both classified as major highways. Adequate right of way is provided at this location.

Development Standards

The proposed use meets the Development Standards for the R-60 Zone and Section 59-G-2.42. The following table summarizes the Property development standards for the proposed use and development:

Table 1. Comparison of Development Standards; R-60 Zone and Section 59-G-2.42
Private Clubs and Service Organizations per Section

Item	Required/ Allowed	Provided
<u>Lot Area</u> (Twice the minimum required in the zone (6,000 ft.) per Section 59-G-2.42)	12,000 sq. ft.	102,979 sq. ft. (2.31 Acres)
<u>Yard Requirements for Main Building</u> Front- Rockville Pike Side- Sum of Both Sides- Rear-	25 ft. 8 ft. 18 ft. 20 ft.	168 ft. (to curb) 30 ft. 88 ft. 126 ft.
<u>Building Height</u> <u>Accessory Building Height</u>	35 ft. 25 ft.	28.5 ft. 12 ft.
<u>Building Coverage</u> (15% up to a maximum building coverage, including accessory buildings, of 20,000 sq. ft. per Section 59-G-2.42 (b))	15% or 15,447 sq. ft. 20,000	7,217 7,417 (with accessory building)
<u>Yard Requirements for Accessory Building:</u> Front- Rockville Pike Rear- Side-	60 ft. 5 ft. 5 ft.	281 ft. 176 ft. 7 ft.
<u>Green Area</u> (Per Section 59-G-2.42(c))	50% (51,490 sq. ft.)	56% (57,679 sq. ft.)
<u>Frontage on West Cedar Lane</u> (Twice the minimum 60 ft. required per Section 59-G-2.42 (d))	120 ft,	169 ft.

Compatibility

The proposed development will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any new structures, intensity and character of activity, traffic and parking conditions, and number of similar uses (Note: part of the General Conditions). The height and bulk of the proposed structures, and the manner in which they are situated, will be compatible with adjacent properties and uses. The building is 28.5 feet high and the shed is 12 feet high. Very little of the proposed structure will be visible from the adjacent properties because the existing plants and trees that surround the Property will effectively screen the use. The petitioner is not proposing an increase in the size of the parking facility, and is in fact improving the existing facility to better manage parking operations and to better handle stormwater runoff. The intensity of use is not increasing in the parking facility. Visual and noise impacts from the use will be minimal due to the trees and plants that effectively screen the parking structure which has existed for many years without neighborhood complaints about its use. The buildings and parking structure do not border residential uses. The proposed Service Organization Special Exception and the Parking Special Exception use will result in four contiguous special exception uses. There are three adjacent special exception uses to the west, north and south. The concentration of special exception uses has operated in a harmonious way with the Property for many years.

Transportation

Transportation planning staff supports approval of this petition as it meets the adequate public facilities test for transportation requirements with the following conditions (Source: Transportation Planning staff):

1. Limit the facility to no more than 11,720 square feet of recreational and community center uses (ITE Land Use Code 495).
2. Proposed revision to existing parking lot striping and circulation layout to include provision of adequate and sufficient ADA accessible parking spaces.

Transportation planning staff finds that the proposed special exception use satisfies the Local Area Transportation Review test and will have no adverse effect on nearby roadway conditions or pedestrian facilities.

Site Access and Circulation

The majority of traffic will enter the site at the main entrance and driveway on West Cedar Lane. The entrance and driveway is twenty-five (25) feet wide and it will safely accommodate cars and service vehicles. The driveway is landscaped with large trees that shade the driveway and the main entrance to the building. Pedestrians have adequate sidewalk access to the Property from Cedar Lane. Pedestrians have wide drive aisles to ensure safe circulation from Cedar Lane and the parking facility to the building.

Table 2. Parking Facility Standards

Item	Required/Allowed	Proposed
<p>Yard Requirements for Parking and Loading Facility</p> <p>Front- West Cedar Avenue Side- Rear-</p>	<p>Parking and Loading facilities for special exception uses in residential zones (59-E-2.83), require that each parking and loading facility, including each exit and entrance driveway, be setback at a distance not less than the applicable building front and rear yard and twice the building side yard required in the zone.</p> <p>25 ft. 16 ft. (2 x 8') 20 ft.</p>	<p>Approximately 120 feet *6.1 ft. *3.4 ft.</p>
<p>Screening & Shading</p>	<p>6 ft.</p>	<p>Significant screening and shading is provided higher than the required 6 ft.</p>
<p><u>Parking</u> (2.5 spaces per 1000 gfa) (Per Section 59-G-2.42(e))</p>	<p>30 spaces</p>	<p>68 spaces (11,720 square feet @ 2.5 spaces /1,000 sq. ft. gfa)</p>

*Staff notes that the required parking facility side and rear setbacks are not met by the proposal. Special exception uses in residential zones are required to provide for each parking and loading facility, including each exit and entrance driveway, a setback at a distance not less than the applicable building front and rear yard and twice the building side yard required in the zone. The petitioner has not proposed to move the existing parking facility to meet the required side and rear setbacks, rather they will re-stripe the facility for better operations, stormwater management construction and the provision of handicap spaces. Staff believes that the proposed improvements are sufficient for the requested uses and there is no need to enforce the required side and rear yard setbacks, given that this is an existing parcel.

As in recent previous cases, the Board of Appeals may waive any requirements in Article 59-E that are not necessary to accomplish the objectives of Section 59-E-4.2. Since the Property was approved for a Special exception in 1954, staff believes that no waivers are required to approve the proposed parking facility as it relates to the requirements of Article 59-E-2.83 of the Zoning Ordinance with respect to the setbacks required for parking facilities because there were no requirements for setbacks from parking areas for special exception uses in residential zones when this special exception was first approved. It would be difficult to apply today's setback standards to the Property in terms of parking facility setbacks unless the petitioner proposed a cumulative enlargement for the parking facility. No cumulative enlargement is proposed.

Local Area Transportation Review

Transportation Planning technical staff provided Local Area Transportation Review for this case. Site-generated traffic associated with the proposal will be minimal, with an estimated five trips generated during the peak hour of the weekday morning (6:30 to 9:30 a.m.) and evening (4:00 to 7:00 p.m.) peak-periods. The current occupants are seeking permission to hold up to 30 private events per year at the site, most of which would be evening and weekend social events and therefore not likely to impact peak hour travel patterns on a typical weekday.

Presently, the site is used as a satellite parking lot from 6:00 AM to 6:00 PM for employees of Suburban Hospital according to a negotiated agreement between the two parties. From the perspective of Local Area Transportation Review, the establishment of the special exception for parking uses is not considered to generate vehicle trips, as the travel demand is generated by land uses at nearby Suburban Hospital.

A traffic study is not required to satisfy Local Area Transportation Review, because the site would generate fewer than 30 total peak-hour trips during the morning and evening peak periods. Therefore, the applicant is not required to analyze the impact of site-generated traffic on adjacent intersections.

The proposed parking does meet the parking facilities plan objectives of Section 59-E-4.2 as follows:

Sec. 59-E-4.2. Parking facilities plan objectives.

A parking facility plan shall accomplish the following objectives:

- (a) The protection of the health, safety and welfare of those who use any adjoining land or public road that abuts a parking facility. Such protection shall include, but shall not be limited to, the reasonable control of noise, glare or reflection from automobiles, automobile lights, parking lot lighting and automobile fumes by use of perimeter landscaping, planting, walls, fences or other natural features or improvements.

Adjacent properties are reasonably protected from automobile glare, automobile lights, parking lot lighting and automobile fumes, by plant and tree screening. The parking facility does not border residential uses.

- (b) The safety of pedestrians and motorists within a parking facility.

Pedestrians and motorists will be able to safely maneuver onto the site from West Cedar Avenue, park, enter the buildings, and then exit the site safely onto West Cedar Avenue. Handicap parking spaces will be improved to provide safe and efficient loading areas.

- (c) The optimum safe circulation of traffic within the parking facility and the proper location of entrances and exits to public roads so as to reduce or prevent traffic congestion.

The objective will be met by allowing vehicles to enter the site only from West Cedar Avenue. Vehicles that will be parked in the main parking facility will have sufficient ingress from and egress to West Cedar Avenue.

- (d) The provision of appropriate lighting, if the parking is to be used after dark.

Exterior residential lighting will be provided and new fixtures and light poles will also be provided for the parking facility and driveway.

Environmental Analysis

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD)

The modification request fulfills forest conservation requirements by having an approved NRI/FSD. The modification has been granted an exemption for Forest Conservation Requirements of Chapter 22A.

Tree Save Plan

A detailed Final Tree Save Plan (FCP) is required to preserve two thirds of the critical root zone of tree no. 55 (Source: Environmental Planning Division's technical staff). MNCPPC technical staff should approve a Final Tree Save Plan before the subject special exception is granted approval by the Board of Appeals.

Stormwater Management

The proposal will satisfy the Montgomery County requirements for stormwater management. The petitioner proposes to construct two grass infiltration trenches at the north side of the Property in the parking facility area. The Montgomery County Department of Permitting Services (DPS) has approved a Stormwater Management concept for the site.

Inherent and Non-inherent Effects

Inherent and non-inherent adverse effects of a special exception on nearby properties and the general neighborhood must be considered pursuant to Section 59-G-1.2.1 of the zoning ordinance which states:

“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.”

Seven points, or physical operating effects should be considered when reviewing for inherent and non-inherent adverse effects. These relate to the size, scale, scope, light, noise, traffic and environment. Since all of these elements are in every special exception to some varying degree, it must be determined whether or not adverse impacts will be created by these elements.

In the case of the Service Organization, the inherent adverse effects include the buildings (with additions) that will have a combined residential and institutional design, and the parking and traffic associated with the movement of Knights of Columbus members, Suburban Hospital employees, and private function attendees.

The building additions will be consistent with the size, scale and scope, and the manner in which the existing building is situated. The additions will incorporate architectural design features to provide compatibility with the existing building on the Property and to reduce impacts to neighboring properties. The proposed lighting for the building and the parking facility are consistent with lighting on adjacent uses. To date, the Knights of Columbus use and the Suburban Hospital employee parking have not generated any complaints from adjacent uses. Given the topographical conditions and tree screening, lighting and noise from the building and the parking facility will not impact adjoining properties. The traffic impact on nearby residential streets is limited by having the only vehicle entry at the front entrance. The petitioner will remove existing lighting on the north side of the property, at the rear of parking lot, and replace the lighting with new fixtures and light poles in the center of the parking facility further away from adjacent uses. The impact of traffic generated by the proposal will not create an adverse impact on the adjacent roadway network. As for any non-inherent adverse effects, staff concludes that there are no non-inherent adverse effects associated with this application that warrant denial.

Compliance with the Specific and General Conditions of the Special Exception

Sec. 59-G-1.2. Conditions for granting.

59-G-1.21 General conditions.

(a) A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

(1) Is a permissible special exception in the zone.

The subject proposed use is allowed by special exception in the R-60 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.

The proposed use does comply with all of the specific standards and requirements for a private club and service organization pursuant to Section 59-G-2.19 of the zoning ordinance.

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

The proposed use is consistent with the land use and zoning recommendations in the adopted 1990 Bethesda-Chevy Chase Master Plan. The Plan recommends R-60 zoning for the Property, and private club and service organization are allowed by special exception in the zone.

(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 general neighborhood includes properties in the vicinity of Old Georgetown Road and West Cedar Avenue. The general and surrounding neighborhood is predominantly institutional and commercial in character with R-60 zoning. The additional building area, parking facility improvements, and the requested parking special exception use, will be consistent with the design, density, size, scale and scope of the existing improvements. The manner in which they are situated is similar to the existing improvements and adjacent structures and uses. The site is well landscaped. Vegetation will screen light and noise from adjoining properties.

- (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 other property in the general neighborhood and will not adversely effect the peaceful enjoyment, character or future development of the general neighborhood. The proposed use is similar in nature to the adjacent uses.

- (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.

Based on the description of Knights of Columbus activities, the proposed use will not have objectionable characteristics. The proposed primary use will be limited to the indoors, and the proposal will limit parking to the parking facility. Because of topography and vegetation, including large trees and landscaping, the use will not be readily visible from adjoining properties. The proposed lighting will not impact adjoining properties, as shown on the lighting plan submitted by the petitioner.

- (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 effect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the recommendations of a master or sector plan do not alter the nature of an area.

The modification is to a long-term stable use that has been a community resource since 1954, and it will not alter the nature of the area and it does not create an excessive concentration of special

exception or other non-residential land uses in the neighboring one-family residential area.

- (8) Will not adversely 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 use has operated in the area for many years without causing these effects.

- (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.

The Property is served by public services.

- (i) If the special exception use requires approval of a preliminary plan of subdivision the adequacy of public facilities must be determined by the Planning Board at the time of subdivision review. In that case, subdivision approval must be included as a condition of the special exception. If the special exception does not require approval of a preliminary plan of subdivision, the Board of Appeals must determine the adequacy of public facilities when the special exception is considered. The adequacy of public facilities review must include the Local Area Transportation Review and the Policy Area Transportation Review, as required in the applicable Annual Growth Policy.

No preliminary Plan is required for the subject application. The Board of Appeals must determine the adequacy of public facilities when the special exception is considered. M-NCPPC Transportation Planning staff performed local Area Transportation Review, and this analysis resulted in a determination that a traffic study is not required to satisfy Local Area Transportation Review, because the site would generate fewer than 30 total peak-hour trips during the morning and evening peak periods. Therefore, the applicant is not required to analyze the impact of site-generated traffic on adjacent intersections.

- (ii) With regard to findings relating to public roads, the Board, the Hearing Examiner, or the District Council, as the case may be, must further determine that the proposal will not reduce the safety of vehicular or pedestrian traffic.

The applicant proposes no changes to the site that would remove sidewalks or impede vehicular traffic.

CONCLUSION

Upon review of the applicant's petition for a Service Organization Special Exception and Parking Special Exception in the R-60/TDR zone, staff recommends approval. The proposed development and parking will be in harmony with the general character of the neighborhood, considering population density, design, scale and bulk of any new structures, intensity and character of activity, traffic and parking conditions, and number of similar uses (Note: part of the General Conditions).

Attachments:

Location Map

Zoning Map

Special Exception Site Plan

Landscape Plan

Elevations

Environmental Planning Memo

Transportation Planning Memo

Letters

Attachment 1

Attachment 2

Attachment 3

Attachment 4

Attachment 5

Attachment 6

Attachment 7

Attachment 8