



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Revision of Site Plan (Major Change) SE-4266/01

Application	General Data
Project Name: Riderwood Village (formerly Great Oaks Redevelopment) Location: Southwest corner of Powder Mill Road and Beltsville Road Applicant/Address: Erickson Retirement Communities, LLC 703 Maiden Choice Lane Baltimore, Maryland 21228 ATTN: Dawn Yeager	Date Accepted: 2/17/06
	Planning Board Action Limit: N/A
	Plan Acreage: 103
	Zone: O-S
	Dwelling Units: 2092
	Square Footage: 159,189
	Planning Area: 61
	Tier: Developing
	Council District: 01
	Municipality: N/A
	200-Scale Base Map: 214NE04

Purpose of Application	Notice Dates
Major Change – 95 additional independent living units	Adjoining Property Owners Previous Parties of Record Registered Associations: 11/22/05 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: N/A

Staff Recommendation		Staff Reviewer: Teri Bond	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

May 9, 2006

TECHNICAL STAFF REPORT:

TO: The Prince George's County Planning Board

VIA: Jimi Jones, Acting Zoning Supervisor

FROM: Teri Bond, Planner Coordinator

SUBJECT: **Revision of Site Plan (Major Change) Special Exception Application No. 4266**

REQUEST: **Approval to reduce the maximum number of skilled nursing beds from 400 to 273 and to increase the number of independent living units from 2,000 to 2,092 units**

RECOMMENDATION: **Approval**

NOTE:

This application is on the agenda for the Planning Board to decide whether or not to schedule a public hearing. If the Planning Board decides to hear the application, it will be placed on a future agenda.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record. The request must be made in writing and sent to the Office of the Zoning Hearing Examiner at the address indicated above. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All others should be directed to the Development Review Division at 301-952-3530.

FINDINGS:

- A. **Location and Field Inspection:** The subject property is located 2,000± feet north of the intersection of Powder Mill Road and Cherry Hill Road, with frontages on both roadways. The site is an irregularly shaped collection of parcels which straddles the Prince George's County/Montgomery County line in the greater Calverton/Beltsville area. The site consists of 153± acres, two-thirds (103 acres) of which are in Prince George's County. The site is fairly level, but slopes downward from the center to the northeast corner. The majority of the development has been built. There is a small area of wetlands and 100-year floodplain located in the easternmost section of the site along Powder Mill Road.

B. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	O-S	O-S
Use(s)	Medical/residential campus	Medical/residential campus
Acreage	103 acres	103 acres
Parcels	6	6
Square Footage/GFA	159,189	159,189
Dwelling Units:		
Independent Living Units	2,000 max. (1,997 built)	2,092
Skilled Nursing Beds	400 max. (214 built)	273
Assisted Living Beds	272 max. (160 built)	272

Other Development Data: The Riderwood facility consists of five neighborhoods, three of which are located in Montgomery County. Neighborhoods 3 and 4, which were identified as Neighborhoods 1 and 2 on the original special exception site plan, are located in Prince George's County. Each of these neighborhoods contains a community building with numerous services, classroom space, and activity rooms, as well as restaurants. Neighborhood 3 contains 514 dwelling units. Neighborhood 4, which includes the proposed new building for the requested 95 independent living units, currently includes 419 independent living units. Neighborhood 5 contains an assisted living/extended care center that has 378 beds. The development also includes a chapel with 348 seats which is located in the Prince George's County portion of the development, although not in an identified neighborhood.

- C. **History:** The portion of the site that is within Prince George's County was placed in the O-S Zone by the sectional map amendment for Subregion I (adopted October, 1990). This site was originally owned by the state and was used for many years as the Great Oaks Center for developmentally disabled children. After the facility closed, the site was transferred from the state and was placed in the R-O-S Zone and subsequently placed in the O-S Zone by the District Council.

Special Exception No. 4266 for a medical/residential campus was approved by the District Council on April 13, 1998, for this site per Zoning Ordinance No. 3-1998. The approval included:

- 2,000 independent-living apartments for the elderly (1,000 in each jurisdiction) broken into four neighborhoods of midrise (four- to six-story) buildings

- A 270-unit (six-story) assisted-living facility (in Prince George's)
- A 400-bed (five-story) nursing home (in Prince George's)
- A community building for each neighborhood with a dining room, library and specialized uses: one has a swimming pool, another a health center, bank, convenience store, etc.
- A 368-seat chapel

In addition to the special exception approval, a Departure from Design Standards, DDS-474, was approved by the Planning Board for the development on May 15, 1997, to allow the applicant a slight reduction in the size of the parking spaces to permit spaces that were 9 feet by 18 feet. On April 13, 1998, the District Council also reaffirmed the Planning Board's approval in Resolution PGCPB No. 97-237 of a Departure from Parking and Loading Standards, DPLS-232, for this development, granting the applicant a waiver of 327 out of the 1,466 required off-street parking spaces.

- D. **Master Plan Recommendation:** The master plan for Subregion I was adopted and approved in March 1990, and recommends public/quasi-public use for this property in recognition of its previous use as the Great Oaks Center. The subsequent sectional map amendment placed the site in the O-S Zone in accordance with the county's Public Lands Policy. The master plan shows a proposed neighborhood park (25 acres) on the site and a hiker-biker-equestrian trail along Powder Mill Road. As part of the approval of the special exception for the Medical/Residential Campus, three parcels were dedicated to M-NCPPC for parkland, two of which, consisting of 27.96 acres, are located in Prince George's County. These parcels, which are still within the recognized special exception site, are shown on the submitted special exception site plan.
- E. **Request:** The special exception was approved for a maximum of 2,000 independent living units, 400 skilled nursing beds, and 272 assisted living beds. The development in the campus currently includes a total of 1,997 independent living units, 214 skilled nursing beds, and 160 assisted living beds. The applicant has determined that there is a reduced need for actual skilled nursing beds and, thus, is requesting a reduction in the maximum number of skilled nursing beds from 400 to 273. At the same time, the applicant has seen a significant demand for independent living units that cannot currently be accommodated under the existing special exception approval. As a result, the applicant is requesting an increase in the maximum number of independent living units from 2,000 to 2,092.

F. **Neighborhood and Surrounding Uses:**

The property is surrounded by the following uses:

- | | |
|------------------|---|
| North | Single-family residences in the R-80 Zone and multi-story office buildings in the C-O Zone |
| Northeast | Across Beltsville Drive is a shopping center in the C-S-C Zone |
| East | Across Powder Mill Road are a fire station (Beltsville #41) and office buildings in the C-O Zone, and farther south on Powder Mill Road, townhouses in the R-T Zone |

South Single-family residences in the R-R Zone, townhouses in the R-T Zone, and garden apartments in the R-18 Zone

West - That section of the property located in Montgomery County in the RE-2 (0.4 dwellings per acre) Zone

The neighborhood is defined by the following boundaries, which are the same as those approved under the original special exception:

North Calverton Boulevard

**East and
Southeast** Beltsville Drive and Powder Mill Road

**West and
Southwest** Cherry Hill Road

The character of the neighborhood has not changed since the original special exception approval and is a mixture of commercial (offices and retail along Calverton Boulevard, strip commercial along Powder Mill Road and Cherry Hill Road) and residential (single-family dwellings, townhouses, and garden apartments/condos).

G. Specific Special Exception Requirements:

Sec. 27-374. Medical/residential campus.

(a) A medical/residential campus for retirement-aged persons may be permitted, subject to the following:

(1) General requirements.

(A) The campus shall primarily serve needs of the retirement-aged community. Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application and shall be approved by the District Council and filed in the land records at the time the final subdivision plat is recorded;

The requests of the ROSP do not pose any changes to the age of the community primarily served on the campus. The change in the dwelling units recommended is intended to better serve the needs of the retirement-aged community.

(B) The campus shall achieve a balanced residential/medical environment, which is unique to the neighborhood in which it is located, and which cannot be achieved through the use of conventional zoning proposals;

The applicant has commented, "The purpose of this proposed alternation is to, in fact, better achieve the requirement of a 'balanced residential/medical environment.' While the initial application for special exception conservatively estimated the maximum number of skilled nursing beds required for a built-out campus to be 400, further study indicates that the actual need at Erickson

campuses is a ration [*sic*] of approximately 11 percent of the independent living units (ILU). For the Riderwood campus, with the addition of the 95 independent living units, the nursing bed needs will thus be approximately 230 beds (2,092 ILUs x 11%). The reduction of 127 beds in this amendment to the special exception will still leave a total allowable number of beds at 273, providing an adequate buffer if needs change in the future. This reduction in ratio of required skilled nursing beds to independent living units is also as a result of the addition...of programs (such as the 'Home Health Care' program and increased medical staffing and services) within the Riderwood campus that allow residents to stay in the independent living units and assisted living units for a longer period of time."

Staff does not believe the proposed change in unit types changes the original finding that the primary focus of this development is the housing and services for the retirement-aged community for whom it is marketed. The campus-like setting of the development which mixes residential, medical and ancillary-commercial services in a complementary manner could not be duplicated under conventional zoning and is not found elsewhere in the surrounding community.

(C) Residences shall be functionally, physically, and architecturally integrated with service and recreational/activity centers;

The proposed new independent living building will be located and designed to be architecturally compatible with the existing buildings in this community, and within easy access of the recreational areas and activity centers since a community building is located in each neighborhood. An additional building had been contemplated in the original design scheme that was proposed but not built. The developer has submitted design details that indicate the new building will be using the same required design details presented in the original special exception approval, but will have a modified internal layout and building orientation.

(D) Medical services (if any) shall be conveniently located for the residents; and

There are no changes in the medical services to the residents of the campus as part of this application

(E) Commercial or service-oriented uses shall be grouped together, and shall be located near the population being served.

The provision and location of these types of uses are not being impacted by this application.

(2) Specific requirements.

(A) The subject property shall contain at least twenty-five (25) contiguous acres;

The subject property contains 102.92 contiguous acres within Prince George's County. This proposal does not change the size of the medical/residential campus.

- (B) The site shall have frontage on, and direct vehicular access to, an existing street with sufficient capacity to accommodate any traffic generated by the campus;**

Site access is not proposed to be altered through this application. The Transportation Planning Section has reviewed the information provided in support of the revision to the special exception application. They note that a traffic study was done for the original exception application, which estimated the transportation impact of the subject site. Staff concluded that the unit changes recommended in this application would not change the findings of the original study. Staff concluded that “the proposed site plan revisions would not pose health, safety, or welfare issues beyond those that would have been considered at the time of the original approval.”

- (C) All buildings, structures, off-street parking compounds, and loading areas shall be located at least:**

- (i) One hundred (100) feet from any adjoining land in a Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan;**
- (ii) Fifty (50) feet from all other adjoining property lines (except street lines); and**
- (iii) Twenty-five (25) feet from all adjoining street lines;**

The proposed new independent living building complies with all of these setback requirements.

- (D) All perimeter areas of the site shall be buffered or screened in accordance with the provisions of the Landscape Manual, and the applicant shall demonstrate that the required buffer yards will provide reasonable sight and sound barriers;**

This revision does not alter or affect the site’s ability to meet the *Landscape Manual* requirements. The site has a landscaping plan that has been found to meet all applicable requirements.

- (E) Not less than forty percent (40%) of the site shall be devoted to green area;**

At least 71.5 percent of the site will be devoted to green area after construction of the new independent living building. As part of the original special exception approval, the applicant proffered to maintain a minimum of 65 percent green space.

- (F) Regulations concerning the height of structure, lot size and coverage, frontage, setbacks, density, and other requirements of the specific**

zone in which such campus is to be located, shall not apply to uses and structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for development under a given Special Exception; and

The building dimensions and the other development requirements approved as part of the original special exception for this site are shown on the revised special exception site plan. The applicant has revised the plan to add the building height to the plan..

(G) Notwithstanding Section 27-118.1, more than one (1) dwelling may be located on a lot containing a one-family dwelling.

This finding is not applicable on this campus since only multifamily dwellings are included in this development proposal.

(H) Prior to approval of a Special Exception for a medical/residential campus for property for which a subdivision is not approved for the entire property in accordance with the proposed medical/residential campus site plan, the applicant shall demonstrate to the satisfaction of the Zoning Hearing Examiner or of the District Council that the entire development and use meet the following criteria:

- (i) Transportation facilities (including streets and public transit) which are existing, which are under construction, or for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;**
- (ii) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as public safety, recreation areas, water and sewerage systems, libraries, and fire stations, but excluding schools) will be adequate for the uses proposed; and**
- (iii) Notwithstanding subparagraphs (i) and (ii), above, where the application anticipates a construction schedule of more than six (6) years, public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Zoning Hearing Examiner or the Council shall also find that public facilities will probably be adequately**

supplied for the remainder of the project. In considering the probability of future public facilities construction, the Zoning Hearing Examiner or the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.

A subdivision was approved for this site on May 28, 1998, per PGCPB Resolution No. 98-148.

(3) Uses.

- (A) Only those uses that appear on an approved site plan shall be permitted on the medical/residential campus. The District Council may only approve those uses which provide a harmonious, balanced mix of medical, residential, and limited commercial uses primarily serving campus residents, and public, quasi-public, and medical services for the off-campus retirement-aged community. Other uses may include (but need not be limited to) the following:**
- (i) Dwellings, nursing and care homes, and congregate living facilities for the elderly or physically handicapped;**
 - (ii) Medical facilities, including professional offices, laboratories, clinics, professional or paramedical training centers, and ambulatory care facilities. Business signs in conjunction with approved medical facilities shall be permitted in accordance with the provisions of Part 12 applicable to the C-O Zone;**
 - (iii) Retail commercial uses which are strictly related and subordinate to the residential/medical character of the campus and which directly serve the residents and employees of, or visitors to, the center, including retail uses similar to those in the C-A (Commercial Ancillary) Zone. The uses should be chosen to reflect their local orientation to the immediate campus vicinity and should be of a size and scope so as not to interfere with existing or proposed retail uses located in the off-campus area. Business signs in conjunction with retail commercial uses shall be permitted in accordance with the provisions of Part 12 of this Subtitle applicable to the C-A Zone; and**
 - (iv) Recreational and social uses, such as athletic facilities, community centers, and assembly halls, limited to use only by campus residents, employees, and guests.**

All the uses that currently compose the medical/residential campus have been previously approved. The applicant is proposing to slightly change the mix of

unit types to respond to community needs. Staff does not believe that this change affects the applicant's overall concept, which was found to result in a campus-like, harmonious mix of residential and medical uses, with appropriate ancillary commercial services to serve the everyday needs of the residents, staff and guests.

(4) Site plan and other submission requirements.

(A) In addition to the requirements of Section 27-296(c), the site plan shall set forth:

- (i) Existing and proposed topography at not more than five (5) foot contour intervals;**
- (ii) Existing and proposed drainage patterns;**
- (iii) Existing vegetation and other natural features; and**
- (iv) Proposed provisions for sediment control and storm water management.**

The revised special exception site plan submitted for this application meets all applicable submission requirements.

(5) Addition of land.

(A) After the approval of a Special Exception, any addition of land to the campus shall be the subject of a new Special Exception application. The site plan accompanying the new application shall include the required information for both the previously approved campus and the proposed additional land. The approval of the new site plan shall nullify the previously approved site plan. The additional land shall be contiguous to an approved medical/residential campus, and may be less than twenty-five (25) acres.

This application does not propose to add any land to the medical/residential campus.

(6) Amendment of site plan.

- (A) Notwithstanding other provisions of this Subtitle concerning the revision of site plans, requests to amend a site plan for a medical/residential campus shall only be approved by the District Council, and in accordance with this paragraph.**
- (B) Requests to amend the approved site plan shall be filed concurrently with the Clerk of the Council and the office of the Planning Board. After receipt of the request by the Clerk, the Office of the Zoning Hearing Examiner shall schedule a public hearing, which shall occur not less than sixty (60), nor more than one hundred twenty (120), days after receipt of the request. The request shall be reviewed by**

the Technical Staff, taking into consideration the requirements of this Subtitle. The Technical Staff shall submit its recommendations to the Zoning Hearing Examiner within sixty (60) calendar days from the date of filing. The public hearing shall be conducted by the Zoning Hearing Examiner, in accordance with Section 27-129, at which time the applicant, Planning Board, Technical Staff, and members of the public may comment on the proposed amendments. The property shall be posted with a sign in the same manner as required for original applications. After the close of the hearing record, the Zoning Hearing Examiner shall file a written recommendation with the District Council. Any person of record may appeal the recommendation of the Zoning Hearing Examiner within fifteen (15) days of the filing of the Zoning Hearing Examiner's recommendation with the District Council. If appealed, all persons of record may testify before the District Council. Persons arguing shall adhere to the District Council's Rules of Procedure, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.

(C) All amendments shall be in conformance with the purposes, regulations, and standards of this Section.

(i) The approved amended site plan shall become the official site plan, as if it had been approved as a part of the original application for a Special Exception.

The applicant submitted the application pursuant to this provision as an amendment to the approved site plan for Riderwood Village (formerly Great Oaks) medical/residential campus.

G. **Parking Regulations:** The applicant has provided a table detailing the parking required, as well as provided, in the development proposed in this special exception site plan. A total of 964 parking spaces and 6 loading spaces are being provided for the independent living facility. This number exceeds the number required by the Zoning Ordinance of 713 parking spaces. DPLS-232 allows for a reduction of 247 spaces in the number of required parking spaces for the two community buildings as well as the chapel that serve the residents; consequently, the applicant is providing a total of 245 of the required 456 parking spaces as well as the 2 loading spaces required. For the assisted living facility and care center the applicant is providing 245 parking spaces, 126 spaces are required, and 2 loading spaces.

H. **Landscape Manual Requirements:** All applicable requirements will be met by the proposed new development.

I. **Sign Regulations:** This application does not involve the review of any signs.

J. **Required Findings:**

Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:

(1) The proposed use and site plan are in harmony with the purposes of this Subtitle.

- (2) **The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**
- (3) **The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**
- (4) **The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.**
- (5) **The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**
- (6) **The proposed site plan is in conformance with an approved Tree Conservation Plan.**

The proposed development revision has not altered any of the original findings of the special exception. The development, which is largely constructed, will continue to offer a balanced residential and medical environment directed to the needs of the retirement-aged citizens in the local community in accordance with the intent of Section 27-374 of the Zoning Ordinance. The proposed development, with its varied housing choices, medical component, and ancillary commercial services, creates a campus-like environment that well serves the needs of the target group and furthers the purposes of the Zoning Ordinance.

The Environmental Planning section has determined that while the revised site plan is still in conformance with the tree conservation plan, the TCP II may have to be revised to reflect the altered development pattern.

CONCLUSION:

Based upon the above findings, Revision of Site Plan (Major Change) SE-4266/01 is recommended for **APPROVAL** with the following condition:

Prior to approval of SE-4266/01, the TCP II shall be revised to reflect the development in the revised special exception site plan.