



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

Revision of Site Plan (Limited Minor Change)

ROSP-SE-3711/01

Application	General Data
Project Name: Ashford at Henson Creek Apartments Location: North side of Brinkley Road approximately 1800 feet west of Cedar Drive, known as 3400-3466 Brinkley Road. Applicant/Address: AG FCP Arbor View LLC 245 Park Avenue New York, NY 10167-0002	Date Accepted: 5/2/06
	Planning Board Action Limit: N/A
	Plan Acreage: 20.7
	Zone: R-18
	Dwelling Units: 450
	Square Footage: N/A
	Planning Area: 76B
	Tier: Developed
	Council District: 08
	Municipality: N/A
	200-Scale Base Map: 208SE03

Purpose of Application	Notice Dates
Freestanding sign addition	Adjoining Property Owners Previous Parties of Record Registered Associations: N/A (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			

June 30 2006

PLANNING DIRECTOR'S DECISION Limited Departures and Revisions to Approved Plans

Application No: ROSP SE-3711/01
Project Name: Ashford at Henson Creek Apartments
Reviewer's Name: Teri Bond, Planner Coordinator

- A. **Nature of the Applicant's Request:** This minor revision was filed for approval of the construction of a new sign for this 450-unit apartment complex formerly known as the Arbor View Apartments. SE-3711 had previously been approved for the apartment complex for alteration of a nonconforming use and bedroom percentages. The existing apartment signs, which are in the right-of-way, will be removed and replaced with two new real estate signs identifying the apartment complex's new name at its entrance on Brinkley Road. Since the proposed signs result in a change that involve less than 10 percent of the existing building area, the applicant has requested this application be processed as a limited minor change with approval by the Planning Director.
- B. **Zoning History:** On July 10, 1986, the District Council approved a special exception for a bedroom percentage increase for the apartment complex. This change, which was approved, resulted in a complex with predominantly two-bedroom units.
- C. **Required Findings:**

Section 27-325(c). Limited Minor Changes—Planning Director

1. The Planning Director is authorized to approve minor changes administratively, without public hearing, only if the proposed minor changes are limited in scope and nature, including an increase up to ten percent in gross floor area or land covered by a structure other than a building. The Director shall deny any administrative approval request proposing site plan changes that will have a significant impact on adjacent property.
2. Before approving a minor change, the Director shall make all findings the Planning Board would be required to make, if it reviewed the application.

3. The Director is not authorized to waive requirements in this Subtitle, grant variances, or modify conditions, considerations, or other requirements imposed by the Planning Board or District Council in any case.
4. The applicant's property shall be posted within ten days of the Director's acceptance of the filing of the application. Posting shall be in accordance with Part 3, Division 1. On and after the first day of posting, the application may not be amended.
5. The Director may waive posting after determining, in writing, that the proposed minor change is so limited in scope and nature that it will have no appreciable impact on adjacent property.
6. If posting is waived or a written request for public hearing is not submitted within the posted time period, then the Director may act on the application. The Director's approval concludes all proceedings.
7. If the Director denies the application or a timely hearing request is submitted, then the application shall be treated as refiled on the date of that event. The applicant, Director, and technical staff shall then follow the procedures for Planning Board review.

Sec. 27-618 Sign Requirements

(c) Permanent identification.

- (1) Permanent real estate signs identifying an apartment house or complex are permitted in any multifamily residential zone, subject to the following design standards:
 - (A) Maximum area per sign – 48 square feet.
 - (B) Location—On the building or premises.
 - (C) Maximum number allowed—1 for the first 100 dwelling units, plus 1 for each 100 additional dwelling units, to a maximum of four signs (and a maximum of 192 square feet).

The two proposed signs are in compliance with these zoning requirements.

Sec. 27-317. Special Exceptions—General Requirements

1. A special exception may be approved if:
 - a. The proposed use and site plan are in harmony with the purpose of this Subtitle;
 - b. The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

- c. 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 master plan, the General Plan;
- d. The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;
- e. The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and
- f. The proposed site plan is in conformance with an approved tree conservation plan.

D. Determinations:

The subject 20.7-acre property is located on the north side of Brinkley Road at 3400-3466 Brinkley Road, approximately 188 feet west of Cedar Drive.

The surrounding uses are as follows:

North: Townhouses in the R-T Zone.

East: Property is zoned R-80 with a single family home.

South: The Oxon Hill Lutheran church is across Brinkley Road to the south and is zoned R-R.

West: A condominium complex in the R-18C Zone

- 2. The posting requirement for this minor revision was waived because the proposed minor change is so limited in scope and nature that it will have no appreciable impact on adjacent property.
- 3. The proposed signs will be located outside of the Brinkley Road right-of-way.
- 4. The existing use of the property will not be altered by the subject proposal.
- 6. The proposal will not alter any of the previous conditions of approval for Special Exception SE-3711.
- 8. The proposed revision will conform to the requirements of the Zoning Ordinance and the conditions of approval of the original special exception.
- 10. The proposed revisions will not alter the previous findings of compatibility with the surrounding area, conformance with the regulations of the Zoning Ordinance, or impairment of the 2006 Approved Henson Creek–South Potomac Master Plan.

Recommendation:

Based on the above findings, it is recommended that ROSP SE-3711/01 be APPROVED.

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**APPROVED BY AUTHORITY OF:
Fern V. Piret, Planning Director**

By:_____ Date:_____

Jimi Jones, Acting Zoning Supervisor