



January 4, 2018

TECHNICAL STAFF REPORT

Planning Board Meeting of January 18, 2018

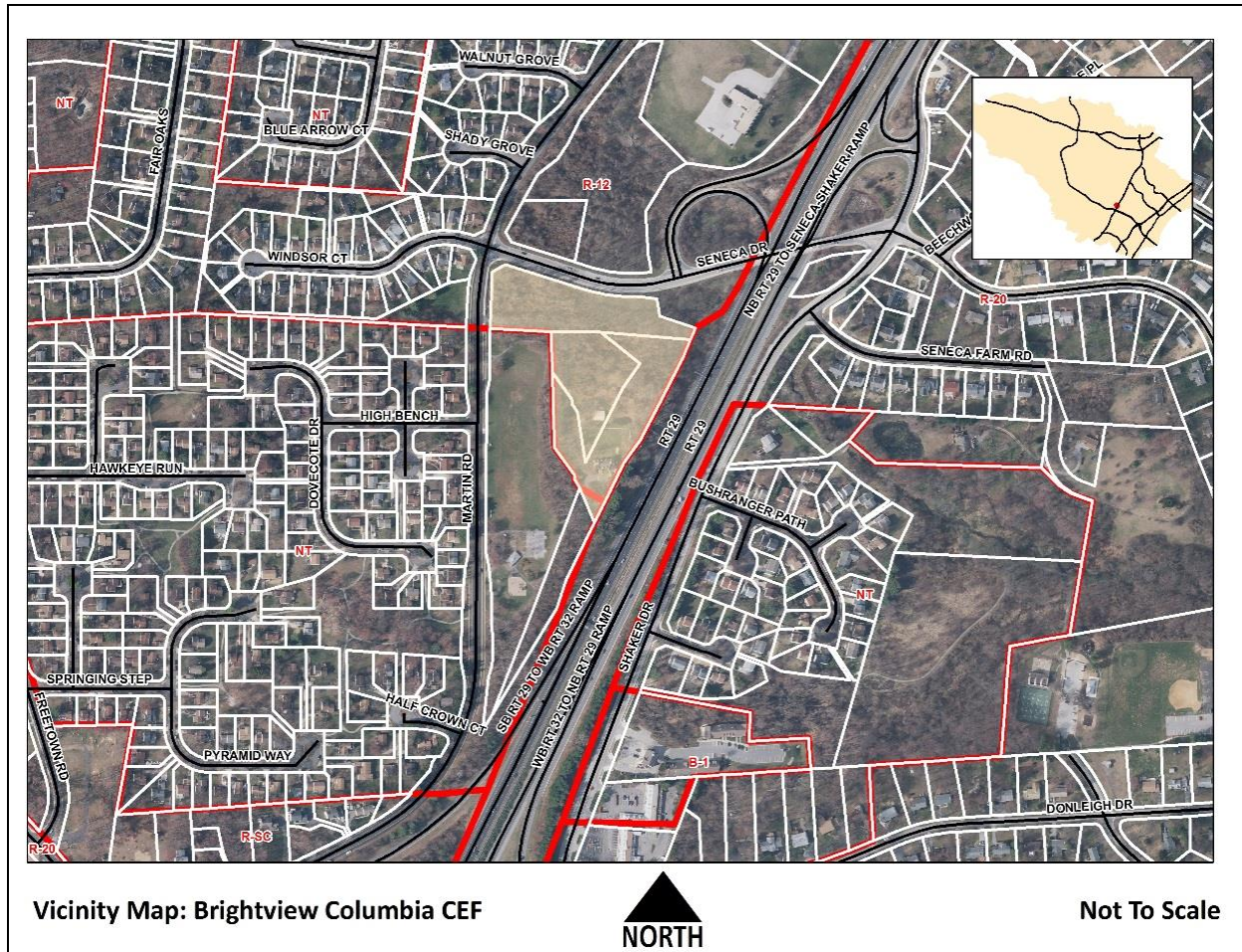
Case No./Petitioner: ZB-1115M – Shelter Development, LLC

Location: Fourth Election District
Southeast corner of Seneca Drive and Martin Road;
Tax Map 36, Grid 19, Parcels 4, 108, and 495; 6680 Martin Road
(the "Property").

Area of Site: 6.69 acres

Current Zoning: R-12 (Residential: Single)

Proposed Zoning: CEF-M (Community Enhancement Floating – Mixed Use)



## I. DESCRIPTION OF PROPOSAL

The Petitioner proposes to rezone the Property from R-12 (Residential: Single) to CEF-M (Community Enhancement Floating – Mixed Use) for a senior-living residential facility consisting of 90 independent living units and 80 assisted living units. All 170 units will be located within a single four-story building. A full movement access point is proposed on Martin Road.

The Petitioner proposes the following Community Enhancements:

1. Rehabilitate the historic Athol Manor and convert the manor to offices, nonprofit art gallery/studio, and meeting space. The Petitioner will provide a capital reserve fund of 100,000 dollars for maintenance.
2. Improvements to Martin Road Park:
  - Fitness/recreational improvements
  - Pedestrian pathways connections to neighboring communities and Athol Manor
  - Community gathering spaces
3. Pathway/crosswalk improvements on Martin Road for pedestrian safety to Martin Road Park.

### Development Concept Plan

The CEF District requires a Development Concept Plan (DCP) that shows the proposed uses, environmental features, and site layout. The proposed Development Concept Plan depicts a senior living building that ranges from three to five stories and has two wings enclosing a large central courtyard. An additional courtyard is located on the southeast side of the building. A 24-foot wide driveway from Martin Road leads to a parking lot with 124 parking spaces. Athol Manor is located at the terminus of the driveway and is shown as a renovated office and community space building.

The northern area of the Property will remain in a Forest Conservation Easement. Landscaping and amenity space is proposed and consists of a sunken courtyard, lawn area, multiple gardens, and tiered patios.

## II. ZONING HISTORY

### A. Subject Property and Adjacent Properties

In 1961, the Property was zoned R-40. The 1977 Comprehensive Zoning Plan rezoned the Property to the current R-12 District.

In 1961, the properties to the north were zoned R-20, and the properties to the west were zoned R-40. On August 10, 1965, 13,690 acres to the west were rezoned to the NT (New Town) District. The 1977 Comprehensive Zoning Plan rezoned the properties to the north and northwest to the current R-12 District.

### III. BACKGROUND INFORMATION

#### A. Site Description

The Property consists of three parcels totaling approximately 6.69 acres. The parcels are located at the intersection of Martin Road and Seneca Drive within the R-12 District. The site is identified as 6680 Martin Road; Tax Map 36, Parcels 4, 108, and 495. Access is from Martin Road, a two lane Major Collector.

Parcels 4 and 108 are densely wooded and undeveloped. Parcel 495 contains Athol Manor, a rectory for the Old Brick Church, constructed between 1732 and 1740 and listed in the Howard County Historic Sites Inventory as HO-037. This building has previously been used as a single-family residence, but is currently vacant.

#### B. Vicinal Properties

Direction	Zoning	Land Use
North	R-12 (One Family Residential)	Seneca Drive right-of-way
South	NT (New Town)	County Park
East	R-20 (One Family Residential)	RT 29 ROW/Noise wall
West	NT (New Town)	County Park/Single-Family Detached

#### C. Roads

Martin Road is a Major Collector with a 30 mile per hour speed limit. It has one south-bound lane and one north-bound lane. There is approximately 34 feet of paving within a variable width right-of-way.

The estimated sight distance from the proposed driveway is approximately 400 feet to the north, and over 700 feet to the south. Precise sight distance measurements can only be determined through a detailed sight distance analysis.

According to Maryland Department of Transportation data, the traffic volume on Martin Road is 4,720 AADT (Annual Average Daily Traffic) as of 2016.

#### D. Water and Sewer Service

The Property is in the Metropolitan District and the Planned Service Area.

#### E. General Plan

The Property is designated as an Established Communities place type on the *PlanHoward 2030* maps.

Martin Road is a Major Collector.

#### IV. EVALUATIONS AND CONCLUSIONS

**A. Evaluation of petition according to Section 121.0.I of the Zoning Regulations (Criteria for a CEF District):**

1. *The proposed CEF District is located within the planned service area for both public water and sewer service.*

The Property is located within the Planned Service Area.

2. *A proposed CEF-C District shall have frontage on and access to an arterial or major collector road. A proposed CEF-R or CEF-M District shall have frontage on and access to an arterial or collector roadway, or a local road if access to the local road is safe based on road conditions and accident history and the local road is not internal to a residential development.*

The proposal is a CEF-M District and it fronts/accesses Martin Road, a Major Collector.

3. *For all properties, the minimum development size for any CEF District shall be five acres.*

The Property is 6.69 acres.

4. *The proposed CEF District is not located in an existing M-2, TOD, NT, MXD, or PGCC District.*

The existing zoning is R-12.

5. *A proposed CEF-R District is not located in an existing non-residential zoning district unless the proposed CEF-R District adjoins a residential zoning district.*

This criterion does not apply to a CEF-M District.

6. *The proposed CEF District is not permitted within the interior of a neighborhood comprising only single-family detached dwellings.*

The Property is not within the interior of a single-family detached neighborhood and is separated from the single-family detached neighborhood to the west and east by Martin Road and US 29, respectively.

7. *A CEF development at the proposed location shall be compatible with surrounding residential neighborhoods, existing land uses in the vicinity of the site in terms of providing a transitional use between different zoning districts and/or land uses and the scale, height, mass, and architectural detail of proposed structures.*

The proposed senior living building will be approximately 420 feet from the residential neighborhood to the west and buffered by Martin Road and Martin Road Park. The residential/institutional use will provide a transition between the residential neighborhood and US 29 and serves as an additional buffer along the west side of US 29.

The Design Advisory Panel (DAP) reviewed the proposal on September 27, 2017, and offered favorable comments on the architectural design and attention to detail. The DAP encouraged the applicant to consider warmer building materials that complement Athol Manor. Additionally, they recommended enhanced sound mitigation for the courtyard, including terraced walls and multiple water features. They also encouraged a stronger axial connection from the building entrance to the park, including a wider outdoor plaza, landscaping, benches, and a gateway feature; such as an arch. The Petitioner agreed to address these recommendations during the Site Development Plan review process.

8. *The proposed CEF development shall include enhancements as provided in Section 121.0.G. The enhancements shall be proportionate to the scale of the CEF development. The standard in that section is that the CEF development must contain one or more design features or enhancements which are beneficial to the community as delineated in accordance with Section 121.0.J.2.A and that exceed minimum standards required by County regulations, excluding bulk regulations. Such features or enhancements must be proportionate to the increase in development intensity and impacts associated with the CEF rezoning compared to the previously existing zoning.*

The proposed community enhancements consist of:

1. Rehabilitate the historic Athol Manor and convert the manor to offices, nonprofit art gallery/studio, and meeting space. The Petitioner will provide a capital reserve fund of 100,000 dollars for maintenance.
2. Improvements to Martin Road Park
  - Fitness/recreational improvements
  - Pedestrian pathways connections to neighboring communities and Athol Manor
  - Community gathering spaces
3. Pathway/crosswalk improvements to Martin Road Park for pedestrian safety on Martin Road.

The recreational improvements to Martin Road Park, pedestrian improvements to Martin Road, and conversion of Athol Manor to an art gallery/studio with meeting/office space benefits the adjacent residential neighbors and the greater community. Section 121.0.G of the HCZR requires one of the following enhancements:

1. Community parks or gathering spaces, playgrounds, dog parks, or recreation facilities that are open to the general public;
2. Enhanced environmental open space which incorporates environmental restoration of streams, wetlands or forests, or enhanced landscaping;
3. Bicycle, pedestrian or transit improvements which provide connections to off-site destinations or bicycle, pedestrian or transit facilities; or
4. Other community enhancements identified on the Development Concept Plan,

The proposed enhancements comply with options 3 and 4 in Sec. 121.0.G and exceed minimum standards required by the County regulations. Additionally, the Department of Recreation and Parks and Office of Transportation recommended additional enhancements/improvements, which are listed in the attached agency comments.

9. *The proposed CEF District shall meet the criteria of the purpose statement.*

*The Community Enhancement Floating (CEF) District is established to encourage the creative development and redevelopment of commercial and residential properties through flexible zoning so that the proposed development complements and enhances the surrounding uses and creates a more coherent, connected development.*

*The CEF District is intended to:*

- A. *Allow greater design flexibility and a broader range of development alternatives than the existing zoning district.*

The existing R-12 zoning allows up to 12 single family detached lots. However, a single-family development is not optimal adjacent to a highway interchange due to noise impacts. The proposed CEF district assembles three parcels to allow greater land use flexibility than the R-12 zoning district and allows for senior living and assisted care to meet the increasing demand for these resources in Howard County. It also provides the community with non-profit office spaces, meeting space and an art gallery/studio.

- B. *Provide features and enhancements which are beneficial to the community in accordance with Section 121.0.G.*

See response to #8 above.

- C. *Provide a higher quality of site design and amenities than is possible to achieve under the standard provisions of existing zoning district requirements.*

The rehabilitation and conversion of Athol Manor to a nonprofit art gallery/studio with meeting and office space is not permitted under the standard provisions of the R-12 zoning district. These amenities will serve area residents and the local art community. Currently, the Athol Manor house is a vacant historic structure, which has been vandalized and needs repair. The proposed restoration and investment will preserve an importance historic resource and allows it to be sustained.

- D. *Encourage creative architectural design with the most favorable arrangement of site features, based on physical site characteristics and contextual sensitivity to surrounding developments.*

The Property is located near single family detached homes to the west and contains the historic Athol Manor. The senior living residence building will be Georgian Style with a stone veneer to match Athol Manor. The building consists of masonry/siding materials, pitched roofs, and a staggered façade to give a residential appearance that will blend with the historic manor and surrounding

residential community. According to the Resource Conservation Division comments, “The style, simple color palette and materials of the new construction is compatible with the historic house. The use of grey stone throughout the site is appropriate for this historic setting. The stone columns, stone patios and lush landscape all compliment of the historic setting.” See attached comments dated January 3, 2018 for additional information.

The amenity areas and landscaping are designed to create axial connections and include tiered patios, multiple gardens, and a sunken courtyard. The building is proposed in a location that minimizes impacts on adjacent homes and existing/proposed vegetative buffers mitigate visual impacts.

The Design Advisory Panel (DAP) commented that the project was well thought out and designed with attention to detail. To integrate the site with surrounding development, the DAP recommended warmer building material colors that complement the Athol Manor and a stronger connection from the main building entrance to a significant site feature, more than a gazebo, to better link with the park. The Petitioner agreed to address these recommendations during the Site Development Plan review process.

- E. *Serve as a transitional area by providing a mix of uses compatible with the surrounding community or developments.*

The proposed development will serve as a transitional area between Route 29 to the east and single family detached neighborhoods to the west. The proposed senior living residence is a low intensity residential/institutional use. Potential adverse impacts of the assisted living facility on adjacent residential properties will be mitigated by buffering and site design.

- F. *Encourage aggregation of underutilized properties.*

The proposal will consolidate three lots, two of which are undeveloped and one that contains an abandoned historic structure.

- 10. *The proposed CEF Development does not comprise parcels which were added to the Planned Service Area to achieve Bay Restoration goals articulated in PlanHoward 2030.*

The parcels were not added to the Planned Service Area to achieve Bay Restoration goals articulated in PlanHoward 2030.

**B. Evaluation of the Petition Concerning the General Plan**

The proposed development is in harmony with following policies that encourage housing options for residents at diverse income levels and life stages:

**Policy 9.2:** “Expand full spectrum housing for residents at diverse income levels and life stages, and for individuals with disabilities, by encouraging high quality, mixed income, multigenerational, well designed, and sustainable communities.”

**Policy 9.4:** “Expand housing options to accommodate the County’s senior population who prefer to age in place and people with special needs.”

Chapter 10 of PlanHoward 2030, Community Design identifies four issues that are relevant to Established Communities areas, one of which applies to the proposed development:

“Opportunities for limited, compatible, infill development such as senior housing for residents wishing to downsize but stay in their communities.”

**C. Fiscal Note**

Section 121.0.J.4.b requires the inclusion of a fiscal note in the Technical Staff Report when non-residentially zoned land is converted to a residential use. The Property is zoned R-12, therefore this requirement does not apply.

**D. Moderate Income Housing Units**

*The CEF petition shall comply with the Moderate-Income Housing Unit requirements that were in effect for the zoning district for the property immediately before the CEF District was established on the property. If there were no Moderate-Income Housing Unit requirements for the previous zoning district, a minimum of 10% of the total number of dwelling units shall be Moderate Income Housing Units.*

The current R-12 zoning district requires that a minimum 10% of the total number of dwelling units shall be Moderate Income Housing Units (MIHU). The MIHU requirement only applies to dwelling units and not assisted living units, which do not contain kitchens. Therefore, nine dwelling unit must be Moderate Income Housing Units. The Petitioner asserts that providing these units is not feasible due to the nature of the development and is working with the Howard County Housing Commission to determine alternative compliance options.

**V. RECOMMENDATION**

For the reasons noted above, the Department of Planning and Zoning recommends that that the request to rezone the Property from R-12 to CEF-M as depicted on the Development Concept Plan submitted on October 13, 2017, be **APPROVED** with the following condition:

1. The Site Development Plan shall comply with the Design Advisory Panel’s recommendations as determined by the Director of Planning and Zoning.
2. Improvements/enhancements requested by the Department of Recreation and Parks and Office of Transportation shall be included to the extent possible.

Approved by:

 1/4/18  
Valdis Lazdins, Director Date

**NOTE: The file on this case is available for review by appointment at the Public Service Counter by appointment in the Department of Planning and Zoning.**



JRL

Department of Planning and Zoning  
Howard County, Maryland  
Recommendations/Comments

Date: November 30, 2017

Planning Board 01/18/18 Hearing Examiner \_\_\_\_\_  
Board of Appeals \_\_\_\_\_ Zoning Board \_\_\_\_\_

Petition No. ZB-1115M Map No. \_\_\_\_\_ Block \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_

Petitioner: \_\_\_\_\_ Brightwell Senior Living

Petitioner's Address: \_\_\_\_\_

Address of Property: \_\_\_\_\_

Return Comments by December 26, 2017 to Public Service and Zoning Administration

Owner: (if other than applicant) \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Petition: \_\_\_\_\_ SEE APPLICATION

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- To:
- \_\_\_\_\_ MD Department of Education – Office of Child Care
  - \_\_\_\_\_ 3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)
  - \_\_\_\_\_ Bureau of Environmental Health
  - \_\_\_\_\_ Development Engineering Division
  - \_\_\_\_\_ Department of Inspections, Licenses and Permits
  - \_\_\_\_\_ Department of Recreation and Parks
  - \_\_\_\_\_ Department of Fire and Rescue Services
  - \_\_\_\_\_ State Highway Administration
  - \_\_\_\_\_ Sgt. Karen Shinham, Howard County Police Dept.
  - \_\_\_\_\_ James Irvin, Department of Public Works
  - \_\_\_\_\_ Office on Aging, Terri Hansen (senior assisted living)
  - \_\_\_\_\_ Police Dept., Animal Control, Deborah Baracco, (kennels)
  - \_\_\_\_\_ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
  - \_\_\_\_\_ Land Development - (Religious Facility & Age-Restricted Adult Housing)
  - \_\_\_\_\_ Housing and Community Development
  - \_\_\_\_\_ Resource Conservation Division – Beth Burgess
  - \_\_\_\_\_ Route 1 Cases – DCCP – Kristen O'Connor
  - \_\_\_\_\_ Telecommunication Towers – (Comm. Dept.)
  - X** \_\_\_\_\_ **Division of Transportation – Dave Cookson**

COMMENTS:  
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**Subject:** ZB-1115M Brightview Senior Living  
**Memo To:** Bob Lalush, Zoning Division  
**From:** Rashidi Jackson, Office of Transportation  
**Date:** 12/26/17

### Overview

The petitioner proposed the following that improvements that would justify changing the current New Town (NT) Zoning to the Community Enhancement Floating (CEF) District: renovate and convey the Athol Manor to the Columbia Festival of Arts (CFA) for use of office space and art gallery, secondly proposed 2 raised crosswalks across Martin Road, and finally the petitioner plans to coordinate with Howard County's Recreation and Parks to provide various improvements to the Martin Road Park.

The Office of Transportation will focus its evaluation of the project using criteria from Section 121 of the Howard County Zoning Regulations:

- Section 121.0. (G)(1)- community parks or gathering spaces, playgrounds, dog parks, or recreation facilities that are open to the public;
- Section 121.0.(G)(3)- bicycle, pedestrian or transit improvements which provide connections to off-site destinations or bicycle, pedestrian or transit facilities;

### Comments

Section 121.0.(G)(1):

1. Since the petitioner is committed to making improvements the park; the existing pathways should be upgraded to AASHTO standards which would enhancement that would benefit the community.
2. The petitioner should provide on street parking, and bike racks for Martin Road Park users. Please see attachment 1 for this can be achieved.

Section 121(G)(3)

1. Provide on road bicycle facilities as described in the Howard County Bicycle Master Plan. The master plan calls for bike lanes on Martin Road. The petitioner should provide bike lane on Martin Road from Seneca Drive to Freetown Road. Martin Road is on the short-term improvement for Bike Howard, this is part of the Bikeways, and apart of the MD 32 Bike Signage Route from Clarksville to Ft. Meade.
2. The 2 raised crosswalks that the petitioner is proving will not be accepted by the Department of Public Works. The petitioner is advised to change the crosswalks from raised to be at-grade crosswalks, and provide two additional crosswalks at

along Martin Road (entrance of the development, and the intersection of Martin Road and Seneca Drive).

3. The petitioner should move the existing bus stop that currently serves Martin Road Park closer to the entrance of the proposed development. The Office of Transportation is asking the petitioner to provide a bus shelter, bus pad, bench for the shelter, and sidewalk connection to the site for users. The current bus stop should be removed, and restore to fit the characteristics of the park.

Should the petitioner have any comments, or concerns please contact the Office of Transportation ([rjackson@howardcountymd.gov](mailto:rjackson@howardcountymd.gov)) for guidance.



# Howard County

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## *Internal Memorandum*

**Subject:** ZB 1115M- Brightwell Senior Living CEF Petition

**To:** Geoff Goins  
Zoning Division

**From:** Beth Burgess, RCD Chief  
Resource Conservation Division (RCD)

**Date:** January 3, 2018

### **Background**

The Brightview Senior Living CEF Columbia project has not been reviewed by the Historic Preservation Commission for Advisory Comments. Preliminary Plans were reviewed by RCD staff in 2017 and feedback was taken into consideration by the Applicants and plans were revised and updated to this current proposal. A cemetery has been noted to be on this historic parcel but has not been located as no headstones are currently visible.

### **Comments**

RCD reviewed previous plans that depicted the historic Athol Manor House being encroached by parking on the south and western sides of the building. There were also utilities like transformer boxes and infrastructure that imposed on the historic setting. The Applicants were receptive to comments and revised the plans. Utilities were relocated further from the historic house and the parking was reconfigured to remove it from the front and side of the building. The historic house has been given more landscape space around its environmental setting and is more appropriately buffered from the new construction.

The style, simple color palette and materials of the new construction is compatible with the historic house. The use of grey stone throughout the site is appropriate for this historic setting. The stone columns, stone patios and lush landscape all compliment the historic setting. RCD commends the Applicant for preserving and restoring the historic house, as it is one of the oldest houses in Howard County dating back to the 18<sup>th</sup> century.

The only outstanding issue is the note of a historic cemetery. With subdivisions of parcels but no facts, it was concluded in 2016 that the cemetery must be off this parcel and further away from the historic house. New historic documents from the Genealogical Records Committee of 1960 state: "On the west side of Columbia Pike (Route #29) near route #32 in the Clarksville (5<sup>th</sup> Election) District, stands one of Howard County's oldest houses. Noted for its high sloping roof and dormer windows, "Athol" was built by the Reverend James Macgill, first rector of the Queen Caroline Parish, about 1746. Near the house, which is in an excellent state of preservation, are the remnants of a family graveyard; but two stones survive:

Elizabeth Moxley, Died April 26<sup>th</sup>, 1832, Aged 62 years  
Mary E?ly Shipley, Died April 5<sup>th</sup>, 1838, Aged 8 years and 1 mo.”

New documents from the Macgill family genealogy states that in 1942 the cemetery was being used as a hog lot adjacent to a hog outbuilding. Based on this new information on the cemetery, it would be appropriate to recommend ground penetrating radar or have more research done to confirm the location of historic family cemetery before construction begins.




# Howard County

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## Internal Memorandum

**Subject:** Brightwell Senior Living Columbia - Proposed CEF Zoning

**To:** Geoff Goins, Chief  
Division of Public Service and Zoning Administration

**From:** Kent Sheubrooks, Chief   
Division of Land Development

**Date:** December 26, 2017

This Division is in receipt of your request for comments on the above-referenced rezoning petition. Our comments are provided below:

1. The existing property will need a subdivision plat to consolidate Parcel 108, Parcel 104, and Parcel 495 to accommodate the proposed assisted living facility and the existing historic manor house.
2. The proposed entrance alignment into the property into the 50' intermittent stream bank buffer will require approval of an alternative compliance request to Section 16.116 of the Howard County Subdivision and Land Development Regulations. Any disturbances to the stream or wetland buffers, streams, and floodplain will require the submission and approval of an Alternative Compliance petition request of the Subdivision and Land Development Regulations. The stream buffer impacts shown on the current plan layout will require an Alternative Compliance petition to Section 16.116 of the Howard County Subdivision and Land Development Regulations to be provided at the Site Development Plan (SDP).
3. It is recommended that the minimum property setbacks should at least be 10 feet from site improvements to the property lines to allow for maintenance of respective site improvements to occur within the property boundaries. As an example, the retaining wall located along the western property boundary should be shifted east to allow for the necessary grading and stabilization to occur within the property boundaries. The additional room will also provide needed space should maintenance to the proposed wall be required.
4. The Howard County Resource Conservation Division has researched the property and discovered new information regarding the existence of grave sites within the existing parcel. It is highly recommended that the developer/owner utilize available resources to locate and preserve the existing grave sites discovered in the recent research. Notes regarding the existence of graves or potential grave sites should be added to the plans. Should graves be discovered during development and construction per Section 16.1305 of the Howard County Zoning Ordinance work in that area shall be suspended until a determination can be made by DPZ to address the situation. Please contact Beth Burgess at 410-313-2350 regarding cemetery preservation accommodation.
5. Specimen trees located on the property should be preserved and protected during construction. Impacts to specimen trees requiring their removal will require approval of an Alternative Compliance Request to Section 16.1205(a)(7) of the Howard County Subdivision and Land Development Regulations. This requirement will need to be addressed at the Site Development Plan (SDP) stage.



# Howard County

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## *Internal Memorandum*

6. The development of the property will require street trees, perimeter landscape trees, and parking lot landscaping per Section 16.124 of the Howard County Subdivision and Land Development Regulations. Landscaping provided should be in accordance with the Howard County Landscape Manual. This requirement will need to be addressed at the Site Development Plan (SDP) stage.
7. Forest Conservation will be required for the property and addressed per Section 16.1200 of the Howard County regulations will need to be addressed at the Site Development Plan (SDP) stage.
8. The Moderate Income Housing Units (MIHU) requirements must be addressed at the Site Development Plan stage.in accordance with Section 121.0.E of the Howard County Zoning Regulations.
9. Could the parking chart on the concept plan include the total number of spaces required for each independent use on the property in addition to the total number of spaces provided.
10. Please note that offsite improvements such as the connection to the pathway in Martin Road Park will require written authorization from Howard County Department of Parks and Recreation. Proposed improvements will need to be coordinated with the Department of Parks and Recreation and will need to meet County Standards at the Site Development Plan stage.





# Howard County

## RECREATION & PARKS

John R. Byrd, Director  
jbyrd@howardcountymd.gov

Phone: 410-313-4640  
www.howardcountymd.gov/rap

Fax: 410-313-1699  
Tdd: 410-313-2323

7120 Oakland Mills Road, Columbia, Maryland 21046

To: Department of Planning and Zoning  
From: Director, Department of Recreation and Parks

SUBJECT: Brightwell Senior Living  
DATE: December 20, 2017  
Petition No. ZB-1115M

**We have the following advisory comments:**

- 1) **Install six park benches on concrete pads throughout the park. They must meet the Department of Recreation and Parks (Department) standards. (Contact the Department for approval)**
- 2) **Rebuild pathway within the park to ADA standards and connect to development pathways.**
- 3) **Install bus shelter near development entrance road. Contact the Department of Transportation for product approval.**
- 4) **Install 12 parking spaces (including ADA) adjacent to new development entrance road near the Martin Road entrance for perpetual park use. (There are no existing ADA parking spaces for public use.) Connect a pathway from parking to park pathway.**
- 5) **Dedicate wetlands and buffers to the Department. Remove all invasive and exotic species (including Hedera Helix) and replant with natives.**
- 6) **Provide a gazebo – pavilion structure on north side of park that must meet the Department standards. (Similar to pavilion at Lake Elkhorn)**

Reviewed By: \_\_\_\_\_

Paul Walsky

Recreation and Parks

J.M.

A.R.D. \_\_\_\_\_

Approved By: \_\_\_\_\_

Director, Department of



JRL

Department of Planning and Zoning  
Howard County, Maryland  
Recommendations/Comments

Date: November 30, 2017

Hearing Examiner \_\_\_\_\_  
Planning Board 01/18/18 Board of Appeals \_\_\_\_\_ Zoning Board \_\_\_\_\_

Petition No. ZB-1115M Map No. \_\_\_\_\_ Block \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_

Petitioner: \_\_\_\_\_ Brightwell Senior Living

Petitioner's Address: \_\_\_\_\_

Address of Property: \_\_\_\_\_

Return Comments by December 26, 2017 to Public Service and Zoning Administration

Owner: (if other than applicant) \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Petition: SEE APPLICATION

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- To: \_\_\_\_\_ MD Department of Education – Office of Child Care  
 3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)  
 \_\_\_\_\_ Bureau of Environmental Health  
 \_\_\_\_\_ Development Engineering Division  
 \_\_\_\_\_ **X** Department of Inspections, Licenses and Permits  
 \_\_\_\_\_ Department of Recreation and Parks  
 \_\_\_\_\_ Department of Fire and Rescue Services  
 \_\_\_\_\_ State Highway Administration  
 \_\_\_\_\_ Sgt. Karen Shinham, Howard County Police Dept.  
 \_\_\_\_\_ James Irvin, Department of Public Works  
 \_\_\_\_\_ Office on Aging, Terri Hansen (senior assisted living)  
 \_\_\_\_\_ Police Dept., Animal Control, Deborah Baracco, (kennels)  
 \_\_\_\_\_ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)  
 \_\_\_\_\_ Land Development - (Religious Facility & Age-Restricted  
 Adult Housing)  
 \_\_\_\_\_ Housing and Community Development  
 \_\_\_\_\_ Resource Conservation Division – Beth Burgess  
 \_\_\_\_\_ Route 1 Cases – DCCP – Kristen O'Connor  
 \_\_\_\_\_ Telecommunication Towers – (Comm. Dept.)  
 \_\_\_\_\_ Division of Transportation – Dave Cookson



COMMENTS:

No Comment

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

J. Johnson 12.18.17  
SIGNATURE

  
**Howard County**  
*Department of Planning and Zoning*

**Subject:** Planning Board Case No: ZB1115M  
**Applicant:** Brightwell Senior Living  
**Petition:** To change the current zoning from R-12 (Residential) to CEF-M (Community Enhancement Floating) zoning district.

**To:** Division of Zoning Administration and Enforcement  
Department of Planning and Zoning

**From:** Development Engineering Division  
Department of Planning and Zoning

**Date:** December 4, 2017

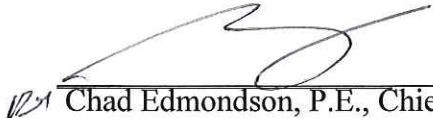


The Development Engineering Division has reviewed the above referenced petition and has no objection.

Based on an examination of the petition, we offer the following comments:

1. The request appears to have no adverse engineering impact on the adjacent properties.
2. All improvements must comply with current Howard County design criteria.
3. A sewer capacity report shall be required for this project due to the development of this project with residential uses. This report is required to be submitted prior to a preliminary water and sewer plan.
4. An APFO Traffic Study shall be submitted with the proposed SDP.
5. An Environmental Concept Plan shall be submitted and be approved for the redevelopment of this property to ensure that ESD to the MEP stormwater management requirements are met prior to the submission of a Site Development Plan for this project.
6. A noise study with mitigation shall be submitted with the Site Development Plan for the residential uses proposed along US Route 29.
7. A Sight Distance Analysis with an 85<sup>th</sup> percentile speed study shall be submitted at the Site Development Plan for the access locations to ensure that adequate sight distances can be provided for the development of the site.

If you have any questions concerning this matter please contact me at extension 2420.

  
Chad Edmondson, P.E., Chief

CE/pmt

cc: James M. Irvin, Director, Department of Public Works  
Thomas E. Butler, Department of Public Works  
Reading File  
File



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350  
Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

**Subject:** ZB-1115M Brightwell Senior Living CEF Petition

**To:** Geoff Goins  
Zoning Division

**From:** Kristin O'Connor *KO*  
Comprehensive and Community Planning Division

**Through:** George Saliba *GS*  
Comprehensive and Community Planning Division

**Date:** December 20, 2017

**Background**

The Design Advisory Panel (DAP) reviewed the subject line project at the September 27, 2017 meeting.

The DAP made the following recommendations:

1. Provide a stronger connection from the main building entrance to a significant site feature, more than a gazebo, to better link with the park.
2. Consider warmer building material colors that complement the Athol Manor.
3. Maximize noise mitigation in the courtyard.
4. Provide crosswalks on Martin Road.

**Comments**

DCCP has reviewed the CEF petition submitted to Zoning. The plan included with the CEF petition is consistent with the plan reviewed by the DAP. The applicant has not yet incorporated the recommendations made by the DAP. Should this project advance to the Site Development Plan (SDP) phase, DCCP will review the plan and ensure that DAP recommendations endorsed by the director are incorporated.

The DAP meeting summary and director endorsement matrix for this project are included as attachments. Please contact DCCP if any additional information is required.

Cc: Amy Gowan

Ref #	Design Advisory Panel Recommendation	Response by Applicant 2017-10-06	DPZ Director's Endorsement
1.	Provide a stronger connection from the main building entrance to a significant site feature, more than a gazebo, to better link with the park.  Vote: 5-0 (approved)	The Applicant will explore options to help make this connection stronger and more meaningful. These options may include paving enhancements, stronger tree placement, enhanced seating areas and an upgraded park overlook structure.	<input checked="" type="checkbox"/> Accept DAP Recommendation <input checked="" type="checkbox"/> Accept Architect's Response
2.	Consider warmer building material colors that complement the Athol Manor.  Vote: 5-0 (approved)	The Applicant will adjust the building material colors. The simulated masonry veneer will complement the original Athol Manor stone masonry in style, but the colors will be modified to include a warmer palette.	<input checked="" type="checkbox"/> Accept DAP Recommendation <input checked="" type="checkbox"/> Accept Architect's Response
3.	Maximize noise mitigation in the courtyard.  Vote: 5-0 (approved)	The Applicant will continue to refine the noise mitigation strategy during the design process. The courtyards will be given special attention to the planting, berming and garden walls.	<input checked="" type="checkbox"/> Accept DAP Recommendation <input checked="" type="checkbox"/> Accept Architect's Response
4.	Provide crosswalks on Martin Road.  Vote: 5-0 (approved)	The Applicant has proposed crosswalks on Martin Road as part of the enhancements required in the CEF zone. The Applicant is working with the Howard County Department of Public Works regarding traffic calming on Martin Road.	<input checked="" type="checkbox"/> Accept DAP Recommendation <input checked="" type="checkbox"/> Accept Architect's Response

*DE W*  
*10-10-17*





Meeting Summary  
September 27, 2017

**Attendance**

Panel Members: Don Taylor, Chair  
Bob Gorman, Vice Chair  
Hank Alinger  
Weiwei Jia (excused)  
Fred Marino  
Sujit Mishra  
Julie Wilson (excused)

DPZ Staff: Kristin O'Connor, George Saliba, Lisa Kenney

1. **Call to Order** – DAP Chair Don Taylor opened the meeting at 7:00 p.m.

2. **Review of Plan #17-09 Eden Brook Age-Restricted Adult Housing at 8580 Guilford Road**

Owner: Donald and Frances Nahrgang  
Developer: H&H Rock, LLC  
Engineer: Fisher, Collins & Carters, Inc.  
Builder: Ryan Homes, Inc.

**Background**

The 4.78 acre Eden Brook site is located at 8580 Guilford Road; across from the Kings Contrivance Village Center. The Eden Brook project site is zoned R-12 and includes the historic Wildwood House to be retained and integrated as part of a 24 unit, age restricted, townhouse community. The project was previously reviewed by the DAP at the August 9, 2017, meeting.

**Applicant Presentation**

The applicant gave a multi-media presentation overview. Access off Eden Brook Drive was examined, however, meeting the technical requirements for site distance is challenging due to the topography. If access were to be off Eden Brook Drive, it would push more of the townhomes to the southwest edge of the site abutting the single-family neighborhood. The revised layout incorporates a center turnaround instead of a T-turnaround allowing for a more functional layout with the fronts of houses facing each other, while showcasing the Wildwood house. The design includes an updated landscaping plan and revised internal pathway system for direct access to external sidewalks and pathways. The smaller grading footprint will allow more existing trees to be saved.

The applicant's representative from Ryan Homes showed an architectural elevation that was different from the one in the DAP packet. The architecture offers a no-step entry, first floor owners suite, additional bedrooms on the second floor, and a cottage style façade.

## **Staff Presentation**

No written comments were received from the public in advance of the meeting.

Howard County Zoning Regulations require DAP review of all conditional use, Age-Restricted Adult Housing (ARAH) projects. DAP review and recommendations are one step in the conditional use petition and the subsequent land development review process. The hearing examiner will consider DAP recommendations when examining the conditional use petition and will ultimately decide to approve, deny, or approve the petition with conditions.

The applicant reconfigured the houses, roadway, amenity space, and pathways in response to the DAP motions from the August 9, 2017, review.

Staff asked DAP to provide recommendations on site layout, architecture, landscaping, community center, amenity space, connectivity, and compatibility with surrounding neighborhood. Staff also asked the DAP to recommend improvements for driveway and turning access for end of group homes.

## **DAP Questions and Comments**

### Site Design:

The DAP noted the revised layout is a significant improvement and does a better job of respecting the adjacent single family neighborhood. The DAP encouraged the roadway be reduced from 26' to 24' width to reduce impervious surface and shrink the cul-de-sac, thus providing the historic house more breathing room along the front. The gazebo shown in the center planting area along with the visitor parking should be relocated as this area is better suited for landscaping and bench seating. Driveways could be paired to allow for a green strip in between. A crosswalk across Eden Brook Drive should be coordinated with the County. Unit 16 could potentially be relocated next to unit 6. The driveway access for units 6 and 16 should be refined to make it easier for residents. Pervious paving is encouraged where possible throughout the site.

### Architecture:

The DAP noted the updated architecture was an improvement and more welcoming than what was previously proposed. Adding windows to the garage doors and including trim details provides more character along with the covered entry porches. The DAP recommended the garage placement and front door entries be swapped to be in line with what is shown for unit 10. Placing the entries on the outboard side will allow the end units to have windows and possibly a wraparound porch around the side. The porches could be more functional to allow for seating, particularly on the end units.

The applicant responded that switching the main entry and the garage entries is possible, but would create long elevations of garage doors. The DAP advised that alternating paving type for each driveway and including street trees could mitigate this.

### Grading and Landscaping:

The DAP noted the west edge of the property along the single-family neighborhood could use additional landscaping. The DAP asked the applicant to refine the design of the fence along Eden Brook Drive and determine where it will start and stop and how much grading and vegetation removal it requires; thoughtful landscaping along this edge may be a more appropriate design element, depending on the topography. Adding trees along the internal road, between driveways, can create a street tree appearance for the community.

## **DAP Motions for Recommendations**

DAP Chair Don Taylor made the following motion:

1. Reduce the scale of the central cul-de-sac. Seconded by DAP member Fred Marino.

Vote: 5-0 to approve

DAP Vice Chair Bob Gorman made the following motion:

2. Medium sized street trees should be planted in the spaces between the garages in every other island to create a street tree effect. Seconded by DAP member Hank Alinger.

Vote: 5-0 to approve

DAP member Hank Alinger made the following motion:

3. Buffer the property boundary on the western edge with a heavy informal row of shade trees and evergreens. seconded by DAP Chair Don Taylor.

Vote: 5-0 to approve

DAP member Hank Alinger made the following motion:

4. Relocate the gazebo from the central cul-de-sac. Seconded by DAP member Fred Marino.

Vote: 5-0 to approve

DAP member Fred Marino made the following motion:

5. Review the run of townhomes to see if the end units can be refined to allow a small front porch and windows on the sides. Seconded by DAP Chair Don Taylor.

Vote: 5-0 to approve

DAP member Hank Alinger made the following motion:

6. Include a small T-turnaround for units 6 and 16. Seconded by DAP Member Fred Marino.

Vote: 5-0 to approve

DAP member Fred Marino made the following motion:

7. Provide relief from the sidewalk to the existing historic home. Seconded by DAP Member Hank Alinger.

Vote: 5-0 to approve

DAP Vice Chair Bob Gorman made the following motion:

8. Work with Columbia Association and the County to build a crosswalk from the pathway between units 10 and 11 over to the village center. Seconded by DAP Member Hank Alinger.

Vote: 5-0 to approve

### 3. Review of Project #17-10 Brightview Senior Living at 6680 Martin Road

Owner/Developer: Shelter Development, LLC  
Architect: Hord Coplan Macht

#### **Background**

The approximately 6.69 acre site at 6680 Martin Road is zoned R-12 and consists of three parcels. It is located at the intersection of Martin Road and Seneca Drive, with Route 29 to the east, and includes Athol Manor. It was the rectory for the Old Brick Church, constructed between 1732 and 1740, and is listed in the Howard County Historic Sites Inventory as HO-037. This building has been used as a single-family residence, but is currently vacant. It will be retained and restored as part of the development, which includes a senior living facility with 170 units - 80 assisted living and 90 independent living units.

#### **Applicant Presentation**

The applicant gave a multi-media project overview of the project. Brightview Columbia is an assisted and independent living facility proposed under the Community Enhancement Floating (CEF) district. The surrounding community consists of residential and institutional uses and Martin Road Park. Site access will be from Martin Road. The site slopes 50' down from the Athol Manor, toward the northeast. The site plan works with the topography and respects the Athol Manor. The building will be a Georgian style using the Athol Manor as precedent and will be designed to LEED standards (version four). Stone veneer, selected to complement Athol Manor, will be the primary building material. The building massing transitions between three, four, and five stories, depending on the topography. Parking is located along the front of the site, adjacent to the park, and the building would be located closer to Route 29.

The landscaping and amenity spaces are designed to create strong axial connections and include a sunken courtyard, lawn area, multiple gardens, and tiered patios. The main entrance to the building includes a porte cochere. Decorative paving extends from the entrance through the parking lot to a walking path along the perimeter of the park. Walking paths and sidewalks connect to on-site features and the park.

#### **Staff Presentation**

No written public comments were received in advance of the meeting.

DAP recommendations are recorded and forwarded to the DPZ director, Planning Board, and Zoning Board for Community Enhancement Floating (CEF) zoning district projects. Per the zoning regulations, Section 121.0, CEF districts are intended to encourage creative architectural design with the most favorable arrangement of site features; based on physical site characteristics and contextual sensitivity to surrounding developments. A CEF development must be compatible with surrounding residential neighborhoods and existing land uses.

Staff recommended the DAP evaluate site design, architecture, amenity spaces, and connections and compatibility with the surrounding neighborhood.

#### **DAP Questions and Comments**

Overall, the DAP felt the project was well thought out and designed with attention to detail.

#### Site Design:

The DAP asked why the building is along Route 29, as opposed to the park, resulting in part of the building within the 65 dBA sound contour? The applicant said they tried many layouts and found that



pulling the building away from Route 29 would obscure Athol Manor and result in a large retaining wall and disjointed parking area. The portion of the building within the 65 dBA sound contour will be treated with acoustic glass and enhanced sound insulation. While a portion of the interior courtyard is within the 65 dBA contour, it will have a berm, landscaping, and a water feature to mitigate sound.

The DAP asked if the applicant had considered flipping the entire building? They responded that they did, but it would cut off direct access to Athol Manor and have a circuitous driveway.

The DAP asked if two distinct blocks were considered, one for assisted living and the other for independent living? Could this have pulled the building outside the 65 dBA contour? The applicant responded that continuum of care facilities work best when independent and assisted living are integrated. Additionally, dining operations and building services are consolidated to serve all residents and they would not function well if separated.

The DAP asked if 170 units was in line with similar facilities in the region? The applicant responded that it is. Additionally, the services side of the facility requires extensive space for dining operations, activities, business operations, laundry, and staff parking, while balancing the cost to residents.

The DAP asked how building services would function. The applicant responded that a service drive along the southern end of the building is shown. Trash and recycling enclosures will be of masonry block to blend with the building and site.

#### Architecture:

While the DAP appreciated the architectural design they encouraged the applicant to carefully consider building materials to ensure they are not as dark as shown on the renderings. The applicant responded that the stone veneer will complement Athol Manor and present a warmer look than shown.

#### Amenity Space:

The DAP recommended additional sound mitigation for the courtyard, including terraced walls and multiple water features. The DAP encouraged a stronger axial connection from the building entrance to the park, including a wider outdoor plaza area, landscaping, benches, and a gateway feature; such as an arch. The DAP recommended that the center island in the parking lot include seating.

#### Community Enhancements:

The DAP encouraged the applicant to construct the crosswalks listed as "potential" in the presentation as part of the community enhancement package. The applicant said they are working with Recreation and Parks and DPW to get approval.

### **DAP Motions for Recommendations**

DAP member Sujit Mishra made the following motion:

1. Consider relocating the building outside the 65 dBA sound contour and align the building closer with the park as opposed to Route 29. Motion was not seconded.

Vote: No vote taken. Motion was not approved.

DAP Vice Chair Bob Gorman made the following motion:

2. Provide a stronger connection from the main building entrance to a significant site feature, more than a gazebo, to better link with the park. Seconded by DAP member Fred Marino

Vote: 5-0 to approve

DAP member Fred Marino made the following motion:

3. Consider warmer building material colors that complement the Athol Manor. Seconded by DAP Chair Don Taylor.

Vote: 5-0 to approve

DAP member Hank Alinger made the following motion:

4. Maximize noise mitigation in the courtyard. Seconded by DAP member Fred Marino.

Vote: 5-0 to approve

DAP member Fred Marino made the following motion:

5. Provide crosswalks on Martin Road. Seconded by DAP member Hank Alinger.

Vote: 5-0 to approve

**4. Other Business and Informational Items**

There will be a meeting on October 11, 2017.

**5. Call to Adjourn**

DAP Chair Don Taylor adjourned the meeting at 8:48 p.m.