

**CITY OF ROCKVILLE
COMMUNITY PLANNING & DEVELOPMENT SERVICES DEPARTMENT
STAFF REPORT**

TO: Planning Commission

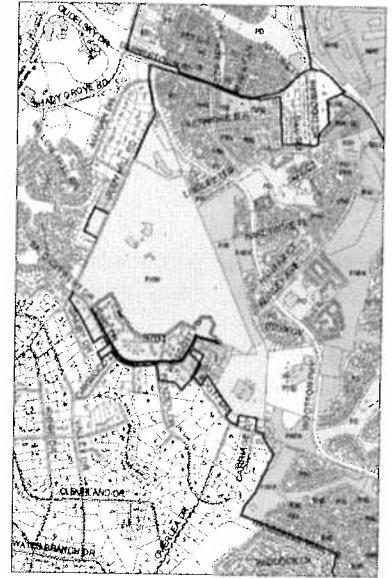
FROM: Jim Wasilak, Chief of Planning
Bobby Ray, Principal Planner

PLANNER: Nicole Walters, Planner I

Planning Commission Meeting Date:
September 23, 2009

Board of Appeals Hearing Date:
October 3, 2009

SUBJECT: Special Exception (SPX2010-00379) and Variance (VAR2010-00005) Application for the National Lutheran Home located at 9701 Veirs Drive, Rockville, Maryland 20850.



RECOMMENDATION: That the Planning Commission find the application in compliance with the Master Plan, and recommend such to the Board of Appeals per Section 25.07.09.g of the Zoning Ordinance.

REQUEST: In accordance with Section 25.15.01 (Special Exceptions) and 25.06.03 (Variances) of the City of Rockville Zoning Ordinance, the applicant (National Lutheran Home and Village) seeks approval to allow the following:

- 1) A 14,000 square foot 3rd floor addition to its existing skilled nursing facility;
- 2) A 4,300 square feet - one story addition to its administrative offices;
- 3) 54 additional surface parking spaces;
- 4) The conversion of the existing "nursing home and housing for senior adults and persons with disabilities" Special Exception approvals to a "life care facility" Special Exception approval;
- 5) A zoning variance from Section 25.15.02.k.3.ii. allowing a 42 foot rear yard setback where 50 feet is required (applicable to nonresidential uses that are developed in the R-400 zone);

- 6) A waiver from the school capacity test of the Adequate Public Facility Ordinance (APFO) requirements; and,
- 7) A waiver from the impervious surface calculations, which will be determined during the site plan approval process.

PROJECT / SITE INFORMATION:

Location: 9701 Veirs Drive, Rockville, Maryland 20850
 Applicant: Kristina Hughes, Executive Director
 National Lutheran Home
 Land Use Designation: Institutional / Life Care Facility
 Zoning District: R-400 (Residential Estate);
 Planning Area: Planning Area 14 (Rockshire and Fallsmead)
 Parcel Area: 31.03 acres or 1,351,706 square feet
 Building Height: Administrative Addition as proposed: 20 feet,
 Nursing Home Addition as proposed: 32.5 feet.

The subject property known as the National Lutheran Home was developed nearly 30 years ago and has been a viable residential component of the community. The property is located on the north side of Veirs Drive approximately 400 feet east of Glen Mill Road. The overall site is 31.03 acres in size and improved with a 300 bed skilled nursing home. One hundred forty-four (144) independent living units (ILUs) have been added to the property in phases, the most recent of which was completed in 2008. The property has direct vehicular access onto Veirs Drive. The tract area is bounded to the north and northwest by the Lakewood Country Club (golf course) and to the east, south and southwest by single unit detached dwelling units. The National Lutheran Home property is extensively landscaped consisting of an array of trees, shrubs, and other planted materials all ranging in species and size.

Surrounding Land Use and Zoning			
Location	Zoning	Planned Land Use	Existing Use
North	R-400	Private Recreation	Golf Course
South	County	Residential	Residential
East	R-200	Residential	Residential
West	R-400	Residential	Residential

PREVIOUS RELATED ACTIONS:

- Special Exception Application, S-21-75, request to develop a nursing home and housing for the elderly and physically handicapped in the R-E zone, granted by the Board of Appeals on October 9, 1976.
- Appeals Application A-36-76, request for a variance from the maximum building height requirement in the R-E zone, granted by the Board of Appeals on October 9, 1976.
- Use Permit Application U-68-77, to construct a nursing home and housing for the elderly and physically handicapped in the R-E zone, approved by the Planning Commission on October 5, 1977
- Special Exception Application SPX95-00231, request to construct 5 triplex housing units for the elderly and physically handicapped in the R-E zone, granted by the Board of Appeals on December 2, 1995.
- Use Permit Application USE96-0561, to construct 5 triplex housing units for the elderly and physically handicapped in the R-E zone, approved by the Planning Commission on June 26, 1996.
- Special Exception Application, SPX2004-00350, to construct 5 new one-story triplex housing units for the elderly and physically handicapped in the R-E zone, granted by the Board of Appeals on March 5, 2005.
- Use Permit Application, USE2005-00690, to construct 5 new triplex cottages for the elderly and physically handicapped in the R-E zone, granted by the Board of Appeals on September 28, 2005.

DEVELOPMENT PROPOSAL:

Administrative Addition

The applicant proposes to add a 4,300 square foot administrative addition to its main building. The proposed administrative addition is located on the entry level and is adjacent to the existing main entry. The additional space will accommodate staff offices, conference rooms, and training space.

Nursing Home Addition

The applicant proposes to add a 14,000 square foot T- shaped addition to the third floor of the North wing (the wing farthest away from Veirs Drive). The addition will add a nursing unit for a total of 9 units and will redistribute the current bed count of 300 to increase space for resident care and allow for greater efficiency of care and services to the existing nursing home residents. No additional beds are proposed to be added to the nursing home.

ANALYSIS AND REQUIRED FINDINGS:

Pursuant to Section 25.07.09.g of the Zoning Ordinance the Planning Commission is responsible for providing “consideration and recommendation to the Board of Appeals ” on Special Exception applications. Specifically the Commission’s recommendation is “based on the compliance of the proposed special exception with the Plan”.

Based upon an analysis of the plan (see attached report to the Board of Appeals) Staff is recommending that the Commission support the Special Exception application based on it’s demonstrated compliance with the Master Plan. The National Lutheran Home was developed nearly 30 years ago and has been a viable residential component of the community. The applicant seeks to make its existing operation more efficient for staff and for residents. The Master Plan’s Land use designation of the subject property is for “institutional” use consistent with the existing and proposed use of the property.

PUBLIC OUTREACH:

In accordance with the requirements of the Zoning Ordinance, the applicant held a pre-application area meeting (Feb 25, 2009) and post-application area meeting (July 28, 2009) to provide interested parties an opportunity to hear and ask questions about the proposal. A list of addresses from these meetings, as well as a list of attendees, are attached to this report and contained in the project’s application file for public review and inspection.

Notification letters were sent by the applicant to properties within the subject site area, per the requirements of the Zoning Ordinance.

CONCLUSION:

Based upon the findings presented, Staff recommends that the Planning Commission recommend to the Board of Appeals a finding of compliance with the Master Plan consistent with Section 25.07.09.g of the Zoning Ordinance.

Attachment:

Attachment "A" – Board of Appeals Staff Report