MEMORANDUM TO: Mayor and City Council
Planning Commission

FROM: Kirk Eby, GIS Planner

DATE: March 31, 2017

SUBJECT: Consolidated Staff Analysis:
Applications Z-7496-2017 (rezoning) and SP-7495-2017 (concept plan)
(Hyatt House hotel re-use, 200 Skidmore Boulevard)

APPLICANT

Sydne Garchik
MRK Partners, Inc.
2711 N. Sepulveda Boulevard
Manhattan Beach, CA 90266

OWNER

HHLP Gaithersburg Associates, LLC
44 Hersha Drive
Harrisburg, PA 17102

ATTORNEY

Stacy P. Silber
Lerch, Early & Brewer, Chtd.
3 Bethesda Metro Center
Bethesda, MD 20814

TAX MAP REFERENCE:

Tax Sheet: FS 63

LEGAL REFERENCE:

Plat: 20275, 20767
Part of Parcel D, Gateway Commons

TAX ACCOUNT NUMBER:

16-09-03181283

REQUEST

The applicant, MRK Partners, Inc., has submitted Amendment to Zoning Map application Z-7496-2017, to rezone a 238,036 square foot (5.46 acre) parcel from the C-2 (General Commercial) zone to the CD (Corridor Development) zone, along with the associated Concept Site Plan SP-7495-2017, in accordance with § 24-160G.6(a) "Application for CD Zone and concept plan approval" of the City Code. Concurrent with these applications, the applicant is proposing to amend the X-152 Annexation Agreement, and the Council authorized the City Manager to initiate negotiation of the amendment at its December 5, 2016 meeting.[1] In support of these requests, the applicant has included a Rezoning and Concept Plan Statement of Justification[2] and an Operation Management Plan.[3]

The subject property (the "Property" or "Site") is located at 200 Skidmore Boulevard.

Location

[1] Exhibit Z08/C16 and Z13/C21
[2] Exhibit Z02/C02
[3] Exhibit Z03/C03

GENERAL INFORMATION

LOCATION:

The Property is a rectangular shape bounded by the Gateway Commons subdivision to the northeast, Interstate 370 to the southeast, South Frederick Avenue and Summerfield Park to the southwest, and E-Z Storage and Skidmore Boulevard to the northwest. Casey Community Center, the Casey Health Office Building, and the Rosedale Apartments are located to the southwest, across South Frederick Avenue. The Walnut Hill Shopping Center is located across South Westland Drive, at the end of Skidmore Boulevard. For a detailed description of the annexation, zoning, and site plan history of the property, refer to the Preliminary Background Report.[4]

Z-7496-2017 ZONING MAP AMENDMENT AND SP-7495-2017 CONCEPT PLAN PROPOSAL:

As stated, the Applicant has submitted an application seeking to change the zoning of the property from the C-2 (General Commercial) zone to the CD (Corridor Development) zone and to establish a concept plan, in accordance with § 24-160G.6(a).

Concept Site Plan, Exhibit C12

[4] Exhibit Z33/C42

Section 24-160G.3 defines the minimum location requirements that must be satisfied to be classified in the CD Zone.

Sec. 24-160G.3. - Minimum location requirements

(a) <u>No land shall be classified in the Corridor Development Zone unless the land is located within an area so designated on an approved and adopted land use master plan.</u>

As noted in the Applicant's Justification Statement, the adopted 2001 Frederick Avenue Corridor Land Use Plan identifies this property as being located within the corridor area master plan and, while no specific land use recommendation is made for this particular property and the property was not included in the initial comprehensive rezoning to the CD Zone, the Plan does include the following general recommendation:

"In addition, properties along the Corridor that are not undergoing a change in land use are eligible for subsequent comprehensive rezoning to the new CD Zone. *Owners of properties not comprehensively rezoned are encouraged to apply for rezoning to the CD Zone in order to meet the goals and objectives of the Frederick Avenue Corridor Master Plan.*" [emphasis added][5]

(b) <u>When undertaking new development or redevelopment in the CD Zone, all uses identified for specific areas or properties within the land use element of a corridor development master plan shall be applied in those areas specified, unless otherwise approved by the mayor and city council within the context of a schematic development plan or concept site plan.</u>

Although the proposed plan is an adaptive re-use of a property and not a traditional full "redevelopment" and no specific land uses were defined for the property given that it was governed by an Annexation Agreement (to be amended), the proposed re-use from hotel to senior apartments does meet five of the Objectives in the City's adopted FY 2017 Annual Strategic Plan:

- "promote housing stability and inclusiveness;"
- "ensure that the current and future housing stock allows residents to remain in the City as their financial, employment and familial situations change;"
- "provide opportunities to redevelop or improve underutilized properties,"
- "support initiatives that improve the rental housing stock in the City," and
- "increase the stock of affordable housing units throughout the City."

Section 24-160G.7(a) states that the City Council may approve the CD zoning and Concept Plan when they find the following:

> *(1) The application meets or accomplishes the purposes, objectives, and minimum standards and requirements of the zone; and*
>
> *(2) The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan; and*

[5] Exhibit Z17/C25, page 4

(3) The application and schematic development plan will be internally mid [sic] externally compatible and harmonious with existing and planned land uses in the CD zoned areas and adjacent areas.

In addition to the rezoning findings of Section 24-160G.7(a), Section 24-160G.7(b) states that the City Council may approve the associated concept plan when they find the following:

(1) The plan is substantially in accord with architectural, signage, lighting, streetscape, parking and other regulations, requirements and guidelines adopted by the city council for the applicable corridor area.

(2) The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone; and

(3) The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and

(4) The plan will be internally and externally compatible and harmonious with existing and planned land uses in the CD zoned area and adjacent areas; and

(5) The existing or planned public facilities are adequate to service the proposed development contained in the plan; and

(6) The development staging or phasing program if any, is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and

(7) The plan, if approved, would be in the public interest.

(8) The existing buildings with historic significance are considered for preservation and retention pursuant to the city's historic preservation ordinance.

Applications Z-7496-2017 and SP-7495-2017 will be reviewed upon the above and will require three affirmative Council votes for approval.

A joint public hearing before the Mayor and City Council and the Planning Commission was held on February 21, 2017[6]. The hearing was advertised in the Washington Post[7] and published on the City's web page,[8] the property was posted,[9] and notifications were sent to property owners within 200 feet of the subject property,[10] in compliance with §§ 24-196(e), (f), and (g) of the City Code.

Additionally, staff sent a courtesy email to those persons who provided email information at the community meeting held by the applicant prior to submission of the application, including the President of the Walnut Hill HOA and the President and Treasurer of the Gateway

[6] Exhibit Z40/C49
[7] Exhibit Z38/C47
[8] Exhibit Z28/C37
[9] Exhibit Z31/C40
[10] Exhibit Z29/C38

Commons HOA.[11] During the course of the hearing, the applicant presented an overview of the proposed plan, including the following aspects:

- A summary of the rezoning request and the need for an amendment to the existing annexation agreement to allow the proposed use;
- The nature of changing demographics that is driving the demand for additional senior housing in the area;
- The project's relation and context to the greater surrounding area.
- An acknowledgement that the proposed rezoning will require a height waiver to recognize the height of the existing buildings;
- Details of the re-use envisioned by the Concept Plan, including the nature of the proposed use as rental apartments for active seniors;
- An overview of the proposed minor changes to the buildings, including the conceptual changes to the building façade to create a more residential appearance and the addition of elevators and connecting bridges to provide better ADA accessibility;
- An overview of the proposed minor site changes, including parking, landscaping, and trash collection areas;
- Parking provided on site is nearly double the amount required by City Code for age restricted housing;
- An overview of the planned phasing of the building and site improvements;
- An overview of the management and operation of the senior rental apartments;
- A commitment to providing at least 15 percent of the units as affordable housing MPDUs; and

During the joint public hearing, the Mayor and City Council, Planning Commission, and public asked several questions regarding the proposed plan, including amenities, accessibility, security, management, parking, trash collection locations, building code applicability,[12] overcrowding, and enforcement of the age restriction. The applicant has submitted a separate supplementary statement responding to the questions raised during the joint public hearing.[13] Below is a brief summary of the major points made by the applicant during the hearing.

The applicant affirmed that the proposed rental units are for independent seniors and that no assisted living or health care services will be provided on site. The applicant explained the management of the site will be handled by a separate company called Apartment Management Consultants, who manages over 70,000 units nationwide. In response to questions about multigenerational occupants and overcrowding, the applicant noted that these will be addressed through lease provisions, and City staff noted that the proposed annexation agreement and City Code provide similar enforcement opportunities.

The applicant noted that, other than the expansion of the laundry room, the amenities would remain unchanged initially and that any future changes would be guided by requests from the residents following a survey. The applicant noted that all but 20 of the units will be ADA accessible once the elevators are completed and, though not required, is committed to

[11] Exhibit Z30/C39
[12] Staff researched whether any building code issues would arise from the conversion from hotel to rental apartments and found that the applicant will satisfy those issues by adding the elevators.
[13] Exhibit Z39/C48

converting seven units (5%) to Uniform Federal Accessibility Standards (UFAS), which provides a higher level of accessibility than the standard ADA requirements. The applicant noted that, other than door security, no security is currently provided for the hotel use, and no additional security is planned for the senior apartments, though additional security could be provided in the future in response to resident concerns. The applicant noted that the proposed parking is higher than parking provided in other nearby age-restricted housing complexes, and indicated that they will continue working with the community on other site concerns prior to the review of the final site plan.

Rendered Site Plan, Exhibit Z36/C45

Z-7496-2017 ZONING MAP AMENDMENT AND SP-7495-2017 CONCEPT PLAN POST-HEARING COMMENTS:

Following the joint public hearing and prior to the closing of the Planning Commission record at 5:00 p.m. on March 17, staff received 12 emails and letters from the public with comments regarding the proposed rezoning and concept site plan.[14] The applicant has provided a short response to the additional public comments received after the joint public hearing[15] and a more detailed response will be included in the Mayor and City Council record.

Staff notes that the public comments received after the joint public hearing raised several issues that are not related to the scope of the review for the requested rezoning and concept site plan. Several common themes found in the public comments are:

- Notification – as previously mentioned, notification followed the requirements of Chapter 24 and staff additionally provided email notification to interested persons who attended a community meeting held prior to the filing of the applications.
- Exterior Façade Changes – the applicant has included conceptual architectural elevations that will be revised as part of the final site plan review for this property, should these applications be approved.
- Interior Building Improvements – while these are not within the scope of the review for a rezoning and concept plan application, the applicant is required to apply for permits and comply with City Code for major improvements to building interiors.
- Management and Operation – while these are not within the scope of the review for a rezoning and concept plan application, the applicant has provided a separate statement regarding the management and operation of the proposed senior apartments.[16] In addition, the applicant answered several questions during the joint public hearing related to management and operation of the senior apartments.

[14] Exhibits Z40-Z51/C49-C60
[15] Exhibit Z52/C61
[16] Exhibit Z03/C03

STAFF FINDINGS ANALYSIS AND RECOMMENDATIONS

ZONING MAP AMENDMENT Z-7496-2017 FINDINGS:

Approval of Zoning Map Amendment Z-7496-2017 and its subject parcels (Property) by the City Council is dependent upon the findings required under §24-160G.7(a) of the City Code. The following outlines the required findings and justifications for a City Council approval of Zoning Map Amendment application Z-7496-2017:

Sec. 24-160G.7. - Findings required

(a) The City Council may approve CD zoning by local map amendment only upon finding that:

(1) The application meets or accomplishes the purposes, objectives, and minimum standards and requirements of the zone; and

Section 24-160G.1. – Purpose

(a) Encourage a form of development, consistent with the goals and provisions of the respective master plans for the city that will achieve the physical characteristics necessary to enhance the economic vitality, planned visual character and quality of life within an identified transportation corridor in the city.

Staff concurs with the Applicant's Statement[17] that application Z-7496-2017 complies with this purpose of the CD Zone because it is "consistent with the goals and provisions of the respective master plans," namely the adopted 2001 Frederick Avenue Corridor Land Use Plan, which encourages "owners of properties not comprehensively rezoned . . . . to apply for rezoning to the CD Zone in order to meet the goals and objectives of the Frederick Avenue Corridor Master Plan."[18]

The application proposes to re-use an underperforming hotel as a senior rental apartment complex, enhancing the economic vitality of the Corridor. The visual character and quality of the Corridor will be enhanced through the proposed improvements to the building façades, site, and landscaping. The proposed reuse of the existing buildings currently meets all of the standards except the height requirements of § 24-160G.4(a), which limits building height to three stories and 35 feet in the Southern Residential District, in which this property is located. As part of this application, the applicant is requesting a height waiver under § 24-160G.5(a)(1) because the existing buildings are 3 stories and *45* feet in height.[19] The height waiver request is addressed separately below.

[17] Exhibit Z02/C02
[18] Exhibit Z17/C25, page 4
[19] Exhibit Z02/C02

(b) Create a more attractive and cohesive development pattern and to enhance the city's sense of place through the creation of individual character associated with the corridor in the applicable corridor master plan.

Staff concurs with the Applicant's Statement[20] that application Z-7496-2017 complies with this purpose of the CD Zone because the proposed residential use is more cohesive with the adjacent residential neighborhoods of Gateway Commons and Walnut Hill. Additionally, the applicant is proposing changes to the buildings to create a more attractive and residential appearance than the existing hotel.

(c) Encourage development and redevelopment and renovation of declining or underutilized properties along the corridor.

Staff concurs with the Applicant's Statement[21] that application Z-7496-2017 complies with this purpose of the CD Zone because it will convert a currently underperforming hotel into a housing type for which there is an increasing need, since the population aged 62 and over continues to grow. As the table below shows, the populations 55 years old and older, 62 years old and older, and 65 years old and older have been increasing since 1980, with the percentage of each age group more than doubling over the 35 year period.

City of Gaithersburg Population Characteristics

Percent of total population	1980 Census	1990 Census	2000 Census	2010 Census	2011-2015 ACS
Age 55 and older	8.6%	11.1%	14.9%	19.8%	21.0%
Age 62 and older	5.2%	7.6%	9.6%	11.9%	13.5%
Age 65 and older	4.1%	6.4%	8.2%	9.5%	11.0%

(d) Encourage the use of consistent, compatible and attractive architecture, streetscape and visual themes.

Staff concurs with the Applicant's Statement[22] that application Z-7496-2017 complies with this purpose of the CD Zone because the proposed changes to the exterior façade will create a more attractive and residential appearance that is compatible with the surrounding residential.

(e) Create a streamlined process for zoning and plan approvals.

As noted in the Applicant's Statement,[23] this purpose of the CD Zone is not applicable to application Z-7496-2017.

(f) Provide an appropriate scale of development and mix of retail, service, employment and residential uses as recommended in the applicable corridor plan.

[20] Exhibit Z17/C25, page 4
[20] Exhibit Z02/C02
[21] Exhibit Z02/C02
[22] Exhibit Z02/C02
[23] Exhibit Z02/C02

Staff concurs with the Applicant's Statement[24] that application Z-7496-2017 complies with this purpose of the CD Zone because this is a reuse of existing buildings that already provide an appropriate scale of development and a transitional buffer from the more intensive uses along Frederick Avenue and the residential neighborhoods of Gateway Commons and Walnut Hill. The application will address a needed housing option for the growing population of seniors 62 years of age and older,

(2) The application is in accord with recommendations in the applicable master plan for the area and is consistent with any special conditions or requirements contained in said master plan; and

As previously mentioned, this property is identified in the adopted 2001 Frederick Avenue Corridor Land Use Plan, and while the Plan includes neither recommendations nor special conditions for this property, the Plan encourages "owners of properties not comprehensively rezoned . . . . to apply for rezoning to the CD Zone in order to meet the goals and objectives of the Frederick Avenue Corridor Master Plan."[25]

The adopted 2009 Municipal Growth Element states that "The overall vision for future City growth will retain the goal of providing for diversity in demographics, economics, and housing types." The adopted 2009 Process and Overview Element includes as the City Commitment to State Planning Vision 7: "The City will implement programs that improve current housing stock and pursue development and redevelopment opportunities that provide an appropriate mix of housing types in inclusive communities. The City shall provide for the housing needs of all its citizens."

In addition, the proposed re-use from hotel to senior apartments does meet five of the goals Objectives in the City's adopted FY 2017 Annual Strategic Plan:

- "promote housing stability and inclusiveness;"
- "ensure that the current and future housing stock allows residents to remain in the City as their financial, employment and familial situations change;"
- "provide opportunities to redevelop or improve underutilized properties,"
- "support initiatives that improve the rental housing stock in the City," and
- "increase the stock of affordable housing units throughout the City."

(3) The application and schematic development plan will be internally and externally compatible and harmonious with existing and planned land uses in the CD zoned areas and adjacent areas.

Staff concurs with the Applicant's Statement[26] that application Z-7496-2017 is compatible and harmonious with the surrounding existing and planned land uses, due to the minor proposed building and site changes that are part of this reuse request. The property is located adjacent to the single family residential community of Gateway Commons, the City's Summerfield Park, the E-Z Storage self-storage building, and the ramps to Interstate 370.

[24] Exhibit Z02/C02
[25] Exhibit Z17/C25, page 4
[26] Exhibit Z02/C02

Two Ride-On bus routes, 55 and 59, have stops within walking distance along Frederick Avenue, at South Westland Drive, Oneill Drive, and under the bridge at I-370. Within one-half linear mile, a ten (10) minute walk, of the site are the City's Casey Community Center, the Walnut Hill Shopping Center, churchs, a medical office building, and additional single family homes. The Shady Grove Metro station is a five minute drive from the property and can be reached by the Ride-On bus routes previously mentioned. The surrounding uses are complementary to a senior housing development and fulfill many of the needs and lifestyle components of the target demographic, all within walking distance.

HEIGHT WAIVER FINDINGS:

While no changes to the height of the existing buildings are proposed as part of the re-use from hotel to senior rental apartments, the existing buildings exceed the allowable height of 35 feet in the Southern Residential District of the Frederick Avenue Corridor. The applicant is thus requesting a waiver from the development standards of § 24-160G.4(a)(1). Approval of a height waiver for Z-7496-2017 and SP-7495-2017 by the City Council is dependent upon the findings required under § 24-160G.7(b) of the City Code. The following outlines the required findings and justifications for a City Council approval of zoning map amendment Z-7496-2017 and concept site plan application SP-7495-2017:

Section 24-160G.5 – Waiver of Development Standards

> *(a) The city council may, by resolution, waive the building and structure height requirements [in any district] in the corridor development zone (CD zone) as follows:*
>
> > *(1) For a residential district to allow a height not to exceed four (4) stories, or forty-eight (48) feet.*

Staff concurs with the Applicant's Statement[27] that applications Z-7496-2017 and SP-7495-2017 are eligible for a waiver of the development standards of the CD Zone because the existing height of the buildings is three stories and 45 feet.

> *(b) The granting of such waiver shall be based on a finding that:*
>
> > *(1) The applicant will provide either on-site or off-site public amenities to further enhance the corridor development zone and the purposes of the CD zone; and*
>
> Staff notes that applications Z-7496-2017 and SP-7495-2017 meet this finding because the previously-approved hotel site plan included a 0.42-acre area (Parcel E) that was later deeded to the City for public use as Summerfield Park. The property is also part of the larger Gateway Commons subdivision, which included right of way dedication for several City streets, including Skidmore Boulevard.

[27] Exhibit Z02/C02

(2) The additional height is necessary to implement the master plan and a specific land use plan for Gaithersburg or attract an appropriate and compatible type or caliber of user; and

Staff concurs with the Applicant's Statement[28] that applications Z-7496-2017 and SP-7495-2017 meet this finding because this is a reuse of existing buildings that currently exceed the height, regardless of use.

The adopted 2009 Municipal Growth Element states that "The overall vision for future City growth will retain the goal of providing for diversity in demographics, economics, and housing types." The adopted 2009 Process and Overview Element includes as the City Commitment to State Planning Vision 7: "The City will implement programs that improve current housing stock and pursue development and redevelopment opportunities that provide an appropriate mix of housing types in inclusive communities. The City shall provide for the housing needs of all its citizens."

(3) The additional height will be compatible with existing and proposed adjacent land uses and would not detrimentally impact those uses or public facilities serving a specific corridor.

Staff concurs with the Applicant's Statement[29] that applications Z-7496-2017 and SP-7495-2017 meet this finding because the height of the buildings was previously approved as part of the hotel site plan development, indicating that the height is compatible with the existing adjacent land uses and does not detrimentally impact those uses.

CONCEPT PLAN SP-7495-2017 FINDINGS:

Approval of Concept Plan SP-7495-2017 and its subject parcel (Property) by the City Council is dependent upon the findings required under § 24-160G.7(b) of the City Code. The following outlines the required findings and justifications for a City Council approval of concept site plan application SP-7495-2017:

Sec. 24-160G.7. – Findings Required

(b) The city council may approve a schematic development plan or concept plan only upon the finding that:

(1) The plan is substantially in accord with architectural, signage, lighting, streetscape, parking and other regulations, requirements and guidelines adopted by the city council for the applicable corridor area.

[28] Exhibit Z02/C02
[29] Exhibit Z02/C02

Staff notes that while the City Council has not adopted design guidelines for the Frederick Avenue Corridor, the applicant has included conceptual architectural elevations that intend to improve the aesthetic qualities of the building and create a more residential appearance. Further, the applicant has committed to improved landscaping and to work with the adjacent communities on site elements such as trash enclosure locations.

(2) <u>The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone; and</u>

Staff concurs with the Applicant's Statement[30] that application SP-7495-2017 satisfies this finding because it is "consistent with the goals and provisions of the respective master plans," namely the adopted 2001 Frederick Avenue Corridor Land Use Plan, which encourages "owners of properties not comprehensively rezoned . . . . to apply for rezoning to the CD Zone in order to meet the goals and objectives of the Frederick Avenue Corridor Master Plan."[31]

The application proposes to re-use an underperforming hotel as a senior rental apartment complex, enhancing the economic vitality of the Corridor. The visual character and quality of the Corridor will be enhanced through the proposed improvements to the building façades, site, and landscaping. The proposed reuse of the existing buildings currently meets all of the standards except the height requirements of § 24-160G.4(a), which limits building height to three stories and 35 feet in the Southern Residential District, in which this property is located. As part of this application, the applicant is requesting a height waiver under § 24-160G.5(a)(1) because the existing buildings are 3 stories and *45* feet in height.[32] The height waiver request is addressed separately above.

(3) <u>The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and</u>

As previously mentioned, this property is identified in the adopted 2001 Frederick Avenue Corridor Land Use Plan, and while the Plan includes neither recommendations nor special conditions for this property, the Plan encourages "owners of properties not comprehensively rezoned . . . . to apply for rezoning to the CD Zone in order to meet the goals and objectives of the Frederick Avenue Corridor Master Plan."[33]

The adopted 2009 Municipal Growth Element states that "The overall vision for future City growth will retain the goal of providing for diversity in demographics, economics, and housing types." The adopted 2009 Process and Overview Element includes as the City Commitment to State Planning Vision 7: "The City will implement programs that improve current housing stock and pursue development and redevelopment opportunities that provide an appropriate mix of housing types in inclusive communities. The City shall provide for the housing needs of all its citizens."

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[30] Exhibit Z02/C02
[31] Exhibit Z17/C25, page 4
[32] Exhibit Z02/C02
[33] Exhibit Z17/C25, page 4
[33] Exhibit Z17/C25, page 4

(4) <u>The plan will be internally and externally compatible and harmonious with existing and planned land uses in the CD zoned area and adjacent areas; and</u>

Staff concurs with the Applicant's Statement[34] that application SP-7495-2017 is compatible and harmonious with the surrounding existing and planned land uses, due to the minor proposed building and site changes that are part of this reuse request. The property is located adjacent to the single family residential community of Gateway Commons, the City's Summerfield Park, the E-Z Storage self-storage building, and the ramps to Interstate 370.

Two Ride-On bus routes, 55 and 59, have stops within walking distance along Frederick Avenue, at South Westland Drive, Oneill Drive, and under the bridge at I-370. Within one-half mile of the site are the City's Casey Community Center, the Walnut Hill Shopping Center, a church, a medical office building, an additional single family homes. The Shady Grove Metro station is a five minute drive from the property and can be reached by the Ride-On bus routes previously mentioned. The surrounding uses are complementary to a senior housing development and fulfill many of the needs and lifestyle components of the target demographic, all within walking distance.

(5) <u>The existing or planned public facilities are adequate to service the proposed development contained in the plan; and</u>

Staff concurs with the Applicant's Statement[35] that application SP-7495-2017 meets this finding by satisfying the City's Adequate Public Facilities Ordinance (APFO) for public schools, fire response time, water and sewer service, and traffic impacts. Four fire stations, Stations 3, 8, 28, and 32, provide a 10-minute response time for this property. The property is currently served by public water and sewer and has a Water Category of 1 and Sewer Category of 1 in the County's Master Plan. Age-restricted housing is exempt from the public schools test of the APFO, under § 24-246. The applicant has provided a traffic statement[36] indicating that trips for the senior rental apartments will be less than the current number of trips generated by the hotel, and City staff has concurred,[37] thus an additional Traffic Impact Analysis is not required.

(6) <u>The development staging or phasing program if any, is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and</u>

Staff concurs with the Applicant's Statement[38] that application SP-7495-2017 has adequate public facilities and private amenities to service the proposed re-use from hotel to senior rental apartments. Specifically, the property includes an outdoor pool, patio, and barbeque, as well as an indoor fitness center and conference rooms. The applicant has testified that while the

[34] Exhibit Z02/C02
[35] Exhibit Z02/C02
[36] Exhibit C05
[37] Exhibit C06
[38] Exhibit Z02/C02

existing amenities will remain in place, additional amenities will be considered in response to tenant desires.

(7) The plan, if approved, would be in the public interest.

Staff concurs with the Applicant's Statement[39] that application SP-7495-2017 is in the public interest because it meets a growing demand for age-restricted housing opportunities, does not further burden public schools with additional students, decreases traffic from the property, sets aside at least 15% of the units as affordable housing, and proposes improvements to the buildings and site. As mentioned earlier, the proportion of the City's population that is 62 years old and older has been growing steadily since 1980, more than doubling by 2010 and continuing to increase from 2010 to 2015, creating a strong demand for additional housing that is available for seniors.

The adopted 2009 Municipal Growth Element states that "The overall vision for future City growth will retain the goal of providing for diversity in demographics, economics, and housing types." The adopted 2009 Process and Overview Element includes as the City Commitment to State Planning Vision 7: "The City will implement programs that improve current housing stock and pursue development and redevelopment opportunities that provide an appropriate mix of housing types in inclusive communities. The City shall provide for the housing needs of all its citizens."

Five of the City's Strategic Goals are met by this application:

- "promote housing stability and inclusiveness;"
- "ensure that the current and future housing stock allows residents to remain in the City as their financial, employment and familial situations change;"
- "provide opportunities to redevelop or improve underutilized properties,"
- "support initiatives that improve the rental housing stock in the City," and
- "increase the stock of affordable housing units throughout the City."

(8) The existing buildings with historic significance are considered for preservation and retention pursuant to the city's historic preservation ordinance.

Staff notes that this finding is not applicable to application SP-7495-2017, since the buildings were constructed in 1998 and currently are neither designated historic nor part of a designated historic district, as indicated on the Official City Zoning Map.[40]

[39] Exhibit Z02/C02
[40] Exhibit Z07/C11

STAFF RECOMMENDATION

Staff is supportive of the subject Z-7496-2017 and SP-7495-2017 applications with conditions. The Z-7496-2017 zoning map amendment application is in conformance with the adopted 2001 Frederick Avenue Corridor Land Use Plan, which recommends CD zoning for properties not comprehensively rezoned, such as this property. The SP-7495-2017 concept plan application will address a needed housing option for the growing population of seniors 62 years of age and older, contributing to the City's goals of providing inclusive housing for all residents and allowing residents to age in place.

The property's location provides convenient access to public transportation, both bus and Metrorail. A multifamily residential use at this location will contribute to the mixed-use nature of the surrounding land uses, which include single family residential, retail, medical office, City facilities and parks, churches, public schools, and other multifamily residential. Correspondingly, the surrounding uses are complementary to a senior housing development and fulfill many of the needs and lifestyle components of the target demographic, all within walking distance.

Staff recommends that the Planning Commission, based upon the findings presented herein, recommend approval of Zoning Map Amendment Z-7496-2017 to the Mayor and City Council with no conditions.

Staff recommends that the Planning Commission, based upon the findings presented herein, recommend approval of the § 24-160G.5 height waiver to the Mayor and City Council.

Staff recommends that the Planning Commission, based upon the findings presented herein, recommend approval of Concept Plan SP-7495-2017 to the Mayor and City Council with the following conditions:

1. As part of any final site plan application, applicant must submit a comprehensive sign package;
2. As part of any final site plan application, applicant should explore opportunities to create a direct pedestrian connection from the site's parking lot to Frederick Avenue;
3. Prior to the issuance of permits, the Applicant must record an amendment to Annexation Agreement X-152; and
4. Prior to the release of site development bonds, the applicant must record a subdivision plat reflecting the current boundaries of the property.