

REEDER PROPERTY

**600 Deering Road, Pasadena
AHO 2025-0230-V & 2025-0231-S
Thursday, January 22, 2026, at 12:00pm**

AFFIDAVIT OF SIGN POSTING

I, the undersigned, being eighteen (18) years of age or older and competent to testify to the matters contained herein do solemnly declare and affirm under the penalties of perjury the following:

1. That the notice signs on the property that are the subject of Case No. 2025-0230-V and 2025-0231-S were posted on January 8, 2026.
2. That the signs were posted as required by Anne Arundel County Code, §18-16-203(d).
3. That the locations of the signs that were posted are as follows:

First set of signs – Northern boundary of subject property facing Mountain Road (MD Rte. 177).

Second set of signs – Western boundary of subject property facing Edwin Raynor Boulevard.

Third set of signs – Southern boundary of subject property facing Deering Road.

4. That the photographs attached to this Affidavit of Posting are true and accurate photographs of the notice signs that were posted on the property.

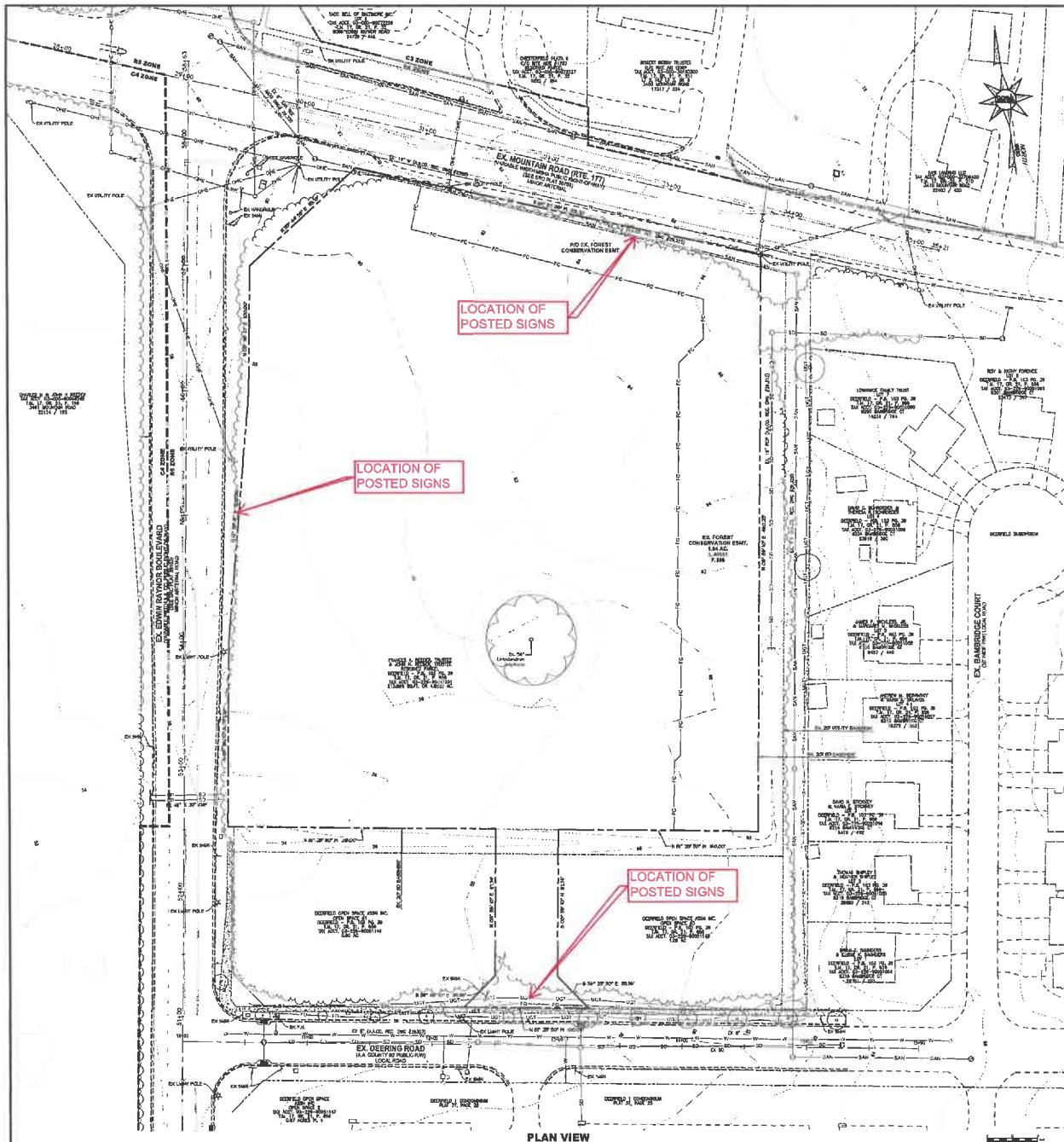
Signature of Affiant:



Date: January 15, 2026

Printed Name and Address of Affiant:

NAME: Thomas C. Neugebauer
FIRM: Morris & Ritchie Associates, Inc.
ADDRESS: 14280 Park Center Dr., Suite A
Laurel MD 20707



LEGEND

EX. PROPERTY LINE	—
EX. ROAD/CR-ROAD	—
EX. ADJACENT PROPERTY LINE	—
EX. EASEMENT	—
EX. BUILDING	—
EX. PAVED/EDGE OF GUTTER	—
EX. WALK	—
EX. METAL FENCE	—
EX. WOOD FENCE	—
EX. CEMETERY	—
EX. FOREST CONSERVATION EASEMENT	—
EX. TREELINE	—
EX. SPECIMEN TREE	—
EX. STORM DRAIN	—
EX. SANITARY LINE	—
EX. WATERLINE	—
EX. GASLINE	—
EX. TELECOM	—
EX. PADDED ELECTRIC	—
EX. PADDED TELEPHONE	—
EX. WATER PROVANT	—
EX. WATER METER	—
EX. MANHOLE	—
EX. POWER POLE	—
EX. UTILITY POLE	—
EX. DRAINAGE DITCH	—
EX. 2' CONTOUR	—
EX. 10' CONTOUR	—

SE-2

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

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LAUREL, MD 20707
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REEDER PROPERTY



SPECIAL EXCEPTION PLAN BRIGHTVIEW ASSISTED LIVING FACILITY EXISTING CONDITIONS PLAN

TAX ACCOUNT NUMBER 413-228-002-7251, SUBDIVISION: 10000-204
TAX MAP 17 - BLOCK 21 - PARCEL 884, LOT A
ZONE: R-1, BLDG. DISTRICT: C, C-1, C-2, C-3
600 DEERING ROAD, PARKERSON, ANNAPOLIS, 21423 - ANNE ARUNDEL COUNTY

DATE	REVISIONS	JOB NO.
		SCALE: 1" = 40'
		DATE: 10/21/2023
		DRAWN BY: FR
		DESIGN BY: MT
		REVIEW BY: MT
		Sheet: 2 of 3

MARIE TORTORELLI, RA
mrt@morrisritchie.com





NOTICE NOTICE

AN APPLICATION HAS BEEN FILED FOR VARIANCE TO ALLOW
AN ASSISTED LIVING FACILITY WITH LESS LOT
AREA AND OPEN AREA THAN REQUIRED.

AN APPLICATION HAS BEEN FILED FOR SPECIAL EXCEPTION
TO ALLOW AN ASSISTED LIVING FACILITY IN AN
R5 - RESIDENTIAL DISTRICT.

LOCATION: 600 DEERING ROAD, PASADENA
CASE NO: 2025-0230-V
BRIGHTVIEW SENIOR LIVING

PENDING A PUBLIC ZOOM MEETING. FOR INFO CONTACT
THE ZONING DIVISION AT 410-222-7437 OR VIEW WEBSITE
WWW.AACOUNTY.ORG/ADMIN-HEARINGS

LOCATION: 600 DEERING ROAD, PASADENA
CASE NO: 2025-0231-S
BRIGHTVIEW SENIOR LIVING

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November 13, 2025

Ms. Sterling Seay
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

Re: Modification of Special Exception and Variance Application for Assisted Living Facility, Mountain Road and Edwin Raynor Boulevard, Pasadena, Maryland, Tax Map 17, Block 21, Reserved Parcel 656 (the "Property")
Tax ID: 03-226-90047351 / Letter of Explanation

Dear Ms. Seay:

We represent Brightview Senior Living (the "Applicant" or "Brightview") regarding the enclosed special exception and variance application. The Applicant proposes to modify an existing special exception approval on the Property, and requests a variance to provide less open space/area than required.

Description of the Property

The Applicant is the contract purchaser of the Property, which comprises approximately 4.84 acres fronting the south side of Mountain Road in Pasadena, Maryland. The Property is currently owned by Monarch Development Company JV, LLC ("Current Owner"). The Property is zoned R5 - Residential District and was previously included in the Deerfield Planned Unit Development ("PUD") (Case No. 1985-0394-S). Pursuant to the Administrative Hearing Officer's ("AHO") decision in Case Nos. 2021-0094-S, 2021-0095-S, and 2021-0096-V dated November 9, 2021, the Property was removed from the previously approved PUD, and the AHO granted special exception approval pursuant to §18-11-104 for an assisted living facility, as well as a variance from the five acre minimum lot area requirement under that section (a reduction of 0.11 acres). A copy of the AHO's 2021 decision is attached hereto as Exhibit A ("2021 Decision").

The Property is currently unimproved. An aerial photograph showing existing conditions of the Property is attached as Exhibit B and shown below. The Property is surrounded by roads on three sides: Edwin Raynor Boulevard to the west, Deering Road on the south, and Mountain Road to the north. The Property is accessed via an ingress/egress driveway on the south side of the lot along Deering Road, a local road. The Property does not have vehicular access along Mountain Road or Edwin Raynor Boulevard. The east side of the Property is the only side not abutting a public road; like the north side of the Property, it is encumbered by permanent forest conservation easement.



As shown on the Zoning Map attached as Exhibit C and depicted below, the Property is classified in the R5 – Residential District. Pursuant to § 18-4-106 of the Anne Arundel County Code, assisted living facilities are permitted as a special exception use in the R5 District. The Property is not located within the Chesapeake Bay Critical Area or a bog protection area.



The surrounding neighborhood is characterized by commercial office, retail, and residential uses. There is a small commercial office building on the northern side of Mountain Road, as well as a Walgreens, Taco Bell, and an automobile gasoline station. The surrounding neighborhood is classified with a mixture of C3, C4, R2, and R5 zoning. To the east of the Property, the neighborhood is residential in character and comprised of single family dwellings. Across Deering Road to the south, there is a small multifamily development.

Development Proposal

The Applicant seeks a modification of the prior approval to accommodate a change in the building layout, parking, and number of Assisted Care Units within the facility. The modified plan proposes an increase from 140 units to 175 units, which allows a full continuum of care in a monthly rental model and will support the amenities necessary to provide the level of service Brightview is known for. Brightview operates on a monthly/rental model, as opposed to a “buy-in” or Continuing Care Retirement Community Model. Full continuum of care communities give residents the security and peace of mind they are looking for when they move to assisted living. All units are classified as Assisted Care Units, with housekeeping, dining, emergency assistance, transportation, and access to all amenities within the facility included within the monthly rental structure. Brightview provides customized assisted living services and a secured memory care unit as well.

Brightview’s facilities are designed with multiple venues for dining, various program offerings and fitness classes along with a beauty salon, stocked library, movie theater, pub, and outdoor gardens and courtyards. The integrated memory care unit includes its own dining room and additional common spaces for those residents.

Altogether, Brightview’s typical continuum of care communities require approximately 175 units. This size provides the minimum necessary number of residents to deliver the variety of programming and opportunities to continue to live vibrantly. Although Brightview used to develop standalone communities consisting of only Assisted Living and Memory Care neighborhoods, it shifted to exclusively developing continuum of care communities around 2018 because it found that it was able to better serve the senior community with this model. Representative photographs of various Brightview facilities are shown in Exhibit D, attached.

Request for Approval of Modification of Special Exception Approval for an Assisted Living Facility

Pursuant to § 18-16-304 of the Code, an applicant must demonstrate that an application for special exception meets all of the general criteria for special exception uses contained therein. The Applicant posits that the proposed special exception meets the criteria in the following manner:

- (1) *The use will not be detrimental to the public health, safety, or welfare;*

The proposed modification to the previously approved special exception application for an assisted living facility will pose no threat to the public health, safety, or welfare. The facility is of similar size, will serve the same population, and provide services that will benefit the community. The facility will be a benefit to the public health, safety, and welfare by providing quality assisted care for the Pasadena community.

- (2) *The location, nature, and height of each building, wall, and fence, the nature and extent of landscaping on the site, and the location, size, nature, and intensity of each phase of the use and its access roads will be compatible with the appropriate and orderly development of the district in which it is located;*

The proposed development meets the bulk regulations applicable to the R5 District, with the exception of open area, as described in the variance request below. There is no significant change to the proposed use under the existing special exception approval.

- (3) *Operations related to the use will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article;*

The Applicant does not believe there will be any more objectionable impacts from operations on the Property than other uses allowed in the R5 Zone. The prior special exception approval found as such; this requested modification will not create any additional objectionable noise, fumes, vibration, or light.

- (4) *The use at the location proposed will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district;*

The facility will not have any significant, non-inherent adverse effects. Non-inherent adverse effects are adverse effects that are not typical of the proposed use in any location in Anne Arundel County. No adverse impacts are expected at all, however, any such impacts would be no greater than those created by the same use located elsewhere.

- (5) *The proposed use will not conflict with an existing or programmed public facility, public service, school, or road;*

The Applicant is not aware of any existing or programmed public facility, public service, school, or road impacts that would be created by the proposed use. Jacobsville Elementary School is located just to the east of the Property, but is accessed from Mountain Road.

- (6) *The proposed use has the written recommendations and comments of the Health Department and the Office of Planning and Zoning;*

The Applicant anticipates that this application will receive a favorable written recommendation from both the Health department and the Office of Planning and Zoning.

(7) The proposed use is consistent with the County General Development Plan;

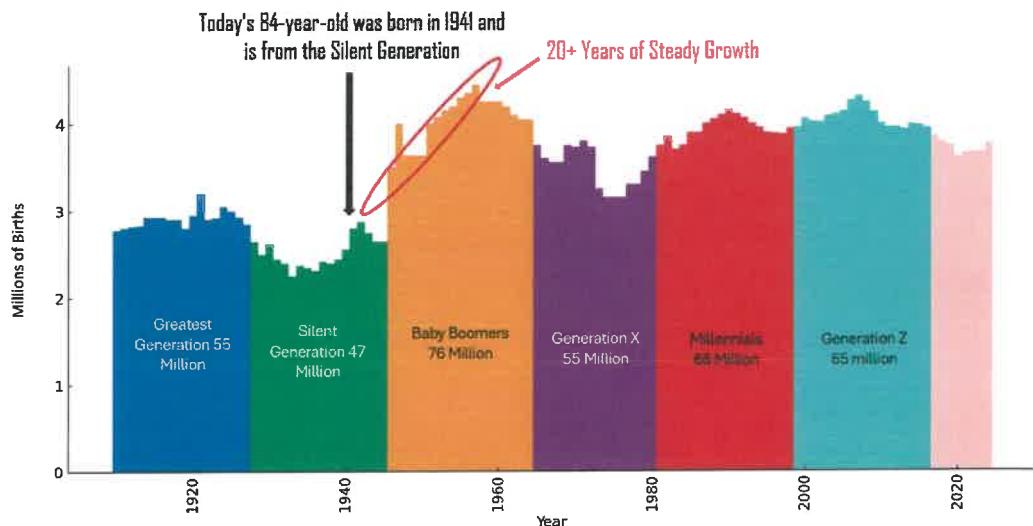
The Planned Land Use Map of the General Development Plan classifies the Property as low-medium residential density. This is consistent with the existing R5 Zoning. An assisted living facility is permitted as a special exception use in the R5 Zone because the County Council has legislatively pre-determined that this use is compatible with the R5 Zone, so long as there are no non-inherent adverse impacts created in locating the proposed use on the Property. *People's Counsel for Balt. Cty. v. Loyola College in MD*, 406 Md. 54 (Md. 2008). The Property is also located within a Priority Funding Area. The proposed assisted living facility is consistent with Plan2040 goals and policies.

The Property is adjacent to an intersection and is suitably placed between the commercial uses and the residential uses to the east. The assisted living facility provides a gradual transition between the more intensive commercial uses and the residential neighborhoods leading to Jacobsville Elementary School. The assisted living facility will be well separated and buffered by the existing 65-foot-wide permanent forest conservation easement. The Property's access drive off Deering Road will also be adequately buffered by the Deerfield community open space parcels. Additionally, this request is simply a modification of the previously approved special exception, wherein the Office of Planning and Zoning, Department of Health, and ultimately the AHO, found that both the specific and general criteria for the special exception had been met. There are no significant changes to the proposed use in the instant application.

(8) The applicant has presented sufficient evidence of public need for the use;

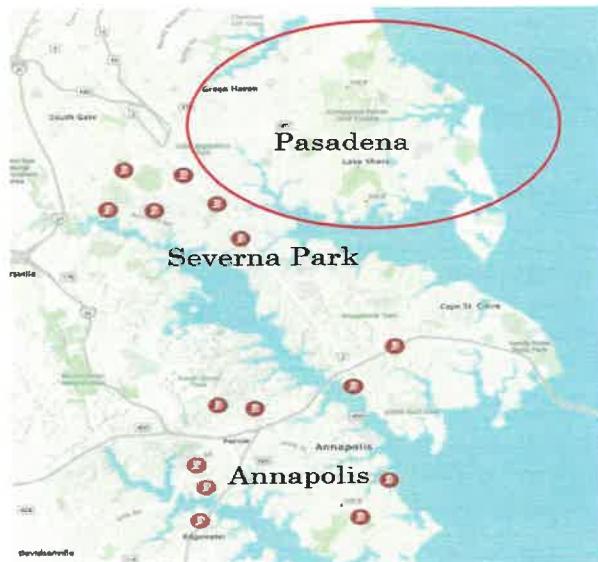
As will be shown by evidence at the hearing, there is a public need for the facility. Public need has been interpreted by the Maryland Courts for decades to mean that the facility will be "expedient, reasonably convenient and useful to the public". *Lucky Stores, Inc. v. Board of Appeals of Montgomery County*, 270 Md. 513 (1973). One of the predominant demographic trends occurring in the U.S. is the increasing number of senior citizens. It is no secret that the Baby Boomers are the largest generation in history and are beginning to age, but the rapid increase that will be seen in seniors is often talked about but not accurately depicted.

The following chart illustrates each generation and the number of people born in each year from 1900 to the present. This chart shows the rapid increase that will be seen from the Silent Generation to the Baby Boomer Generation. The oldest Baby Boomers are currently around 79 years old, and the average age of entry to a Brightview community is between 82-84 years old, so we anticipate a rapid rise in demand for senior housing facilities in just a few years. One of the main ways to accommodate the increasing number of seniors is the increased development of senior housing.



Anne Arundel County is not exempt from this effect. Based on forecasting, Anne Arundel County is expected to see a 3.91% growth rate in Senior (75+) Households per year over the next five years. Certain areas in the County have a healthy amount of senior housing available to position the area to accommodate the influx of seniors that will be seen in the future. Among these are Severna Park and Annapolis with 634 and 1,087 senior housing units, respectively. However, this accounts for approximately 75% of all of the senior housing units in Anne Arundel County.

This results in other areas in Anne Arundel County being less prepared for this large influx of seniors, which can be easily seen on the map below (senior housing communities indicated in red dots). One of these areas is Pasadena. Pasadena has a larger number of Senior (75+) Households than Severna Park and has no senior housing communities. Along with this, Pasadena has a 3.97% growth rate in Senior (75+) Households per year, while the increases seen in Severna Park and Annapolis are slightly lower at 3.20% and 3.21%.



Anne Arundel County as a whole is encouraging the development of senior housing and is positioning itself well to accommodate incoming seniors, but facilities are not evenly distributed across the County. Pasadena is a large area with a considerable number of seniors who do not have the same access to senior housing as areas such as Severna Park and Annapolis.

- (9) *The applicant has presented sufficient evidence that the use will meet and be able to maintain adherence to the criteria for the specific use;*

As discussed further *infra*, the facility will comply with the specific special exception criteria for the proposed use.

- (10) *The application will conform to the critical area criteria for sites located in the critical area; and*

This criterion does not apply as the Property is not located within the critical area.

- (11) *The administrative site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual.*

The Administrative Site Plan demonstrates that there is sufficient area on the Property to provide landscaping in compliance with the Landscape Manual for the majority of the site.

Specific Special Exception Criteria

In addition to the general criteria listed above, the Application conforms to the specific criteria for the proposed use. Section 18-11-104 of the Code states that “an assisted living facility shall comply with all of the following requirements:

- (1) *In RLD Districts, the facility shall be located on a lot of at least 10 acres. In R1 and R2 Districts, the facility shall be located on a lot of at least 10 acres, except that a facility that abuts a collector or higher classification road may be located on a lot of at least five acres. In other districts, the facility shall be located on a lot of at least five acres. In all districts, if the facility abuts a nursing home or adult independent dwelling units, whether or not owned by the same entity, the minimum lot size may be reduced by 50%.*

As further described below, and as previously approved, the Applicant respectfully requests a variance to the 5 acre lot minimum requirement. At the time of the underlying approval, the Property comprised 4.89 acres, a deviation of .11 acres from the requirement. After completion of the Deerfield PUD, an additional right of way was dedicated along Edwin Raynor Boulevard as shown on the Plat attached as **Exhibit E**. As a result of this dedication, the Property now consists of approximately 4.848 acres, a further reduction of .042 acres (1,829 square feet) and .152 acres

(6,621.12 square feet) below the minimum requirement of 5 acres. As explained below, the Applicant will demonstrate that it meets the criteria for a variance from this Code requirement.

(2) *For an assisted living facility in an RLD District:*

- (i) *the property in the RLD District shall abut property that is zoned C2 or C3 and that will be part of the assisted living facility; and*
- (ii) *the C2 or C3 property comprising part of the facility shall be served by public water and sewer.*

The Property is zoned R5, therefore this requirement is not applicable.

(3) *For an assisted living facility that consists of land located outside the critical area in more than one zoning district:*

- (i) *provisions concerning the number of adult independent dwelling units allowed in a given area of land shall be applied in the aggregate rather than separately to the individual zoning districts, lots or sites;*
- (ii) *provisions concerning public improvements, such as public sewer and water connections, roads, and sidewalks, shall be applied to the assisted living facility in its entirety;*
- (iii) *provisions concerning public improvements, such as public sewer and water connections, roads, and sidewalks, shall be applied to the assisted living facility in its entirety; and*
- (iv) *open space requirements shall be calculated for the entire area of the assisted living facility;*

The entire Property is zoned R5, therefore this requirement is not applicable.

(4) *The developer shall demonstrate unified control of the entire assisted living facility and the capability to provide for completion and continuous operation and maintenance of the facility.*

As described herein, Brightview is the contract purchaser of the Property and seeks to own and operate a 175-unit assisted living facility similar to other Brightview facilities in the area. Brightview currently owns and operates 4 facilities in Anne Arundel County.¹

¹ Brightview Annapolis, Brightview Crofton Riverwalk, Brightview Severna Park, and Brightview South River, <https://www.brightviewseniorliving.com/types-of-living/anne-arundel-county-retirement-communities#:~:text=With%20four%20locations%20in%20Anne,us%20handle%20the%20outdoor%20landscaping>

(5) *An assisted living facility may be operated in conjunction with a nursing home or with adult independent dwelling units or both, whether or not owned by the same entity. The nursing home or adult independent dwelling units may be located on the same lot as the assisted living facility or on one or more abutting lots. If located on one or more abutting lots, the provisions of subsection (11) relating to setbacks do not apply to the lot lines that are shared by such abutting lots.*

This requirement is not applicable, as the assisted living facility will not be operated with a nursing home or with adult independent dwelling units. The entire facility will be comprised of Assisted Care Units.

(6) *Assisted care units shall be provided in a multifamily structure and may be provided in semi-detached dwelling units and townhouse dwelling units, whether or not allowed in the zoning district in which the facility is located. All assisted care units shall be located on the same lot. A multifamily structure shall contain a centrally located group dining facility.*

The development will consist of a multifamily structure, and all units will be located on the same lot. There will be one or more centrally-located group dining facilities included in the building.

(7) *Comprehensive care units may be provided.*

No comprehensive care units are proposed.

(8) *No more than two dwelling units for every 100 dwelling units may be devoted to temporary use for guests or family members of residents.*

This criterion does not apply as there are no such units proposed.

(9) *The permitted uses in a C1 District are allowed in the facility if:*

(i) *the uses are centrally located for the use and benefit of the residents and their guests in structures that are architecturally compatible with the residential portion of the assisted living facility; and*

(ii) *the floor area of the uses does not exceed 10% of the floor area of the units.*

The Property is zoned R5, therefore this requirement is not applicable.

(10) *A pedestrian circulation system interconnecting all parts of the facility shall be provided.*

The facility includes a pedestrian walkway encircling the building and numerous interior connection points.

(11) The bulk regulations contained in the following chart shall be met and are the only bulk regulations applicable to an assisted living facility:

<i>Minimum setbacks from all lot lines</i>	<i>50 feet</i>
<i>Maximum height limitations for principal structures</i>	<i>The height allowed in the zoning district in which the facility is located, except that (1) the facility may exceed that height by 10 feet if all setbacks are increased by two feet for each foot of excess height, and (2) semi-detached and townhouse dwellings are limited to one story</i>
<i>Open area</i>	<i>60% in RLD, R1, R2, and R5 Districts and 50% in R10, R15, and R22 Districts, with all front yards being open area and with at least 10% of the open area devoted to recreational area</i>
<i>Maximum net density for independent dwelling units</i>	<i>One unit per net acre in an RLD District; 3 units per net acre in an R1 District; 6 units per net acre in an R2 District; 8 units per net acre in an R5 District; and in all other districts in accordance with the density allowed in the district in which the facility is located</i>
<i>Maximum net density for all dwelling units other than multifamily dwellings and adult independent dwelling units</i>	<i>No increase in the net density allowed in the RLD District; 6 units per net acre in the R1 and R2 Districts; 8 units per net acre in an R5 District; and in all other districts in accordance with the density allowed in the district in which the facility is located</i>
<i>Maximum square footage for duplex, semi-detached, and townhouse dwellings</i>	<i>1,250 square feet</i>
<i>Public sewer</i>	<i>Required</i>

The proposed maximum height of 60 feet will not exceed the height allowed in the R5 District. The maximum height allowed in the R5 district is 50 feet, however per § 18-11-401 the height may exceed 50 feet by 10 feet if all setbacks are increased by two feet for each foot of excess height. The facility will be set back 70 feet instead of the required 50 feet. As described below, a variance is requested to the requirements for minimum open area. The entire facility will be comprised of Assisted Care Units in a multifamily structure, so the maximum net density and square footage provisions in the table above are not applicable. The Property is served by public sewer as required.

Request for Variance Relief

The Applicant respectfully requests variance relief from the requirements of § 18-11-104(1), minimum lot size; and § 18-11-104(11), -open area.

Section 18-16-305 of the Code sets forth the requirements for granting a zoning variance. Variances may be granted when an Administrative Hearing Officer finds “that practical difficulties or unnecessary hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done.” A variance may only be granted if the Administrative Hearing Officer affirmatively finds the following:

- (1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or
- (2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

Code § 18-16-305(a)(1) & (2). Additionally, an Administrative Hearing Officer must also find that:

- (1) the variance is the minimum variance necessary to afford relief; and
- (2) the granting of the variance will not:
 - (i) alter the essential character of the neighborhood or district in which the lot is located;
 - (ii) substantially impair the appropriate use or development of adjacent property;
 - (iii) reduce forest cover in the limited development and resource conservation areas of the critical area;
 - (iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; nor
 - (v) be detrimental to the public welfare.

Code, § 18-16-305(c).

Request for Variance to §18-11-104(1) Minimum Lot Size Requirement

The Applicant respectfully requests variance relief pursuant to § 18-11-104(1) of 0.154 acres to 5 acre minimum lot size requirement. In the 2021 Decision, the AHO, with County support, granted a variance of 0.11 acres to the minimum lot area requirements of 5.0 acres to allow an assisted living facility on a lot of 4.89 acres. Pursuant to the attached Site Plan and Plat, additional right of way has been dedicated along Edwin Raynor Boulevard, reducing the total acreage of the site by 0.044 acres is proposed, resulting in a total gross site acreage of 4.848 acres. The Applicant

requests a variance of 0.154 acres, a combination of the prior approved variance amount of 0.11 acres and the 0.044 right of way dedication acreage.

Compliance with the County's Variance Requirements

- (1) *Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or*
- (2) *Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.*

The Property was originally platted as 5.0 acres in 1986 but was reduced in size in 2002 due to a State roadway widening project on Edwin Raynor Boulevard. The attached Site Plan and Plat shows that an additional .044 acres of right of way was dedicated in the extreme southwest corner of the Property along Edwin Raynor Blvd. When first included in the Deerfield PUD, this site was 5.0 acres. It is only through compliance with other development conditions relating to the PUD that the site area has been reduced. This represents an exceptional circumstance creating a practical difficulty in complying with the Code.

- (3) *The variance is the minimum variance necessary to afford relief. Code, § 18-16-305(c)(1).*

The Applicant's plans minimize interference to the open space area. Due to the conceptual design requirements, and because of the Applicant's particular needs as an assisted living facility, the Applicant requires a large primary structure. Pursuant to spatial limitations and the previously approved special exception, Applicant has attempted to minimize its variance request.

- (4) *The variance will not alter the essential character of the neighborhood or district in which the lot is located. Code, § 18-16-305(c)(2(i).*

The variance will not alter the essential character of the neighborhood or district in which it is located. The assisted living facility use was previously approved in the 2021 Decision, the Applicant seeks to reasonably modify the prior approval in order to provide its successful continuum of care model. Multiple parcels directly across Mountain Road from the Property are zoned C3 and consist of a mix of uses including office, fast food, gas, and convenience retail. The corner of Mountain Road and Edwin Raynor Boulevard consists of a majority of retail uses on the North side. To the west of the Property, across Edwin Raynor Boulevard, is a currently unimproved site that is zoned C4 which allows the most intense commercial uses. The facility will be screened from the adjacent residential neighborhood as a result of the existing permanent forest conservation easement areas to the north and east.

(5) *The variance will not substantially impair the appropriate use or development of adjacent property. Code, § 18-16-305(c)(2)(ii).*

The requested variance will not impair the use or development of adjacent properties. The Applicant has met or exceeded the setback requirements to adjacent properties and the proposed use will have no impact on the existing homes to the east. The Property is surrounded by roads on three sides and the residential development to the east is further buffered from the 65+ foot forest conservation easement, an additional 20 foot storm drain easement, and further 20 foot utility easement. The 65' forest conservation easement is 30' wider than the minimum 35' wide forest conservation easement requirements.

(6) *The variances would not reduce forest cover in the limited development and resource conservation areas of the critical area. Code, § 18-16-305(c)(2)(iii).*

As there is no critical area on the Property, granting the variance requested herein will not run afoul of this requirement.

(7) *The variances would not be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area. Code, § 18-16-305(c)(2)(iii).*

As there is no critical area or bog protection area on the Property, granting the variance requested herein will not run afoul of this requirement.

(8) *The variances will not be detrimental to the public welfare. Code, § 18-16-305(c)(2)(v).*

The requested 0.154 acre variance to the 5 acre minimum lot size requirement would not negatively affect the public welfare. The site is properly screened and the 65 foot forest conservation easement further buffers the proposed facility from the residential. Moreover, the difference between the proposed reduction in site area in the instant application and the reduction in site area previously approved by the AHO is *de minimis*.

Request for Variance to §18-11-104(11) Open Area Requirement

Compliance with the County's Variance Requirements

(1) *Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or*

(2) *Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.*

The Property is narrow and uniquely surrounded by existing common area for the adjacent PUD. The Property fronts Mountain Road, an SHA minor arterial road, Edwin Raynor Boulevard, an SHA minor arterial road, and Deering Road, a local road. This frontage is unique in and of itself, however, the Property is also adjacent to residentially zoned property to the east, and cannot be expanded due to the previously recorded forest conservation area to the east and north.

(3) *The variance is the minimum variance necessary to afford relief. Code, § 18-16-305(c)(1).*

The Applicant's plans minimize interference to the open space area. Due to the conceptual design requirements, and because of the Applicant's particular needs as an assisted living facility, the Applicant requires a large primary structure. A similar structure was approved in the 2021 Decision, but despite actively marketing the site for several years, the applicant in that case has to date been unable to attract an assisted living provider that can execute that approved plan. The contract purchaser requires certain changes to the layout to create an assisted living facility that can meet all of the requirements for a special exception and, based on its extensive experience in this market, can also include the range of amenities and services necessary to create a successful and thriving community on the site.

Pursuant to spatial limitations and the previously approved special exception, Applicant has attempted to minimize its variance request. Brightview residents spend a vast majority of their time within the community grounds. With that in mind, one of the benefits Brightview's communities offer to residents is the SPICE (Spiritual, Physical, Intellectual, Cultural and Emotional) wellness philosophy. This permeates almost every purposeful activity Brightview does in its communities and requires significant and multiple common area spaces to execute it. From Brightview's SPICE-in-Motion classes which occur daily, to trivia, to debates, lectures, feature films, puzzles, religious services, and social events like music, dancing and other forms of entertainment. To accomplish this, Brightview's continuum of care communities typically include the following spaces:

- Courtyards and other outdoor spaces (typically one per neighborhood, including a fully enclosed/secure courtyard for memory care) – putting green, bocce ball, walking paths, benches, gardening, water features, lush landscaped grounds, outdoor dining and socializing spaces, fire pits, shade structures. The proposed facility includes a 3,094 square foot enclosed outdoor garden and a large unenclosed garden courtyard.²
- Dining room (one per neighborhood) – full-service restaurant-style dining, socializing
- Commercial kitchen plus two “serveries” – critical to community operations
- Café (one per neighborhood) – dining, exercise, social gatherings
- Multi-purpose room – exercises, social gatherings, lectures, religious gatherings
- Library (two) – reading, social gathering
- Private dining room – family gatherings

² It should be noted that based on the proposed plans, the Applicant expects to seek a modification at the development stage to reduce the recreation area requirement due to the inclusion of significant indoor amenities. Recreation area is a requirement of Article 17, and deviation from that requirement does not require a variance. The Applicant is providing 10,771 square feet of 12,670 square feet required outdoor recreational area, which does not include the referenced courtyards, fitness center, and other interior amenities.

- Pub (two) – socializing, happy hours
- Game room – brain health, group social activities
- Art room (two) – brain health, creative and spiritual activities
- Lobby – socializing, small group gatherings, reading
- Theater – for art, entertainment, movies, lectures, debates, social events
- Fitness center – for physical well-being, Bayada-led fitness instruction

(4) *The variance will not alter the essential character of the neighborhood or district in which the lot is located. Code, § 18-16-305(c)(2)(i).*

The variance will not alter the essential character of the neighborhood or district in which it is located. The assisted living facility was previously approved in the 2021 Decision and will provide a transition between the commercial uses at the adjacent intersection and the residential.

(5) *The variance will not substantially impair the appropriate use or development of adjacent property. Code, § 18-16-305(c)(2)(ii).*

The requested variance will not impair the use or development of adjacent properties. The Applicant has met or exceeded the setback requirements to adjacent properties and the proposed use will have no impact on the existing homes to the east. The Property is surrounded by roads on three sides and the residential development to the east is further buffered from the 65+ foot forest conservation easement and the additional 20 foot storm drain easement and further 20 foot utility easement.

(6) *The variances would not reduce forest cover in the limited development and resource conservation areas of the critical area. Code, § 18-16-305(c)(2)(iii).*

As there is no critical area on the Property, granting the variance requested herein will not run afoul of this requirement.

(7) *The variances would not be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area. Code, § 18-16-305(c)(2)(iii).*

As there is no critical area or bog protection area on the Property, granting the variance requested herein will not run afoul of this requirement.

(8) *The variances will not be detrimental to the public welfare. Code, § 18-16-305(c)(2)(v).*

The requested variance to the 60% open area requirement would not negatively affect the public welfare. The open area requirements are implemented to prevent intrusion of the assisted living facility use on the adjacent residential development, and to ensure that there are adequate open areas on a particular piece of property so as to ensure light, air, and open space contribute to the wellbeing of residents. The intent of the 60% open space requirement is to provide buffers and a less intensive use directly adjacent to the residential development. The Applicant is proposing 51.9% of the site, or 2.52 acres, as open area, which is approximately 86.6% of what is required.

As shown on the Site Plan, the project provides an average 65' wide forest conservation easement to the east along the only adjoining residentially zoned property. 65' is 30' wider than the minimum 35' wide Forest Conservation Easement requirements, and 15' wider than the 50' building restriction line. There is no requirement to retain forest in this area; this could have been graded and landscaped, however, to be good neighbors and respect the Deerfield Community, the plan for this facility has included a 65' wide buffer retaining existing forest, was recorded, and provides the best screening and buffer possible between this large building and the existing residential community to the east.

The Deerfield PUD also retained a large amount of open space along the south side and east side of the Property, further enhancing the buffers between the Property and adjacent development. Open space areas 1 and 3 shown on the Plat entitled "Amended Plat Reserved Parcel Deerfield" recorded among the Plat Records of Anne Arundel County in Plat Book 388 at pages 1-2 and recorded in Plat Book 103, pages 39-42, attached as Exhibit E, equal a combined 1.69 acres. In essence, this open space provides more than 67% overall open space for the assisted living facility and limits its impact on the adjoining residential property. There are no intrusions onto neighboring parcels and the requested decrease in open area is reasonable given the commercial nature of the development and the unique lot. The lot borders roads on three sides and forest conservation on two sides. The requested variance seeks to have the open area reduced to 51.9% from a 60% requirement, but when these adjacent open space areas are included, the facility will be surrounded by 2.53 acres of permanently protected open and forest conservation areas.

Request for Variance to Extend the Time to Obtain a Building Permit

In addition to the special exception modification and variance to open space, we are requesting that the Administrative Hearing Officer grant variance approval to extend the required 18-month period provided in Code § 18-16-405(a) for the Applicant to obtain a building permit. Designing and processing the new assisted living facility plans through the County plan review and permit process will require extensive agency coordination and responses from the Applicant's engineer, architect, and other consultants. Therefore, due to the character of the proposed project, we request a variance for an additional 18-month period to obtain a building permit. We believe this request meets the variance approval standards discussed above.

The Applicant also requests as a condition of the special exception approval that it be permitted to make modifications to the administrative site plan to address comments by County and State agencies during the plan and permit review process, so long as no greater variances are required for such modifications.

Conclusion

For the foregoing reasons, and for good cause shown, the Applicant respectfully requests special exception approval to allow an assisted living facility with 175 units on the Property, variance relief to the minimum lot size requirement, variance approval to allow less open space area than required, and to allow for additional time to obtain a building permit.

Should you have any questions regarding the enclosed variance application, please contact me at kbray@yvslaw.com. We look forward to your comments and appreciate your considered review of the proposed application.

Very truly yours,

YVS Law, LLC



Kinley R. Bray

cc: Client
Attachments

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2021-0094-S, 2021-0095-S, AND 2021-0096-V

MONARCH DEVELOPMENT COMPANY JV, LLC

THIRD ASSESSMENT DISTRICT

DATE HEARD: NOVEMBER 9, 2021

ORDERED BY:

**DOUGLAS CLARK HOLLMANN
ADMINISTRATIVE HEARING OFFICER**

PLANNER: ROBERT KONOWAL

DATE FILED: NOVEMBER 30, 2021

PLEADINGS

Monarch Development Company JV, LLC (hereinafter the applicant), seeks a special exception (2021-0094-S) to allow the modification of a previously approved special exception to remove 4.89 acres from a Planned Unit Development, a special exception (2021-0095-S) to allow an assisted living facility (140 assisted care units) in a R5 – Residential District, and a variance (2021-0096-V) to allow an assisted living facility with less lot area than required on property with 329 feet of frontage on the south side of Mountain Road, east of Edwin Raynor Boulevard, Pasadena, MD 21122.

PUBLIC NOTIFICATION

The hearing notice was posted on the County's website in accordance with the County Code. The file contains the certification of mailing to community associations and interested persons. Each person designated in the application as owning land that is located within 300 feet of the property was notified by mail, sent to the address furnished with the application. Terry Schuman testified that the property was posted for more than 14 days prior to the hearing. Therefore, I find and conclude that the requirements of public notice have been satisfied.

THE HEARING

A hearing was held on November 9, 2021, in which the witnesses were sworn and the following was presented with regard to the proposed relief requested by the applicant.

THE PROPERTY

The applicant owns the subject property with 329 feet of frontage on the south side of Mountain Road, east of Edwin Raynor Boulevard, Pasadena. It is identified as Reserved Parcel 656 in Block 21 on Tax Map 17 and is zoned R5-Residential District. The property comprises of 4.89 acres and is currently a vacant, forested lot.

THE PROPOSAL

The applicant proposes to remove Parcel 656 from the previously approved Deerfield Planned Unit Development (PUD) and construct a four-story assisted living facility having 140 assisted care units with 112 surface parking spaces provided around the perimeter of the building. Parcel 656 is 4.89 acres in size.

THE ANNE ARUNDEL COUNTY CODE

The specific criteria by which a special exception for a PUD may be granted as well as the request to modify the special exception granted in Case No. 1985-0394-S are set forth in § 18-11-104. Additionally, all special exceptions are subject to the general standards contained in § 18-16-304.

§ 18-11-104 requires that an assisted living facility in an R5 district shall be located on a lot of at least 5.0 acres.

The Evidence Submitted At The Hearing

Robert Konowal, a zoning analyst with the Office of Planning and Zoning (OPZ), presented the following findings:

- *Background.* The 60.2 acre Deerfield PUD was originally approved in 1985 (Case No. 1985-0394-S). The approved development contains 276 dwelling units of various dwelling types that includes 82 single-family dwellings, 108 garden apartments, and 86 townhouse units. Also included in the then approved PUD was the subject property, a “reserved parcel” of 5.0 acres¹ for future unspecified development. The PUD, not including the subject property, provided for development at 5.0 dwellings per acre in accordance with the density provisions of the underlying R5 district.
- *Special Exception to Modify the Deerfield PUD.* § 18-12-202 of the Code specifies the uses allowed in a PUD. An assisted living facility is only permitted in a PUD of 500 or more dwelling units which is not the case for the 276 dwelling unit Deerfield PUD. The proposed special exception modification will remove the subject lands from the Deerfield PUD so that it is not subject to the PUD requirement of 500 or more dwelling units for an assisted living facility.
- § 18-12-203 of the Code states a PUD may not exceed the density allowed by the zoning district in which the development is located. The subject property was not included in the density calculations of the Deerfield PUD. An assisted

¹ 0.11 acres of the reserved parcel is now owned by State Highway Administration.

living facility comprised of assisted care units is however not subject to the maximum density provisions of the Code. The removal of the subject property from the Deerfield PUD will not jeopardize any approved density for that project.

- There is no evidence that removal of the subject lands would undermine the original development concept of the Deerfield PUD as the specific use of these lands was not specified at the time of approval of the Deerfield PUD. Since the lands are a reserve parcel they will be subject to the subdivision approval process.
- *Special Exception - Proposed assisted living facility.* The specific special exception standards for an assisted living facility require that the use be located on a lot of at least 5.0 acres when located in a R5 district. In this case, the subject property at 4.89 acres does not meet the minimum lot size requirement of the Code. The applicant is requesting a variance to this standard and OPZ is recommending approval. The applicant is proposing 140 assisted care units in a multifamily structure with a central located group dining facility as required by the Code. No comprehensive care units are provided nor are they required by the specific special exception criteria. No more than two dwelling units for every 100 dwelling units are to be devoted to temporary use for guests or family members of residents. A pedestrian circulation system interconnecting all parts of the facility has been provided. The bulk regulations have been or

are capable of being met. Public sewer service is available to the site in accordance with the Code requirement for the use.

- In accordance with the general standards for granting a special exception, OPZ finds that the proposed use of the subject property for an assisted living facility will not be detrimental to the public health, safety, or welfare. The Fire Department and Health Department have indicated no objection to the application.
- The use will be compatible with the appropriate and orderly development of the district in which it is located. The proposed use is suitably located at the periphery of a residential area and adjacent lands used for low density residential purposes are to be well separated and buffered by a forest conservation easement and lands dedicated for open space purposes. The use of the subject property for an assisted living facility will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article. The activity associated with the use will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district. As stated earlier, the use is appropriately located at the periphery of a residential area. Adjacent residential uses will be separated by a forested buffer and a public roadway to the south.
- There is no evidence that the proposed use will conflict with an existing or programmed public facility, public service, school, or road. The administrative

site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual.

- The applicant is to present sufficient evidence of public need for the use.
- *Variance.* OPZ finds the subject property which was originally platted as 5.0 acres in 1986 was reduced in size in 2002 due to a State roadway widening project on Edwin Raynor Boulevard. This road dedication is an exceptional circumstance which creates a practical difficulty in complying with the Code. There is no opportunity to provide additional lands and as such the requested variance to the minimum lot area for the assisted living facility is the minimum necessary to afford relief. There is no evidence that the variance for reduced lot area will alter the essential character of the neighborhood, impair the appropriate use or development of adjacent lands or be detrimental to the public welfare.
- The Department of Health advised the property is served by public water and sewer facilities and the Department has no objection to the request.
- The Long Range Planning Division of OPZ advised the Plan 2040 General Development Plan Land Use Map designates the site as Residential Low-Medium Density. The surrounding properties are designated as Commercial along Mountain Road and Residential Low and Residential Low-Medium in the surrounding neighborhoods. The site is within the Neighborhood Preservation Development Policy Area and is also located within the Priority Funding Area. The Plan2040 GDP does not have recommendations that are

specific to this site, and this proposal is generally consistent with the Plan2040 GDP goals, policies and recommendations.

- The site is in the Existing Sewer Service category in the Cox Creek Sewer Service Area and the Existing Water Service category in the Glen Burnie Low 220 Water Pressure Zone. The proposal is consistent with the 2017 Water and Sewer Master Plan.
- The Development Division of OPZ did not object to the applications but did advise that the property is a platted “Reserve Parcel” shown on the Deerfield Plat and must go through the subdivision process to become a lot. The Division also indicated that the project is subject to addressing the forest conservation requirements. The proposed development is not providing reforestation onsite as required. The proposed Forest Conservation Area located inside the drive aisle and parking area does not meet the minimum requirements. The development will be subject to addressing the requirements for Preliminary Plan and Site Development process. The Administrative Site Plan does demonstrate that the landscape requirements can be met.
- The Engineering Division of the Department of Inspection and Permits had no objection to the application provided their comments on the Preliminary Site Development Plan are appropriately addressed.
- The State Highway Administration (SHA) had no objection to the Preliminary Site Development Plan.

- The Department of Recreation and Parks advised that the proposed development will not impact any Anne Arundel County greenways, parks, and trails.
- With regard to the standards by which a variance and special exception may be granted as set forth under the County Zoning Ordinance in § 18-16-304. and § 18-16-305, OPZ recommends that the special exceptions and variance applications be approved, subject to the applicant providing satisfactory evidence of need for the use.

Testimony and Exhibits

The applicant was represented at the hearing by David A. Katz, Esquire, of the law firm of Katz Day, LLC. Evidence was presented by way of testimony and exhibits from Terry Schuman of Bay Engineering, Inc., the applicant's engineer, that the proposed use met the requirements for an assisted living facility in an R5 district and the general conditions for the granting of a special exception, except for the 5.0 acre requirement for an assisted living facility. The subject property, Parcel 656, was created as a separate lot in 1995 as 5.0 acres. However, the State Highway Administration took 0.11 acres for a road widening project, leaving Parcel 656 with only 4.89 acres in area. The requested variance meets the requirements for the granting of a variance to the 5.0 acre requirement for a special exception for an assisted living facility in an R5 district.

Mr. Schuman also testified that Parcel 656 was not considered as part of the density requirements for the Deerfield PUD. Therefore, removing the subject

property from the Deerfield PUD would not have an adverse impact on the Deerfield PUD.

Philip R. Hager was accepted as an expert in, among other things, land planning and development. Mr. Hager testified that the application met the requirements of the Code for an assisted living facility as well as a variance to the 5-acre minimum area requirement for an assisted living facility. The application also satisfies the general requirements for a special exception found in § 18-16-305 as there is a need for assisted living facilities based on population and other factors. The proposed assisted living facility will allow nearby residents to remain in their community as they age. The proposed use is consistent with the Land Development Plan. It will not generate excess traffic or have an adverse impact on schools and other public resources. In addition, the proposed assisted living facility would be compatible with the adjacent Deerfield PUD.

Andrew Teeters testified that he has been involved in the development and operation of assisted living facilities for the past fifteen years. Many projects were in Maryland and Anne Arundel County. The applicant has done extensive research to show that there is considerable need for the proposed assisted living facility in this area of the County.

Suzanne Wenger and Stephanie Melchor testified that they live in the neighborhood. They are concerned about the effect the proposed facility will have on traffic and bringing outside residents into their community.

There was no other testimony taken or exhibits received in the matter. The Hearing Officer did not visit the property.

DECISION

Special Exception

A special exception use is a use that the legislative body recognizes as compatible with permitted uses, subject to a public hearing to show compliance with the underlying standards. Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 (1981); Peoples Council for Baltimore County, et al v. Loyola College in Maryland, 406 Md. 54, 956 A. 2d 166 (2008). “A permitted use in a given [zoning] zone is permitted as of right within the zone, without regard to any potential or actual adverse effect that the use will have on neighboring properties. A special exception, by contrast, is merely deemed *prima facie* compatible in a given zone. The special exception requires a case-by-case evaluation by an administrative zoning body or officer according to legislatively-defined standards.

Based upon the evidence, I find that the applicant has complied with each of the specific criteria set forth in § 18-11-104, with the exception of the 5-acre minimum area requirement. However, the requested variance will be granted for reasons set forth below.

The applicant has also presented evidence that the special exception granted in Case No. 1985-0394-S, which created the adjoining PUD known as Deerfield, can be modified to eliminate the subject property from that PUD. Parcel 656 was

created by separate deed in 1995 and its density was not included in the density requirements for the Deerfield PUD. It is undeveloped.

In addition, § 18-16-304 requires that the Hearing Officer make findings as to the following factors. These findings apply to both the special exception to modify the Deerfield PUD granted in Case No. 1985-0394-S and the application to grant the special exception to allow an assisted living facility to be constructed on the subject property.

(1) Public Health, Safety, and Welfare

I find that the proposed use will not be detrimental to the public health, safety, and welfare. The testimony and evidence shows that the facility has been designed and will be operated in a manner that will protect the public health, safety and welfare.

(2) Compatibility with Development of the Surrounding District

The facility and the nature of the use are compatible with the appropriate and orderly development of the district in which it is located.

(3) Noise, Fumes, Vibration and Light

The proposed use will be no more objectionable with regard to noise, fumes, vibration or light to nearby properties than operations in permitted uses in this district.

(4) Adverse Effects

The use at the location proposed will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district.

(5) Conflict with Public Facilities and Roads

The proposed use will not conflict with any existing or programmed public facility, public service or road.

(6) Health Department and Planning & Zoning Recommendations

The Department of Health and the Office of Planning and Zoning has no objection to the application.

(7) The General Development Plan

The proposed use is consistent with the County General Development Plan.

(8) Public Need

The applicant presented detailed evidence of the need for the proposed services through the testimony and exhibits presented by Philip Hager and Andrew Teeters. This constitutes sufficient evidence of public need.

(9) Adherence To The Criteria For The Specific Use

The applicant has presented sufficient evidence that the use will meet and be able to maintain adherence to the criteria for the specific use.

(10) Critical Area Compliance

The facility is not in the critical area.

(11) Compliance with the Landscape Manual

The applicant will have to comply with the Landscape Manual during the permitting phase. The applicant asserts that it can comply with the Landscape Manual. As a builder and operator of assisted living facilities, the applicant has shown that it will comply with this requirement.

I conclude that the applicant is entitled to the requested special exception to modify the special exception granted in Case No. 1985-0394-S to remove Parcel 656 from the Deerfield PUD and to allow the construction and operation of the proposed assisted living facility on Parcel 656.

The Variance

Requirements for Zoning Variance

§ 18-16-305 sets forth the requirements for granting a zoning variance. Subsection (a) reads, in part, as follows: a variance may be granted if the Administrative Hearing Officer finds that practical difficulties or unnecessary hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done. A variance may be granted only if the Administrative Hearing Officer makes the following affirmative findings:

- (1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there

is no reasonable possibility of developing the lot in strict conformance with this article; or

(2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

The variance process for subsection (1) above is a two-step process. The first step requires a finding that special conditions or circumstances exist that are peculiar to the land or structure at issue which requires a finding that the property whereupon the structures are to be placed or use conducted is unique and unusual in a manner different from the nature of the surrounding properties. The second part of the test is whether the uniqueness and peculiarity of the property causes the zoning provisions to have a disproportionate impact upon the subject property causing the owner a practical difficulty or unnecessary hardship. “Uniqueness” requires that the subject property have an inherent characteristic not shared by other properties in the area. *Trinity Assembly of God of Baltimore City, Inc. v. People’s Counsel for Baltimore County*, 178 Md. App. 232, 941 A.2d 560 (2008); *Umerley v. People’s Counsel for Baltimore County*, 108 Md. App. 497, 672 A.2d 173 (1996); *North v. St. Mary’s County*, 99 Md. App. 502, 638 A.2d 1175 (1994), cert. denied, 336 Md. 224, 647 A.2d 444 (1994).

The variance process for subsection (2) - practical difficulties or unnecessary hardship - is simpler. A determination must be made that, because of exceptional circumstances other than financial considerations, the grant of a

variance is necessary to avoid practical difficulties or unnecessary hardship, and to enable the applicant to develop the lot.

Furthermore, whether a finding is made pursuant to subsection (1) or (2) above, a variance may not be granted unless the hearing officer also finds that: (1) the variance is the minimum variance necessary to afford relief; (2) the granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located, (3) substantially impair the appropriate use or development of adjacent property, (4) reduce forest cover in the limited development and resource conservation areas of the critical area, (5) be contrary to acceptable clearing and replanting practices required for development in the critical area, or (6) be detrimental to the public welfare.

Findings - Zoning Variance

I find, based upon the evidence, that because of the unique physical conditions peculiar to and inherent in the subject property, i.e., that Parcel 656 contains 4.89 acres as a result of the State Highway Administration taking 0.11 acres to widen Edward Raynor Boulevard, there is no reasonable possibility of developing the lot in strict conformance with the Code. Furthermore, the evidence shows that to deny the application based on the absence of 0.11 acres on these facts would cause the applicant practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

I further find that the requested variance is the minimum variance necessary to afford relief, that the granting of the variance will not alter the essential

character of the neighborhood or district in which the lot is located, will not substantially impair the appropriate use or development of adjacent property, will not reduce forest cover in the limited development and resource conservation areas of the critical area, will not be contrary to acceptable clearing and replanting practices required for development in the critical area, or be detrimental to the public welfare.

ORDER

PURSUANT to the application Monarch Development Company JV, LLC, petitioning for a special exception to allow the modification of a previously approved special exception to remove 4.89 acres from a Planned Unit Development, a special exception to allow an assisted living facility (140 assisted care units) in a R5 – Residential District, and a variance to allow an assisted living facility with less lot area than required on property with 329 feet of frontage on the south side of Mountain Road, east of Edwin Raynor Boulevard, Pasadena; and

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this **30th day of November, 2021**;

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicant is hereby **granted**:

1. A special exception to remove Parcel 656 from the previously approved Deerfield Planned Unit Development (PUD) granted in Case No. 1985-0394-S; and

2. A special exception pursuant to § 18-11-104 to allow the applicant to construct a four-story assisted living facility containing 140 assisted care units and 112 surface parking spaces around the perimeter of the building, as shown on County Exhibit 2; and
3. A variance of 0.11 acres to the 5-acre minimum lot area requirement of § 18-11-104 to allow the applicant to construct a four-story assisted living facility containing 140 assisted care units and 112 surface parking spaces around the perimeter of the building on Parcel 656, as shown on County Exhibit 2.

The foregoing special exceptions and variance are subject to the applicant complying with any instructions and necessary approvals from the Office of Planning and Zoning, the Department of Inspections and Permits, the Department of Health, and/or the Critical Area Commission.

This Order does not constitute a building permit. In order for the applicant to construct the structures permitted in this decision, they must apply for and obtain the necessary building permits, along with any other approvals required to perform the work described herein.

Furthermore, County Exhibit 2, referenced in this decision, is incorporated herein as if fully set forth and made a part of this Order. The proposed improvements shown on County Exhibit 2 shall be constructed on the subject property in the locations shown therein. This decision and order shall not prohibit the applicant from making minor changes to the facilities as presently shown on

County Exhibit 2 to adjust for changes made necessary by comments or requirements that arise during plan review or construction, provided those minor changes do not exceed the special exceptions and variance granted herein. The reasonableness of any such change shall be determined by the Office of Planning and Zoning.



Douglas Clark Hollmann
Administrative Hearing Officer

NOTICE TO APPLICANT

This Order does not constitute a building permit. In order for the applicant to perform the work permitted in this decision, the applicant must apply for and obtain the necessary building permits, along with any other approvals required to perform the work described herein.

Any person, firm, corporation, or governmental agency having an interest in this Decision and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals within thirty (30) days from the date of this Decision. If the variance or variances granted in this case relate to work in the critical area, a permit for the activity that was the subject of this variance application will not be issued until the appeal period has elapsed.

Further, § 18-16-405(a) provides that a variance or special exception that is not extended or tolled expires by **operation of law** unless the applicant within 18 months of the granting of the variance or special exception (1) obtains a building permit or (2) files an application for subdivision. Thereafter, the variance or special exception shall not expire so long as (1) construction proceeds in accordance with the permit or (2) a record plat is recorded among the land records pursuant to the application for subdivision, the applicant obtains a building permit within one year after recordation of the plat, and construction proceeds in accordance with the permit.

If this case is not appealed, exhibits must be claimed within 60 days of the date of this Order, or they may be discarded.

**FINDINGS AND RECOMMENDA
OFFICE OF PLANNING AND ZO
ANNE ARUNDEL COUNTY, MARYLAND**

CO. EXHIBIT#: 1
CASE: 2021-945, 955-
DATE: 11/19/21

APPLICANT: Monarch Development Company JV LLC **ASSESSMENT DISTRICT:** 3

CASE NUMBER: 2021-0094-S, 0095-S, and 0096-V **COUNCILMANIC DISTRICT:** 3

HEARING DATE: November 9, 2021

PREPARED BY: Robert Konowal
Planner

REQUEST

The applicant is requesting approval of special exceptions to allow the modification of a previously approved special exception to remove 4.89 acres from a Planned Unit Development, to allow an Assisted Living Facility in a R5 Residential District and a variance to allow an Assisted Living Facility with less lot area than required on property located at the southeast corner of Mountain Road and Edwin Raynor Boulevard in Pasadena.

LOCATION AND DESCRIPTION OF SITE

The subject property has 329 feet of frontage on the south side of Mountain Road, 0 feet east of Edwin Raynor Boulevard and is 4.89 acres in area. The property is shown on Tax Map 17, Block 21 as Reserved Parcel 656 and is currently zoned "R5-Residential District". This zoning was implemented by the comprehensive rezoning for the Third Council District on January 29, 2012.

The property is a currently vacant forested lot.

APPLICANT'S PROPOSAL

The applicant is proposing to remove the subject lands from the previously approved Deerfield Planned Unit Development (PUD) and construct a four-story Assisted Living Facility having 140 assisted care units. 112 surface parking spaces will be provided around the perimeter of the building.

SPECIAL EXCEPTION STANDARDS

A PUD is a special exception use in a R5 District and the specific criteria for a PUD are set forth under Title 12 of the Code. The specific criteria by which a special exception for an Assisted Living Facility may be granted are set forth under Section 18-11-104. of the Zoning Code. Additionally, all special exceptions are subject to the general standards contained in Section 18-16-304.

REQUESTED VARIANCE

Section 18-11-104. of the Code requires that an Assisted Living Facility in a R5 Residential District be located on a lot of at least 5.0 acres. The subject property is 4.89 acres in size. A variance of 0.11 acres is required.

FINDINGS

Background

The 60.2 acre Deerfield Planned Unit Development was originally approved in 1985 (Case 1985-0394-S). The approved development contains 276 dwelling units of various dwelling types that includes 82 single family dwellings, 108 garden apartments, and 86 townhouse units. Also included in the then approved PUD was the subject property, a “reserved parcel” of 5.0 acres¹ for future unspecified development. The PUD, not including the subject property, provided for development at 5.0 dwellings per acre in accordance with the density provisions of the underlying R5 District.

1. Special Exception to Modify the Deerfield PUD

Section 18-12-202 of the Code specifies the uses allowed in a PUD. An Assisted Living Facility is only permitted in a PUD of 500 or more dwelling units which is not the case for the 276 dwelling unit Deerfield PUD. The proposed special exception modification will remove the subject lands from the Deerfield PUD so that it is not subject to the PUD requirement of 500 or more dwelling units for an Assisted Living Facility.

Section 18-12-203 of the Code states a PUD may not exceed the density allowed by the zoning district in which the development is located. The subject property was not included in the density calculations of the Deerfield PUD. An Assisted Living Facility comprised of assisted care units is however not subject to the maximum density provisions of the Code. The removal of the subject property from the Deerfield PUD will not jeopardize any approved density for that project.

There is no evidence that removal of the subject lands would undermine the original development concept of the Deerfield PUD as the specific use of these lands was not specified at the time of approval of the Deerfield PUD. Since the lands are a reserve parcel they will be subject to the subdivision approval process.

2. Special Exception - Proposed Assisted Living Facility

The specific special exception standards for an Assisted Living Facility require that the use be located on a lot of at least 5.0 acres when located in a R5 Residential District. In this case, the subject property at 4.89 acres does not meet the minimum lot size requirement of the Code. The applicant is requesting a variance to this standard and this Office is recommending approval.

¹ 0.11 acres of the reserved parcel is now owned by State Highway Administration.

The applicant is proposing 140 assisted care units in a multifamily structure with a central located group dining facility as required by the Code. No comprehensive care units are provided nor are they required by the specific special exception criteria. No more than two dwelling units for every 100 dwelling units are to be devoted to temporary use for guests or family members of residents. A pedestrian circulation system interconnecting all parts of the facility has been provided. The bulk regulations have been or are capable of being met. Public sewer service is available to the site in accordance with the Code requirement for the use.

In accordance with the general standards for granting a special exception, the Office of Planning and Zoning finds that the proposed use of the subject property for an Assisted Living Facility will not be detrimental to the public health, safety, or welfare. The Fire Department and Health Department have indicated no objection to the application.

The use will be compatible with the appropriate and orderly development of the district in which it is located. The proposed use is suitably located at the periphery of a residential area and adjacent lands used for low density residential purposes are to be well separated and buffered by a forest conservation easement and lands dedicated for open space purposes. The use of the subject property for an Assisted Living Facility will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article. The activity associated with the use will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district. As stated earlier, the use is appropriately located at the periphery of a residential area. Adjacent residential uses will be separated by a forested buffer and a public roadway to the south.

There is no evidence that the proposed use will conflict with an existing or programmed public facility, public service, school, or road. The administrative site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual.

The applicant is to present sufficient evidence of public need for the use.

Variance

This Office finds the subject property which was originally platted as 5.0 acres in 1986 was reduced in size in 2002 due to a State roadway widening project on Edwin Raynor Boulevard. This road dedication is an exceptional circumstance which creates a practical difficulty in complying with the Code. There is no opportunity to provide additional lands and as such the requested variance to the minimum lot area for the Assisted Living Facility is the minimum necessary to afford relief. There is no evidence that the variance for reduced lot area will alter the essential character of the neighborhood, impair the appropriate use or development of adjacent lands or be detrimental to the public welfare.

Agency Comments:

The Department of Health advised the property is served by public water and sewer facilities and the Department has no objection to the request.

The **Long Range Planning Division** of the Office of Planning and Zoning advised the Plan2040 General Development Plan Land Use Map designates the site as Residential Low-Medium Density. The surrounding properties are designated as Commercial along Mountain Road and Residential Low and Residential Low-Medium in the surrounding neighborhoods. The site is within the Neighborhood Preservation Development Policy Area and is also located within the Priority Funding Area. The Plan2040 GDP does not have recommendations that are specific to this site, and this proposal is generally consistent with the Plan2040 GDP goals, policies and recommendations.

The site is in the Existing Sewer Service category in the Cox Creek Sewer Service Area and the Existing Water Service category in the Glen Burnie Low 220 Water Pressure Zone. The proposal is consistent with the 2017 Water and Sewer Master Plan.

The **Development Division** of the Office of Planning and Zoning did not object to the applications but did advise that the property is a platted “Reserve Parcel” shown on the Deerfield Plat and must go through the subdivision process to become a lot. The Division also indicated that the project is subject to addressing the Forest Conservation requirements. The proposed development is not providing reforestation onsite as required. The proposed Forest Conservation Area located inside the drive aisle and parking area does not meet the minimum requirements. The development will be subject to addressing the requirements for Preliminary Plan and Site Development process. The Administrative Site Plan does demonstrate that the landscape requirements can be met.

The **Engineering Division** of the Department of Inspection and Permits had no objection to the application provided their comments on the Preliminary Site Development Plan are appropriately addressed.

The **Maryland State Highway Administration (SHA)** had no objection to the Preliminary Site Development Plan.

The **Department of Recreation and Parks** advised that the proposed development will not impact any Anne Arundel County greenways, parks, and trails.

RECOMMENDATION

With regard to the standards by which a variance and special exception may be granted as set forth under the County Zoning Ordinance in Sections 18-16-304. and 18-16-305., the Office of Planning and Zoning recommends the following apply to the subject property:

- 1) That a variance of .11 acres to the minimum lot area requirement of 5.0 acres to allow an Assisted Living Facility on a lot of 4.89 acres be approved,
- 2) That a special exception to modify the Planned Unit Development known as Deerfield by removing Reserve Parcel 656 from the approved plan be approved and,
- 3) That a special exception to allow an Assisted Living Facility with 140 assisted care units

be *approved* as generally shown on the attached site plan subject to the applicant providing satisfactory evidence of need for the use.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits, and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.

For Office Use Only

CASE # 2021-0034-S
 FEE PAID \$1305.00
 DATE 05 13 2021

**For Office Use Only**

ZONE R5
 CRITICAL AREA: IDA LDA RCA
 BMA: Yes No
 NO. OF SIGNS 3

SPECIAL EXCEPTION APPLICATION

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): Monarch Development Company JV LLC

(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: Mountain Road, Pasadena, MD 21122

Property Location: 329+/- feet of frontage on the (S) side of Mountain Road
 (Enter Street Name)

0 feet (E) of (Nearest intersecting street) Edwin Raynor Boulevard
 (Enter Street Name)

12-digit Tax Account Number 03-226-90047351 Tax District (3) Council District (3) ✓

Waterfront Lot: Y N Corner Lot: Y N Deed Title Reference 7079/609

Zoning District R5 Lot # Tax Map 17 Block/Grid 21 Parcel 656 Reserve

Area 4.89 (Acres) Subdivision Name Deerfield

Description of Special Exception Requested (Brief, detail fully in letter of explanation)

Removal of Reserved Parcel 656 from the Deerfield PUD

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest equal to or in excess of 10 percent of the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature Andrew Teeters

Owner's Signature _____

Charles M. Reeder, Trustee and Individually,

Print Name Monarch Development Company JV LLC

Print Name John H. Reeder, Co-Trustee and Individually

Mailing Address 1359 Hooksett Rd

Mailing Address 4701 Latona Avenue (Charles M. Reeder)

City, State, Zip Hooksett, NH 03106

City, State, Zip North East Seattle, WA 98105

216 W. Brandon Rd. (John H. Reeder)
Columbia, MO 65203

Work Phone 301-803-0618

Home Phone 573-442-6086

Home Phone _____

Home Phone 573-442-6086

Cell Phone Andrew Teeters

Cell Phone _____

Email Address ateeters@monarchcommunities.com

Email Address mreeder@centurylink.net

* * * Below For Office Use Only * * *

Application accepted by Anne Arundel County Office of Planning and Zoning:

Special Exception to residential allow modification of a previously approved
special exception to remove approx. 4.89 acres from a PUD
Planned Unit Development.

AK

05 13 2021

Initials _____

Date _____

For Office Use Only

CASE # 2021-0095-S
FEE PAID \$1305.00
DATE 05 13 2021



For Office Use Only

ZONE R5
CRITICAL AREA: IDA LDA RCA
BMA: Yes No
NO. OF SIGNS 3

SPECIAL EXCEPTION APPLICATION

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): Monarch Development Company JV LLC

(Applicant must have a financial, contractual, or proprietary interest in the property)

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Property Location: 329+/- feet of frontage on the (S) side of Mountain Road
(Enter Street Name)

0 feet (E) of (Nearest intersecting street) Edwin Raynor Boulevard
(Enter Street Name)

12-digit Tax Account Number 03-226-90047351 Tax District (3) Council District (3)

Waterfront Lot: Y N Corner Lot: Y N Deed Title Reference 7079/609

Zoning District R5 Lot # Tax Map 17 Block/Grid 21 Parcel 656 Reserve

Area 4.89 (Acres) Subdivision Name Deerfield

Description of Special Exception Requested (Brief, detail fully in letter of explanation)

Allow an Assisted Living Facility in the R5 zone.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest equal to or in excess of 10 percent of the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature John H. Reeder

Owner's Signature

Charles M. Reeder, Trustee and Individually,

Print Name Monarch Development Company JV LLC

Print Name John H. Reeder, Co-Trustee and Individually

Mailing Address 1359 Hooksett Rd

Mailing Address 4701 Latona Avenue (Charles M. Reeder)

City, State, Zip Hooksett, NH 03106

City, State, Zip North East Seattle, WA 98105

216 W. Brandon Rd. (John H. Reeder)
Columbia, MO 65203

Work Phone 301-803-0618

Home Phone 573-442-6086

Home Phone

Home Phone 573-442-6086

Cell Phone Andrew Teeters

Cell Phone

Email Address ateeters@monarchcommunities.com

Email Address mreeder@centurylink.net

* * * Below For Office Use Only * * *

Application accepted by Anne Arundel County Office of Planning and Zoning:

Initials

Date

Special Exception to allow an Assisted Living Facility
(140 assisted care units) in a R5-Residential
District

For Office Use OnlyCASE # 2021-0096-VFEE PAID \$ 585.00DATE 05 13 2021**For Office Use Only**ZONE RSCRITICAL AREA: IDA LDA RCA BMA: Yes No NO. OF SIGNS 3**VARIANCE APPLICATION**

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): Monarch Development Company JV LLC

(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: Mountain Road, Pasadena, MD 21122
 Property Location: 329+/- feet of frontage on the (S) side of Mountain Road
 (Enter Street Name)
0 feet (E) of (Nearest intersecting street) Edwin Raynor Boulevard
 (Enter Street Name)
12-digit Tax Account Number 03-226-90047351 Tax District (3) Council District (3)Waterfront Lot: Y N Corner Lot: Y N Deed Title Reference 7079/609Zoning District R5 Lot # Tax Map 17 Block/Grid 21 Parcel 656 ReserveArea 4.89 (Acres) Subdivision Name Deerfield

Description of Proposed Project and Variance Requested (Brief, detail fully in letter of explanation)

Variance to the required lot size for a proposed Assisted Living Facility.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest in the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature Andrew Teeters

Owner's Signature _____

Charles M. Reeder, Trustee and Individually

Print Name Monarch Development Company JV LLCPrint Name John H. Reeder, Co-Trustee and IndividuallyMailing Address 1359 Hooksett RdMailing Address 4701 Latona Avenue (Charles M. Reeder)City, State, Zip Hooksett, NH 03106City, State, Zip North East Seattle, WA 98105Work Phone 301-803-0618Work Phone 216 W. Brandon Rd. (John H. Reeder)Columbia, MO 65203

Home Phone _____

Home Phone 573-442-6086Cell Phone Andrew Teeters

Cell Phone _____

Email Address ateeters@monarchcommunities.comEmail Address mreeder@centurylink.net

* * * Below For Office Use Only * * *

Application accepted by Anne Arundel County Office of Planning and Zoning: Initials KDate 05 13 2021Variance to allow an assisted living facility (140 assisted care units)
with less lot area than required



Existing Conditions



Legend

Foundation

Parcels

City of Annapolis Parcels

Notes

THIS MAP IS NOT TO BE USED FOR NAVIGATION

5365

Copyright State Archives

ALL PERTINENT INVESTIGATIVE RIGHTS TO HAVE BEEN EXERCISED BY THE
FEDERAL BUREAU OF INVESTIGATION, AND THAT IT IS THE OPINION OF
THE ATTORNEY GENERAL THAT NO FURTHER INVESTIGATION IS
NECESSARY.

THE REQUIREMENT OF THIS FORM IS THAT IT MUST BE SIGNED BY THE PERSON TO WHOM IT IS ISSUED.

Lawrence Back-Kit-ka x'zalag

ANAREX, INC.
55-1155387-52 75756.93
EXECUTIVES - PLACEMENT
503 PINEWOOD DRIVE #100
CANTON, OHIO 44718-2410



— AREA TAB

PL 125	~	4.2542
2235	~	15.0342
2235.225	~	1.5842
2235.225.225	~	0.5842
Total 1924 -		19.8142

PAGE

DEERFIELD
THIRD DISTRICT 246, NC
SCALE: 1"=100' FEBRUARY, 1965
AC 56 10 40

0000 551 125 470

REBELLION OF THE
FEDERAL GOVERNMENT AGAINST THE PEOPLE
TO WHICH, AND THE REVOLUTION SHOT TO
DESTRUCTION. THE FORM OF STATE GOVERNMENT
FROM WHICH IMMEDIATELY ORGANIZED, PRACTICALLY
AND APPROPRIATELY TO ABSOLUTELY LEARN
THE ACTUAL DRAMATIC CRIMES, AND NOT
WHEN, OR ELSE, CRIMES WHICH, IN
FACTS ARE ILLUSTRATED BY THE STYLING
AS ILLUSTRATED GRAMMATICALLY ON THAT PLAN.

ALL PARTIES IN INTEREST NOTED TO AND MEMORANDUM ATTACHED THEREIN
STATEDLY INDICATING THOSE ASSIST TO THIS PLAN OF SUBDIVISION.
(SEE PLAN AND PLAN ACCORDINGLY NOTED)

CHARLES C. REED, Owner
D. W. R. Realty #2219a
1017 E. BELMONT AVE. SUITE 1000 84151 0870

THE REQUIREMENTS OF THE ABOVE ARKANSAS COUNTY HEALTH
DEPARTMENT HAVE BEEN MET IN PROCESSING THIS PLAT.
4. *Howard Smith* 7/17/86
COUNTY HEALTH OFFICE (RECEIVED 7/17/86) DATE

Florence Rock-Nurthe 1-17 8/26/86



ANAPLEX, INC.
ENERGAS - 501537105
GEOPOLYESTER - PL-1000000
923 BURGESS HIGHWAY 15
SEVENDALE PARK, SCOTLAND

AREA TABLE		
ROADS & RIVER	~	0.3642.
DOWN HOUSE 1954	~	6.8742.
AGE AREA #1	~	0.6842.
~ #2	~	4.1042.
REC. AREA #3	~	3.1442.
GREEN STREETS	~	0.7142.
TOTAL AREA	~	25.6142.

PLATE 3
DEERFIELD
100' SCALE
EASTING 1000' 1000' 1000'
SOUTHING 100' 100' 100' 100'
SCALE: 1" = 100' FEBRUARY, 1965
40 6 14 26
TAX NO. 17 180023 31 185321 12
SUBDIVISION 5000' 200' 200' 200'
SECTION IN PLAT 3034 41

MS. SS. 125.4001

ARC CAFEUSA001 LLC ,
C/O THE WENDY'S COMPANY
4288 W DUBLIN-GRANVILLE RD
DUBLIN OH 43017

BERRY TRUSTEE ROBERT P , C/O RITE AID CORP...
C/O RITE AID
PO BOX 115
BOSTON MA 02127

EASI LANDING LLC ,
8251 BAYSIDE DR
PASADENA MD 21122

REEDER CHARLES M , REEDER JOHN H ETAL
C/O JOHN REEDER
216 W BRANDON RD
COLUMBIA MO 65203

CHESTERFIELD PLAZA II ,
C/O KE ANDREWS
2424 RIDGE RD
ROCKWALL TX 75087

TACO BELL OF BALTIMORE INC ,
PO BOX 610
AUBURN CA 95604

CHESTERFIELD PLAZA II ,
C/O RITE AIDE #1757
PO BOX 3165
HARRISBURG PA 17105

EASI LANDING LLC ,
8251 BAYSIDE DR
PASADENA MD 21122

REEDER TRUSTEE FRANCES A , REEDER TRUST...
C/O JOHN REEDER
216 W BRANDON RD
COLUMBIA MO 65203

SWITALA LEONARD IV , SWIEALA JAMIE
8218 BAMBRIDGE CT
PASADENA MD 21122

RODRIGUEZ JUSTIN , COSTELLO-RODRIGUEZ ME...
8216 BAMBRIDGE CT
PASADENA MD 21122

MILLER THOMAS I , MILLER STACEY J
8214 BAMBRIDGE CT
PASADENA MD 21122

SERVINSKY ANDREW M , SKLAVOS MARIA A
8210 BAMBRIDGE CT
PASADENA MD 21122

WUKITCH JEFFREY R , WUKITCH AIMEE J
8208 BAMBRIDGE CT
PASADENA MD 21122

SCHROEDER THERESA R , SCHROEDER DAVID D
8204 BAMBRIDGE CT
PASADENA MD 21122

LOWRANCE FAMILY TRUST ,
8200 BAMBRIDGE CT
PASADENA MD 21122

BOUDREAU CAITLIN , PICKETT JOSHUA R
8201 BAMBRIDGE CT
PASADENA MD 21122

WALL JONATHAN K , MACUCI-WALL JOAN M
8203 BAMBRIDGE CT
PASADENA MD 21122

WALKER DAVID A , WALKER STEPHANIE F
8205 BAMBRIDGE CT
PASADENA MD 21122

KOVACEVICH ASHLEY L ,
8207 BAMBRIDGE CT
PASADENA MD 21122

DALEY JR ALBERT L , DALEY ALETA M
8209 BAMBRIDGE CT
PASADENA MD 21122

LEACH MATTHEW , PFORR EMILY
8211 BAMBRIDGE CT
PASADENA MD 21122

BINDRA HARPRETT S , BINDRA INDU
8213 BAMBRIDGE CT
PASADENA MD 21122

DEICKMAN ROBERT C , DEICKMAN KATHY A
8215 BAMBRIDGE CT
PASADENA MD 21122

YOO DONG WOO , YOO HAE RAN
8217 BAMBRIDGE CT
PASADENA MD 21122

WILLIAMS MICHAEL B , WILLIAMS EMILY L
8219 BAMBRIDGE CT
PASADENA MD 21122

DEERFIELD DEVELOPMENT CORPORATION ,
PO BOX 878
GLEN BURNIE MD 21060

DEERFIELD OPEN SPACE ASSN INC ,
C/O TALKIN ABRAMSON
5560 STERRETT PL
COLUMBIA MD 21044

DEERFIELD OPEN SPACE ASSN INC ,
C/O TALKIN ABRAMSON
5560 STERRETT PL
COLUMBIA MD 21044

DEERFIELD OPEN SPACE ASSN INC ,
C/O TALKIN ABRAMSON
5560 STERRETT PL
COLUMBIA MD 21044

KULICK CARL M ,
601 DEERING RD
PASADENA MD 21122

SADE TERA ,
603 DEERING RD
PASADENA MD 21122

HEATH MARY KAY ,
605 DEERING RD
IC
PASADENA MD 21122

FENZEL WAYNE L , FENZEL JOANNE
107 OCEAN DRIVE
MONETGO BAY
OCEAN CITY MD 21842

WOODALL LINDA J ,
609 DEERING RD
PASADENA MD 21122

BENSON LINDA M ,
611 DEERING RD
PASADENA MD 21122

KLAISS ASHLEY R ,
613 DEERING ROAD
UNIT 1G
PASADENA MD 21122

GORDON JUSTIN M ,
615 DEERING RD
PASADENA MD 21122

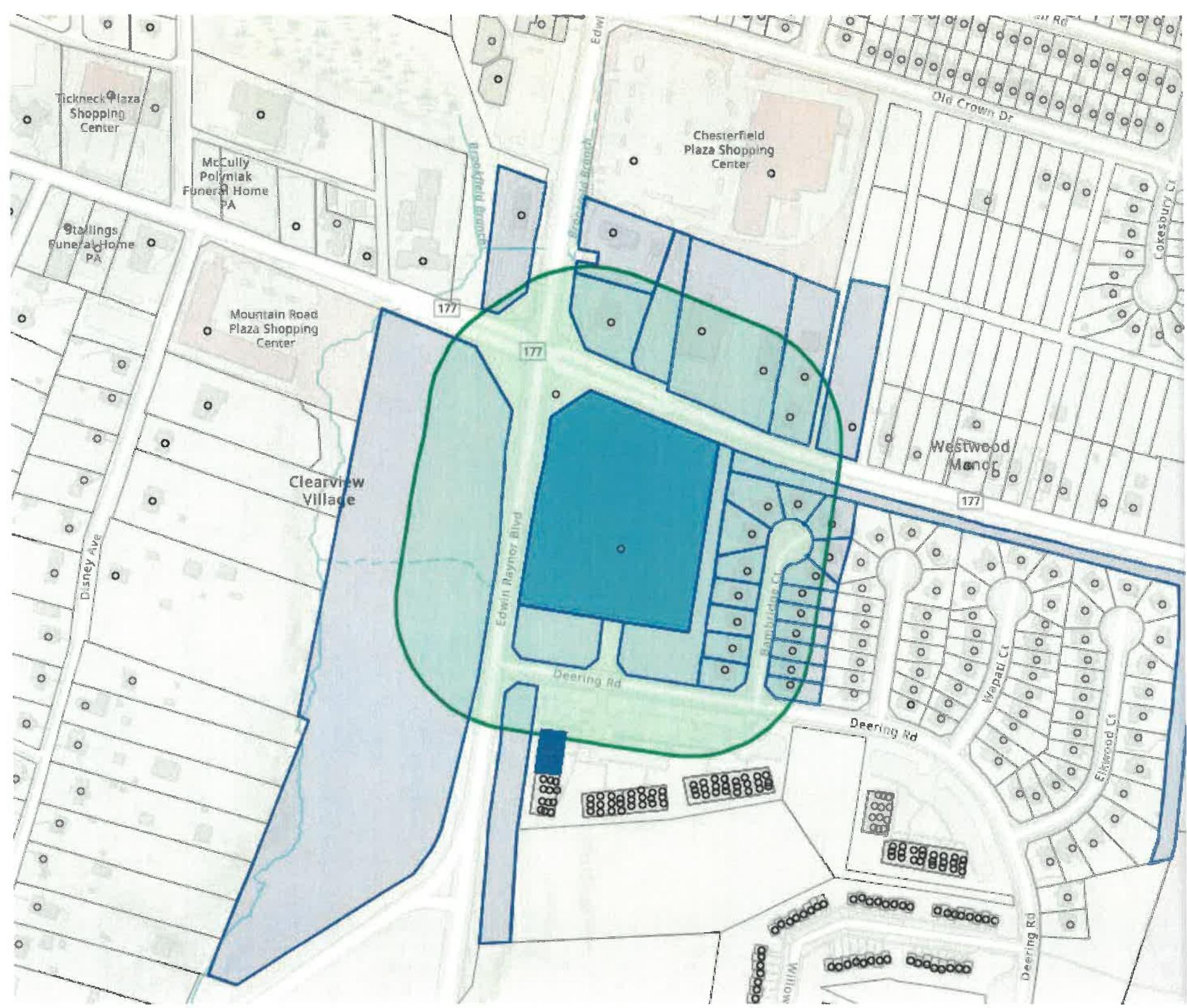
OWENS CRYSTAL A ,
617 DEERING ROAD
UNIT 1J
PASADENA MD 21122

FREITAG NANNETTE R ,
619 DEERING RD
PASADENA MD 21122

GRUSS RYAN ,
621 DEERING RD
PASADENA MD 21122

SCHMIDT LINDA J ,
623 DEERING RD
PASADENA MD 21122

STATE HWY ADMINISTRATION OF THE , DEPARTM...
707 N CALVERT ST M-302
BALTIMORE MD 21202





OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2025-0061-P)

DATE OF MEETING: 07/18/2025

P&Z STAFF: David Russell, Jessica Levy, Jean Janvier, Jeff Torney

APPLICANT/REPRESENTATIVE: Kinley R. Bray EMAIL: kbray@yvslaw.com

SITE LOCATION: 600 Deering Road, Pasadena LOT SIZE: 4.89 AC ZONING: R5

CA DESIGNATION: N/A BMA: N or BUFFER: N APPLICATION TYPE: Variance

The applicant wishes to modify a previously approved Special Exception and Variance (2021-0094-S, 2021-0095-S, and 2021-0096-V). The proposed special exception will change the building layout, parking and increase the approved Assisted Care Unit count from 140 units to 165 units.

Variances are sought to 18-11-104(1) minimum lot size and (11) open area requirement.

COMMENTS

Long Range Planning:

Plan2040 General Development Plan: Plan2040 does not have recommendations that are specific to this site and the proposal is generally consistent with the goals, policies and strategies of Plan2040 including Goal BE11: Provide for a variety of housing types and designs to allow all residents housing choices at different stages of life and at all income levels. This proposal is within Region Planning Area 4 and is generally consistent with the Region Plan goals and strategies.

2022 Water and Sewer Master Plan: The site is in the Existing Service category in the Cox Creek Sewer Service Area and the Existing Service category in the Glen Burnie Low Water Pressure Zone. The proposal is consistent with the 2022 Water and Sewer Master Plan.

Inspections and Permits Engineering:

1. Label each of the stormwater management (SWM) devices.
2. All SWM devices must be a minimum of 10 feet from the property line.
3. Label the storm drain pipes, water lines and sanitary sewer lines on the Site Plan as public or private.
4. Adjust the LOD to include the proposed water line located outside of the western property line.
5. Label the square with the "concrete sidewalk" hatching located directly west of the proposed forest conservation area on the northern portion of the site.
6. An 8" sewer will require manholes rather than a cleanout to change directions. A manhole will also be required 5' outside of the building, rather than a cleanout.
7. A public utility easement (20' by 20') will be needed for the oversized water meter and vault.
8. Prior to SDP approval, a sidewalk easement/pedestrian access easement will be required at the location where the proposed concrete sidewalk running parallel to Edwin Raynor Blvd crosses over the existing property line into the site.

Development Division:

The Development Division defers to the Zoning Division on whether that applicant meets the Special Exception and Variance standards. Should the Special Exception be approved, the following comments are offered.

1. Per Article 17, Title 4, a Site Development Plan (SDP) application "Dash - 01" shall be submitted and approved for the increase to the total number of assisted living units.
2. Adequacy of public facilities must be addressed with the Site Development Plan application.

Zoning Administration Section:

The application appears to meet the specific requirements for an assisted living facility except for the minimum lot size and open area requirements. A variance is being sought to these provisions. The Letter of Explanation appears to address each of the special exception standards and to provide adequate justification for the variances.

Site Plan:

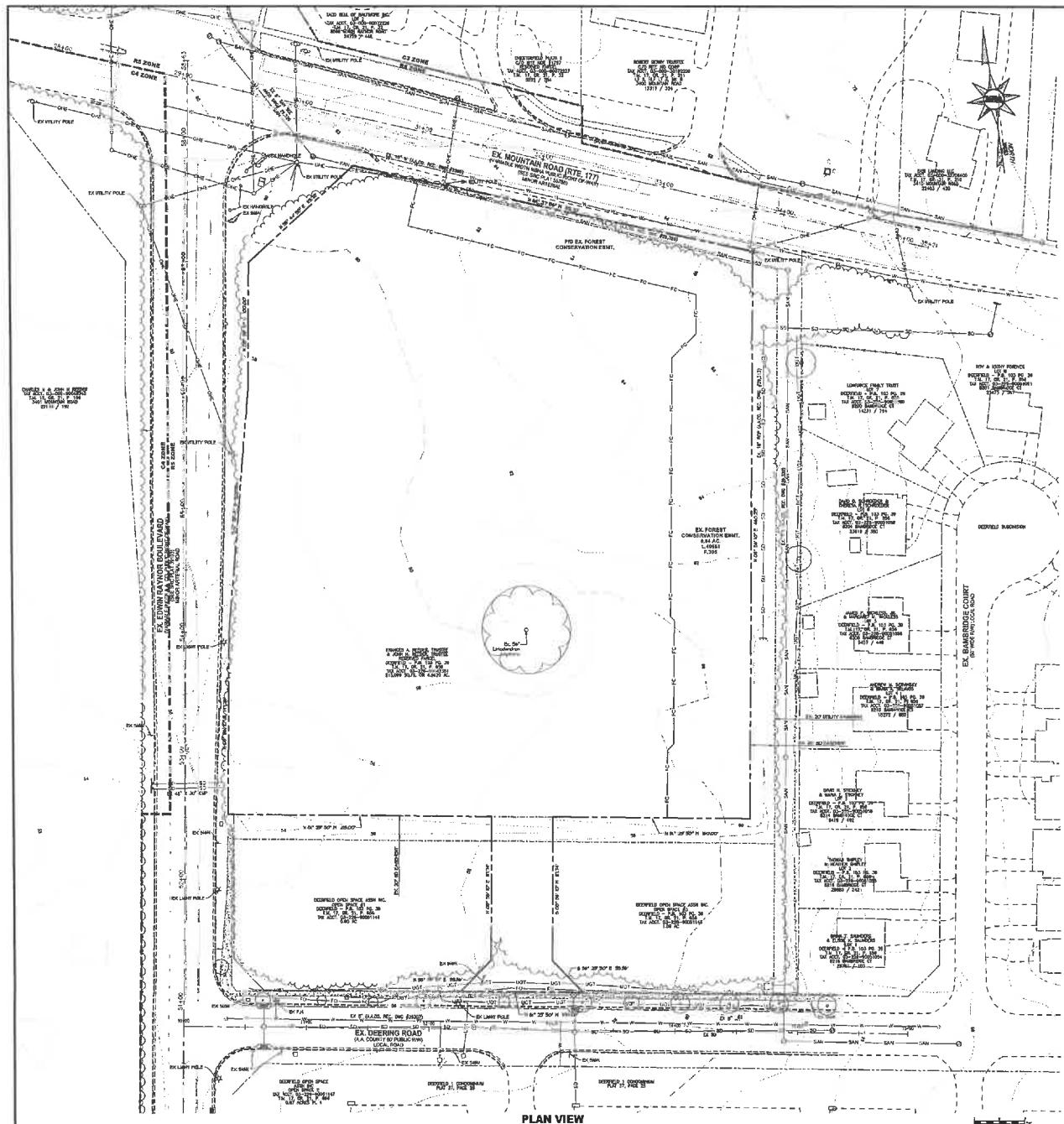
- The height of the principal structure must be noted in the location of the structure on the site plan
- Please provide building dimensions.

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence. A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.



LEGEND

SE-2

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

14280 PARK CENTER DRIVE
LAUREL, MD 20707
(410) 262-0702 / (301) 775-1600

MRAGTA.COM

SPECIAL EXCEPTION PLAN

BRIGHTVIEW ASSISTED LIVING FACILITY

EXISTING CONDITIONS

TAX ACCOUNT NUMBER 03-228-80047351, SUBDIVISION: 51085-204
TAX MAP 17 - BLOCK 21 - PARCEL 104-107-4

TAX MAP 17 ~ BLOCK 21 ~ PARCEL 600, LOT A
ZONED: R5 ~ TAX ASSESSMENT DISTRICT 3 ~ COUNCIL DISTRICT 3
600 DEERING ROAD, FAIRDALE, MARYLAND 21122 ~ ANNE ARUNDEL COUNTY

DATE REVISIONS JOB NO.: (Initials)

SCALE: 1" = 40'

DATE: 10/31/2025

DRAWN BY: KR

DESIGN BY: MI
PRINT BY: MI

REVIEW BY: 00 SHEET: 2 OF 3

11. *What is the best way to increase the number of people who use a particular service?*

**NO CONSIDERATION DEED
EXEMPT TRANSFER TO BENEFICIARIES
NO TITLE SEARCH**

DEED

IMP FD SURE \$	29.00
RECORDING FEE	20.00
TOTAL	49.00

THIS DEED, made this 11 day of January, 2010, by and between Charles M. Reeder, successor trustee for Frances A. Reeder, deceased, and John H. Reeder, co-trustees of the Maryland QTIP Trust A under the Last Will and Testament of Charles C. Reeder, the Maryland QTIP Trust B under the Last Will and Testament of Charles C. Reeder, the Maryland Residuary Trust under the Last Will and Testament of Charles C. Reeder, collectively referred to herein as Parties of the First Part, and Charles M. Reeder, John H. Reeder and Charles M. Reeder and John H. Reeder, co-trustees of the Charles C. Reeder Maryland Trust Under Will for the Benefit of Anne R. Barker, collectively referred to herein as Parties of the Second Part.

WHEREAS, the Parties of the First Part desire to distribute, gift and convey the property described herein to the Parties of the Second Part, the named beneficiaries under those certain trusts:

NOW, THEREFORE, WITNESSETH, that in consideration of these premises and in faithful performance of their duties as required by law, the actual consideration being zero, and pursuant to the Last Will and Testament of Charles C. Reeder, the Parties of the First Part do grant and convey 1) its undivided Eight Thousand One Hundred and Thirty Nine Ten Thousandths (.8139) interest of Maryland QTIP Trust A under the Last Will and Testament of Charles C. Reeder, 2) its undivided Fifteen Hundred and Twenty Nine Ten Thousandths (.1529) interest of Maryland QTIP Trust B under the Last Will and Testament of Charles C. Reeder, and 3) its undivided Three Hundred and Thirty Two Ten Thousandths (.0332) interest of the Maryland Residuary Trust under the Last Will and Testament of Charles C. Reeder, unto Charles M. Reeder, an undivided one-third (1/3) interest, John H. Reeder, an undivided one-third (1/3) interest, and the Charles C. Reeder Maryland Trust under Will for the Benefit of Anne R. Barker, an undivided one-third (1/3) interest, to be held as tenants in common, collectively the Parties of the Second Part, all that fee simple property situate, lying and being in Anne Arundel County, Maryland, and described as follows:

BEING KNOWN AND DESIGNATED as all that property in the southwest and southeast quadrants of the intersection of Edwin Raynor Boulevard and Mountain Road, Pasadena, Anne Arundel County, Maryland, consisting of Parcel 198, compromising approximately 11.426 acres and Reserve Parcel 656, consisting of approximately 5 acres, appearing in the Anne Arundel County Tax Map 17, Block 21.

SAVING AND EXCEPTING all that property conveyed by Deed recorded on June 10, 2002 in the Land Records of Anne Arundel County, MD at Liber 11566, folio 365 by and between the Grantors herein, Parties of the First Part, unto the State of Maryland to the use of the State Highway Administration of the Department of Transportation, for a right of way.

BEING PART OF the same land which by Deed dated July 6, 1995 and recorded among the Land Records of Anne Arundel County Maryland in Liber 7079, folio 609, was granted and conveyed

ACCT. 3226-9W4-7351
ALL LIENS ARE PAID AS
OF 3/30/00 A.A. COUNTY
BY: HR

by Frances A Reeder, John H. Reeder and Barnett Banks Trust Company, N.A. co-personal representatives of the Estate of Charles C. Reeder, unto the Parties of the First Part and Grantors herein.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every interest in the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto the said Parties of the Second Part, as tenants in common, in fee simple.

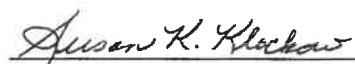
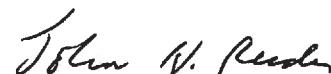
AND the said Parties of the First Part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed and that they will warrant specially the property hereby granted, and that they will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said Grantors.

WITNESS:




Charles M. Reeder, successor co-trustee of 1) the Maryland QTIP Trust A under the Last Will and Testament of Charles C. Reeder, 2) the Maryland QTIP Trust B under the Last Will and Testament of Charles C. Reeder and 3) the Maryland Residuary Trust under the Last Will and Testament of Charles C. Reeder

John H. Reeder, co-trustee of 1) the Maryland QTIP Trust A under the Last Will and Testament of Charles C. Reeder, 2) the Maryland QTIP Trust B under the Last Will and Testament of Charles C. Reeder and 3) the Maryland Residuary Trust under the Last Will and Testament of Charles C. Reeder

STATE OF

Washington

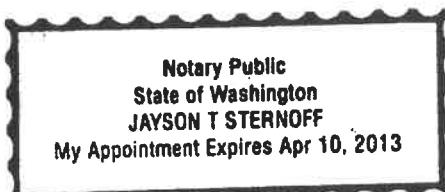
COUNTY OF

King

, to wit:

I hereby certify that on this 5 day of January, 2013 before me, the undersigned officer, a Notary Public in and for the State aforesaid, personally appeared Charles M. Reeder, successor co-trustee, known to me or satisfactorily proven, to be the authorized person whose name is subscribed to the within Deed and who, in my presence, signed and sealed the foregoing Deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public
My commission expires:

April 10th 2013

STATE OF *Missouri*COUNTY OF *Boone*, to wit:

I hereby certify that on this 11 day of January, 2013 before me, the undersigned officer, a Notary Public in and for the State aforesaid, personally appeared John H. Reeder, co-trustee known to me or satisfactorily proven, to be the authorized person whose name is subscribed to the within Deed and who, in my presence, signed and sealed the foregoing Deed.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

MARGARET F. COOPER
Notary Public - Notary Seal
STATE OF MISSOURI
County of Boone
My Commission Expires 6/19/2013
Commission # 09514693

Margaret F. Cooper
Notary Public
My commission expires:

June 19, 2013

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

Kevin E. Sniffen
Kevin E. Sniffen, Attorney

State of Maryland Land Instrument Intake Sheet

[] Baltimore City [x] Anne Arundel County:
 Information provided is for the use of the Clerk's Office and State Department of Assessments and Taxation, and the County Finance Office only.
 (Type or Print in Black Ink Only All Copies Must Be Legible)

<input type="checkbox"/> Check Box if Addendum Intake Form is Attached.																																																																																																																																																																																																																																																																																																																																																																			
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Sniffen, Esq.</td> <td>Firm: Covenant Title Corporation</td> <td>Address: 1623 York Road, Suite 101, Lutherville, MD 21093</td> <td><input type="checkbox"/> Hold for Pickup</td> </tr> <tr> <td></td> <td>Phone: Telephone: 410-280-9700 Fax: 410-280-9796</td> <td></td> <td></td> <td><input type="checkbox"/> Return Address Provided</td> </tr> </table> </td> <td colspan="3"></td> </tr> <tr> <td colspan="4"> <table border="1"> <tr> <td>13</td> <td colspan="3">IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER</td> </tr> <tr> <td></td> <td colspan="3"></td> </tr> <tr> <td></td> <td colspan="3"></td> </tr> <tr> <td></td> <td colspan="3"> <table border="1"> <tr> <td>Assessment Information</td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> <td>Will the property being conveyed be the grantee's principal residence?</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> <td>Does transfer include personal property? If yes, identify: _____</td> </tr> </table> </td> </tr> <tr> <td></td> <td colspan="3"> <table border="1"> <tr> <td><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> <td>Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)</td> </tr> <tr> <td colspan="2">Assessment Use Only: Do Not Write Below This Line</td> </tr> <tr> <td colspan="2">(1) Terminal Verification (2) Agricultural Verification (3) Whole (4) Part (5) Tenant Process Verification</td> </tr> </table> </td> </tr> <tr> <td></td> <td colspan="3"> <table border="1"> <tr> <td>Transfer Number</td> <td>Date Received</td> <td>Deed Reference</td> <td>Assigned Property No.</td> </tr> <tr> <td>Year</td> <td></td> <td>Geo.</td> <td>Map</td> </tr> <tr> <td>Land</td> <td></td> <td>Grid</td> <td>Sub.</td> </tr> <tr> <td>Buildings</td> <td></td> <td>Plat</td> <td>Block</td> </tr> <tr> <td>Total</td> <td></td> <td>Parcel</td> <td>Lot</td> </tr> <tr> <td>REMARKS:</td> <td></td> <td>Town/City</td> <td>Section</td> </tr> <tr> <td></td> <td></td> <td>Ex. SL</td> <td>Occ. 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AUTHORIZATION

We, fee simple title owners of certain property known as Mountain Road, Pasadena, Maryland, Tax Map 17, Grid 21, Parcel 656, Tax ID: 03-226-90047351 (the "Property"), hereby authorize Brightview Senior Living Development, LLC, contract purchaser of the Property to apply for a modification of an existing special exception and variance from the provisions of the Anne Arundel County Code in order to allow and construct an assisted living facility on the Property.

Charles M. Reeder

DocuSigned by:



By: _____

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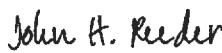
CO-Owner

Title: _____

Date: 10/24/2025

John H. Reeder

Signed by:



By: _____

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Co-owner

Title: _____

Date: 10/24/2025

The Charles C. Reeder Maryland Trust under Will for the Benefit of Anne R. Barker

DocuSigned by:



By: _____

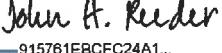
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Co-Trustee

Title: _____

Date: 10/24/2025

Signed by:



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John H. Reeder

By: _____

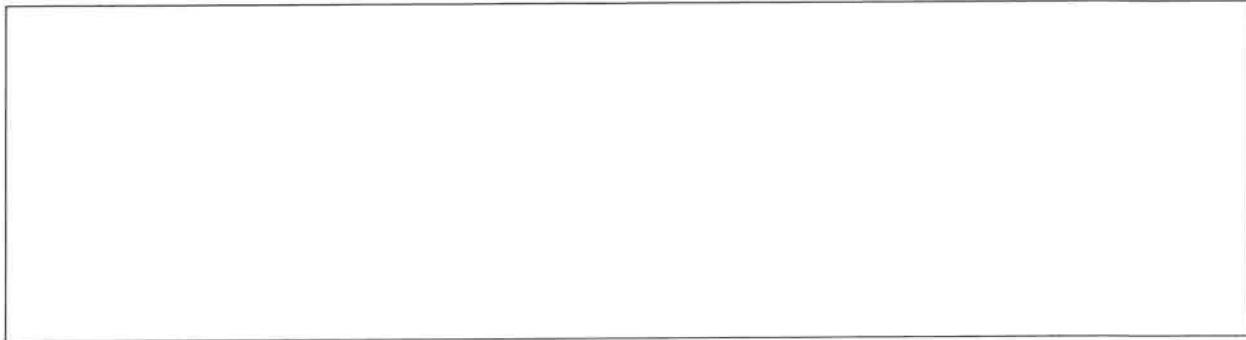
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Co-trustee

Title: _____

Date: 10/24/2025

By: _____





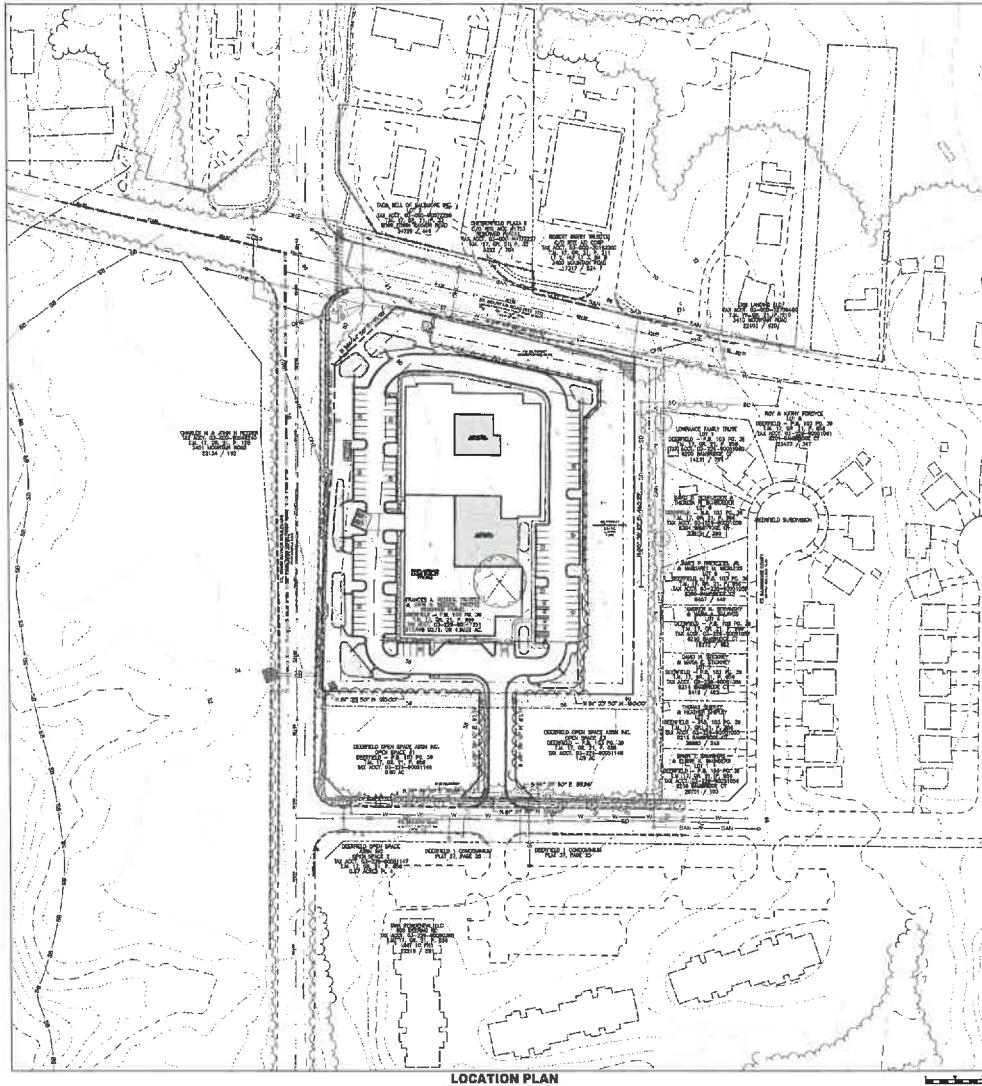
REEDER PROPERTY
BRIGHTVIEW ASSISTED LIVING FACILITY
SPECIAL EXCEPTION PLAN
ANNE ARUNDEL COUNTY, MARYLAND

GENERAL NOTES

1. BOUNDARY NOTE: THE PROPERTY OUTLINED SHOWN HEREIN ARE BASED ON SURVEY PREPARED BY AEWELL IN AUGUST, 2018. ALL HORIZONTAL DATA IS REFERENCED TO MARYLAND STATE PLANE COORDINATES (NAD83) DATA.
2. ELEVATION: 100' MSL
3. EXISTING TOPOGRAPHY WAS TAKEN FROM A FIELD SURVEY PERFORMED BY BAY ENGINEERS, INC. IN AUGUST 2018 AND SUPPLEMENTED WITH ANNE ARUNDEL COUNTY TOPOGRAPHY. ALL VERTICAL DATA IS REFERENCED TO NAD 83.
4. FLOOD PLAIN: PROPERTY DESCRIBED HEREIN IS LOCATED IN THE FLOOD HAZARD ZONE 'X' (AREA DETERMINED TO BE OUTSIDE THE 100-YEAR ANNUAL CHANCE FLOODPLAIN) AS DELINEATED ON THE FIRM FLOOD INSURANCE MAP (FIRM) DATED FEBRUARY 18, 2018 AND MAP # 2400000187 DATED FEBRUARY 18, 2018 FOR ANNE ARUNDEL COUNTY AND DETERMINED BY THE FEDERAL DISASTER MANAGEMENT AGENCY.
5. WATER: THE PROPERTY IS LOCATED IN JESUP WATER SERVICE AREA AS SHOWN ON MAP #2 AND IS IN A PLANNED SERVICE AREA. THE PROPERTY IS LOCATED IN BALTIMORE CITY SEWER SERVICE AREA AS SHOWN ON MAP #2 AND IS IN AN EXISTING SERVICE AREA. PROVIDED WATER AND SEWER ON SITE WILL BE PRIMARILY EXCEPT FOR THE WATER METER.
6. DRIVING UTILITY: NO.
7. EXISTING UTILITIES SHOWN HEREIN WERE PROVIDED BY AEWELL.

SPECIAL EXCEPTION ZONING REQUIREMENTS & LANDSCAPE SETBACKS

1. EXISTING ZONING: R3
2. MINIMUM LOT SIZE: 8 ACRES
3. MIN. BUILDING SETBACK REQUIREMENTS - PRINCIPAL STRUCTURE:
 ALL LOT LINES: 50' MIN. (70' FOR R3 BLDG. HT.)
 MAX. HEIGHT: 30' + 10' ADCT
4. MAX. HEIGHT: 30' + 10' ADCT
5. BUILDING SETBACKS ARE INCREASED BY 2' FOR EACH 1' OF EXCESS HEIGHT:
 MAX. ADCT
6. PUBLIC SEWER: REQUIRED
7. LANDSCAPE BUFFER REQUIREMENTS:
 a. CEDAR RIDGE ROAD (V/W < 60'): 15' MINIMUM
 b. EDWIN RAYOR BLDG. (V/W > 60'): 25' MINIMUM
 c. MD 177 (V/W > 60'): 25' MINIMUM
 d. ADJACENT RESIDENTIAL/OPEN SPACES: 10' MINIMUM



SHEET INDEX		
1	COVER SHEET	
2	EXISTING CONDITION PLAN	
3	ADMINISTRATIVE SITE PLAN	

SITE DATA

TAX MAP 17, BLOCK 21, P/0 PARCEL 854, LOT A	4.892 AC / 213,008 SF
TAX ACCOUNT #43-228-90047381	0.044 AC / 1,928 SF
ZONING: R3	
PROPERTY FUNDING AREA - LOCATED WITHIN	
OPP LAND USE AUTHORED 9/2024: LOW-MEDIUM DENSITY RESIDENTIAL	
OPP DEVELOP. POLICY AREA AUTHORED 9/2024: NEIGHBORHOOD PRESERVATION	
REGION PLAN #4	
1. OPEN SITE AHEAD (PRIOR TO R/W DEED):	4.892 AC / 213,008 SF
2. ROW-OF-PROPERTY DEMARcation:	0.044 AC / 1,928 SF
3. NET SITE AHEAD (BASIS OF CALCULATIONS):	4.848 AC / 211,171 SF
4. LOTS/ACRES:	1.00 AC
5. PROPOSED USE:	175 ASSISTED CARE UNITS
6. MAX. PERMITTED HEIGHT:	50 FT. MAY BE INCREASED TO 60' WITH INCREASED SETBACKS
7. PROPOSED HEIGHT:	60 FT.
8. OPEN AREA REQUIREMENT (BOX OF 4.848 AC):	2.81 AC / 118,703 SF
9. OPEN AREA PROVIDED:	2.81 AC / 118,853 SF (91.9%)
10. REDEVELOPMENT AREA REQUIRED: (10% OF OPEN AREA):	0.28 AC / 12,170 SF
11. REDEVELOPMENT AREA PROVIDED:	0.28 AC / 10,771 SF (MODIFICATION)
12. PARKING REQUIRED:	73 SPACES
a. 9/10 ASSISTED CARE UNITS	33 SPACES
b. 1/10 DAY CARE UNITS (40 MAX PER SHIFT)	40 SPACES
13. PARKING PROVIDED:	111 SPACES

OWNER:
REEDER TRUSTEE FRANCES A
REEDER TRUSTEE JOHN H
C/O AEWELL, PC
216 W BRONSON RD
COLUMBIA, MD 21023-3574

APPLICANT:
AUSTIN KOO
BRIGHTVIEW ASSISTED LIVING
DEVELOPMENT DIRECTOR
215 N. CHARLES ST. SUITE 220
BALTIMORE, MD 21201-3171
TEL: (410) 819-2182
EMAIL: AKOO@BRIGHTVIEW.COM

SE-1

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

14280 PARK CENTER DRIVE
LAUREL, MD 20707
(410) 782-6782 / (301) 776-1880
MRA@MRA.COM

Copyright 2025 Morris & Ritchie Associates, Inc.

REEDER PROPERTY

SPECIAL EXCEPTION PLAN
BRIGHTVIEW ASSISTED LIVING FACILITY
COVER SHEET

TAX ACCOUNT NUMBER #43-228-90047381, BOUNDARIES: 81085-204
TAX MAP 17-# BLOCK 21-# PARCEL 854, LOT A
ZONING: R3, REGIONAL PLANNING: R3
OPP DESIGN: MARYLAND, MARYLAND 21122 - ANNE ARUNDEL COUNTY

DATE	REVISIONS	JOB NO.:
		SCALE: 1" = 40'
		DATE: 10/31/2025
		DRAWN BY: KR
		DESIGN BY: MT
		REVIEW BY: CO
		SHADED: 1 OF 3
		MAPLE TURTLEBELL RIA mra@brightview.com

APP. EXHIBIT# 4
CASE: 2025-230v-2315
DATE: 1/22/26

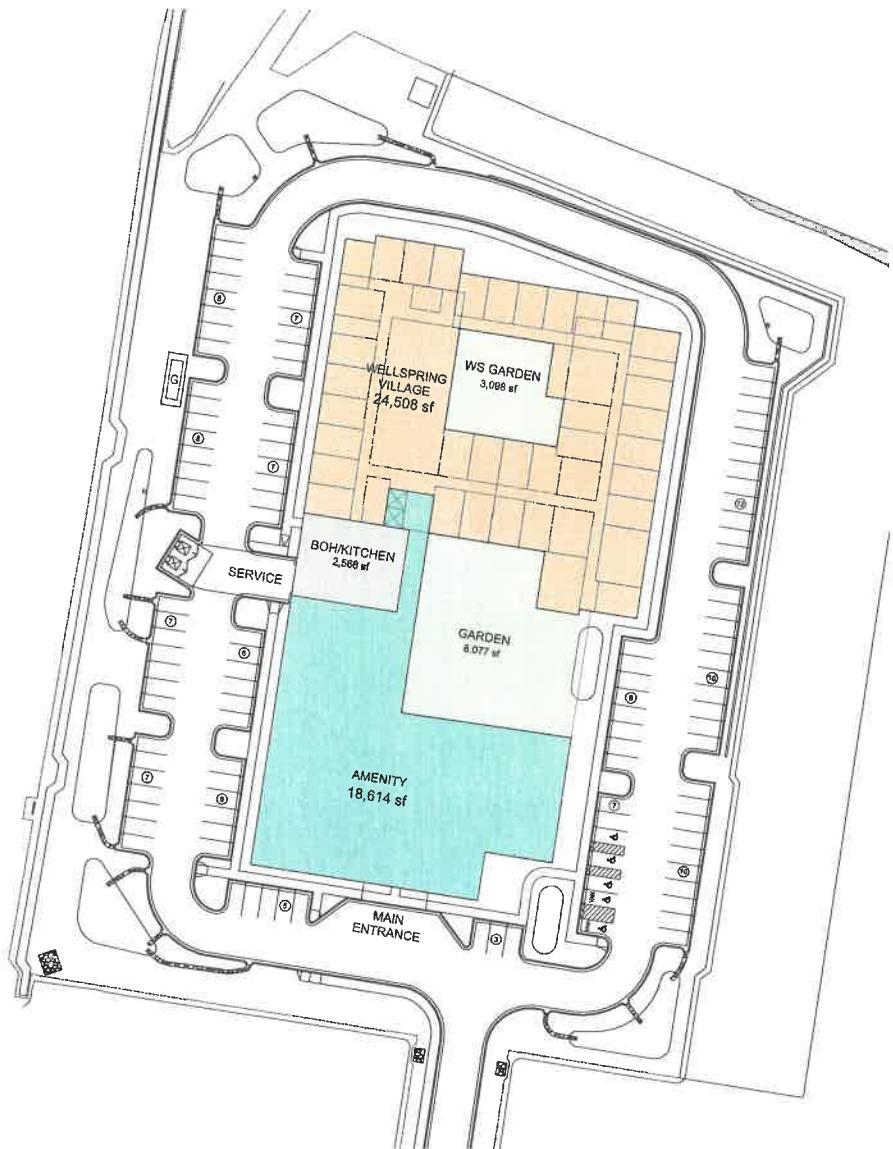
Brightview Pasadena

Pasadena, MD

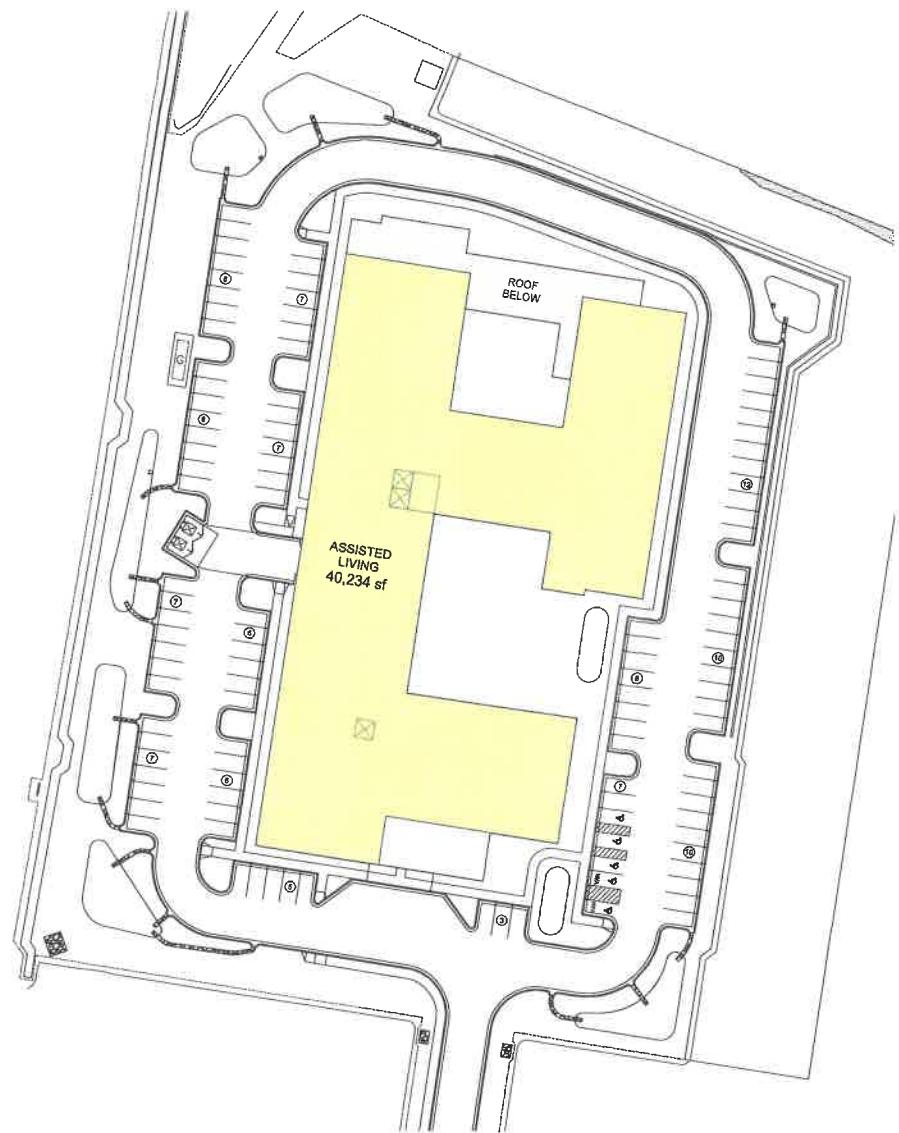
01.08.2026
prepared for



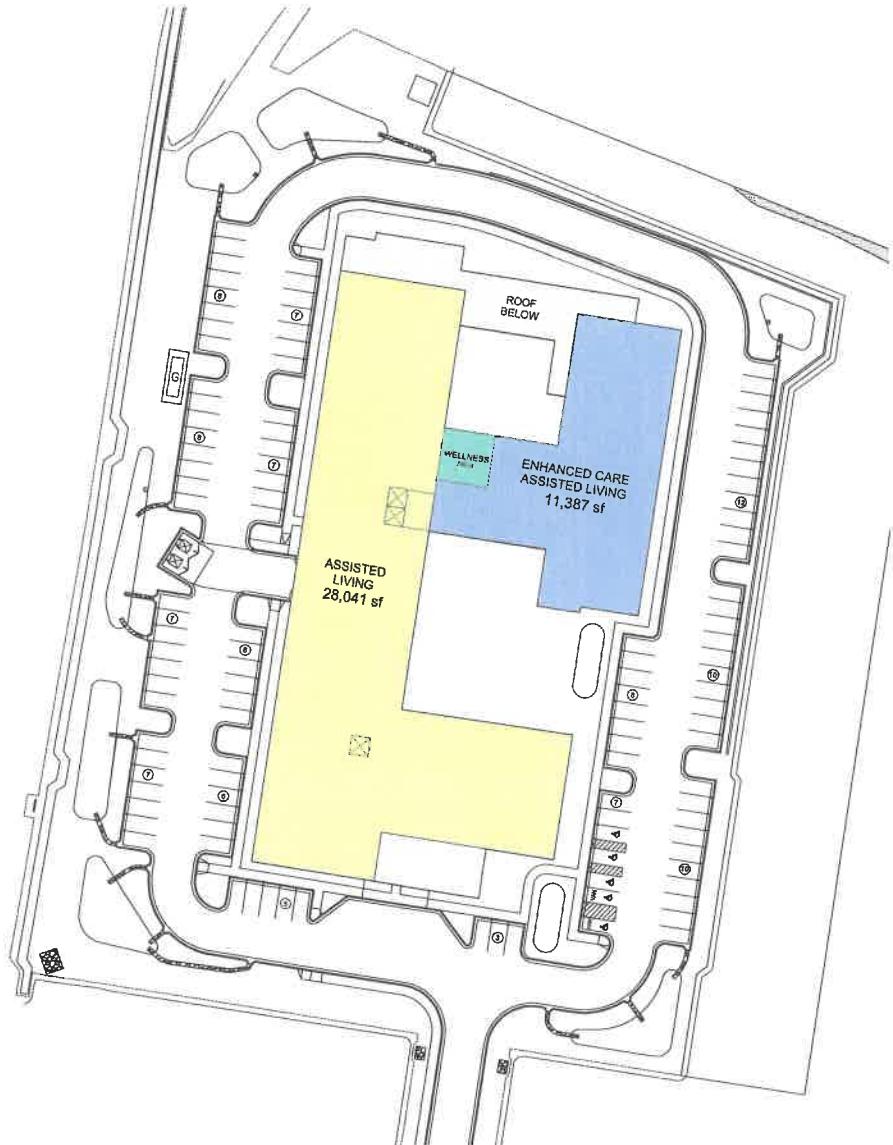
FIRST FLOOR PLAN



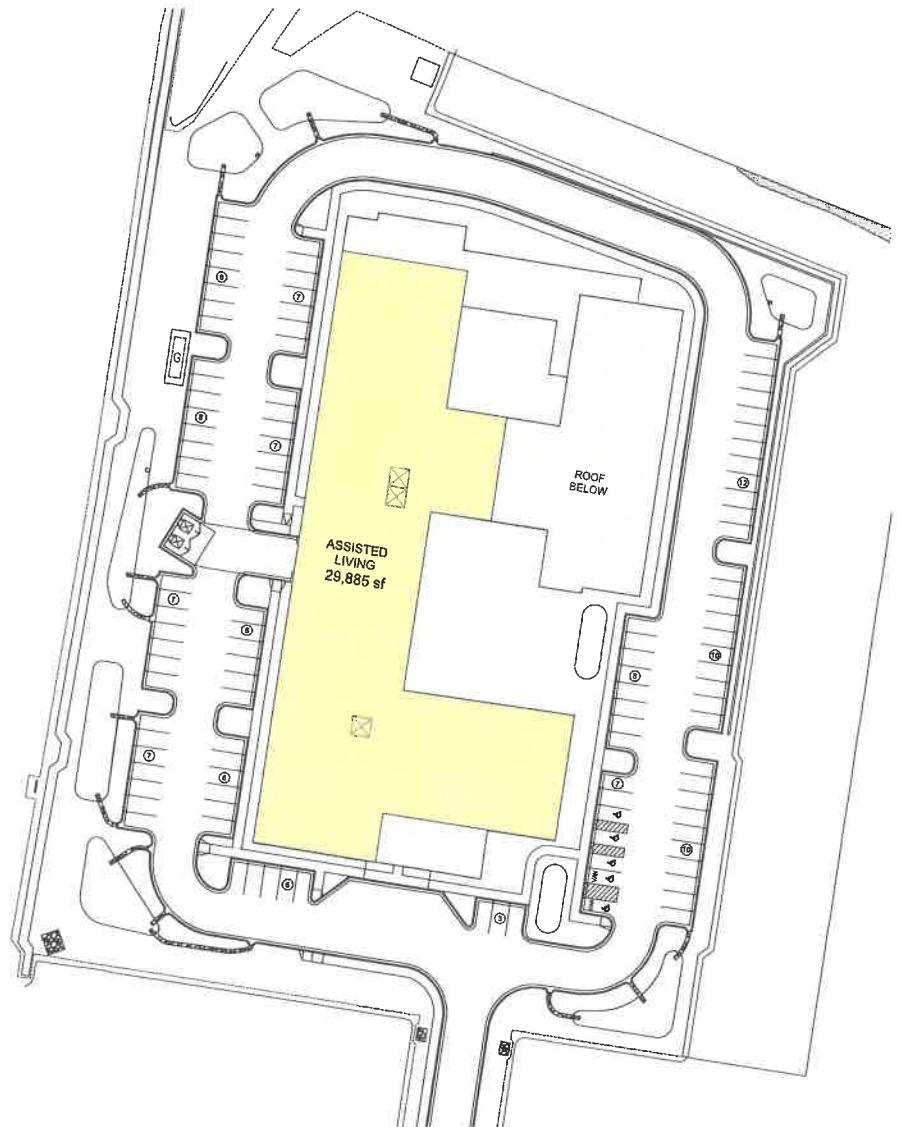
SECOND FLOOR PLAN

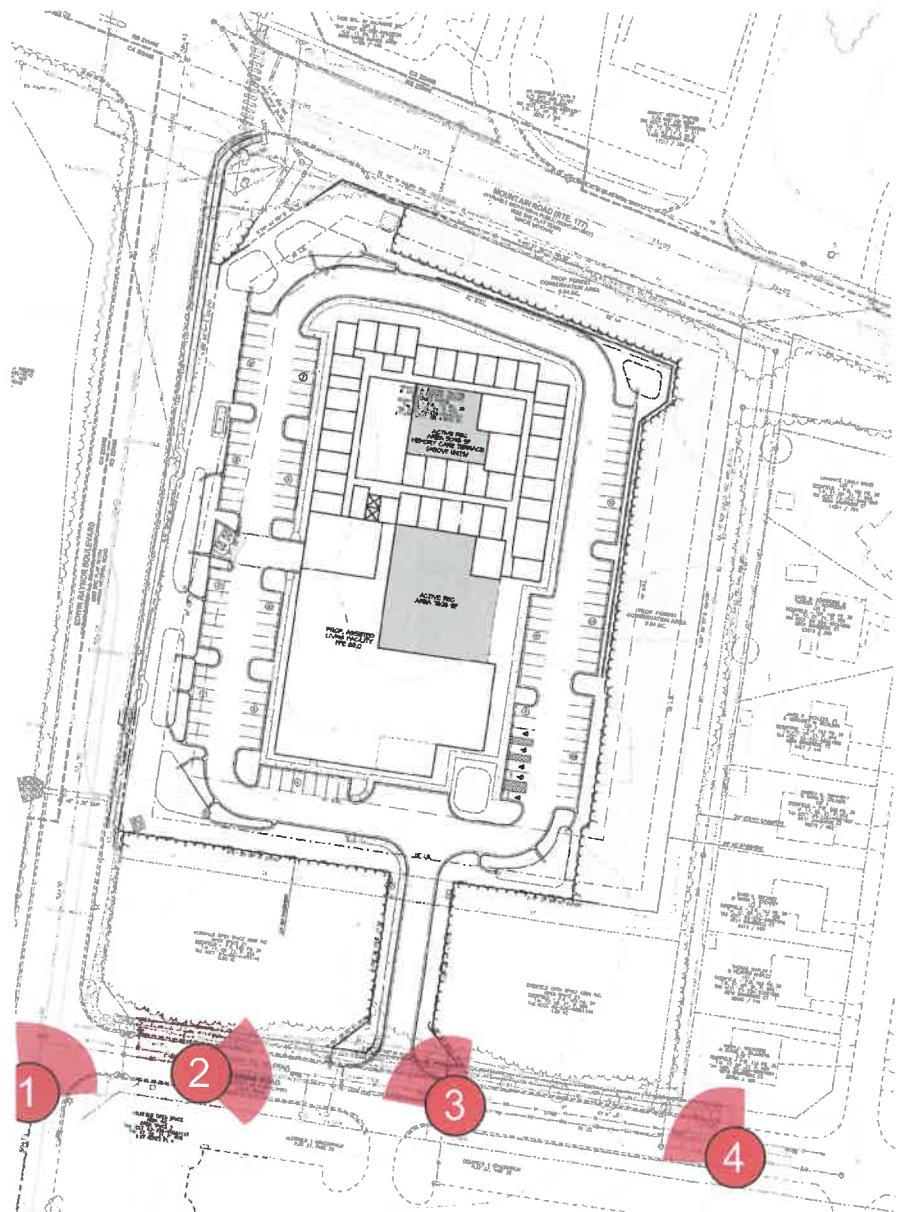


THIRD FLOOR PLAN



FOURTH & FIFTH FLOOR PLAN





Brightview Pasadena

January 08, 2026



AERIAL VIEW - LOOKING NORTH WEST



1 VIEW LOOKING NORTH - INTERSECTION AT EDWIN RAYNOR BLVD. & DEERING RD.



2 VIEW LOOKING EAST - VIEW DOWN DEERING RD. APPROACHING BRIGHTVIEW ENTRANCE ON LEFT



3 VIEW LOOKING NORTH - PROPOSED BRIGHTVIEW ENTRANCE



4 VIEW LOOKING WEST - ADJACENT HOMES AT INTERSECTION OF DEERING RD & BAMBIDGE CT

APP. EXHIBIT# 5
CASE: 2025-230v3-2315
DATE: 1/22/26

EXHIBIT D
Brightview Senior Living – Representative Photos





Brightview Eatontown



Brightview Eatontown



Brightview Hunt Valley



Brightview Port Jefferson



Brightview Hunt Valley





Brightview Dulles Corner



Brightview Hunt Valley



Brightview Port Jefferson

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

APP. EXHIBIT# 6
CASE: 2025-230 v. 2315
DATE: 1/22/20

Resume of MARILEE TORTORELLI

POSITION: Principal/Landscape Architect

YEARS OF EXPERIENCE: This Firm: 19 years Other Firms: 21 Years

EDUCATION: BSLA / Pennsylvania State University / 1985

REGISTRATION: 1992 / Registered Landscape Architect / MD # 1051

PROFESSIONAL EXPERIENCE:

Ms. Tortorelli's responsibilities include design and project management for a variety of residential, commercial and industrial projects and institutional and recreational sites. She is experienced in all phases of project design, including site evaluation, feasibility studies, master planning, special exceptions, rezonings, variances, landscape and streetscape design, site planning and preliminary engineering. Ms. Tortorelli's technical expertise includes site layout, grading, landscape plans, forest conservation plans, reforestation plans, feasibility studies, hearing testimony and cost estimating.

REPRESENTATIVE PROJECTS INCLUDE:

Two Rivers Planned Unit Development

Provided site design and illustrative plans for this 2,060 unit, 1,400-acre Planned Unit Development which included individual parcel site layouts, forest conservation, landscape design, and road and utility design. Prepared a recreation/green area master plan and detailed design plans for recreational amenities throughout the PUD. The amenities included a 10-foot wide pathway system, preservation of green areas, seating areas, and community center design. Provided expert testimony and exhibits for planning issues for special exception case to allow a PUD use and certain amendments to the PUD.

Piney Orchard Phases II, III, IV, V and VI - Anne Arundel County, MD

Provided site design and illustrative plans for this 4,500 unit, 1,360-acre Planned Unit Development which included individual parcel site layouts, forest conservation, landscape design, and road and utility design. Prepared a recreation/green area master plan and detailed design plans for recreational amenities throughout the PUD. The amenities included a 10-foot wide pathway system, preservation of green areas, tot lot design, pool expansion, pool houses and pool facilities, nature trail, and trail head parking lot. Provided expert testimony and exhibits for planning issues for five special exception

14280 Park Center Drive, Laurel, MD 20707 (410) 792-9792 (301) 776-1690 Fax: (410) 792-7395 www.mragta.com

Abingdon, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Sterling, VA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



cases to allow a PUD use and for four rezoning cases to increase the limits of the residential component of the PUD.

Manor Care Assisted Living Facility - Anne Arundel County, MD

Prepared a feasibility study, special exception plan, and detailed design plans for the 5-acre Assisted Living Facility. Provided expert testimony and exhibits for planning issues related to the special exception. Minimized impacts to wetlands, specimen trees and adjacent property owners. Prepared forest stand delineation plans and report, forest conservation plans and very detailed landscape plans which included entrance features, court yards, and a path system.

Tanyard Cove Planned Unit Development - Anne Arundel County, MD

Prepared Planned Unit Development special exception plans and sketch plans for this 600 acre, 2272 unit residential development containing 2 miles of water frontage. Provided expert testimony for planning issues for the special exception case to allow a PUD. A recreation/green area master plan was prepared, which included several recreation activity centers and destination points linked by a hard and soft surface pathway system. The infrastructure sketch plans included all preliminary design for utilities, roads, landscaping, street trees, and SWM. Development parcel locations were identified and densities determined.

National Business Park - Anne Arundel County, MD

Prepared and designed the preliminary and final plans for this 250 acre Office Park. Design included identifying lot and road locations, grading, SWM, and utilities. Designed several site layouts for office buildings, hotels and research and development buildings on several lots. Prepared detailed landscape plans for the Industrial Park and individual lots. Prepared variance plans and exhibits to allow a reduced building and parking setback from adjoining roadways.

National Business Park North - Anne Arundel County, MD

Prepared and designed master plans, preliminary, and final plans for this 210 acre Mixed Use Development. Design items include site layouts, grading, SWM, landscaping, forest conservation, amenities, street trees, reforestation, and utilities. Prepared rezoning plans and exhibits to change the intensity of Mixed Use zone and testified at the hearing.

International Trade Center Office Complex - Anne Arundel County, MD

Prepared street tree planting design and processed plans through the County system. Prepared a variance submittal application, including plans and exhibits.

Baldwin's Choice - Anne Arundel County, MD

This project consisted of 450 acres located in Deale, with only 120 acres of upland. Prepared special exception plans, exhibits, and expert testimony to allow a residential Planned Unit Development for approximately 200 single family homes. Prepared sketch and final plans for the development, including forest stand delineation, forest conservation, reforestation, landscaping, street trees, and recreational amenity plans. Designed innovative wetland mitigation facilities adjacent to open section roadways in the subdivision in lieu of standard side ditches to improve water quality.

14280 Park Center Drive, Laurel, MD 20707 (410) 792-9792 (301) 776-1690 Fax: (410) 792-7395 www.mragta.com

Abingdon, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Sterling, VA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161

MORRIS & RITCHIE ASSOCIATES, INC.

ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Symphony Woods at Tanyard Cove – Anne Arundel County, MD

This project consists of 160 acres with access from Marley Neck Blvd. Prepared rezoning and special exception plans to allow a residential Planned Unit Development for approximately 1000 units. Provided expert testimony on planning issues and prepared exhibits supporting the cases.

Cedar Hill Planned Unit Development – Anne Arundel County, MD

This project consists of 164 acres with access from MD Rte 2. Prepared rezoning and special exception plans to allow a residential Planned Unit Development for approximately 1300 units. Provided expert testimony on planning issues and prepared exhibits supporting the cases.

Annapolis Exchange – Annapolis, Anne Arundel County, MD

Principal-in-charge responsible for environmental site analysis, forest stand delineation, forest conservation plans, conceptual site plans, landscape plans, preparation of construction documents, sediment control plans, public utility easement plats, cost estimating, wetland delineation and permit acquisition, an ALTA survey, and final site plans for this 28-acre commercial industrial park in Parole. Prepared a concept plan which was a requirement of the Parole Town Center prior to submittal of final design plans to the County. Involved with the incentive hearing that allowed greater building height and less open space by providing specific amenities such as lighting, benches, trail systems, and enhancement landscaping. Prepared several layout alternatives for development of the entire project. Prepared several detailed layouts for lots 4 and 5 ensuring phased construction for the 1st building and for a 2nd building and parking garage in the future.

ArundelPreserve Mixed Use Development – Anne Arundel County, MD

Principal-in-charge with planning, environmental, survey, and engineering services for this 270 +/- acre proposed mixed-use development located in Jessup, MD. The mixed-use project will accommodate 500 apartments, 500 single family and townhouse units, retail, two hotels, office, and research and development facilities. The project is located adjacent to Maryland Route 295 and southwest of the Arundel Mills Mall and Dorchester residential development. Additional scope of services included a detailed forest stand delineation of approximately 200 acres including 131 specimen trees, reforestation design, landscape and street tree design, parcel development plans, recreation amenity design, and wetland permitting.

MEMBERSHIPS:

American Society of Landscape Architects – Member

Maryland Building Industry Association – Member

Maryland Building Industry Association Anne Arundel County Chapter – Board of Directors, Planning & Zoning Committee Chairperson

NAIOP – Legislative Committee

14280 Park Center Drive, Laurel, MD 20707 (410) 792-9792 (301) 776-1690 Fax: (410) 792-7395 www.mragta.com

Abingdon, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Sterling, VA
(410) 515-9000 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161

Philip R. Hager
7034 Harbour Village Court
Annapolis, MD 21403
443/794-1092

Employment History***Hager Land Use Consulting******Principal***

Provide Land Use, Natural Resources, Planning, and Zoning guidance to clients throughout the State of Maryland. Support clients seeking zoning, planning and regulatory compliance and development assistance at municipal, county and state agency levels.

Annapolis, MD

April 2023 - Present

Commercial Real Estate Broker***Hyatt Commercial***

Annapolis, MD

April 2023 - Present

Maryland Department of Natural Resources***Assistant Secretary***

Annapolis, MD

February 2020 – April 2023

Managed the administrative, fiscal, personnel and legal affairs of the Land Use Portfolio of DNR. Portfolio included: 77 State Parks, Maryland Forest Service, Land Acquisition & Planning, Engineering & Construction, Wildlife & Heritage Services, and the Maryland Environmental Trust. Administered the legislative and regulatory processes for the Portfolio and participated in same for the entire agency. Developed agency positions, prepared and delivered General Assembly testimony, letters of support and opposition and interfaced with elected officials. Prepared legislative proposals, reviewed and marked-up Bills, edited regulations and represented the department's position. Pursued interagency initiatives with MDE, MDA and SHA.

Anne Arundel County***Special Assistant to the County Executive***

Annapolis, MD

August 2019 – February 2020

Assisted the Administration and Council with liaison and coordination activities involving Land Use, Permitting, Housing, Solar Energy Siting, Revitalization/Re-Development, Agri-Tourism, Intergovernmental Relations, Water Resources, and Economic Development. Interfaced with the County Council, Department Heads, local and state elected officials and participated in public policy processes.

Anne Arundel County***Planning & Zoning Officer***

Annapolis, MD

July 2017 – August 2019

Served the residents as Director of the Office of Planning & Zoning, consisting of the Planning, Zoning, and Development Divisions, and 73 employees. Provided management, direction and oversight in the development, implementation and monitoring of all planning processes, including functional master plans, various infrastructure plans, Cultural and Historic activities, Housing, and Transportation. Provided guidance and supervision in the administration of the Zoning Code, including: nonconforming uses, re-zoning applications, Variances and Special Exceptions, as well as permitting. Oversaw all development review functions, including: site plan review, environmental compliance, and subdivision submissions. Represented the County at MML and MACO meetings. Wrote legislation, reviewed and edited legislative proposals and advocated on behalf of the County.

Board of Carroll County Commissioners
Legislative Liaison

Westminster, MD
July 2015 – July 2017

Served as the County's Director of Legislative Affairs. As such, served as the primary liaison to the Maryland General Assembly and state agencies, including MDE (Permitting, Compliancy and Pollution abatement), DNR and MDP and Federal agencies, including EPA and U.S. Army Corps of Engineers.

Carroll County Department of Planning
Director

Westminster, MD
July 2015 – July 2017

Managed and directed the activities of a department consisting of 12 staff members focused primarily upon comprehensive planning activities, including: comprehensive plan development and implementation, water & sewer infrastructure, economic development transportation and public facilities, including: roads, sidewalks and bicycle/pedestrian trails and related infrastructure. Oversaw all Zoning Code Amendments, amendments to the County Code, annexations and zoning map amendments.

Carroll County Department of Land Use, Planning & Development
Director

Westminster, MD
February 2012 – July 2015

Managed the daily activities of a department consisting of 53 staff members within five separate Bureaus. Coordinated all Zoning Code Amendments, amendments to the County Code, annexations and zoning map amendments. Oversaw County Zoning Administration and Enforcement, Development Review functions, Comprehensive Planning, Forest Conservation, Stormwater Management, Agricultural Preservation, and Erosion & Sediment Control programs. Served as Secretary of the Planning & Zoning Commission. Represented the County in state land use coordination activities.

Planning & Zoning Commission of Allegany County
Executive Director

Cumberland, MD
2005 – 2012

Served as County Planning Director. Managed all aspects of County-wide Comprehensive Planning, including Natural Resources, Transportation, Land Use, Zoning, Subdivision, Economic Development, Historic and Cultural Preservation, Agricultural, and Recreation Planning. Initiated innovative planning process utilizing a watershed-based approach. Served as Chief Administrative Officer of the Planning & Zoning Commission. Tracked and advised on state and Federal legislative and regulatory issues.

U.S. Army Corps of Engineers, Baltimore District
Project Manager, Civil Project Development Branch
Engineering & Design Manager, Navigation Branch
Community Planner, Civil Project Development Branch

June 99 – Oct 05
Nov 04 – Oct 05
May 04 – Oct 04
June 99 – April 04

Study Team Leader/Project Manager for numerous teams of discipline-specific experts; such as: engineering, economics, environmental, cultural, real estate, legal and planning specialists. Managed projects from initial planning to construction, including: scheduling and sequencing of elements, budget management; engineering management, environmental compliance and permitting, plan formulation, project design, intergovernmental coordination, construction management and contract administration.

Worcester County Department of Planning, Permits & Inspections

Planning Coordinator
County Comprehensive Planner

Snow Hill, MD

1997 – 1999

1995 – 1996

Served as County Planner, and later as Coordinator of Long Range Planning. Directed the activities of numerous planning efforts involving Natural Resources, Transportation, Land Use, Zoning, Subdivision, Economic Development, Historic and Cultural Preservation, Agricultural, and Recreation Planning. Facilitated the establishment of the Geographic Information System (GIS) partnership initiative at Assateague Island. Coordinated all aspects of the Comprehensive Land Use Plan Update, the Water & Sewer Plan, the County Recreation Plan, and the Comprehensive Re-Zoning and Subdivision update. Crafted numerous amendments to the County Code.

Planning, Zoning & Land Use Consultant

1994 – 1995

Served as planning, zoning and land use adviser to telecommunications clients in the mid-Atlantic Region. Performed specialized legal, physical, and land use constraints' analyses relative to the siting of towers and telecommunications' facilities. Interacted with local, state and Federal regulatory agencies. Advised real estate specialists and Radio Frequency Engineers on locational feasibility.

Maryland-National Capital Park & Planning Commission

Upper Marlboro, MD

Public Facilities Planner; Transportation and Public Facilities Planning Division 1992 - 1994
Demographer; Research & Special Studies Division 1989 – 1992
Planning Technician; Research & Public Facilities Division 1989

Conducted demographic research and analysis, locational studies and market analyses. Provided information, analyses and technical assistance to Planning Department; Transportation Engineers; County Police, Fire, Ambulance and Emergency Services; the Economic Development Commission; and the Board of Education. Assisted in preparation of forecasts of growth for population, housing and demographics. Reviewed residential development impacts upon public facilities. Advised the Board of Education regarding projected school needs and facilities siting.

Education

The George Washington University School of Government and Public Policy, Washington, D.C.
MPA (Masters in Public Administration Candidate)
Dual Concentrations: Executive, Legislative and Regulatory Management
Intergovernmental Public Policy Analysis

Frostburg State University, Frostburg, Maryland
Bachelors Degree (Magna Cum Laude)

Dual Majors: History and Social Science
Dual Minors: Political Science and Geography
Concentration: English

Resume Addendum

Philip R. Hager

Certifications

Maryland Licensed Real Estate Professional
Graduate of Academy for Excellence in Local Government
Certified Floodplain Manager
Project Management Certification (PM) - PMI
AICP-Eligible

Governmental, Civic & Political Involvement

Maryland Building Industry Association	2024 - Present	
Representative on MDE's 5 Million Trees Initiative	2021 – 2023	
Staff to MDE's Carbon Markets and Tree Commission	2021 - 2023	
Member, State Soil Conservation Committee	2020 – 2023	
Maryland Association of Counties, Planning Affiliate	1995 – 2020	
President, MACO Planning Affiliate	2014 - 2020	
Maryland Environmental Trust	2008 – 2020	
Board of Trustees	2013 - 2020	
Executive Committee	2019 - 2020	
Chair, Land Trust Advisory & Local Government Assistance Committee	2014 - 2019	
Chair, Legislative Committee	2017 - 2019	
Chair, Stewardship Committee	2011 - 2014	
Maryland Rural Legacy Advisory Committee	2019 - 2020	
Member, Historic District Commission, City of Frostburg	2009 - 2012	
Member, Maryland Jaycees (Junior Chamber of Commerce)	1980 – 2003	
National Governmental Affairs Director	U.S. Junior Chamber of Commerce	2002
National Parliamentarian	U.S. Junior Chamber of Commerce	2001
National Vice President	U.S. Junior Chamber of Commerce	2000
Local Chapter President (Patuxent Area)	Maryland Jaycees	1994 – 1995
Local Chapter President (Frostburg)	Maryland Jaycees	1982 - 1983
State President	Maryland Jaycees	1997 - 1998
Membership Vice President	Maryland Jaycees	1996 - 1997
Executive Vice President	Maryland Jaycees	1993 - 1994
Individual Development Vice President	Maryland Jaycees	1992 - 1993

Other Relevant Experience

Public Affairs Attendant	United States Senate	1985-87
Served as member of U.S. Senate Chamber staff; primary activities consisted of public and constituent relations.		
Legislative Assistant/Intern	Maryland General Assembly	1984
Served as Legislative Assistant to the Western Maryland Delegation to the Maryland General Assembly.		
Legislative Research Assistant	American Paper Institute	1988
Conducted legislative research related to state and Federal waste disposal policies.		
Member, American Planning Association (APA)		1996-Present
Editor, <i>Phil's View From The Hill</i> , APA Economic Development Newsletter		1988-92
Member, Chesapeake Bay Tributary Strategies Team		1995 - 2010
Chair, Lower Eastern Shore Chesapeake Bay Tributary Strategies Team		1999 - 2003
Vice Chair, Lower Eastern Shore Chesapeake Bay Tributary Strategies Team		1997 - 1999
Vice Chair, Upper Potomac Chesapeake Bay Tributary Strategies Team		2007 - 2010
Gubernatorial appointment: Maryland Wastewater and Septic System Task Force		1998-99
Governor's Blue Ribbon Panel on Water & Wastewater		1998
 Maryland Coastal Bays Program:		
Management Committee		1996-99
Scientific & Technical Advisory Committee		1997-99
Growth & Sustainable Development Committee		1996-99
Habitat & Living Resources Committee		1996-99
Chair, Water Quality Committee		1996-99
Interim Chair, Growth & Sustainable Development Committee		1996-97



January 12, 2026

APP. EXHIBIT# 8
CASE: 2025-230 v. 2315
DATE: 1/22/26

Mr. Austin Koo
Development Director
Brightview Senior Living
218 N. Charles Street, Suite 220
Baltimore, MD 21201



RE: Brightview – Pasadena
TRAFFIC EVALUATION
Anne Arundel County, Maryland
Our Job No.: 2026-0105

EBO/DIBE Certified
Howard County

MBE Certified
Charles County
Prince George's County

MFD Certified
Montgomery County

CORPORATE OFFICE
Baltimore, MD
Suite H
9900 Franklin Square Drive
Baltimore, Maryland 21236
410.931.6600
fax: 410.931.6601
1.800.583.8411

SOUTH CAROLINA OFFICES
Columbia: 803.422.9965
Rock Hill: 803.693.4216

FIELD OFFICE LOCATIONS
Arizona
Arkansas
Florida
Maine
Mississippi
New York
North Carolina
Ohio
Pennsylvania
South Carolina
Texas
Utah
Virginia
West Virginia

Dear Mr. Koo:

The Traffic Group, Inc. has reviewed the proposed the concept plan for the Brightview Senior Living Community proposed to be located in the Pasadena area of Anne Arundel County. The purpose of our review was to identify existing traffic conditions and provide an evaluation of the impact of granting the proposed Special Exception on the surrounding road system.

Background

The subject property is located in the southeast quadrant of the intersection of Mountain Road (MD 177) with Edwin Raynor Boulevard. The site has a previously approved Special Exception to allow 140 senior living units. At this time, Brightview Senior Living proposes to develop a 175-unit senior living facility.

Both Mountain Road and Edwin Raynor Boulevard are Minor Arterial roadways under the Anne Arundel County Road Classification System. Both roadways have multiple lanes along the site frontage, and the intersection is controlled by signalization. Based upon the concept plan, all access to the site is proposed along Deering Road, which is located to the south of the subject property. Deering Road is a local road which provides a connection to the west at Edwin Raynor Boulevard.

Traffic Evaluation

Existing traffic volumes for the intersection of Mountain Road at Edwin Raynor Boulevard were obtained from the Maryland Department of Transportation State Highway Administration (MDOT SHA). An intersection turning movement count was conducted on Thursday, March 6, 2025, at this intersection, and a summary of that traffic count is attached to this letter. Since the traffic count is within 1 year, it is considered current in accordance with both Anne Arundel County and MDOT SHA traffic study requirements.

An intersection capacity analysis was conducted for this intersection, and a copy of the capacity worksheet is attached to this letter. The results of the analysis show that based upon the Critical Lane Volume (CLV) methodology used by both Anne Arundel County and MDOT SHA, the intersection is currently operating with good Level of Service "A" and "B" conditions during the weekday morning and evening peak hours, respectively.

The next step in our evaluation was to identify additional projected traffic expected to be generated by the proposed development. Since the site has an approved Special Exception for 140 senior living units, the trip generation analysis shows the total trips projected to be generated by 175 units as well as the difference between the requested units and the previously approved units. Table 1 provides the results of the trip generation analysis, which is based upon the Institute of Transportation Engineers Trip Generation Manual (12th Edition). A review of the trip generation analysis shows that 175 senior housing units are projected to generate 33 weekday morning peak hour trips and 44 weekday evening peak hour trips. Under the previous 140-unit approval, the site would be expected to generate 27 weekday morning peak hour trips and 35 weekday evening peak hour trips. Therefore, the requested increase to 175 units reflects an overall increase of 6 morning peak hour trips and 9 weekday evening peak hour trips over and above the previous Special Exception approval.

Given the existing Level of Service "A" and "B" conditions at the intersection of Mountain Road with Edwin Raynor Boulevard, the development of a 175-unit senior living facility at the subject site would not result in level of service changes to that intersection. Good Level of Service "A" and "B" conditions would remain. Furthermore, the requested increase from 140 to 175 units results in only a net increase of 6 weekday morning and 9 weekday evening peak hour trips.

Summary

Based upon the analyses presented in this letter, the requested Special Exception approval to construct 175 senior living units on the subject property can be accommodated by the surrounding area road system. Given the previously approved Special Exception for 140 units, the current request results in the addition of only 6 weekday morning and 9 weekday evening peak hour trips. These trips can adequately be accommodated by the surrounding area road system.

Sincerely,



Mickey A. Cornelius, P.E., PTOE, RSP1
Senior Vice President

MAC:amr

(F:\2026\2026-0105_Brightview - Pasadena\DOCS\CORRESP\ANALYST\Brightview - Pasadena_Traffic Eval Ltr_Koo.docx)

ATTACHMENT



Station ID: 51998020107

County: Anne Arundel

Comments:

Date: 3/6/2025 12:00:00 AM

Town: none

Location: MD 177 at Edwin Raynor Blvd

Weather: Clear

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	2368	A	0.53	12:00PM-19:00PM	17:00	18:00	2982	B	0.67

Edwin Raynor Blvd

Edwin Raynor Blvd

MD 177

MD 177

From North

From South

From East

From West

Begin Hour	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	GrandTotal
00:00	0	3	23	10	36	0	5	37	2	44	0	0	11	4	15	0	17	9	7	33	128
01:00	0	4	17	5	26	0	4	25	5	34	0	1	3	2	6	0	7	10	5	22	88
02:00	0	1	23	5	29	0	5	16	1	22	0	2	2	3	7	0	3	4	4	11	69
03:00	0	3	47	8	58	0	1	11	2	14	0	1	4	3	8	0	3	4	7	14	94
04:00	0	9	210	11	230	0	6	21	4	31	0	5	17	10	32	0	5	22	19	46	339
05:00	0	16	452	19	487	0	10	48	31	89	0	2	45	15	62	0	12	54	43	109	747
06:00	0	42	790	50	882	0	27	126	38	191	0	11	113	30	154	0	24	104	89	217	1444
07:00	0	157	912	89	1158	0	73	343	102	518	0	33	189	63	285	0	78	214	115	407	2368
08:00	0	117	764	96	977	0	50	344	62	456	0	35	229	61	325	0	114	242	99	455	2213
09:00	0	101	523	78	702	0	47	280	30	357	0	37	233	77	347	1	91	242	96	430	1836
10:00	0	90	419	83	592	0	54	279	36	369	0	33	258	82	373	1	118	273	83	475	1809
11:00	0	123	382	113	618	0	67	345	41	453	0	41	291	90	422	0	135	303	86	524	2017
12:00	0	133	427	119	679	0	77	359	27	463	0	45	276	105	426	0	185	299	85	569	2137
13:00	0	103	366	111	580	0	86	414	47	547	0	45	304	95	444	0	196	329	90	615	2186
14:00	0	118	445	126	689	0	74	504	59	637	0	50	291	98	439	0	174	323	73	570	2335
15:00	0	129	538	120	787	1	109	804	49	963	0	61	279	105	445	0	220	286	116	622	2817
16:00	0	144	467	133	744	0	112	766	45	923	0	56	311	98	465	1	229	366	116	712	2844
17:00	0	154	485	138	777	0	128	784	53	965	0	51	329	104	484	0	227	386	143	756	2982
18:00	0	121	471	151	743	0	102	602	25	729	0	39	328	102	469	2	213	326	86	627	2568
19:00	0	94	264	102	460	0	84	424	20	528	0	32	242	84	358	0	156	173	56	385	1731
20:00	0	58	202	79	339	0	57	362	10	429	0	28	141	70	239	1	109	147	76	333	1340
21:00	0	32	131	45	208	0	41	269	7	317	0	11	108	41	160	0	63	96	38	197	882
22:00	0	14	64	30	108	0	20	140	4	164	0	16	58	24	98	0	44	68	11	123	493
23:00	0	13	47	12	72	0	12	85	3	100	0	7	28	17	52	1	21	26	7	55	279
TOTAL	0	1779	8469	1733	11981	1	1251	7388	703	9343	0	642	4090	1383	6115	7	2444	4306	1550	8307	35746
AMPEAK	0	157	912	89	1158	0	73	343	102	518	0	33	189	63	285	0	78	214	115	407	2368
PMPEAK	0	154	485	138	777	0	128	784	53	965	0	51	329	104	484	0	227	386	143	756	2982
DAYPEAK	0	154	485	138	777	0	128	784	53	965	0	51	329	104	484	0	227	386	143	756	2982



STATE HIGHWAY ADMINISTRATION

**Maryland Department of Transportation
State Highway Administration
Data Services Division
Turning Movement Summary Report**

Station ID: S1998020107

Date: 3/6/2025 12:0

Location: MD 177 at Edwin Raynor Blvd

County: Anne Arundel Comments:

Town: non

ar

Interval: 60 Min

Start End Melamine

ar

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	2368	A	0.53	12:00PM-19:00PM	17:00	18:00	2982	B	0.61

Edwin Raynor Blvd

Edwin Raynor Blv

MD 177

MD 177

From North

From South

From East

From West

Station ID: S1998020107 County: Anne Arundel Comments:
 Date: 3/6/2025 12:00:00 AM Town: none
 Location: MD 177 at Edwin Raynor Blvd Weather: Clear
 Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	2368	A	0.53	12:00PM-19:00PM	17:00	18:00	2982	B	0.67

Edwin Raynor Blvd

From North

Edwin Raynor Blvd

From South

MD 177

MD 177

From East

From West

Turning Movement Summary

Quadrant	4184
7081	U.Turn
15388	Left
8307	Through
	Right

LEG 4

23196						
11981	11215					
LEG 1						
Edwin Raynor Blvd						
Right	Through	Left	U.Turn			
1733	8469	1779	0			

3162	Quadrant
1383	Right
4090	Through
642	Left
0	U.Turn

LEG 3

1	1251	7388	703
U.Turn	Left	Through	Right
Edwin Raynor Blvd			
LEG 2			
10662		9343	
	20005		

1345	Quadrant
6115	12903
6788	



**Maryland Department of Transportation
State Highway Administration
Data Services Division
Turning Movement Summary Report**

Station ID: S1998020107
Date: 3/6/2025 12:00:00 AM
Location: MD 177 at Edwin Raynor Blvd

Interval:	60 Min	PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
		Hours	6:00AM-12:00PM	07:00	08:00	2368	A	0.53	12:00PM-19:00PM	17:00	18:00	2982	B	0.61

Edwin Raynor Blvd	Edwin Raynor Blvd	MD 177	MD 177
From North	From South	From East	From West

AM Peak Hour

Quadrant		167		1642				220		Quadrant			
351		Right	Through	Left	U.Turn	LEG 1							
758		89	912	157	0	Edwin Raynor Blvd							
407		63	Right	285									
	LEG 4	189	Through										
	MD 177	33	Left										
		0	U.Turn	473									
Quadrant		188		0				73		343			
				102									
				U.Turn				Left		Through			
										Right			
				Edwin Raynor Blvd									
				LEG 2									
				1060						518			
										1578			

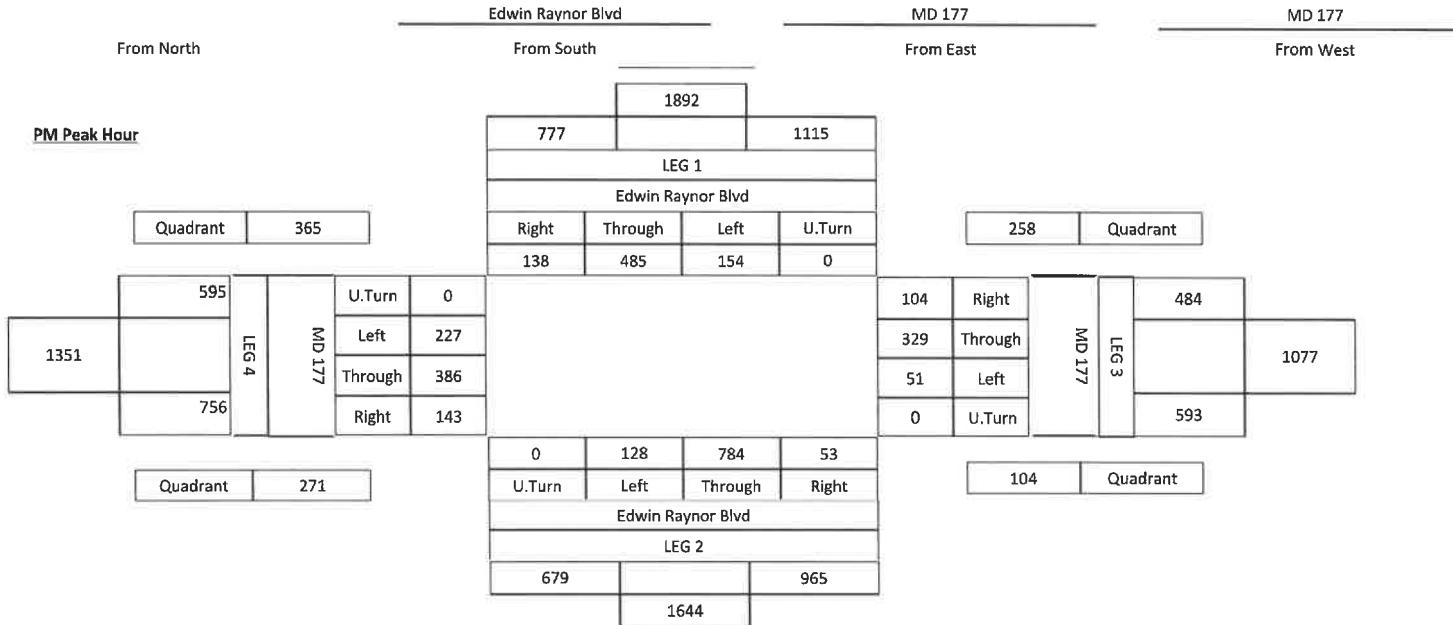
Maryland Department of Transportation
 State Highway Administration
 Data Services Division
 Turning Movement Summary Report

Station ID: S1998020107
 Date: 3/6/2025 12:00:00 AM
 Location: MD 177 at Edwin Raynor Blvd

Interval: 60 Min

County: Anne Arundel
 Town: none
 Weather: Clear

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	2368	A	0.53	12:00PM-19:00PM	17:00	18:00	2982	B	0.67



CRITICAL LANE VOLUME (CLV) METHODOLOGY for MSHA

E/W Road: MD 177

N/S Road: Edwin Raynor Blvd

Conditions: Existing Traffic

Date of Count: 3/6/2025

Day of Count: Thursday

Analyst: Qiang Tian



AM Peak: 7:00-8:00

PM Peak: 5:00-6:00

EDWIN RAYNOR BLVD

138	485	154	PM
89	912	157	AM
R	T	I	

MD 177

RT T L

二二

R	63	104
T	189	329
L	33	51
	AM	PM

PM	AM
227	78
386	214
143	115

L —
L —
T —
R —

MD 177

	L	T	R
AM	73	343	102
PM	128	784	53

EDWIN RAYNOR BLVD

Capacity Analysis

Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		AM CLV
	VOL	x LUF	= Total	VOL	x LUF	
NB	445	0.55	245	157	1.00	157
SB	1001	0.55	551	73	1.00	73
EB	214	1.00	214	33	1.00	33
WB	189	1.00	189	78	0.60	47

Evening Peak Hour

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	837	0.55	460	154	1.00	154	614
SB	623	0.55	343	128	1.00	128	
EB	386	1.00	386	51	1.00	51	465
WB	329	1.00	329	227	0.60	136	

CLV TOTAL= 1,079

Level of Service (LOS)= B

PM V/C = 0.67

Table 1 - Trip Generation Analysis for Brightview - Pasadena

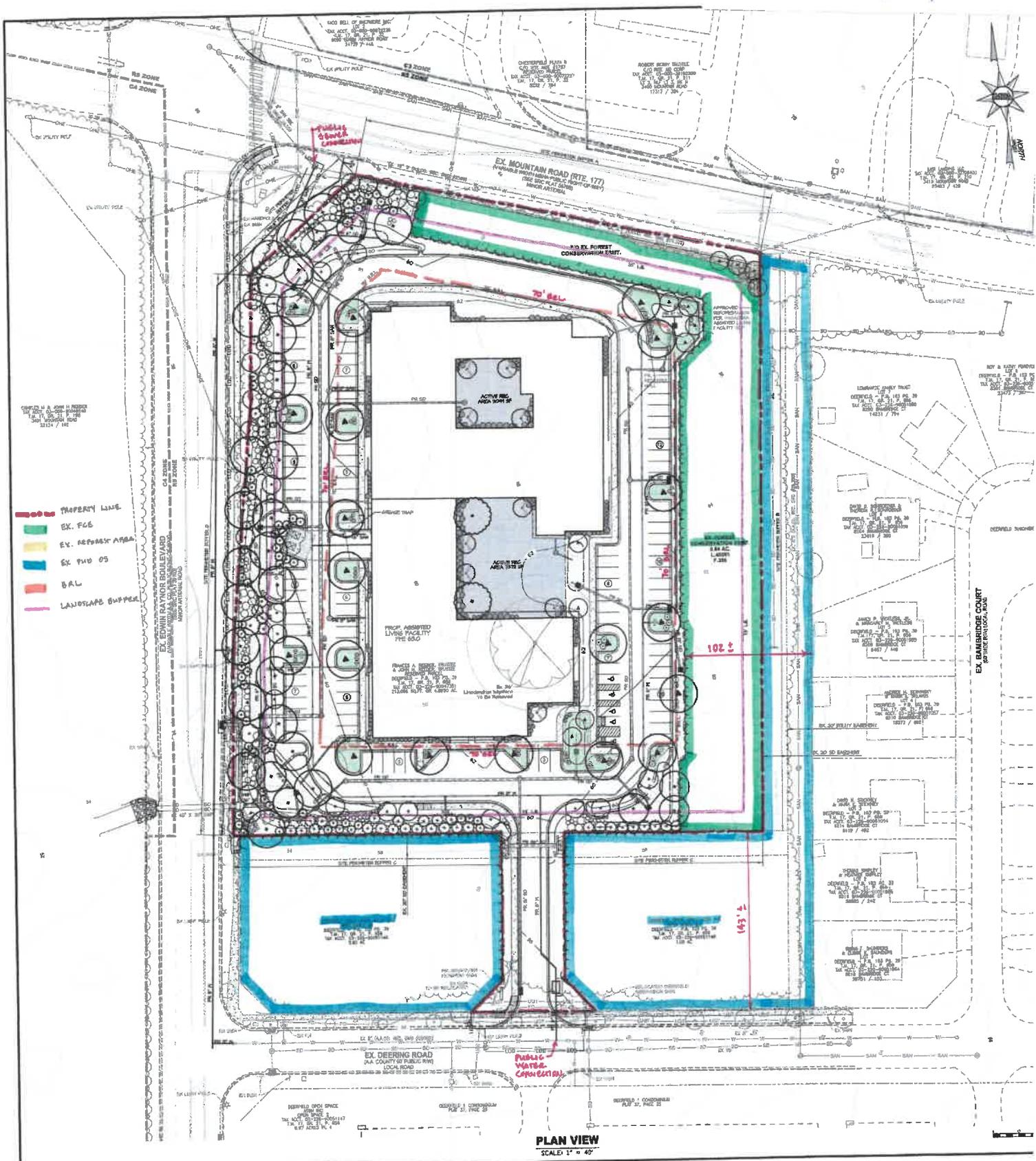
Trip Generation Rates

Formula/Rate	Directional Distribution			
	AM Peak Hour		PM Peak Hour	
	IN	OUT	IN	OUT
Senior Adult Housing - Multifamily (ITE-252, Units)				
AM Peak Hour Trips = 0.19 x Units + 0.17		34%	66%	56% 44%
PM Peak Hour Trips = 0.25 x Units + 0.03				

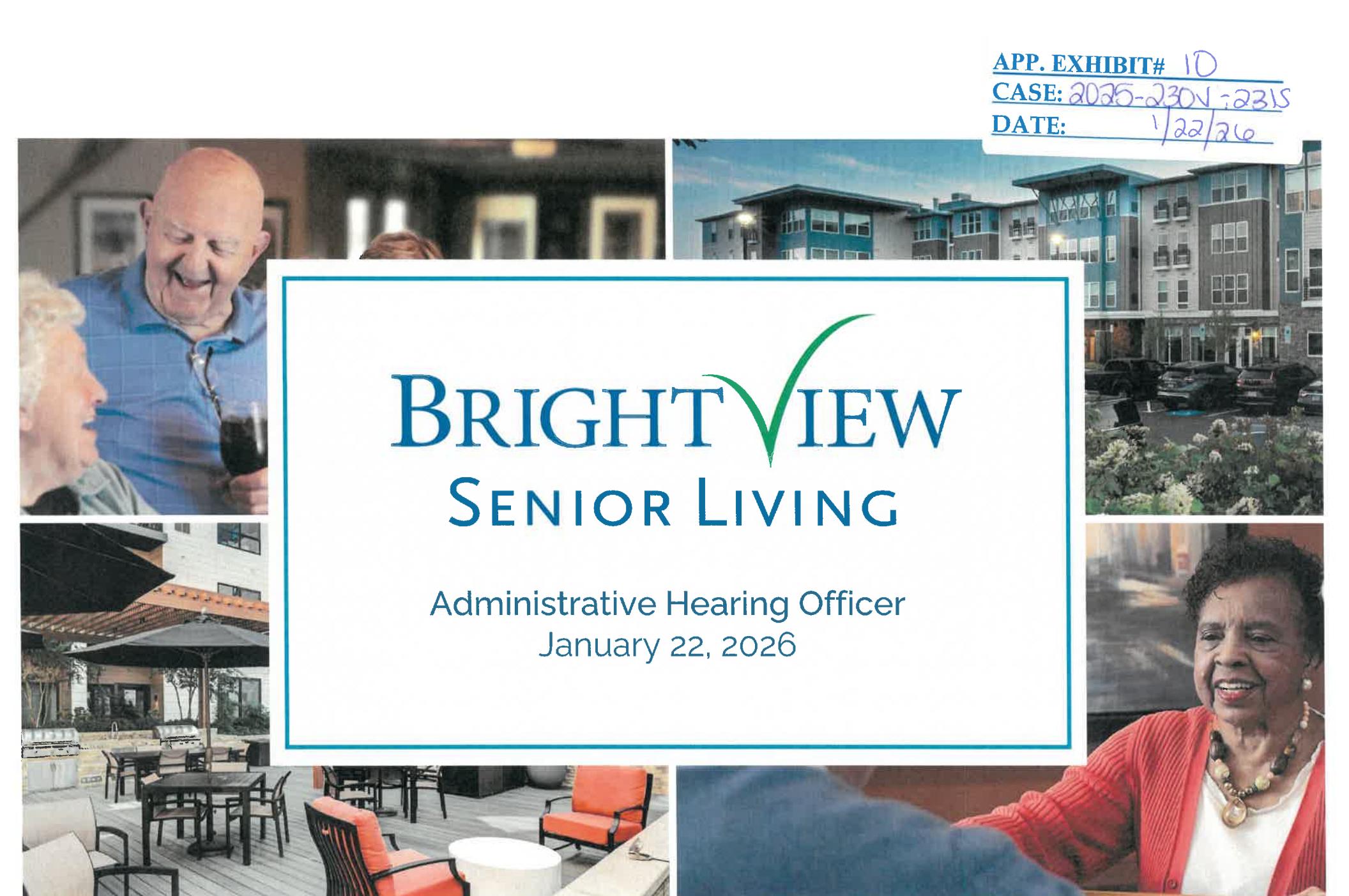
NOTE: ITE Trip Generation Manual 12th Edition, 2025.

Trip Generation Totals

Land Use	Size	AM Peak Hour			PM Peak Hour			
		In	Out	Total	In	Out	Total	
Brightview - Pasadena								
Proposed								
Senior Adult Housing - Multifamily	175 units	11	22	33	25	19	44	
Previously Approved								
Senior Adult Housing - Multifamily	140 units	9	18	27	20	15	35	
Net Increase		2	4	6	5	4	9	



APP. EXHIBIT# 1D
CASE: 2025-Q30N-231S
DATE: 1/22/26



BRIGHTVIEW SENIOR LIVING

Administrative Hearing Officer
January 22, 2026

BRIGHTVIEW'S PRODUCT & SERVICES OFFERING



BRIGHTVIEW'S SERVICES OFFERING

- ✓ Beautiful Apartments
- ✓ Maintenance-Free Living
- ✓ Restaurant-Style Dining
- ✓ Transportation & Laundry
- ✓ Socialization
- ✓ Activities, Engagement, & Fitness
- ✓ Activities of Daily Living (ADL), Care Services (med management, help with bathing, dressing, mobility)
- ✓ Specialized Memory Care Support

49
COMMUNITIES



BRIGHTVIEW
SENIOR LIVING

8
STATES



6,500
ASSOCIATES



7,000
APARTMENTS



4
COMMUNITIES under
CONSTRUCTION

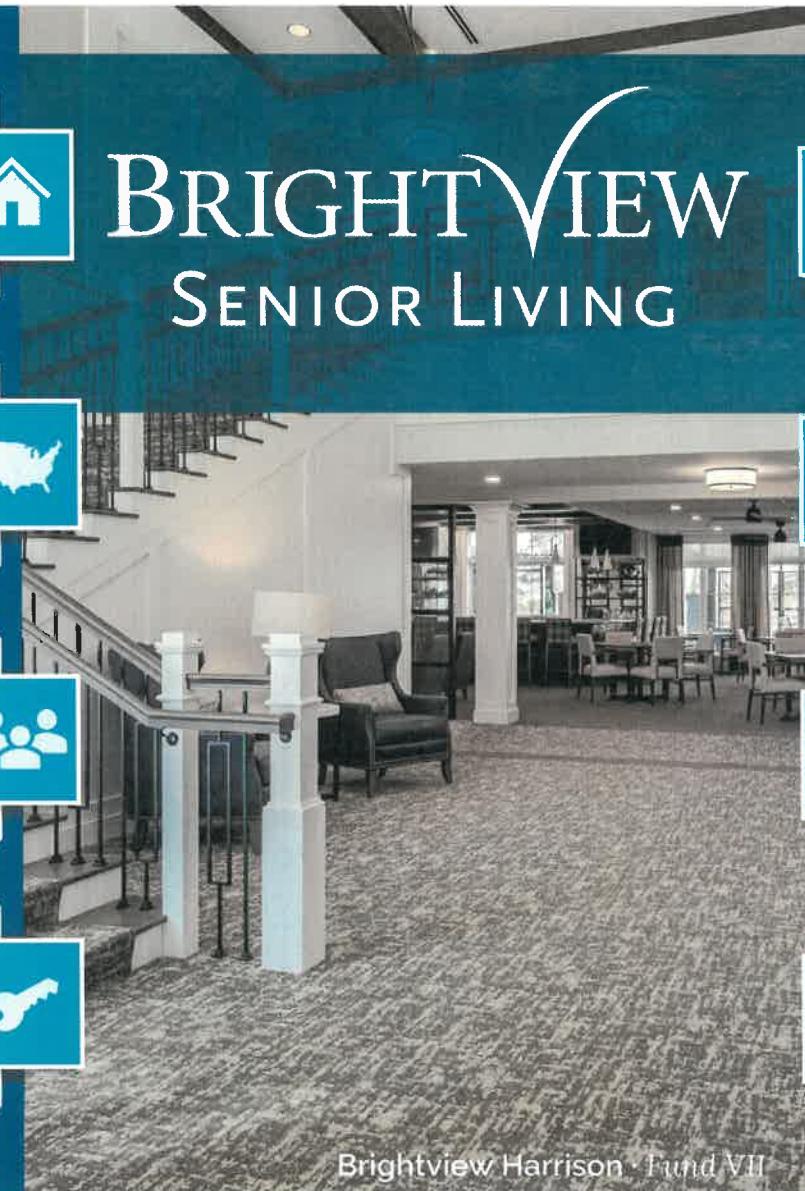


STRONG
DEVELOPMENT
PIPELINE

4
COMMUNITY
Anne Arundel County



18
COMMUNITIES
Maryland



Brightview Harrison Fund VII

49

Communities



GREAT PLACE TO Work

GREAT PLACE TO Live





96%

“I feel safe at Brightview”

95%

*“The Caregiving staff
listens and treats me
with respect”*

GREAT PLACE TO *Live*

RESIDENT SATISFACTION

Survey Feedback

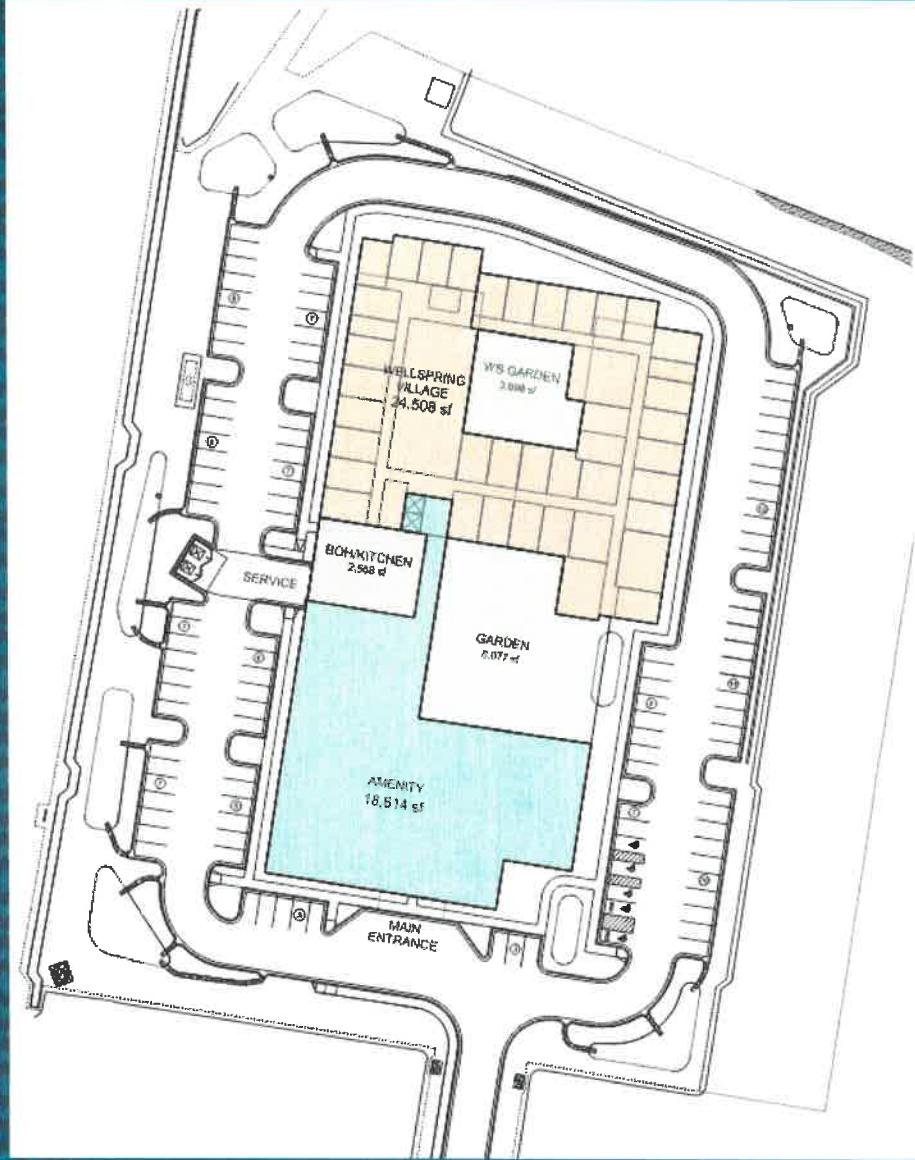
94%

89%

I am satisfied with the

- Director Team
- Maintenance
- Housekeeping
- Concierge

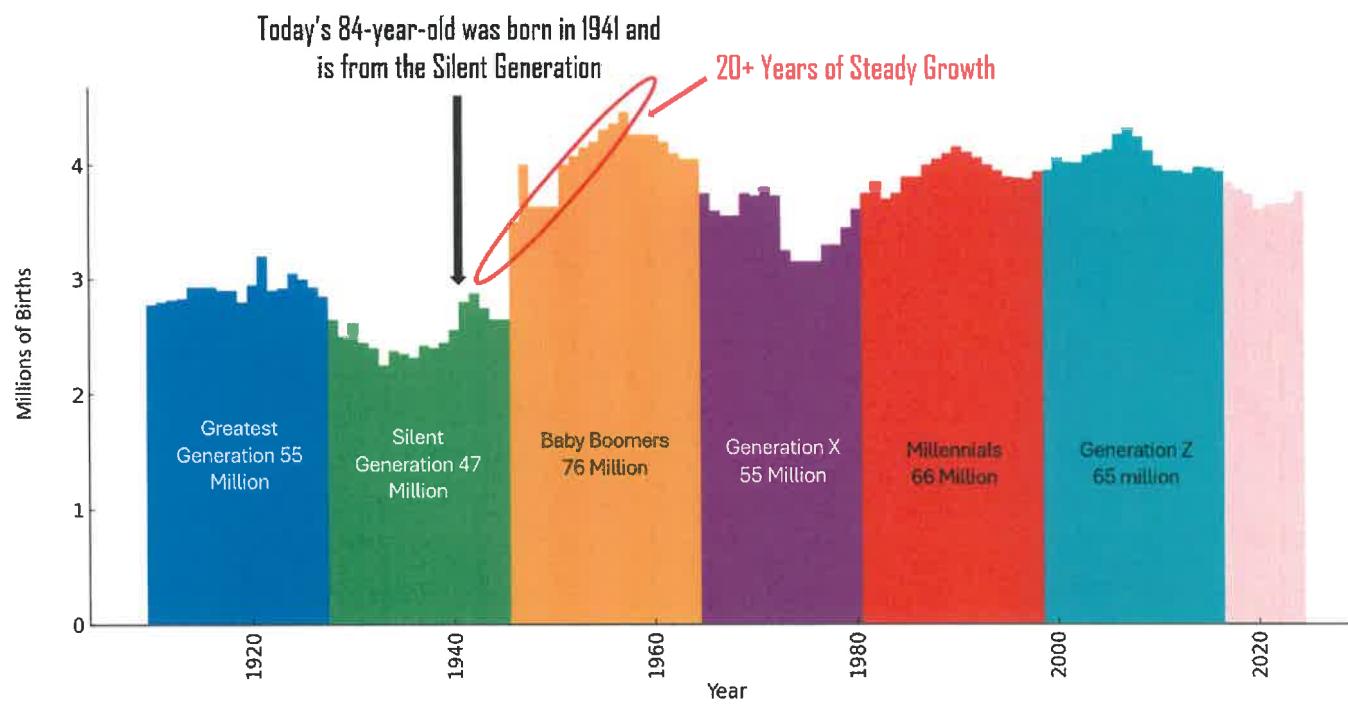
PROPOSED PROJECT





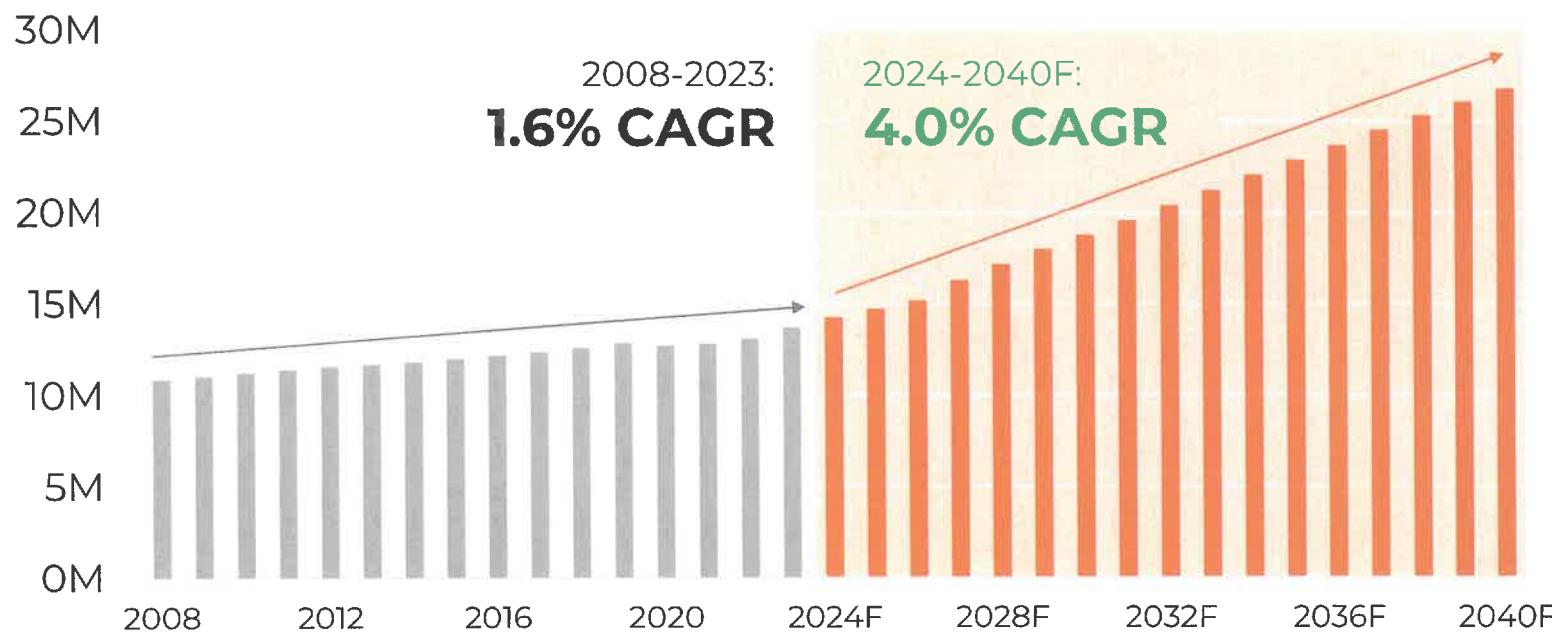


UNPRECEDENTED GROWTH IN DEMAND



UNPRECEDENTED GROWTH IN DEMAND

US 80+ Population 2008-2040¹



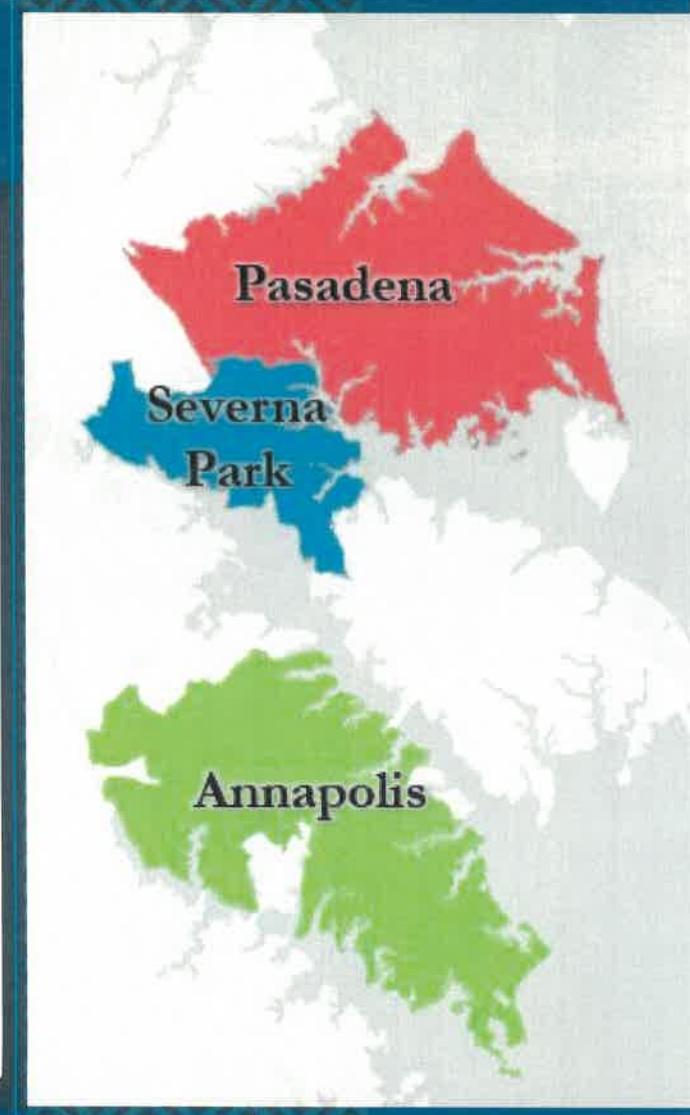
¹ NIC, Senior Housing Market Outlook, June 2024.



PASADENA NEED

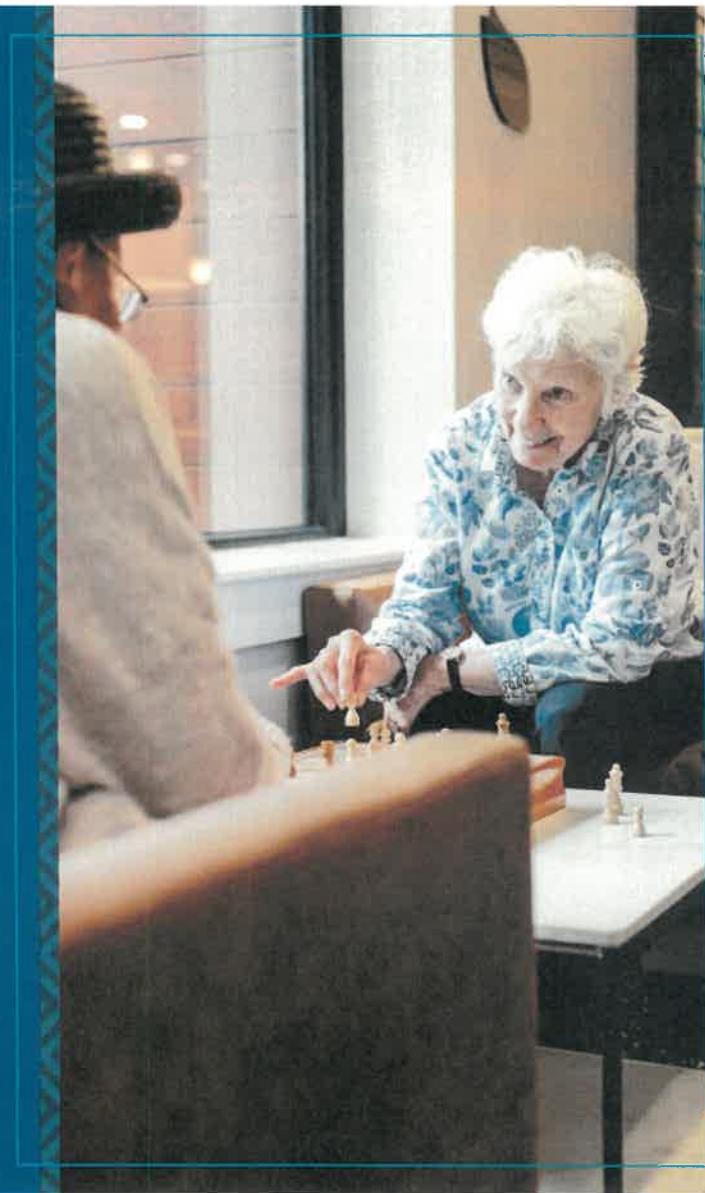
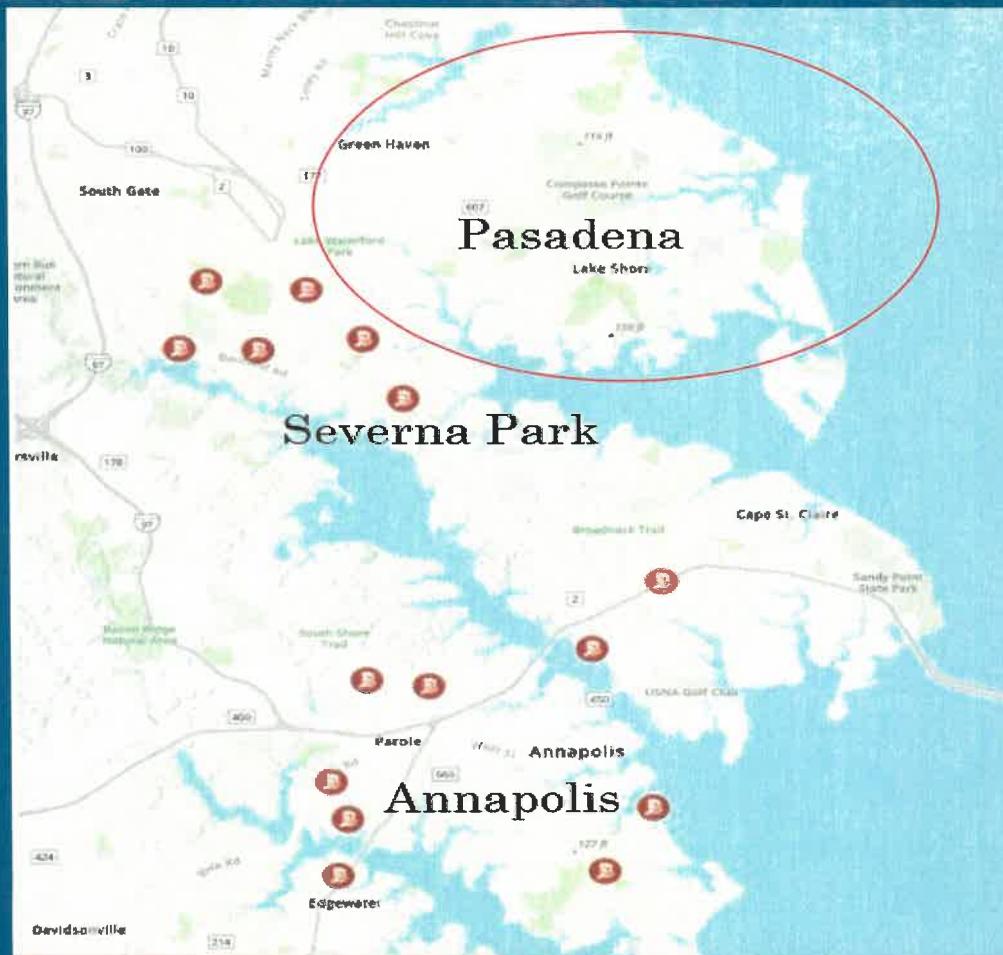
SENIOR HOUSING PENETRATION RATE

Location	Total Units	75+ Population	Penetration Rate
Pasadena	102	4,468	2.3%
Severna Park	528	2,761	19.1%
Annapolis	1,202	8,215	14.6%



Source: NIC Map Vision

PASADENA NEED













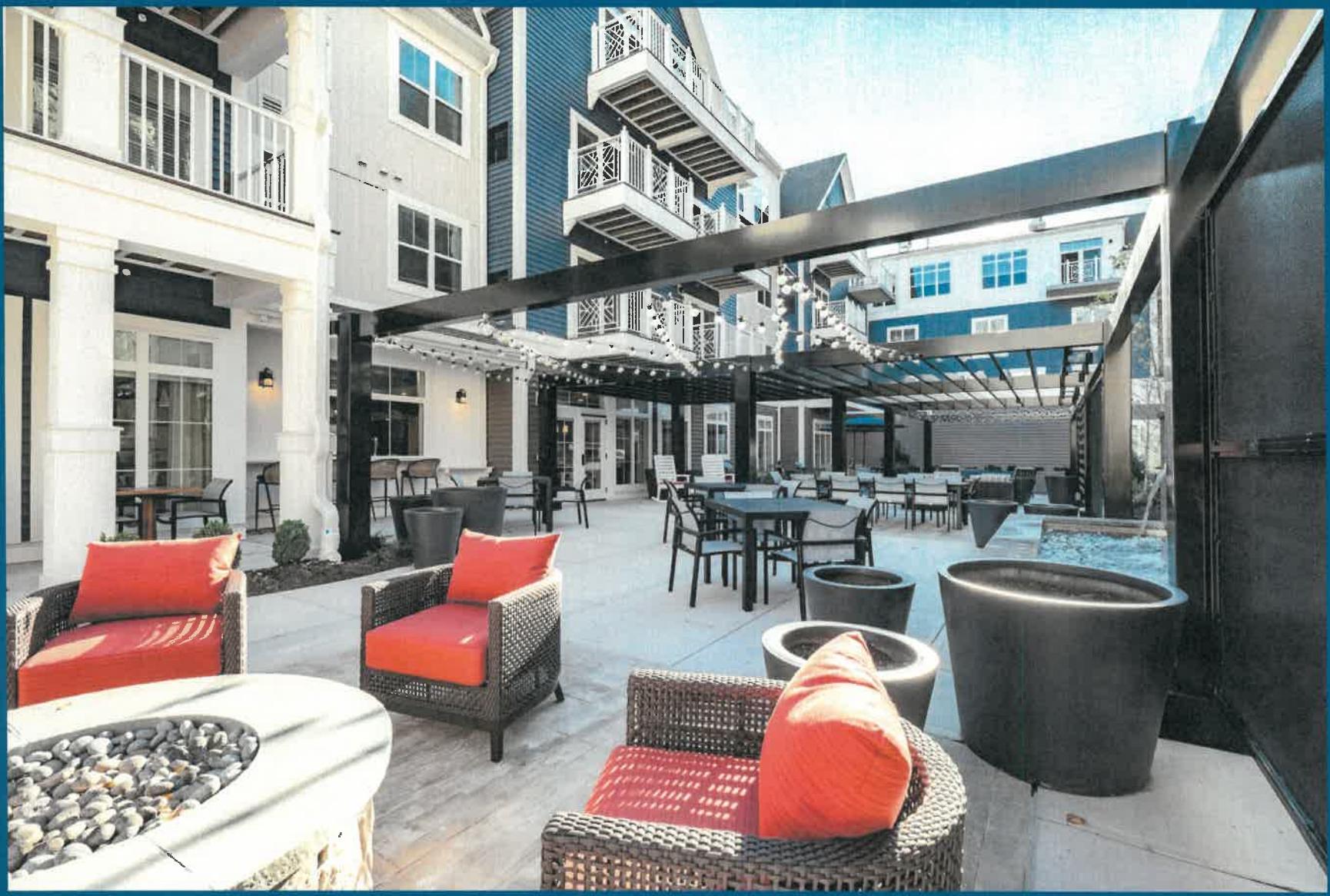


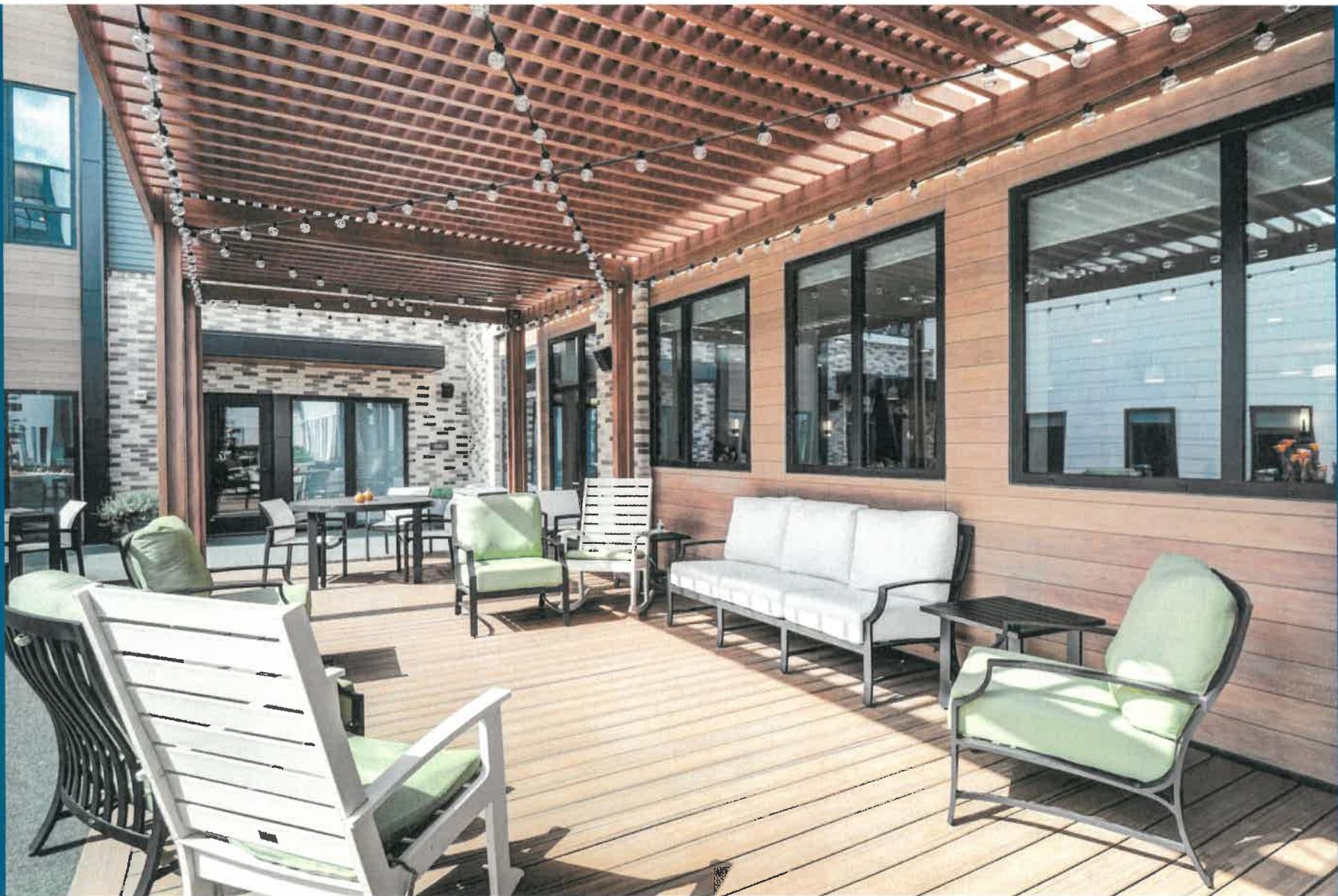






















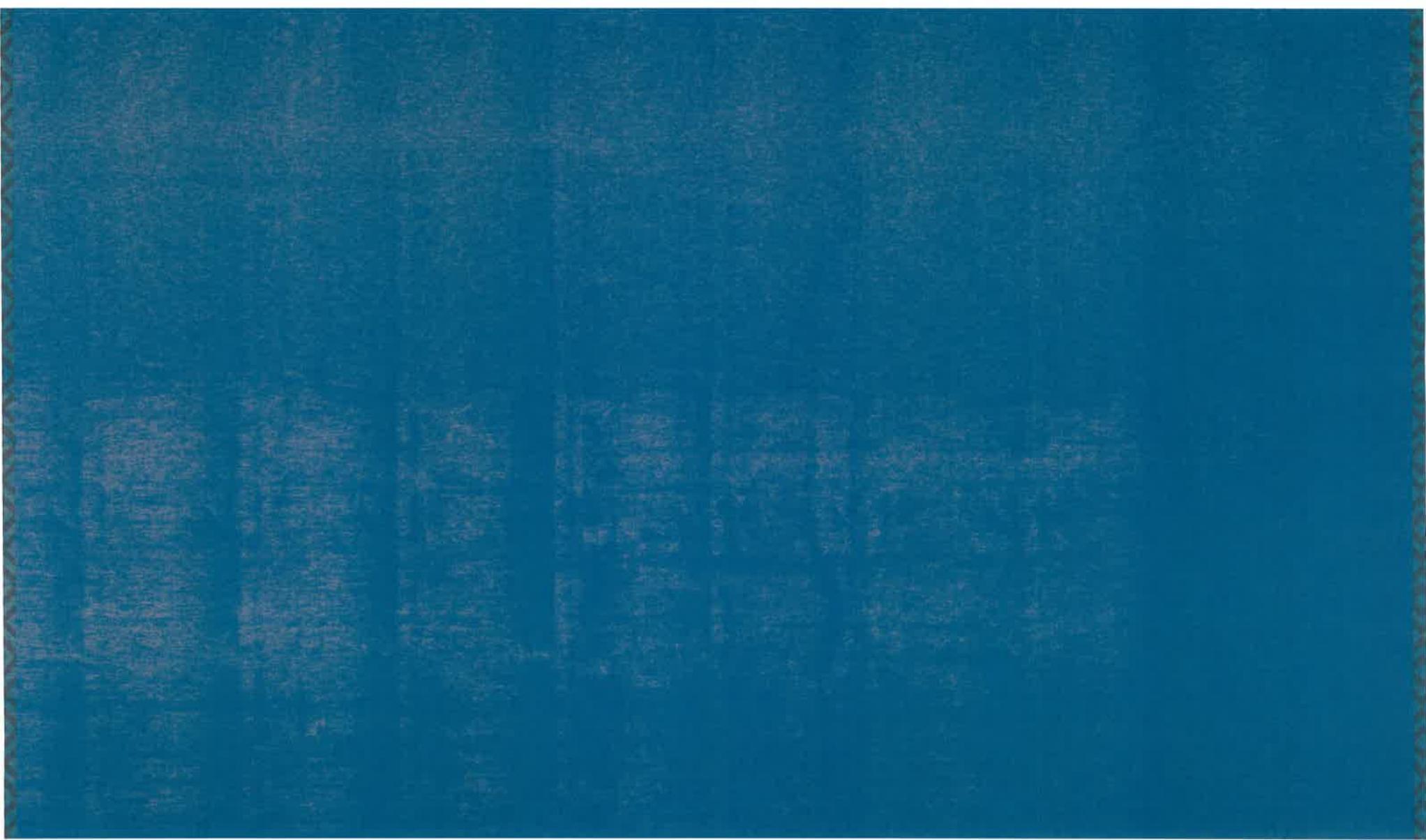














BRIGHTVIEW
SENIOR LIVING

Exceptional Hospitality