



For DPZ Office use only:

BA CASE NO. BA-24-009C

Date Submitted _____

**CONDITIONAL USE PETITION
TO THE HOWARD COUNTY HEARING AUTHORITY**

(This application will only be accepted after a pre-submission meeting. See attached info.)

1. Conditional Use Request

Conditional Use Category Age-Restricted Adult Housing, General

Section 131.0.N.1.a.

Specific Use Requested attached and semi-detached age-restricted adult housing

2. Name of Petitioner DMR Cedar Overlook, LLC

Trading as (If applicable) _____

Mailing Address 7945 Wormans Mill Road, Frederick, MD 21701

Phone Number(s) _____

E-Mail Address _____

Name of Principal Contact (If different) _____

3. Counsel for Petitioner Sang W. Oh, Talkin & Oh, LLP

Mailing Address 5100 Dorsey Hall Drive, Ellicott City, MD 21042

Phone Number(s) 410-964-0300

E-Mail Address soh@talkin-oh.com

4. Conditional Use Site Description

Address/Street for Property 6547 Cedar Lane, Columbia, MD 21044

Tax Map 35 Grid 17 Parcel 111 & 234 Lot _____

Department of Assessments and Taxation Account No. 05-363004 & 05-373212

Total Land Area of Property 8.916 (X Acres) (_____ Square Feet) Check one.

Council District 4 MD Legislative District 12A Zoning of Property R-20

Subdivision Name and Plat No. (If Applicable) _____

Total Land Area of Use (If different than above) _____ (_____ Acres) (_____ Square Feet)

5. Petitioner's Interest in Subject Property

☒ OWNER (Including joint ownership) → **Parcel 234**

☒ OTHER (Described and give name and address of owner) → **Parcel 111**

Name of Owner George and Christy Peters

Mailing Address 6547 Cedar Lane, Columbia, MD 21044

If the Petitioner is not the owner, written authorization from the owner must be submitted.

6. Conditional Use Plan Requirements

If the petition is approved, the Conditional Use plan will be made a part of the Decision and Order, subject to modifications and conditions required by the Hearing Authority. The Conditional Use plan must be drawn to scale and must include the items listed below:

- ☐ (a) Courses and distances of outline boundary lines and the size of the property
- ☐ (b) North arrow
- ☐ (c) Zoning of subject property and adjoining properties
- ☐ (d) Scale of plan
- ☐ (e) Existing and proposed uses, structures, natural features and landscaping
- ☐ (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- ☐ (g) Same as (e) and (f) above, of adjoining properties
- ☐ (h) Location of existing and/or proposed well and private septic easement area, if property is to be served by private water and septic facilities
- ☐ (i) Election District in which the subject property is located
- ☐ (j) Tax Map and Parcel Number(s) of the subject property
- ☐ (k) Name of local community in which the subject property is located or name of nearby community
- ☐ (l) Name, mailing address, telephone number (and e-mail address, if any) of the Petitioner
- ☐ (m) Name, mailing address, telephone number (and e-mail address, if any) of Counsel
- ☐ (n) Name, mailing address, telephone number of property owner
- ☐ (o) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- ☐ (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- ☐ (q) Ownership of abutting roads, right-of-way width, and existing pavement width
- ☐ (r) Any other information as may be necessary for full and proper consideration of the petition

7. Additional Information Requirements

- a. Information regarding noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions resulting from the use.
- b. Supporting documentation, such as traffic studies, market studies, and noise studies as may be required by the Department of Planning and Zoning or by the Zoning Regulations.
- c. For expansions and enlargements, previous case number(s) and information regarding compliance with previous requirements and conditions.

8. Summary of Request

The following items should be answered by summary statements. If additional space is needed, please

attach a Supplement to this petition.

- a. The present use of the subject property Residential
- b. Details of the proposed use, including, **where applicable:** types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc. See attached supplement.
- c. Any additional information which will be useful in the evaluation of whether the Conditional Use complies with the specific criteria for the conditional use category within Section 131.0.N. See attached supplement.
- d. Will the Conditional Use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties? See attached supplement.
- e. Will the number of parking spaces be appropriate to serve the use and will the parking areas, loading areas, driveways, and trash receptacle areas be appropriately located and buffered from public roads and residential areas? See attached supplement.
- f. Will the ingress and egress driveway(s) provide safe access with adequate sight distance? See attached supplement.
- g. Are there any environmentally sensitive areas in the vicinity of the property and, if so, will the proposed use have any potential to affect such areas? See attached supplement.
- h. Are there any historic sites in the vicinity of the property and, if so, will the proposed use have any potential to diminish the character and significance of such sites? See attached supplement.

9. Prior Petition

Has any petition for the same, or substantially the same, conditional use as noted above for the subject property been denied by the Hearing Authority within twenty four (24) months of the date of this petition?

() Yes (X) No

If yes, and six (6) months have elapsed since the last hearing, an affidavit must be attached which states the new and different grounds on which this re-submittal is based.

10. Additional Materials, Fees, Posting, Advertising, and Justification Statement Requirements

- a. Supplemental pages may be attached to the petition. **You must submit one original petition with**


original signatures, and one original of any other signed documents. The following number of sets including petitions, plans and supplemental pages must be submitted:

3 copies (application, plans and any other supporting documentation)

- b. The Petitioner signing below hereby agrees to furnish such additional plats, plans, reports or other materials as may be required by the Department of Planning and Zoning and/or the Hearing Authority in connection with this petition.
- c. The Petitioner hereby agrees to pay all costs in accordance with the current schedule of fees.
- d. The Petitioner hereby agrees to properly post the property at least thirty (30) days immediately prior to the Hearing Examiner public hearing; to maintain the public notice posters until the public hearing is concluded; and to submit an affidavit of posting at, or before the time of the initial public hearing. The Petitioner also hereby agrees to advertise the public hearing by means of legal notices as prepared by the Department of Planning and Zoning to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, at least thirty (30) days prior to the public hearing, and to pay for such advertising costs; and agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.
- e. **The Petitioner hereby agrees to submit a Statement of Justification which examines each of the General Standards in Section 131.0.B., and each of the specific criteria in Section 131.0.N. for the proposed use, and which states the reasons the proposed Conditional Use complies with each standard and criterion.**

11. Signatures

The Petitioner hereby affirms that he/she has read the instructions on this form, filing herewith all of the required accompanying information, and affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

 6/7/24
Signature of Petitioner Date

Danie Ryan ^{for} DME
Print Name of Petitioner Cedar Overlook LLC

Signature of Petitioner Date

Print Name of Petitioner

 6/7/24
Signature of Attorney Date

Sean W. O'H
Print Name of Attorney

General Standards for Conditional Uses

All requests for conditional uses must meet the following general standards set forth in Section 131.0.B. of the Zoning Regulations for approval:

1. The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.
2. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.
3. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:
 - a. The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning districts.
 - b. The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.
 - c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.
 - d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.
 - e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.
 - f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

In addition to the specific requirements of the appropriate subsection within Section 131.0.N of the Zoning Regulations, Conditional Uses within residential developments in the R-ED, R-SC, R-SA-8, R-H-ED, R-APT, R-A-15, R-MH or R-VH districts are subject to the standards enumerated in Section 131.0.C.

ADDRESS 7945 Wormans Mill Road, Frederick, MD 21701

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended:

The person(s) signing below hereby declare(s) that no officer or employee of Howard County, whether elected or appointed, has received prior hereto or will receive subsequent hereto, any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the attached petition to the Hearing Examiner for a conditional use as requested.

I, we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

Witness

Anne Wolf

Signature

[Signature]

Date

6/7/24

Witness

Signature

Date

Witness

Signature

Date

Application Fee: \$500.00

Poster Fee: \$25.00 per sign/poster

Make check payable to: Director of Finance.

For DPZ use only:

Hearing fee: \$ _____

Poster fee: \$ _____

Total: \$ _____

Receipt No. _____

County Website: www.howardcountymd.gov

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION.

June 7, 2024

Howard County Maryland
Department of Planning and Zoning
3430 Court House Drive
Ellicott City, MD 21043

Re: Owner Authorization Letter
Conditional Use Petition – Age-Restricted Adult Housing
DMR Cedar Overlook, LLC; Petitioner

To whom it may concern,

We own the property located at 6547 Cedar Lane, Columbia, MD 21044 and hereby authorize Talkin & Oh, LLP, DMR Cedar Overlook, LLC, and Vogel Engineering + Timmons Group to submit relevant applications and correspondence on our behalf to the Howard County Maryland Department of Planning and Zoning as required to obtain the necessary project approvals for the above-referenced age-restricted adult housing project.

Thank you,



George Peters
6547 Cedar Lane
Columbia, MD 21044



Christy Peters
6547 Cedar Lane
Columbia, MD 21044



IN RE: * BEFORE THE
DMR CEDAR OVERLOOK, LLC * HOWARD COUNTY
REQUEST FOR * HEARING EXAMINER
CONDITIONAL USE *
Case No: BA-_____

NARRATIVE SUPPLEMENT TO CONDITIONAL USE PETITION

8. Summary of Request

b. Details of the proposed use, including, where applicable: types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.

Petitioner is proposing a residential development for adults 55 years or older in attached and semi-detached units. The development will consist of 35 age-restricted adult housing ("ARAH") units that will include 4 single-family semi-detached ("SFSD") units and 31 single-family attached ("SFA") units. Each unit is to be occupied by households having at least one member who is 55 years of age or older.

There will be no employees on site except for maintenance services procured by the future homeowners' association. Except through construction, vehicles and equipment used on the property will be typical of such in residential neighborhoods. Outdoor street lighting will be limited to shielded, downward facing pole mounted lighting that will not exceed 14 feet in height. All units will meet the 34' height limit requirement.

Indoor and outdoor activities and lighting will be as expected in a typical residential community and as shown on the accompanying Conditional Use Plan. As shown on the Conditional Use Plan, Petitioner is proposing a community area internal to the site that will include a 700 square foot community center and a 400 square foot community patio surrounded by an open space lot.

Additional information may be presented at the hearing on this matter.

c. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.0.N.

Under Section 131.0.N.1.a (Age-Restricted Adult Housing, General) of the Howard County Zoning Regulations (the "Regulations"), a Conditional Use for Age-Restricted Adult Housing, General may be granted for a property located in the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, or R-APT District provided that:

1. **Single-family detached, semi-detached, multi-plex, attached and apartment dwelling units shall be permitted, except that only detached, semi-detached, multi-plex and single-family attached units are permitted in developments with less than 50 dwelling units in the RC, RR, R-ED, R-20 and R-12 districts.**

The Subject Property is zoned R-20. The residential units being proposed are single family attached and semi-attached. There are less than 50 dwelling units being proposed.

2. **In the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, or R-APT Districts the development shall have a minimum of 20 dwelling units.**

Petitioner is proposing 35 ARAH units. Therefore, this criterion is satisfied.

3. **Only detached and semi-detached units are permitted in the RC and RR Districts.**

The Subject Property is zoned R-20. Therefore, this criterion is not applicable.

4. **The maximum density for a proposed project with 20-49 units in the R-20 Zoning District shall be 4 units per net acre.**

As indicated on the Conditional Use Plan, the net acreage of the Subject Property is approximately 8.90 acres permitting 35 units. The Petitioner is proposing 35 ARAH units and, therefore, complies with this criterion.

5. **If the development results in increased density according to subsection (4) above, the site must have frontage on and direct access to a collector or arterial road designated in the General Plan.**

The Subject Property has frontage on and direct access to Cedar Lane, which is a designated minor collector public road in the General Plan.

6. **The landscape character of the site must blend with adjacent residential properties. To achieve this:**

- (a) **Grading and landscaping shall retain and enhance elements that allow the site to blend with the existing neighborhood.**

As shown on the Conditional Use Plan, there will be significant landscaping around the perimeter of the Subject Property that will buffer the project from the residential uses in the vicinity and allow the project to blend with the existing neighborhood.

Additional information regarding this criterion may be presented at the hearing on this matter.

(b) The project shall be compatible with residential development in the vicinity by providing either:

(i) An architectural transition, with buildings near the perimeter that are similar in scale, materials and architectural details to neighboring dwellings as demonstrated by architectural elevations or renderings submitted with the petition; or

(ii) Additional buffering along the perimeter of the site, through retention of existing forest or landscaping, enhanced landscaping, berms or increased setbacks.

As shown on the Conditional Use Plan, Petitioner is proposing ARAH units that are aesthetically compatible with the single-family attached and single-family detached residences in the surrounding neighborhood. The proposed units are similar in scale, material and architectural details as the neighboring dwellings.

Additional information regarding this criterion may be presented at the hearing on this matter.

(c) For projects with less than 50 dwelling units in the RC, RR, R-ED, R-20 and R-12 Districts, setbacks from existing public streets shall be the same as the setback required for residential uses on adjacent properties.

The Subject Property is zoned R-20. All applicable setbacks to existing streets are satisfied.

7. Bulk Requirements:

As shown on the Conditional Use Plan, the proposed development meets all the bulk requirements specified in Sec. 131.0.N.1.a(7) for single-family semi-detached and attached ARAH units located in the R-20 Zoning District.

- 8. At least 50% of the gross site area in the RC, RR, R-ED Districts, at least 35% in the R-20, R-12, and R-SC Districts, and at least 25% in R-SA-8, R-H-ED, R-A-15 and R-APT Districts, shall be open space or open area in accordance with the Subdivision and Land Development Regulations. The open space or open area shall provide amenities such as pathways, seating areas and recreation areas for the residents, and shall be protective of natural features.**

As shown on the accompanying Conditional Use Plan, the Petitioner is required to provide 35% or 3.12 acres of open space. 4.13 acres of open space is being provided.

9. **Accessory uses may include social, recreational, educational, housekeeping, security, transportation or personal services, provided that use of these services is limited to on-site residents and their guests.**

No accessory uses are proposed.

10. **At least one on-site community building or interior community space shall be provided that contains a minimum of 20 square feet of floor area per dwelling unit, for the first 99 units with a minimum area of 500 square feet.**

Petitioner is proposing 35 ARAH units requiring a 700 square foot community building. As shown on the Conditional Use Plan, Petitioner is proposing a 700 square foot community clubhouse located in the northeast portion of the proposed development and, therefore, complies with this criterion.

11. **Loading and trash storage areas shall be adequately screened from view.**

The proposed ARAH units will utilize standard household trash containers.

Additional information regarding this criterion may be provided at the hearing on this matter.

12. **For a development that will be built in phases, open space areas, recreational facilities and other accessory facilities shall be provided in each phase to meet the needs of the residents. The developer shall provide a schedule for the installation of facilities at the time the Conditional Use is approved.**

Petitioner does not intend to construct this development in phases. Therefore, this criterion does not apply.

13. **The petition shall establish how the age restrictions required under the definition of this use will be implemented and maintained over time. If the development will not be a rental community under single ownership, an entity such as a condominium association or homeowners association shall be established to maintain and enforce the age restrictions in addition to County enforcement of zoning regulations.**

The age restriction will be established, implemented and maintained through the recordation of a Declaration of Covenants administered by the condominium or homeowners association.

Additional information regarding this criterion may be presented at the hearing on this matter.

- 14. All open space, common areas and related improvements shall be managed and maintained by a common entity, either the owner of the development, a condominium association, or a homeowners association.**

The condominium or homeowners' association will also manage and maintain open space, common areas, and related improvements.

Additional information regarding this criterion may be presented at the hearing on this matter.

- 15. The development shall incorporate universal design features from the Department of Planning and Zoning guidelines that identify required, recommended and optional features. The petition shall include descriptions of the design features of proposed dwellings to demonstrate their appropriateness for the age-restricted population. The material submitted shall indicate how universal design features will be used to make individual dwellings adaptable to persons with mobility or functional limitations and how the design will provide accessible routes between parking areas, sidewalks, dwelling units and common areas.**

The proposed ARAH units shall include design features that are appropriate for the age-restricted population and will incorporate universal design principles to be accessible or adaptable for residents with limited mobility and other age-related limitations. All units will have the following features:

- No-step front access to the front entrance.
- 36" wide front door with exterior lighting.
- All exterior doorways at least 32" wide.
- Hallways at least 36" wide.
- Complete living area including master bedroom and bath on first floor.
- Lever handles on interior and exterior doors.
- Blocking for grab bars in bathroom walls near toilet and shower.
- Slopes of ramps on the exterior of units shall be in accordance with current Howard County regulations.

- 16. At least 10% of the dwelling units in the RC, RR, R-ED, R-20, R-12 and R-SC Districts, and at least 15% in the R-SA-8, R-H-ED, R-A-15 and R-APT Districts, shall be Moderate Income Housing Units.**

Petitioner agrees to comply with this criterion. If approved, specifics regarding the MIHU requirement will be addressed at the site development plan stage.

17. **Housing for the elderly special exceptions uses approved by the Board of Appeals on or prior to July 12, 2001 and constructed under the Zoning Regulations in effect at that time, may convert the existing dwelling units to age-restricted adult housing uses, with respect to minimum age restrictions only, without being subject to further hearing authority review and approval under current Conditional Use requirements, provided that the dwelling units are made subject to the new covenants and other legal means of enforcing the age-restricted adult housing minimum age restrictions, and that a copy of the recorded new covenants is submitted to the Department of Planning and Zoning to be filed in the original special exception case file.**

This criterion is not applicable.

18. **The Conditional Use plan and the architectural design of the building(s) shall have been reviewed by the Design Advisory Panel, in accordance with Title 16, Subtitle 15 of the Howard County Code, prior to the submission of the Conditional Use petition to the Department of Planning and Zoning. The Petitioner shall provide documentation with the petition to show compliance with this criterion.**

The Design Advisory Panel reviewed the Conditional Use Plan and the proposed architectural design at its meeting on January 25, 2023. The meeting summary is attached to the Petition.

This use also complies with the General Standards Required for Approval under Section 131.0.B. of the Regulations:

1. **The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.**

The proposed use is in harmony with the land uses and policies in the Howard County General Plan. It complies with DN-12 Policy Statement to “provide a range of affordable, accessible, and adaptable housing options for older adults . . .” and to “encourage Age-Restricted Adult Housing (ARAH) developments to build small-to medium-scale housing units to include . . .

townhomes . . . that allow senior to downsize and are affordable to low-and moderate-income households.”

2. **The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.**

The overall intensity and scale of the use is appropriate for the site. As indicated above, the Subject Property is zoned R-20, which permits 4 dwelling units per net acre for an ARAH Conditional Use with 20-49 units. The Subject Property proposes a lesser number of ARAH units below the maximum permitted density and is providing 46.4% of the site as open space, which exceeds the required 35%. Additionally, no variances are required as the proposed use complies with all the bulk regulations required in the specific conditional use criteria and the underlying zoning district. The Subject Property has direct access and frontage on Cedar Lane, a designated minor arterial public road classification, to serve the proposed use.

3. **The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:**

- a. **The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning districts.**

The proposed use consists of SFSD and SFA units that are not known or expected to create any atypical adverse effects such as noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions after construction. As such, the proposed use will not cause greater adverse impacts at the proposed site than it would generally elsewhere in the R-20 Zoning District or other similar zoning districts. Any proposed exterior lighting will be in accordance with Howard County regulations and will be shielded and directed to ensure it does not impact neighboring properties. Additional information regarding this criterion may be presented at the hearing on this matter.

- b. **The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or**

discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.

The proposed use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the R-20 Zoning District or other similar zoning districts. The surrounding properties are zoned R-20, NT, PSC, POR and R-ED and consist of single family detached, attached, single-family semi-detached, and various commercial uses. As shown on the Conditional Use Plan, the height of all proposed structures complies with the height requirements in the R-20 Zoning District and the specific conditional use criteria. The proposed use also complies with all setback requirements. Further, Petitioner is proposing landscaping around the perimeter of the Subject Property that will buffer the proposed development from neighboring uses. Additional information regarding this criterion may be presented at the hearing on this matter.

c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.

Petitioner is required to have 2.3 parking spaces per proposed residential dwelling unit and an additional 3 parking spaces for the clubhouse, resulting in a total of 81 required parking spaces. As shown on the attached Conditional Use Plan, Petitioner is proposing a total of 143 parking spaces. Each of the proposed ARAH units will have a 2-car garage providing 70 parking spaces.

Additionally, as indicated above, Petitioner is providing landscaping around the entire perimeter of the Subject Property that will appropriately buffer and screen the parking areas from adjoining properties.

d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.

The proposed use will have safe ingress and egress off Cedar Lane, a designated minor arterial public road. The proposed access provides adequate

and safe sight distance. Additional information on this criterion may be provided at the hearing on this matter.

e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

The proposed use is appropriately buffered from all environmentally sensitive areas in the vicinity and will not have a greater potential for adversely impacting those areas than it would elsewhere.

f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

The nearest historic site is 6436 Cedar Lane, the former site of the George Gore Farm (HO-96). The home and barn at the George Fore Farm have been demolished. To the south and further are the sites for Richardson Farm at 6692 Cedar Lane (HO-636), Simpsonville Stone Ruins (HO-525) on the north side of Route 32, where it intersects with Cedar Lane, and Millers House/Hatfield Residence at 6691 Cedar Lane (HO-268), which is approximately 0.34 miles to the south and not visible from the subject Property. Given the landscaping around the site, the distance to the historic sites rendering the subject Property to not be visible from the historic properties and the absence of historic structures on most of the neighboring sites, the proposed use does not have the potential to diminish the character and significance of any historic sites in the vicinity.