

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed this Departure from Design Standards requesting a departure from the required setback for a loading space and driving access to the loading space from residential zoning to allow less than 50 feet in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on March 30, 2006, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The property is located on the west side of Largo Road (MD 202) approximately 60 feet south of Water Fowl Way. The property is heavily wooded and is currently developed with a single-family home in the front third of the property with some small outbuildings to the rear of the home. One of these outbuildings is in a deteriorated condition. The property is an elongated rectangular parcel and is accessed directly from Largo Road.

- B. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	R-R	R-R
Use(s)	Single-family home	Assisted living facility with 55 units (110 residents) Adult day care center for 120 occupants
Acreage	3.86 acres	3.86 acres
Square Footage/GFA	2,195 sq. ft.	40,119 sq. ft.

**Other Development Data**

The area of the various uses within the proposed 40,119 square feet consists of the following: adult day care (7,485 square feet), assisted living facility (26,719 square feet), and shared space consisting of activity rooms, dining rooms, living/community room areas, and kitchen facilities (5,915 square feet).

- C. **History:** The 1994 sectional map amendment for the Subregion VI Study Area retained the subject property in the R-R (Rural-Residential) Zone.
- D. **Master Plan Recommendation:** The 1993 Subregion VI Study Area master plan identified this site as part of a rural residential area in the Marlboro community and recommended low-suburban residential development at up to 2.6 dwelling units per acre for this property. This special exception application for an assisted living facility and adult day care center at this location is not inconsistent with the land use recommendations or policies for this rural residential area within the Marlboro community.
- E. **Request:** The applicant requests approval of a special exception for an assisted living facility with 110 residents and an adult day care center for 120 occupants, of which 50 percent (60

occupants) will come from the on-site assisted living facility population. The proposed facility will consist of a one-story, 40,000-square-foot building, and 64 parking spaces. A woodland preservation area and stormwater pond are located at the rear of the property. A five-foot-wide walk has been added to the woodland preservation area to provide a passive recreation amenity for future residents.

Both uses are permitted in the R-R Zone subject to obtaining special exception approval. In addition, assisted living facilities are allowed to have a maximum of 75 dwelling units “only if adjoining and operated by the same organization as an adult day care use.”

A total of 86 parking spaces and 1 loading space are required for these uses and the applicant is providing 64 parking spaces and 1 loading space. A departure from parking and loading standards application has been filed to address the reduction of 22 parking spaces. In addition, since the loading space is located within 40 feet of the residentially zoned property to the south, the applicant is requesting a departure from design standards as stated in Section 27-579(b) that requires a 50-foot setback for the driveway from the residentially zoned property.

- F. **Neighborhood and Surrounding Uses:** The applicant defines the neighborhood as being bounded by MD 193 to the north, MD 725 to the south, MD 301 to the east, and Brown Station Road to the west. The applicant has defined a large neighborhood that extends all the way to the town of Upper Marlboro. In planning, neighborhoods are considered to be units of a larger community and can be defined by streams or natural features as well as major roads. Staff recommends the following neighborhood based on the nearest major roads, streams and major public facilities:

North—MD 202 and White House Road

East—MD 202

South—University of Maryland Experimental Farm and the Western Branch

West—Brown Station Road

The property is surrounded by the following uses:

North—Westin Subdivision, single-family homes, in the R-R Zone

East—Single-family homes in the R-R Zone

South—University of Maryland Experimental Farm in the R-R and R-O-S Zones

West—University of Maryland Experimental Farm in the R-R Zone

The neighborhood includes primarily residential development. It also includes an independent living facility (Largo Landing Fellowship House) and two churches with accompanying school complexes.

- G. **Requirements for Departures from Design Standards:** The applicant requests a departure from design standards to locate an exterior loading space and vehicular entrances (including driveways and doorways) within 50 feet of a residentially zoned property per Section 27-579(b) of the Zoning Ordinance. The applicant requests a waiver of the full 50-foot requirement for the driveway and a departure of 30 feet for the location of the loading space. The adjoining property to the south is zoned R-O-S and is used as an experimental farm by the University of Maryland. The applicant proposes to screen the loading space from adjacent property using a wood screen fence and existing trees and vegetation.

Section 27-239.01 sets forth the following findings necessary for granting a departure for design standards:

- (i) **The purpose of this Subtitle will be equally well or better served by the applicant's proposal;**

The loading space is located at the rear of property, which provides off-street loading and does not obstruct internal vehicular traffic.

- (ii) **The departure is the minimum necessary, given the specific circumstances of the request;**

The location of the driveway entrance is limited by the site's permitted access point to Largo Road. Consequently, the requested departure is the minimum necessary to provide access to the loading space. The proposed loading space will be located within 30 feet from the property line in a residential zone due to the location of the stormwater management facilities and tree preservation area. In addition, the loading space and access drive are located along the southern property line that abuts the University of Maryland experimental farm. No single-family homes will therefore be impacted by these features.

- (iii) **The departure is necessary in order to alleviate circumstances, which are unique to the site or prevalent in area of the County developed prior to November 29, 1949;**

The departure is necessary to alleviate circumstances that are unique to the site. The site is shaped in a long rectangle, which limits where a building can be placed and thus restricts the location of the proposed drive aisle which must run along one of the north or south property lines. The applicant has minimized the impact of the drive aisle by placing it along its boundary with the University of Maryland experimental farm instead of along its boundary with the single-family development to the north. In addition, in order to preserve a significant amount of trees on the site, which are located at the rear of the property, the loading space must be located within 30 feet of the adjacent residentially zoned property. The impact again has been minimized by locating the loading space next to the University of Maryland farm.

- (iv) **The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

The proposed design for the site provides the required 10-foot bufferyard from adjacent properties required by the *Landscape Manual*. The site is heavily landscaped, with a surplus of plant units above what is required, along its northern boundary with the Westin subdivision. The applicant proposes a board-on-board fence to screen the loading space and to retain the existing woods on the west side of the property to maintain the residential character of the site. It should be noted that the driveway and loading space are located in the portion of the site that abuts the University of Maryland Experimental Farm. This location of the loading space in this area of the site ensures that it will not negatively impact the adjoining residential subdivision. Thus, the departure will not impair the visual, functional or environmental quality of the surrounding neighborhood.

**CONCLUSION:**

The departure is generally in conformance with the requirements for the granting of Departures from Design Standards in the Zoning Ordinance. Staff recommends APPROVAL of DDS-566.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and recommends to the District Council for Prince George's County, Maryland that the above-noted application be APPROVED.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Clark, seconded by Commissioner Eley, with Commissioners Clark, Eley, Vaughns and Parker voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, March 30, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20<sup>th</sup> day of April 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator