

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 15, 2003 regarding Detailed Site Plan DSP-02064 for Villages at Campus Way, Lot 1, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for a planned retirement community in the C-O Zone.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	C-O	C-O
Use(s)	Vacant	Planned Retirement Community
Acreage	18.86	18.86
Area of 100 year floodplain	0.7	0.7
Net tract area	18.16	18.16
Number of dwelling units	N/A	144 (60 townhouse villas and 84 apartment units)

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total parking spaces	219	286
Of which townhouse (2.04 / Dwelling Units)	123	120
Apartment (0.66/Unit)	56	110
Community center	40	56
Number of buildings	N/A	27
Of which 2-unit villa	N/A	8
4-unit townhouse villa	N/A	11
12-unit apartment building	N/A	7
Community center	N/A	1

3. **Location:** The site is in Planning Area 73, Council District 5. More specifically, it is located on the northwest side of the intersection of Campus Way North and Lottsford Road.

4. **Surroundings and Use:** The subject property is a triangular shape and is within the expanded Woodview Village Special Tax District. The site is bounded to the south and east by the rights-of-way of Lottsford Road and Campus Way North. Directly across Campus Way North from the subject property is a property zoned R-H, which is currently being developed as an extension of the Collington Episcopal Lifecare Center, a planned retirement community. Across Lottsford Road is the Woodview Village development, a property zoned R-M. To the north and west of the property is vacant land in the I-3 Zone.
5. **Previous Approvals:** On October 3, 1989, the District Council adopted Zoning Ordinance 53-1989 wherein Zoning Map Amendment Petition A-9612-C was approved and the subject property was rezoned from the R-R Zone to the C-O Zone with eight conditions. On January 6, 1994, the Planning Board approved Conceptual Site Plan SP-93021, which was filed pursuant to the condition of Zoning Ordinance 53-1989, and Preliminary Plan of Subdivision 4-93044 for the subject site with 23 conditions. On February 10, 2000, the Planning Board approved the requested reconsideration of Conditions 20(a) and 20(c) of Preliminary Plan of Subdivision 4-93044. The subject site was Lot 2 in the above preliminary plan of subdivision, which designated Lot 2 as reserved land for the planned transit PT-1 facilities per the requirements of Sections 24-139, 24-140 and 24-141 of the Subdivision Regulations. According to Condition 1 of 4-93044, the reservation period should continue for three years and commence with the recordation of a Reservation Plat recorded with the Final Plat of Subdivision. The subject site was subsequently recorded as Lot 1 in Final Plat VJ169@52 (5-94058) on June 23, 1994. The site also has an approved Stormwater Management Concept Approval #26628-2002-00.
6. **Design Features:** The site plan proposes the entire property as one building site with only one access point to Campus Way North. The proposed 64 townhouse villas in 19 buildings and 80 apartment units in 7 buildings, as well as one clubhouse building of approximately 3,095 square feet and an outdoor swimming pool, are arranged along three cul-de-sac-style internal roads which branch from the entrance to the other parts of the site. Two on-site surface parking lots are located at the terminus of the two internal roads.

The 19 townhouse villas have two types of design, two-unit and four-unit layouts. The four-unit layout combines two 2-unit layouts. Townhouse villas have either a one or two-car garage as a standard feature. Townhouse villas also feature gabled roofs, pedimented dormer windows, Palladian windows, partial brick veneer front, and aluminum siding.

Apartment buildings are three stories in height and each has 12 units. The elevation design is in a symmetrical form consisting of two distinctive end portions, with cross-gabled roofs and enclosed balconies, joined in the middle by the main entrance portion. The main entrance is lower than the portions on its two sides and is visually separated from the two parts that flank the main entrance by vertical divisions. The accented main entrance has a cross-gabled portico finished with standing seam metal roof.

An entrance monument sign with a cast stone sign panel also has been submitted with this detailed site plan application. The entrance sign will be combined with a guardhouse and a wrought iron fence with brick columns on both sides of the entrance to create an identical

entrance image to those of the existing developments across the streets.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance No.53-1989 (A-9612-C):** Zoning Ordinance No. 53-1989, which was adopted by the District Council on October 3, 1989, wherein Zoning Map Amendment Petition A-9612-C was approved, rezoned the subject property from the R-R Zone to the C-O Zone. Of eight conditions attached to the approval of A-9612-C, Condition 1 is specifically relevant to this detailed site plan review.

“ 1. Conceptual and Detailed Site Plan approval by the Planning Board and by the District Council shall be required prior to the issuance of permits. These reviews shall address, but not necessarily limited to the following:

- “a. Vehicular and pedestrian access, on-site circulation and its functional relationship to the adjacent planned Metro station;**
- “b. The siting, orientation, architecture and façade treatment of all buildings;**
- “c. Landscaping and screening elements with particular attention to views from adjacent roadways and residentially-zoned properties;**
- “d. Coordinated signs and lighting elements;**
- “e. Tree stand delineation plan;**
- “f. 100-year floodplain study; and**
- “g. A stormwater management concept plan.”**

Comment: The subject site has an approved conceptual site plan as discussed in Finding 8 below. The purpose of the subject detailed site plan is to fulfill the above-mentioned condition.

The site plan shows an acceptable access point and an on-site circulation pattern for vehicular traffic. The plan, however, only provides a standard sidewalk along one side of most of the internal roads. Several conditions regarding pedestrian traffic have been proposed in the Recommendation section in order to improve both on-site pedestrian circulation and the pedestrian connection between the site and adjacent destinations and pedestrian network.

The site plan shows a general inward spatial layout where buildings are arranged along three internal roads. Seven apartment buildings and 19 townhouse villas are oriented toward the internal roads and their cul-del-sac terminuses. All buildings have brick-accented facades and aluminum siding finishes. The Statement of Justification indicates that the rear of all the units facing Lottsford Road will have full brick façade. A condition of approval, which requires brick treatments on architectural elevations that are oriented to the existing development, has been proposed in the Recommendation section of this report in order to enhance visual harmony of the subject development with the surrounding neighborhood.

The landscape plan proposes landscape strips along both Lottsford Road and Campus Way North in order to screen the views from the two roadways. The landscape strip along Lottsford Road tapers at the frontage of a surface parking lot adjacent to Lottsford Road. Since the parking lot is

higher in elevation, it would be desirable to continue the same landscape strip for the entire site frontage along Lottsford Road whenever it is possible. See Finding 12 for more discussion.

The application has an entrance monument sign proposal and an on-site lighting element. The entrance sign is compatible with the adjacent developments. The proposed on-site lighting fixtures consist of two types of luminaire, a 30-foot-high black pole light and a typical bollard light. Since a 30-foot-high black pole light renders a feeling of parking lot lighting, it would be preferable if a pedestrian-scaled, high quality, landscape lighting fixture were provided for approval by the Urban Design Section, for internal street lighting.

The Tree Stand Delineation Plan for the site has been submitted with the Type II Tree Conservation Plan. The review by the Environmental Planning Section indicates that the Tree Stand Delineation Plan and Type II Tree Conservation Plan are acceptable.

The applicant has obtained approval of both the 100-year floodplain study and stormwater management concept from the Department of Environmental Resources simultaneously with the subject detailed site plan review.

8. **CB-22-2002 Planned Retirement Community Ordinance:** CB-22-2002 is an ordinance concerning planned retirement communities that was enacted by the District Council on July 22, 2002. This legislation amends the Commercial Zones Use Table to allow planned retirement communities in the C-O (Commercial Office) Zone under certain circumstances. The use may only be located on property that meets the criteria contained in Footnote 39 of the legislation. The footnote also requires a detailed site plan review and that the site plan meet all special exception requirements for planned retirement communities as stated in Section 27-395 of the Zoning Ordinance.

Footnote 39 on page 5 of the legislation allows a Planned Retirement Community to be located within the C-O Zone, provided:

“(A) The property in the C-O Zone is within a Special Taxing District and adjoins or lies across a public right-of-way from land in the R-H Zone with an existing planned retirement community.”

Comment: The subject property is located in the extended Woodview Village Special Tax District pursuant to Council Resolution CR-30-2001 adopted by the District Council on July 24, 2001, and approved by the County Executive on August 9, 2001. Directly across Campus Way North from the subject property is a property zoned R-H that is currently being developed as an extension of the Collington Episcopal Lifecare Center, a planned retirement community. The subject property meets the locational criteria to permit a planned retirement community to be constructed thereon.

The original Woodview Village Special Tax District was proposed by Rocky Gorge Communities, Inc., and was approved by the County Council (Resolution CR-37-1996) on July

23, 1996, for the purposes of developing and financing infrastructure improvements. The Woodview Village District includes approximately 600 units of single-family detached houses, town homes and multifamily units on an approximately 81-acre site. The site plan consists of seven sections as indicated on Exhibit 2 of CR-37-1996. The approved Declaration of Covenants attached to CR-37-1996 includes specific architectural design standards for each of the seven sections that set up the design guidance for single-family detached houses, town homes and multifamily apartment units within the special tax district.

As discussed above, CR-30-2001 extended the existing Woodview Village Special Tax District boundary to include the subject property as shown on Exhibit A attached thereto. But CR-30-2001 was silent on the existing design standards and did not have any discussion on the applicability of the design standards in the new subdistricts. The staff therefore did not apply the design standards in the review of the subject detailed site plan because the planned retirement community is envisioned as a development in a condominium regime and will be recorded as one condominium plat which is different from any of the building types that were included in the original Woodview Village Special Tax District.

“(B) The Planning Board approves a Detailed Site Plan, in accordance with Part 3, Division 9, and makes the following findings:

“(1) The site plan meets all Special Exception requirements in Section 27-395; and”

Comment: The subject Detailed Site Plan is in general compliance with Part 3, Division 9, with regard to submittal, compliance with the design guidelines and the required findings for Detailed Site Plan.

In approving the Detailed Site Plan for a planned retirement community, the Planning Board must find that the site plan meets all of the special exception requirements set forth in Section 27-395. Pursuant to Section 27-395, a planned retirement community may be permitted subject to the following criteria:

“(a) (1) Findings for approval

“(A) The District Council shall find that:

“(i) The proposed use will serve the needs of the retirement-aged community;

“(ii) The proposed use will not adversely affect the character of the surrounding residential community; and”

Comment: The proposed development is located in the extended Woodview Village Special Tax District. Directly across Campus Way North from the subject property is a planned retirement community affiliated with Collington Episcopal Life Care Center, which is a life care community

developed pursuant to a special exception as a medical residential campus. The medical residential campus and the adjoining planned retirement community provide a concentration of services and housing options for the retirement-aged community that has proved to be a successful development. The proposed planned retirement community on the subject property plans a continuation of this market rate housing pattern by providing housing options that are currently not available at the existing planned community directly across the street. The proposed complementary housing options, townhouse villas and multifamily dwellings, and on-site amenities such as a club house and an outdoor swimming pool will meet the housing demand of more diverse retirement-aged groups and will help improve the quality of life in the area.

The subject property is a triangular-shaped site bounded on the eastern side by Campus Way North and on the southern side by Lottsford Road. Across Campus Way North to the east is an existing planned retirement community with a housing style similar to that being proposed on the subject site. Across Lottsford Road to the south is the existing Woodview Village community, which is a high quality development and is the original Woodview Village Special Tax District. As the Woodview Village Special Tax District has been extended to include the subject property, the proposed architecture on the subject site should be treated in a similar way to the adjacent existing developments; such as, but not limited to, exterior finishes, roof pitch, roof pattern, fenestration treatment and architectural details.

The only access to the proposed planned retirement community will be provided from Campus Way North to the east of the site. Directly across Campus Way North is the existing entrance to the adjacent planned retirement community that is affiliated with Collington Episcopal Life Care Center. The proposed entrance will be constructed with a guardhouse identical to that provided across the street. The rest of the entrance will be a wrought iron fence with brick piers along the frontage of the property on both Lottsford Road and Campus Way North that is a continuation of the fence treatment of the existing planned retirement community. Therefore, the proposed planned retirement community will not adversely affect the character of the surrounding residential community, but will in fact complement the existing development and extend the high level of quality that has already been established.

“(a) (2) Site Plan

“(A) In addition to the requirements of Section 27-296(c), the site plan shall set forth the proposed traffic circulation pattern.”

Comment: The submitted site plan is in general conformance with the requirements of Section 27-296(c), Other submission requirements. The site plan also sets forth the proposed traffic circulation pattern, which features a three-branched, cul-de-sac-style street pattern with different terminuses and single-sided pedestrian path. A condition of approval has been proposed in order to

improve the on-site pedestrian circulation and connection between the on-site and off-site trails system.

“(a) (3) Regulation

* * * * *

“(B) The subject property shall contain at least twelve (12) contiguous acres;

“(C) The average number of dwelling units per acre shall not exceed eight (8) for the gross tract area;”

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“(F) In the I-3 and C-O Zones, townhouses shall comply with the design guidelines set forth in Section 27-274 (a) (11) and the regulations for development set forth in Section 27-433(d).”

Comment: The subject site has a gross tract area of 18.86 contiguous acres, which would permit a total of 150 dwelling units based on a calculation of eight units per acre. Total number of units proposed on the site plan is 144 units. The average number of dwelling units per acre is 7.6.

The proposed planned retirement community is located in the C-O Zone. Of all the 144 units, 64 are townhouse villas and 80 are apartment units. The townhouse villas are arranged in two-unit type and four-unit type footprints. Per Section 27-107.01(240), the definition of a townhouse, the proposed townhouse villas are not included in the townhouse definition because the subject application is located in a Planned Retirement Community. Therefore, the townhouse villa units in the application are not subject to the design guidelines as set forth in Section 27-274 (a) (11) and Section 27-433 (d).

“(a) (4) Uses

“(A) The planned retirement community shall include a community center or meeting area, and other recreational facilities which the District Council finds are appropriate. These recreational facilities shall only serve the retirement community. The scope of the facilities shall reflect this fact. The Council may only permit a larger facility which serves more than the retirement community if the facility is harmoniously integrated with the retirement community and the surrounding neighborhood. All recreational facilities shall be constructed prior to, or concurrent with, the construction of the residential units, or in accordance with a schedule approved by the District Council;

“(B) Retail commercial uses, medical uses, health care facilities, and other uses which are related to the needs of the community may be permitted.”

Comment: The proposed planned retirement community will include a clubhouse and an outdoor swimming pool facility. The clubhouse and swimming pool facility are sized to only serve the residents of the planned retirement community. The clubhouse will also be designed to accommodate other uses and services, including meeting area, health and fitness uses, an art studio and other facilities that will be determined by the residents. A condition of approval on the timing of the construction of the above-noted recreational facilities has been proposed in the

Recommendation section to be approved by the Planning Board.

Except for the above-mentioned facilities, the site plan does not propose any other uses, such as retail commercial uses, medical uses and health care facilities, on the subject property.

“(a) (5) Resident’s age.

“(A) At least one (1) resident of each household shall be at least fifty (50) years old, unless the applicant can demonstrate that a lesser minimum age requirement should be approved. No permanent resident of the planned retirement community shall be under eighteen (18) years old. Covenants setting forth the minimum age of the residents shall be submitted with the application. The covenants shall be approved by the District Council, and shall be filed in the land records at the time the subdivision plat is recorded. No change in the minimum age shall be permitted unless both the covenants and the Special Exception have been amended”

Comment: Attached with the Statement of Justification, the applicant has submitted a draft Declaration of Covenants, Conditions and Restrictions that restricts the age of at least one resident of each household to be 55 years old and to prohibit any permanent resident less than 18 years of age. The Statement of Justification submitted with the application envisions a planned retirement community in the condominium regime. Per the Maryland Condominium Act (Maryland Code, Real Property, Title 11), the applicant has to record condominium plats through the state agency in order to comply with both the state statute and federal housing guidelines. According to the applicant, this age-related covenant will be recorded in the land records at the time the condominium plat is recorded.

“(a) (6) Recreational facilities.

“(A) Covenants guaranteeing the perpetual maintenance of recreational facilities, and the community’s right to use the facilities, shall be submitted with the application. The covenants shall be approved by the District Council, and shall be filed in the land records at the time the subdivision plat is recorded. If the recreational facilities are to be part of a condominium development, a proposed condominium declaration showing the recreational facilities as general common elements shall be approved by the District Council, and shall be recorded (pursuant to Title II of the Real Property Article of the Annotated Code of Maryland) at the time the subdivision plat is recorded.”

Comment: The recreational facilities, as discussed in the above comment on “(a)(4) Uses,” will be part of the condominium development. The perpetual maintenance of the facilities can be assured through the collection of condominium fees, which will be assessed on each of the residents. The Council of Unit Owners (condominium association) will perform the maintenance. The applicant has submitted a draft covenant regarding the maintenance of the facilities with this application. Once again, this facility maintenance covenant will be recorded in the land records at the time the condominium plat is recorded in order to comply with the Maryland Condominium Act.

- “(2) The proposed project will serve, in a high-quality, well-designed retirement community, the needs of a retirement-aged population while not adversely affecting the character of the surrounding neighborhood.”**

Comment: The applicant intends to build the proposed development as a high quality, well-designed retirement community. The Collington Episcopal Life Care Center across the street is widely regarded as the preeminent continuing care community in Prince George’s County. According to the applicant, the proposed development is intended to be a continuation of the high quality and success established in Collington. First, the property is being designed in order to mirror the high quality features associated with Collington. A wrought iron fence with brick piers is proposed to be constructed along the entire frontage of the property fronting Campus Way North, consistent with the same type of fence constructed by the development across the street. The entrance of the proposed planned retirement community will be aligned with the entrance of the existing Collington Community, with a guardhouse and security feature to ensure a high sense of community and security. Second, the proposed housing options, which are complementary to the existing housing in the area, will meet the growing demand for market rate housing for senior citizens. Third, substantial recreational facilities will be offered in the proposed development consisting of a clubhouse and an outdoor swimming pool facility. The perpetual maintenance of those recreational facilities and other common areas will be ensured through condominium fees and by the Council of Unit Owners per Declaration of Covenants. Finally, the proposed planned retirement community and developments across both Campus Way North and Lottsford Road are in the extended Woodview Village Special Tax District. The proposed development is being designed to be consistent in both design and quality with the adjacent existing developments. Therefore, the proposed project will serve, in a high quality, well-designed retirement community, the needs of a retirement-aged population while not adversely affecting the character of the surrounding neighborhood.

9. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the C-O Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27- 441(b), as amended by CB-22-2002 on page five of the legislation, which governs permitted uses in commercial zones. The proposed planned retirement community is a permitted use in the C-O Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-462, Regulations, which defines setbacks for all structures in commercial zones.
10. **The requirements of Conceptual Site Plan, SP-93021:** The Conceptual Site Plan, SP-93021, was approved on January 6, 1994, as required by Condition 1 of Zoning Ordinance No.53-1989, with nine conditions. The Conceptual Site Plan, SP-93021, was prepared with a proposed office use and identified a circulation pattern to serve the office building. CB-22-2002 was introduced for the purpose of permitting planned retirement communities in the C-O Zone that has changed

the basic assumption of SP-93021. Even though SP-93021 is still valid, the conditions of approval of the Conceptual Site Plan are no longer directly relevant to this review, with only one condition that warrants discussion with regard to the subject detailed site plan review as follows:

- “9. The view of peripheral parking from surrounding public roads shall be fully addressed at the time of Detailed Site Plan to create a positive development frontage which will complement and enhance the quality of buildings to be developed on this site. Other design issues such as architectural character, spatial relationship among various site elements, pedestrian circulation and items identified by Condition 1 of Zoning Ordinance 53-1989 shall also be adequately addressed by the Detailed Site Plan.”**

Comment: The site plan proposes attached garages to the townhouse villas and two surface parking lots to accommodate the on-site parking need for the planned retirement community. Only one surface parking lot is located along the site perimeter fronting Lottsford Road. The landscape plan shows a combination of the existing woods and the new landscaping along the frontage. Since the parking lot is higher than the right-of-way of Lottsford Road in elevation, the Urban Design staff recommends additional planting, especially evergreen units, be added to the proposed landscaping in order to sufficiently screen the parking lot from the views from Lottsford Road.

The Urban Design staff also has reviewed the general layout of the site, vehicular and pedestrian access, on-site circulation pattern, architectural elevations of the proposed buildings, landscaping, lighting and other design issues as identified in Condition 1 of Zoning Ordinance 53-1989. With only several minor insufficiencies in design issues, such as pedestrian connections, on-site pedestrian circulation and landscape screening from the adjacent public rights-of-way, most of the design issues have been addressed in a satisfactory way in the subject site plan. Several conditions of approval have been proposed in the Recommendation section of this report to address the above-mentioned unresolved deficiencies.

11. **The requirements of Final Plat, VJ162@52:** The Preliminary Plan of Subdivision, 4-93044, was recorded as Final Plat VJ169@52_on June 23, 1994, and carried several conditions that were attached to the approval of 4-93044.

- “2) Prior to the issuance of any permits, a conceptual site plan and a detailed site plan shall be approved by the Planning Board and by the District Council.”**

Comment: A Conceptual Site Plan, SP-93021, was approved for the subject site (see Finding 10 for reference). The purpose of the subject detailed site plan application is to fulfill the above-noted condition.

- “ 3) Development is subject to restrictions shown on the approved Type I tree Conservation Plan (TCP1/27/93), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation**

Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

Comment: A Type II Tree Conservation Plan, TCPII/5/03, has been submitted with this application. A review by the Environmental Planning Section indicates that TCPII/5/03 generally addresses the requirements of the Prince George’s County Woodland Conservation Ordinance and is in general conformance with TCPI/27/93 and is recommended for approval.

“4) A Type II Tree Conservation Plan shall be approved for this site by the Planning Board at the time of Detailed Site Plan.”

Comment: A Type II Tree Conservation Plan, TCPII/5/03, has been submitted with this application and been reviewed by the Environmental Planning Section. The Environmental Planning Section recommends approval of TCPII/5/03.

“5) A Flood Plain Study shall be approved for the site by the Department of Environmental Resources (D.E.R) Watershed Protection Branch, at the time of Detailed Site Plan.”

Comment: A floodplain study for the subject site has been submitted and approved by the Site Unit, Engineering Plan Review Section, Permits and Review Division, Department of Environmental Resources. The applicant has provided an approval letter, dated February 20, 2003, as one of the components of this detailed site plan application package.

“7) The future development of Lot 1 shall be subject to the conditions of approval for the Conceptual Site Plan, SP-93021.”

Comment: The subject site was Lot 2 in Preliminary Plan of Subdivision 4-93044 and was recorded as Lot 1 in Final Plat, VJ162@52. Only one condition of approval of Conceptual Site Plan SP-93021 is specifically applicable to the subject site plan as discussed above in Finding 10.

“8) Lot 1 shown herein lies within the area indicated in the MD 202 Road Club Traffic Impact Study, and Lot 1 is subject to the reservations, restrictions, and conditions set forth therein.”

Comment: The Transportation Planning Section in a memorandum dated April 1, 2002, provided a review of all transportation-related conditions attached to the approval of Preliminary Plan of Subdivision 4-93044. Conditions 13,14 and 15 are provisions on Road Club Traffic Impact Study in the preliminary plan. According to the evaluation of the transportation planner, those three conditions do not apply to the subject property. During a conversation with the staff after the release of the memorandum, the transportation planner cited that the required improvements have been completed as the reason for his findings.

12. ***Landscape Manual:*** The proposed development is subject to the requirements of Sections 4.1, Residential Requirements; 4.2, Commercial and Industrial Landscaped Strip Requirements; 4.3,

Parking Lot Requirements; 4.6, Buffering Residential Development for Streets and 4.7, Buffering Incompatible Uses of the *Landscape Manual*.

- a. Section 4.1(f) requires that for townhouses, one-family semidetached, two-family, and three-family dwellings in any zone, a minimum total of one and a half major shade trees and one ornamental or evergreen tree per dwelling unit be located on individual lots and in common open space. The site plan includes 60 townhouse villas. A total of 90 major shade trees and 60 ornamental or evergreen trees is required. The landscape plan complies with the planting requirements for townhouse villas.

Section 4.1(g) requires a minimum of one major shade tree per 1,600 square feet or fraction of green area provided for multifamily dwellings in any zone. The site plan contains approximately 63,500 square feet of green area. A total of 40 shade trees is required. The landscape plan provides 30 shade trees and 20 evergreen trees and therefore complies with the requirements.

- b. The Lottsford Road frontage: The site plan proposes townhouse villas, a club house and a surface parking lot along the Lottsford Road frontage of the subject property. The Lottsford Road frontage, therefore, will be subject to the requirements of Sections 4.2, 4.3 and 4.6 for each proposed use, respectively.

For the townhouse villa portion of the frontage, which starts from the intersection of Campus Way North and Lottsford Road and ends at the clubhouse: Because the rear yards of the proposed one-family attached dwellings are oriented toward Lottsford Road, which is an arterial road, per Section 4.6, a minimum 50-foot-wide buffer area is required with 6 shade trees, 18 evergreen trees and 40 shrubs per 100 linear feet of right-of-way.

For the clubhouse portion of the frontage, per Section 4.2, either a minimum 10-foot-wide landscaped strip is required to be planted with a minimum of one shade tree and 10 shrubs per 35 linear feet of frontage or choose other listed options in the *Landscape Manual*.

For the surface parking lot portion of the frontage, per Section 4.3 (a), either a minimum 10-foot-wide landscape strip between the right-of-way and the parking lot is required to be planted with a minimum of one shade tree and 10 shrubs per 35 linear feet of frontage or choose other listed options on the *Landscape Manual*.

Zoning Ordinance No.53-1989, which rezoned the subject property from the R-R Zone to the C-O Zone, however, set a performance standard for the property as discussed in Finding 7 with regard to landscaping and screening of the subject property from the views from adjacent roadways and residentially-zoned properties. The staff recommends that Section 4.6 buffer yard be continued along the entire Lottsford Road frontage wherever it is possible in order to meet the intent of Zoning Ordinance No.53-1989.

- c. The Campus Way North frontage: The site plan proposes townhouse villas and

multifamily apartment buildings along the Campus Way North frontage of the subject property. Only a small portion of the frontage in the northeast corner where the townhouse villas are located has rear yards facing Campus Way North. Therefore, the Campus Way North frontage will be subject to the requirements of Sections 4.2 and 4.6 for each proposed use, respectively.

Once again, since Zoning Ordinance No.53-1989 has established higher landscaping and screening standards for the subject site, the staff recommends that a Section 4.6 bufferyard be applied along the entire Campus Way North frontage wherever it is possible

- d. To the north and west of the subject site is vacant property in the I-3 Zone. Per Section 4.7, Buffering Incompatible Uses, when a new residential use is abutting a vacant non-residential use, 100 percent of the bufferyard shall be provided on the vacant non-residential use. In this case, 100 percent of the bufferyard should be provided on the adjacent I-3-zoned property to the north and west. The specific type of bufferyard will be determined at the time the use will be proposed on the I-3-zoned property.

In order to achieve the objective of the proposed development, as stated in the Statement of Justification, i.e., to build a high quality, well-designed retirement community, the staff recommends additional understory landscape treatments with year-around visual interest be installed along the northern and western boundary lines of the subject property wherever it is possible.

- 13. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved Tree Conservation Plan TCPI/27/93.

- a. The previously submitted Detailed Forest Stand Delineation (FSD) was found to address the requirements for an FSD. According to the environmental planning review, no additional information with regard to the FSD is required.
- b. The Type II Tree Conservation Plan, TCPII/5/03, submitted with this application has been reviewed by the Environmental Planning Section. The Environmental Planning Section recommends approval of TCPII/5/03 subject to conditions.

- 14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. Major referral comments are summarized as follows:

- a. In a memorandum dated February 27, 2003, the Community Planning Division made the following determination:

“The proposed retirement community is not consistent with the Largo-Lottsford Master Plan recommendation for employment land use at this site; however, CB-22-2002 permits the use at this location.

“The proposed use will not adversely affect the character of the surrounding neighborhood.

“The applicability of the conditions of zoning approval (A-9612-C) should be addressed by the Development Review Division.”

Staff Comment: CB-22-2002 is an ordinance concerning Planned Retirement Community that was enacted by the District Council on July 22, 2002. This legislation amends the Commercial Zones Use Table to allow planned retirement communities in the C-O (Commercial Office) Zone under certain circumstances. The proposed Planned Retirement Community on the subject site meets all the conditions listed on CB-22-2002. Please refer to Finding 8 for a detailed discussion of the application’s compliance with the requirements of CB-22-2002.

Finding 7 has an extensive discussion of the applicability of the conditions that were attached to the approval of A-9612-C to the subject application.

- b. In a memorandum dated February 12, 2003, the Office of Engineering, Department of Public Works and Transportation (DPW&T) of Prince George’s County provided standard conditions on issues such as road dedication, frontage improvement, sidewalks, etc., to be in accordance with requirements of DPW&T and the Department of Environmental Resources (DER). The district engineer also noted that:

“ A Monument Sign for Tartan South/Regent Park is proposed with in the public-right-of-way (sic) at the northwest corner of intersection of Lottsford Road and Campus Way North. Therefore, the area for the proposed sign shall be vacated with a provision of access easement for signal appurtenances. A revision to the right-of-way line and record plat is required.”

Staff Comment: The sign in question, the monument sign for Tartan South/Regent Park, is a component of the previous approval of a larger project known as Village at Campus Way (Tartan South). In fact, the sign is not included in the subject detailed site plan, DSP-02064. According to a follow-up telephone conversation with the district engineer on April 16, 2003, a vacation application has commenced processing with DPW&T in order to correct this problem. Because of its close proximity to the subject site, the vacated land where the sign is located will be added to the property of this detailed site plan, Lot 1. The applicant should revise the approved detailed site plan in future to reflect this change.

- c. The Transportation Planning Section in a memorandum dated April 1, 2003, found no circulation issues regarding the size and geometry of the internal streets. The staff also summarizes the status of all transportation-related conditions contained in the resolution of the Preliminary Plan of Subdivision 4-93044. The staff concludes that the application is acceptable.

In a separate memorandum from the Transportation Planning Section dated February 24,

2003, on detailed site plan review for master plan trail compliance, the trails planner indicated that the area master plan recommends a Class II trail along Campus Way North and a bikeway along Lottsford Road; and other previous approved plans recommend a trail along the east side of Campus Way North, too. The staff provides five conditions in order to improve the pedestrian circulation within and around the subject site.

- d. The subject application was also referred to the Department of Environmental Resources/ Concept. In a memorandum dated February 3, 2002, the staff noted that the site plan is consistent with the approved Stormwater Management Concept Plan #26628-2002.
- e. In a memorandum dated January 16, 2003, the Subdivision Section staff found that the proposed site plan is in conformance with Final Plat VJ 169@52. The staff also highlighted the plat notes that are applicable to this application.

Staff Comment: The Subdivision Section staff indicates that six Final Plat notes are applicable to the review of this detailed site plan. Finding 11 of this report has a discussion on each of the applicable notes.

- f. The Environmental Planning Section generated two memoranda for this application. In a memorandum dated January 21, 2003, the Environmental Planning Section required revised plans and additional information before a complete review of the proposal could be conducted.

In the second memorandum dated April 22, 2003, the environmental planner concluded, after review of the revised plans, that the application is in general conformance with the Woodland Conservation Ordinance and with TCPI/27/93. The Environmental Planning Section recommends approval of TCPII/5/03 subject to conditions that have been incorporated in the Recommendation section of this report.

- g. The Permit Review Section provided several questions concerning compliance with the requirements of both the Zoning Ordinance and the *Landscape Manual* in a memorandum dated January 28, 2003. The questions have either been answered during the review process or have been incorporated into the recommendation section as the conditions of approval.
 - h. The State Highway Administration in a memorandum dated January 27, 2003, indicated that the access to the subject property is subject to the rules and regulations of DPW&T because Lottsford Road that the site is fronting is a county road.
15. The detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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 APPROVED the Type II Tree Conservation Plan (TCP/05/03) and further APPROVED Detailed Site Plan DSP-02064 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this Detailed Site Plan, the applicant shall make the following revisions:
 - a. Revise the Type II TCP and the Detailed Site Plan to show the Patuxent River Primary Management Area (PMA). The PMA shall encompass the entire expanded buffer as shown on the plans received on April 17, 2003.
 - b. Revise the Type II TCP and Detailed Site Plan to reflect the location of the 65 dBA Ldn noise contour derived from the Environmental Planning Section's Noise Model (91 feet from the centerline) or the applicant may have a Phase I Noise study conducted and reflect the location of the 65 dBA Ldn noise contour based on that study after review by the Environmental Planning Section.
 - c. Revise the Landscape Plan to provide Section 4.6 landscape buffering treatment wherever it is possible along both Lottsford Road and Campus Way North frontages for review and approval by the Urban Design Section.
 - d. Revise the Landscape Plan to provide additional understory landscaping with year-around visual interest to be installed along the northern and western boundary lines of the subject property wherever it is possible for review and approval by the Urban Design Section.
 - e. Provide screening details for the proposed dumpster and street lighting fixtures for review and approval by the Urban Design Section.
 - f. Provide a standard sidewalk along the subject property's entire frontage of the west side of Campus Way North.
 - g. Retain the wide asphalt shoulders along the subject property's frontage of Lottsford Road, per the concurrence of DPW&T.
 - h. Provide standard sidewalks along both sides of all internal roads in order to accommodate pedestrians.
 - i. Include ramps and curb cuts at intersections with roads or parking areas for all trails and sidewalks shall in order to accommodate all users.
 - j. Revise elevations of both 2-unit and 4-unit townhouse villas to remove the center post of the garage

2. Prior to issuance of any permits, TCPII/5/03 shall be revised to identify the location of the off-site mitigation. This revision shall reflect the TCPII number for that site, the site name, the amount of conservation provided and the type of mitigation being provided.
3. Prior to issuance of any permits, the applicant and applicant's heirs, successor's and/or assignees shall submit evidence to the Urban Design Section an easement document that establishes a Woodland Conservation Easement for the off-site mitigation area has been filed into the Land Records of Prince George's County.
4. Prior to issuance of any building permits, the applicant and applicant's heirs, successor's and/or assignees shall submit evidence to the Urban Design Section that documents have been filed into the Land Records of Prince George's County as follows:
 - a. The Declaration of Condominiums that requires at least one resident of each household shall be at least 50 years of age and that no permanent resident shall be under 18 years of age.
 - b. The Declaration of Condominiums that shows the proposed recreational facilities as general common elements of the condominium development; the community's right to use the facilities; and the perpetual maintenance of the facilities by the condominium association using condominium fees which will be assessed and collected on each of the residents.
5. Prior to issuance of the 100th building permit, construction of the clubhouse and the outdoor swimming pool facility in conformance with the approved detailed site plan shall be completed.
6. The applicant shall provide special treatments on architectural elevations as follows:
 - a. The rear elevations of the townhouse villa units that are facing Lottsford Road (including units 29-40) and side elevations of townhouse villas (including units 40 and 41) that are located at the intersection of Lottsford Road and Campus Way North shall have 100 percent brick treatment.
 - b. The rear elevations of the townhouse villa units (including units 1, 2, 41 and 42) shall have the same treatment as the front elevations. The side elevations of apartment buildings (including buildings 2 and 3) that are facing Campus Way North shall use one of the proposed side elevations with brick treatment (as on Sheet A-3, Elevations 3 and 4).

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Lowe, seconded by Commissioner Scott, with Commissioners Lowe, Scott, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 15, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of May 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:rmk