

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 March 10, 2022, regarding Detailed Site Plan DSP-21015 for Sycamore Hill Assisted Living Facility, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) requests approval for the development of an adult day care center for 15 people and assisted living facility with 63 units for 78 people.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-R	R-R
Use(s)	Vacant	Adult Day Care for 15 people and 63-unit Assisted Living Facility for 78 people
Gross Acreage	7.91	7.91
Total Gross Floor Area (GFA)	0 sq. ft.	65,608 sq. ft.
Total Number of Residents	n/a	78

OTHER DEVELOPMENT DATA

Parking and Loading Spaces

Use	Required	Provided
Adult Day Care (1 per 3 residents)	5	50
Assisted Living Facility (1 per 3 residents)	26	
Total Parking Spaces	31	50*
Loading	Required	Provided
Hospital or other institution (1 per 10,000 to 100,000 sq. ft. of GFA)	1	1

Note: *Including 2 van-sized Americans with Disabilities Act (ADA) spaces, 2 regular ADA spaces, 34 regular spaces, and 12 compact car spaces.

3. **Location:** The subject property is in the southeast quadrant of the intersection of Vista Grande Drive and Lottsford Vista Road, approximately 1,000 feet south of its intersection with US 50 (John Hanson Highway). More specifically, the property is located at 3911 Lottsford Vista Road, in Planning Area 73 and Council District 5, within the Rural Residential (R-R) Zone.
4. **Surrounding Uses:** The property is currently vacant and the previous structure on the site, a one-story congregate living facility, has been razed. The site is in a mostly residential area and is bounded to the north by single-family detached homes in the R-R Zone, to the east and south by undeveloped land owned by the Maryland-National Capital Park and Planning Commission in the Reserved Open Space (R-O-S) Zone with single-family homes in the R-R Zone beyond, and to the west by single-family detached homes and the Villa Rosa Nursing Home in the R-R Zone.
5. **Previous Approvals:** Preliminary Plan of Subdivision (PPS) 4-12020 and Type 1 Tree Conservation Plan TCP1-010-10 were approved on July 11, 2013, with 13 conditions. The site is subject to Special Exception SE-4667 and Type 2 Tree Conservation Plan TCP2-003-14, for the same development, which received final approval by the Prince George's County District Council on February 8, 2016, with seven conditions. A stormwater management (SWM) concept plan for the site was approved on July 23, 2021 and is valid until July 23, 2024.
6. **Design Features:** The subject 7.91-acre site proposes to develop the site with an adult day care for 15 people and a 63-unit assisted living facility for 78 people and associated site improvements. The proposed 65,608-square-foot facility faces southwest and has one 30-foot-wide vehicular access point with an adjacent sidewalk from Lottsford Vista Road providing ingress and egress. The entrance driveway provides access to the parking lot and turnaround/drop-off area at the building entrance. The landscape design provides visual interest throughout the site with numerous shade trees, evergreen trees, and shrubs adjacent to the building and pedestrian areas. The site will be improved with recreational amenities, including a walking path, courtyards, bocce ball court, horseshoe pitch, putting green, and bike racks. A decorative split-rail fence is proposed along the northern portion of the site, and a fence with a gate is proposed across the entrance driveway.

Lighting

The proposal includes a photometric plan that shows adequate vehicular and pedestrian-scale lighting is provided throughout the site. Pole-mounted light-emitting diode (LED) lights are proposed along the entrance driveway, parking lot, and turnaround/drop-off area and bollard LED lights are proposed along the pedestrian areas and walking path.

Architecture

The proposed 40-foot-high, two-story facility creates a residential feel by massing the building around two large courtyards, various pitched shingled roofs, and high-quality materials that create variations in the facades including stone veneer, fiber cementitious panel, louvers and shutters, and architectural trim. Finishes are in various shades of white and gray with ample fenestration on all elevations and a gabled canopy over the main building entrance.

Signage

One freestanding 18-foot-wide by 4-foot-high monument sign is proposed at the entrance driveway, set within an approximately 51-foot-long brick wall that ranges from approximately 4.5 feet to 8 feet in height due to the grade change. A 10-foot-wide by 4-foot 10-inch-high building-mounted identity sign is proposed adjacent to the building entrance on South Elevation B. However, per Section 27-617(a) of the Prince George's County Zoning Ordinance, institutional uses may only have one sign per street frontage. Therefore, a condition is included herein, requiring the plans be revised to be in conformance with this section.

Loading and Trash Facilities

The loading space and trash facilities are located at the northwest corner of the parking lot to avoid most pedestrian traffic on the site. The trash facilities are enclosed by 6-foot 5-inch-high wood slat walls and gates. They are also screened from the adjacent outdoor patio by evergreen trees and shrubs.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Zoning Ordinance in the R-R Zone and the site design guidelines:
- a. This DSP is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs uses in residential zones. The proposed uses are permitted in the R-R Zone, subject to approval of a special exception and Footnote 77, for an assisted living facility, which includes the following specific requirements:

Up to seventy-five (75) dwelling units are permitted only if adjoining and operated by the same organization as an adult day care use, approved by Special Exception. All assisted living facilities standards and requirements in Part 6, Division 5, must be met, including Detailed Site Plan approval under Part 3, Division 9.

The DSP proposes 63 assisted living facility dwelling units that will be operated by the same organization as an adult day care center, as approved by SE-4667. The standards and requirements in Part 6, Division 5 (Section 27-464.04 of the Zoning Ordinance) are discussed as follows:

(1) Guidelines for development.

(A) The following guidelines shall be considered:

- (i) If more than one (1) building is proposed, residential units should be clustered together in small to medium size groups to give a more residential character to the site.**

One building is proposed and its massing is clustered around courtyards to give a residential character to the site.

- (ii) The entry to the assisted housing site should provide easy recognition of the facility and a safe and unambiguous vehicular route to the building entry and passenger drop-off area.**

The entry is located at the roundabout terminus of the parking lot, which provides a safe and clear vehicular route to the entry and passenger drop-off.

- (iii) The radius and width of the entry drive should allow cars and vans to maneuver easily.**

The entry driveway is 30 feet wide, and the proposal includes a vehicle turning radius exhibit indicating that cars and vans will be able to maneuver easily.

- (iv) The drop-off area should be close and convenient to the building entry, but should be spacious enough to accommodate wheelchairs, open car doors, and passing cars.**

The drop-off area is located at the building entrance and the plans show it is 22 feet wide, which is spacious enough to accommodate pedestrian and vehicular traffic.

- (v) A canopy or cover offering protection from the weather should normally be provided over the building entry and passenger drop-off area.**

The proposal includes a canopy over the building entry at the drop-off area.

(2) Requirements.

- (A) A recreational facilities plan shall be submitted demonstrating that sufficient recreational facilities or opportunities are provided to serve the prospective resident population. Facilities may be provided on site or within adjoining development. In any case, but particularly if on adjoining property, there shall be a staging plan for the facilities constructed. Recreational areas should be clustered together to increase levels of activity, use of amenities, and the sense of vitality of the community.**

The recreational facilities provided in this DSP will be on-site and include indoor amenities (a game room, indoor lounge, multipurpose room, and fitness/physical therapy space) and outdoor amenities (outdoor patios, a horseshoe pit, putting green, bocce court, and walking path). These facilities are clustered together inside and within the outdoor courtyards to increase the sense of community.

(B) The facility shall not be more than four (4) stories.

The facility is two stories high.

(C) The facility shall be located on a minimum of three and one-half (3.5) acres of land.

The facility is located on a 7.91-acre parcel.

(D) The subject property shall be adjoining residentially zoned land.

The subject property is surrounded by R-R and R-O-S-zoned land.

(E) A Detailed Site Plan shall be approved for the facility in accordance with Part 3, Division 9, of this Subtitle.

The subject application was submitted and reviewed in accordance with this requirement, as discussed herein.

- b. Regulations for the R-R Zone, as found in Section 27-442 of the Zoning Ordinance, are shown on the plans. However, “multifamily” regulations are listed and should be corrected to list “other” uses for the proposed institutional uses, as conditioned herein.
- c. The DSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as cross-referenced in Section 27-283 of the Zoning Ordinance, and summarized as follows:

(2) Parking, loading, and circulation

(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.

The parking spaces are in a convenient location to allow users to access the building without compromising the vehicular circulation on-site. The loading area is located at the corner of the parking lot, farthest from the building and sidewalk areas, in order to minimize conflicts with pedestrians.

(3) Lighting.

(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character.

Pole-mounted and bollard lighting is proposed in appropriate locations. The lighting placement enhances vehicular drive aisles, building entrances, and pedestrian pathways, as evidenced by the photometric plan.

(4) Views.

(A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.

The DSP preserves views from the public roads by providing a building setback and a 20-foot landscape strip along Lottsford Vista Road, a designated historic roadway.

(5) Green Area.

(A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use.

The applicant has proposed three acres of tree canopy coverage (TCC) on the site, exceeding what is required by the Prince George's County Tree Canopy Coverage Ordinance. In addition, the application proposes landscaped outdoor patio areas for passive recreation, with supplemental landscaping throughout the site to beautify the property.

(6) Site and streetscape amenities.

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.**

The DSP proposes an on-site pedestrian circulation system designed to encourage pedestrian activity and connect to amenities within the development. Amenities are shown to be high-quality and appropriately human-scaled, including the paving materials, landscaping, site furniture, and lighting. The DSP proposes a landscape strip along the road frontage that contributes to an attractive and coordinated development pattern of the streetscape.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.**

The development is proposed on a site that has been previously partially developed and minimizes environmental impacts. The grading will conform to the approved SWM concept plan.

(10) Architecture.

- (A) When architectural considerations are references for review, the Conceptual (Detailed) Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**
- (C) These guidelines may be modified in accordance with Section 27-277.**

The DSP includes architectural elevations which demonstrate that the design of the building creates a variety of forms with a residential character, including courtyard spaces. The proposed materials are used consistently throughout the site to define the building massing and include stone veneer, fiber cementitious panel, louvers and shutters, architectural trims, and standing seam metal and shingled roofing.

8. **Preliminary Plan of Subdivision 4-12020:** PPS 4-12020 was approved on July 11, 2013 (PGCPB Resolution No. 13-82), subject to the following conditions, which are relevant to the subject DSP:

2. **Development of this site shall be in conformance with Stormwater Management Concept Plan 46822-2005-02 and any subsequent revisions.**

The applicant submitted an approved SWM Concept Plan (7341-2021-0) and approval letter with the subject DSP. The SWM concept plan shows the layout of the proposed building and SWM facilities consistent with those shown on the DSP. The Planning Board finds the SWM concept plan to be in conformance with the DSP.

4. **Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan, when approved.”

The Planning Board finds the TCP2 acceptable, subject to technical revisions, as conditioned herein.

6. **The detail site plan and Type 2 tree conservation plan shall be designed to accommodate appropriate landscape and signage treatments for the frontage of historic Lottsford Vista Road in accordance with the Prince George’s County Landscape Manual.**

The applicant has submitted a TCP2, a landscape plan, and detail sheets to address this requirement. The Planning Board finds the landscape and signage design for the frontage of Lottsford Vista Road to be appropriate, subject to conditions herein.

7. **Prior to approval of the detailed site plan, the landscape buffer yard treatment and entrance features along historic Lottsford Vista Road shall be reviewed to ensure that the design is in keeping with the desired visual characteristics of the historic road.**

The applicant has submitted a landscape plan to address this requirement. The Planning Board finds the landscape bufferyard design to be in conformance with the 2010 *Prince George’s County Landscape Manual* (Landscape Manual) requirements and appropriate for the existing visual character of Lottsford Vista Road.

- 8. At the time of final plat, the applicant and the applicant's heirs, successors and/or assignees shall grant a ten-foot-wide public utility easement along the public rights-of-way of Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.**

A 10-foot-wide public utility easement is shown on the DSP, along the public right-of-way of Lottsford Vista Road, in accordance with the approved PPS. This condition will be evaluated again at the time of final plat.

- 9. The applicant and the applicant's heirs, successors, and/or assignees shall construct an eight-foot-wide sidewalk in accordance with county standards and specifications along the subject site's entire frontage of Lottsford Vista Road, unless modified by the Department of Public Works and Transportation.**

An eight-foot-wide sidewalk is shown along the property's entire frontage of Lottsford Vista Road, in conformance with this condition.

- 10. A substantial revision to the mix of uses on the subject property that significantly affects Subtitle 24 adequacy findings may require the approval of a new preliminary plan of subdivision prior to approval of any building permits.**

The subject DSP proposes development in accordance with the approved PPS. There is no substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings.

- 11. Total development within the subject property shall be limited to uses which generate no more than 18 AM and 27 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The Planning Board finds that the DSP is consistent with the density, use, and trip cap associated with the PPS approval, in conformance with this condition.

- 12. At the time of final plat approval, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate 40 feet of right-of-way from the State Highway Administration (SHA) baseline on Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.**

The dedication of 40 feet from the Maryland State Highway Administration (SHA) baseline of Lottsford Vista Road is shown correctly on the DSP and is consistent with the PPS. A portion of the frontage on Lottsford Vista Road, beginning at the northwest corner of the property, approximately 0.33 acre, was dedicated to SHA by deed recorded in Liber 6873 and Folio 383, in 1987. The PPS delineated the dedication, from the southwest corner of the property, 16,800 square feet (0.39 acre) on Lottsford Vista Road.

9. **Special Exception SE-4667:** SE-4667 was approved by the District Council on February 8, 2016, subject to the following conditions, which are relevant to the subject DSP:

2. **Prior to approval of any building/grading permit:**

- (a) **A detailed site plan shall be reviewed and approved in accordance with Part 3, Division 9, of the Zoning Ordinance for the Assisted Living Facility for the subject development.**

The subject application has been submitted and reviewed in conformance with this requirement.

- (c) **Conformance to the sign regulations shall be reviewed at the time of detailed site plan approval.**

The proposal includes signage details that are not in conformance with the regulations and have been conditioned herein to be revised.

3. **At the time of detailed site plan review, the proposed architecture and entrance sign shall be revised according to the Urban Design Section memorandum dated April 3, 2014, on pages 92-97 of the Technical Staff Report.**

The following recommendations in **bold** were provided in the Urban Design Section memorandum dated April 3, 2014:

1. **The entrance sign design should include a majority brick finish and remove the precast concrete spheres, in order to be similar to the existing entrance signs for adjacent residential communities. Additionally, the development's name and address information should not be separate metal letters that are mounted onto the sign, but rather be integrated into the sign face, which is more standard design in the surrounding residential area.**

The entrance sign is designed with a majority brick finish, and the precast concrete spheres were removed. The text of the sign is integrated into the sign face.

2. **The applicant should reconsider the window style and trim and make it more residential in nature, by standardizing the window style for all of the windows, adding shutters, and/or providing uniform trim around each window.**

The window style is standardized throughout the facility, with a consistent design treatment that is slightly customized per façade to provide visual interest.

3. **The applicant should consider further the choice of proposed exterior materials. The color of the proposed cedar shakes appears too light next to the darker simulated stone creating an unbalanced appearance. Also, while the proposed materials are high quality in nature, they do not appear to be prevalent in the general neighborhood, which includes more brick and traditional siding.**

The exterior materials include cementitious siding and stone veneer in complementary gray tones, with feature facades of white siding to provide visual interest.

4. **The applicant should consider not using quoins, which appear excessive and are not necessarily characteristic of the neighborhood. Additionally, due to the quality of the images, it was difficult to evaluate the proposed columns, which should be carefully styled to blend with the proposed architecture and that of the general neighborhood.**

The quoins were removed from the proposal and the columns have been simplified to blend with the proposed architecture.

5. **Prior to the issuance of permits, the Special Exception Site Plan shall be revised as follows, and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:**

- a. **A Note shall be added to show how all of the applicable regulations of the R-R Zone (set forth in Section 27-442 of the Zoning Ordinance) are being met.**

The R-R Zone regulations are shown on the plans, however, multifamily regulations are listed and should be corrected to “other” uses, as conditioned herein.

- b. **The 2010 Prince George’s County Landscape Manual Section 4.2 schedules shall be removed from the plan and a Section 4.6 schedule and notes shall be added to the plan demonstrating the project’s conformance to its requirements. If such demonstration cannot be made, the Applicant shall apply for, and bring forward a companion case, an alternative compliance (AC) application at the time of detailed site plan review.**

The Section 4.6 landscape schedule was provided on the plans and indicates the requirements are met.

- c. **A 2010 Prince George's County Landscape Manual Section 4.9 schedule shall be provided on the plan demonstrating conformance to all of its requirements.**

The Section 4.9 landscape schedule was provided on the plans and indicates the requirements are met except for the evergreen trees and shrubs. A condition has been included herein, to revise the plant species to meet the Section 4.9 requirements.

- d. **The amount of on-site woodland conservation claimed for tree canopy coverage credit shall be verified against the amount shown on the Type 2 tree conservation plan.**

A condition has been included herein for the on-site woodland conservation on the TCP2 to be corrected, which will then be consistent with the tree canopy coverage credit.

- e. **The correct stormwater management concept plan number, 46822-2005-03, and its approval date shall be added to General Note 21 on the plan.**

- f. **The existing sign shown on the left of the driveway, along Lottsford Vista Road, shall be removed and a detail for the new sign that shows its size and location shall be provided.**

- g. **The preliminary plan number and its approval date shall be added to the Site Plan.**

- h. **The right-of-way and center line of Lottsford Vista Road shall be provided on the site plan to ensure that the landscape strip does not fall within the proposed right- of-way.**

- i. **The hours of operation for the Adult Day Care Center (Monday-Friday from 7:30 a.m. - 8:00 p.m., and Saturday from 9:00 a.m.–8:00 p.m.) and hours of aftercare (if any) shall be added.**

The plans include the information required by the above conditions.

- 6. **Prior to the issuance of permits, the TCP2 shall be revised as followed and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:**

The Planning Board finds that all the subconditions of Condition 6 were addressed with the TCP2.

10. **2010 Prince George's County Landscape Manual:** The applicable Landscape Manual requirements include Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Schedules and notes shown on the landscape plan indicate that the proposal is in conformance with the Landscape Manual, except for the Section 4.9 requirements. A condition has been included herein, to revise the landscape plan to meet the Section 4.9 requirements.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved tree conservation plans. TCP2-003-14-02 was submitted with the DSP application.

With the approval of TCP2-003-14-01 with SE-4667, 1.59 acres of off-site credits was proposed but never purchased. Based on the revised TCP2, the overall site contains a total of 2.52 acres of net tract woodlands. The applicant proposes to use both on-site preservation and reforestation, along with off-site woodland credits, to meet the woodland conservation requirement. The plan shows a proposal to clear 2.32 acres of on-site woodlands for a woodland conservation requirement of 4.31 acres. The woodland conservation worksheet shall be revised to reflect the corrected woodland conservation requirement of 3.02 acres, and the TCP2 shall be revised to reflect the corrected on-site reforestation, off-site woodland credit amounts proposed to meet the woodland conservation requirement, and other technical corrections, as conditioned herein.

12. **Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of TCC on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties in the R-R Zone are required to provide 15 percent of the gross tract area in TCC. The subject site is 7.91 acres in size, and a total of 1.19 acres of TCC is required. The TCC schedule provided by the applicant indicates that TCC is to be provided by proposed landscape trees, exceeding and satisfying the requirement. However, the TCC schedule also counts 4.31 acres of woodland conservation on-site, which is incorrect in comparison to the TCP2. Therefore, a condition is included herein, requiring the schedule to be revised.

13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

- a. **Community Planning**—The Planning Board has reviewed and adopts a memorandum dated February 7, 2022 (Dickerson to Guinn), which indicated that master plan conformance is not required for this application.
- b. **Historic Preservation**—The Planning Board has reviewed and adopts a memorandum dated January 10, 2022 (Stabler and Smith to Guinn), which noted a Phase I archeology survey was conducted in May 2008 and no further archaeological work was recommended. The subject property does not contain and is not adjacent to any Prince

George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or significant archeological resources.

- c. **Transportation Planning**—The Planning Board has reviewed and adopts a memorandum dated February 9, 2022 (Patrick to Guinn), which provided an analysis of previous conditions of approval and compliance with the 2009 *Approved Countywide Master Plan of Transportation* and Zoning Ordinance requirements, and found the proposal acceptable subject to minor revisions, as conditioned herein.
- d. **Subdivision**—The Planning Board has reviewed and adopts a memorandum dated February 4, 2022 (Gupta to Guinn), which indicated that the subject application is the subject of PPS 4-12020 and approves of the DSP with no subdivision-related conditions.
- e. **Permits**—The Planning Board has reviewed and adopts a memorandum dated February 4, 2022 (Bartlett to Guinn), which provided nine comments, that have been addressed by the applicant as revisions to the DSP, or have been included as conditions herein.
- f. **Environmental Planning**—The Planning Board has reviewed and adopts a memorandum dated February 9, 2022 (Schneider to Guinn), which provided an analysis of previous conditions of approval and woodland conservation requirements, as described above, and an analysis of the natural resources inventory (NRI), a specimen tree variance request, and primary management area (PMA) impacts, as summarized in the following comments:

Natural Resources Inventory/Existing Conditions

NRI-148-06-03 was submitted with the review package, which was approved on October 5, 2021. The NRI verifies that the site contains regulated environmental features, woodlands, and specimen trees. No revisions are required for conformance to the NRI.

Specimen Trees

Section 25-122(b)(1)(G) of the Prince George's County Code requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

As part of the PPS 4-12020 approval, six specimen trees were approved for removal. The first revision to the approved NRI showed seven specimen trees across the entire property. An updated second NRI revision was approved in 2020 and showed 29 specimen trees (16 on-site and 13 off-site). The application area has not changed with this DSP, but the development area will require nine additional specimen trees to be removed for an overall total of 15 specimen trees to be removed. The previously approved specimen trees for removal are ST-1, a 44-inch Silver Maple; ST-2, a 56-inch

Silver Maple; ST-3, a 42-inch Yellow Poplar; ST-5, a 37-inch Yellow Poplar; ST-6, a 30-inch Yellow Poplar; and ST-7, a 30-inch Southern Red Oak. The proposed DSP requests the removal of: ST-8, a 31-inch Tulip Poplar; ST-10, a 31-inch Norway Maple; ST-11, a 31-inch American Sycamore; ST-12, a 30-inch Silver Maple; ST-13, a 34-inch Silver Maple; ST-14, a 38-inch Red Maple; ST-27, a 34-inch Tulip Poplar; ST-28, a 33-inch Tulip Poplar; and ST-29, a 32-inch Tulip Poplar.

The site contains 16 specimen trees on-site with the ratings of excellent (one specimen tree), good (seven specimen trees), fair (five specimen trees), and poor (three specimen trees). The current design proposes to remove nine specimen trees with excellent (one tree), good (four trees), fair (three trees), and poor (one tree) conditions.

Review of Subtitle 25 Variance Request

A Subtitle 25 variance application and a statement of justification (SOJ) in support of a variance were received for review with this application and were dated October 5, 2021, and a revised submission was dated January 24, 2022.

Section 25-119(d)(1) of the WCO contains six required findings be made before a variance can be granted. The SOJ submitted seeks to address the required findings for the nine specimen trees, and details specific to individual trees have been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY

ST #	COMMON NAME	Diameter (In inches)	CONDITION	RETAIN / REMOVE	PROPOSED IMPACT /OFF-SITE
1	Silver Maple	48	Fair	Remove PPS	Building
2	Silver Maple	58	Good	Remove PPS	Building
3	Tulip Poplar	44	Poor	Remove PPS	Building
4	White Oak	37	Good	Save	
5	Tulip Poplar	31	Good	Remove PPS	Grading
6	Tulip Poplar	32	Fair	Remove PPS	Building
7	Southern Red Oak	39	Poor	Remove PPS	Grading
8	Tulip Poplar	31	Excellent	Remove*	Grading
9	Black Gum	40	Fair	Save	Off-site
10	Norway Maple	31	Fair	Remove*	Building
11	American Sycamore	31	Good	Remove*	Building
12	Silver Maple	30	Good	Remove*	Building
13	Silver Maple	34	Good	Remove*	Building
14	Red Maple	38	Good	Remove*	Building
15	White Oak	32	Fair	Save	Off-site
16	Tulip Poplar	30	Fair	Save	Off-site
17	Tulip Poplar	31	Fair	Save	Off-site

ST #	COMMON NAME	Diameter (In inches)	CONDITION	RETAIN / REMOVE	PROPOSED IMPACT /OFF-SITE
18	Tulip Poplar	31	Fair	Save	Off-site
19	Tulip Poplar	31	Fair	Save	Off-site
20	Tulip Poplar	31	Fair	Save	Off-site
21	White Oak	33	Fair	Save	Off-site
22	Tulip Poplar	34	Fair	Save	Off-site
23	Tulip Poplar	32	Fair	Save	Off-site
24	Tulip Poplar	45	Fair	Save	Off-site
25	Tulip Poplar	30	Fair	Save	Off-site
26	Tulip Poplar	45	Fair	Save	Off-site
27	Tulip Poplar	34	Poor	Remove*	Building
28	Tulip Poplar	33	Fair	Remove*	Building
29	Tulip Poplar	32	Fair	Remove*	Building

Notes: “Remove PPS” indicates tree approved for removal with 4-12020

*Requested removal with this DSP-21015

Statement of Justification Request

A variance from Section 25-122(b)(1)(G) is requested for the clearing of the nine specimen trees on-site. The site consists of 7.93-acre site, in the R-R Zone. The current proposal for this property is to develop the site into assisted living facility, adult daycare center, surface parking, and various SWM facilities. This variance is requested to the WCO, which requires, under Section 25-122 of the County Code, that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The Subtitle Variance Application form requires a SOJ of how the findings are being met.

The text in **bold**, labeled A–F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

In relation to other properties in the area, special conditions peculiar to the property would cause an unwarranted hardship if the applicant were required to retain these nine specimen trees: ST-8, ST-10, ST-11, ST-12, ST-13, ST-14, ST-27, ST-28, and ST-29. The property is just over 30 percent wooded with steep slopes in the central and eastern portions of the property. To develop the site, significant grading is required. The proposed application has concentrated the development area within the central portion of the site, while preserving the adjacent woodland within the PMA. The wooded areas within the PMA are the

highest priority for woodland preservation on the site, which the applicant is preserving to the fullest extent practicable. As a result of the grading proposed, only one on-site specimen tree (ST-4 White Oak in Good Condition) will be preserved in the northern corner of the property.

The proposed use, for an assisted living facility and an adult daycare facility, is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on the site without the requested variance. Development cannot occur on the portions of the site containing PMA, which limits the site area available for development. Requiring the applicant to retain the nine specimen trees after the previous PPS approved the removal of six specimen trees would further limit the area of the site available for development to the extent that it would cause the applicant an unwarranted hardship.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.

Enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their critical root zone would deprive the applicant of rights commonly enjoyed by others in similar areas. The site contains 16 on-site specimen trees, and the applicant is proposing to remove nine of these trees due to the on-site steep slopes and the grading required for a development area. With the previously approved PPS, the Planning Board granted the removal of six of the on-site 16 specimen trees. The additional nine trees requested for removal with this DSP are due to their central location within the proposed development area. The applicant is preserving the on-site woodlands within the PMA, reforesting on-site, and retaining one specimen tree.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied other applicants. The property has a previously approved PPS that granted the removal of six of the on-site 16 specimen trees. If other similar residential developments were wooded with regulated environmental features (steep slopes and PMA) and specimen trees in similar conditions and locations, it would be given the same considerations during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.

The applicant has taken no actions leading to the conditions or circumstances that are the subject of the variance request. The removal of the nine specimen trees would be the result of the central location of the trees and grading to achieve the optimal developable site for the proposed facilities with associated infrastructure.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and

There are no existing conditions, land, or building uses on the site or on neighboring properties that have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

(F) Granting of the variance will not adversely affect water quality.

The granting of this variance will not adversely affect water quality standards nor cause measurable degradation in water quality. The proposed development is subject to the requirements of the Prince George's County Soil Conservation District, and the approval of a SWM concept plan by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The project is subject to environmental site design to the maximum extent practicable. The plan proposes to use eight micro-bioretenment ponds. The applicant is proposing to meet their woodland conservation requirement with on-site preservation, reforestation, and off-site woodland credits.

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by the County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

As part of the review and approval process for PPS 4-12020, impacts to the PMA were approved. These impacts were to the PMA and stream buffer to install vegetative stormwater drainage to direct the project stormwater to an off-site stream system. This impact was approved for 1,600 square-feet of disturbance to the stream buffer.

Impact 1—This proposed PMA impact area totaling 1,600 square-feet (stream buffer) is for the construction of a sewer line connection to an existing on-site sewer pipeline. After the sewer pipe has been installed, this impact area is required to be returned to the previous grade. The areas inside the sewer easement area will remain open and not replanted.

In 2021, a revised NRI was submitted with updated floodplain limits, which expanded the on-site PMA area previously approved. Impacts to this newly identified floodplain area were approved with the previous PPS (4-12020) that showed no on-site floodplain. This application still proposes to impact the same area as in the approved PPS, but with updated SWM practices proposed. A revised SOJ was submitted in response to comments provided at the Subdivision and Development Review Committee meeting dated January 27, 2022.

Statement of Justification

The SOJ includes a request for additional PMA impacts totaling 27,813 square feet (0.64 acre) of 100-year floodplain.

Based on the SOJ, the applicant is requesting an additional impact area described below:

The previously approved PMA and stream buffer impacts and new additional PMA and floodplain impacts will occur during the construction of a submerged gravel wetland SWM pond and its outfall. In addition, new PMA impacts for the extension of a replacement culvert pipe under Lottsford Vista Road and a new sidewalk along Lottsford Vista Road. The proposed pond outfall needs to be extended to prevent erosion. Most of this proposed PMA impact area is currently comprised of a maintained grass area. The areas not required to be open for SWM will be reforested after construction. The total new PMA impacts, due to the additional floodplain area, is 27,813 square-feet (0.64 acre).

The proposed PMA impacts are necessary to the orderly development of the subject property. The impact cannot be avoided because the site is required to provide adequate infrastructure. The TCP2 shows the preservation, restoration, and enhancement of the remaining areas of the PMA.

- g. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts a memorandum dated January 26, 2022 (Yu to Guinn), in which DPR noted that PPS 4-12020 was exempted from mandatory dedication of parkland requirements, and the proposal is adjacent to park property and does not pose any impacts to existing or future parkland.

- h. **Prince George's County Fire Department**—The Planning Board has reviewed and adopts an email dated January 28, 2022 (Reilly to Guinn), which noted that the Fire Department had reviewed the proposal and had no comments.
 - i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer written comments on the subject application.
 - j. **Prince George's County Police Department**—The Police Department did not offer written comments on the subject application.
 - k. **Prince George's County Health Department**—The Planning Board has reviewed and adopts a memorandum dated January 4, 2022 (Adepoju to Guinn), in which the Health Department provided recommendations to be addressed at the time of permitting and construction, which has been transmitted to the applicant.
 - l. **Maryland State Highway Association (SHA)**—SHA did not offer written comments on the subject application.
 - m. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer written comments on the subject application.
14. Based on the findings herein, and as required by Section 27-285(b) of the Zoning Ordinance, the DSP, if revised as conditioned, 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.
15. In accordance with Section 27-285(b)(4) of the Zoning Ordinance, based on the level of design information currently available and the limits of disturbance shown on the TCP2, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

One large floodplain impact area for the construction of a submerged gravel wetland SWM pond, pond outfall, replacement culvert pipe, and a new sidewalk along Lottsford Vista Road is proposed, which is reasonable for the orderly and efficient redevelopment of the subject property.

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 Type 2 Tree Conservation Plan TCP2-003-14-02, and further APPROVED Detailed Site Plan DSP-21015 for the above-described land, subject to the following conditions:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Provide additional signage indicating temporary parking at the drop-off area. The exact location and sign profiles shall be approved by the Transportation Planning Section.
 - b. Provide detailed profiles of the proposed sharrows along Lottsford Vista Road, as part of the DSP. The profiles shall be approved by the Transportation Planning Section.
 - c. Provide a crosswalk at the driveway access point along Lottsford Vista Road.
 - d. Revise the Section 4.6-2 schedule to indicate the 20-foot buffer is provided.
 - e. Revise the Section 4.9 schedule to meet the native species planting requirements.
 - f. Revise the signage and provide a schedule with calculations demonstrating conformance with Part 12 of the Prince George's County Zoning Ordinance, specifically Section 27-617(a).
 - g. Revise the building use and information label/callout to contain all the necessary information and add the label/callout to the two major building sections.
 - h. Revise the plans to identify all structures, fences, and walls with their height, type, and the location of the relevant detail in the callout or label.
 - i. Revise the parking space callouts to be more legible.
 - j. Revise the architectural elevations to place the height line at the highest roof peak for each elevation, to indicate that the maximum building height does not exceed the zone regulations.
 - k. Provide detail drawings for all proposed fences.
 - l. Revise the Rural Residential (R-R) Zone regulations table on the DSP to list the requirements for "other" uses and demonstrate conformance to these requirements.
 - m. Revise the parking schedule to list the correct uses as defined by the Prince George's County Zoning Ordinance, for Assisted Living Facility and Adult Day Care Center.
 - n. Add the following general notes to the plan:
 - (1) "During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code."

- (2) “During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
- o. Revise the tree canopy coverage schedule to indicate the correct amount of on-site woodland conservation.
 - p. Provide the building dimensions on the site plan.
- 2. Prior to certification, the Type 2 tree conservation plan shall be revised, or additional information shall be provided, as follows:
 - a. Revise the woodland conservation worksheet to show the corrected woodland conservation requirement, reforestation area, and off-site credit areas.
 - b. Update the reforestation areas on the plan view to show the revised reforestation limits.
 - c. Revise the planting schedule to show the revised planting numbers.
 - d. Add details for the temporary and permanent (split-rail fence) to the set.
 - e. Add signature and date to the revised plan by the qualified professional who prepared it.
- 3. Prior to the issuance of any permits, which impact wetlands, wetland buffers, streams, Waters of the United States, or 100-year floodplain, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

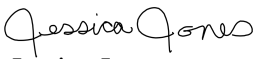
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

* * * * *

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 10, 2022, in Upper Marlboro, Maryland.

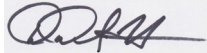
Adopted by the Prince George's County Planning Board this 31st day of March 2022.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:RG:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: March 21, 2022