

## 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 February 24, 2000, regarding Detailed Site Plan SP-99036 for Village of Collington, the Planning Board finds:

1. Detailed Site Plan SP-99036 is for the purpose of reviewing a Planned Retirement Community for 80 dwelling units. The subject property is located northeast of the intersection of Lottsford Road and Campus Way North.
2. The adjacent property to the east and northeast has a previously approved Special Exception (SE-3344) for the Collington Episcopal Life Care Community. The Planned Retirement Community that is the subject of SP-99036 is intended to be a consistent and logical extension of the Life Care facility. The special exception for Collington Life Care was approved on August 25, 1982; two revisions to the special exception have been approved on July 30, 1985 and May 9, 1989.

A third revision to Special Exception No. 3344 includes a variance for the guardhouse located in the public access drive off of Lottsford Road and the addition of cottages in the R-R Zoned portion of the property which is also included within the limits of SP-99036. This variance was denied by the Zoning Hearing Examiner, (decision attached). No Council hearing date has been set at the time of the writing of this staff report.

The R-R zoned portion of this project is an integral part of the proposed Planned Retirement Community and is shown on the plan for information. The R-R zoned area is, however, within the limits of SE-3344 and thus it could be affected by pending decisions on the special exception. The special exception does not provide a detailed layout; therefore, the detailed site plan will drive the design layout for the R-R portion of this project and guide development.

Normally the proposed development would be a special exception in the R-H Zone. Council Bill 21-1999, adopted on July 27, 1999, allows this use per footnote 62, which states:

■ Permitted use without requirement for special exception provided the use is on a parcel of land in the R-H Zone, the gross tract area of which is a maximum of twenty (20) acres, which is adjoining R-R zoned land developed with an existing Medical Residential Campus. The entire tract of land in the R-H Zone shall require Detailed Site Plan approval in accordance with Part 3, Division 9 of this Subtitle. Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density and other requirements of the zone shall be consistent with

existing development in the adjacent Medical Residential Campus. The dimensions and percentages shown on the approved site plan shall constitute the regulations for development.●

Following are the standards for development set forth by CB-21-1999 for development of the subject Planned Retirement Community in the R-H Zone:

1. All buildings, structures, off-street parking compounds and loading areas shall be located at least 100 feet from adjoining properties except for the adjacent medical residential campus.
2. All buildings, structures, off-street parking compounds, and loading areas shall be located at least 25 feet from all adjoining street lines.
3. The site shall have frontage on, and direct vehicular access to, an existing street with sufficient capacity to accommodate traffic generated by the development.
4. All perimeter areas shall be buffered or screened in accordance with provisions of the *Landscape Manual*, and the applicant shall demonstrate that the required bufferyards will provide reasonable sight and sound barriers.
5. Not less than 40 percent of the site shall be devoted to green area.
6. Regulations concerning the height of structure, lot size, coverage, frontage, setbacks, density, and other requirements of the specific zone in which the development is located, shall not apply to uses and structures provided for in this section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for development under this provision.

A variance has been requested. See Finding 13 for details concerning the variance.

CB-21-1999 requires that the Village of Collington be developed in accordance with the standards of the Collington Episcopal Life Care Center. These development standards are as follows:

Development Standard  
Collington Episcopal Life Care Center

Distance Between Buildings

Old Special Exception Plan: 70-foot minimum between buildings  
Existing: Average of 62 feet between buildings

### Building Heights

Existing: 26 feet and 40 feet  
Proposed: 30 feet, 55 feet and 70 feet

### Lot Coverage

Existing Paving: 8.85∇ acres  
Existing Buildings: 10.11∇ acres  
Totaling: 18.95∇ acres

Area of Special Exception: 127.6 acres  
Area of Floodplain: 33.1 acres  
Net Tract: 94.5 acres  
(Areas from the most current Special Exception Plan)

Net Tract: 94.5 acres  
Paving and Buildings: 18.95 acres  
Total Green Space: 75.55 acres (or 80%)

The subject application is consistent with the development standards as required by CB-21-1999.

3. The site development data for SP-99036 is as follows:

Gross Tract Area	20.498 acres
R-H Zone	17.598 acres
R-R Zone (S. E. #3344, Land Transfer)	2.90 acres
100 Year Floodplain	.903 acres
Net Tract Area (R-H and R-R Zoned property)	19.595 acres
 Proposed number of units	 80 single-family units
 Parking required	 227 spaces
(Residential Spaces)	163.2 spaces
(Community Center Complex)	63.4 spaces
 Parking provided (See attached DPLS-261)	 180 spaces
Residential (2.04 spaces per unit)	160 spaces
Community Center Complex	20 spaces
Pool (21.4 spaces)	
Office (.47 spaces)	
Exercise Room (7.78 spaces)	

Gathering/Meeting Rooms (33.75 spaces)

Setback required (See discussion of Variance-VD 99036A)	100 linear feet
Setback provided	0 linear feet

4. The Natural Resources Division reviewed the subject Detailed Site Plan. In a memorandum dated December 22, 1999 (Stasz to Whitmore), the following comments are provided:

■The site is subject to the Woodland Conservation Ordinances because it is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland.

■TCP II/136/99 proposes 1.73 acres of on-site preservation, 3.95 acres of on-site reforestation, 2.42 acres of off-site woodland conservation, and a fee-in-lieu of \$13,068 to meet the minimum requirements of 9.1 acres.●

Staff recommends Approval of TCP II/136/99.

5. The Urban Design Section has reviewed the subject plan and makes the following observations:

The submitted plans are not in conformance with the requirements of Sections 4.6 and 4.7 of the *Landscape Manual*. Should it be determined that Alternative Compliance is required, the applicant should obtain approval of Alternative Compliance prior to certificate approval. The Stormwater Management ponds should be treated as amenities and should be landscaped accordingly.

Architecture is part of this submission. The units offered are one or two bedrooms. The upper floor may be used for storage or as a sleeping loft. The main living area is on the first floor and either has a covered or a trellised entrance. The exterior finish materials have not been ■called-out● on the detail sheet. The applicant should revise the architectural drawings to include all materials, colors and roof pitches. The units are attached in several configurations: Two ■A● units will be attached, two ■B● units will be attached, and two ■C● units will be attached; two ■D● units and one ■C● unit will be attached, and two ■C● units and two ■D● units will be attached. Attaching the units in this manner creates a cluster-like development. The square footage of the units offered range between 1,930 and 2,080 square feet of living space.

Access to the subject property is being proposed in private land by a private road that currently accesses the Collington Episcopal Life Care Center. The applicant should acquire an easement or otherwise secured access for the proposed roads prior to the releasing of the first building permit.

Unit ■A● (One bedroom and den/bedroom, one car garage)

Main Floor	1,570 square feet
<u>Upper Floor</u>	<u>450 square feet</u>
Total square feet	2,020 square feet

Unit ■B• (Two bedroom, two car garage)

Main Floor	1,515 square feet
<u>Upper Floor</u>	<u>415 square feet</u>
Total	1,930 square feet

Unit ■C• (One bedroom and den/bedroom, one car garage)

Main Floor	1,660 square feet
<u>Upper Floor</u>	<u>420 square feet</u>
Total square footage	2,080 square feet

Unit ■D• (One bedroom, one car garage)

Main Floor	1,600 square feet
<u>Upper Floor</u>	<u>380 square feet</u>
Total square footage	1,980 square feet

Signage is included in the submittal of this project. The applicant should revise the detail sheet to include the materials and colors proposed for the signage. Landscaping for the signage should also be included at this time. The applicant has indicated that lighting is part of this submission. The detail sheet should be revised to include a detail of the proposed lighting.

6. The Transportation Planning Section in a memorandum dated February 11, 2000 (Shaffer to Whitmore) had the following comments regarding master plan trail compliance:

■In accordance with the *Adopted and Approved Largo-Lottsford Master Plan*, the applicant, and the applicant's heirs, successors, and/or assigns shall provide the following:

■Construct an eight-foot-wide hiker/biker trail along the subject property's entire frontage of Campus Way North, as shown on the site plan.

■The master plan designates Lottsford Road as a Class III bikeway. Lottsford Road has existing wide shoulders suitable for bicycles. Appropriate bikeway signage shall be provided. Because Lottsford Road is a County right-of-way, the applicant, and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.

■All trails shall be free of street trees and above-ground utilities.

■All trails shall be handicapped-accessible.

■All internal trails should be six feet wide and asphalt.●

Conditions 1f and 1g in the Recommendation Section of this report addresses the above referenced concerns.

7. The Transportation Section in a memorandum dated December 7, 1999 (Masog to Whitmore), provided the following comments:

■The Preliminary Plan resolution (PGCPB No. 94-4) contains several transportation-related conditions...

■Condition 20 requires some discussion. This condition requires a street connection between the subject property, the Fox Lake subdivision and C-150. C-150 is the portion of the entrance to the existing Collington Episcopal Life Care Community between Lottsford Road and the guardhouse. This condition must occur prior to issuance of any building permit within the subject property and when Lottsfod Road is dualized (i.e., reconstructed with eastbound and westbound roadways separated by a median). While it appears that this connection is not needed immediately as Lottsford Road is not yet dualized, this condition requires that a provision be made for this connection....●

The applicant filed a request for a reconsideration to Amend Conditions No. 20(a) and 20(c) of PGCPB 94-4. The Subdivision Section recommended that the above conditions be amended and the Planning Board voted to revise the underlined language as follows:

■Prior to the issuance of any building permits for the R-H parcel and when Lottsford Road, along the R-H site frontage is dualized (or fully funded dualization), the applicant, his heirs, successors and/or assigns, shall provide the necessary

financial assurance to DPW&T and have received a permit to construct the following improvements:

- a. A 30-foot -wide driveway between the site and C-150. If the site is developed as a Planned Retirement Community, the Planning Board may reduce the required width to 22 feet, if appropriate, at the time of detailed site plan review.
- b. (No Change)
- c. A 48-foot-wide C-150 between the driveway and residential street described above, and Lottsford Road. If the R-H parcel is developed as a Planned Retirement Community, the Planning Board may eliminate the requirement to construct this road, if appropriate, at the time of detailed site plan review. However, the site plan shall reflect the potential right-of-way for this road as a primary street (60-foot-right-of-way) for a depth of 200 feet from Lottsford Road, and all proposed structures shall be setback from it in accordance with requirements of the Zoning Ordinance.

The resolution for this reconsideration is scheduled for adoption by the Planning Board on March 3, 2000.

The applicant should revise the detailed site plan to be in conformance with conditions 20(a) and 20(c) as amended.

8. The applicant is providing private recreation facilities which include a swimming pool, exercise room, a gathering/meeting room, and associated offices. The applicant should provide a Recreation Facilities Agreement to be recorded prior to final plat.
9. The subject application has an approved Stormwater Management concept (#94800690).

10. It has been determined that a 100-foot variance for Section 27-374(a)(2)(C) is needed on the east side of the property line dividing the R-H and the R-R Zone, and the applicant has applied for the variance in connection with SE-3344. Signature approval of the subject SP-99036 should be delayed until the outcome of the above-referenced variance request in the context of the special exception is determined because, in the absence of this variance, the proposed plan would need to be substantially changed. The site plan should be revised if necessary to conform to the approved special exception.
11. The following referral agencies: WSSC, the Community Planning Division, State Highway Administration and Department of Parks and Recreation found the plans acceptable as submitted.
12. The subject application was referred to the Enterprise Road Corridor Development Review District Commission. No response had been received at the time of the writing of this staff report.

Variance VD-99036A

13. In general the Detailed Site Plan meets the requirements of the Zoning Ordinance for a planned retirement community in the R-H Zone. The applicant is requesting a variance from Section 27-374(a)(2)(C) of the Zoning Ordinance which requires that any building be located 100 feet from land located in a residential zone, and Section 27-441 Footnote 62 which states:

■ Permitted use without requirement for special exception provided the use is on a parcel of land in the R-H Zone, the gross tract area of which is a maximum of twenty (20) acres, which is adjoining R-R Zoned land developed with an existing Medical Residential Campus. The entire tract of land in the R-H Zone shall require Detailed Site Plan approval in accordance with Part 3, Division 9 of this Subtitle. Regulations restricting height of structures, lot size and coverage, frontage, setbacks, density and other requirements of the zone shall be consistent with existing development



in the adjacent Medical Residential Campus. The dimensions and percentages shown on the approved site plan shall constitute the regulations for development..

Proposed cottages are currently located in the required 100-foot setback.

Section 27-230 contains the criteria for approval of a variance. This request meets the criteria contained in Section 27-230 as follows:

- (1) **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions.**

While CB-21-1999 states that the proposed development is to adhere to the design guidelines set forth for the Collington Episcopal Life Care Center, including the 100-foot setback from residentially-zoned land, staff believes that this prevents fulfillment of the intent of the legislation created for this specific application (i.e., it prevents a close integration of the new section of homes with the existing center). This is the extraordinary situation, along with environmental constraints, such as existing vegetation and steep slopes, that fulfills the first variance criterion.

- (2) **The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property.**

Should the applicant be required to honor the setback it would cause undue hardship to the developer by substantially reducing the amount of net tract area that would be developable. Moreover, enforcement of the 100-foot setback would create substantial practical difficulty by creating a 100-foot-wide uninhabited strip through the development in which no structures, including

roads, could be located, resulting in a confusing and dysfunctional internal circulation system.

**(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.**

The property is located in the area covered by the Planning Area 73 Master Plan, which was adopted and approved in May 1990. The master plan map shows the property as high urban residential use.

The subject property was rezoned by the 1990 SMA from the R-R to the R-H Zone. The Community Planning Division found that the application as submitted raises no master plan issues.

Therefore, staff believe that granting relief from the requirements of the Zoning Ordinance in this instance will not impair the integrity of the master plan.

14. The Detailed Site Plan represents a reasonable alternative for satisfying the Site Design Guidelines without requiring unreasonable costs 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 (TCPII/136/99) and APPROVED Variance Application No. VD-99036A, and further APPROVED Detailed Site Plan SP-99036 for the above-described land, subject to the following conditions:

1. Prior to signature approval, the following modifications or revisions shall be made to the Detailed Site Plan:
  - a. Provide lighting style, type and details.
  - b. The landscape plan shall be revised to be in accordance with the *Landscape Manual*. If it is determined that Alternative Compliance is needed, the applicant shall obtain approval of Alternative Compliance with final approval authority given to the Planning Director.
  - c. The stormwater management (SWM) ponds shall be treated as amenities and landscaped accordingly. The Urban Design Section shall confer with the applicant

and the Department of Environmental Resources regarding enhancement of the landscaping around the SWM ponds.

- d. The architectural elevations shall be revised to include all exterior finish materials, proposed colors and roof pitches.
  - e. The plans shall be revised to include landscaping, to be approved by the Urban Design Section, for all proposed signage and all materials for signage shall be added to the plans.
  - f. The plans shall be revised to indicate that all internal trails, where possible, shall be six feet wide and asphalt.
  - g. A note shall be added to the detailed site plan stating that all trails will be handicapped-accessible, to the extent feasible, and free of street trees and above ground utilities. Warning signs shall be installed adjacent to any trails where the grade exceeds 3 percent. The detailed site plan shall be revised to show the location of the signage and a detail shall be placed on the detail sheet.
  - h. The plan shall be revised to include details of the proposed terrace located on the east and south side of the community center.
  - i. The applicant shall provide a copy of the approved special exception to ensure conformance of the detailed site plan. If necessary, the detailed site plan shall be revised to conform to the approved special exception plan.
  - j. A note shall be added to the plan that states, "For information purposes only" on the R-R portion of the site.
  - k. The plan shall be revised to include the location of the "potential 60-foot-wide right-of-way for C-150 per 4-93044" for a depth of 200 feet from Lottsford Road.
2. Prior to approval of any building permits, the applicant shall obtain an easement or otherwise legally secure access to the planned retirement community from Lottsford Road through the property of the Collington Episcopal Life Care Center.
3. Prior to approval of any subsequent final plat, the applicant shall provide the following information:
- a. A note shall be added to the record plat stating that the fee, for bike signage, of \$210 shall be required to be paid to DPW&T prior to issuance of the first building permit.
  - b. The applicant shall record a Private Recreation Facilities agreement for the proposed recreation facilities proposed on the site indicating the following:

- (1) Bonding shall take place prior to the first building permit.
- (2) Construction shall be completed prior to the 40th unit being completed.

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 adoption of this Resolution.

\* \* \* \* \*

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 McNeill, seconded by Commissioner Brown, with Commissioners McNeill, Brown, Boone and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 24, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of March 2000.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:LW:aj