



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Special Exception Application No. 4546

DDS-566, DPLS-313, AC-06002

Application	General Data
Project Name: We Care Adult Services, Inc. Location: West side of Largo Road approximately 60 feet south of Water Fowl Way, known as 1717 Largo Road. Applicant/Address: We Care Adult Services, Inc. 1101 Mercantile Lane, Suite 220 Largo, Maryland 20774	Date Accepted: 11/8/05
	Planning Board Action Limit: N/A
	Plan Acreage: 3.86
	Zone: R-R
	Dwelling Units: 55
	Square Footage: 40,119
	Planning Area: 79
	Tier: Developing
	Council District: 06
	Municipality: N/A
	200-Scale Base Map: 203SE11

Purpose of Application	Notice Dates
SE-4546—Adult day care center and assisted living facility DDS-566—Departure from setback of loading space and driveway access to loading space from residential zone being less than 50 feet DPLS-313—Departure of 22 off-street parking spaces of the required 86 spaces. A/C -06002—Alternative Compliance from Section 4.3(b) of the <i>Landscape Manual</i> , which requires a landscape strip between the parking lot and any adjacent property line to be a minimum of five feet wide.	Adjoining Property Owners Previous Parties of Record Registered Associations: 8/10/05 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 2/28/06

Staff Recommendation		Staff Reviewer: Teri Bond	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

March 10, 2006

TECHNICAL STAFF REPORT:

TO: The Prince George's County Planning Board
The Prince George's County District Council

VIA: Jimi Jones, Acting Zoning Supervisor

FROM: Teri Bond, Planner Coordinator

SUBJECT: **Special Exception Application No. 4546**
Departure from Design Standards No. 566
Departure from Parking and Loading Standards No. 313
Alternative Compliance Application No. 06002

REQUEST: **Assisted Living Facility and Adult Day Care**

RECOMMENDATION: **Approval with Conditions**

NOTE:

The Planning Board has scheduled these applications for a public hearing on the agenda date indicated above. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in the special exception application. The request must be made in writing and sent to the Office of the Zoning Hearing Examiner at the address indicated above. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS:

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

- B. **Development Data Summary:**

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

Other Development Data

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

- C. **History:** The 1994 sectional map amendment for the Subregion VI Study Area retained the subject property in the R-R (Rural-Residential) Zone.
- D. **Master Plan Recommendation:** The 1993 Subregion VI Study Area master plan identified this site as part of a rural residential area in the Marlboro community and recommended low-suburban residential development at up to 2.6 dwelling units per acre for this property. This special exception application for an assisted living facility and adult day care center at this location is not inconsistent with the land use recommendations or policies for this rural residential area within the Marlboro community.
- E. **Request:** The applicant requests approval of a special exception for an assisted living facility with 110 residents and an adult day care center for 120 occupants, of which 50 percent (60 occupants) will come from the on-site assisted living facility population. The proposed facility will consist of a one-story, 40,000-square-foot building, and 64 parking spaces. A woodland preservation area and stormwater pond are located at the rear of the property. A five-foot-wide walk has been added to the woodland preservation area to provide a passive recreation amenity for future residents.

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

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

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

North—MD 202 and White House Road

East—MD 202

South—University of Maryland Experimental Farm and the Western Branch

West—Brown Station Road

The property is surrounded by the following uses:

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

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

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

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

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

- G. **Specific Special Exception Requirements:**

Section 27-332 states the following specific requirements for an adult day care center:

- (a)(1) **The subject property shall be suitable for the type of facility proposed, taking into account the character of surrounding properties and the general neighborhood, any other uses on the subject property;**

The character of the immediate neighborhood surrounding the site is farming and low-density residential development. The applicant is proposing a one-story building with significant landscaping along the perimeter of the site. The applicant's low-scale development is compatible with the character of the neighborhood. The property is suitable for the type of facility proposed given its location and the site design proposed.

- (2) The subject property shall be of sufficient size to accommodate a facility of the scope proposed;**

The property can adequately accommodate this 40,000-square-foot facility. Although the applicant has requested a departure for 22 parking spaces to maintain the building size, given the interrelationship of the uses on this site and the shuttle services that will be provided for day care users, it is not anticipated that this use will necessitate all of the parking that would normally be required, which would, in turn, require a larger property.

- (3) Vehicular access to the subject property shall be adequate, taking into account the scope of the facility, the type and amount of traffic expected to be generated, and the type, service level, and capacity of the streets along which the subject property has frontage; and**

The Transportation Planning Section has reviewed the development proposed in this special exception application as part of its review of Preliminary Plan of Subdivision 4-05097. The Planning Board approved the subdivision on January 12, 2006, per PGCPB No. 06-11.

The applicant submitted a traffic study dated November 16, 2005, that was used to assess the adequacy of the transportation facilities to serve the proposed development. The findings and recommendations are outlined in a memo dated January 4, 2006, from Eric Jenkins of the Transportation Planning Section. Approval of the preliminary plan included conditions to ensure that there would be adequate levels of service at the major intersections serving this development as well as adequate capacity on the road that serves the development, MD 202.

Staff recommended that the applicant be responsible for site access and frontage improvements to be determined and approved by the State Highway Administration; this included restricting the site access point to a right-in/right-out configuration. In addition staff recommended dedication of 100 feet of right-of-way from the master plan centerline of MD 202 (Largo Road). Total development within the subject property shall also be limited to 40,751 square feet of commercial space to accommodate an adult day care center and assisted living center, or equivalent development which generates no more than 29 AM and 39 PM peak-hour trips.

In consideration of the information provided in support of the application, the Transportation Planning Section found that the special exception would not adversely affect the health, safety or welfare of residents or workers in the area or unanticipated capacity or safety issues on adjacent roadways.

- (4) A statement shall be submitted explaining:**

The applicant submitted the following information:

- (A) The policies and goals of the center;**

“The policies and goals of the center are to provide an environment conducive to the healthy active living of the elderly community. Planned activities and exercises will be part of the daily routine.”

(B) The characteristics and number of occupants to be served;

“The facilities will serve 120 occupants in the Adult Day Care center; however, 50% of the population in the day care center will come from the residents in the Assisted Living facility, which will have 110 residents.”

(C) The type of care and activities proposed;

“Adult day care/Assisted Living activities [sic] shall be designed to meet the participant’s specific needs and interests. A detailed description of the type of activities planned is contained in the Program Overview.”

(D) Operating methods and procedures proposed;

“The operating methods and procedures will be in strict accordance with the Annotated Code of Maryland Health-General Article, Title 14, Subtitles 2 and 3 (Code of Maryland Regulations 10.1204, Day Care for the elderly and Medically Handicapped Adults) and The Maryland State Department of Health and Mental Hygiene Regulations Governing Assisted Living Programs as set out in the Code of Maryland Regulations (COMAR 10.07.14).

(E) The type and amount of traffic expected to be generated; and

“Traffic expected has been analyzed and determined to not be of a sufficient quantity to require a traffic impact statement for approval of this special exception, in accordance with the County guidelines for the traffic impact studies.”

(F) Other appropriate aspects of the center’s operation.

“The other appropriate aspects of the center’s operation is the unique interaction that will be fostered between the day care center participants and the assisted living seniors, which should form an integral relationship healthy for all involved.

“The retirement-aged community in Prince George’s County has steadily increased. According to a report prepared by the Prince George’s County Planning Department entitled “Prince George’s County – The Aging Population,” county residents 55 years and older make up 16% of our population. In actual numbers, this age group’s population has increased to over 120,000 in the County alone. Therefore, the establishment of this facility will serve the needs of our aging community, in general, by providing a safe and caring environment where elderly and medically disabled adults will be able to participate in activities and therapies appropriate to their needs. In addition, participants will receive nutritious meals and will be monitored for an array of medical conditions. However, the participants will be able to return to their families or in some cases their own homes in the evening. Adult day care centers provide social, recreational and health services in a group setting at about one-third the cost of a nursing home. Adult day centers are not a substitute for nursing home care, but they can prevent the premature placement of a person in an institution until around-the-clock care is actually needed.”

H. Parking Regulations:

The site plan indicates that 64 parking spaces and 1 loading space are to be provided. The Zoning Ordinance requires 86 parking spaces and 1 loading space. An application for a departure from parking and loading standards has been filed (DPLS-313) to address the request for a reduction of 22 on-site spaces (see part L of this report).

I. Landscape Manual Requirements:

The proposed development is subject to requirements 4.3a, Parking Lot Landscape Strip, 4.3c, Parking Lot Interior Planting, 4.4, Screening, 4.5, Stormwater Management Facility, and 4.7, Buffering Incompatible Uses, of the *Landscape Manual*. The plan has been determined to be in compliance with all requirements except for Section 4.5 where the Department of Environmental Resources will determine compliance at the time of the technical review of the development's stormwater management facility and Section 4.3(b), Perimeter Landscape Strips, that requires landscaping along the property's southern boundary. The applicant requested Alternative Compliance from Section 4.3(b) of the *Landscape Manual*, which requires a landscape strip between the parking lot and any adjacent property line to be a minimum of five feet wide. Alternative compliance was granted to the applicant based on the following finding:

"The proposed property and adjoining property has 'Low' development impact. The driveway access to the loading space behind the proposed building is 22 feet wide. Some portions of the parking lot driveway encroach into the required five-foot landscape yard, which preclude the site from full compliance to Section 4.3(b) of the *Landscape Manual*. To compensate for the reduced perimeter landscape, the applicant is proposing to use 152 plant units (72 additional plant units) along the parking lot driveway in addition to a retaining wall to be built along the property line. There is an existing chain-link fence along the University of Maryland experimental farm on the south side of [the] property line. The proposed plant units along the proposed retaining wall, will not only allow open views for the future residents of the facility but also sufficiently buffer the adjacent University of Maryland farmlands."

J. Zone Standards:

Section 27-464.04(a) includes both development guidelines and requirements for assisted living facilities in residential zones. This application meets these guidelines and requirements as listed below:

(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.**

Only one building is proposed.

- (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 proposed facility is a one-story building of approximately 40,000 square feet in size. The building plan shows the main entrance in the front of the building with a passenger drop-off area. The driveway has been designed to provide for one-way circular travel around the center parking area to provide for better circulation for vehicles dropping off passengers to the facility. A monumental sign has been designed for the vehicular entrance of the development on MD 202 to provide for easy recognition of the facility.

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

The radius and width of the entry drive will allow cars and vans 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 location of proposed drop-off area has been revised to accommodate space for drop-off and pick-up traffic of adults who attend the day care daily while maintaining vehicular flow.

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

A canopy will extend from the building to offer protection from the weather over the building entry and passenger 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 area should be clustered together to increase levels of activity, use of amenities, and the sense of vitality of community.**

The plan has been revised to provide for outdoor passive recreation in the preserved woodland at the rear of the site. A path has now been added to this area, which will also include the stormwater management facility. A program overview description has been submitted with this application that indicates the type of planned activities for the future residents that are designed for indoor programs and activities as well as field trips. The proposed project includes an open courtyard within the building that will provide an area for residents who do not have the ability to go outside. The design of this space should be more closely reviewed at the time of detailed site plan and consideration should be given to providing amenities such as an indoor fountain in addition to the proposed benches. Providing a fountain at the heart of the courtyard will create a

sense of place. The recreational facilities provide for both passive and active recreational and social interactions.

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

The facility is one story.

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

The site is 3.86 acres.

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

The site adjoins 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 applicant will apply for detailed site plan approval prior to the application for a building permit. Particular attention should be paid to the architecture, including the placement of windows and the design of the indoor courtyard.

K. **Sign Regulations:**

A freestanding sign is proposed which meets the requirements for location and size in the Zoning Ordinance for institutional signs. The design of the sign, including the exact wording, should be reviewed at the time of detailed site plan since the proposed sign advertises medical and rehabilitation services which are not the subject of this application.

L. **Other Issues:**

DDS- 566—The applicant requests a departure from design standards to locate an exterior loading space and vehicular entrances (including driveways and doorways) within 50 feet of a residentially zoned property per Section 27-579(b) of the Zoning Ordinance. The applicant requests a waiver of the full 50-foot requirement for the driveway and a departure of 30 feet for the location of the loading space. The adjoining property to the south is zoned R-O-S and is used as an experimental farm by the University of Maryland. The applicant proposes to screen the loading space from adjacent property using a wood screen fence and existing trees and vegetation.

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

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

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

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

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

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

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

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

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

DPLS – 313: The site plan indicates that 64 parking spaces are to be provided. The plan correctly notes 86 parking spaces are required. A departure from parking and loading standards is required to address this reduction. Section 27-588(b)(7) sets forth the following findings to grant a departure from parking and loading standards:

- (A) **In order for the Planning Board to grant the departure, it shall make the following findings:**

- (i) **The purposes of this Part (Section 27-550) will be served by the applicant's request;**

The purposes of the Parking Regulations are as follows:

- (1) **To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**

The applicant is required to provide the following parking spaces:

Adult Day Care (120 residents and 6 operators)	
1 space per 3 occupants/employees	= 42 spaces
Assisted Living Facility (110 residents)	
1 spaces per 3 residents	= 37 spaces
Employees (20 employees for assisted living facility)	
1 space per 3 employees	= 7 spaces

Total parking spaces required for all parking uses: 86

The applicant argues that since 50 percent of the adult day care center occupants, or 60 residents, will come from the on-site assisted living facility, 22 of the required parking spaces for the adult day care use would not be necessary. The applicant also states since most of the remaining day care users will be shuttled to the site, consequently, the need for parking will be even further reduced. The applicant has also stated that “visitation for the Adult Day Care is relatively low given that this population comes from home on a daily basis. Therefore, the majority of visitor parking will be needed by the assisted living facility, and most of which will occur either in the evenings or on the weekend. During those time periods, the Adult Day Care facility will be closed (evenings) or operating at a reduced capacity (weekends). Therefore, the site will have more than adequate parking to meet its needs.”

- (2) **To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**

This site will be limited to one access point on MD 202. The site is designed such that there is no vehicular or pedestrian access from the adjoining subdivision. Therefore, it is unlikely that occupants or visitors will park in the adjoining development. This is particularly true since the applicant intends to operate a transportation service for 95 percent of the occupants of the adult day care center that will be coming from off-site. The proposed transportation service will significantly reduce traffic congestion and the need for parking on-site.

- (3) **To protect the residential character of residential areas; and**

The applicant is proposing intensive landscaping along its northern boundary with the Westin subdivision to buffer this residential area and protect its character. As a result of the smaller parking lot proposed and the separation of parking with a smaller lot in the rear of the site, the impact of this facility should be minimized. In addition, a detailed site plan is required to further ensure protection of the residential character of the area.

- (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District;**

The parking proposed is convenient for both assisted living residents and visitors and day care center users. The loading area is appropriately located in the rear of the site so that adequately serves the needs of the facility.

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

The departure is the minimum necessary. The applicant states that 50 percent of the occupants of the adult day care center will be coming from the assisted living facility. As a result, the required 42 parking spaces for this facility should be reduced to 20 since the full complement of parking is not necessary parking for the proposed uses.

- (iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;**

Given the interrelationship of the two uses, it is unnecessary to provide parking for day care center users that will not need additional parking since they will be living on-site. The need for parking spaces will be even more diminished because a significant proportion of the day care center users will be transported to the facility so they will not be using their own vehicles. The departure is necessary in order to alleviate circumstances that are special to the subject uses.

- (iv) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and**

All methods for calculating the number of spaces required have been used.

- (v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.**

Parking and loading needs of the adjacent residential area, the Westin subdivision, will not be infringed upon if the departure is granted. The landscaping and parking design of the We Care facility discourage any pedestrian access from the subdivision, which will deter visitors from parking in the subdivision. Adequate parking will be provided on-site given the high proportion of residents using the day care facility and the fact that as many as 95 percent of the nonresident day care center users will be shuttled to the facility.

- (B) In making its findings, the Planning Board shall give consideration to the following:**

- (i) The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;**

This development will be designed as a wholly separate facility from the adjacent residential subdivision that provides the only on-street parking within the general vicinity. Parking is not allowed on MD 202. Consequently, there are no additional on- or off-street spaces to serve this development.

(ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the subject property and its general vicinity;

The use of this site is compatible with the recommendations of the 1993 Subregion VI Study Area master plan. The 1993 Subregion VI Study Area master plan identified this site as part of a rural residential area in the Marlboro community and recommended low-suburban residential development at up to 2.6 dwelling units per acre for this property. This special exception application for an assisted living facility and adult day care center at this location is not inconsistent with the land use recommendations or policies for this rural residential area within the Marlboro community.

(iii) The recommendations of a municipality (within which the property lies) regarding the departure; and

No municipality exists within a mile of the subject property.

(iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.

No public parking facilities are proposed in the county's Capital Improvement Program within the general vicinity of the property.

(C) In making its findings, the Planning Board may give consideration to the following:

(i) Public transportation available in the area;

The closest bus stop appears to be Largo Road and Hancock Drive, which is served by TheBus Route 21.

(ii) Any alternative design solutions to off-street facilities which might yield additional spaces;

Given the site's shape, no alternative design solution was found that would not require that more of the front/side yards of the property be paved to accommodate additional spaces. Such a design solution would further detract from the residential character of the neighborhood.

(iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;

The assisted living facility will operate around the clock, but the applicant intends to operate the adult day care between the hours of 7:00 a.m.–6:00 p.m. (Monday–Friday) and 8:00 a.m.–4:00 p.m. (Saturday). During the timeframe, 50 percent of the assisted living population will be using the adult day care center

program, which would reduce the number of individual customer trips to the facility. Additionally, because the applicant intends to provide daily transportation service, 95 percent of the occupants of the adult day center will be brought to the site by this shuttle service. To that end, the applicant maintains that ample spaces will be available on-site given the nature of the use on the property.

There are no businesses within 500 feet of the property other than the University of Maryland experimental farm. The applicant notified the state of this application and staff has not received any concerns about the proposed development from this neighboring use.

- (iv) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10 and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George=s=s County Code.**

The subject property is in the R-R Zone. The above section is not applicable to the subject property.

M. **Required Findings:**

Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:

- (1) **The proposed use and site plan are in harmony with the purposes of this Subtitle.**

The purposes of the Zoning Ordinance are many and varied; however, they can best be summed up as promoting the health, safety, and welfare of county residents by providing for the orderly growth and development of the county and promoting the most beneficial relationship between the uses of land and buildings. The proposed use and site plan will provide for the orderly growth of the county by providing opportunities for elderly resident to remain near their families in a residential setting as well as provide convenient adult day care to a growing area of the county.

- (2) **The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**

A departure from the number of parking and loading spaces, a departure from design standards, and alternative compliance with the *Landscape Manual's* requirements are being considered with this application. Approval of these companion applications will ensure that the use is in conformance with all applicable requirements and regulations of the Zoning Ordinance.

- (3) **The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**

The 1993 Subregion VI Study Area master plan identified this site as part of a rural residential area and recommended low suburban residential development at

up to 2.6 dwelling units per acre for this property, which was placed in the Marlboro community. This special exception application for an assisted living facility and adult day care center at this location is generally consistent with the land use recommendations or policies for this rural residential area within the Marlboro community. The proposed use will not substantially impair the integrity of the approved master plan.

(4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.

To ensure that this use will not adversely affect the health, safety or welfare of residents or workers, the applicant has designed the center to provide a full range of on-site activities, programs and recreational amenities for future occupants and day care users. The site has also been heavily landscaped along its northern perimeter to provide a real separation between uses to ensure that the facility's users stay on-site and to ensure that the adjacent subdivision will be adequately buffered from this future development.

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

The landscaping and site design of the proposed use have been very sensitive to the specific location of the use, which is between a single-family development (the Westin subdivision) and the University of Maryland Experimental Farm. The site is landscaped around three of the four sides of the site. A 0.6-acre tree preservation area is located along the fourth side of the site. A heavily landscaped ten-foot bufferyard is provided along the northern perimeter of the site, which abuts the Westin subdivision. An attractive open landscaping plan consisting of trees and shrubs is also provided along the site's southern boundary with the University of Maryland farm. This design is intended to capitalize on the farm's open space. In addition to this site design, a detailed site plan will ensure that the building design will be an attractive addition to the neighborhood. Consequently, staff believes that the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.

A Type I tree conservation plan (TCPI) was submitted and reviewed for this site for the approved preliminary plan of subdivision 4-05097. This plan, however, had to be revised since the stormwater management pond was moved. The Environmental Planning Section has reviewed the revised TCPI and offered the following comments.

The TCPI currently under review proposes clearing 1.73 acres of the existing 2.28 acres of woodland. The woodland conservation requirement has been correctly calculated as 1.22 acres. The plan proposes to meet the requirement by providing 0.55 acre of on-site woodland conservation and 0.82 acre of off-site mitigation using fee-in-lieu. This is an appropriate use of fee-in-lieu because the amount of off-site mitigation is less than one acre total.

The limit of disturbance (LOD) is not clearly shown on the plan. The symbol must be revised so that it is more distinct and shown on the plan. The TCPI shows preservation in the area of the proposed trail; however, this area should be shown as cleared and the LOD should be revised to reflect the area to be disturbed for the proposed trail. After the

changes have been made, if the remaining woodland requirement is less than one acre, the use of fee-in-lieu will be appropriate. This area of preservation should be shown as cleared and the area added to the worksheet. Remove the NRI approval block from the plan and show the M-NCPPC signature approval block on each sheet of the plan. After all these revisions have been made, the qualified professional who prepared the plan should sign and date it.

It was also noted that according to the Prince George's County Soils Survey the principal soils on the site are in the Adelphia, Collington, and Monmouth soil series. Adelphia soils are associated with impeded drainage. Collington and Monmouth soils pose no special problems for development. The Prince George's County Department of Environmental Resources may require a soils report during the permit review process.

An approved stormwater management concept plan and letter were not submitted with this application. Any changes in the stormwater management design may affect the TCP. The submitted site plan and tree conservation plan show a bio-retention swale in the landscape buffer along the north boundary of the site. A stormwater management pond is proposed on the west portion of the property; however, no outfall is shown for this pond.

CONCLUSION:

With the recommended departures and alternative compliance, the proposed use and site plan are generally in conformance with the Zoning Ordinance and in harmony with the master plan. Staff recommends APPROVAL of SE-4546, DDS-566, DPLS-313, and A/C-06002 subject to the following conditions:

1. The site plan shall be revised prior to detailed site plan submittal to reflect the planting schedule and others revisions detailed in the applicant's alternative compliance application.
2. Detailed site plan shall include, but not be limited to, a review and approval of the proposed architecture to ensure an attractive design which enhances the neighborhood, the placement of windows in the building to maximize visibility of the adjacent open space provided by the University of Maryland farm, ensuring the design, type and location of the site's outdoor lighting is adequate, particularly in the parking lot, to provide for a safe environment, and signage to ensure it complements and is compatible with the proposed architecture, and that it appropriately advertises the approved special exception uses.
3. The applicant will be responsible for site access and frontage improvements to be determined and approved by the State Highway Administration; this includes restricting the site access point to a right-in/right-out configuration. In addition the applicant shall dedicate 100 feet of right-of-way from the master plan centerline of MD 202 (Largo Road).
4. Total development within the subject property shall also be limited to 40,751 square feet of commercial space to accommodate an adult day care center and assisted living center, or equivalent development which generates no more than 29 AM and 39 PM peak-hour trips.
5. Prior to approval of the special exception by the Zoning Hearing Examiner, the tree conservation plan shall be revised as follows:
 - a. Revise Note 1 of the standard notes to reference We Care Adult Services.

- b. Revise Note 6 to reference the number of the approved stormwater concept plan and preliminary plan.
 - c. Revise the limit of disturbance symbol and show it on the plan.
 - d. Revise the limit of disturbance to reflect the area to be disturbed for the proposed trail.
 - e. Remove the preservation area from the area of the proposed trail and add the area to the TCPI worksheet as cleared.
 - f. Remove the NRI approval block from the plan and show the M-NCPPC signature approval block on each sheet of the plan.
 - g. Have the qualified professional who prepared the plan sign and date it.
6. Prior to approval of the special exception by the Zoning Hearing Examiner, a copy of the stormwater management concept approval letter and the associated plan shall be submitted. If the final design results in necessary changes to the tree conservation plan, the changes shall be reflected on the TCPII.