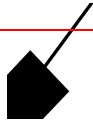


Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530



Comment [COMMENT1]: WHEN INSERTING INFORMATION AT THE @ SIGN REMEMBER TO USE INDENT FOR SECOND LINE - NOT TAB. ALSO, IT WILL LOOK LIKE THE TEXT IS GOING WACKO, BUT DON'T WORRY - IT IS FINE.

Comment [COMMENT2]: WHEN INSERTING INFORMATION AT THE @ SIGN REMEMBER TO USE INDENT FOR SECOND LINE - NOT TAB. ALSO, IT WILL LOOK LIKE THE TEXT IS GOING WACKO, BUT DON'T WORRY - IT IS FINE.

SPECIAL EXCEPTION APPLICATION 4435

Application	General Data
Project Name: Charwood Village Location: East side of Harry S Truman Drive, approximately 210 feet north of Mt. Lubentia Way. Applicant: Sevag Balian Haverford Construction Company 6525 Belcrest Road, Suite 380 Hyattsville, Maryland 20782	Date Accepted8/22/01
	Planning Board Action LimitN/A
	Tax Map & Grid075 A-2
	Plan Acreage11.30 Acres
	ZoneR-30C
	Dwelling Units67
	Square FootageN/A
	Planning Area73
	Council District06
	MunicipalityNone
	200-Scale Base Map201SE9

Purpose of Application	Notice Dates
Townhouses in the R-30C Zone in accordance with Section 27-416.01	Adjoining Property Owners (CB-15-1998)09/05/01
	Previous Parties of Record (CB-13-1997)08/26/01
	Sign(s) Posted on SiteN/A
	Variance(s): Adjoining Property OwnersN/A
Staff Recommendation	Staff Reviewer
APPROVAL	Tom Lockard
DISAPPROVAL	
DISCUSSION	
APPROVAL WITH CONDITIONS	
X	

March 20, 2002

TECHNICAL STAFF REPORT:

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

VIA: Arie Stouten, Zoning Supervisor

FROM: Tom Lockard, Senior Planner

SUBJECT: **Special Exception Application No. 4435**

REQUEST: **Townhouses in the R-30C Zone in accordance with Section 27-416.01**

RECOMMENDATION: **APPROVAL, subject to conditions**

NOTE:

This application is on the agenda for the Planning Board to decide whether or not to schedule a public hearing. If the Planning Board decides to hear the application, it will be placed on a future agenda.

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 this 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 site is located on the northeast corner of the intersection of Harry S Truman Drive and Mt. Lubentia Way. It is undeveloped and primarily wooded.
- B. History: The property was placed in the R-30C Zone by the 1990 *Sectional Map Amendment (SMA) for Largo-Lottsford*. On February 20, 2001, the Planning Board approved a Preliminary Plan of Subdivision for 67 lots for the site (4-00046), subject to numerous conditions, some of which carry through to this application. See section K of this report for a discussion of the applicable conditions.
- C. Master Plan Recommendation: The 1990 *Master Plan for Largo-Lottsford* recommends a Low-Urban Residential (8.0 to 11.9 dwellings per acre) density for the site.

- D. Request: The applicant seeks permission to build 67 townhouses on the subject property. The development would have one point of access, from Harry S Truman Drive.
- E. Neighborhood and Surrounding Uses: The site is surrounded by the following uses:
- North: Townhouses in the R-T Zone (Northhampton) and the Prince George's Community College in the R-R Zone
- East: Townhouses in the R-T Zone (Mt. Lubentia)
- South: A convenience store in the C-S-C Zone and single-family residences across Mt. Lubentia Way in the R-80 Zone (The Poplars)
- West: Undeveloped land and floodplain across Harry S Truman Drive in the R-H and R-O-S Zones
- The neighborhood is defined by the following boundaries:
- North: Campus Way
- East: Landover Road (MD 202)
- South and West: The Southwest Branch Stream Valley
- The neighborhood contains a mixture of residential uses, from single-family residences to multifamily apartments and condominiums. The largest single use in the neighborhood is the Prince George's Community College, which makes up approximately half of the neighborhood. A small convenience store is located at the corner of Harry S Truman Drive and Mt. Lubentia Way; it is surrounded on two sides by the subject property.
- F. Specific Special Exception Requirements - Section 27-416.01 - Townhouses:
- (a) **Townhouses may be permitted in the R-30, R-30C, R-18, and R-18C Zones subject to the following:**
- (1) **The Site Plan shall be designed in accordance with the guidelines set forth in Section 27-274(a)(11); and**
- (2) **The use shall comply with the requirements of Section 27-433.**
- An assessment of the proposal's conformance to these two sections of the Zoning Ordinance is found in the next two sections of this report.
- G. Section 27-274(a)(11) - Design Guidelines for Townhouse Development:
- (A) **Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as**

applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.

Finding: This site has an approved Tree Conservation Plan (TCPI/16/95-01) dated August 28, 2001. It provides for 2.81 acres of on-site preservation and another 1.65 acres of reforestation, for a total of 4.46 acres. The plan shows the rears of buildings to be buffered by a combination of existing trees, new plantings and reforestation areas.

- (B) Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.**

Finding: The design proposed by the applicant places the majority of the townhouses around three main courtyards. The exception is a group of townhouses fronting on Harry S Truman Drive. None of the townhouses front on curving portions of the roadway.

- (C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.**

Finding: The applicant is proposing on-site recreation in the form of a sitting area, a gazebo and a tot-lot. Each is screened by landscaping. Of the three amenities, only one (the tot-lot) is visible from the rear of a single unit. The Department of Parks and Recreation (M-NCPPC), in their referral dated September 17, 2001, makes no comments on the proposed amenities, finding the development will have no impact on existing or future parkland. The Urban Design Section (M-NCPPC) note that they worked closely with the applicant during the Preliminary Plan of Subdivision on many aspects of the design, including open space. They find the proposal to be acceptable.

- (D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.**

Finding: Although the applicant has not submitted elevations of the proposed dwelling units, they do state that the architecture of the proposed townhouses has been designed to convey the individuality of the units. The site plan shows two different unit types. The units are offset from the adjoining townhouse, with end units having two-car garages and interior units one-car garages. Depending on the topography, some units will be ground-level entry, others will have steps. Options will include two different shape/sizes of sunrooms on the rear of the units, and fireplaces. The only window feature evident from the site plan is a bay window on the front of the interior units and on the front and/or side of end units. More detailed elevations will need to be submitted prior to the disposition of the case.

- (E) **To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.**

Finding: Five of the 67 units will back up to Mt. Lubentia Way. These lots were created by the Planning Board's approval of Preliminary Plan of Subdivision 4-00046, eliminating a proposed access point from Mt. Lubentia Way. The landscape plan shows the backs of these 5 units to be screened by approximately 30 feet of heavy landscaping placed between the rear yards and the right-of-way.

- (F) **Attention should be given to the aesthetic appearance of the offsets of buildings.**

Finding: Units have been offset from adjoining units by two feet, creating shadow lines that eliminate the appearance of a single long, flat facade.

H. Section 27-433 - Requirements of the R-T Zone:

- (d) **Dwellings.**

- (1) **All dwellings shall be located on record lots shown on a record plat.**

Finding: Prior to the issuance of permits, the applicant will need to record a Final Plat of Subdivision.

- (2) **There shall be not more than six (6) nor less than three (3) dwelling units in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.**

Finding: The site plan shows no more than six units in any attached group.

- (3) **The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet. Attached groups containing units all the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.**

Finding: The widths of the interior units are 20 feet and the end units are shown to be 24 feet in width.

- (4) **The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet.**

Finding: The minimum gross living space for the proposed townhouses is 1,360 square feet.

- (5) **Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwall treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.**

Finding: The applicant states that the units will have pleasant architectural features that will create a diverse, but architecturally complementary development in accordance with the requirement. The crude elevations provided on the site plan do not show enough detail to be of help. The applicant will need to submit additional details for review prior to the final disposition of this case.

- (6) **Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.**

Finding: In the statement of justification, the applicant states that any above-ground foundation walls will be finished with materials that are compatible with the primary facade design.

- (7) **A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."**

Finding: All of the proposed units will have a front facade of brick, stone or stucco.

(e) **Streets.**

- (1) **The following requirements shall apply only to the development of townhouses, one-family semidetached dwellings, two-family dwellings, and three-family dwellings:**

- (A) **The tract of land used for the project involving these dwellings shall have frontage on, and direct vehicular access to, a public street having a right-of-way width of at least sixty (60) feet;**

Finding: The subject property has frontage on, and direct vehicular access to, Harry S Truman Drive. It has a 210-foot-wide right-of-way.

- (B) **Private streets which are interior to the project (and are not dedicated to public use) shall be improved to not less than the current standards set forth in Subtitle 23 of this Code which apply to a public, twenty-six (26) foot wide secondary residential street, except that roadside trees are not required (within the street right-of-way). Sidewalks may be omitted when it is determined that there is no need for them. Sidewalks cast monolithically with the curb and gutter shall be permitted;**

Finding: According to the applicant's statement of justification, the interior streets will meet these criteria. The site plan shows the streets to be 26 feet in width.

- (C) **Private streets shall be common areas conveyed to a homes association, and provisions for maintenance charges shall be made in accordance with Subsection (I). (For the purpose of this section, "private streets" are internal vehicular access roadways serving the development by means of private streets approved pursuant to Subtitle 24 of this Code, except driveways which dead-end within a parking lot); and**

Finding: According to the applicant's statement of justification, the private streets will be conveyed to a homeowners association.

- (D) **Points of access to public streets shall be approved by the County Department of Public Works and Transportation, State Highway Administration, or other appropriate highway authority, as applicable.**

Finding: The county Department of Public Works and Transportation will require an access permit at such time building permits are secured.

(f) **Access to individual lots.**

- (1) **The following requirements shall apply only to the development of town-houses, one-family semidetached dwellings, two-family dwellings, and three-family dwellings:**

- (A) **While it is not necessary that each individual lot have frontage on a street, each lot shall be served by a right-of-way for emergency and pedestrian access purposes. The right-of-way shall either be owned by**

a homes association and approved by the Planning Board, or dedicated as a public right-of-way.

Finding: The site plan shows each lot to be served by a right-of-way for emergency and pedestrian access.

- (B) If the individual lot does not have frontage on a street, a right-of-way at least sixteen (16) feet wide shall abut each lot. The right-of-way shall be at least twenty-five (25) feet wide if it contains an easement for sanitary sewerage.**

Finding: All of the proposed units have street frontage.

- (C) Each right-of-way shall contain a sidewalk at least six (6) feet wide which connects parking areas with the individual lots. The maximum grade of the sidewalk shall generally be not more than five percent (5%). However, when the normal grade of the land exceeds five percent (5%), ramps or steps may be utilized to remain consistent with that grade.**

Finding: The site plan shows sidewalks within the street right-of-way. Because each of the units has a driveway and garage, these sidewalks do not connect between a parking area and the lots, but rather are neighborhood walkways. In light of this, the applicant has proposed that the sidewalks be four feet in width, in keeping with the ordinary standard.

- (D) No individual lot shall be more than two hundred (200) feet from a point of approved emergency vehicle access.**

Finding: All units are within 200 feet of emergency vehicle access.

- (E) For any private street or other access right-of-way to be improved, a permit shall be obtained from the County Department of Public Works and Transportation. If the right-of-way is located in a municipality which has jurisdiction over street improvements, the municipality shall issue the permit. The permit shall not be issued until construction plans are approved, the permit fees are paid, and a performance bond is posted with the Department or municipality guaranteeing installation of all streetlights and completion of all street, other access right-of-way, sidewalk (including those required for access to the front or rear of lots), and parking lot construction. Issuance of the permit and posting of the bond shall authorize the Department of Public Works and Transportation, or the municipality, to enter the development to complete the construction of the work covered by the bond, if the developer fails to complete the work within the permit period.**

Finding: The statement of justification indicates that the applicant is aware of these requirements and will abide by them.

(g) Utilities.

- (1) All utility lines within an attached dwelling unit development shall be placed underground.**

Finding: All utilities will be underground.

(h) Minimum area for the development.

- (1) No group of attached dwellings shall be located on a parcel of land containing less than two (2) acres.**

Finding: The subject property is 11.3 $\overline{3}$ acres in area.

- (2) The District Council may (when approving the zoning) permit a reduction in this minimum area in order to permit the redevelopment of a deteriorated or obsolescent single-family residential area, or to promote the development of small-scale attached dwelling areas in an attractive, efficient manner. If no rezoning is involved (such as townhouses to be developed in the R-18 Zone in accordance with the R-T Zone), the Council may still permit the reduction if requested (in writing) by the owner of the property.**

Finding: This section is not applicable.

(I) Common Areas.

- (1) If common areas are provided, they shall be conveyed to an incorporated, nonprofit homes association. The association shall be created under recorded land agreements (covenants) which specify that:**

- (A) Each home owner in a described land area is automatically a member; and**
- (B) Each home is automatically subject to a charge for a proportionate share of common area maintenance. The recorded covenants shall bind each home owner to pay his proportionate share of all assessments (including taxes), which may be necessary to maintain the common areas. The covenants shall also provide for a personal money judgment procedure against each home owner to meet the assessment charges.**

- (2) If a Detailed Site Plan shows a common area, the Planning Board (as a condition of plat approval) shall place conditions on the ownership, use, and maintenance of these areas to assure that the areas are preserved for their intended purpose.**

- (3) **Record plats filed on land located in an R-T Zone (or any other zone when developed in accordance with the R-T Zone) shall include a statement of the covenants or other documents concerning the ownership and maintenance of the common area, or shall include the statement by reference to liber and folio.**

Finding: These criteria will be satisfied at the time a final plat of subdivision is recorded.

(j) **Front elevation plan.**

- (1) **A front elevation plan (or profile plan) shall be submitted with the Detailed Site Plan. The elevation plan shall show a variation in design of dwellings, or groups of dwellings, sufficient to satisfy the purposes of this section.**

Finding: A front elevation plan has not yet been submitted. Prior to the final disposition of this case, the applicant must submit a plan for review by the Urban Design Section, as the Planning Board's designee, who will forward any further recommendations to the Zoning Hearing Examiner.

(k) **Site plan.**

- (1) **A Detailed Site Plan shall be approved for all attached dwellings, in accordance with Part 3, Division 9, of this Subtitle.**

Finding: In this instance, the special exception site plan takes precedence over any subsequent detailed site plan that would be filed. Therefore, the applicant must provide as much detail as deemed necessary in the course of this review process.

- (2) **In addition to the requirements of Part 3, Division 9, the Detailed Site Plan shall include:**

- (A) **An identification of two (2) or more dwelling units (at different locations within the proposed development) which have the potential to be made accessible through barrier-free design construction (in accordance with Section 4-180 of Subtitle 4 of this Code), given such site characteristics and design criteria as proposed grading, topography, elevation, walkways, and parking locations; and**

- (B) **The type and location of required streetlights.**

Finding: No dwelling units have been identified as a barrier-free design as required by this subsection. The lighting schedule on the site plan indicates that the street lights will be High Pressure Sodium, Metal Halide Post-top Area Lights, but does not show their locations. The site plan should be revised to show the locations of both the potential barrier-free units and the street lights.

- (3) **In addition to the site design guidelines of Section 27-283, the Planning Board shall also consider the orientation and identification of dwelling units with respect to topography and other site characteristics, so that a variety of potential housing opportunities is provided throughout the proposed development for barrier-free design construction.**

Finding: Although the applicant has not identified potential barrier-free units, it should be noted that each of the units will have a garage and most will have ground-level entrances.

- I. Parking Regulations: The applicant must provide 2.04 off-street parking spaces for each townhouse. The site plan shows these spaces, through a combination of driveways, garages and two small parking pads, which contain the required parking spaces for the handicapped.
- J. Landscape Manual Requirements: According to the Urban Design Section (M-NCPPC), the submitted landscape plan conforms to the requirements of the *Landscape Manual*. However, as discussed later in this report, there were conditions attached to the Preliminary Plan of Subdivision case for this site that will require additional treatments in order to screen the site from the convenience store to the south and west.
- K. Other Issues: When the Planning Board approved the Preliminary Plan for this site, it was subject to 13 conditions. According to a referral reply by the Subdivision Section (M-NCPPC), some of these conditions apply to this special exception review:

■On February 15, 2001, the Planning Board adopted PGCPB Resolution No. 01-20 for Preliminary Plan 4-00046 for the subject property. That resolution contains 13 conditions. The following is a discussion of the conditions that are applicable at this time. Please note that the preliminary plan has not received signature approval to date, nor has a final plat of subdivision been submitted.

■**Condition 2** requires adequate recreational facilities be provided in accordance with the *Parks and Recreational Facilities Guidelines*.•

Comment: The applicant is proposing on-site recreation in the form of a sitting area, a gazebo and a tot-lot. Each is screened by landscaping. Of the three amenities, only one (the tot-lot) is visible from the rear of a single unit. The Department of Parks and Recreation (M-NCPPC) in their referral dated September 17, 2001, makes no comments on the proposed amenities, finding the development will have no impact on existing or future parkland. The Urban Design Section (M-NCPPC) note that they worked closely with the applicant during the Preliminary Plan of Subdivision on many aspects of the design, including open space. They find the proposal to be acceptable.

■**Condition 4** requires that at the time of review of the special exception a determination will be made by the Environmental Planning Section as to the adequacy of appropriate noise mitigation measures in compliance with state standards of 65dBA (ldn) exterior and 45dBA (ldn) interior.•

Comment: The Environmental Planning Section (M-NCPPC) in their referral dated October 2, 2002, states that noise is not a major consideration due to the footprint locations and orientation of the habitable structures.

■**Condition 5** requires that development of the site be in conformance with the approved stormwater management plan.●

Comment: The development shown is in conformance with the approved stormwater management plan.

■**Condition 7** requires the approval of a TCPII at the time of approval of the special exception.●

Comment: The applicant has submitted information in an attempt to obtain a TCPII approval. At this point, it has not been approved. Prior to the final disposition of this case, the applicant shall obtain TCPII approval.

■**Condition 8** requires that the timing for the abandonment of the WSSC Storm Drain right-of-way affecting Lots 26 through 37 shall be determined at the time of the special exception.●

Comment: The abandonment of the WSSC right-of-way must take place prior to the final disposition of this case.

■**Condition 9.b.** requires that the preliminary plan be revised to delineate a 150-foot building setback from the center line of Harry S Truman Drive. The setback is established to assist in the mitigation of noise. The 150-foot building setback is delineated on the site plan. However, two buildings encroach into it and must be relocated.●

Comment: The site plan must be amended to show the units relocated behind the building setback line.

■Further, Finding 13 of the resolution sets forth the following four items that should be taken into consideration at the time of review of the special exception.

- a. Special attention should be paid to the buffering of the units adjacent to the commercial site located in the southwest corner of the development. Staff recommends that a six-foot-high fence (upgraded board-on-board with brick piers) be implemented on the perimeter of the commercial site. The landscaping should include a combination of evergreen, deciduous and ornamental trees, and shrubbery. Evergreen trees should be limited to 20 percent, no white pines should be allowed.
- b. All end units should have at least three architectural features, four-inch (4")-wide window trim and should be brick.
- c. The following lots should have appropriate landscaping to help mitigate views of the rears of the proposed townhouse units: Lots 19, 20, 42, 43, 53, 54, 61, 62, and 63.
- d. The understory of the existing woodland should be cleared 25 feet from the Limit of Disturbance, or property line, of all dense understory vines, and shrubs including

but not limited to, honeysuckle, brambles, poison ivy and wild roses. The woodland edge should be planted with appropriate landscaping materials such as redbuds, dogwoods, amelanchier and rhododendron.●

Comment: These items are included as conditions of approval.

- L. Zone Standards: Although the site is located in the R-30C Zone, the development must conform to the purposes and standards of the R-T Zone, as previously discussed.

(a) Purposes of the R-T Zone

- (1) The general purpose of the R-T Zone is to provide for attractive communities with a variety of dwelling types designed to efficiently utilize available land area, public utilities, and public facilities.**
- (2) The specific purposes of the R-T Zone are:**
 - (A) To provide the maximum possible amount of freedom in the grouping, layout, and design of townhouses and other attached dwellings;**
 - (B) To encourage variety in the design and mix of dwelling unit types, and in site design;**
 - (C) To protect or enhance (where feasible) important or distinguishing natural features of the site through innovative site layout and green area design;**
 - (D) To avoid the monotony of similarly designed or sited rows of attached dwellings commonly known as "row houses," by encouraging variety in the number of dwelling units per building group and the relationship between building groups and parking;**
 - (E) To provide the maximum possible amount of visible open space for the development;**
 - (F) To provide recreational and other community facilities which are normally associated with less dense zoning categories and are easily accessible to all residents;**
 - (G) To permit the greatest possible amount of freedom in the type of ownership of attached dwelling unit development;**
 - (H) To prevent detrimental effects on the use or development of adjacent properties and the neighborhood; and**
 - (I) To promote the health, safety, and welfare of the present and future inhabitants of the County.**

Finding: The proposed townhome development has been attractively designed in accordance with the design guidelines set forth in Section 27-274(a)(11) and Section 27-433. It will provide an attractive amenity to the county and will complement the surrounding townhouse developments. For a more detailed response to each of the purposes, see the applicant's Statement of Justification, attached.

M. Sign Regulations: Entrance features are shown on the site plan but are not detailed. Prior to the final disposition of this case, the entrance features shall be reviewed by the Planning Board or its designee, and any further recommendations forwarded to the Zoning Hearing Examiner.

N. 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.

Finding: The purposes of zoning are many and varied, but can generally be characterized as protecting the health, safety and welfare of the present and future citizens of the county by promoting beneficial land use relationships. The applicant's proposal will do so by providing an attractive townhouse community, compatible with the surrounding residential neighborhood.

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

Finding: With few exceptions, the proposal meets the requirements and regulations of the Zoning Ordinance. In those instances where it does not, minor conditions are recommended to ensure conformance.

(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.

Finding: The proposed use will not substantially impair the 1990 *Master Plan for Largo-Lottsford*, which recommends a Low-Urban Residential (8.0 to 11.9 dwellings per acre) density for the site. In fact, when the Master Plan was approved, townhouses were a use permitted by right in the R-30C Zone.

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

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

Finding: Special exception uses are those uses which are deemed compatible in the specific zone they are allowed, absent site-specific evidence to the contrary. In the subject case, impacts to adjacent properties and the health, safety and welfare of residents and workers in the area are not apparent. The applicant simply wishes to build townhouses on the property,

which is compatible with the predominant single-family attached and multifamily residential land uses along Harry S Truman Drive.

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

Finding: The proposed site plan is in accordance with the approved Tree Conservation Plan (TCPI/16/95-01) dated August 28, 2001. The applicant is seeking approval of a TCPII in accordance with Condition 7 of the approval in Preliminary Plan Application No. 4-00046.

CONCLUSION:

Staff recommends APPROVAL, subject to the following conditions:

1. The applicant shall submit revised site, landscaping and detail plans to the Urban Design Section at least 60 days prior to the Zoning Hearing Examiner's public hearing. Any resulting revised recommendations shall be sent to the Zoning Hearing Examiner prior to the hearing date. The revised plans shall show:
 - a. Elevations and details for the proposed dwelling unit types.
 - b. Details for any entrance features.
 - c. A six-foot-high fence (upgraded board-on-board with brick piers) shall be implemented on the perimeter of the commercial site. The landscaping shall include a combination of evergreen, deciduous and ornamental trees, and shrubbery. Evergreen trees shall be limited to 20 percent; no white pines shall be allowed.
 - d. All end units shall have at least three architectural features, four-inch-wide window trim, and shall be brick.
 - e. The following lots shall have appropriate landscaping to help mitigate views of the rears of the proposed townhouse units: Lots 19, 20, 42, 43, 53, 54, 61, 62, and 63.
 - f. The understory of the existing woodland shall be cleared 25 feet from the Limit of Disturbance, or property line, of all dense understory vines and shrubs, including but not limited to, honeysuckle, brambles, poison ivy and wild roses. The woodland edge shall be planted with appropriate landscaping materials such as redbuds, dogwoods, amelanchier and rhododendron.
 - g. The units on Lots 58 and 67 shall be relocated behind the 150-foot building setback line.
 - h. The locations of both the potential barrier-free units and the street lights shall be shown.
2. The abandonment of the WSSC right-of-way shall be resolved prior to the final disposition of this case.

3. The applicant shall obtain approval of a Type II Tree Conservation Plan prior to final disposition of this case.