



SPECIAL EXCEPTION APPLICATION NO. 4437

Application	General Data	
Project Name University Place at Cool Spring Location Northwest quadrant of the intersection of Adelphi Road and Cool Spring Road. Applicant/Address Scott Armiger Orchard Development Corp. 5032 Dorsey Hall Drive Ellicott City, MD 21042 Correspondent Jeff Winter Greenhorne & O'Mara 9001 Edmonston Road Greenbelt, Maryland 20770 301-982-2800	Date Accepted	09/20/01
	Planning Board Action Limit	N/A
	ZHE Hearing Date	Not Scheduled
	Plan Acreage	16.16±
	Zone	R-R & O-S
	Dwelling Units	193
	Square Footage	N/A
	Planning Area	66
	Council District	2
	Municipality	None
	200-Scale Base Map	210NE03

Purpose of Application	Notice Dates	
Apartment Housing for the Elderly or Physically Handicapped.	Adjoining Property Owners (CB-15-1998)	09/26/01
	Previous Parties of Record (CB-13-1997)	None
	Sign(s) Posted on Site	N/A
	Variance(s): Adjoining Property Owners	N/A

Staff Recommendation			Staff Reviewer: Tom Lockard
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

February 12, 2003

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. 4437**

REQUEST: **Apartment Building for the Elderly or Physically Handicapped**

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 property is located at the northwest quadrant of the intersection of Adelphi Road and Cool Spring Road. It comprises approximately 16.16 acres of land and is unimproved. The terrain is generally rolling, with several areas of steep slopes. Sections of 100-year floodplain (2.35± acres) nearly bisect the property from east to west; they are tributaries to the Northwest Branch. The property has frontage on both Adelphi Road and Cool Spring Road, with one access point shown to each. The applicant has included a small section of property that is separated from the remainder by Cool Spring Road. This property is in the O-S Zone, which does not permit the proposed use. It must be removed from the application.

- B. **Development Data:**

	Existing	Proposed
Acreage	16.16	16.16
Zone	R-R	R-R
Use	Vacant	Apartment housing for the elderly or physically handicapped
Dwelling Units	0	193 MFD
Lot Coverage	0%	25%
Green Area	100%	75%
Parking Spaces	N/A	242
Loading Spaces	N/A	1
Main Buildings	N/A	1
Maximum Building Height	N/A	65 feet

- C. **History:** The property was retained in the R-R and O-S Zones in the 1990 *Sectional Map Amendment for Langley Park-College Park-Greenbelt*.
- D. **Master Plan Recommendation:** The 1989 *Master Plan for Langley Park-College Park-Greenbelt* recommends the subject property for single-family residential uses at “Suburban” densities of 2.7–3.5 units per acre. The plan further recommends the site be developed in a Comprehensive Design Zone in order to protect the environmentally sensitive areas of the site.
- E. **Request:** The applicant proposes to construct a four-story, 65-foot-high, 193-unit apartment building for the elderly and physically handicapped. The proposal also includes the construction of 242 parking spaces, 82 of which will be garage spaces in the building.
- F. **Neighborhood and Surrounding Uses:** The site is surrounded by the following uses:

North: Single-family residences in the R-80 and R-R Zones.

East: Across Adelphi Road is the University of Maryland Golf Course in the R-R Zone.

South: Single-family residences in the R-80 Zone.

West: Undeveloped parkland in the O-S Zone.

The neighborhood is defined by the following boundaries:

North: Metzerott Road

East: Adelphi Road

South: University Boulevard

West: Riggs Road

The surrounding neighborhood is generally residential in nature, with large areas of the neighborhood remaining undeveloped and wooded. The Northwest Branch Stream Valley Park and the Adelphi Community Park make up a significant portion of the area. Commercial uses are found along University Boulevard.

G. Specific Special Exception Requirements: Pursuant to Section 27-337(b), apartment housing and related facilities for elderly or physically handicapped families may be permitted within a building other than a surplus public school building, subject to the following:

- (1) The owner of the property shall record among the Land Records of Prince George's County a Declaration of Covenants which establishes that the premises will be solely occupied by elderly or handicapped families for a fixed term of not less than 20 years. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission;**

The applicant's statement of justification indicates that covenants will be recorded in accordance with this requirement.

(2) In the R-R, R-80 and R-55 Zones, the following shall apply:

- (A) The requirements of paragraphs (1), (2), (3), and (4) of Subsection (a) shall be met.**
 - (a-1) In addition to the requirements of Section 27-296(c), the site plan shall show the density, and the type and total number of dwelling units proposed.**
 - (a-2) The District Council shall find that the subject property is suitable for the type of development proposed, and is of sufficient size to properly accommodate the proposed number of dwelling units.**
 - (a-3) Recreational and social amenities for the residents may be provided, if shown on the site plan and approved by the District Council.**
 - (a-4) The height, lot coverage, density, frontage, yard and green area requirements, including restrictions on the location and height of accessory buildings, as specified for the zone in which the use is proposed, shall not apply to uses or structures provided for in this**

section. The dimensions, percentages, and density shown on the approved site plan shall constitute the regulations for development under a given Special Exception.

The proposed site plan shows a 193-unit, 65-foot-high apartment building on the 13.61 acres of net tract area (16.16 acres less 0.2 acres previously dedicated and 2.35 acres in floodplain) with a density of 14.38 apartment units per net acre. The site plan shows two U-shaped wings connected by a central building. The submitted elevations show the building to be similar architecturally to many of the buildings found on the nearby college campus. The actual developed area is approximately seven acres, with the remainder in forest conservation. On-site stormwater management is proposed via two bio-retention ponds near the front of the building.

The site is generally suitable for the type of housing and density proposed. The site plan shows outdoor recreation in the form of three courtyards:

1. A “Gazebo Courtyard” at the left front of the building with a gazebo, benches and active recreation in the form of a bocce court and horseshoes. It is connected by a sidewalk to:
2. A “Garden Courtyard” at the right front of the building with benches, a trellis and a garden area, and
3. A “Lawn Courtyard” at the rear of the building with benches and views to the woods and stream valley beyond.

The submitted floor plan shows a mix of one- and two-bedroom apartment units. The statement of justification lists additional social and recreational amenities to be provided within the building. They include an exercise room, lounge, library, computer room, craft/hobby room, and beauty parlor. The applicant also leaves open the possibility of additional amenities depending on the wishes of the residents once the building is occupied.

(B) The District Council shall find that the proposed use:

- (i) **Will serve the needs of the retirement-aged community or physically handicapped families.**
- (ii) **Will not adversely affect the character of the surrounding residential community. The District Council shall consider the lot size, height of the building, lot coverage of all buildings on the property, setbacks from surrounding properties, street frontage, and sufficiency of green area when determining the proposed development's effect on surrounding residential communities.**

This proposal meets the needs of the retirement-aged community or physically handicapped families, as follows:

1. **Housing:** The applicant is proposing housing for the elderly, and though not specifically marketing to physically handicapped families, some of the units will be

designed in accordance with ADA requirements. All will be wheelchair accessible. The four-story building will have elevators, ensuring a full range of accessible units. The retirement-aged community seeks out housing as they age that allows them to remain active without the necessary maintenance that a house and yard entails. This is the type of housing being proposed by the applicant. Both one- and two-bedroom units are proposed to accommodate a wide variety of family situations and housing needs.

2. **Accessibility to Goods and Services:** Undoubtedly, some of the incoming occupants are going to have cars, but not all. Some will need to rely on others to provide transportation. This is usually accomplished through ride sharing and through linkages to public transportation. The site plan shows a proposed bus shelter along Adelphi Road. In addition, the applicant points to the proximity of the University of Maryland, which offers many services not only to their students but also to the community at large.
3. **Social Interaction:** The applicant is proposing a mixture of both indoor and outdoor recreation activities designed to foster interaction amongst residents.
4. **Security:** The applicant has not specified through what means security of the building and the site will be ensured. Prior to the public hearing, the applicant should submit a document outlining security measures to be employed.

In addition, the proposed use will not adversely affect the character of the surrounding residential community. As indicated in the statement of justification, the site plan provides for the integration of a modestly sized building and supporting structures into an ample site with the protection of forests, slopes, floodplain, adequate green space (75 percent), and sufficient building setbacks.

Section 27-337(c) specifies:

For the purposes of this section, the term "elderly or physically handicapped family" means a family in which the head of the family, or his dependent, is at least sixty-two (62) years of age or is physically handicapped. A person shall be considered physically handicapped if he has a physical impairment which:

- (1) Is expected to be of continued and indefinite duration;**
- (2) Substantially impedes the ability to live independently; and**
- (3) Is of a nature that the ability could be improved by more suitable housing conditions.**

At least one member of each household will be at least 62 years of age. The applicant proposes some of the units to be designed to accommodate persons in wheelchairs with lowered counters, specifically designed appliances and accessible bathrooms.

- H. **Parking Regulations: Section 27-568 of the Zoning Ordinance requires .66 parking space per dwelling unit.**

A total of 127 parking spaces are required (193 units x .66=127 spaces). According to the parking schedule and drawing on the proposed site plan, a total of 242 parking spaces are provided, 82 of which are proposed for a parking garage.

The applicant is proposing to provide 242 parking spaces, including seven handicapped spaces, two of which are van accessible. This seems too few for a use of this type and magnitude. However, the 20 percent requirement for nursing or medical-related buildings seems excessive. Because the applicant has such a large surplus of parking spaces, staff recommends that the site plan be revised to show 12 handicapped parking spaces, three of which shall be van accessible.

I. **Loading Requirements: Section 27-582 of the Zoning Ordinance requires one loading space for every 100 to 300 multifamily dwellings.**

The site plan shows one loading space.

J. **Landscape Manual Requirements:** The applicant's revised landscape plan meets the requirements of the *Landscape Manual*.

K. **Sign Regulations:** The site plan shows two entrance features at the site. They are shown to be 15-square-foot signs flanked by brick piers topped with carriage lamps. The base of the signs are landscaped. Each meets the setback and size criteria for permanent real estate identification signs.

L. **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 fundamental purposes of the Zoning Ordinance, as found in **Section 27-102**, are to protect the health, safety and welfare of the public and promote compatible relationships between the various types of land uses. Review of the applicant's site plan for conformance with the requirements of the Ordinance indicates no major conflicts with the fundamental purposes of this Subtitle.

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

The subject property is located in the R-R Zone, which permits the proposed special exception. With the recommended conditions, the proposed use conforms to all applicable requirements and regulations of this Subtitle.

(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 Master Plan, the General Plan.**

The proposed use will not result in the substantial impairment of the 1989 *Master Plan for Langley Park-College Park-Greenbelt*, which recommends the subject property for single-family residential uses at "Suburban" densities of 2.7–3.5 units per acre. The plan recommends this property be developed comprehensively in order to protect environmentally

sensitive areas. The applicant's site plan shows a well planned and sited development kept well away from the floodplain. Approximately 75 percent of the site is to remain in green area.

The master plan is silent on providing apartment housing for the elderly. However, a stated goal in the 1989 Master Plan is that a broad range of housing types and designs should be provided to meet the needs of different household ages, sizes and income levels.

- (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.**

There are extensive barriers, natural and manmade, in the form of topography, landscaping and building setbacks between the nearest residential properties and the proposed use. So long as environmental regulations are properly followed, and with the recommended conditions, the proposed use will not adversely affect the health, safety or welfare of residents or workers in the area. Nor is there any indication that the proposed development would be detrimental to the use or development of adjacent properties or the general neighborhood.

The property contains streams, stream buffers and 100-year floodplain. The Environmental Planning Section has indicated that these features should be protected and recommends that prior to the issuance of any permits that may impact wetland buffers, streams, waters of the United States or the State of Maryland, the applicant shall provide the Natural Resources Division of the Prince George's County Planning Board evidence that all federal and state approvals have been obtained.

The planned limited interchange for Adelphi Road and University Boulevard may impact this site. While the applicant has made provisions to ensure that structural development is kept out of the possible interchange, there may be a future impact to some of the parking spaces closest to Adelphi Road. The Transportation Planning Section has offered the following comments:

“The submitted site plan shows one major access point along Adelphi Road, an existing arterial facility, and another access point along the existing Cool Spring Road, a residential roadway. Since the proposed access connection to Cool Spring Road is within the Maryland State Highway Administration proposed right-of-way for the planned interchange at MD 193 and Adelphi Road, staff suggests that this access point be eliminated. However, additional access points along Cool Spring Road may be provided if the applicant can demonstrate it has secured adequate frontage or easement rights along the roadway to the west of the proposed driveway. It is important to note that due to the close proximity of the proposed site access onto Adelphi Road to the signalized intersection of Adelphi Road and MD 193, this site access is likely to be limited to right-in/right-out.”

At this time, the State Highway Administration has not initiated any project planning study for the interchange. Review of the master plan proposed configuration suggests that a total of 60± parking spaces may be impacted by the necessary right-of-way. These parking

spaces are part of a large surplus (115 spaces) being provided by the applicant. In accordance with **Section 27-259**, the applicant must receive permission from the District Council to place any structural improvement on land within a proposed right-of-way. The applicant should delineate the parking spaces within the proposed right-of-way and note that they will need to be eliminated if and when the area is needed by the SHA.

With regard to traffic and transportation issues, due to the nature of the use, it is unlikely that the proposed building would generate a level of traffic that would raise concern for congestion on the streets. The closest major intersection (Adelphi Road and MD 193) operates at an acceptable level of service. This would not change as a result of the development's new trip generation (30 and 46 peak-hour trips in the AM and PM peak hours, respectively.)

The Prince George's Plaza Metro Station is located at the intersection of Adelphi Road and East-West Highway, less than two miles south of the subject site. Both the Washington Metropolitan Area Transit Authority (WMATA) and the county's transit buses travel along Adelphi Road and University Boulevard. The proposal does not mention the provision of transportation services to the residents; however, a bus shelter is proposed for residents along Adelphi Road.

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

The Environmental Planning Section recommends the applicant's submitted Type I Tree Conservation Plan (TCPI/29/01) for approval.

CONCLUSION

Based on the preceding analysis and findings, it is recommended that Special Exception 4463 be **APPROVED**, subject to the following conditions:

1. In conjunction with the Zoning Examiner's hearing on this application, the site/landscape plan shall be revised to show:
 - a. The applicant shall provide 12 parking spaces for the handicapped, three of which shall be van accessible.
 - b. The proposed access driveway to Cool Spring Road shall either be eliminated or relocated outside of the planned right-of-way, or permission granted by the District Council to build in the planned right-of-way pursuant to **Section 27-259**.
 - c. The applicant shall delineate the parking spaces within the proposed right-of-way for the Adelphi Road/MD 193 interchange and note that they will be removed when the area is acquired by the State Highway Administration for roadway improvements.
2. Prior to the issuance of any permits that may impact wetland buffers, streams, waters of the United States or the State of Maryland, the applicant shall provide the Natural Resources Division of the Prince George's County Planning Board evidence that all federal and state approvals have been obtained.

3. Prior to or at the Zoning Hearing Examiner's hearing, the applicant shall submit a document outlining security measures to be employed in conjunction with the proposed development.
4. Prior to any building permit being issued for any proposed development impacted by the planned interchange, the applicant shall receive permission to build in the right-of-way from the District Council pursuant to the requirements of **Section 27-259**.
5. The application shall be amended to remove that portion of the site classified in the O-S Zone.