



## SPECIAL EXCEPTION APPLICATION NO. 4463

Application	General Data
<b>Project Name:</b> Saint Paul Senior Living  <b>Location</b> On the west side of Addison Road opposite the intersection with Ronald Road, known as 1207 Addison Road  <b>Applicant/Address</b> St. Paul Senior Living II Limited Partnership 5817 Allentown Way Temple Hills, Maryland 20748  <b>Correspondent</b> Russ W. Shipley Shipley & Horne, P.A. 1101 Mercantile Lane, Suite 240 Largo, MD 20774	Date Accepted 4/10/02
	Planning Board Action Limit N/A
	Tax Map & Grid 073 C-3
	ZHE Hearing Date 9/18/02
	Plan Acreage 9.26
	Zone R-R
	Dwelling Units 223
	Square Footage N/A
	Planning Area 75A
	Council District 7
	Municipality N/A
	200-Scale Base Map 202SE6

Purpose of Application	Notice Dates
Apartment Housing for Elderly or Physically Handicapped Families.	Adjoining Property Owners (CB-15-1998) 4/11/02
	Previous Parties of Record (CB-13-1997) 8/05/02
	Sign(s) Posted on Site N/A
	Variance(s): Adjoining Property Owners N/A

Staff Recommendation			Staff Reviewer: Elsabet Tefaye
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION

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August 16, 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: Elsabett Tesfaye, Senior Planner

SUBJECT: **Special Exception Application No. 4463**

REQUEST: **Apartment Housing for the Elderly**

RECOMMENDATION: **APPROVAL with conditions**

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**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.

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**FINDINGS:**

- A. Location and Field Inspection: The property is located on the west side of Addison Road opposite the intersection with Ronald Road, known as 1207 Addison Road. It comprises approximately 9.27 acres of land and is improved with a 150-unit, four-story, 43-foot-high apartment building for the

elderly. Sections of 100-year floodplain (1.47 acres) occur along the western and northwestern boundaries, draining into Cabin Branch stream. The eastern portion of the property contains a stormwater management system comprised of three storm drain inlets and a stormwater management pond. The property has approximately 685.86 feet of frontage on Addison Road, from which it is accessed.

B. Development Data:

	Existing	Proposed
Acreage	9.26	9.26
Zone	R-R	R-R
Use	Apartment housing for the elderly or physically handicapped	Apartment housing for the elderly or physically handicapped
Dwelling Units	150 MFD	223 MFD
Lot Coverage	32%	42%
Green Area	68%	58%
Parking Spaces	124	160
Loading Spaces	2	3
Main Buildings	1	2
Maximum Building Height	43 feet	46 feet

- C. History: The property was retained in the R-R Zone in the approved 1986 Sectional Map Amendment for Suitland-District Heights and Vicinity. Special Exception No.4338 was approved on June 17, 1999, to permit the construction of a 150-unit apartment housing for elderly.
- D. Master Plan Recommendation: The 1985 *Approved Master Plan for Suitland-District Heights and Vicinity*, which included the subject property in a potential M-X-T area, recommends the subject property for mixed-use development including single-family residential, office, commercial and industrial components.
- E. Request: The applicant proposes to construct a four-story, 46-foot-high, 73-unit apartment addition for the elderly and physically handicapped. The proposal also includes the construction of 36 parking spaces. The proposal is an addition to an existing 150-unit apartment development, containing 124 parking spaces, approved as Special Exception No. 4338. The new building will be constructed at the rear portion of the property behind the existing building.
- F. Neighborhood and Surrounding Uses: The neighborhood is generally defined by the following boundaries:

North: Central Avenue (MD 214)

East: Addison Road  
South Walker Mill Road  
West: Rollins Avenue

The immediate neighborhood is characterized by residential uses and large unimproved parcels of land. The subject property abuts vacant parcels of land to the north (R-R Zone), west and south (I-1 Zone). Residential developments are located across Addison Road, including the Addison Arms apartments (northeast in the R-18 Zone), the Addison Station townhouse area (east in the R-T Zone), and single-family residential dwellings along Pine Grove Road (southeast in the R-55 Zone). The Walker Mill Plaza shopping center is located further to the southeast (C-S-C Zone).

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 related to the existing Special Exception (SE-4338) are recorded in accordance with this requirement. The applicant needs to demonstrate that the covenants have been appropriately revised to include the current project.

(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 73-unit (46 one-bedroom units and 27 two-bedroom units), 46-foot-high apartment building. The existing 43-foot-high, four-story apartment building contains 150 units (136 one-bedroom units and 14 two-bedroom units). With the construction of the proposed project there will be a total of 223 apartment units on the 7.8 acres of land (9.27 acres less 1.47 acres in floodplain) with a density of 28.60 apartment units per acre. The density calculation shown as 32.35 units per acre under General Notes No. 6 should be corrected to read as 28.60 units per acre

The site is generally suitable for the type of housing and density proposed. However, the recreational and social amenities proposed in conjunction with the expansion of this use are limited. The plans do provide for a ■residential garden area.● However, this facility appears to be resident-dependent, which may very well meet some of the desires of future residents of the facility. However, community gardens have their drawbacks because they require a substantial amount of volunteer organizing and commitment. Only those residents who have a special interest in gardening and have the physical capabilities to do the work will participate.

The original terrace is proposed to remain, but the character of that space will be changed dramatically with the construction of the addition. The space will be converted from an outdoor patio with views into a natural woodland into an enclosed hard scape plaza with the only view into a primarily asphalt drop-off area. This type of space may provide for a desirable outdoor space and a needed one; however, there appears to be ample room for another outdoor patio/terrace at the rear of the new addition. The Urban Design Section recommends that a additional 5,000-square-foot outdoor patio/terrace with landscaping and seating elements, with and without tables, be added at the apex of the two wings of the addition at the rear of the building. The plans should be reviewed and approved by the Planning Board's designee.

Also, there is no indication if the building contains amenities such as an activity room, exercise room, party room, beauty/barber shop, reading room, library, computer room, etc. It is not known if the building contains a dining room and/or a kitchen. The applicant should provide details at the public hearing on the complete amenity package proposed with this development.

**(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.**

The applicant's statement of justification indicates that approval of the subject application will provide needed elderly housing and help alleviate a countywide shortage of the same. The applicant has cited the fact that the existing 150-unit facility is currently operating at a 100 percent capacity. However, the applicant has not provided specific current data to demonstrate the level of need in the area where the subject property is located or throughout the county in general.

Although an increase in the retirement-age population of the county is a well-founded and documented fact, the need for the proposed use in the area where it would be located should be demonstrated with supporting documentation. Specific information such as the number of elderly apartments or other similar facilities that are presently available (including the existing facility) or planned in the area (for example, within a five-mile radius) should be provided to establish that the retirement-age community would benefit from the proposed use at this location.

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 proportional integration of a modestly sized building and supporting structures into an ample site with the protection of forests, slopes, floodplain, adequate green space (58 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.**

A revised statement of justification submitted on August 2, 2002, indicates that the applicant is in complete agreement with these criteria.

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

A total of 148 parking spaces are required (223 units x .66=147.18=148 spaces). According to the parking schedule and drawing on the proposed site plan, a total of 160 parking spaces are provided. The typical parking dimensions for all parking space sizes must be shown on the site plan, and the parking schedule must be revised to reflect the correct number of parking spaces required and provided.

**Section 4.1.2 (5)(d)(ii) of the ADA Accessibility Guidelines (ADAAG) for Building and Facilities requires that for elderly living facilities, twenty percent of the total number of spaces on site must be designed for the physically handicapped.**

**The recently revised Maryland accessibility Code requires that one out of every four parking spaces for the physically handicapped shall be designated as a van-accessible space and shall be served by an access aisle with a minimum width of 96 inches.**

Approximately 32 handicap parking spaces, of which eight must be van accessible, are required for the proposed facility. The proposal provides 33 handicap spaces and four van-accessible spaces. The site plan must be revised to provide at least 32 handicap parking spaces, including eight van-accessible spaces.

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

There are two existing loading spaces on the property. Therefore, no additional loading space is required. However the proposed site plan provides for a total of three loading spaces.

- J. Landscape Manual Requirements: The proposed landscape plan meets most of the requirements. However, the plan should be modified to demonstrate conformance to Section 4.1, Residential Requirements of the *Landscape Manual*.

- K. Sign Regulations: The site plan shows an existing sign on the front portion of the property at the entrance to the facility. No detail is provided; however, the sign location meets the 10-foot-setback requirement.

- 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 *1985 Approved Master Plan for Suitland, District Heights and Vicinity*. The plan recommends this property for mixed use, including service and office-commercial, industrial and single-family residential.

The master plan is silent on providing apartment housing for the elderly. Although, a stated guideline in the 1985 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 which 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 property is bordered, to the west and south, by a large, abandoned industrial property which was formerly a sand and gravel operation in the I-1 Zone. This portion of the property which is shaped as a right-angle triangle contains floodplain and a portion of it is designated as a woodland conservation area. Therefore, the south and the west side of the building is adequately buffered from the potential noise and visual intrusion from future activities in the abutting industrially zoned area. The northern portion of the property borders a residentially zoned, large parcel of land and contains an existing stormdrain facility with varying topography and vegetation. As such, this area also provides a natural barrier from potential visual and noise intrusion from which both the subject property and the adjoining residentially zoned property will benefit.

However, the planned improvement of Addison Road, which is intended to expand to a four-to six-lane arterial, may adversely affect the proposed building with an increased level of noise. Preventive methods should be employed in the design and construction of the proposed building to minimize the potential impact of noise from Addison Road. The applicant's statement does not address this issue. Special Exception 4338 was approved with the condition that prior to the issuance of building permits, the applicant shall demonstrate that noise related impacts are within the State acceptable noise standard of 65



dBA (Ldn) exterior and 45 dBA (Ldn) interior for residential land use. The Environmental Planning Section recommends that this condition should also apply to the subject proposal.

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. Addison Road, from which the property is accessed, is a two-lane undivided county facility. The master plan recommends that Addison Road between Walker Mill Road and MD 214 be improved to an arterial facility with a 120-foot right-of-way. The Transportation Section indicates that the currently approved Department of Public Works and Transportation Capital Improvement Program (FY 2002-2007) includes a funded work program (CIP ID No. FD 666601) to reconstruct Addison Road as a modified arterial roadway from Walker Mill Road to MD214.

The Addison Metro Station is located on the southeast corner of the intersection of Addison Road and Central Avenue (MD 214), approximately one mile north of the subject site. Both the Washington Metropolitan Area Transit Authority (WMATA) and the county's transit buses travel along Addison Road. The proposal does not mention the provision of transportation services to the residents. The existing bus stop on the west side of Addison Road and adjacent to the subject site is improved with a shelter, but the bus stop located on the other side of Addison Road does not have a shelter. There are no sidewalks along this portion of Addison Road.

The Transportation Planning Section has offered the following comments:

The closest major intersection to the subject site is the signalized intersection of Addison Road and Ronald Road. This intersection and the site's access point with Addison Road are currently operating adequately and will continue to operate adequately with the additional traffic that would be generated by the proposed development. Staff, however, is concerned with the lack of the sidewalk along Addison Road from the site access road to the existing bus shelter located on the west side of Addison Road and to the existing crosswalk at Ronald Road. Further, provision of a bus shelter at the existing bus stop on the east side of Addison Road would provide the needed protection and convenience to current and future residents and visitors that would need to use public transit. It should be mentioned that the planned and funded reconstruction of Addison Road would further improve traffic operation along Addison Road and other major intersections along this roadway, including the Central Avenue and Walker Mill Road intersections.

The Transportation Planning Section concludes that the proposed uses will not adversely affect the traffic operation of existing and planned transportation facilities in the area, if the following improvements are provided:

- Prior to issuance of any building permit, the applicant shall provide for the installation of a bus shelter per WMATA and/or the Prince George's County Department of Public Works and Transportation for the bus stop along northbound Addison Road in the vicinity of the subject site and next to the Ronald Road intersection.

- Prior to issuance of any building permit, and if deemed necessary by the Prince George's County Department of Public Works and Transportation, the applicant shall provide for the installation of a continuous sidewalk along Addison Road, southbound direction, from the intersection with Ronald Road to the site access driveway, per the Prince George's County Department of Public Works and Transportation standards.

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

The Environmental Planning Section has offered the following comments:

The Tree Conservation Plan submitted with this application has been reviewed and found to address the requirements of the Prince George's County Woodland Conservation Ordinance. The plan as submitted would generally meet the requirements for a Type II Tree Conservation Plan but is being reviewed as a Type I Tree Conservation Plan to meet the ordinance requirements. This 9.27- acre property with a net tract area of 7.80 acres has a 20 percent Woodland Conservation Threshold that has been reduced to 15.7 percent because the area of existing woodland is less than 20 percent. The total requirement of 1.86 acres is being satisfied by a combination of on-site preservation, on-site reforestation, off-site mitigation, and fee-in-lieu. TCPI/18/02 is recommended for approval in conjunction with SE-4463.

**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 include:
  - a. One out of every four handicap parking spaces shall be van accessible and the parking schedule shall be revised to indicate the correct number of required and provided parking spaces.
  - b. The typical parking dimensions for all parking space sizes shall be shown on the site plan.
  - c. Demonstration of conformance to Section 4.1, Residential Requirements of the *Landscape Manual*.
  - d. A 5,000-square-foot outdoor patio/terrace with landscaping and seating elements, with and without tables, added at the apex of the two wings of the addition, at rear of the building.
  - e. The density calculation shown as 32.35 units per acre under General Notes No. 6 shall be corrected to read as 28.60 units per acre.
2. The applicant shall submit the following information into the record of this case:

- a. Floor plans and design features of the interior of the building to indicate that all of the necessary elements are incorporated to ensure safety, security and comfort of the residents and guests.
  - b. Typical size, type and features of individual apartment units.
  - c. A description of the complete amenities package proposed with this development.
  - d. Color renderings, architectural drawings of building elevations and cross sections to demonstrate architectural compatibility with surrounding uses.
  - e. Evidence of need for the proposed use in the subject area.
3. Prior to the issuance of any permits which 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.
4. Prior to the issuance of building permits, the applicant shall demonstrate that noise-related impacts are within the state-acceptable noise standard of 65 dBA (Ldn) exterior and 45 dBA (Ldn) interior for residential land use.
5. Prior to the approval of the special exception, the applicant shall provide documentary evidence to the satisfaction of the Hearing Examiner that the covenants required by Section 27-337(b) of the Zoning Ordinance have been revised as necessary to include all 223 units, and that they have been recorded.
6. Prior to issuance of any building permit, the applicant shall provide for the installation of a bus shelter per WMATA and/or the Prince George's County Department of Public Works and Transportation for the bus stop along northbound Addison Road in the vicinity of the subject site and next to the Ronald Road intersection.
7. Prior to issuance of any building permit, and if deemed necessary by the Prince George's County Department of Public Works and Transportation, the applicant, shall provide for a continuous sidewalk along Addison Road, southbound direction, from its intersection with Ronald Road to the site access driveway, per the Prince George's County Department of Public Works and Transportation standards.