



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

# Special Exception Application

## Departure from Design Standards

**SE-4543**  
**DDS-569**

<b>Application</b>		<b>General Data</b>	
<b>Project Name:</b> Alta Vista (Formerly Huntington Ridge)  <b>Location:</b> Southwest corner of Laurel Bowie Road and Race Track Road, known as 8501 Laurel Bowie Road.  <b>Applicant/Address:</b> Stanley Arucio Robinson 8501 Laurel-Bowie Road Bowie, Maryland 20715		Date Accepted:	9/14/05
		Planning Board Action Limit:	N/A
		Plan Acreage:	7.01
		Zone:	R-R
		Dwelling Units:	106
		Square Footage: Community Building	1,500
		Planning Area:	71A
		Tier:	Developing
		Council District:	04
		Municipality:	Bowie
200-Scale Base Map:		211NE12	
<b>Purpose of Application</b>		<b>Notice Dates</b>	
Apartment Housing for the Elderly and Physically Handicapped Families and  Departure from Parking Design Standards Requiring Connection to Public Streets to Allow Tandem Parking		Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003)	6/17/05
		Sign(s) Posted on Site and Notice of Hearing Mailed:	6/19/06
<b>Staff Recommendation</b>		<b>Staff Reviewer: Reggie Baxter</b>	
<b>APPROVAL</b>	<b>APPROVAL WITH CONDITIONS</b>	<b>DISAPPROVAL</b>	<b>DISCUSSION</b>
	X (SE-4543)	X (DDS-569)	

July 5, 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: Reggie Baxter, Planning Coordinator

SUBJECT: **Special Exception Application No. 4543**  
**Departure from Design Standards No. 569**

REQUEST: **Apartment Housing for the Elderly and Physically Handicapped**  
**Departure from Parking Design Standards to Allow Tandem Parking Spaces**

RECOMMENDATION: **APPROVAL with conditions of SE-4543**  
**DENIAL of DDS-569**

---

NOTE:

The Planning Board has scheduled these applications for a public hearing on the agenda date indicated at the top of the cover sheet. 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 subject property is a 7.01-acre parcel with an existing single-family dwelling, located in the southwest quadrant of the intersection formed by Laurel Bowie Road (MD197) and Race Track Road. The property has approximately 570 feet of frontage along Race Track Road (north); 850 feet of frontage along MD197 (east); 270 feet of frontage along Normal School Road (west); and 470 feet of frontage along the terminating segment of Old Laurel-Bowie Road (west). Access to the site is currently via Old Laurel-Bowie Road. Approximately 75 percent of the site is wooded. Severe slopes occur along a small stream that separates the majority of the site from MD 197. A portion of the property within a 200-foot strip parallel to Old Laurel-Bowie Road is within the municipal boundary of the City of Bowie.

**B. Development Data Summary:**

Zone(s) Use(s)	EXISTING R-R	PROPOSED R-R
	One single-family dwelling	Condominium apartments for the elderly
Acreage	7.01	7.01
Lots	N/A	1
Parcels	2	0
Square Footage/GFA	0	1,500 square feet (community building)
Dwelling Units:		
Attached		0
Detached	1	0
Multifamily	0	106 condominiums

**C. Other Development Data:**

The development is proposed to include four separate apartment-condominium buildings with elevators. Three buildings are three to four stories in height (70 feet); two of which will contain 32 units and one containing 16 units. One three/four story split building (62-foot height) will contain 26 units. Half of the 106 apartment units will contain two bedrooms, with the remaining half containing three bedrooms. One community building containing 1,500 square feet (40-foot height) is proposed. There are six detached garage structures containing five garage units each.

Overall site density is 15.12 dwellings per acre. Proposed buildings will cover approximately 19 percent of the site (1.30 acres). Parking and driveway areas will cover another 29 percent (2.04 acres). The site requires 76 parking spaces but the applicant proposes a total of 186 parking spaces composed of the following:

- 30 spaces within six detached garage structures.
- 50 indoor garage spaces beneath condominium units.
- 57 parking lot spaces, including four handicapped spaces and one van space.
- 43 additional outside tandem parking spaces located behind all but seven of the indoor garage parking spaces beneath units.

**D. History:** The 2006 approved Bowie and vicinity master plan retained the R-R Zone for the site. There are no other known zoning actions for this property.

**E. Master Plan Recommendation:**

2002 General Plan: This property is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate- density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable.

Master Plan: The 2006 *Approved Bowie and Vicinity Master Plan and Sectional Map Amendment* recommends suburban residential development. The master plan contains specific recommendations pertaining to the location of senior housing as discussed in Section Q (3) of this report.

**F. Request:** The applicant requests this special exception, pursuant to Sections 27-317 and 27-337 of the Zoning Ordinance, to allow construction of 106-multifamily condominium units for the elderly and an ancillary community activities building as summarized in Section B above. The applicant proposes four buildings to be clustered in the northern portion of the property and a community center located south of the complex entrance overlooking sensitive environmental areas and forestland. A Type I Tree Conservation Plan (TCPI/41/05) has been submitted for concurrent review with the requested special exception.

A companion DDS-569 requires a departure from Section 27-551(a)(2)(D) in order to design a parking lot in the manner proposed by the applicant. Specifically, the applicant proposes to provide 43 tandem exterior parking spaces located behind indoor garage parking spaces. These 43 tandem spaces are in addition to the minimum 76 parking spaces required and provided. The departure is necessary because Section 27-551(e) only allows tandem parking solely for, and on the same lot with, one-family dwellings. Also, Section 27-563 requires that all driveways, except those used in conjunction with one-family dwellings, be at least 11 feet wide. Tandem parking occurs when one space is directly behind the other. The site plan designates these spaces with a 'T' (Exhibit 1).

The applicant is also proposing to make several off-site improvements on an adjacent parcel (Parcel 137) and within the right-of-way of Normal School Road that will enhance the subject property as well as the neighborhood. Specifically a roundabout is proposed to accommodate site-generated traffic and to improve traffic safety in the vicinity of the intersection of Normal School Road and Race Track Road on Parcel 137. Exhibit 2 shows the proposed roundabout. Also, the applicant proposes vacating Normal School Road, between Race Track Road and Old Laurel Bowie Road as shown on Exhibit 2. Landscaping of this area will be installed to complement the development on the subject property and the roundabout improvement. Although these off-site improvements are not part of the special exception or departure requests, the inability to implement these improvements will require disapproval of the applicant's proposal.

**G. Neighborhood and Surrounding Uses:** The neighborhood boundary is defined as follows:

North—Amtrak railroad tracks and Jericho Park Road.

East—Race Track Road.

South—wooded undeveloped parcel (formerly part of this application) followed by the WB&A trail.

West—PEPCO high-tension transmission lines.

The neighborhood contains scattered single-family dwellings in the R-A Zone to the north and northwest along Race Track Road and Normal School Road. Undeveloped Bowie State University property in the O-S Zone is east of MD 197, along the north side of Race Track Road. A few single-family dwellings in the R-A Zone are near the intersection of Jericho Park and Race Track Roads.

East of MD197 and south of Race Track Road, extending to the WB&A Trail, the neighborhood is generally wooded and undeveloped in the R-A Zone. Woodland exists north of the WB&A trail, with a few single-family dwellings near the trail crossing of MD 197. A few single-family dwellings to the west of Old Laurel-Bowie Road are in the R-R Zone. One single-family dwelling in the R-A Zone is to the west, in the small triangle formed by Race Track Road, Normal School Road and Old Laurel-Bowie Road. The applicant proposes to use this parcel to build the traffic roundabout.

#### **H. Specific Special Exception Requirements:**

**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 twenty (20) years.**

**Staff Comment:** The applicant proposes new condominium mid-rise buildings to house elderly residents. The applicant indicates covenants will be recorded as required by Subsection (b)(1). For the purposes of Section 27-337, the term “elderly family” was amended by CB-75-2005 in conformance with age restriction definitions contained within the Federal Fair Housing Act. Unlike the prior definition in the Zoning Ordinance, where elderly family meant a family head at least 62 years old, the age restrictions in the Fair Housing Act now allow this type of housing for persons age 55 and over. Physically handicapped is defined in part as a family in which the head of the family, or his dependent, is physically handicapped.”

**Section 27-337(b)(4): 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), above, shall be met. These requirements follow:**

- (4)(a)(1) In addition to the requirements of Section 27-296(c), the site plan shall show the density, type and total number of dwelling units proposed;**

**Staff Comment:** The site plan indicates a proposed density of 15.12 dwellings per acre and four multifamily condominium buildings. Two buildings will contain 32 units each, a third will contain 26 units, and the fourth will contain 16 units, for a total of 106 units.

**(4)(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;**

**Staff Comment:** This seven-acre site is sufficiently large to accommodate all proposed buildings, required and additional parking, and other site amenities described in Section C above. No variances are required. The Subdivision Section (October 10, 2005, memorandum) indicates that a preliminary plan of subdivision will be required because more than 5,000 square feet of gross floor area is proposed. It is noted that the 2006 Bowie and vicinity master plan contains several guidelines regarding suitable locations for senior housing. The Community Planning Division staff (June 1, 2006, memorandum) has determined that the requested special exception and site plan conform to the master plan recommendation for residential use of the property. They find conformance with all but two master plan guidelines, discussed in Section G below. If the departure to allow tandem spaces were denied, this would not create a deficiency in the minimum number of required parking spaces.

**(4)(a)(3) Recreational and social amenities for the residents may be provided, if shown on the site plan and approved by the District Council; and**

**Staff Comment:** The site plan proposes a 1,500-square-foot community building and covered patio area located south of the community entrance and overlooking a stormwater management pond and sensitive environmental features. The building measures 30 by 50 feet in size and is intended for recreational and social amenities for residents. The site plan indicates on-site recreational amenities include the community center, with a meeting room and a gathering space, walking trails, and treed lawn areas. In response to staff and City of Bowie staff comments, the applicant has proposed the following uses and activities that must be listed and described on the site plan.

- Walking paths throughout the community
- Central green with gazebo, sitting area and garden that will include native plants
- Community center to include a fitness room, catering kitchen, multipurpose meeting room, great room and wrap-around porch, and
- BBQ area and horseshoe pits.

In addition, the master plan recommends the following trail facilities along the subject property (November 29, 2005, Transportation Planning Section memorandum). Conditions related to the provision of these trails are contained in the Conclusion section of this staff report.

- Laurel-Bowie Road (MD 197) is a Class III bikeway and the State Highway Administration (SHA) has designated MD 197 as a bikeway with pavement markings, paved shoulders, and signage. Staff recommends provision of one “Share the Road with a Bike” sign along the frontage, unless declined by SHA.
- Race Track Road is designated as a bicycle/pedestrian corridor. The master plan recommends a continuous pedestrian connection into Old Town Bowie, the Huntington South Park, Huntington Community Center, and the Bowie Railroad Museum. “Due to the nature of the proposed use (Senior Housing) and proximity to Old Town Bowie, staff recommends the provision of a standard sidewalk along the property’s Race Track Road

frontage, unless modified by the Department of Public Works and Transportation (DPW&T).” This sidewalk will tie into future sidewalk improvements along the 11<sup>th</sup> Street corridor by either the SHA or City of Bowie.

- A detailed analysis of the sites internal sidewalk network will be completed during review of the CDP.

**(4)(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.**

**Staff Comment:** The site plan shows compliance with the criteria listed, including height of structures, density (15.12 dwellings per acre); site coverage (48 percent); road frontage; dimensions for parking, loading and driveway areas; and green area (50 percent). In response to staff comments, the site plan was revised to show building setbacks, height of accessory buildings, and distance between buildings. The applicant has not yet designed the community entrance sign or determined the specific architectural building materials to be used on all four sides of each building. Therefore, conditions are recommended in the Conclusion section of this report to address these deficiencies.

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

- (i) Will serve the needs of elderly families or physically handicapped families; and**
- (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.**

**Staff Comment:** The Information Center staff has reviewed the applicant’s market study dated August 8, 2005, “Market Survey for the Proposed Alta Vista Condominium Units in Bowie, Prince George’s County, Maryland” that evaluates the location, buyer profile, market demand, and the competitive environment. Staff evaluation of the study finds agreement with the conclusion that there is sufficient market demand for the proposed facility at this location. However, staff notes that some of the study data and resulting assumptions lacked appropriate source citation and justification.

Briefly, the applicant’s study finds that the location of condominiums at the site will “...appeal to the age 55 and older...market demand appears sufficient within Prince George’s County stemming eight miles from the site” and beyond. Three competing condominium sites in the county (Victoria Falls in Laurel, Cameron Grove in Largo, and Signature Club at Regent Park near MD 202 and the Beltway) are identified with a combined 674 condominium units either occupied or under construction. The study finds that sell out will occur by early 2007 or sooner, indicating much demand with sales of three or four units per month. The study also assessed townhouse and detached homes in these developments, including competing sites in Anne Arundel County.

Staff finds that the request will not adversely affect the character of the surrounding residential community. The Community Planning staff (June 1, 2006, memorandum) finds that the request is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and that it conforms to residential use recommendations of the 2006 master plan. However, they point out that not all senior housing guidelines in the 2006 master plan are addressed.

Staff finds no evidence to suggest that lot size, building height, lot coverage, setbacks, street frontage, or the amount of green area provided will have detrimental effects on surrounding residential communities. The proposal is compatible with the land use recommendations of the master plan and does not require variances or departures from design standards related to insufficient lot size. In summary, staff finds that the request, with recommended conditions, conforms to Section 27-337.

## I. Parking Regulations

**Section 27-568—Schedule of Required Spaces:** The following table shows the parking requirements for elderly or physically handicapped housing. The specific type and number of parking spaces are described in Section C above.

Proposed Use	Parking Requirement	Spaces Required	Spaces Proposed
106 dwellings for the elderly	0.66 space/dwelling unit; 5 handicapped parking spaces for 101-150 required parking spaces	70	180
Community building	1.0 space/250 feet for first 2,000 square feet of office/meeting space	6	6

The Permit Review Section staff indicate that the site plan must show parking requirements for each use proposed for the community center meeting room.

## J. Departure from Parking Design Standards

The companion DDS Application No. 569 requests a departure from Section 27-563. This section requires every parking lot to be connected to a street via means of a driveway at least 11 feet wide, except those provided for, and on the same lot with, a one-family dwelling. The departure is requested in order to utilize tandem parking for this multifamily development and because the exterior tandem space blocks the interior garage space from directly connecting to the street. In addition, a few of the tandem spaces are less than 11 feet wide as measured from the site plan.

Section 27 551(e) only permits tandem parking when the spaces are provided solely for, and on the same lot with, one-family dwellings. Because this is a multifamily development, a departure is also required from this section. The site plan shows 50 interior garage spaces beneath multifamily units, 43 of which have an exterior tandem space located directly to the rear. The tandem space will be sold to residents desiring to purchase the additional parking space for their garage unit and will not be available for public use. The 43 tandem spaces are in addition to all required parking.

**Section 27-239.01(a):** This section authorizes the Planning Board to approve departures from the parking design standards.



**Section 27-239.01 (7)(A):** In order for the Planning Board to grant the departure, it shall make the following findings:

- (i) **The purposes of this Subtitle will be equally well or better served. The purposes of parking design standards in Section 27-550 are:**
  - (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;**
  - (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;**
  - (3) **To protect the residential character of residential areas; and**
  - (4) **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

**Applicant's Comment:** The applicant believes that the addition of 43 tandem spaces more than doubles the amount of parking required and is more than sufficient to accommodate all persons associated with the buildings and uses proposed. The number of total spaces together with one access to the property will not require the use of public streets for parking and will not "in any way impair the residential character of this residential area, but will serve to enhance the parking availability..." Moreover, the applicant believes the tandem spaces would provide convenience and increase amenities for residents.

**Staff Comment:** Staff agrees that the requested departures further the above purposes because the additional tandem spaces are in addition to required parking and will allow unit owners convenient on-site parking options without the need to reduce green area by providing additional parking elsewhere on the site. Unit owners will use their garage and driveway for parking while freeing-up other available parking for guests and community center use. This should eliminate the need for parking outside of the subject property.

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

**Staff Comment:** Staff agrees with the applicant that departures are needed to allow tandem parking for the convenience of condominium owners. However, we note that the site plan provides all required parking (76 spaces) and that the 43 tandem spaces are additional. Therefore, unlike typical departures that request less parking than required, this application requires the departures to allow tandem spaces in addition to required parking and to allow a few tandem spaces less than 11 feet wide. In considering that the departures are the only way to provide tandem parking, staff views the request as the minimum necessary to accommodate the applicant's specific circumstances.

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

**Staff Comment:** Staff finds that the departures are not necessary to alleviate circumstances that are unique to this site. The applicant merely wishes to provide tandem spaces solely as an amenity to residents desiring to have additional parking. The fact that tandem parking spaces are proposed to serve this senior citizen condominium project is not unique from the standpoint of site size, shape, location, or topography. In essence, the only unique aspect of the request is that the departures are the only means by which the applicant can build and market multifamily condominiums to residents desiring to purchase the extra tandem space.

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

**Staff Comment:** Staff finds that the departures will not impair the visual, functional, or environmental quality or integrity of the site. It is true that tandem parking spaces on the driveway behind a unit owners' garage will reduce on-street parking needs and will help provide additional parking without reducing site green area. With site perimeter landscaping and additional landscaping (proposed in the vacated right-of-way for Normal School Road), the on-site tandem parking should not have any impacts on the adjacent neighborhood.

In terms of functional relationships of the departure with the site or surrounding neighborhood, the State Highway Administration (SHA) indicates no objection to the departure request (May 18, 2006, memorandum). However, regarding site access, SHA indicates they are currently reviewing the proposed roundabout and alternatives as part of the special exception review process. The Transportation Planning Section has no objection to the requested departure (May 26, 2006, memorandum).

**K. Landscape Manual Requirements:** The proposed landscape plan conforms to pertinent requirements in the Landscape Manual.

**L. Zone Standards:**

**Section 27-441(b)** permits apartment housing for the elderly or handicapped families in a building other than a surplus public school building (with provision for increased density and reduced lot size in Multifamily Zones) by special exception in the R-55 Zone.

**Section 27-337(4)(a)(4)** exempts elderly housing projects from the height, lot coverage, density, frontage, yard, and green area requirements, including restrictions on the location and height of accessory buildings, normally required of development in the R-R Zone. Rather, the dimensions, percentages, and density shown on the approved site plan shall constitute the regulations for development under a given Special Exception. The site plan and cover sheet provide this information.

**M. Sign Regulations:** The site plan shows an entrance sign for the development for which final designs have not yet been developed. The applicant must locate the sign as shown on the site plan or a revision of site plan will be required.

**N. Environmental Issues:**  
The Environmental Planning Section (June 16, 2006, memorandum) provides the following background information:

- The site is 67 percent wooded

- Two regulated features exist (streams and wetlands, with associated steep slopes (15 percent–25 percent grade) and severe slopes (greater than 25 percent grade)
- Sassafra Gravelly Sandy Loamy soil has development constraints associated with it. This soil type has steep slopes (15percent–25 percent in grade) that impact the locations of building foundations
- Marlboro clay is not present
- No rare, threatened, or endangered species occur in the vicinity
- Traffic noise impacts from MD 197 are anticipated
- No scenic or historic roads exist in the vicinity
- No Green Infrastructure Plan (GI Plan) network features exist on-site.

The following comments relate to the property's environmental issues:

1. There are no GI Plan network features at this site. However, with two regulated environmental features at the site (streams and wetland), the staff applies GI Plan goals to a site on a case-by-case basis. High priority woodlands have been identified on this site in the natural resources inventory (NRI)/forest stand delineation (FSD) as discussed in Item 4 below. To implement the GI Plan, the preservation of high priority woodlands on steep and severe slopes adjacent to regulated features is a goal in the Plan and a priority in the review of the Tree Conservation Plan (TCPI). It appears the current TCPI has been revised so most of the high priority woodlands in Stand 2 (all of which is located on severe slopes and some is located on steep slopes) will be retained on-site as preservation to count toward the site's woodland conservation requirement, thus implementing a goal of the GI Plan at this site. Therefore, no further revisions to the TCPI regarding the GI Plan are required.
2. In the initial plan submittal a NRI/detailed FSD was included that was prepared in July 2005. A total of three forest stands were identified at the site when Parcel 140 was part of the overall gross tract area at that time.

The NRI/FSD in the initial submittal was previously reviewed and revisions were required. In the October 2005 memo from the Environmental Planning Section for the initial review of the TCPI, several options were discussed regarding the renaming and submittal of an NRI or FSD. On June 2, 2006, an NRI was submitted to the Environmental Planning Section; however, it did not contain all the required information in order to be accepted for review. Therefore, at this writing, the current TCPI has not been reviewed in relation to a signed NRI for analysis and comparative purposes regarding the correct delineation of regulated features associated with the site. Because the site must undergo review of a preliminary plan of subdivision, further revisions to the TCPI may be required during the preliminary plan review. Therefore at the time of preliminary plan of subdivision review, the TCPI may require further revisions in relation to a signed NRI.

3. There are streams, wetlands, and areas of steep and severe slopes associated with the Horsepen Branch watershed in the Patuxent River basin located on-site. These regulated

features comprise the Patuxent River Primary Management Area (PMA), except in this instance because steep slopes are not associated with highly erodible soils. The current TCPI appears to show proposed impacts to the PMA for the site's infrastructure. Proposed PMA impacts are reviewed with a preliminary plan of subdivision. Thus, the applicant must include a letter of justification with the preliminary plan submittal to describe each proposed PMA impact. Therefore, prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

4. This site is subject to the provisions of the Woodland Conservation Ordinance because Parcel 176 is larger than 40,000 square feet, there are more than 10,000 square feet of existing woodlands on-site and more than 5,000 square feet of clearing is proposed. The woodland conservation worksheet indicates the site contains 7.01 acres in the gross tract area. The site has a Woodland Conservation Threshold (WCT) of 20 percent or 1.40 acres and a woodland conservation requirement of 2.56 acres, based on the current limit of disturbance. The plan proposes to meet the requirement with 1.07 acres of on-site woodland preservation and 1.49 acres of off-site mitigation on another property.

The current TCPI worksheet proposes slightly more off-site mitigation than on-site preservation (0.42 acres more off-site than on-site). Based on the proposed reduction of the overall site's gross tract area, less clearing will result. There are three forest stands (Stands 1–3) identified in the initial NRI/FSD. Stand 2 contained 5.49 acres when Parcel 140 was part of the overall gross tract area. Stand 2 is the largest in area compared to Stands 1 and 3 (Stand 1 contains 1.65 acres and Stand 3 contains 0.24 acres). Most of Stand 2 is associated with Parcel 140. Stand 2 has a high priority retention rating because it exhibits desirable tree qualities, contains several environmentally sensitive areas and is located in the southern part of the site in vicinity of a stream, wetlands, steep and severe slopes. All of Stand 3 is located on Parcel 140 that is no longer a part of the gross tract area.

The current TCPI has been reviewed and several further revisions are required. The legend and plan contain a symbol for the "proposed tree line." Remove reference to this symbol in the legend and on the plan because the proposed limits of disturbance (LOD) are sufficient in this regard. Since Parcel 140 is no longer a part of the site's gross tract area, the Specimen Tree Table should be updated to exclude reference to Specimen Tree 65 because this tree is on Parcel 140. Two notes on the current TCPI refer to areas annexed into the City of Bowie. These notes are not appropriate on a TCP and should be removed along with the boundary line identified in relation to these areas. Previously the TCPI had a total of four sheets, one of which showed the full extent of proposed off-site impacts on Parcel 140. The current TCPI does not include this sheet in the plan set. This former sheet should be part of the TCPI to show the proposed LOD in relation to the off-site impact area. Revision boxes on the current TCPI do not include information from the first revision since a memo was made available in October 2005. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it. Therefore, prior to approval of the special exception, conditions are recommended to require that the TCPI shall be revised to make the above changes.

5. MD 197 is an existing arterial road. Noise impacts from MD 197 are anticipated in relation to outdoor activity and indoor areas. No information regarding noise impacts or a Phase I Noise Study has been submitted. The unmitigated 65-dBA Ldn noise contour is shown on the current TCPI; however, it is not shown as being measured from the

centerline of the road. Previously, the noise model in the Environmental Planning Section indicated the approximate location of the unmitigated noise contour at 247 feet from the centerline of MD 197. Therefore, the applicant shall either show the unmitigated 65-dBA Ldn noise contour as measured from the centerline of the road based on the noise model, or submit a Phase I Noise Study and show the location of the unmitigated noise contour on the TCPI as a result of the study.

6. No information regarding the site's Stormwater Management Concept Plan has been submitted other than reference to what appears to be a Department of Environmental Resources (DER) case number in TCPI note 6. The Stormwater Management Concept Plan case number is: 32617-2005-00. However, the TCPI and the site plan show what appears to be a proposed stormwater management pond in the southern portion of the site. The proposed pond facility is not labeled on the TCPI for its intended use. In addition, there are two notes on the current plan referring to areas of the site that have undergone annexation into the City of Bowie. Stormwater Management Concept Plan approval information is a required submittal with the preliminary plan of subdivision. If the site has undergone annexation and is within the city's review authority, a copy of the approved concept plan and concept stormwater management plan approval letter issued by the city must be submitted with a preliminary plan for review in relation to the TCPI and proposed woodland conservation treatment areas intended to count toward the site's requirement. This plan review comparison is necessary to ensure there are no conflicts on either plan where woodland treatment areas and stormwater management facilities are proposed in relation to each other.

For procedural purposes in this instance, the site's TCPI shall be further reviewed at the time of preliminary plan of subdivision in relation to the approved stormwater management concept plan. Therefore at the time of submittal of the preliminary plan application, include a copy of the concept stormwater management plan approval letter and the approved concept stormwater management plan from the appropriate local government.

7. The Departure to Design Standards, DDS-569, is a zoning-based request for tandem parking spaces to be associated with the sale of certain garage units. This application has no bearing on the site's TCPI and environmental-related considerations and; therefore, the Environmental Planning Section has no comment.

**O. Transportation Issues**—The Transportation Planning Section offers the following comments in response to the applicant's September 19, 2005, traffic study and proposed off-site improvements (June 16, 2006, memorandum):

The subject property is located within the 2002 General Plan's Developing Tier which requires that the request be evaluated according to the following service area standards:

- “• Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections subject to meeting the geographical criteria in the guidelines.
- “• Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In

response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly traffic controls) if deemed warranted by the appropriate operating agency.”

“Trip generation rates were based on the ‘Guidelines for the Analysis of the Traffic Impact of Development Proposals.’

“The vehicle trips generated by the proposed use on the subject property would impact several intersections, including MD 197/Race Track Road, Old Laurel-Bowie Road/11<sup>th</sup> Street/Race Track Road, Old Laurel-Bowie Road/Normal School Road, and Race Track Road/Normal School Road. The intersection of MD 197/Race Track Road is signalized. The other intersections are unsignalized.

“According to the traffic study, the MD 197/Race Track Road intersection currently operates at LOS A in the AM peak hour, and at LOS B in the PM peak hour. All of the unsignalized intersections in the study area are operating with delays of less than 50 seconds during the AM and PM peak hours, an acceptable operating condition. With background development added the signalized intersection of MD 197/Race Track Road operates at LOS B in the AM peak hour and LOS B in the PM peak hour. The unsignalized intersections continue to operate with delays less than 50 seconds. With site trips added, the MD 197/Race Track Road operates at LOS B in the AM peak hour and LOS C in the PM peak hour, well within the threshold for signalized intersections according to the ‘Guidelines for the Analysis of the Traffic Impact of Development Proposals.’ The three unsignalized intersections continue to operate with delays less than 50 seconds, again within allowable limits according to the Guidelines.

“Staff field checked the intersections within the study area during the PM peak hour. The intersection of Race Track Road/Normal School Road, although little used, is situated on a slight hill. At this intersection, left-turning traffic from Normal School Road faces high-speed eastbound traffic on MD 564. There is also no bypass lane for westbound traffic along Race Track Road at Normal School Road. At the intersection of Old Laurel-Bowie Road/11<sup>th</sup> Street/Race Track Road westbound left turns are nearly impossible to make unless the motorist uses a dirt service road, which was observed in the field.

“The applicant has proposed a roundabout on Race Track Road at Old Laurel-Bowie Road to address speed and safety concerns [Exhibit 5 shows the roundabout concept]. The roundabout would be constructed off-site to the west of Normal School Road to facilitate traffic flows and turning movements at the study area intersections. The State Highway Administration (SHA) has reviewed the roundabout concept and agreed that it may reduce speeding in the area and address sight distance concerns along Race Track Road. SHA comments are attached.

“The submitted site plan has a note showing a ‘Proposed Closing and Abandonment of Portion of Normal School Road.’ This will have to be approved by DPW&T. Staff notes that a 12-foot wide emergency access drive with mountable curb and gates is shown approximately 125 feet north of the main entrance to the site.

“Race Track Road is listed in the Bowie and Vicinity Master Plan (2006) as a collector roadway. The dedication of 40 feet of right of way will be required along Race Track Road.

“The applicant is proposing 106 multifamily units. This will generate 55 AM peak-hour trips (11 in, 44 out) and 64 PM peak-hour trips (42 in, 22 out) based on local trip rates found in the ‘Guidelines for the Analysis of the Traffic Impact of Development Proposals.’

“Agency Comments—Comments have been received from the Prince George’s County Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) as mentioned above.

“DPW&T recommended that the applicant improve the frontage along Race Track Road and Normal School Road to include concrete curb and gutter, pavement widening, sidewalks, and storm drainage systems. DPW&T recommended that the proposed site entrance along Old Laurel-Bowie Road near Normal School Road be relocated due to a sight distance problem. They also recommended a site access study to determine the need for acceleration/deceleration and turning lanes on Normal School Road and Race Track Road. Right-of-way dedication along Old Laurel-Bowie Road and Normal School Road in accordance with DPW&T’s specifications and standards is required. These two roadways are not master plan roads.

“Master Plan Issues—The Bowie and vicinity master plan was adopted by the County Council (Resolution CR-11-2006) on February 7, 2006. Attachment A and Amendment 22 to CR-11-2006 contains language and design guidelines about senior citizen developments within the Developing Tier. Policy 4 (see pages 37-38) contains language regarding the development of high quality senior citizen housing. Strategy D states that ‘Development should have direct access to a collector road or greater to allow easy access for emergency medical services.’ Although this development does not have direct access to a collector roadway (Race Track Road) an adjacent roundabout will provide nearly direct access to Race Track Road, which is designated in the master plan as a collector roadway. The site access point onto Old Laurel-Bowie Road is approximately 350 feet from the proposed roundabout at Race Track Road/Old Laurel-Bowie Road. It is the opinion of transportation planning staff that Strategy D is met; access is provided 350 feet from a collector and does not traverse existing neighborhoods, allowing easy access for needed services. An emergency access drive is also being provided near Old Laurel-Bowie Road/Normal School Road intersection.

“Some of the other strategies included in the same policy require at least conceptual review. Strategy E states that senior housing developments should be served with a transit or shuttle bus connection to nearby centers. Strategies A and B also suggest the need for quality linkages between senior housing and local services. There is public transit service available at MD 197 and Race Track Road on weekdays and Saturdays. The nearest Bowie-bound stop is 600 feet from the center of this proposed development, although it should be noted that the corresponding outbound stop is another 500 to 600 feet across MD 197. Given the walking distance involved and the frequency of transit service (hourly), it is determined that the service minimally meets the requirements of the master plan.

“Transportation Findings and Recommendations—The Transportation Planning Section finds that the proposal would not pose unanticipated capacity or safety issues on adjacent roadways. In making this finding, the transportation staff concludes that, from a transportation standpoint, the special exception would not adversely affect the health, safety, or welfare of residents or workers in the area. This finding is subject to the following conditions:

1. “Race Track Road at Normal School Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- “a. Provide any necessary safety improvements at this intersection required by DPW&T and/or SHA. This may include road widening, turn lanes, additional signage, pavement markings, and a roundabout. The conceptual scope of these improvements must be provided at the time of preliminary plan review, and the responsible transportation agency must approve the improvements prior to detailed site plan approval.
- 2. “MD 564 (11<sup>th</sup> Street) at Race Track Road/Old Laurel-Bowie Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - “a. “Provide any necessary safety improvements at this intersection required by DPW&T and/or SHA. This may include road widening, turn lanes, additional signage, pavement markings, and a roundabout. The conceptual scope of these improvements must be provided at the time of preliminary plan review, and the responsible transportation agency must approve the improvements prior to detailed site plan approval.
- 3. “The dedication of forty feet from the master plan centerline of Race Track Road is required and should be noted on the final plat.
- 4. “The applicant shall conduct a site access study along Old Laurel-Bowie Road and Normal School Road to determine adequate sight distance and the need for acceleration/deceleration and turning lanes at the site entrance point. This may involve relocation of the proposed site entrance(s). Applicant will be responsible for any necessary physical improvements at this location including turn lanes, signage, and pavement markings. The results of this study shall be submitted for review of the responsible transportation agency with the preliminary plan of subdivision.”

We note that Anne Arundel County staff indicates in an October 4, 2005, letter that they found no adverse impact from the request on property in Anne Arundel County.

The SHA Landscape Operations Division indicates they reviewed the planting plans for the proposed improvements at MD 197 at Race Track Road and recommends granting permits because all plantings are shown to be off of SHA right-of-way (February 6, 2006, memorandum).

- P. Public Facilities**—The Public Facilities Planning Section (October 4, 2005, and May 6, 2006, memorandums regarding SE-4543 and DDS-569, respectively), indicate the following related to fire, rescue and police services:

**Fire/EMS and Rescue:** The existing fire engine and ambulance at Bowie Company 19, located at 13009 9<sup>th</sup> Street, has an acceptable service travel time to the property of 2.07 minutes. This is within the 3.25-minute travel time for fire engines and 4.25-minute travel time for ambulance. The subject site is within the required 7-minute response time for the first due station.

The existing paramedic and ladder truck at Glenn Dale Company 17, located at 11900 Glenn Dale Boulevard, are beyond the guidelines for travel time response. The paramedic service response time is 9.25 minutes, while the guideline is 7.25 minutes. The ladder truck has a service response time of 9.25 minutes, while the guideline is 4.25 minutes. Staff indicates that the property would



be within acceptable guidelines for ladder truck and paramedic service if an operational decision were made by the county to locate these services from Glenn Dale Company 18 to Bowie Company 19. Until such decisions are made, an automatic fire suppression system shall be provided in all new buildings proposed unless the County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

**Police Facilities:** The subject property is within the service area for Police District II-Bowie. The current test for police adequacy is based on a standard complement of officers. As of January 2, 2005, the county has 1,302 sworn officers and 43 student officers, for a total of 1,345 personnel, which is within the standard of 1,248 officers.

**Parks and Recreation:** The Park Planning Section of the Department of Parks and Recreation indicates no impact is expected to existing or future parkland (September 29, 2006 memorandum).

**Q. Special Exception Approval Criteria:**

**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.**

**Staff Comment:** The applicant's justification statement has addressed each of the varied 15 purposes as set forth in Section 27-102. The purposes can best be summarized as promoting the health, safety and welfare of county residents by providing for orderly growth and development, while promoting the most beneficial relationship between the uses of land and buildings, and while protecting landowners from adverse impacts of adjoining development. In this special exception application, the facts establish that, with recommended conditions, the proposed use is in conformance with the master plan and will satisfy a demonstrated need for senior housing. The applicant proposes off-site road improvements that will benefit not only the residents of the subject property, but other highway users as well. The adequacy of public facilities will be determined at the time of subdivision.

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

**Staff Comment:** With the conditions recommended in the Conclusion section of this report, the special exception request will be in conformance with applicable requirements and regulations. Section 27-337(a)(4) states in regard to apartment housing for the elderly, that: "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 and structures provided for in this section. The dimensions, percentages, and density shown on the approved site plan shall constitute the regulations for development under the Special Exception." Staff has determined that the proposed use, with conditions, can satisfy the Landscape Manual, Woodland Conservation regulations, and the master plan. At the request of the City of Bowie staff, the applicant will use native plant species where possible and has provided bio-retention plantings around the stormwater management pond.

**(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.**

**Applicant's Response:** After the master plan was approved in February 2006, the applicant provided a supplemental justification statement that addresses each of the master plan guidelines regarding senior housing. In addition, the applicant submitted a May 30, 2006, letter, in response to issues raised by the Community Planning Section, wherein they address Guidelines a–d. In summary, the applicant suggests the following:

- There is benefit to having senior housing located in more pastoral areas rather than entirely in urban/suburban centers
- The property is less than one and one-half miles from shopping and other services and within one-half mile from Old Bowie (Huntington)
- The site is large enough to provide amenities such as community building, outdoor sitting areas, landscaping, walking trails, interior parking and outdoor garages
- The property will have easy and safe vehicular access to MD 197 by virtue of the proposed off-site roundabout, including and a pedestrian trail connection to the bus stop adjacent to the site on MD 197.

**Staff Comment:** Staff finds that the proposed development is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and conforms to the land use recommendations in the 2006 Bowie and vicinity master plan. The Community Planning Division staff (June 1, 2006, memorandum) reviewed the request against Policy 4 in the master plan (page 38 in CR-11-2006) that lists the following strategies to guide provision of high quality senior housing:

1. Active senior citizen developments should be provided according to the following design guidelines. We note that the guidelines in Strategy 1 are repeated in strategy 2.
  - a. Development should be located to provide easy access to commercial and cultural centers of the Bowie and vicinity planning area.
  - b. Development should include linkages to shopping and services in the Bowie Regional Center or mixed-use activity centers.
  - c. Development should be of sufficient size to provide amenities, such as indoor parking or garages, gardens, plazas, swimming pools, or common eating areas.
  - d. Development should have direct access to a collector road or greater to allow easy access for emergency medical services.
  - e. Development should be served by public transit or shuttle buses to shopping and services in the Bowie Regional Center or mixed-use activity centers.
  - f. Prior to approval of new development, a market analysis should be conducted that evaluates and satisfactorily demonstrates the need for senior housing within one mile of a proposed site.
  - g. Development should occur at locations in accordance with the guidelines of the Bowie and vicinity master plan and/or at locations deemed appropriate by the District Council.

- h. Senior housing should be provided in locations proximate to existing residential communities.
- i. All such senior adult residential development should be subject to a detailed site plan review.
- j. All such active senior adult developments may be included in mixed-use activity centers and other appropriate locations.

Transportation staff finds that the site does not have direct access onto a collector road (Guideline d), but that the provision of the proposed roundabout meets the intent of Guideline d because the roundabout is approximately 350 feet from the entrance to the site. Also, Guideline g suggests senior housing is appropriate when it is located in accordance with all other master plan guidelines. Also, although the applicant submitted architectural elevations for all building sides, except the community center, they have not yet determined the type of building materials to be used. Therefore, the Urban Design Section (June 28, 2006, e-mail) recommends the following prior to final approval of the special exception application:

- Architectural elevation plans shall be revised to provide 80 percent of the facades as brick or stone with each end wall entirely brick or stone.
- The applicant shall submit architectural elevations for the community center for review by the Planning Board or its designee.

Although it can be debated that the instant request does not achieve literal compliance with all master plan guidelines, it must be remembered that the guidelines encourage, but do not mandate compliance. In this context, staff finds that the requested special exception will not substantially impair the integrity of the master plan. The District Council, first finding conformance with the land use recommendation of the master plan, may then determine that this special exception application seeks to further the master plan guidelines for the development of particular uses. Staff acknowledges that it is a fairly debatable issue as to whether the site is located so as to provide easy access to commercial and cultural centers (Guideline a), but also cannot produce evidence contrary to that provided by the applicant in their May 30, 2006, letter, other than the opinion of the City of Bowie (see Item 5 following).

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

**Staff Comment:** The proposed special exception use, with recommended conditions, will not have an adverse impact on the public health, safety or welfare of residents or workers in the area. The use will be developed in accordance with all applicable regulations. The installation of a fire suppression system, if determined appropriate, will alleviate negative impacts on fire and rescue services. Traffic safety should be improved with construction of the proposed roundabout and the provision of an emergency access driveway just north of the proposed site entrance to Old Laurel-Bowie Road. On-site parking has been increased to 186 spaces at the request of City of Bowie staff so as to accommodate resident, visitor, and community center parking needs. Provision of recreational and pedestrian amenities throughout the project and social activities at the community center should promote the overall welfare of residents. Exhibit 6 lists the recreation and community facilities proposed.

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

**Staff Comment:** The proposed special exception use will not be detrimental to the use or development of adjacent properties or the surrounding neighborhood. There is no evidence that suggests the proposed use will create detrimental impacts. A high quality and self-contained senior housing complex is proposed. With the recommended conditions regarding architecture, environmental conditions, landscaping, recreation amenities, and proposed off-site improvements for the roundabout and abandonment of and landscaping of the Normal School Road right-of-way, the development should be a positive addition to the general neighborhood.

Staff makes this finding after considering the June 6, 2006, letter from the City of Bowie that recommends denial of the special exception application. The Bowie City Council held a public hearing on June 5, 2006, where 13 residents testified in opposition to the special exception proposal. The city indicates the application does not meet the purposes of Section 27-102, including protecting the community from overcrowding of land and adverse traffic and environmental impacts and concludes that the "...proposed site is unequivocally inappropriate for this type of use." They cite deficiencies of the site plan, such as not including the parcel proposed for the off-site roundabout, insufficient information on the community center, landscaping, parking, architecture, and proposed amenities in light of the property's "...remote location and distance from existing activity centers and limited public transportation." As noted in Item 3 and 4 above, the applicant has submitted revised plans and justification to address issues raised by the Community Planning Section and the City of Bowie Planning staff, which, in the opinion of the technical staff, overcome the issues raised by the city.

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

Prior to approval of this special exception, a revised tree conservation plan must be approved as discussed above under Section M of this report.

**CONCLUSION:**

Based on the above analysis, staff recommends APPROVAL of Special Exception Application SE-4543 with conditions, and with respect to Departure from Design Standards Application DDS-569, staff recommends DENIAL because staff cannot find anything unique to the site that would support a positive finding relevant to Section 27-239.01(7)(A)(III). Therefore, staff recommends the following conditions of approval for the special exception request:

1. Prior to issuance of building permits, the owner of the property shall record among the Land Records of Prince George's County a Declaration of Covenants that requires the premises to be solely occupied by elderly or handicapped families for a fixed term of not less than 20 years, in accordance with Section 27-337. The covenants shall run to the benefit of The Maryland-National Capital Park and Planning Commission.
2. Prior to special exception approval, the site plan shall be revised to correctly show:
  - a. Parking requirements for each use proposed for the community center meeting room.
  - b. A revised parking schedule that eliminates the 43 proposed tandem parking spaces.

3. At the time of submittal of the preliminary plan application, the applicant shall include a copy of the concept stormwater management plan approval letter and the approved concept stormwater management plan from the appropriate local government. Also, the applicant is advised that at the time of preliminary plan of subdivision review, the Tree Conservation Plan (TCPI) may require further revisions in relation to a signed natural resources inventory (NRI).
4. Prior to the issuance of any permits that impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
5. Prior to special exception approval, the TCPI shall be revised as follows:
  - a. Remove reference to the 'proposed tree line' symbol in the legend and on the plan because the proposed limits of disturbance (LOD) is sufficient.
  - b. Update the Specimen Tree Table to exclude reference to Specimen Tree 65.
  - c. Remove the two notes on the plan that refer to areas that have been annexed into the City of Bowie and remove the boundary line identified in relation to this area.
  - d. Put the original sheet three back into the plan set to show the proposed off-site impacts on Parcel 140.
  - e. The revision boxes do not have summary information about the first revision since October 2005.
  - f. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.
  - g. Locate the unmitigated 65-dBA Ldn noise contour based on the noise model as measured from the centerline of the road, or submit a Phase I Noise Study and show on the TCPI the location of the unmitigated noise contour as a result of the study.
6. Prior to special exception approval the applicant shall:
  - a. Revise the Architectural Elevation Plans to provide 80 percent of the condominium facades as brick or stone with each end wall entirely brick or stone.
  - b. Submit architectural elevations for the community center and community entrance sign for review by the Planning Board or its designee.
7. Prior to the issuance of any building permits, the applicant shall demonstrate the following regarding road improvements at the intersection of Race Track Road at Normal School Road: (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency. The applicant shall provide any necessary safety improvements at this intersection required by DPW&T and/or SHA. This may include road widening, turn lanes, additional signage, pavement markings, and a roundabout. The conceptual scope of these improvements must be provided at the time of preliminary plan review, and the responsible transportation agency must approve the improvements prior to detailed site plan approval.

8. The applicant shall construct the proposed off-site roundabout, located west of Normal School Road on Parcel 137, if approved by the responsible transportation agencies prior to the issuance of the first use and occupancy permit for proposed uses on the subject property.
9. Prior to the issuance of any building permits, the applicant shall demonstrate the following regarding road improvements at the intersection of MD 564 (11<sup>th</sup> Street) at Race Track Road/Old Laurel-Bowie Road: (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency. The applicant shall provide any necessary safety improvements at this intersection required by DPW&T and/or SHA. This may include road widening, turn lanes, additional signage, pavement markings, and a roundabout. The conceptual scope of these improvements must be provided at the time of preliminary plan review, and the responsible transportation agency must approve the improvements prior to detailed site plan approval.
10. At the time of preliminary plan of subdivision submission, the applicant shall:
  - a. Dedicate 40 feet from the master plan centerline of Race Track Road. The final plat shall indicate this dedication.
  - b. Conduct and submit for review, to the responsible transportation agency, a site access study along Old Laurel-Bowie Road and Normal School Road to determine adequate sight distance and the need for acceleration/deceleration and turning lanes at the site entrance point. This may involve relocation of the proposed site entrance(s). Applicant will be responsible for any necessary physical improvements at this location including turn lanes, signage, and pavement markings.
  - c. Normal School Road, between its intersection with Laurel-Bowie Road and Race Track Road, shall be vacated by the applicant prior to the issuance of the first use and occupancy permit for the proposed use upon the subject property. Once vacated, the applicant shall landscape the former right-of-way for this road pursuant to a plan to be approved by the Planning Board or its designee.
11. The applicant shall provide the following as required by the DPW&T:
  - a. Pavement widening and base repair and resurfacing for the full width of Normal School Road, provided it is not abandoned, and the subject property's Race Track Road frontage. All improvements within the county right-of-way shall be in accordance with the County Road Ordinance, DPW&T's specifications and standards and the Americans with Disabilities Act.
  - b. All storm drainage systems and facilities are to be in accordance with DPW&T's and the Department of Environmental Resources' requirements.
  - c. A soils investigation report that includes subsurface exploration and geotechnical engineering evaluation for public streets shall be provided to DPW&T for review.
12. The applicant, and the applicant's heirs, successors, and/or assignees shall provide the following pedestrian facility improvements:

- a. Purchase and provide the installation of one “Share the Road with a Bike” sign along Laurel-Bowie Road (MD 197) in accordance with SHA design and safety requirements. A note shall be placed on the final record plat that installation will take place prior to the issuance of the first building permit. This condition shall be void if the SHA declines the sign placement.
  - b. Contribute \$210 to the Department of Public Works and Transportation for the placement of “Share the Road with a Bike” signage along Race Track Road. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit. If road frontage improvements are required by DPW&T, any road striping shall accommodate bicycle traffic.
  - c. Construct a standard sidewalk along the property’s entire Race Track Road frontage, unless modified by DPW&T.
13. A note shall be added to the site plan indicating that the following recreational and social amenities will be provided as shown on Exhibit 6:
- a. Walking paths throughout the community
  - b. Central green with gazebo, sitting area and garden that will include native plants
  - c. Community Center to include a fitness room, catering kitchen, multipurpose meeting room, great room and wrap-around porch
  - d. BBQ area and horseshoe pits.
14. The applicant shall provide an automatic fire suppression system in all new buildings proposed unless the County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.