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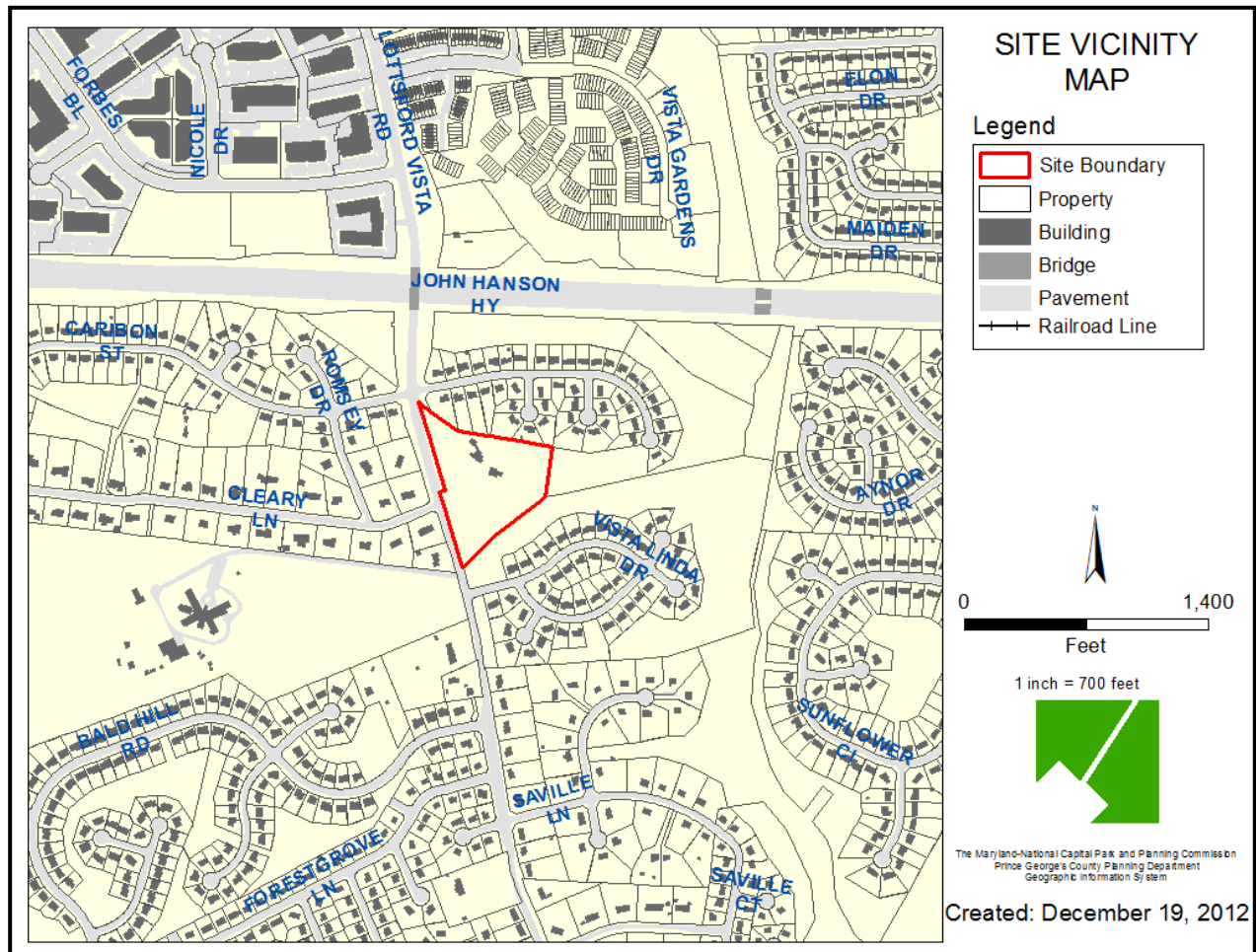
## Special Exception

## SE-4667

Application	General Data	
<b>Project Name:</b> Sycamore Hill  <b>Location:</b> On the eastern side of Lottsford Vista Road, between Vista Grande Drive and Vista Linda Drive, across from Cleary Lane.  <b>Applicant/Address:</b> Presidential Care, LLC by Stoddard Baptist Home, Inc. 1818 Newton Street NW Washington, DC 20010-1091  <b>Property Owner:</b> Presidential Care, LLC by Stoddard Baptist Home, Inc. 1818 Newton Street NW Washington, DC 20010-1091	Planning Board Hearing Date:	05/15/14
	Staff Report Date:	04/28/14
	Date Accepted:	02/21/14
	Planning Board Action Limit:	N/A
	Plan Acreage:	7.9053
	Zone:	R-R
	Gross Floor Area:	65,608 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	73
	Tier:	Developing
	Council District:	05
	Election District	13
	Municipality:	N/A
	200-Scale Base Map:	205NE09

Purpose of Application	Notice Dates	
Special exception for an adult day care center with an accessory assisted living facility.	Informational Mailing	12/23/09
	Acceptance Mailing:	07/26/10
	Sign Posting Deadline:	N/A

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> Taslima Alam <b>Phone Number:</b> 301-952-4976 <b>E-mail:</b> Taslima.alam@ppd.mncppc.org	
<b>APPROVAL</b>	<b>APPROVAL WITH CONDITIONS</b>	<b>DISAPPROVAL</b>	<b>DISCUSSION</b>
	X		



THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

**TECHNICAL STAFF REPORT**

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

VIA: Jimi Jones, Supervisor, Zoning Review Section, Development Review Division

FROM: Taslima Alam, Senior Planner, Zoning Review Section, Development Review Division

SUBJECT: **Special Exception Application No. SE-4667**

REQUEST: **Adult day care center with an accessory assisted living facility.**

RECOMMENDATION: **APPROVAL with conditions**

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NOTE:

The Planning Board has scheduled this application to be reviewed on the agenda date of May 15, 2014. 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 addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. 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 subject property, identified as 3911 Lottsford Vista Road, is comprised of 7.9 acres of land, and is located on the eastern side of Lottsford Vista Road, between Vista Grande Drive and Vista Linda Drive, across from Cleary Lane in the Rural Residential (R-R) Zone. The property is roughly trapezoidal in shape and is currently improved with an one-story vacant structure, formerly used as a congregate living facility for 12 elderly or physically-handicapped residents. There is a considerable amount of existing natural woodlands on the property along the northern and western portions of the property. The southern and eastern portions of the site abut parkland owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC). The property has frontage on Lottsford Vista Road, which is a designated historic scenic road and a master-planned collector roadway. Access to the property is via a 30-foot-wide two-lane driveway entrance from Lottsford Vista Road.

There are no streams, wetlands, or floodplain on the subject property; however, there is a primary management area along the southern portion of the property associated with an intermittent stream located on the adjacent property. The site drains to an unnamed tributary of Folly Branch in the Patuxent River basin. The property slopes approximately 50 feet from an elevation of 190 feet on the northwestern side to 140 feet along the southwestern property line. According to the Environmental Planning Section, there are no rare, threatened, or endangered species found on or adjacent to this site. The entire site is located within the designated network of the 2005 *Approved Countywide Green Infrastructure Plan* (Green Infrastructure Plan).

- B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-R	Unchanged
Use(s)	Vacant 12 person Congregate Living Facility	15-person adult day care and a 78-bed assisted living facility (15 double-occupant units and 48 single-occupant units )
Acreage	7.91	Unchanged
Lots	N/A	Unchanged
Parcels	1	Unchanged
Square Footage/GFA	6,378	65,608
Dwelling Units	1	63

- C. **History:**

1990— The subject property was rezoned from the Residential-Estate (R-E) Zone to the R-R Zone by the 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* (Largo-Lottsford Master Plan and SMA).

November 1997—Special Exception SE-4256 was approved by the District Council (Zoning Ordinance No. 7-2001) for a 160-child day care center, 40-person adult day care center, and a 72-person congregate living facility (12 of which was existing in the former dwelling unit) with the future expansion of four additional new buildings (6,381 square feet each), subject to 14 conditions. The child and adult day care centers were never implemented due to extensive site

disturbance, construction, and maintenance costs and inefficiencies associated with trying to develop the site with five detached buildings.

February 14, 2008—Preliminary Plan of Subdivision 4-07100 was submitted for a child care and adult day care facility for the site. This preliminary plan was withdrawn prior to the Prince George's County Planning Board hearing.

July 18, 2011—A Natural Resources Inventory, NRI -048-06, was approved for the site.

2013—The Planning Board approved Preliminary Plan of Subdivision 4-12020 and its associated Type I Tree Conservation Plan (TCP1-010-10) for a 15-person adult day care facility and a 63-unit (15 double-occupant units and 48 single-occupant units) assisted living facility subject to conditions. This approval also included granting a variance to Section 25-122(b)(1)(G) of the Woodland and Wildlife Habitat Conservation Ordinance for the removal of specimen trees. The conditions of approval can be found in PGCPB Resolution No. 13-82.

**D. Master Plan Recommendation:**

**General Plan:** The property is located in an area identified in the 2002 Prince George's County Approved General Plan Development Pattern policies for 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. This application is consistent with the General Plan's Development Pattern policies for the Developing Tier of low- to moderate-density residential development.

**Master Plan:** The subject property was rezoned from the R-E Zone to the R-R Zone by the 1990 Largo-Lottsford Master Plan and SMA. The application is in conformance with the land use recommendations of the SMA for residential uses and certain nonresidential uses permitted by special exception on the proposed development site. The SMA classified this property in the R-R Zone which permits a maximum of 2.17 dwelling units per net acre.

**Request:** The applicant is seeking approval of a special exception for a 15-occupant adult day care and a 63-unit (15 double-occupant units and 48 single-occupant units) assisted living facility, for a total of 78 residents, in the R-R Zone. The application proposes to demolish the existing 6,378-square-foot, vacant, one-story, congregate living facility and replace it with a 65,608-square-foot two-story building with 49 parking spaces and one loading space to accommodate both uses. A stormwater management pond is also proposed along the southern portion of the site abutting Lottsford Vista Road for water quality and quantity purposes. In addition, a six-foot-wide concrete walk and other recreational amenities are also proposed on the site to provide fun activities for the future residents.

According to the provisions of the Zoning Ordinance, both the adult day care and assisted living facilities are permitted by special exception in the R-R Zone. However, pursuant to Section 27-441(b)(2), Table of Uses (Footnote 77), assisted living facilities are allowed to have up to 75 dwelling units "only if adjoining and operated by the same organization as an adult day care use, approved by Special Exception. All assisted living facilities standards and requirements in Part 6, Division 5, must be met, including Detailed Site Plan approval under Part 3, Division 9." Thus, the applicant is required to obtain detailed site plan (DSP) approval for the proposed facility as both uses will be operated within one building by the same organization as the adult day care use.

- E. **Neighborhood and Surrounding Uses:** The applicant did not define any neighborhood boundary. Staff is using the same neighborhood boundary as identified in the previously approved SE-4256 for the subject project.

**North—** John Hanson Highway (US 50)

**East—** Folly Branch

**South—** Enterprise Farm

**West—** Bald Hill Branch

The property is surrounded by the following uses:

**North—** Single-family detached residences in the R-R Zone.

**East and South—** M-NCPPC-owned vacant parkland in the Reserve Open Space (R-O-S) Zone.

**West—** Public-right-of-way of Lottsford Vista Road, across and opposite the subject property is single-family detached developments in the R-R Zone.

The neighborhood is primarily developed with single-family residential homes with the exception of the subject property. The Villa Rosa Nursing Home property is also located within 300 feet of the neighborhood.

- F. **Specific Special Exception Requirements:** The application addresses the following specific special exception requirements in Section 27-332 of the Zoning Ordinance, as referenced below:

**Section 27-332. Adult day care center.**

- (a) **An adult day care center may be permitted, subject to the following criteria:**

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

**Comment:** Generally, adult day care centers are compatible with residential single-family detached neighborhoods, in part because they may provide services to some of the area's residents. However, the subject property was previously approved, but never established (Special Exception SE-4626 as mentioned in Finding C above). At that time, the use was determined to be suitable and compatible for the character of the surrounding properties and the general neighborhood for similar uses. With the current proposal, the applicant is proposing to consolidate the two uses into one building as opposed to five separate buildings to maximize service efficiencies and to create a healthier manageable living environment for its residents. This will also help preserve the residential character of the community.

As part of this review, detailed architectural elevations for the proposed two-story building, including a design for the entrance sign, was submitted. It was difficult for the

Urban Design Section to evaluate it fully because the submitted elevations were very small and blurry, especially given the odd building shape. The proposed two-story building includes a gabled asphalt-shingled roof with dormers. The majority of the exterior would be finished in a combination of a light-colored fiber cement cedar shake panels and brown fiber cement masonry/simulated stone. Detailed features include a fiber cement accent band, some hardi-plank siding, exterior insulation finishing system (EIFS) quoins, and fiberglass columns along with multiple windows and doors on all sides. The entrance sign is a four-foot to seven-foot-high, curved, light tan, masonry block sign on either side of the entrance drive with a precast concrete cap spheres. The Urban Design Section was able to gain some insight into the character of the general neighborhood by referencing imagery available on the internet, since the applicant did not provide photographs. Based on that review, the Urban Design Section would suggest that the applicant redesign the building and entrance sign taking into consideration the following, in order to make the design more suitable for the neighborhood:

1. The entrance sign design should include a majority brick finish and remove the precast concrete spheres, in order to be similar to the existing entrance signs for adjacent residential communities. Additionally, the development's name and address information should not be separate metal letters that are mounted onto the sign, but rather be integrated into the sign face, which is a more standard design in the surrounding residential area.
2. The applicant should reconsider the window style and trim and make it more residential in nature, by standardizing the window style for all of the windows, adding shutters, and/or providing uniform trim around each window.
3. The applicant should consider further the choice of proposed exterior materials. The color of the proposed cedar shakes appears too light next to the darker simulated stone, creating an unbalanced appearance. Also, while the proposed materials are high quality in nature, they do not appear to be prevalent in the general neighborhood, which includes more brick and traditional siding.
4. The applicant should consider not using quoins, which appear excessive and are not necessarily characteristic of the neighborhood. Additionally, due to the quality of the images, it was difficult to evaluate the proposed columns, which should be carefully styled to blend with the proposed architecture and that of the general neighborhood.

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

**Comment:** The subject property is 7.9 acres, which would comfortably accommodate both the proposed adult day care center and assisted living facility, leaving sufficient space to comply with all of the Zoning Ordinance requirements. Furthermore, the proposed lot coverage is only 35 percent, or approximately half of the 60 percent allowed by the Zoning Ordinance. The site has an elevation change of 46 feet across the property, necessitating expansive grading of the building and parking areas, leaving the rest of the property with steep slopes. However, the applicant was able to create usable outdoor

recreational areas. The Urban Design Section would suggest that the subject property is of sufficient size to accommodate the proposed facility.

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

**Comment:** The proposed uses are not expected to generate significant traffic because it will provide van service to transport its residents to the facility and back. The Transportation Planning Section stated that the proposed uses will generate only 18 AM peak-hour trips and 27 PM peak-hour trips, which are 121 fewer AM peak-hour trips and 119 fewer PM peak-hour trips than the previously approved uses at this site. This special exception appears to be fully consistent with the recent Preliminary Plan 4-12020, particularly with the approved trip cap on that plan.

The Transportation Planning Section found that vehicular access to the site is adequate and consistent with the requirements of Section 27-464.04 of the Zoning Ordinance. The access takes into account the scope of the facility and the amount of traffic expected to be generated. The county may require safety improvements, such as turn lanes, at the site access point if deemed necessary.

The Transportation Planning Section further evaluated bicycle and pedestrian access. At the time of preliminary plan, it was determined that bicyclists and pedestrians will be accommodated via an eight-foot-wide sidepath or wide sidewalk. Preliminary Plan 4-12020 included the following condition of approval, in **bold**, regarding the master plan facility along Lottsford Vista Road:

9. **The applicant and the applicant's heirs, successors, and/or assignees shall construct an eight-foot-wide sidewalk in accordance with county standards and specifications along the subject site's entire frontage of Lottsford Vista Road, unless modified by the Department of Public Works and Transportation.**

The subject application includes a standard sidewalk along one side of the entrance road, along the perimeter of the building, and designated crosswalks at appropriate locations in the parking lot. No additional conditions of approval are necessary. The submitted site plan is consistent with this condition. The proposed sidewalk and crosswalk connections on-site will adequately link future residents of the facility with the master plan trail along Lottsford Vista Road.

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

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

**Comment:** The applicant has indicated that the goal of the day care center is to promote independence, dignity, and quality of life of an aging community. This will be done through services that address the medical, physical, emotional, and social needs in a compassionate and safe environment. Furthermore, the centers will focus on keeping the elderly active in order to reduce the risk of isolation, loneliness, and depression. This will be achieved by promoting healthy active



living, stimulating social interaction in a safe environment, and encouraging adults to attend regularly scheduled group and individual activities to help maintain the highest quality of life and level of functioning ability for the residents.

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

**Comment:** The center will service up to a maximum of 15 individuals during the week and on Saturday. It is anticipated that approximately 80 percent will be female. Most of them will be transported to and from the center by van services. Some of the participants may experience early stages of Alzheimer's disease and dementia and may benefit from the friendship and functional assistance the day care center will offer.

**(C) The type of care and activities proposed;**

**Comment:** All prospective participants will be screened by day care center staff to ensure that the needs of the participants can be met by the center. The clients will be given personal care and supervision by properly trained, certified, and accredited adult day care providers for the activities and programs in which they will participate. They will participate in a wide variety of social, recreational, and academic activities, such as arts and crafts, library reading, individual and group games, field trips, and educational activities such as attending lectures. Other activities include community outings, computer games, attending daily exercise classes, outdoor walking, and physical therapy if needed in a nonmedical environment.

Nursing services will be provided as needed. Nursing services will utilize electronic documentation for recording all appropriate data involving resident care and treatments, as ordered by the attending physician. Well-balanced meals and snacks will be served in accordance to menus written and monitored by a registered dietician, with specific attention given to the preferences and dietary restrictions of each member. A detailed description of the type of care and activities planned is contained in applicant's Exhibit 2, entitled "Assisted Living and Adult Day Care PROGRAMATIC DESCRIPTIONS."

**(D) The operating methods and procedures;**

**Comment:** According to the applicant's statement of justification, the adult day care center will operate Monday through Friday from 7:30 a.m. to 6:30 p.m. and on Saturday from 9:00 a.m. to 5:00 p.m., with after care until 8:00 p.m. each day. Transportation services will be provided by caregivers, private and public transportation, and facility vehicles. The center will open with two employees, one department manager, and one activity assistant.

For security reasons, there is only one main entrance to the building for both uses. The facility will have separate entrances for the assisted living complex and separate areas for resting, restrooms, and medical exams will be available. Procedures will be in place to allow day care residents to use some of the recreational facilities available to assisted living residents, and allow participation in joint social activities, such as field trips. There is a medical exam

room, public restrooms, and common lounge areas for resting for the adult day care participants.

The applicant's program description further states that operation of the center will be in accordance with the regulations for adult day care centers according to Code of Maryland Regulations (COMAR) 32.02.02.22, Department of Health and Mental Hygiene, Office of Health Care Quality.

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

**Comment:** As mentioned above, traffic will be minimal because the facility will operate a van service to transport residents from their residence to the facility and back, including trips during the day. The Transportation Planning Section estimates that the proposed uses will generate only 18 AM peak-hour trips and 27 PM peak-hour trips.

A traffic count was submitted by the applicant for both uses. Under existing conditions, there is a delay of 15.8 seconds in the AM peak hour and 18.2 seconds in the PM peak hour at the critical intersection. Background traffic for through movements on Lottsford Vista Road was increased by two percent to account for traffic growth. Under background traffic conditions, there is a delay of 18.6 seconds in the AM peak hour and 21.9 seconds in the PM peak hour. With site traffic added under total traffic conditions, the delay is 18.8 seconds during the AM peak hour and 22.1 seconds during PM peak hour. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at signalized intersection. The critical intersection operates far below this threshold. The Transportation Planning Section finds that the special exception use application poses no issue regarding the special exception finding.

**(F) Any other appropriate aspects of the center's operation.**

**Comment:** According to the applicant's statement of justification, the adult day care center will provide all of the customary and necessary equipment and activities generally found in similar operations elsewhere.

The application addresses the following specific special exception requirements in Section 27-434.04 of the Zoning Ordinance, as referenced below:

**Section 27-464.04 Assisted living facilities.**

**(a) An assisted living facility permitted (P) in the Table of Uses shall be subject to the following:**

**(1) Guidelines for development.**

**(A) The following guidelines shall be considered:**

- (i) If more than one (1) building is proposed, residential units should be clustered together in small to medium size groups to give a more residential character to the site.**

**Comment:** Only one building is proposed on the site to accommodate both the assisted living and adult day care facilities.

- (ii) **The entry to the assisted housing site should provide easy recognition of the facility and a safe and unambiguous vehicular route to the building entry and passenger drop-off area.**

**Comment:** The proposed site plan shows a 30-foot-wide driveway entrance from Lottsford Vista Road. This driveway leads to a 24-foot-wide driveway, which extends the entire distance to the parking lot and main building entrance in the passenger drop-off-area. Two masonry walls, one on each side of the site's entrance along Lottsford Vista Road, are proposed with the address and name of the facility for easy recognition of the facility. However, the proposed sign does not meet the requirements of the Zoning Ordinance. Since the site is subject to DSP approval, sign details shall be provided at the time of the review pursuant to Section 27-617 of the Zoning Ordinance.

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

**Comment:** The 24-foot radius and a 30-foot width of the entry driveway is sufficient to allow cars and vans to maneuver easily.

- (iv) **The drop-off area should be close and convenient to the building entry, but should be spacious enough to accommodate wheelchairs, open car doors, and passing cars.**

**Comment:** This requirement has been met. The submitted site plan shows a drop-off area that is 24 feet wide right in front of the building entry. Staff finds that this area is close and convenient to the entry and should be spacious enough to accommodate wheelchairs, open car doors, and passing cars.

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

**Comment:** The proposed site plan shows a canopy over the building entrance and passenger drop-off area to offer protection from the weather.

## **(2) Requirements.**

- (A) **A recreational facilities plan shall be submitted demonstrating that sufficient recreational facilities or opportunities are provided to serve the prospective resident population. Facilities may be provided on site or within adjoining development. In any case, but particularly if on adjoining property, there shall be a staging plan**

**for the facilities constructed. Recreational areas should be clustered together to increase levels of activity, use of amenities, and the sense of vitality of the community.**

**Comment:** The submitted recreational plan includes the following outdoor facilities, all of which are on-site: two horse shoe pits, two shuffleboard courts, a putting green, a nine-foot gazebo, a 16-foot by 24-foot pavilion, an outdoor patio on the northern side of the building with moveable furniture, and a six-foot-wide concrete walkway around the building with multiple benches overlooking the wooded areas of the site. The provided indoor facilities include an exercise room, along with passive areas such as a library and computer room. The submitted site plan demonstrates provision of sufficient recreational facilities to serve the prospective resident population.

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

**Comment:** The proposed building is two stories and 30 feet in height.

**(C) The facility shall be located on a minimum of three and one-half (3.5) acres of land.**

**Comment:** The subject property is located on 7.9 acres of land.

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

**Comment:** The subject property adjoins residentially zoned land to the north and west and M-MCPPC-owned vacant parkland to the east and south.

**(E) A Detailed Site Plan shall be approved for the facility in accordance with Part 3, Division 9, of this Subtitle.**

**Comment:** The applicant will apply for DSP approval prior to the application for a building permit. At the time of the DSP review, particular attention should be paid to the architecture, entrance sign design, and landscaping requirements with regard to buffering scenic and historic roads (Lottsford Vista Road). This is to ensure that the overall streetscape treatment is in keeping with the desired visual characteristics of the historic road and include coordination of signage, materials, and plant species choices.

G. **Parking Regulations:** The proposed use requires 31 parking spaces and one loading space. The applicant is providing a total of 49 parking spaces, including two van-accessible and two standard handicap spaces, and one loading space.

H. **Sign Regulations:** Section 27-617 of the Zoning Ordinance allows one sign per street with a maximum area of 48 square feet and the maximum height feet above finished grade at the base of the sign. The site proposes one freestanding sign at the entrance of Lottsford Vista Road. It is unclear whether the proposed sign meets the requirements of the R-R Zone. In addition, the design of the sign should be in accordance with the recommendation of the Urban Design Section as stated in Finding F above to make it more compatible with the standard design in the surrounding residential area. Conformance to the sign regulations and its design shall be reviewed at the time of the detailed site plan approval.

I. **2010 Prince George's County Landscape Manual Requirements:** The proposed project is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) as follows:

1. **Section 4.2, Requirements for Landscaped Strips along Streets**—The subject property only has frontage on one street, Lottsford Vista Road, which is a designated historic roadway. Therefore, the requirements of Section 4.6 supersede the requirements of this section. The submitted site plan provides schedules demonstrating conformance to this section, which should be removed from the plan.
2. **Section 4.3, Parking Lot Requirements**—The proposed development has one parking lot which is 26,572 square feet and is required to provide eight percent of interior parking lot landscaping. The submitted site plan provides the correct schedule showing the requirements of this section being met.
3. **Section 4.4, Screening Requirements**—The requirement that dumpsters and loading spaces be screened from adjacent public roads and residential properties is met by the provision of a six-foot-tall, concrete masonry unit, dumpster enclosure and proposed landscaping.
4. **Section 4.5, Stormwater Management Facilities**—The subject site plan proposes a stormwater management pond on-site that will have to be landscaped per this section.
5. **Section 4.6, Buffering Development from Streets**—Properties with frontage on a historic road in the Developing Tier need to provide a 20-foot-wide buffer planted with a minimum of 80 plant units per 100 feet of frontage, excluding driveway openings. The submitted site plan does not note or provide a schedule showing conformance to these requirements. The plan should be revised to conform to the requirements of this section prior to approval, or the applicant should apply for alternative compliance (AC) pursuant to Section 1.3 of the Landscape Manual. If the AC is recommended for approval, the AC number and the date it was recommended for approval should be noted on the plan, and the AC case should be brought forward as a companion to the special exception application.
6. **Section 4.7, Buffering Incompatible Uses**—A Type B bufferyard, including a 30-foot building setback and a 20-foot-wide landscaped yard, is provided as required along the northern property line where the assisted living facility/adult day care is adjacent to single-family detached dwellings. The correct schedules have been provided showing the site plan's conformance to the requirements of this section.
7. **Section 4.9, Sustainable Landscaping Requirements**—The special exception is subject to the requirements of Section 4.9 for all proposed plantings. The plan includes some of the information necessary to demonstrate conformance to Section 4.9, but it does not provide the correct schedule per the Landscape Manual. A Section 4.9 schedule should be provided on the plan demonstrating conformance to all of the requirements of Section 4.9.

### **Tree Canopy Coverage**

The application is subject to the requirements of the Tree Canopy Coverage Ordinance, as it involves land disturbance of more than 5,000 square feet. The special exception area of 7.91 acres is zoned R-R and is required to provide 15 percent, or 1.19 acres, of tree canopy coverage (TCC). A TCC worksheet has been provided on the landscape plan specifying that this requirement is being met through the provision of 2.22 acres of on-site woodland conservation. The Urban Design Section was unable to verify this number, as a copy of the tree conservation plan was not provided. The acreage of on-site woodland conservation should be verified by the Zoning Section prior to signature approval.

- J. **Referral Comments:** No major issues were identified in the referrals that were received for the subject application. Any outstanding issues that were not met have been addressed through the recommended conditions below.
- K. **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;**

**Comment:** The purposes of the Zoning Ordinance are many and varied. However, they can best be summed up as to protect and promote the public health, safety, morals, comfort, convenience, and welfare of present and future inhabitants of the county; to promote the most beneficial relationship between the uses of land and buildings; and to protect landowners from adverse impacts of adjoining development. The applicant is suggesting orderly growth by providing alternative housing and care opportunities for a broad spectrum of elderly and handicapped residents in a quiet comfortable environment not otherwise readily available. The proposal will also allow opportunities for elderly residents to remain near their families in a residential setting as well as provide convenient adult day care to a developing area of the county. The use is located on a generous-sized lot, and will have no adverse impact upon the surrounding community. State requirements will ensure that the facility is safe and sanitary. The technical staff report conditions will ensure a continued compatible relationship between the projected use and adjacent properties. The use and site plan proposed in this application, with the recommended conditions in place, are in harmony with the purposes of Subtitle 27.

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

**Comment:** The subject property is located in the R-R Zone, which permits the proposed uses by a special exception. With the recommended conditions, the use will conform to all of the 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;**

**Comment:** The proposed use will not substantially impair the integrity of the approved master plan and sectional map amendment. The proposed special exception is in conformance with the environmental provisions of the General Plan, the area master plan, and the Green Infrastructure Plan. The proposed uses are consistent with the land use recommendations of the R-R Zone, which permits a maximum density of 2.17 dwelling units per net acre.

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

**Comment:** The proposed assisted living and adult day care facilities will not adversely affect the health, safety, and welfare of the workers in the area. In fact, the proposed use is intended to enhance the wellbeing of the elderly or handicapped residents by providing a full range of on-site activities, programs, and recreational amenities for the assisted living occupants and day care users that will be managed by trained administrators, human services, and health care professionals.

Furthermore, the Prince George's County Health Department (PGCHD), Division of Environmental Health, in a memorandum dated August 30, 2010, stated that per COMAR 10.07.14 governing assisted living programs, "an assisted living program with a licensed capacity of 17 or more beds shall comply with the food service regulations in COMAR 10.15.03." The proposed occupancy of 78 beds/residents will require that the facility be equipped with a commercial grade kitchen. A complete set of plans for the kitchen, along with the required review fee, must be submitted to PGCHD for review/approval.

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

**Comment:** In general, an adult day care and assisted living facility generate very little noise or traffic. In addition, the proposed single building will be located near the center of the site that is substantially set back and buffered from Lottsford Vista Road and from the single-family dwellings adjacent to the north. The public parkland, which adjoins the site to the east and south, provides both privacy and open space to the residents of the facility and helps buffer the site from adjacent residential neighborhoods. The proposed low-scale development, along with the proposed significant landscaping around the perimeter of the site, will keep the site invisible from the surrounding neighborhood. For these reasons, staff concludes that the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

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

**Comment:** Type 1 Tree Conservation Plan TCP1-010-10, approved with Preliminary Plan 4-12020, was submitted with the subject application. No Type 2 tree conservation plan (TCP2) has been received; however, the site design shown on the special exception site plan is generally the same as what was shown on the approved TCP1.

Prior to certification of the special exception, a TCP2 shall be reviewed for conformance with the Woodland and Wildlife Habitat Conservation Ordinance and approved by the Planning Director or its designee. The plan has been assigned the following plan number: TCP2-003-14.

**Review of Previously Approved Conditions**

The following addresses previously approved environmental conditions related to the subject application. The text in **bold** is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions.

**Preliminary Plan of Subdivision 4-12020 (PGCPB Resolution No. 13-82)**

- 6. The detail site plan and Type 2 tree conservation plan shall be designed to accommodate appropriate landscape and signage treatments for the**

**frontage of historic Lottsford Vista Road in accordance with the Prince George's County Landscape Manual.**

A copy of TCP1-010-10 approved with Preliminary Plan 4-12020 was submitted with the subject application. No TCP2 has been received; however, the site design shown on the special exception site plan is generally the same as what was shown on the approved TCP1. It is recommended that conformance with this and all conditions of approval regarding the treatment of historic Lottsford Vista Road be reviewed in detail with the DSP application. However, the Urban Design Section reviewed and commented on the sign design in Finding F above, and landscape design along Lottsford Vista Road are incorporated in Finding I above.

**(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible...**

**Comment:** This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 27-317(a)(7) of the Zoning Ordinance. The on-site regulated environmental features include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and steep slopes. The site also contains an isolated wetland along the northeastern property line.

Section 27-296(c)(1)(L) of the Zoning Ordinance requires the submittal of a statement of justification describing how the proposed design preserves and restores the regulated environmental features to the fullest extent possible. A letter of justification was submitted and reviewed as part of this application.

Impacts to the regulated environmental features should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

A letter of justification for the proposed impacts was stamped as received by the Environmental Planning Section on February 24, 2014. The special exception proposes impacts to the primary management area (PMA) in order to install vegetative stormwater drainage to direct the project stormwater to an off-site stream system. This impact will cause 1,600 square feet of disturbance to the stream buffer, including 390 square feet of woodlands removed.

The proposed impacts have been minimized to ensure that adequate drainage conveyance channels will be provided to direct stormwater from two stormwater management systems to the adjacent off-site regulated stream.



The impacts related to stormwater management are considered necessary for the orderly development of the subject property. The impacts cannot be avoided because they are required by other provisions of the County Code. The development is providing water quality and quantity controls and the impacts have been designed to minimize, to the fullest extent possible, the impacts to the PMA.

**Recommended Finding:** The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of grading shown on the special exception site plan submitted for review. The impacts approved are for the construction of a vegetated stormwater drainage swale in the stream buffer because of this impact cannot be avoided.

## CONCLUSION

Based on the preceding analysis and findings, staff recommends APPROVAL of Special Exception Application No. SE-4667 subject to the following conditions:

1. A raze permit must be obtained through the Prince George's County Department of Environmental Resources prior to removal of any existing buildings. Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structure being razed.
2. Prior to approval of any building/grading permit:
  - a. A detailed site plan shall be reviewed and approved for the assisted living facility for the subject development.
  - b. A complete set of plans for the kitchen, along with the required fee must be submitted to with the Prince George's County Health Department, Division of Environmental Health, for review and approval.
  - c. Conformance to the sign regulation and its design shall be reviewed at the time of detailed site plan or approval.
3. At the time of detailed site plan review, the proposed architecture and entrance sign shall be revised according to the Urban Design Section memorandum dated April 3, 2014.
4. Prior to certification of the special exception, a Type 2 tree conservation plan (TCP2), in conformance with the Woodland and Wildlife Habitat Conservation Ordinance, shall be reviewed and approved by the Planning Director or its designee. The plan has been assigned the following plan number: TCP2-003-14.
5. The applicant must comply with any outstanding preliminary plan conditions and apply for any needed access permits from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).
6. Prior to certification of the site plan, the following corrections shall be addressed on the plan:
  - a. Per Section 27-442 of the Zoning Ordinance, all of the applicable regulations of the (R-R) Zone, required setbacks, maximum height etc., must be added to the site plan

demonstrating how relevant requirement are being met.

- b. The 2010 *Prince George's County Landscape Manual* Section 4.2 schedules shall be removed from the plan and a Section 4.6 schedule and notes shall be added to the plan demonstrating the project's conformance to its requirements. If such demonstration cannot be made, the applicant shall apply for, and bring forward as a companion case, an alternative compliance (AC) application, and a note including information regarding the AC application should be included on the plans.
- c. A 2010 *Prince George's County Landscape Manual* Section 4.9 schedule shall be provided on the plan demonstrating conformance to all of its requirements.
- d. The amount of on-site woodland conservation claimed for tree canopy coverage credit shall be verified against the amount shown on the Type 2 tree conservation plan.
- e. Provide the correct stormwater management concept plan number, 46822-2005-03, and its approval date shall be added to General Note 21 on the plan.
- f. Remove the existing sign shown on the left of the driveway, along Lottsford Vista Road.
- g. Add the preliminary plan number its approval date on the site plan.
- h. The right-of-way and center line of Lottsford Vista Road shall be provided on the site plan to ensure that the landscape strip does not fall within the proposed right-of-way.