

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on November 16, 2006, regarding Detailed Site Plan DSP-06008 for We Care Adult Services, Inc., the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for a 40,751-square-foot assisted-living facility in association with an approved adult day care facility for a total of 120 persons.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Single-family home	Assisted-living facility
Acreage	3.86 acres	3.86 acres
Square Footage/GFA	2,195 sq. ft.	40,751 sq. ft.

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total parking spaces	86	64*
Handicapped spaces	4	4
Loading spaces	1	1

Note: A Departure from Parking and Loading Standards No. 313 has been approved for this site to allow a reduction of 22 parking spaces.

3. **Location:** The subject property is located on the west side of Largo Road (MD 202) approximately 60 feet south of Water Fowl Way, in Planning Area 79 and Council District 6.
4. **Surroundings and Use:** The subject site is bounded to the east by the right-of-way of Largo Road (MD 202). To the north of the property are existing single-family houses in the R-R Zone. The subject property is surrounded by open farmland in the R-O-S Zone on the west and south sides, owned by University of Maryland.
5. **Previous Approvals:** The 1993 Subregion VI study area master plan identified this site as part of a rural residential area in the Marlboro community and recommended low-suburban residential development at up to 2.6 dwelling units per acre for this property. The 1994 sectional map

amendment for the Subregion VI study area retained the subject property in the R-R (rural-residential) Zone. The subject site has a Preliminary Plan of Subdivision 4-05097, which was approved by the Planning Board (PGCPB Resolution 06-11) on January 11, 2006. Subsequently, a Special Exception SE-4546 and companion Departure from Design Standards DDS-566, Departure from Parking and Loading Standards DPLS-313 and Alternative Compliance Application AC-06002 were approved by the Planning Board (PGCPB Resolution 06-77) on March 30, 2006, for an assisted-living facility with 110 residents and an adult day care center for 120 occupants. The decision of the Zoning Hearing Examiner (ZHE) in this case was filed with the District Council on July 17, 2006. Since no appeal of that decision was filed with the District Council by any person of record or the People's Zoning Counsel, and since the District Council did not elect to make the final decision, the ZHE's decision became final on September 19, 2006. The site also has an approved Stormwater Management Concept Plan 29759-2005-00

6. **Design Features:** The property is an elongated rectangular parcel and is accessed directly from Largo Road. The property is heavily wooded and is currently developed with a single-family home in the front third of the property with some small outbuildings to the rear of the home. One of these outbuildings is in deteriorated condition. The proposed facility will consist of a one-story, 40,000-square-foot building, and 64 parking spaces. The building plan shows the main entrance in the front of the building with a passenger drop-off area. The driveway has been designed to provide for one-way circular travel around the center parking area to provide for better circulation for vehicles dropping off passengers to the facility. A woodland preservation area and stormwater pond are located at the rear of the property. A five-foot-wide walk is in the woodland preservation area to provide a passive recreation amenity for future residents.

The proposed facility is a one-story building with a symmetrical footprint. The roughly rectangular building has a south-north orientation with a shorter side facing Largo Road. The building has two elongated courtyards with landscaping. However, no details have been shown on the landscape plan. The building roof is designed with a combination of hip and cross-gable roofing. A hip-roofed porte-cochere marks the place of arrival from Largo Road. The entire building is finished with a combination of brick, stone and split-face concrete masonry units (CMU). The surrounds of all entrance areas are finished with stone. Split-face CMUs are used to cover the water tables of the north, east and west elevations.

A monumental sign has been designed for the vehicular entrance of the development on MD 202 to provide easy recognition of the facility. The entrance feature is designed to have two hip-capped columns flank a segment of wall finished with stone veneer. According to the sign details, the proposed signage measures more than eleven feet in height and 45.95 square feet in sign area. Staff has a concern with this oversize entrance signage feature and believes that the proper size for this signage should be consistent with Section 27-624, gateway signs for a residential subdivision, given the fact that the proposed facility is in the R-R Zone and is adjacent to a residential subdivision. A condition has been proposed to require the applicant to revise the entrance sign to be no higher than six feet in height above established grade and no more than 12 square feet for lettering area per sign.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Special Exception SE-4546 and the accompanying Departure from Design Standards DDS 566, Departure from Parking and Loading Standards DPLS-313 and Alternative Compliance Application AC-06002:** On March 30, 2006, the Planning Board approved SE-4546 for an assisted-living facility with 110 residents and an adult day care center for 120 occupants; Departure from Parking and Loading Standards DPLS-313 to allow a reduction of 22 on-site spaces; Departure from Design Standards DDS-566 to allow setback of loading space and driveway access to loading space from residential zone being less than 50 feet; and Alternative Compliance AC-06002 to allow alternative compliance from Section 4.3(b) of the *Landscape Manual*, which requires a landscape strip between the parking lot and any adjacent property line to be a minimum of five feet wide. Zoning Hearing Examiner approved the Special Exception SE-4546 with two conditions. The approval limits the adult day care facility to 120 persons, and half of this number shall reside at the assisted living facility on site. No conditions are applicable to the review of this DSP.
8. **The requirements of Zoning Ordinance in the R-R (Rural Residential) Zone:** Council Bill CB-110-2004, an ordinance concerning the R-R Zone, introduced on November 1, 2004, permits assisted living facilities in the R-R Zone
 - a. The proposed assisted living facilities are a permitted use in the R-R Zone pursuant to CB-110-2004, subject to detailed site plan approval. CB-110-2004 allows up to 75 dwelling units, only if adjoining and operated by the same organization for 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. The applicant has obtained a special exception approval for this site.
 - b. The proposal is also in conformance with the applicable requirements of Section 27-464.04, Assisted living facilities as follows:
 - (a) (1) **Guidelines for development.**
 - (A) **The following guidelines shall be considered**
 - (i) If more than one building is provided, residential units should be clustered together in small- to medium-sized groups to give a more residential character to the site.

Comment: The DSP proposes only one building. This guideline is not applicable.
 - (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: A hip-roofed entry/drop-off area is designed at the front of the building facing Largo Road with a clear on-site circulation design that provides a safe and unambiguous vehicular route to the building entry.

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

Comment: The main entrance to the site off Largo Road is 39 feet wide and the drive leading to the building entry/drop-off area is 26 feet wide. The radii of the entry drive vary from 6 to 20 feet. The radius and width allow cars and vans to maneuver easily. However, the radius information is not graphically presented on the site plan. A condition has been proposed to require the applicant to add the radius information prior to certificate approval.

- (iv) **The drop-off area should be close and convenient to the building entry, but should be spacious enough to accommodate wheelchair, 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: As discussed previously, a hip-roof porte-cochere has been designed in the front of the building entry facing Largo Road as a drop-off area. The covered drop-off area measures at approximately 36 by 45 feet, and is designed to accommodate wheelchairs, open car doors, etc. The porte-cochere provides protection from the weather for the prospective users.

(a) (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. ...**
- (B) **The facilities shall not be more than four stories.**
- (C) **The facility shall be located on a minimum of three and one-half acres of land.**
- (D) **The subject property shall be adjoining residentially zoned land.**

(E) A detailed site plan shall be approved for the facility in accordance with Part 3, Division 9, of this Subtitle.

Comment: The site layout of the subject DSP is the exact layout, which was approved as Special Exception SE-4546. The applicant proposes a one-story building complex in a symmetrical footprint with two internal courtyards that provide outdoor passive recreation areas. During the approval of SE-4546, an outdoor walking path was provided to be used by occupants of the facility based on the rationale that no additional active recreational facilities are needed because the prospective residents of this facility are senior citizens with limited mobility. In addition, the applicant has provided several rooms around the courtyards for social gathering and entertaining purposes. The intent of the above requirements has been met by the subject DSP.

9. **The requirements of Preliminary Plan of Subdivision 4-05097:** The Planning Board approved the preliminary plan of subdivision on January 12, 2006 with ten conditions. The two conditions that are pertinent to the review of this DSP are discussed as follows:

1. Development shall be in conformance with the approved stormwater management concept plan (29759-2005-00) and any subsequent approved revisions thereto.

Comment: Stormwater management concept approval 29759-2005-00 has been submitted with this DSP.

8. Total development within the subject property shall be limited to 40,751 square feet of commercial space to accommodate an adult day care center and assisted living center, or equivalent development which generates no more than 29 AM and 39 PM peak-hour trips. Any development generating a traffic impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

Comment: The detailed site plan complies with this condition by proposing a total of 40,751-square-foot facility. A review by the Transportation Planning Section (Masog to Zhang, September 13, 2006) indicates that the subject DSP conforms to the trip cap condition.

10. ***Landscape Manual:*** The proposed development is subject to requirements 4.3a, Parking Lot Landscape Strip, 4.3c, Parking Lot Interior Planting, 4.4, Screening requirements, 4.5, Stormwater Management Facility, and 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.

- a. The subject DSP was reviewed and found to be in compliance with the above-noted applicable sections of the *Landscape Manual* at time of Special Exception approval for this site.
- b. Alternative Compliance AC-06002 from Section 4.3(b) of the *Landscape Manual*, which

requires a landscape strip between the parking lot and any adjacent property line to be a minimum of five feet wide to allow some portions of the parking lot driveway to encroach into the required five-foot landscape yard, was approved with Special Exception SE-4546. The Landscape Plan has been prepared in accordance with Alternative Compliance AC-06002.

- c. Requirements for landscaping stormwater management facilities have been established by the watershed protection branch of the Department of Environmental Resources (DER). The Department of Environmental Resources will determine the DSP's compliance at the time of the technical review of the development's stormwater management facility.
11. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet; there are more than 10,000 square feet of existing woodland on-site, and there is a previously approved Type I Tree Conservation Plan TCPI/39/05, which was approved in conjunction with the approval of Preliminary Plan of Subdivision 4-0507.
- a. The site has a signed natural resources inventory, NRI-091-05. There are no regulated features on this site. According to the *Countywide Green Infrastructure Plan*, the entire property is located within an evaluation area. Based upon this analysis, tree preservation should be concentrated in the southeast portion of the site, as shown on the tree conservation plan. No further action regarding sensitive environmental features is required with regard to this DSP.
 - b. A Type II Tree Conservation Plan, TCPII/139/06, has been submitted with this application. The TCPII has been reviewed and was found to require revisions to show the subject development. A second review by the Environmental Planning Section of the revised plans indicates that TCP II/139/06 is in general conformance with the requirements of the Woodland Conservation and Tree Preservation Ordinance, if the deficiencies as identified in the conditions of approval are adopted.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. The Community Planning Division in a memorandum dated October 18, 2006, noted that the application is consistent with the 2002 General Plan Development Pattern Policies for the Developing Tier. The Community Planning staff further notes that it does not conform to the land use recommendation of the *Approved Master Plan and Sectional Map Amendment Subregion VI Study Area (Planning Areas 79, 82A, 82B, 86A, 87A, 87B)* for residential uses. However, the property is currently zoned R-R. Adult care facilities are permitted with a special exception in the R-R Zone.

Comment: The applicant has filed a Special Exception application for the proposed adult

care facility. The Special Exception SE-4546 was approved by the Planning Board on January 11, 2006. The decision of the Zoning Hearing Examiner (ZHE) in this case was filed with the District Council on July 17, 2006. The ZHE's decision became final on September 19, 2006.

- b. The Transportation Planning Section, in a memorandum dated September 13, 2006, concluded that the application is acceptable because the plan conforms to all transportation related conditions (specifically Conditions 6, 7 and 8) attached to Preliminary Plan of Subdivision 4-05097.

In a separate memorandum from the Transportation Planning Section dated October 27, 2006, on detailed site plan review for master plan trail compliance, the trails planner noted that all internal paths shall be six-foot wide to ensure compliance with ADA accessibility guidelines and current park and recreation guidelines. The trails planner recommends that the internal paths be widened to a minimum of six feet. This is, however, inconsistent with the width of the path on the approved Special Exception, so staff makes no recommendation regarding modification of the trail width.

- c. The Subdivision Section, in a memorandum dated October 20, 2006, provided a subdivision history about the subject site. The staff concludes that the proposed detailed site plan is in conformance with the approved preliminary plan.
 - d. At the time the staff report was written, the Urban Design Section had not received any comments on stormwater management from the Department of Public Works and Transportation.
 - e. The Environmental Planning Section, in a memorandum dated November 2, 2006, recommended approval of this DSP subject to five conditions. Those conditions have been included in the recommendation section of this report.
 - f. The Permit Section, in a memorandum dated September 25, 2005, indicated that the site plan has been reviewed with the approval of Special Exception SE-4546. The Permit Section provides no additional comments.
 - g. The Department of Public Works and Transportation (DPW&T), in memorandum dated September 21, 2006, indicated that the property is located on the west side of Largo Road (MD 202) which is a State-maintained roadway. The review of this DSP by the State Highway Administration is required.
 - h. The State Highway Administration (SHA), in a memorandum dated October 24, 2006, noted that SHA has no objection to Detailed Site Plan DSP-06008 approval as submitted.
13. As required by Section 27-285 (b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's

County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/139/06) and further APPROVED Detailed Site Plan DSP-06008 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall
 - a. Increase the foot-candle reading for the outdoor parking lots to a minimum of 1.25.
 - b. Revise the dimensions of the entrance sign to be consistent with Section 27-624 (a) regarding maximum lettering area and height.
 - c. Provide radius dimensions for all internal drives and parking lots on the site plan.
 - d. Revise DSP to show the same limits of disturbance as the TCPII.
 - e. Revise TCPII as follows:
 - (1) Revise the LOD to reflect the proposed trail within the woodland preservation area. If the total of the remaining requirement is above one acre, the requirement shall be met by using credits for off-site mitigation on another property.
 - (2) Remove the detail signs for the wetland protection area and reforestation project.
 - (3) Revise the worksheet as necessary.
 - (4) Have the qualified professional who prepared the plan sign and date it.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Vaughns, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, November 16, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of December 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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