

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 May 10, 2018, regarding Detailed Site Plan DSP-17053 for Sacred Heart Home, the Planning Board finds:

1. **Request:** The subject application requests approval of a plan of development for construction of a 60,242-square-foot nursing home (44 beds) and a 9,188-square-foot-convent on the property. The project is anticipated to be phased, with an expansion of the use being the first phase of development.

2. **Development Data Summary:**

|                      | <b>EXISTING</b>        | <b>APPROVED</b>      |
|----------------------|------------------------|----------------------|
| Zone                 | R-55/D-D-O             | R-55/D-D-O           |
| Use                  | Nursing Home/Convent   | Nursing Home/Convent |
| Total Number of Beds | 100                    | 102*/44              |
| Total DSP Acreage    | 8.91                   | 8.72**               |
| Gross Floor Area     | +/- 70,000 sq. ft. *** | 69,430 sq. ft.       |

**Notes:** \* Phase 1–Expansion of the use until the new nursing home is operational, or sometime thereafter.

\*\* The reduction in gross acreage is the result of a condition from Preliminary Plan of Subdivision 4-17004, which required dedication of 60 feet from centerline along Queens Chapel Road and will occur at the time of final plat.

\*\*\* The detailed site plan does not provide the gross floor area of the existing buildings to remain on the site, which should be provided for clarification. Therefore, a condition has been included in this approval requiring that the gross floor area of the existing buildings to remain on the site be added to the plan.

**Parking and Loading Spaces Required:**

|  |           |
|--|-----------|
| <b>Total Parking Spaces Required</b>                               | <b>39</b> |
| <b>Nursing Home****</b>  | <b>34</b> |
| 1 space/3 beds (102 beds)  |           |
| <b>Convent</b>   | <b>5</b>  |
| 1 spaces/2 residents (10 residents)                                |           |
| <b>ADA Spaces Required</b>   | <b>2</b>  |
| <b>Loading Spaces Required</b>                                     | <b>1</b>  |
| 1 loading spaces/10,000–100,000 sq. ft.<br>(new construction only) |           |

**Parking and Loading Spaces Provided:**

|                        | <b>Existing Parking</b><br>(to remain) | <b>New Parking</b><br>(proposed) |
|------------------------|--|----------------------------------|
| <b>Standard Spaces</b> | 30 (9 ft. x 19 ft.)                    | 4 (9.5 ft. x 19 ft.)             |
| ADA                    | 0                                      | 2                                |
| Garage                 | 0                                      | 3                                |
| Compact                | 0                                      | 6                                |
| <b>Total</b>           | <b>30 spaces</b>                       | <b>15 spaces</b>                 |

**Total Parking Provided:** **45 spaces**

|  |           |
|--|-----------|
| <b>Total Parking Spaces Provided****</b> | <b>45</b> |
| <b>Loading Spaces Provided:</b>          | <b>1</b>  |
| <b>ADA Spaces Provided:</b>              | <b>2</b>  |

**Space Size:**

|                                  |    |
|----------------------------------|----|
| Standard spaces (9 ft. x 20 ft.) | 14 |
| Garage spaces (9 ft. x 20 ft.)   | 3  |
| Compact spaces (9 ft. x 20 ft.)  | 26 |
| ADA accessible (8 ft. x 19 ft.)  | 2  |

**Note: \*\*\*\*** This project will be phased; therefore, it should be noted that the parking and loading requirements may be adjusted at the time of permit application to accommodate the phasing of this project.

During the public hearing, the applicant's representative provided a statement of need from the State of Maryland, which limited the total number of beds on the property to 102. Therefore, a condition is included in this approval requiring that parking spaces be provided to accommodate 102 nursing home beds, as is anticipated for Phase 1 of the subject project. Also, one additional ADA-accessible parking space is required.

3. **Location:** The site is in Planning Area 68, Council District 2. More specifically, it is located at 5805 Queens Chapel Road, on the eastern side of the roadway, approximately 1,800 feet north of its intersection with Hamilton Street in Hyattsville, MD. More specifically, the property is described as Lot 1, Block A, of the Manor Wood Court subdivision, as shown on Tax Map 42, Grid A-4.
4. **Surrounding Uses:** The subject site is bounded to the northeast by an assisted living facility in the One-Family Detached Residential (R-55) Zone; to the south by single-family detached residential homes in the One-Family Semidetached, and Two-Family Detached, Residential (R-35) Zone; to the west by MD 500 (Queens Chapel Road), and beyond are single-family detached residential homes; and to the east by single-family detached residential homes in the R-55 Zone. The subject site and all of the surrounding properties are located within the Development District Overlay (D-D-O) Zone established by the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (Gateway Arts District Sector Plan and SMA).
5. **Previous Approvals:** The site is the subject of Preliminary Plan of Subdivision (PPS) 4-17004, which was approved by the Planning Director on March 12, 2018, subject to eight conditions, which are further discussed in Finding 9.

The site is also the subject of a certified nonconforming use (CNU), Permit 871-1985-CGU, and this application does not alter its status. It will remain a CNU as a convent and nursing home, both of which are not permitted in the Traditional Residential Neighborhood (TRN) Character Area of the D-D-O Zone. The Gateway Arts District allows the expansion of a CNU as discussed further in Finding 7.

6. **Design Features:** The site plan proposes to raze the multiple structures on-site and construct two new buildings on the property. However, the applicant has explained that the existing structure and use will remain for an unidentified period of time, to allow the residents to remain in the existing facility until the new nursing home is operational. The larger of the two new buildings is the nursing home and will house the residents of the community. It is located at the southeastern corner of the site, adjacent to single-family homes. The second building proposed is a convent, to provide housing for the Sister Servants of Mary Immaculate (Sisters), who take care of the residents of the nursing home. The proposed convent is located nearest to Queens Chapel Road, adjacent to the main vehicular entrance of the development.

The main vehicular entrance providing ingress and egress to the site is existing and is not proposed to be modified with this application. This vehicular access point features a two-way drive aisle accessing Queens Chapel Road and features a drive aisle ranging from 16 to 23 feet in width, which does not meet the minimum drive aisle requirement. The drive aisle is proposed to expand, but generally follows the shape and location of the existing configuration, which was not designed to modern standards. The drive aisle provides drop-off areas and parking located near both main building entrances, access to the service areas, and a fire lane, which circles around the rear of the nursing home for emergency access purposes. During the public hearing, community members voiced their concerns about noise related to these service vehicles. The applicant provided a new condition that limited traffic in this area and proffered the addition of newly proposed signage to indicate that the travel lane adjacent to the residential homes is for emergency access only, and a condition has been included in this approval requiring this additional signage.

A secondary vehicular access driveway currently exists on the property from the public right-of-way of 36<sup>th</sup> Avenue, along the southwestern property line and will continue to be used. The existing drive aisle to this access is 16 feet in width and is not proposed to be revised with this application because it is part of the site certification of the nonconforming use. It gently traverses through the site, following the existing terrain of the property, and connects to the existing parking area at the center of the site.

The Planning Board noted that the existing drive aisle width meet the minimum required width of 22 feet for two-way traffic. Therefore, a condition has been included in this approval requiring that the drive aisle be revised to provide a one-way traffic pattern and signage, allowing a 10-foot-wide by-pass lane adjacent to the 12-foot-wide loading space.

### **Architecture**

The two new buildings proposed are designed to serve the residents of the nursing home and the Sisters who service the facility, and are described in detail below:

#### **Convent**

The convent is generally square in shape, two stories in height, and features a gable roof system. The predominant architectural material used is stone, cement shingle, and shingle-style siding. An attached three-car garage on the western portion of the building features carriage-style garage doors. On the eastern side of the building, a covered walkway connects the convent to the nursing home. An outdoor rooftop deck is featured on the second level for the residents of the convent.

#### **Nursing Home**

The nursing home is a cross-shaped building and includes a central, open-air courtyard. The building is two stories, with a gable roof system. The predominant architectural materials used are stone, cement shingle, and shingle-style siding; the same as the convent. A stone, columnar architectural element accents the entrance to the facility, which faces Queens Chapel Road. The eastern side of the building, adjacent to the residential homes, is nestled into the terrain of the site, which slopes down to the east. The nursing home sits higher than the adjacent residential properties. During the public hearing, a number of concerned citizens indicated their disapproval

of the removal of the vegetation on-site. However, the Planning Board determined that the existing vegetation proposed to remain along this edge of the development, in addition to the supplemental landscaping, would provide sufficient screening of the facility, as viewed from the south of the subject property.

#### **Recreational Facilities and Amenities**

The nursing home building includes an outdoor courtyard at the center of the facility, for passive recreational opportunities. The outdoor courtyard proposes planters, seating, tables, and a landscaped area for residents and visitors. The Planning Board noted that the details of this area have not been provided and should be included for clarification. Therefore, a condition has been included in this approval requiring that the details and specifications of the central courtyard area and the proposed amenities be provided.

#### **Signage**

Existing entrance signs are located near the main vehicular entrance off Queens Chapel Road and at the entrance from 36<sup>th</sup> Avenue. The freestanding sign located near the primary entrance from Queens Chapel Road is approximately six feet in height. The sign is not illuminated and has a rectangular shape featuring the name of the facility in white letters on a gray background. A second sign is displayed at the entrance from 36<sup>th</sup> Avenue where eight-foot-tall brick pillars are shown on either side of the drive aisle entering the site. The sign is mounted on one of the brick pillars and is approximately two feet by three feet. These signs are proposed to remain, and no new signage is being proposed with this application.

### COMPLIANCE WITH EVALUATION CRITERIA

7. **2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District:** The subject property is located within the TRN Character Area of the Gateway Arts District Sector Plan and SMA.

Per the sector plan and SMA, neither a nursing home nor a convent is a permitted use within the TRN Character Area. However, the nursing home (and the convent as an accessory use) has a valid use and occupancy permit, has been in continuous operation since the date of approval of the sector plan, and is a CNU (Permit 871-1985-CGU). The sector plan and SMA provides the following exemption for nonconforming buildings, structures, and uses (page 141):

8. **Nonconforming Buildings, Structures and Uses**
  - b. **Except for improvements listed in the following paragraph, "Miscellaneous," a property owner may not expand a certified nonconforming use, or a use or structure that was lawful on the date of the SMA approval but does not conform to the standards, unless a detailed site plan is approved with findings that the expansion is compatible with adjacent uses and meets the goals of the sector plan. (emphasis added)**

The nursing home and convent uses were existing development on the date of the SMA approval. The application proposes to temporarily retain the existing building and construct two new buildings, to house the convent use and the nursing home use, thus expanding the CNU on-site. Therefore, the applicant has filed the subject application for a detailed site plan (DSP) in accordance with this exemption. The only required findings for approval of this DSP by the Planning Board are that the expansion is compatible with adjacent uses and meets the goals of the sector plan for compatibility with the adjacent uses, as discussed in detail in Findings 6, 8, and 10. The goals of the Gateway Arts District Sector Plan and SMA applicable to this site are as follows:

**a. Traditional Residential Neighborhood [TRN] Character Areas:**

**Goal: To preserve the single-family residential neighborhood character as anchor of the Arts District, while supporting artists who produce and teach from their homes.** (page 26)

The use of the property as a nursing home and convent has existed on the site since the 1920s, before the existence of the single-family neighborhoods it abuts, and is an intrinsic part of the community and its character. A number of existing trees will be preserved on-site when the existing buildings are razed, and additional landscaping is proposed when the new buildings are constructed. The proposed landscaping will enhance the property and screen the new development from the rear yards of the adjacent single-family homes to the south. Therefore, the Planning Board found that the proposal will continue to preserve the single-family residential neighborhood character of the community as an important land use feature, with abundant open space, tree preservation, and compatible architecture. Although the proposal has no component that specifically supports artists who produce and teach from their homes, neither does it detract from the goal, and could offer opportunities for valuable intergenerational connections. The new building would offer state-of-the-art nursing facilities for those artists in need of them and/or opportunities for them to age-in-place in the TRN Character Area.

**b. Urban Design:**

**Goal: Quality and context-sensitive infill development and redevelopment.** (page 71)

The proposal can be found to meet the goal of quality and context-sensitive infill development because the new architecture is both high-quality in material and design by including features such as stone veneer, cementitious siding, a decorative chimney, divided-light windows, a porte-cochere, and a tower; and context-sensitive, as it is only 34–35 feet tall, the gabled roofs are reminiscent of

single-family dwellings, and the building is only two stories. The site plan meets the goal for urban design of the Gateway Arts District.

**c. Environmental Infrastructure:**

**Goal: To protect, improve, and enhance the natural and built environment to provide a high quality of life for residents, workers and visitors.** (page 29)

The site design, as proposed, indicates that it will not be densely developed, but will retain its open wooded setting. The proposal will be enhanced by the built environment with a high-quality facility and will provide an improved quality of life for its residents and caregivers; therefore, meeting the goal for environmental infrastructure.

8. **Prince George's County Zoning Ordinance:** The subject application has been reviewed to ensure that the expansion is compatible with the adjacent uses and meets the goals of the sector plan, as compared with the requirements in the R-55, R-35, and D-D-O Zones and the site plan design guidelines of the Zoning Ordinance.
- a. The uses are legally existing on-site as a CNU and can be approved through DSP review per Exemption 8.b., as discussed in Finding 7 above.
- b. Footnote 2 on page 144 of the sector plan states that R-55-zoned properties within the TRN Character Area, within the incorporated City of Hyattsville, are exempt from the development district standards and must follow the requirements of the R-55 Zone; however, this existing development pre-dates the R-55 Zone. This CNU can be approved through showing compatibility with the adjacent uses, as discussed in Finding 7 above. Therefore, the requirements of the R-55 and R-35 Zones can be used as a *guideline* for demonstrating compatibility with the surrounding development, as that is what adjacent properties would be subject to (*emphasis added*).
- The proposal is generally in conformance with the requirements of Section 27-442, Regulations, regarding additional requirements for development in residential zones, and meets or exceeds many of the required regulations pertaining to items such as adequate lot coverage and building setbacks. The lot coverage proposed on the property is 26.9 percent, or 104,544 square feet, and within the 60 percent maximum coverage allowed for the case. The setbacks proposed meet the required minimums, propose more than the required amount, and show adequate setbacks from the adjoining properties. Additionally, the height of the proposed buildings is 34–35 feet and is consistent with the adjacent residential dwellings.
- c. The DSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 and cross-referenced in Section 27-283, as follows:

**(2) Parking, loading, and circulation**

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site.**
- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.**

The DSP is in general conformance with the site design guidelines contained in Section 27-274 regarding provisions for safe and efficient on-site pedestrian and vehicular circulation, as well as provisions for adequate illumination. Specifically, the plan shows two-way travel lanes on-site that follow the shape and topography of the site. The size of these travel lanes vary and should be large enough to provide safe parking, as well as passage for through traffic. Therefore, a condition has been included in this approval requiring that the proposed drive aisles be widened to 22 feet, as discussed in Finding 6.

There are 53 total parking spaces required for the proposed uses, with vehicular access to the site proposed from the existing access on Queens Chapel Road. The parking spaces have been located at convenient locations to allow pedestrians access to the building without compromising their safety and the vehicular circulation on-site.

A single loading space is provided at the central portion of the site near the main entrance to the nursing home. It will adequately serve for residential delivery for the Sisters and residents of the nursing home. The loading area is within the 22-foot drive aisle at the drop-off area. The Planning Board noted that the drive aisle should be revised to allow for one-way traffic permitting a 10-foot drive aisle adjacent to the loading space. Therefore, a condition has been added to this approval requiring the applicant to provide a 10-foot drive aisle adjacent to the loading space and one-way circulation, with signage.

**(3) Lighting.**

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character.**

The proposed pole-mounted lighting in the parking area, near the building and throughout the site, provides a balanced lighting pattern. The lighting placement has been designed to enhance the building entrances, pedestrian pathways, and site design character, and to improve safety, while not causing a glare onto adjoining properties, as evidenced by the photometric plan.

**(4) Views.**

**(A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The DSP is designed to preserve, create, or emphasize views from the public roads and public spaces to the adjoining properties and green areas. For example, the proposed buildings have been set back from the roadway and propose a landscape strip along the road frontage of Queens Chapel Road, which enhances the streetscape along the property's frontage. Additionally, the buildings have been designed to provide a modern, clean, and appealing presence from the adjoining properties. The architectural materials and styles proposed are compatible with the surrounding residential neighborhood.

**(5) Green Area.**

**(A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use.**

This DSP has provided landscaping for the interior parking lot, which is 13,321 square feet. The applicant has proposed 1,087 square feet of interior landscaping within the parking lot, exceeding the requirements of Section 4.3, Parking Lot Requirements, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), although not regulatory in this case. Additionally, the application is proposing a central courtyard for the passive recreational enjoyment of the nursing home residents, with supplemental landscaping throughout the site to beautify the property.

**(6) Site and streetscape amenities.**

**(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.**

The applicant is not proposing any site or streetscape amenities as part of this development. However, the DSP does propose a landscape strip along the road frontage that contributes to an attractive and coordinated development pattern of the streetscape bordering the site and makes it compatible with the surrounding area.

**(7) Grading.**

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.**

The development is being proposed on a site that has been previously developed. Grading will be required, but is generally designed to minimize disruption to the existing topography (except where necessary along the southern portion of the site) and other natural resources on the site and on adjacent properties, to promote compatibility.

**(8) Service Areas.**

- (A) Service areas should be accessible, but unobtrusive.**

The service area is accessible and will be screened with vegetation along the southern edge of the development. The DSP also proposes one loading area, near the nursing home entrance, which will be used as a drop-off and pick-up location for small delivery trucks. The loading area is appropriately screened from public roadways by landscaping and is away from any adjacent residential dwellings.

**(9) Public Spaces.**

- (A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.**

The DSP does not propose any public space in this development, but this application does propose a central courtyard for the residents to enjoy and landscape plantings throughout the site, to beautify the grounds of the facility.

**(10) Architecture.**

- (A) When architectural considerations are references for review, the Conceptual (Detailed) Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**

**(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**

**(C) These guidelines may be modified in accordance with Section 27-277.**

The two new buildings proposed with this application are designed with a horizontal emphasis to fit into the landscape and are two stories, with a maximum height of 34–35 feet, generally in keeping with the adjacent residential homes. Both buildings propose an earth-tone color scheme and include many traditionally residential elements, as are used in the surrounding neighborhood. High-quality durable building materials have been proposed including stone, cedar shake siding, decorative columns, chimneys, and asphalt shingles on the roof. The buildings include balanced fenestration, with enhanced window and door trim, decorative columns, cross gables, and dormers. The buildings have been designed to create a clean and contemporary design, which is compatible with the surrounding residential character.

9. **Preliminary Plan of Subdivision 4-17004:** Preliminary Plan of Subdivision 4-17004 was approved on January 18, 2018 by the Planning Director, with eight conditions. The following conditions of approval of the PPS relate to the review of this DSP and are shown below in **boldface** text, followed by comment:

1. **Total development shall be limited to uses that would generate no more than 26 AM and 39 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The applicant has submitted a traffic study for the subject application and this has been reviewed by the Planning Board. The submitted application is in conformance with and meets these requirements.

4. **A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.**

No revision to the uses is proposed with this DSP application. Conformance with this condition has been demonstrated.

5. **Development of this site shall be in conformance with the approved Stormwater Management (SWM) Concept Plan 54898-2017 or subsequent revisions.**

The development of this site has been reviewed by the Planning Board and found in conformance with the approved Stormwater Management (SWM) Concept Plan, 54898-2017. The site plan's conformance is further discussed in the environmental referral section of Finding 13(g).

- 6. Prior to approval of the detailed site plan (DSP), a Global Stability Analysis to determine the limits of unsafe land within the subject site, and any subsequent information as required by DPIE, shall be submitted. As determined by DPIE, the location of the 1.5 safety factor line and a 25-foot building restriction line, if appropriate, shall be determined and the DSP shall be revised to reflect the delineation or the DSP shall be revised as necessary to address the slope stability safety factor to satisfy the requirements of Section 24-131 of the Subdivision Regulations and Section 4-131 of the Water Quality Resources and Grading Code, in accordance with the guidelines established by DPIE.**

In an email dated April 3, 2018 (Labban to Barbato), the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) indicated that they are currently working with Hillis-Carnes Engineering Associates, the geotechnical engineer for the project, and do not have any objections to the application. It was determined that the minimum factor of safety would be 2.1, so the 1.5 safety factor line would not be needed. Any revisions to the plan or the soils report affecting the site plan would be handled during the building permit process review.

- 7. Prior to approval of the detailed site plan, manhole 108 (MH-108) shall be shown to be relocated to a gentler slope below the toe of the Christiana steep slope. The relocation is subject to approval by DPIE.**

In an email dated April 3, 2018 (Labban to Barbato), DPIE indicated that the geotechnical engineer for the project stated that the relocation of the manhole will be subject to DPIE's separate permitting process and will not impact this DSP.

- 8. Prior to approval of the final plat, pursuant to Section 24-131 of the Subdivision Regulations, the issue of unsafe lands on the subject property shall be addressed as determined at the time of the detailed site plan and the final plat shall reflect the following:**
  - a. If an unmitigated 1.5 safety factor line is present, the 1.5 safety factor line shall be shown on the final plat prior to approval unless mitigation is approved with the DSP.**
  - b. A 25-foot building restriction line shall be delineated on the final plat if determined appropriate at the time of detailed site plan approval.**

In an email dated April 3, 2018 (Labban to Barbato), DPIE determined that an unmitigated 1.5 safety factor line and a 25-foot building restriction line will no longer be needed, as discussed in Finding 13(g). However, the Planning Board noted that the project will be subject to further review at the time of permit and DPIE reserves the right to impose restrictions, if this is revised, prior to permit.

10. **2010 Prince George's County Landscape Manual:** The development district standards of the Gateway Arts District Sector Plan and SMA replace the requirements of the Landscape Manual. However, as discussed in Finding 7, this DSP is exempt from the development district standards and the only requirements that apply to this DSP are that the site plan is compatible with adjacent uses and meets the goals of the sector plan. Therefore, the Landscape Manual requirements, while not applicable, are being used as guidelines to help illustrate neighborhood compatibility.

Typically, an application such as this DSP would be required to provide a minimum number of trees for the green area provided on-site. The landscape plan includes a large amount of green area on the site, preserves a number of existing trees on the site, and proposes a variety of shade trees, evergreen trees, and ornamental trees. The existing and proposed trees support the compatibility of the application and show that the subject site is being designed similar to the surrounding residential uses. Therefore, the Planning Board found that the landscape plan, as designed for the proposed nursing home and convent, provides compatibility with the surrounding neighborhoods.

The streetscape adjacent to an institutional use, such as the nursing home and convent proposed in the subject application, would normally be required to provide a landscape strip with a minimum planting requirement along the frontage of public rights-of-way, if the project were not nonconforming. This DSP provides landscaping along its frontage with Queens Chapel Road, and the Planning Board found that the proposal further provides compatibility with the neighborhood. Mechanical equipment, loading areas, and trash facilities, among other things, are typically required to be screened from public view. The loading area shown for the nursing home and convent is appropriately screened and mitigates any incompatibility of these facilities with the surrounding properties.

A Type B bufferyard, between adjacent land uses, would normally be required by Section 4.7 (Buffering Incompatible Uses) of the Landscape Manual and between the proposed nursing home and convent, adjacent to single-family attached uses on the southeastern and southwestern sides of the property. The landscape plan shows a buffer width and building setback in this area, consistent with the requirements, and notes that the proposed plantings and retaining wall would adequately screen the nursing home and convent from the residential lots adjacent to the property. The plantings are being proposed on a steep slope, with as much as a 2:1 slope in some areas, which will not support survivability of the screening vegetation. Slopes greater than 3:1 are not conducive to tree growth. The slope in these areas should be reduced to encourage plant growth and viability. Additionally, the Planning Board required that the retaining walls located on the southern portion of the site be designed in a manner that it becomes an architectural feature or be constructed of decorative block due to the retaining wall's location near the rear of the adjacent residential homes. Therefore, conditions have been included in this approval requiring that the

grading in this area be adjusted to a more suitable slope where trees are proposed, to encourage plant growth, and that the retaining wall be constructed of decorative block.

A percentage of the proposed plant materials are typically required to be native and use other sustainable landscaping practices. The subject DSP demonstrates that the proposed landscaping on-site meets the intent of this requirement and is proposing native plant material. Therefore, the Planning Board noted that the landscape plan is compatible with the surrounding neighborhood and has been designed to integrate the overall project into the fabric of the community through landscaping for beauty, screening, and sustainability.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland on-site and has no previous tree conservation plan approvals. A standard letter of exemption from the WCO was issued for this site (S-040-2017), which expires on March 2, 2019.
12. **Prince George's County Tree Canopy Coverage Ordinance—**Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that disturb more than 5,000 square feet. The site is required to provide a minimum of 15 percent of the gross tract area in TCC. This project is 8.72 acres, which results in 1.31 acres (or 56,976 square feet) of required TCC for the site. The Planning Board noted that the plans meet these requirements, proposing the required amount of coverage, and include a schedule demonstrating conformance to the Tree Canopy Coverage Ordinance.
13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the appropriate agencies and divisions. The referral comments are incorporated herein and summarized as follows:
  - a. **Historic Preservation—**The Planning Board acknowledged the history of the property and noted that, although the subject application has not been determined eligible for listing in the National Register of Historic Places, the Sacred Heart site does retain local historical significance. The Planning Board required that the Sacred Heart Home, all other structures on the site, and the layout of the grounds located on the parcel at 5805 Queens Chapel Road should be recorded on a Maryland Inventory of Historic Properties form by a qualified architectural historian. The form should be submitted to the Historic Preservation Section for review and approval, and a condition has been added to this approval requiring this submittal.
  - b. **Community Planning—**The Planning Board provided the following community planning related summarized comments:

This application is in the Established Communities area. *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), which classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of regional

transit districts and local centers as Established Communities areas. Established communities areas are most appropriate for context-sensitive infill and low- to medium-density development. Plan Prince George's 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (i.e. libraries, schools, parks, and open space), and infrastructure in these areas. Additionally, it was noted that this property is in the Gateway Arts District SMA, which retained the subject property in the R-55 Zone and superimposed a D-D-O Zone, placing the property in the TRN Character Area.

#### **Development District Mandatory Standards**

Properties zoned R-55 in the TRN Character Area, within the incorporated City of Hyattsville, are exempt from the development standards and "will abide by the requirements of the R-55 Zone" (see Footnote 2, page 144 of the SMA). However, Exemption 8.b. (page 141) provides that "...a property owner may not expand a certified nonconforming use, or a use or structure that was lawful on the date of the SMA approval but does not conform to the standards, unless a detailed site plan is approved with findings that the expansion is compatible with adjacent uses and meets the goals of the sector plan."

#### **Compatibility with Adjacent Uses**

To supplement the discussion in Finding 8(b), the nursing home and convent have existed as uses in this location before the surrounding area was developed with single-family dwellings; the 1938 aerial shows the property surrounded by farmland, and there are few or no improvements of any kind west of 39th Street. Today, the adjacent uses comprise single-family dwellings to the east, south, and west, and an assisted living facility to the north. The proposed new building is low-rise and residential in form and character. The property's continued uses as a nursing home and convent are residential in character and are low-intensity, requiring neither frequent traffic, nor generating audio-visual impacts greater than those of the surrounding uses. Further, because the existing facility will ultimately be demolished upon completion of the new facility, the proposal could be seen as a continuation, rather than expansion, of the nonconforming use, depending on the timing of the demolition of the existing, out-of-date facility.

#### **Goals of the Sector Plan**

As stated in Finding 7, the following three sector plan goals are applicable:

#### **Traditional Residential Neighborhood Character Areas**

**To preserve the single-family residential neighborhood character as anchor of the Arts District, while supporting artists who produce and teach from their homes. (page 26)**

**Urban Design**

**Quality and context-sensitive infill development and redevelopment.**  
 (page 71)

**Environmental Infrastructure**

**To protect, improve, and enhance the natural and built environment to provide a high quality of life for residents, workers and visitors.** (page 29)

- c. **Transportation Planning**—The Planning Board offered the following summarized review comments related to transportation planning issues:

The existing site has an assisted living facility and convent. The table below was developed as a means of comparing the proposed use, with other existing uses, against the trip cap for the site.

The Planning Board found that the proposal meets the three goals of the sector plan, as previously discussed in Finding 7.

| <b>Comparison of Estimated Trip Generation, DSP-17053, 8.91 acres</b> |                      |                   |          |                |                   |           |                |
|---|----------------------|-------------------|----------|----------------|-------------------|-----------|----------------|
| Zoning or Use   | Units or Square Feet | AM Peak Hr. Trips |          | Total AM Trips | PM Peak Hr. Trips |           | Total PM Trips |
|   |                      | In                | Out      |                | In                | Out       |                |
| <b>Existing</b>   |                      |                   |          |                |                   |           |                |
| Assisted living facility  | 100 beds             | <b>9</b>          | <b>5</b> | <b>14</b>      | <b>10</b>         | <b>12</b> | <b>22</b>      |
| Convent   | 4,855 sq. ft.        | <b>1</b>          | <b>1</b> | <b>2</b>       | <b>1</b>          | <b>2</b>  | <b>3</b>       |
| Church  | 4,000 sq. ft.        | <b>1</b>          | <b>1</b> | <b>2</b>       | <b>1</b>          | <b>1</b>  | <b>2</b>       |
| <b>Proposed Use</b>   |                      |                   |          |                |                   |           |                |
| Assisted living facility  | 44 beds              | <b>4</b>          | <b>2</b> | <b>6</b>       | <b>4</b>          | <b>5</b>  | <b>9</b>       |
| Convent   | 9,188 sq. ft.        | <b>1</b>          | <b>1</b> | <b>2</b>       | <b>1</b>          | <b>2</b>  | <b>3</b>       |
| Total   |                      |                   |          | <b>26</b>      |                   |           | <b>39</b>      |
| Trip Cap, 4-17004   |                      |                   |          | <b>26</b>      |                   |           | <b>39</b>      |

There is an underlying PPS, 4-17004, with transportation-related conditions that will be enforced at the time of final plat. The analysis was predicated on the existing buildings and uses remaining at the same time, for a transitional period that is not restricted in time. Retention of both nursing home buildings may occur. The PPS also indicates the number of trips analyzed. This is reported in the above table, and the proposal is within the required trip cap.

Vehicular access to the site will remain along Queens Chapel Road and 36th Avenue, and access is acceptable. Queens Chapel Road is a master plan arterial facility with a proposed right-of-way of 120 feet and four to six lanes. There are no structures within the ultimate right-of-way. From the standpoint of transportation, it is determined that this plan is generally acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance.

- d. **Subdivision Review**—The Planning Board offered an analysis of the DSP’s conformance with the PPS conditions, which is incorporated into Finding 9 above.
- e. **Trails**—The Planning Board noted that the Gateway Arts District Sector Plan and SMA has the following recommendations for Queens Chapel Road:

**Queens Chapel Road**

- (1) **Provide comprehensive bicycle and pedestrian facilities along Queens Chapel Road for the entire length of the Arts District.**
- (2) **Wide sidewalks (a minimum of eight feet) and in-road bike lanes are recommended along both sides of the road for the entire Arts District, where feasible.**
- (3) **Additional safety improvements are also recommended including: well-marked crosswalks, pedestrian-friendly street lighting, pedestrian crosswalk signals, and traffic-calming measures.**

In addition, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) recommends continuous wide sidewalks and designated bike lanes along Queens Chapel Road (from MD 410 (East-West Highway) to Washington, DC)). Text from the MPOT about this facility is copied below.

**Queens Chapel Road (MD 500) Wide Sidewalks and Designated Bike Lanes: Wide sidewalks and designated bike lanes will improve pedestrian access to both the West Hyattsville and Prince George’s Plaza Metro Stations. Segments of the road have been restriped to accommodate bicycle traffic, but continuous facilities for both pedestrians and bicyclists are still needed. Pedestrian safety features and amenities may also be appropriate at some locations.**

The MPOT also reaffirms the need for sidewalks within new developments and as frontage improvements are made by including several policies related to pedestrian access and the provision of sidewalks. The Complete Streets section includes the following policies regarding sidewalk construction, the accommodation of pedestrians, and provision of complete streets:

**Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**Policy 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

The Maryland State Highway Administration (SHA) currently has funding in the Statewide Transportation Improvement Program (STIP) to complete the needed improvements along this road. STIP Project #PG5461 includes funding to construct a landscaped median with sidewalk, traffic calming, and crosswalk improvements. This project will also include striping for designated bike lanes. The applicant's frontage improvements along MD 500 should be coordinated with this funded STIP project. It is possible that the applicant will be required to construct their portion of the project or provide funding to SHA for completion of the improvements at the time the STIP project is constructed.

There are no master plan trail recommendations. Frontage improvements along MD 500 should be coordinated with the existing SHA construction project (STIP #PG5461).

- f. **Permit Review**—The Planning Board noted that the permit-related issues have either been addressed by revisions to the plan or have been included as conditions in this approval.
- g. **Environmental Planning**—The Planning Board offered the following discussion relating to the environmental review of the application:

**Site Description**

The 8.9-acre site in the R-55 and D-D-O Zones is located on the southern side of MD 500 (Queens Chapel Road), approximately 140 feet to the east of the intersection with Longfellow Street. The site has been previously developed with an existing parking lot and several existing buildings occupying the property. No areas of woodlands exist on-site. The site is located within the Northwest Branch watershed that drains into the Potomac River Basin. The predominant soils found to occur, according to the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Web Soil Survey, are Christiana-Downer complex (15–25 percent slopes), Christiana-Downer-Urban land complex (5–15 percent slopes), and Russett-Christian-Urban land complex (0–5 percent slopes). According to available information, soils containing Marlboro clay are not known to occur on-site; however, soils containing Christiana complexes are identified on the property. According to the Sensitive Species Project Review Area (SSPRA) map prepared by the Maryland Department of Natural

Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. There are no streams, waters of the U.S., wetlands, or areas of 100-year floodplain associated with the site. The site is not identified as containing forest interior dwelling species (FIDS) or FIDS buffer. The site has frontage with Queens Chapel Road. This site does not share frontage with any historic or scenic roadways. The site is located within Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan Prince George's 2035. The site is also located within Gateway Arts District Sector Plan and SMA (2004). According to the *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (2017), the site contains no regulated, evaluation, and network gap areas within the designated network of the plan.

#### **Environmental Review**

The application has an approved Natural Resources Inventory Equivalency Letter, NRI-052-2017, which expires on March 2, 2022. According to available information, the site does not contain regulated environmental features such as wetlands, streams, or associated buffers. This site contains no 100-year floodplain. However, the site does contain areas of steep slopes.

#### **Soils**

The predominant soils found to occur, according to the USDA NRCS Web Soil Survey are Christiana-Downer complex (15–25 percent slopes), Christiana-Downer-Urban land complex (5–15 percent slopes), Russett-Christian-Urban land complex (0–5 percent slopes). According to available information, soils containing Marlboro clay are not known to occur on-site; however, soils containing Christiana complexes are identified on the property.

A geotechnical engineering study prepared by Hillis-Carnes Engineering Associates, dated November 3, 2017, was included with this application and sent to the DPIE for review. That report determined that the site contained a layer of clay approximately 6-13 feet on the eastern portion of the site, where a building is proposed. Due to the proposed grading in this area, DPIE required the applicant to submit a global stability analysis to address how the slope would be stabilized to prevent slope failure.

The global stability analysis was submitted on April 6, 2018 and reviewed by DPIE and, based on the revised geotechnical report and the global stability analysis, the minimum factor of safety would be 2.1, reflecting no presence of unsafe land. The proposed slope will require underdrains for all proposed SWM devices. This information is provided for the applicant's benefit. The County may require a soils report, in conformance with Prince George's County Council Bill CB-94-2004, during the building permit process review. The project will be subject to further review at the time of permit, and DPIE reserves the right to impose restrictions, if necessary, prior to permit.

**Stormwater Management**

During the public hearing, concerned citizens provided documentation and video evidence of SWM-related issues. These were addressed by the DPIE representative, and the Planning Board determined that the site has an approved Stormwater Management Concept Plan (54898-2017-00) and letter that is in conformance with the current code. The Planning Board noted that no additional information was required with regard to SWM for this application, and that the stormwater-related issues presented would be addressed through DPIE's separate permitting process.

- h. **Prince George's County Fire/EMS Department**—At the time of this approval, comments have not been received from the Fire/EMS Department regarding the subject project.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of this approval, an official referral has not been received from DPIE regarding the subject project, however, it is noted that DPIE is working with the applicant on issues of SWM and soil conditions on the site, and they will be addressed through their approval process.
- j. **Prince George's County Police Department**—At the time of this approval, staff did not receive comments have not been received from the Police Department regarding the subject project.
- k. **Prince George's County Health Department**—At the time of this approval, comments have not been received from the Health Department regarding the subject project; however, the following standard comments have been conditioned to be added as notes on the plan:
  - (1) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
  - (2) During the demolition/construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
- l. **Washington Suburban Sanitary Commission (WSSC)**—At the time of this approval, comments have not been received from WSSC regarding the subject project.

- m. **Maryland State Highway Association (SHA)**—SHA noted that there is no work being completed in the state highway right-of-way, and no comments were provided regarding the DSP because an access permit will not be required for this application by SHA.
  - n. **City of Hyattsville**—In a letter dated March 22, 2018 (Hollingsworth to Hewlett), the Mayor of the City of Hyattsville stated that the City has worked closely with the applicant on their proposal, to allow for the creation of a more modern facility, and that the City Council voted in support of the subject application on March 19, 2018.
14. Based on the foregoing, and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised in accordance with the conditions this approval, 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.
15. As there are no environmental features located on the subject property, the normally required finding, pursuant to Section 27-285(b)(4) of the Zoning Ordinance, that the regulated environmental features on a site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations, does not need to be made for the subject project.
16. In accordance with the required finding of approval of the DSP (Gateway Arts District), as set forth in this approval for the expansion of a CNU, the project will be compatible with the adjacent uses and meets the goals of the sector plan.

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 Detailed Site Plan DSP-17053 for the above described land, subject to the following conditions:

- 1. Prior to certificate of approval of this detailed site plan (DSP), the applicant shall revise the plans for the project as follows, or provide the information specified:
  - a. Add the gross floor area of the existing buildings to the plan.
  - b. Widen the drive aisle to 22 feet within the limits of disturbance.
  - c. Provide a 10-foot-wide by-pass lane adjacent to the 12-foot-wide loading space at the nursing home and add signage to indicate that the traffic pattern for the loading space is one-way only.

- d. Adjust the grading behind the nursing home where trees are proposed to a maximum slope of 3:1 to enable plant growth of vegetation, as shown on the landscape plan. Adjust the retaining wall design, as necessary, and provide the details and specifications for a decorative block.
- e. Add the following site plan notes:
  - “During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
  - “During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”
- f. Provide the details and specifications of the outdoor rooftop deck, the central courtyard, and any other proposed amenities.
- g. Revise the general notes to state that this property is within the Development District Overlay (D-D-O) Zone and the appropriate exemption from the development district standards, including the certified nonconforming use permit number.
- h. Revise the minimum lot width at street line to be 454 feet.
- i. Revise the site plan to show the centerline of all rights-of-way.
- j. Revise the site plan to clearly identify and label the existing and proposed fencing on-site.
- k. Revise the parking schedule to include the parking calculations for a maximum of 102 nursing home beds and for the convent, and adjust the Americans with Disabilities Act parking spaces accordingly.
- l. The parking schedule shall include the size of the parking spaces and the number of compact and Americans with Disabilities Act (ADA) parking spaces, as follows:
  - (1) New standard parking spaces shall be a minimum of 9.5 feet by 19 feet.
  - (2) New compact parking spaces shall be a minimum of 8 feet by 16.5 feet.
  - (3) All standard ADA parking shall be demonstrated at 13 feet by 19 feet and 16 feet by 19 feet for van-accessible.
- m. Remove the 2010 *Prince George’s County Landscape Manual* schedules from the plan.

- n. Include the photometric plan Sheet SE1.0–A in the DSP package.
  - o. At the service entrance, add signage stating the following: “Emergency Vehicles Only Beyond the Service Area.”
2. Prior to issuance of any demolition or grading permit, the applicant and the applicant’s heirs, successors, and/or assignees shall submit a Maryland Inventory of Historic Property (MIHP) form for the structures and grounds located at 5805 Queens Chapel Road. The buildings and grounds shall be documented by a 36 Code of Federal Regulations qualified architectural historian, and the submitted documentation shall include a chain of title, floor plans, and representative interior and exterior photos of the buildings and grounds. The MIHP form shall be submitted to the Historic Preservation Section for review and approval.

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.

\* \* \* \* \*

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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, May 10, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 24th day of May 2018.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:NAB:rpg