



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Detailed Site Plan Sycamore Hill Assisted Living Facility

DSP-21015

REQUEST	STAFF RECOMMENDATION
A proposed adult day care for 15 people, assisted living facility for 78 residents, and related site improvements.	APPROVAL with conditions

Location: In the southeast quadrant of the intersection of Vista Grande Drive and Lottsford Vista Road, approximately 1,000 feet south of its intersection with US 50 (John Hanson Highway).	
Gross Acreage:	7.91
Zone:	R-R
Dwelling Units:	N/A
Gross Floor Area:	65,608 sq. ft.
Planning Area:	73
Council District:	05
Election District:	13
Municipality:	N/A
200-Scale Base Map:	205NE09 and 206NE09
Applicant/Address: Presidential Care LLC 4640 Forbes Blvd., Suite 150 Lanham, MD 20706	
Staff Reviewer: Rachel Guinn Phone Number: 301-952-4534 Email: Rachel.Guinn@ppd.mncppc.org	



Planning Board Date:	03/10/2022
Planning Board Action Limit:	03/14/2022
Staff Report Date:	02/24/2022
Date Accepted:	12/30/2021
Informational Mailing:	08/23/2021
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Sign Posting Deadline:	02/08/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-21015
Type 2 Tree Conservation Plan TCP2-003-14-02
Sycamore Hill Assisted Living Facility

The Urban Design staff has reviewed the application for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

This detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance in the Rural Residential (R-R) Zone.
- b. The requirements of Preliminary Plan of Subdivision 4-12020.
- c. The requirements of Special Exception SE-4667.
- d. The requirements of the 2010 *Prince George's County Landscape Manual*.
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
- f. The requirements of the Prince George's County Tree Canopy Coverage Ordinance.
- g. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject detailed site plan, the Urban Design staff recommends the following findings:

1. **Request:** The subject detailed site plan (DSP) requests approval for the development of an adult day care center for 15 people and assisted living facility with 63 units for 78 people.

2. Development Data Summary:

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Vacant	Adult Day Care for 15 people and 63-unit Assisted Living Facility for 78 people
Gross Acreage	7.91	7.91
Total Gross Floor Area (GFA)	0 sq. ft.	65,608 sq. ft.
Total Number of Residents	n/a	78

OTHER DEVELOPMENT DATA

Parking and Loading Spaces

Use	Required	Provided
Adult Day Care (1 per 3 residents)	5	50
Assisted Living Facility (1 per 3 residents)	26	
Total Parking Spaces	31	50*
Loading		
Hospital or other institution (1 per 10,000 to 100,000 sq. ft. of GFA)	1	1

Note: *Including 2 van-sized Americans with Disabilities Act (ADA) spaces, 2 regular ADA spaces, 34 regular spaces, and 12 compact car spaces.

3. **Location:** The subject property is in the southeast quadrant of the intersection of Vista Grande Drive and Lottsford Vista Road, approximately 1,000 feet south of its intersection with US 50 (John Hanson Highway). More specifically, the property is located at 3911 Lottsford Vista Road, in Planning Area 73 and Council District 5, within the Rural Residential (R-R) Zone.
4. **Surrounding Uses:** The property is currently vacant and the previous structure on the site, a one-story congregate living facility, has been razed. The site is in a mostly residential area and is bounded to the north by single-family detached homes in the R-R Zone, to the east and south by undeveloped land owned by the Maryland-National Capital Park and Planning Commission in the Reserved Open Space (R-O-S) Zone with single-family homes in the R-R Zone beyond, and to the west by single-family detached homes and the Villa Rosa Nursing Home in the R-R Zone.
5. **Previous Approvals:** Preliminary Plan of Subdivision (PPS) 4-12020 and Type 1 Tree Conservation Plan TCP1-010-10 were approved on July 11, 2013, with 13 conditions. The site is subject to Special Exception SE-4667 and Type 2 Tree Conservation Plan TCP2-003-14, for the same development, which received final approval by the Prince George’s County District Council on February 8, 2016, with seven conditions. A stormwater management (SWM) concept plan for the site was approved on July 23, 2021 and is valid until July 23, 2024.

6. **Design Features:** The subject 7.91-acre site proposes to develop the site with an adult day care for 15 people and a 63-unit assisted living facility for 78 people and associated site improvements. The proposed 65,608-square-foot facility faces southwest and has one 30-foot-wide vehicular access point with an adjacent sidewalk from Lottsford Vista Road providing ingress and egress. The entrance driveway provides access to the parking lot and turnaround/drop-off area at the building entrance. The landscape design provides visual interest throughout the site with numerous shade trees, evergreen trees, and shrubs adjacent to the building and pedestrian areas. The site will be improved with recreational amenities, including a walking path, courtyards, bocce ball court, horseshoe pitch, putting green, and bike racks. A decorative split-rail fence is proposed along the northern portion of the site, and a fence with a gate is proposed across the entrance driveway.

Lighting

The proposal includes a photometric plan that shows adequate vehicular and pedestrian-scale lighting is provided throughout the site. Pole-mounted light-emitting diode (LED) lights are proposed along the entrance driveway, parking lot, and turnaround/drop-off area and bollard LED lights are proposed along the pedestrian areas and walking path.

Architecture

The proposed 40-foot-high, two-story facility creates a residential feel by massing the building around two large courtyards, various pitched shingled roofs, and high-quality materials that create variations in the facades including stone veneer, fiber cementitious panel, louvers and shutters, and architectural trim. Finishes are in various shades of white and gray with ample fenestration on all elevations and a gabled canopy over the main building entrance.

Signage

One freestanding 18-foot-wide by 4-foot-high monument sign is proposed at the entrance driveway, set within an approximately 51-foot-long brick wall that ranges from approximately 4.5 feet to 8 feet in height due to the grade change. A 10-foot-wide by 4-foot 10-inch-high building-mounted identity sign is proposed adjacent to the building entrance on south elevation B. However, per Section 27-617(a) of the Prince George's County Zoning Ordinance, institutional uses may only have one sign per street frontage. Therefore, a condition is included herein, requiring the plans be revised to be in conformance with this section.

Loading and Trash Facilities

The loading space and trash facilities are located at the northwest corner of the parking lot to avoid most pedestrian traffic on the site. The trash facilities are enclosed by 6-foot 5-inch-high wood slat walls and gates. They are also screened from the adjacent outdoor patio by evergreen trees and shrubs.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Zoning Ordinance in the R-R Zone and the site design guidelines:

- a. This DSP is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs uses in residential zones. The proposed uses are permitted in the R-R Zone, subject to approval of a special exception and Footnote 77, for an assisted living facility, which includes the following specific requirements:

Up to seventy-five (75) dwelling units are permitted 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.

The DSP proposes 63 assisted living facility dwelling units that will be operated by the same organization as an adult day care center, as approved by SE-4667. The standards and requirements in Part 6, Division 5 (Section 27-464.04 of the Zoning Ordinance) are discussed as follows:

(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.**

One building is proposed and its massing is clustered around courtyards to give a residential character to the site.

- (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.**

The entry is located at the roundabout terminus of the parking lot, which provides a safe and clear vehicular route to the entry and passenger drop-off.

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

The entry driveway is 30 feet wide, and the proposal includes a vehicle turning radius exhibit indicating that cars and vans will be able 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.**

The drop-off area is located at the building entrance and the plans show it is 22 feet wide, which is spacious enough to accommodate pedestrian and vehicular traffic.

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

The proposal includes a canopy over the building entry at the drop-off area.

(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.**

The recreational facilities provided in this DSP will be on-site and include indoor amenities (a game room, indoor lounge, multipurpose room, and fitness/physical therapy space) and outdoor amenities (outdoor patios, a horseshoe pit, putting green, bocce court, and walking path). These facilities are clustered together inside and within the outdoor courtyards to increase the sense of community.

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

The facility is two stories high.

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

The facility is located on a 7.91-acre parcel.

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

The subject property is surrounded by R-R and R-O-S-zoned land.

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

The subject application was submitted and reviewed in accordance with this requirement, as discussed herein.

- b. Regulations for the R-R Zone, as found in Section 27-442 of the Zoning Ordinance, are shown on the plans. However, "multifamily" regulations are listed and should be corrected to list "other" uses for the proposed institutional uses, as conditioned herein.

- c. The DSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as cross-referenced in Section 27-283 of the Zoning Ordinance, and summarized 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 parking spaces are in a convenient location to allow users to access the building without compromising the vehicular circulation on-site. The loading area is located at the corner of the parking lot, farthest from the building and sidewalk areas, in order to minimize conflicts with pedestrians.

(3) Lighting.

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

Pole-mounted and bollard lighting is proposed in appropriate locations. The lighting placement enhances vehicular drive aisles, building entrances, and pedestrian pathways, 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 preserves views from the public roads by providing a building setback and a 20-foot landscape strip along Lottsford Vista Road, a designated historic roadway.

(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.**

The applicant has proposed three acres of tree canopy coverage (TCC) on the site, exceeding what is required by the Prince George's County Tree Canopy Coverage Ordinance. In addition, the application proposes landscaped outdoor patio areas for passive recreation, 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 DSP proposes an on-site pedestrian circulation system designed to encourage pedestrian activity and connect to amenities within the development. Amenities are shown to be high-quality and appropriately human-scaled, including the paving materials, landscaping, site furniture, and lighting. The DSP proposes a landscape strip along the road frontage that contributes to an attractive and coordinated development pattern of the streetscape.

(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 proposed on a site that has been previously partially developed and minimizes environmental impacts. The grading will conform to the approved SWM concept plan.

(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 DSP includes architectural elevations which demonstrate that the design of the building creates a variety of forms with a residential character, including courtyard spaces. The proposed materials are used consistently throughout the site to define the building massing and include stone veneer, fiber cementitious panel,

louvers and shutters, architectural trims, and standing seam metal and shingled roofing.

8. **Preliminary Plan of Subdivision 4-12020:** PPS 4-12020 was approved on July 11, 2013 (PGCPB Resolution No. 13-82), subject to the following conditions, which are relevant to the subject DSP:

2. **Development of this site shall be in conformance with Stormwater Management Concept Plan 46822-2005-02 and any subsequent revisions.**

The applicant submitted an approved SWM Concept Plan (7341-2021-0) and approval letter with the subject DSP. The SWM concept plan shows the layout of the proposed building and SWM facilities consistent with those shown on the DSP. The Environmental Planning Section reviewed the SWM concept plan and found it to be in conformance with the DSP.

4. **Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan, when approved.”

The Environmental Planning Section reviewed the TCP2 and recommends approval, subject to technical revisions, as conditioned herein.

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.**

The applicant has submitted a TCP2, a landscape plan, and detail sheets to address this requirement. The Environmental Planning Section and Urban Design Section found the landscape and signage design for the frontage of Lottsford Vista Road to be appropriate, subject to conditions herein.

7. **Prior to approval of the detailed site plan, the landscape buffer yard treatment and entrance features along historic Lottsford Vista Road shall be reviewed to ensure that the design is in keeping with the desired visual characteristics of the historic road.**

The applicant has submitted a landscape plan to address this requirement. The Urban Design Section finds the landscape bufferyard design to be in conformance with the 2010 *Prince George’s County Landscape Manual* (Landscape Manual) requirements and appropriate for the existing visual character of Lottsford Vista Road.

- 8. At the time of final plat, the applicant and the applicant's heirs, successors and/or assignees shall grant a ten-foot-wide public utility easement along the public rights-of-way of Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.**

A 10-foot-wide public utility easement is shown on the DSP, along the public right-of-way of Lottsford Vista Road, in accordance with the approved PPS. This condition will be evaluated again at the time of final plat.

- 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.**

An eight-foot-wide sidewalk is shown along the property's entire frontage of Lottsford Vista Road, in conformance with this condition.

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

The subject DSP proposes development in accordance with the approved PPS. There is no substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings.

- 11. Total development within the subject property shall be limited to uses which generate no more than 18 AM and 27 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 Transportation Planning Section determined that the DSP is consistent with the density, use, and trip cap associated with the PPS approval, in conformance with this condition.

- 12. At the time of final plat approval, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate 40 feet of right-of-way from the State Highway Administration (SHA) baseline on Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.**

The dedication of 40 feet from the Maryland State Highway Administration (SHA) baseline of Lottsford Vista Road is shown correctly on the DSP and is consistent with the PPS. A portion of the frontage on Lottsford Vista Road, beginning at the northwest corner of the property, approximately 0.33 acre, was dedicated to SHA by deed recorded in Liber 6873 and Folio 383, in 1987. The PPS delineated the dedication, from the southwest corner of the property, 16,800 square feet (0.39 acre) on Lottsford Vista Road.

9. **Special Exception SE-4667:** SE-4667 was approved by the District Council on February 8, 2016, subject to the following conditions, which are relevant to the subject DSP:

2. **Prior to approval of any building/grading permit:**

(a) **A detailed site plan shall be reviewed and approved in accordance with Part 3, Division 9, of the Zoning Ordinance for the Assisted Living Facility for the subject development.**

The subject application has been submitted and reviewed in conformance with this requirement.

(c) **Conformance to the sign regulations shall be reviewed at the time of detailed site plan approval.**

The proposal includes signage details that are not in conformance with the regulations and have been conditioned herein to be revised.

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, on pages 92-97 of the Technical Staff Report.**

The following recommendations in **bold** were provided by the Urban Design Section memorandum dated April 3, 2014:

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 more standard design in the surrounding residential area.**

The entrance sign is designed with a majority brick finish, and the precast concrete spheres were removed. The text of the sign is integrated into the sign face.

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.**

The window style is standardized throughout the facility, with a consistent design treatment that is slightly customized per façade to provide visual interest.

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.**

The exterior materials include cementitious siding and stone veneer in complementary gray tones, with feature facades of white siding to provide visual interest.

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.**

The quoins were removed from the proposal and the columns have been simplified to blend with the proposed architecture.

5. **Prior to the issuance of permits, the Special Exception Site Plan shall be revised as follows, and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:**

- a. **A Note shall be added to show how all of the applicable regulations of the R-R Zone (set forth in Section 27-442 of the Zoning Ordinance) are being met.**

The R-R Zone regulations are shown on the plans, however, multifamily regulations are listed and should be corrected to “other” uses, as conditioned herein.

- 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 a companion case, an alternative compliance (AC) application at the time of detailed site plan review.**

The Section 4.6 landscape schedule was provided on the plans and indicates the requirements are met.

- 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.**

The Section 4.9 landscape schedule was provided on the plans and indicates the requirements are met except for the evergreen trees and shrubs. A condition has been included herein, to revise the plant species to meet the Section 4.9 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.**

A condition has been included herein for the on-site woodland conservation on the TCP2 to be corrected, which will then be consistent with the tree canopy coverage credit.

- e. **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. **The existing sign shown on the left of the driveway, along Lottsford Vista Road, shall be removed and a detail for the new sign that shows its size and location shall be provided.**
- g. **The preliminary plan number and its approval date shall be added to 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.**
- i. **The hours of operation for the Adult Day Care Center (Monday-Friday from 7:30 a.m. - 8:00 p.m., and Saturday from 9:00 a.m.-8:00 p.m.) and hours of aftercare (if any) shall be added.**

The plans include the information required by the above conditions.

- 6. Prior to the issuance of permits, the TCP2 shall be revised as followed and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:**

The Environmental Planning Section reviewed the TCP2 and indicated that all the subconditions of Condition 6 were addressed.

- 10. 2010 Prince George's County Landscape Manual:** The applicable Landscape Manual requirements include Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Schedules and notes shown on the landscape plan indicate that the proposal is in conformance with the Landscape Manual, except for the Section 4.9 requirements. A condition has been included herein, to revise the landscape plan to meet the Section 4.9 requirements.
- 11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved tree conservation plans. TCP2-003-14-02 was submitted with the DSP application.

With the approval of TCP2-003-14-01 with SE-4667, 1.59 acres of off-site credits was proposed but never purchased. Based on the revised TCP2, the overall site contains a total of 2.52 acres of net tract woodlands. The applicant proposes to use both on-site preservation and reforestation, along with off-site woodland credits, to meet the woodland conservation requirement. The plan shows a proposal to clear 2.32 acres of on-site woodlands for a woodland conservation requirement of 4.31 acres. The woodland conservation worksheet shall be revised to reflect the corrected woodland conservation

requirement of 3.02 acres, and the TCP2 shall be revised to reflect the corrected on-site reforestation, off-site woodland credit amounts proposed to meet the woodland conservation requirement, and other technical corrections, as conditioned herein.

12. **Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of TCC on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties in the R-R Zone are required to provide 15 percent of the gross tract area in TCC. The subject site is 7.91 acres in size, and a total of 1.19 acres of TCC is required. The TCC schedule provided by the applicant indicates that TCC is to be provided by proposed landscape trees, exceeding and satisfying the requirement. However, the TCC schedule also counts 4.31 acres of woodland conservation on-site, which is incorrect in comparison to the TCP2. Therefore, a condition is included herein, requiring the schedule to be revised.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
 - a. **Community Planning**—In a memorandum dated February 7, 2022 (Dickerson to Guinn), the Community Planning Division noted that master plan conformance is not required for this application.
 - b. **Historic Preservation**—In a memorandum dated January 10, 2022 (Stabler and Smith to Guinn), it was noted a Phase I archeology survey was conducted in May 2008 and no further archaeological work was recommended. The subject property does not contain and is not adjacent to any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or significant archeological resources.
 - c. **Transportation Planning**—In a memorandum dated February 9, 2022 (Patrick to Guinn), the transportation planner provided an analysis of previous conditions of approval and compliance with the 2009 *Approved Countywide Master Plan of Transportation* and Zoning Ordinance requirements, and found the proposal acceptable subject to minor revisions, as conditioned herein.
 - d. **Subdivision**—In a memorandum dated February 4, 2022 (Gupta to Guinn), it was noted that the subject application is the subject of PPS 4-12020. The Subdivision Section recommended approval with no conditions.
 - e. **Permits**—In a memorandum dated February 4, 2022 (Bartlett to Guinn), the permit reviewer provided nine comments, which have been addressed by the applicant as revisions to the DSP, or have been included as conditions herein.
 - f. **Environmental Planning**—In a memorandum dated February 9, 2022 (Schneider to Guinn), the Environmental Planning Section provided an analysis of previous conditions of approval and woodland conservation requirements, as described above, and an analysis of the natural resources inventory (NRI), a specimen tree variance request, and primary management area (PMA) impacts, as summarized in the following comments:

Natural Resources Inventory/Existing Conditions

NRI-148-06-03 was submitted with the review package, which was approved on October 5, 2021. The NRI verifies that the site contains regulated environmental features, woodlands, and specimen trees. No revisions are required for conformance to the NRI.

Specimen Trees

Section 25-122(b)(1)(G) of the Prince George's County Code requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

As part of the PPS 4-12020 approval, six specimen trees were approved for removal. The first revision to the approved NRI showed seven specimen trees across the entire property. An updated second NRI revision was approved in 2020 and showed 29 specimen trees (16 on-site and 13 off-site). The application area has not changed with this DSP, but the development area will require nine additional specimen trees to be removed for an overall total of 15 specimen trees to be removed. The previously approved specimen trees for removal are ST-1, a 44-inch Silver Maple; ST-2, a 56-inch Silver Maple; ST-3, a 42-inch Yellow Poplar; ST-5, a 37-inch Yellow Poplar; ST-6, a 30-inch Yellow Poplar; and ST-7, a 30-inch Southern Red Oak. The proposed DSP requests the removal of: ST-8, a 31-inch Tulip Poplar; ST-10, a 31-inch Norway Maple; ST-11, a 31-inch American Sycamore; ST-12, a 30-inch Silver Maple; ST-13, a 34-inch Silver Maple; ST-14, a 38-inch Red Maple; ST-27, a 34-inch Tulip Poplar; ST-28, a 33-inch Tulip Poplar; and ST-29, a 32-inch Tulip Poplar.

The site contains 16 specimen trees on-site with the ratings of excellent (one specimen tree), good (seven specimen trees), fair (five specimen trees), and poor (three specimen trees). The current design proposes to remove nine specimen trees with excellent (one tree), good (four trees), fair (three trees), and poor (one tree) conditions.

Review of Subtitle 25 Variance Request

A Subtitle 25 variance application and a statement of justification (SOJ) in support of a variance were received for review with this application and were dated October 5, 2021, and a revised submission was dated January 24, 2022.

Section 25-119(d)(1) of the WCO contains six required findings be made before a variance can be granted. The SOJ submitted seeks to address the required findings for the nine specimen trees, and details specific to individual trees have been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY

ST #	COMMON NAME	Diameter (In inches)	CONDITION	RETAIN / REMOVE	PROPOSED IMPACT /OFF-SITE
1	Silver Maple	48	Fair	Remove PPS	Building
2	Silver Maple	58	Good	Remove PPS	Building
3	Tulip Poplar	44	Poor	Remove PPS	Building
4	White Oak	37	Good	Save	
5	Tulip Poplar	31	Good	Remove PPS	Grading
6	Tulip Poplar	32	Fair	Remove PPS	Building
7	Southern Red Oak	39	Poor	Remove PPS	Grading
8	Tulip Poplar	31	Excellent	* Remove	Grading
9	Black Gum	40	Fair	Save	Off-site
10	Norway Maple	31	Fair	*Remove	Building
11	American Sycamore	31	Good	*Remove	Building
12	Silver Maple	30	Good	*Remove	Building
13	Silver Maple	34	Good	*Remove	Building
14	Red Maple	38	Good	*Remove	Building
15	White Oak	32	Fair	Save	Off-site
16	Tulip Poplar	30	Fair	Save	Off-site
17	Tulip Poplar	31	Fair	Save	Off-site
18	Tulip Poplar	31	Fair	Save	Off-site
19	Tulip Poplar	31	Fair	Save	Off-site
20	Tulip Poplar	31	Fair	Save	Off-site
21	White Oak	33	Fair	Save	Off-site
22	Tulip Poplar	34	Fair	Save	Off-site
23	Tulip Poplar	32	Fair	Save	Off-site
24	Tulip Poplar	45	Fair	Save	Off-site
25	Tulip Poplar	30	Fair	Save	Off-site
26	Tulip Poplar	45	Fair	Save	Off-site
27	Tulip Poplar	34	Poor	*Remove	Building
28	Tulip Poplar	33	Fair	*Remove	Building
29	Tulip Poplar	32	Fair	*Remove	Building

Notes: Remove PPS=Approved for removal with 4-12020

*=Requested removal with this DSP-21015

Statement of Justification Request

A variance from Section 25-122(b)(1)(G) is requested for the clearing of the nine specimen trees on-site. The site consists of 7.93-acre site, in the R-R Zone. The current proposal for this property is to develop the site into assisted living facility, adult daycare center, surface parking, and various SWM facilities. This variance is requested to the WCO, which requires, under Section 25-122 of the County Code, that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The Subtitle Variance Application form requires a SOJ of how the findings are being met.

The text in **bold**, labeled A–F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

In relation to other properties in the area, special conditions peculiar to the property would cause an unwarranted hardship if the applicant were required to retain these nine specimen trees: ST-8, ST-10, ST-11, ST-12, ST-13, ST-14, ST-27, ST-28, and ST-29. The property is just over 30 percent wooded with steep slopes in the central and eastern portions of the property. To develop the site, significant grading is required. The proposed application has concentrated the development area within the central portion of the site while preserving the adjacent woodland within the PMA. The wooded areas within the PMA are the highest priority for woodland preservation on the site, which the applicant is preserving to the fullest extent practicable. As a result of the grading proposed, only one on-site specimen tree (ST-4 White Oak in Good Condition) will be preserved in the northern corner of the property.

The proposed use, for an assisted living facility and an adult daycare facility, is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on the site without the requested variance. Development cannot occur on the portions of the site containing PMA, which limits the site area available for development. Requiring the applicant to retain the nine specimen trees after the previous PPS approved the removal of six specimen trees would further limit the area of the site available for development to the extent that it would cause the applicant an unwarranted hardship.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.

Enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their critical root zone would deprive the applicant of rights commonly enjoyed by others in similar areas. The site contains 16 on-site specimen trees, and the applicant is proposing to remove nine of these trees due to the on-site steep slopes and the grading required for a development area. With the previously approved PPS, the Planning Board granted the removal of six of the on-site 16 specimen trees. The additional nine trees requested for removal with this DSP are due to their central location within the proposed development area. The applicant is preserving the on-site woodlands within the PMA, reforesting on-site, and retaining one specimen tree.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied other applicants. The property has a previously approved PPS that granted the removal of six of the on-site 16 specimen trees. If other similar residential developments were wooded with regulated environmental features (steep slopes and PMA) and specimen trees in similar conditions and locations, it would be given the same considerations during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.

The applicant has taken no actions leading to the conditions or circumstances that are the subject of the variance request. The removal of the nine specimen trees would be the result of the central location of the trees and grading to achieve the optimal developable site for the proposed facilities with associated infrastructure.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and

There are no existing conditions, land, or building uses on the site or on neighboring properties that have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

(F) Granting of the variance will not adversely affect water quality.

The granting of this variance will not adversely affect water quality standards nor cause measurable degradation in water quality. The proposed development is subject to the requirements of the Prince George's County Soil Conservation District, and the approval of a SWM concept plan by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The project is subject to environmental site design to the maximum extent practicable. The plan proposes to use eight micro-bioretenion ponds. The applicant is proposing to meet their woodland conservation requirement with on-site preservation, reforestation, and off-site woodland credits.

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

Impacts to the regulated environmental features should be limited to those that are necessary for the 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 the 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 SWM 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. SWM 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, SWM 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.

As part of the review and approval process for the PPS (4-12020), impacts to the PMA were approved. These impacts were to the PMA and stream buffer to install vegetative stormwater drainage to direct the project stormwater to an off-site stream system. This impact was approved for 1,600 square-feet of disturbance to the stream buffer.

Impact 1—This proposed PMA impact area totaling 1,600 square-feet (stream buffer) is for the construction of a sewer line connection to an existing on-site sewer pipeline. After the sewer pipe has been installed, this impact area is required to be returned to the previous grade. The areas inside the sewer easement area will remain open and not replanted.

In 2021, a revised NRI was submitted with updated floodplain limits, which expanded the on-site PMA area previously approved. Impacts to this newly identified floodplain area were approved with the previous PPS (4-12020) that showed no on-site floodplain. This application still proposes to impact the same area as in the approved PPS, but with updated SWM practices proposed. A revised SOJ was submitted in response to comments provided at the Subdivision and Development Review Committee meeting dated January 27, 2022.

Statement of Justification

The SOJ includes a request for additional PMA impacts totaling 27,813 square feet (0.64 acre) of 100-year floodplain.

Based on the SOJ, the applicant is requesting an additional impact area described below:

The previously approved PMA and stream buffer impacts and new additional PMA and floodplain impacts will occur during the construction of a submerged gravel wetland SWM pond and its outfall. In addition, new PMA impacts for the extension of a replacement culvert pipe under Lottsford Vista Road and a new sidewalk along Lottsford Vista Road. The proposed pond outfall needs to be extended to prevent erosion. Most of this proposed PMA impact area is currently comprised of a maintained grass area. The areas not required to be open for SWM will be reforested after construction. The total new PMA impacts, due to the additional floodplain area, is 27,813 square-feet (0.64 acre).

The proposed PMA impacts are necessary to the orderly development of the subject property. The impact cannot be avoided because the site is required to provide adequate infrastructure. The TCP2 shows the preservation, restoration, and enhancement of the remaining areas of the PMA.

- g. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated January 26, 2022 (Yu to Guinn), DPR noted that PPS 4-12020 was exempted from mandatory dedication of parkland requirements, and the proposal is adjacent to park property and does not pose any impacts to existing or future parkland.
- h. **Prince George's County Fire Department**—In an email dated January 28, 2022 (Reilly to Guinn), it was noted that the Fire Department had reviewed the proposal and had no comments.

- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer written comments on the subject application.
 - j. **Prince George’s County Police Department**—The Police Department did not offer written comments on the subject application.
 - k. **Prince George’s County Health Department**—In a memorandum dated January 4, 2022 (Adepoju to Guinn), the Health Department provided recommendations to be addressed at the time of permitting and construction, which has been transmitted to the applicant.
 - l. **Maryland State Highway Association (SHA)**—SHA did not offer written comments on the subject application.
 - m. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer written comments on the subject application.
14. Based on the findings herein, and as required by Section 27-285(b) of the Zoning Ordinance, the DSP, if revised as conditioned, 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. In accordance with Section 27-285(b)(4) of the Zoning Ordinance, based on the level of design information currently available and the limits of disturbance shown on the TCP2, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

One large floodplain impact area for the construction of a submerged gravel wetland SWM pond, pond outfall, replacement culvert pipe, and a new sidewalk along Lottsford Vista Road is proposed, which is reasonable for the orderly and efficient redevelopment of the subject property.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-21015, and Type 2 Tree Conservation Plan TCP2-003-14-02, for Sycamore Hill Assisted Living Facility, subject to the following conditions:

- 1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Provide additional signage indicating temporary parking at the drop-off area. The exact location and sign profiles shall be approved by the Transportation Planning Section.
 - b. Provide detailed profiles of the proposed sharrows along Lottsford Vista Road, as part of the DSP. The profiles shall be approved by the Transportation Planning Section.

- c. Provide a crosswalk at the driveway access point along Lottsford Vista Road.
- d. Revise the Section 4.6-2 schedule to indicate the 20-foot buffer is provided.
- e. Revise the Section 4.9 schedule to meet the native species planting requirements.
- f. Revise the signage and provide a schedule with calculations demonstrating conformance with Part 12 of the Prince George's County Zoning Ordinance, specifically Section 27-617(a).
- g. Revise the building use and information label/callout to contain all the necessary information and add the label/callout to the two major building sections.
- h. Revise the plans to identify all structures, fences, and walls with their height, type, and the location of the relevant detail in the callout or label.
- i. Revise the parking space callouts to be more legible.
- j. Revise the architectural elevations to place the height line at the highest roof peak for each elevation, to indicate that the maximum building height does not exceed the zone regulations.
- k. Provide detail drawings for all proposed fences.
- l. Revise the Rural Residential (R-R) Zone regulations table on the DSP to list the requirements for "other" uses and demonstrate conformance to these requirements.
- m. Revise the parking schedule to list the correct uses as defined by the Prince George's County Zoning Ordinance, for Assisted Living Facility and Adult Day Care Center.
- n. Add the following general notes to the plan:
 - (1) "During the 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. "
 - (2) "During the 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."
- o. Revise the tree canopy coverage schedule to indicate the correct amount of on-site woodland conservation.
- p. Provide the building dimensions on the site plan.

2. Prior to certification, the Type 2 tree conservation plan shall be revised, or additional information shall be provided, as follows:
 - a. Revise the woodland conservation worksheet to show the corrected woodland conservation requirement, reforestation area, and off-site credit areas.
 - b. Update the reforestation areas on the plan view to show the revised reforestation limits.
 - c. Revise the planting schedule to show the revised planting numbers.
 - d. Add details for the temporary and permanent (split-rail fence) to the set.
 - e. Add signature and date to the revised plan by the qualified professional who prepared it.
3. Prior to the issuance of any permits, which impact wetlands, wetland buffers, streams, Waters of the United States, or 100-year floodplain, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

SYCAMORE HILL ASSISTED LIVING FACILITY

DETAILED SITE PLAN

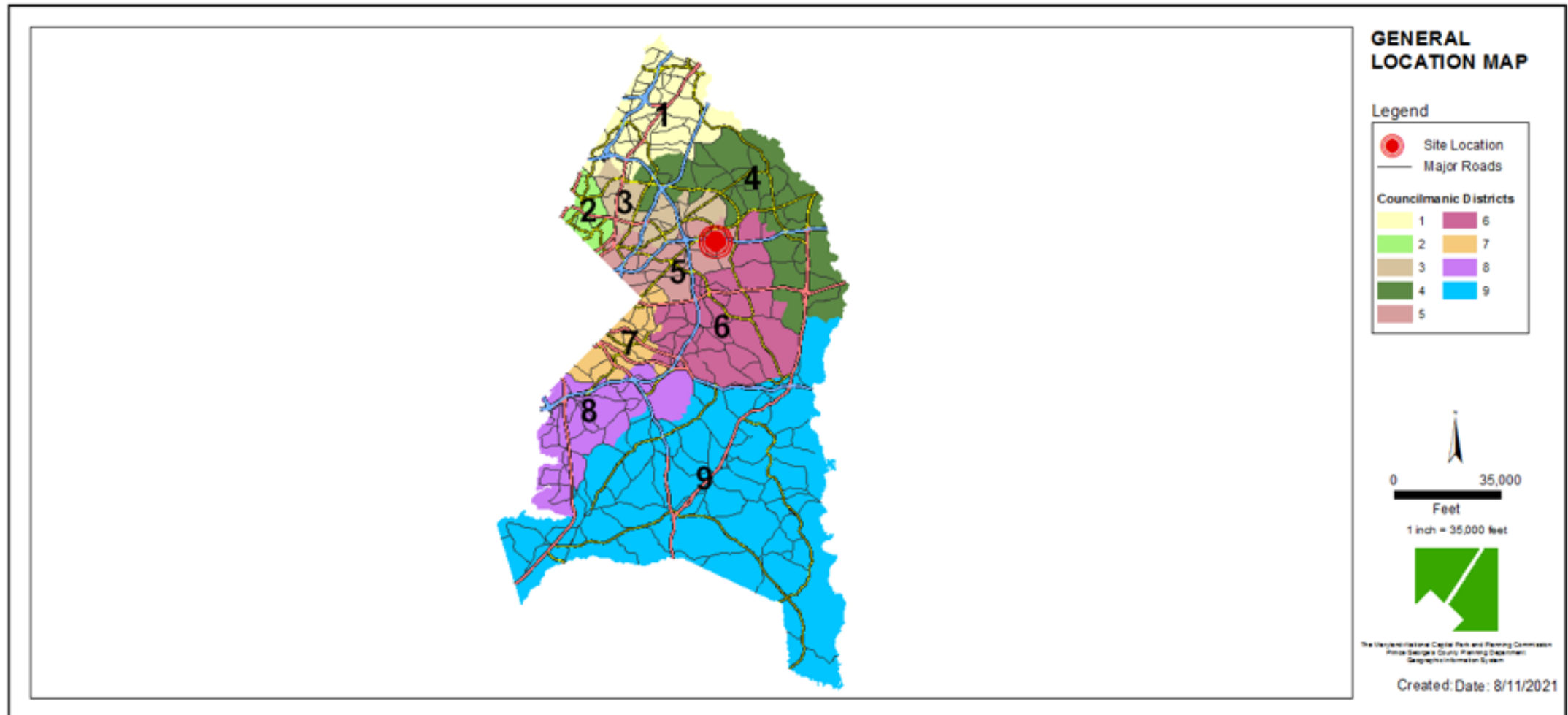
Staff Recommendation: APPROVAL with conditions



GENERAL LOCATION MAP

Council District: 05

Planning Area: 73

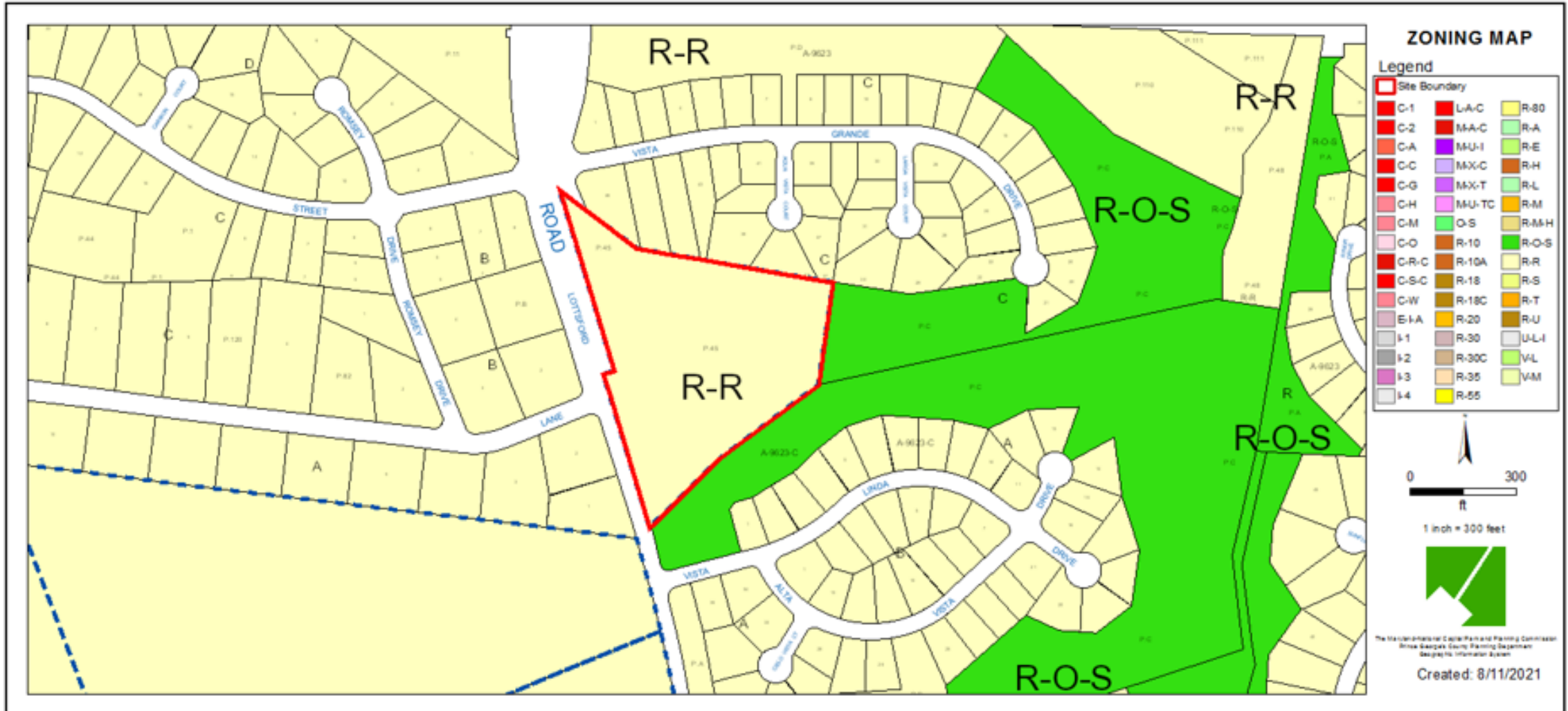


SITE VICINITY MAP



ZONING MAP

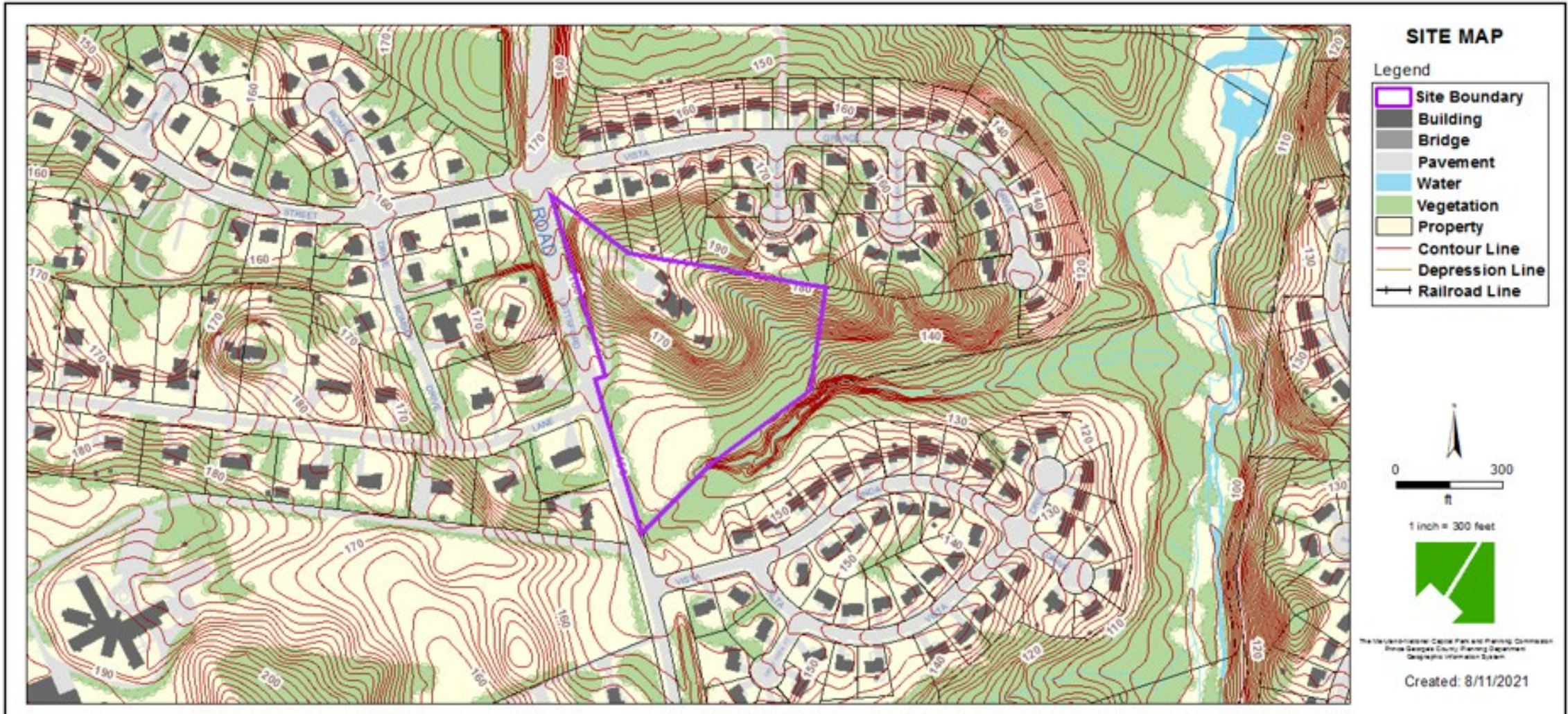
Property Zone: R-R



AERIAL MAP



SITE MAP



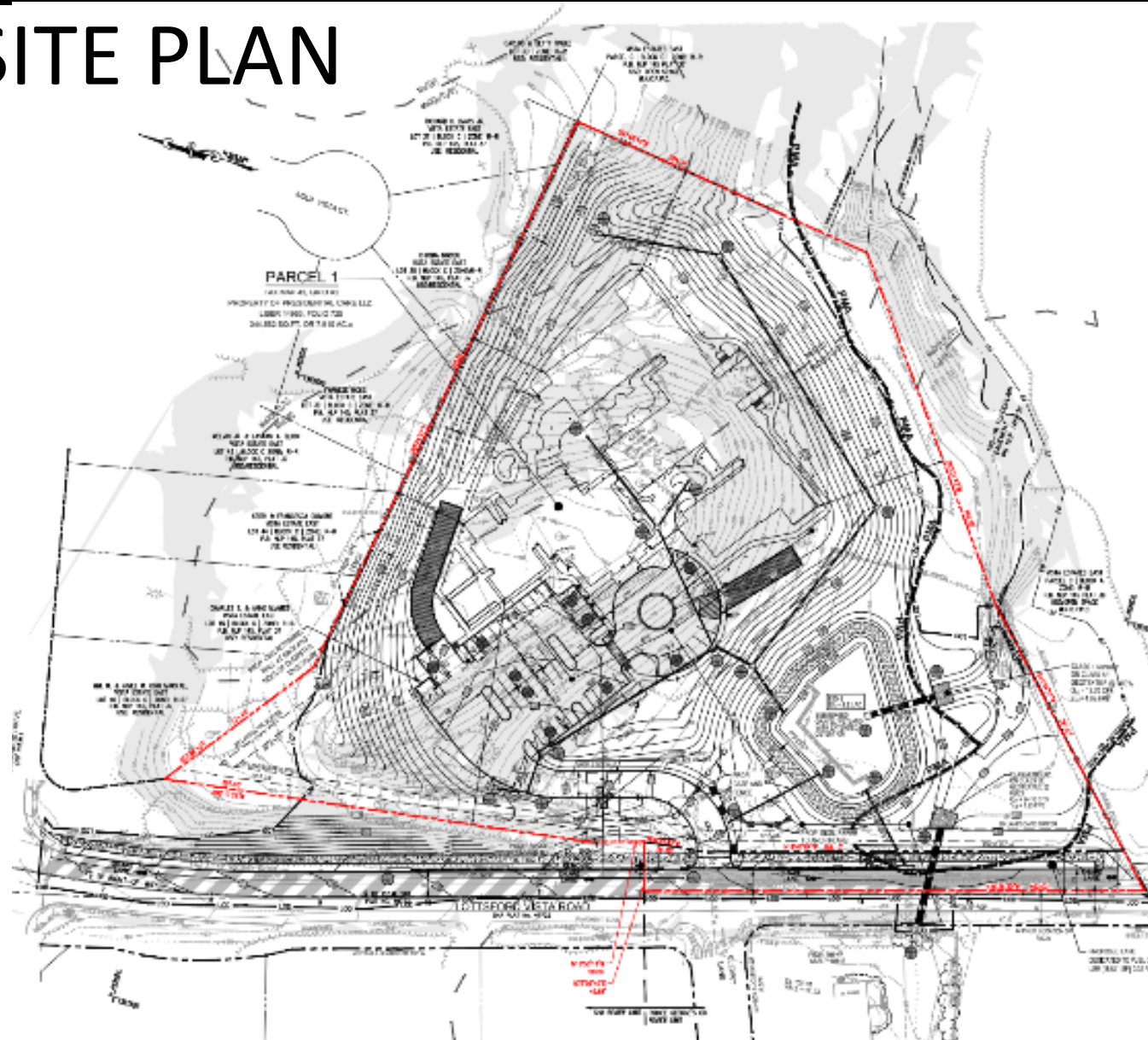
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



DETAILED SITE PLAN



EXTERIOR RENDERINGS



1 AERIAL VIEW 01



2 AERIAL VIEW 02

EXTERIOR ELEVATIONS



2 VIEW FROM SE



1 VIEW FROM NE

EXTERIOR ELEVATIONS













2 ENTRANCE PERSPECTIVE 2

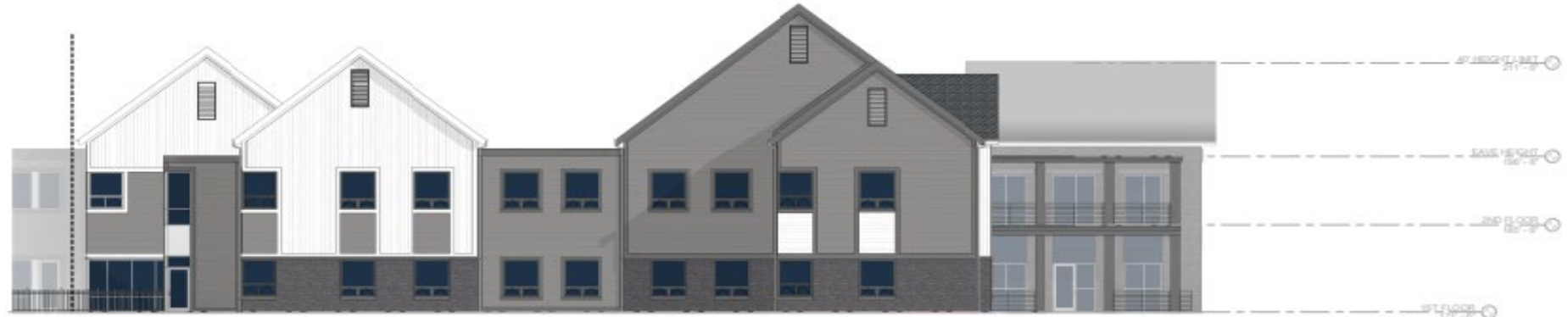


1 ENTRANCE PERSPECTIVE 1

ELEVATION DEPICTING HEIGHT

MATERIAL LEGEND

-  CERAMIC TILE / HORIZONTAL PLANK / ASPEN
-  CERAMIC TILE / VERTICAL / ARTS & CRAFTS
-  CERAMIC TILE / HORIZONTAL PLANK / SCISSOR (BELOW WINDOWS)
-  MANUFACTURED BRICK / BRICK
-  45°-45° SHINGLE / ROOF
-  STAINLESS STEEL / METAL ROOF
-  FIBERGLASS / TRUSS
-  FIBERGLASS / TRUSS
-  DOWNSPOUTS
-  WINDOW TRIM



2 SOUTH ELEVATION B
AS301 1/8" = 1'-0"



FINAL BUILDING MOUNTED SIGNAGE LAYOUT WILL BE PROVIDED FOR REVIEW AND APPROVAL WITH THE BUILDING PERMIT APPLICATION

1 SOUTH ELEVATION A
AS301 1/8" = 1'-0"

STAFF RECOMMENDATION

APPROVAL with conditions

- DSP-21015
- TCP2-003-14-02

Minor Issues:

- Technical corrections

Applicant Community Engagement:

- Informational Mailing: 8/23/21
- Acceptance Mailing: 12/30/21



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 www.pgplanning.org

Countywide Planning Division
 Environmental Planning Section

301-952-3650

February 9, 2022

MEMORANDUM

TO: Rachel Guinn, Planner III, Urban Design Section, DRD

VIA: Thomas Burke, Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Chuck Schneider, Planner III, Environmental Planning Section, CWPD *CS*

SUBJECT: **Sycamore Hill; DSP-21015 and TCP2-003-14-02**

The Environmental Planning Section (EPS) has reviewed the above referenced Detailed Site Plan (DSP-21015) and Type 2 Tree Conservation Plan (TCP2-003-14-02) received on December 30, 2021. Comments were provided in a Subdivision Development Review Committee (SDRC) meeting on January 21, 2022. Revised information was submitted on January 28, 2022. The EPS recommend approval of DSP-21015 and TCP2-003-14-02, subject to the conditions listed at the end of this memorandum.

Background

The EPS previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-148-06	N/A	Staff	Approved	2/28/2007	N/A
SE-4256	TCP1-049-96	District Council	Approved	6/26/2001	Z.O. 7-2001
4-07100	TCP1-049-96-01	Planning Board	Withdrawn	6/4/2008	N/A
NRI-148-06-01	N/A	Staff	Approved	7/18/2011	N/A
4-12020	TCP1-010-10	Planning Board	Approved	7/11/2013	13-82
SE-4667	N/A	District Council	Approved	2/8/2016	Z.O. 3-2016
NRI-148-06-02	N/A	Staff	Approved	4/22/2020	N/A
NRI-148-06-03	N/A	Staff	Approved	10/5/2021	N/A
DSP-21015	TCP2-003-14-02	Planning Board	Pending	Pending	Pending

Proposed Activity

This DSP proposes an assisted living facility, adult daycare center, surface parking, and various stormwater management facilities.

Grandfathering

The project is subject to the current regulations of Subtitles 24, 25, and 27 that came into effect on September 1, 2010, and February 1, 2012, because the application was subject to a new preliminary plan of subdivision.

Site Description

The 7.93-acre site, in the R-R Zone, is located on the east side of Lottsford Vista Road, approximately 760 feet south of U.S. 50 (John Hanson Highway). The site is developed with an existing one-story brick structure currently used for adult daycare (SE-4667). A review of the information available indicates that the site contains a stream buffer, floodplain, and Primary Management Area (PMA) from an intermittent stream located on the adjacent property. The site drains to an unnamed tributary of Folly Branch, in the Patuxent River basin. PGAtlas.com shows that the subject property may contain rare, threatened, or endangered species (RTE). A letter from the Maryland Department of Natural Resources Natural Heritage Program was submitted with the Natural Resource Inventory (NRI) application. This letter dated March 11, 2020, states that there are no rare, threatened, or endangered species found to occur on or adjacent to this site. Lottsford Vista Road is a designated historic road and designated as a collector roadway. Nearby U.S. 50 is designated as a freeway and is a source of traffic-generated noise. The development associated with this DSP is not a noise generator. The entire site is located within the designated network of the *Approved Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan* (May 2017). The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map, as designated by *Plan Prince George's 2035 Approved General Plan*.

Review of Previously Approved Conditions

The following text addresses previously approved applicable environmental conditions that need to be addressed with this 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, approved by the Planning Board on July 11, 2013:

The environmental conditions of approval are found in PGCPB No. 13-82.

3. **Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:**
 - a. **Remove tree protection fencing and signs from the plan and legend. Remove all associated details from the plan.**
 - b. **Revise the legend as follows:**
 - (1) **Remove symbols for elements that are not required to be shown on the plan (tree conservation signs, fence, and slopes).**

- (2) Include all symbols shown on the plan; and**
 - (3) Show the limit of disturbance symbol as it is shown on the plan.**
- c. Provide a graphic bar scale on the plan.**
- d. Show all existing features and label their proposed disposition (to remain vs. to be removed).**
- e. Revise the existing tree line to be darker and more legible.**
- f. Revise the TCP1 notes as follows:**
 - (1) Revise Note 1 to reflect the correct preliminary plan number (4-12020);**
 - (2) Revise Note 10 to indicate that the project is not grandfathered with respect to County Council Bill CB-27-2010; and**
 - (3) Revise Note 11 to reference the correct stormwater management concept number (46822-2005) and provide the approval date.**
- g. Revise the Specimen Tree table to change the condition rating score of Trees 3 and 4 to poor and excellent, respectively.**
- h. Provide a note below the Specimen Tree table to indicate how the trees were located (field estimated or survey located).**
- i. Revise the woodland conservation areas to ensure they meet the minimum required width of 50 feet.**
- j. Show stormwater management easements if required by the Department of Public Works and Transportation and remove proposed reforestation from the easements.**
- k. Update the woodland conservation worksheet to reflect plan changes.**
- l. Have the revised plan signed and dated by the qualified professional who prepared it.**

All conditions were met prior to the signature approval of the Type 1 Tree Conservation Plan.

4. **Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan, when approved.”

5. **At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

These conditions will be met at the time of final plat.

Special Exception Plan SE-4667, approved by the County Council on February 8, 2016: The environmental conditions of approval can be found in Zoning Ordinance 3-2016.

6. **Prior to the issuance of permits, the TCP2 shall be revised as followed and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:**
 - a. **The steep slopes must be removed from the plan and the legend for plan clarity. This information has been adequately shown on the Natural Resources Inventory (NRI) for the site.**
 - b. **Permanent Tree Protection fence and signs must be shown along all vulnerable edges of the reforestation area; specifically, the permanent fence and signs must be added along the public utility easement and below the stormwater management pond.**
 - c. **A specimen tree sign must be shown on the plan adjacent to preserved specimen tree 4; this symbol must be added to the plan.**
 - d. **The assigned plan number must be typed into the approval block (TCP2-003-14).**
 - e. **TCP2 general note 7 must be revised to indicate that the site fronts on Lottsford Vista Road, which is a designated historic road.**
 - f. **Planting Specification Note 16 must be revised to indicate that the source of seedlings is “to be determined.”**
 - g. **The planting schedule must be revised to show the planting of seedlings at a density with a minimum of 700 seedlings/ acre and not to exceed 1,000 seedlings/ acre.**
 - h. **The following standard details must be added to the plan in accordance with the Environmental Technical Manual:**

1. **Reforestation sign detail (DET-2)**
 2. **Specimen tree sign detail (DET-3)**
 3. **Tree pruning detail (DET-11)**
 4. **Planting months detail (DET-13)**
 5. **Handling bare root stock (DET-15 and 16)**
 6. **Seedling/ whip planting detail (DET-17)**
- i. **If any land containing woodland conservation is to be dedicated to a county agency, the applicant shall provide written correspondence from that county agency stating that the agency agrees to the area of woodland conservation on the dedicated land.**

All conditions were met prior to the signature approval of the Type 2 Tree Conservation Plan.

Environmental Review

Natural Resources Inventory/Existing Conditions

An approved Natural Resource Inventory plan (NRI-148-06-03) was submitted with the review package, which was approved on October 5, 2021. The NRI verifies that the site contains Regulated Environmental Features (REF), woodlands, and specimen trees. No revisions are required for conformance to the NRI.

Woodland Conservation Plan

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved tree conservation plans. A Type 2 Tree Conservation Plan (TCP2-003-14-02) was submitted with the DSP application.

With the approval of TCP2-003-14-01 with SE-4667, 1.59 acres of off-site credits was proposed but never purchased. Based on the revised TCP2, the overall site contains a total of 2.52 acres of net tract woodlands. The plan shows a proposal to clear 2.32 acres of on-site woodlands for a woodland conservation requirement of 4.31 acres. Currently, the woodland conservation worksheet shall be revised to reflect the corrected woodland conservation requirement of 3.02 acres. The applicant proposes to use both on-site preservation and reforestation, along with off-site woodland credits to meet the woodland conservation requirement. The TCP2 plan shall be revised to reflect the corrected on-site reforestation and off-site woodland credit amounts proposed to meet the woodland conservation requirement. Additionally, technical revisions are required to the TCP2, which are included in the conditions listed at the end of the memorandum.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

As part of the 4-12020 approval, six specimen trees were approved for removal. The first revision to the approved NRI showed seven specimen trees across the entire property. An updated second

NRI revision was approved in 2020 and showed 29 specimen trees (16 on-site and 13 off-site). The application area has not changed with this DSP, but the development area will require nine additional specimen trees to be removed for an overall total of 15 specimen trees to be removed. The previously approved specimen trees for removal are ST-1, a 44-inch Silver Maple, ST-2, a 56-inch Silver Maple, ST-3, a 42-inch Yellow Poplar, ST-5, a 37-inch Yellow Poplar, ST-6, a 30-inch Yellow Poplar, and ST-7, a 30-inch Southern Red Oak. The proposed application requests the removal of ST-8, a 31-inch Tulip Poplar, ST-10, a 31-inch Norway Maple, ST-11, a 31-inch American Sycamore, ST-12, a 30-inch Silver Maple, ST-13, a 34-inch Silver Maple, ST-14, a 38-inch Red Maple, ST-27, a 34-inch Tulip Poplar, ST-28, a 33-inch Tulip Poplar, and ST-29, a 32-inch Tulip Poplar.

The site contains 16 specimen trees on-site with the ratings of excellent (one specimen tree), good (seven specimen trees), fair (five specimen trees), and poor (three specimen trees). The current design proposes to remove nine specimen trees with excellent (one tree), good (four trees), fair (three trees), and poor (one tree) conditions.

Review of Subtitle 25 Variance Request

A Subtitle 25 variance application, a statement of justification in support of a variance, was received for review with this application and was dated October 5, 2021, and a revised submission was dated January 24, 2022.

Section 25-119(d)(1) of the WCO contains six required findings be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the nine specimen trees, and details specific to individual trees have been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY

ST #	COMMON NAME	Diameter (In inches)	CONDITION	RETAIN / REMOVE	PROPOSED IMPACT /OFF-SITE
1	Silver Maple	48	Fair	Remove PPS	Building
2	Silver Maple	58	Good	Remove PPS	Building
3	Tulip Poplar	44	Poor	Remove PPS	Building
4	White Oak	37	Good	Save	
5	Tulip Poplar	31	Good	Remove PPS	Grading
6	Tulip Poplar	32	Fair	Remove PPS	Building
7	Southern Red Oak	39	Poor	Remove PPS	Grading
8	Tulip Poplar	31	Excellent	* Remove	Grading
9	Black Gum	40	Fair	Save	Off-site
10	Norway Maple	31	Fair	*Remove	Building
11	American Sycamore	31	Good	*Remove	Building
12	Silver Maple	30	Good	*Remove	Building
13	Silver Maple	34	Good	*Remove	Building
14	Red Maple	38	Good	*Remove	Building
15	White Oak	32	Fair	Save	Off-site
16	Tulip Poplar	30	Fair	Save	Off-site

ST #	COMMON NAME	Diameter (In inches)	CONDITION	RETAIN / REMOVE	PROPOSED IMPACT /OFF-SITE
17	Tulip Poplar	31	Fair	Save	Off-site
18	Tulip Poplar	31	Fair	Save	Off-site
19	Tulip Poplar	31	Fair	Save	Off-site
20	Tulip Poplar	31	Fair	Save	Off-site
21	White Oak	33	Fair	Save	Off-site
22	Tulip Poplar	34	Fair	Save	Off-site
23	Tulip Poplar	32	Fair	Save	Off-site
24	Tulip Poplar	45	Fair	Save	Off-site
25	Tulip Poplar	30	Fair	Save	Off-site
26	Tulip Poplar	45	Fair	Save	Off-site
27	Tulip Poplar	34	Poor	*Remove	Building
28	Tulip Poplar	33	Fair	*Remove	Building
29	Tulip Poplar	32	Fair	*Remove	Building

Remove PPS= Approved for removal with 4-12020
 *= Requested removal with this DSP-21015

Statement of Justification Request:

A variance from Section 25-122(b)(1)(G) is requested for the clearing of the nine specimen trees on-site. The site consists of 7.93-acre site, in the R-R Zone. The current proposal for this property is to develop the site into assisted living facility, adult daycare center, surface parking, and various stormwater management facilities. This variance is requested to the WCO, which requires, under Section 25-122 of the Prince George’s County Zoning Ordinance, that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The Subtitle Variance Application form requires a Statement of Justification of how the findings are being met.

The text in **bold**, labeled A-F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

In relation to other properties in the area, special conditions peculiar to the property would cause an unwarranted hardship if the applicant were required to retain these nine specimen trees: ST-8, ST-10, ST-11, ST-12, ST-13, ST-14, ST-27, ST-28, and ST-29. The property is just over 30 percent wooded with steep slopes in the central and eastern portions of the property. To develop the site, significant grading is required. The proposed application has concentrated the development area within the central portion of the site while preserving the adjacent woodland within the Primary Management Area (PMA). The wooded areas within the PMA are the highest priority for woodland preservation on the site, which the applicant is preserving to the fullest extent practicable. As a result of the grading proposed, only one on-site specimen tree (ST-4 White Oak in Good Condition) will be preserved in the northern corner of the property.

The proposed use, for an assisted living facility and an adult daycare facility, is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on the site without the requested variance. Development cannot occur on the portions of the site containing Primary Management Area (PMA), which limits the site area available for development. Requiring the applicant to retain the nine specimen trees after the previously approved PPS approved the removal of six specimen trees would further limit the area of the site available for development to the extent that it would cause the applicant an unwarranted hardship.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.

Enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their critical root zone would deprive the applicant of rights commonly enjoyed by others in similar areas. The site contains 16 on-site specimen trees, and the applicant is proposing to remove nine of these trees due to the on-site steep slopes and the grading required for a development area. With the previously approved PPS (4-12020), the Planning Board granted the removal of six of the on-site 16 specimen trees. The additional nine trees requested for removal with this DSP are due to their central location within the proposed development area. The applicant is preserving the on-site woodlands within the PMA, reforesting on-site, and retaining one specimen tree.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied other applicants. The property has a previously approved PPS (4-12020) that granted the removal of six of the on-site 16 specimen trees. If other similar residential developments were wooded with regulated environmental features (steep slopes and PMA) and specimen trees in similar conditions and locations, it would be given the same considerations during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.

The applicant has taken no actions leading to the conditions or circumstances that are the subject of the variance request. The removal of the nine specimen trees would be the result of the central location of the trees and grading to achieve the optimal developable site for the proposed facilities with associated infrastructure.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property;and

There are no existing conditions, land, or building uses on the site or on neighboring properties that have any impact on the location or size of the specimen trees. The trees have

grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

(F) Granting of the variance will not adversely affect water quality.

The granting of this variance will not adversely affect water quality standards nor cause measurable degradation in water quality. The proposed Sycamore Hill development is subject to the requirements of the Prince George's County Soil Conservation District (PGSCD), and the approval of a stormwater concept plan by the Department of Permitting, Inspections, and Enforcement (DPIE). The project is subject to Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP). The plan proposes to use eight micro-bioretenion ponds. The applicant is proposing to meet their woodland conservation requirement with on-site preservation, reforestation, and off-site woodland credits.

Preservation of Regulated Environmental Features (REF)/Primary Management Area (PMA)

Impacts to the REF should be limited to those that are necessary for the 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 REF. Stormwater management (SWM) 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, SWM 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 County Code.

As part of the review and approval process for the Preliminary Plan of Subdivision (4-12020), impacts to the PMA were approved. These impacts were to the PMA and stream buffer to install vegetative stormwater drainage to direct the project stormwater to an off-site stream system. This impact was approved for 1,600 square-feet of disturbance to the stream buffer.

Impact 1- This proposed PMA impact area totaling 1,600 square-feet (stream buffer) is for the construction of a sewer line connection to an existing on-site sewer pipeline. After the sewer pipe has been installed, this impact area is required to be returned to the previous grade. The areas inside the sewer easement area will remain open and not replanted.

In 2021, a revised NRI was submitted with updated floodplain limits, which expanded the on-site PMA area previously approved. Impacts to this newly identified floodplain area were approved with the previous PPS (4-12020) that showed no on-site floodplain. This application still proposes to impact the same area as in the approved PPS, but with updated stormwater management practices proposed. A revised statement of justification was submitted in response to comments provided at the SDRC meeting dated January 27, 2022.

Statement of Justification

The Statement of Justification (SOJ) includes a request for additional PMA impacts totaling 27,813 square-feet (0.64 acres) of 100-year floodplain.

Analysis of Impacts

Based on the SOJ, the applicant is requesting an additional impact area described below:

The previously approved PMA and stream buffer impacts and new additional PMA and Floodplain impacts will occur during the construction of a submerged gravel wetland stormwater management pond and its outfall. In addition, new PMA impacts for the extension of a replacement culvert pipe under Lottsford Vista Road and a new sidewalk along Lottsford Vista Road. The proposed pond outfall needs to be extended to prevent erosion. Most of this proposed PMA impact area is currently comprised of a maintained grass area. The areas not required to be open for stormwater management will be reforested after construction. The total new PMA impacts, due to the additional floodplain area, is 27,813 square-feet (0.64 acres).

The proposed PMA impacts are necessary to the orderly development of the subject property. The impact cannot be avoided because the site is required to provide adequate infrastructure. The TCP2 shows the preservation, restoration, and enhancement of the remaining areas of the PMA.

Stormwater Management (SWM)

A Stormwater Management Concept Approval Letter (#7342-2021-00) and associated plan were submitted for this site. The Prince George's County DPIE issued the approval letter on July 23, 2021. The plan proposes to use one large, submerged gravel wetland pond. No stormwater management fee is required for providing on-site attenuation and quality control measures.

No further action regarding SWM is required with this DSP review.

Soils and Unsafe Soils

The predominant soils found to occur on-site, according to the United States Department of Agriculture, Natural Resources Conservation Service (USDA NRCS), Web Soil Survey, are Collington-Wist Urban land complex, Marr-Dodon complex, and Marr-Dodon-Urban land complex. Marlboro clay is not found to occur in the vicinity of this property.

Summary of Recommended Findings and Conditions

The EPS recommend approval of DSP-21015 and TCP2-003-14-02, subject to the following recommended findings and conditions:

Recommended Findings

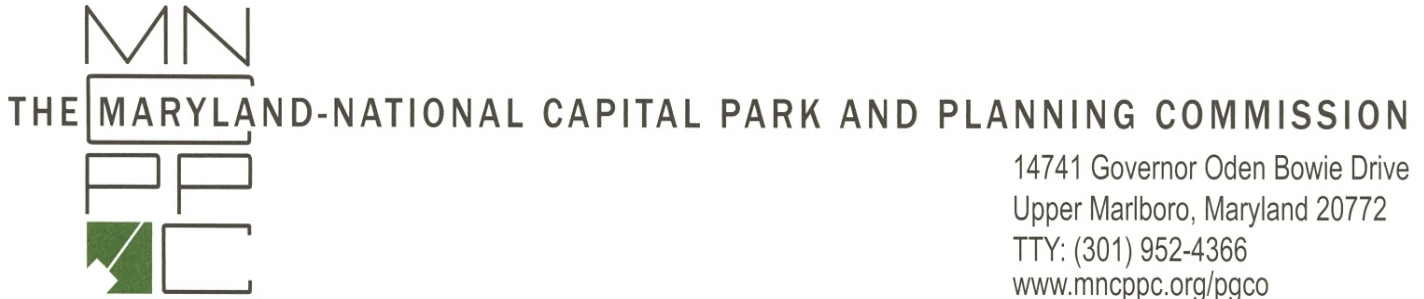
1. The required findings of Section 25-119(d) have been adequately addressed for the removal of nine Specimen Trees: ST-8, ST-10, ST-11, ST-12, ST-13, ST-14, ST-27, ST-28, and ST-29.
2. Based on the level of design information currently available, the limits of disturbance shown on the TCP2, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

One proposed large floodplain impact area for the construction of a submerged gravel wetland stormwater management pond, pond outfall, replacement culvert pipe, and a new sidewalk along Lottsford Vista Road is proposed, which is reasonable for the orderly and efficient redevelopment of the subject property.

Recommended Conditions:

1. Prior to certification of the DSP, the TCP2 shall be revised as follows:
 - a. Revise the woodland conservation worksheet to show the corrected woodland conservation requirement, reforestation area, and off-site credit areas.
 - b. Update the reforestation areas on the plan view to show the revised reforestation limits.
 - c. Revise the planting schedule to show the revised planting numbers.
 - d. Add details for the temporary and permanent (split-rail fence) to the set.
 - e. Have the revised plan signed and dated by the qualified professional who prepared it.
2. Prior to the issuance of any permits, which impact wetlands, wetland buffers, streams, Waters of the United States, or 100-year floodplain, the applicant shall submit copies of all federal and state wetland permits, evidence that approved conditions have been complied with, and associated mitigation plans.

If you have any questions concerning these comments, please contact me at 301-883-3240 or by e-mail at Alwin.schneider@ppd.mncppc.org.



14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

Countywide Planning Division
Historic Preservation Section

301-952-3680

January 10, 2022

MEMORANDUM

TO: Rachel Guinn, Urban Design Section, Development Review Division

VIA: Howard Berger, Historic Preservation Section, Countywide Planning Division **HSB**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

SUBJECT: DSP-21015 Sycamore Hill Assisted Living Facility

The subject property comprises 7.93-acres and is located on the east side of Lottsford Vista Road, approximately 1000 feet south of US-50 (John Hanson Highway). The subject application proposes the development of an assisted living facility, adult day care center, and associated site improvements. The subject property is Zoned R-R.

A Phase I archeological survey was conducted on the subject property in May 2008. One archeological site, 18PR944, was identified through pedestrian survey and shovel testing. Based on the small, non-diagnostic artifact recovery, the lack of stratigraphic integrity, and the existing cultural features, it was determined that site 18PR944 likely postdates the construction of the 1951 residence on the property. It was concluded that site 18PR944 does not represent a significant cultural resource nor is it eligible for listing in the National Register of Historic Places. No further archaeological work was recommended. Staff concurred that due to the lack of stratigraphic integrity and the limited research potential of site 18PR944, no additional archeological work is necessary on the Sycamore Hill property. Four copies of the final Phase I archeology report were received and approved by Historic Preservation staff on March 22, 2010.

The subject property does not contain and is not adjacent to any Prince George's County Historic Sites or Resources. This proposal will not impact any Historic Sites, Historic Resources, or significant archeological resources. Historic Preservation staff recommend approval of DSP-21015 Lottsford Vista Road with no conditions.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: January 26, 2022

TO: Rachel Guinn, Planner Coordinator
Urban Design Section
Development Review Division

VIA: Sonja Ewing, Assistant Division Chief *SME*
Park Planning and Development Division
Department of Parks and Recreation

FROM: Qiaojue Yu, Landscape Architect *QY*
Park Planning and Development Division
Department of Parks and Recreation

SUBJECT: **DSP-21015 Sycamore Hill Assisted Living Facility**

The staff of the Department of Parks and Recreation (DPR) has reviewed and evaluated the above referenced Detailed Site Plan (DSP) for conformance with Preliminary Plan of Subdivision (PPS) 4-12020 and find that the Preliminary Plan was exempt from Mandatory Dedication of Parkland Requirements. Also, although adjacent to parkland property, the applicant's proposal does not pose any impacts to existing or future parkland. DPR staff has no other comments.

cc: Bridget Stesney
Alvin McNeal

February 4, 2022

MEMORANDUM

TO: Rachel Guinn, Urban Design

FROM: Jason Bartlett, Permit Review Section, Development Review Division

SUBJECT: Referral Comments for DSP-21015, Sycamore Hill (Assisted Living Facility)

- The property is vacant, as the previous structures have been razed. It is, therefore, assumed that the large contiguous building shown on the site plan is all a part of the same overall 65,610 SF building. As such, the building “use and information label/callout” needs to be placed on both major bldg. sections. It further needs to be revised because it does not contain all the information necessary for such a callout. The GFA shown on the plan also does not match the SOJ and one of them will need to be corrected. Below is an excerpt of how the label should read and where it is recommended to be placed and below that is your current single label/callout:

PROPOSED CALLOUT & RECOMMENDED LOCATIONS



CURRENT CALLOUT



2. Per Sec. 27-254(c)(1)(C), the location, gross floor area, dimensions, height and setbacks of existing and proposed buildings and other structures on the plan must be shown. The site plan, as is, provides no building dimensions.
3. There are some unidentified structures on the plan. All structures should be called out. Fences and walls should be identified on the plan with their height, type and the location of their respective detail included in their callout.
4. The callouts you have provided for the parking that shows the number of spaces per parking bay needs to be revised. The gray highlight is too dark and beyond the first permit approval for this site (after the plan has been copied a couple of times), they will just appear as dark gray dots.
5. Place a height line at the highest roof peak for each architectural elevation, as exemplified below. Current perspective makes these peaks appear higher than 40'



6. Please correct the PARKING SCHEDULE on the DSP as indicated below and update the parking totals accordingly. There is no such use in the Ordinance as SENIOR CITIZEN HOUSING. The use should be corrected to read ASSISTED LIVING FACILITY and the section to calculate seats in the main auditorium should be added as well, since it is a



7. part of the Part 11 parking requirements. Even if there is no auditorium it has to be shown. You would just put zero (0) for both the spaces and seats if that were the case.

PARKING TABULATION		
<u>TOTAL REQUIRED:</u>		
ADULT DAY CARE FACILITY (1 PER 3 RESIDENTS, INCLUDING OPERATORS)		5 SPACES FOR 15 OCCUPANTS
SENIOR CITIZEN HOUSING: (1 PER 3 RESIDENTS)		26 SPACES FOR 78 OCCUPANTS
(1 PER 4 SEATS IN MAIN AUDITORIUM)		___ SPACES FOR ___ SEATS
LOADING REQUIRED		1 SPACE
<hr/>		
TOTAL PARKING REQUIRED:		32 SPACES
<u>TOTAL PROVIDED:</u>		
HANDICAP SPACE, VAN ACCESSIBLE	(16'X19')	2 SPACES
HANDICAP SPACE	(13'X19')	2 SPACES
REGULAR SPACE	(9.5'X16')	34 SPACES
COMPACT CAR SPACE	(8'X16.5')	12 SPACES
LOADING SPACE	(12'X33')	1 SPACE
<hr/>		
TOTAL SPACES PROVIDED:		51 SPACES

8. Provide a sign table that includes your building and ground signs with calculations demonstrating conformance to Part 12 of the Zoning Ordinance and provide corresponding sign details. If you do not include this with your DSP approval, you will be required to add them at the time of permit review and be held for a revision to the DSP to do so.
9. As with signs in 7, above, any structures that will require separate permitting like fences, walls, trash enclosures, etc. will need to be called out on the DSP and details for them will need to be provided on your detail sheet or a revision to the DSP will be required prior to permit approval to add them.

February 7, 2022

MEMORANDUM

TO: Rachel Guinn, Planner III, Urban Design Review, Development Review Division
VIA: David A. Green, Planner IV, Long Range Planning Section, Community Planning Division 
FROM: Garrett Dickerson, Planner, Master Plans and Studies Section, Community Planning Division 
SUBJECT: DSP-21015 Sycamore Hill (Assisted Living Facility)

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Detailed Site Plan

Location: 3911 Lottsford Vista Road, Bowie, Maryland 20721. Eastside of Lottsford Vista Road across from its intersection with Clearly Lane. R-R Zone.

Size: 7.91 acres

Existing Uses: Vacant. Formerly used as a congregate living facility for elderly or physically handicapped residents.

Proposal: Development of a two-story Adult Day Care with 63 units for 78 persons, surface parking, landscaping, fencing, and other site improvements.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in the Established Communities Growth Policy Area. The vision for the area which is "most appropriate for context-sensitive infill and low- to medium-density development" (p.20).

Master Plan: *The 1990 Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford* recommends residential low land uses on the subject property.

DSP-21015 Sycamore Hill (Assisted Living Facility)

Planning Area: 73

Community: Largo-Lottsford

Aviation/MIOZ: This application is not located within the Military Installation Overlay Zone

SMA/Zoning: *The 1990 Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford* retained the subject property Rural Residential (R-R) zone.

MASTER PLAN CONFORMANCE ISSUES:

None

c: Long Range Agenda

Kierre McCune, Master Plans and Studies, Community Planning Division

February 4, 2022

MEMORANDUM

TO: Rachel Guinn, Planner Coordinator, Urban Design Section
VIA: Sherri Conner, Planning Supervisor, Subdivision Section *SC*
FROM: Mridula Gupta, Planner III, Subdivision Section *MG*
SUBJECT: DSP-21015; Sycamore Hill (Assisted Living Facility)

The subject property is located on Tax Map 53 in Grid A-2 and consists of a deed parcel known as Parcel 45 as described in deed recorded among the Prince George's County Land Records in Liber 14936 at folio 725. The property consists of 7.91 acres within the Rural Residential (R-R) Zone. This application for a detailed site plan (DSP) proposes an assisted living facility with 63 multifamily dwelling units for a total of 78 occupants (15 double occupant units and 48 single occupant units) and an adult day care facility for 15 occupants.

A special exception application, SE-4667, was conditionally approved by the District Council on February 8, 2016, for the subject property for the proposed use of the adult day care center and assisted living facility. Prior to building permit, the applicant is required to obtain approval of a DSP for the assisted living facility in accordance with Part 3, Division 9, of the Prince George's County Zoning Ordinance. The property is currently improved with an adult day care facility, which is to be razed.

The area included in this DSP is subject to Preliminary Plan of Subdivision (PPS) 4-12020 which was approved by the Planning Board on July 11, 2013 (PGCPB Resolution No. 13-82). PPS 4-12020 was valid until December 31, 2021. In accordance with Section 24-119(d)(5), a one-year extension to the validity period was approved by Planning Board on November 18, 2021. PPS 4-12020 is now valid until December 31, 2022, and the final plat needs to be submitted and accepted for approval prior to this date.

PPS 4-12020 approved one parcel for use of senior assisted housing and adult day care. Specifically, the PPS approved 63 dwelling units with a total of 78 occupants (15 double occupant units and 48 single occupant units) and an adult day care facility for 15 occupants. PPS 4-12020 was approved with 13 conditions, of which the conditions relevant to the review of this proposed DSP are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

- 2. Development of this site shall be in conformance with Stormwater Management Concept Plan 46822-2005-02 and any subsequent revisions.**

The applicant submitted an approved Stormwater Management (SWM) Concept Plan (7341-2021-0) and approval letter with the subject DSP. The SWM Concept Plan shows the layout of the proposed building and SWM facilities consistent with those shown on the DSP. The Environmental Planning Section should further review the SWM Concept Plan for conformance to this condition.

- 4. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan, when approved.”

The TCP2 which is part of the DSP submittal, should be further evaluated by the Environmental Planning Section for conformance with this Condition.

- 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.**

The applicant has submitted a Type 2 tree conservation plan, a landscape plan and separate exhibits to address this requirement. The application should be further evaluated by the Environmental Planning Section and Urban Design Section for conformance with this Condition.

- 7. Prior to approval of the detailed site plan, the landscape buffer yard treatment and entrance features along historic Lottsford Vista Road shall be reviewed to ensure that the design is in keeping with the desired visual characteristics of the historic road.**

The applicant has submitted a landscape plan to address this requirement. The DSP and the landscape plan however do not include details of the proposed entrance feature along historic Lottsford Vista Road. The application should be further evaluated by the Urban Design Section for conformance with this Condition.

- 8. At the time of final plat, the applicant and the applicant’s heirs, successors and/or assignees shall grant a ten-foot-wide public utility easement along the public rights-of-way of Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.**

A 10-foot-wide public utility easement (PUE) is shown on the DSP along the public right-of-way of Lottsford Vista Road, in accordance with the approved PPS. This condition will be evaluated again at the time of final plat.

- 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.**

An eight-foot-wide sidewalk is shown along the property's entire frontage of Lottsford Vista Road. The Transportation Planning Section should further evaluate the application for conformance with this Condition.

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

The subject DSP proposes development in accordance with the approved PPS. There is no substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings. A new PPS is not required at this time.

- 11. Total development within the subject property shall be limited to uses which generate no more than 18 AM and 27 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 uses and the total gross floor area (GFA) proposed in this application are within the development anticipated per PPS 4-12020. The Transportation Planning Section should further evaluate the application for conformance with this Condition.

- 12. At the time of final plat approval, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate 40 feet of right-of-way from the State Highway Administration (SHA) baseline on Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.**

The DSP correctly shows 40 feet of proposed right-of-way dedication from the State Highway Administration (SHA) baseline on Lottsford Vista Road as delineated on the approved PPS. The Transportation Planning Section should further evaluate the application for conformance with this Condition.

Plan Comments

None.

Recommended Conditions

None.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. The DSP has been found to be in substantial conformance with the preliminary plan of subdivision. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.

Countywide Planning Division
Transportation Planning Section


301-952-3680


February 9, 2022

MEMORANDUM

TO: Rachel Guinn, Urban Design Review Section, Development Review Division

FROM: Benjamin Patrick, Transportation Planning Section, Countywide Planning Division

VIA:  William Capers III., PTP, Transportation Planning Section, Countywide Planning Division

 Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-21015: Sycamore Hill (Assisted Living Facility)

Proposal

The subject property is located on the east side of Lottsford Vista Road, at its intersection with Cleary Lane, in the R-R (Rural Residential) Zone. The applicant is proposing 65,608 square-feet of gross floor area (GFA) assisted living and adult day care facility.

Prior Conditions of Approval

The site is subject to the prior approved PPS, 4-12020 and SE-4667. SE-4667 contains no transportation related conditions. PPS 4-12020 include the following conditions that are applicable to this application:

4-12020:

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.
11. Total development within the subject property shall be limited to uses which generate no more than 18 AM and 27 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.
12. At the time of final plat approval, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate 40-feet of right-of-way from the State Highway Administration (SHA) baseline on Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.

Comment

The DSP application is consistent with the density, use and trip cap associated with the prior PPS approval and satisfies condition 11. An eight-foot-wide sidewalk is proposed along the subject site's entire frontage of Lottsford Vista Road, thereby satisfying condition 9.

Regarding condition 12, the frontage on Lottsford Vista Road, beginning at the northwest corner of the property, approximately 0.33-acres was dedicated to the State Highway Administration (SHA) by deed recorded in Liber 6873 and Folio 383 in 1987. The PPS delineated the dedication, from the southwest corner of the property, 16,800 square-feet (0.39-acres) on Lottsford Vista Road. The dedication of 40-feet from the SHA baseline of Lottsford Vista Road is shown correctly on the DSP and is consistent with the PPS.

Master Plan Compliance

Master Plan Right of Way

This application is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The subject site has frontage along Lottsford Vista Road a master-planned collector roadway. As mentioned above, all required dedication of right-of-way shall take place at time of final plat approval.

Master Plan Pedestrian and Bicycle Facilities

The 2009 MPOT recommends on-road bicycle facilities within the right-of-way along Lottsford-Vista Road. The MPOT also provides policy guidance regarding multimodal transportation and how to accommodate infrastructure for people walking and bicycling.

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.

Comment

The submitted plans accurately reflect the proposed right-of-way along Lottsford Vista Road consistent with the PPS and shows Lottsford Vista Road as a shared roadway with sharrows along the property's frontage. Staff finds the proposed-on road bicycle facility along the property's frontage of Lottsford Vista Road consistent with the 2009 MPOT recommendations but recommends that the applicant provide detailed profiles of the sharrows as part of the DSP.

Zoning Ordinance Compliance

Section 27-283 provides guidance for detailed site plans. The section references the following design guidelines described in Section 27-274(a):

(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

(B) provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:

- (ii) Parking spaces should be located as near as possible to the uses they serve.
- (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians.
- (v) Special areas for van pool, carpool, and visitor parking should be located with convenient pedestrian access to buildings.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

- (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site.
- (ix) Pedestrian and vehicular routes should generally be separate and clearly marked.
- (x) Crosswalks for pedestrians that span vehicular lanes should be identified using signs, stripes on the pavement, change of paving material, or similar techniques
- (xi) Barrier-free pathways to accommodate the handicapped should be provided

(3) Lighting

(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:

- (ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site.

(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. To fulfill this goal, the following guidelines should be observed:

- (i) The design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture should be coordinated in order to enhance the visual unity of site.

Comment

The DSP shows an onsite surface parking facility with sidewalks and a crosswalk that accommodate access into the building. The proposed parking exceeds the minimum requirement and includes four handicapped spaces, forty-six regular and compact spaces, and one loading space. In addition, designated bicycle parking spaces with inverted u-style bicycle racks are provided along the southern portion of the parking lot near the main entrance to the building. Additional long-term bicycle parking for employees has been provided in an indoor bicycle parking room to accommodate ten (10) long term racks.

An internal crosswalk is provided along the pedestrian sidewalk route which is prominently identified/marked and is ADA compliant to accommodate access into the building for the physically handicapped. The DSP also shows a pickup/drop off area that provides temporary parking spaces in front of the building entry point. Staff recommends the applicant provides additional signage along the pickup/drop off area indicating that the area is a temporary parking area. This recommendation will help facilitate safe and adequate circulation onsite.

Site access is provided via one full access driveway connection along Lottsford Vista Road. The site is served by an internal drive aisle that provides access to the onsite parking facility and to the proposed building.

In regards to pedestrian facilities and circulation, the subject application includes an eight-foot-wide sidewalk along the site's entire frontage as well a network of internal sidewalks that provides access across the parking lot and to the common area amenities provided along the perimeter of the proposed building. Lighting and benches are provided along the five-foot-sidewalk that provide access to the proposed common area. Staff recommends that the applicant provide a crosswalk along the driveway access connection on Lottsford Vista Road to connect the eight-foot-wide sidewalk along the property's frontage.

Transportation Planning Recommendation

From the standpoint of transportation, the Transportation Planning Section finds that Detailed Site Plan, DSP-21015, will be served by adequate transportation facilities and is acceptable, if the following conditions are met:

1. Prior to certification of the detailed site plan, the applicant and the applicant's heirs, successors and/or assignees shall revise the plan to provide:
 - a. Additional signage indicating temporary parking along the pickup/drop-off area onsite. The exact location and sign profiles shall be accepted by the Transportation Planning Section prior to the certification of the DSP.
 - b. A crosswalk at the driveway access point along Lottsford Vista Road.
 - c. Provide detailed profiles of the proposed sharrows along Lottsford Vista Road as part of the DSP. The profiles shall be accepted by the Transportation Planning Section prior to the certification of the DSP.

Good Afternoon Ms. Guinn,

The Office of the Fire Marshal has reviewed the site plan for DSP-21015 Sycamore Hill (Assisted Living Facility). We have no comments at this time. Regards. Jim

James V. Reilly
Contract Project Coordinator III



Office of the Fire Marshal
Division of Fire Prevention and Life Safety
Prince George's County Fire and EMS Department
6820 Webster Street, Landover Hills, MD 20784
Office: 301-583-1830
Direct: 301-583-1838
Cell: 240-508-4931
Fax: 301-583-1945
Email: jvreilly@co.pg.md.us



Division of Environmental Health/Disease Control

Date: January 4, 2022

To: Rachel Guinn, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-21015, SYCAMORE HILL (ASSISTED LIVING FACILITY)

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan submission for the Sycamore Hill Assisted Living Facility and has the following comments / recommendations:

1. The Elderly Care Facility must meet all state and local regulatory requirements for COVID-19 precautions mandated by the Governor of Maryland. The facility must follow the CDC Guidance for the prevention of the spread of COVID-19.
2. The applicant should be in compliance with the Code of Maryland Regulations (COMAR) 10 Subtitle 24 for Maryland Health Care Commission regulations, Subtitle 9 for Medical Care Programs and be in compliance with all state and local regulations. The facility must obtain all necessary licenses in accordance with the state and local regulatory agencies.
3. The applicant must submit plans to the Plan Review department at the Department of Permitting, Inspection Enforcement located at 9400 Peppercorn Place in Largo Maryland 20774 for the any food service facility within the Elderly Care Facility. In addition the applicant should submit an application for a Health Department Food Service Facility permit in accordance with the Prince George's county subtitle 12 and COMAR 10.15.03.
4. During the 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.
5. During the 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



Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health



Division of Environmental Health/Disease Control

activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



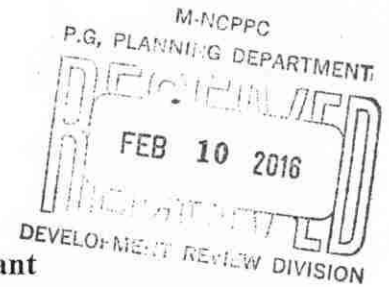
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THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
(301) 952-3600

February 10, 2016



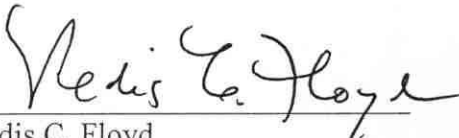
RE: SE-4667 Sycamore Hill (Remand)
Presidential Care, LLC / Stoddard Baptist Home, Inc., Applicant

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of Zoning Ordinance No. 3 - 2016 setting forth the action taken by the District Council in this case on February 8, 2016.

CERTIFICATE OF SERVICE

This is to certify that on February 10, 2016, this notice and attached Council order were mailed, postage prepaid, to all persons of record.


Redis C. Floyd
Clerk of the Council

Case No: S.E. 4667

Applicant: Presidential Care,
LLC/Stoddard Baptist Home,
Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 3 - 2016

AN ORDINANCE, conditionally approving Special Exception 4667 and Tree Conservation Plan 003-14, for permission to operate an Adult Day Care for 15 persons and a 63-unit Assistant Living Facility for 78 persons on approximately 7.91 acres of R-R (Rural Residential) zoned land located on the east side of Lottsford Vista Road, across from its intersection with Cleary Lane, also identified as 3911 Lottsford Vista Road, Bowie, Maryland, in Councilmanic District 5.

PROCEDURAL AND FACTUAL BACKGROUND¹

In 1990, the District Council rezoned the subject property from the R-E (Residential Estate) Zone to the R-R (Rural Residential) Zone. *See* 1990 Largo-Lottsford Master Plan and Sectional Map Amendment; Ex. 17 – Tech Staff Rept., p. 5.

In 1997, at the request of then applicant Mr. William Youngblood, the District Council enacted Zoning Ordinance No. 7-2001, which conditionally approved Special Exception 4256 for a 160-child day care center, 40-person adult day care center, and a 72-person congregate living facility with future expansion of four additional buildings, which was never developed. We note however that prior to our approval of S.E. 4256, the site was improved with a 12-person congregate living facility building. *See* Zoning Ordinance No. 7-2001; Ex. 17, p. 4.

¹ We have jurisdiction to issue the final decision in this contested application for a special exception. *See* Md. Code, Land Use Art., Titles 22 and 25 and Prince George's County Code Sections 27-131-35. *See also County Council v. Curtis Regency Serv. Corp.*, 121 Md. App. 123, 708 A.2d 1058 (1998).

In 2013, Planning Board adopted PGCPB Resolution No. 13-82, which conditionally approved Applicant's Type I Tree Conservation Plan, Preliminary Plan of Subdivision 4-12020, Sycamore Hill Assisted Living, including a Variance to PGCC § 25-122(b)(1)(G) for 1 parcel to develop the subject property for a 15-person adult day care facility and a 63-unit (15 double-occupant units and 48 single-occupant units) assisted living facility. PGCPB Resolution No. 13-82 requires that prior to building permit Applicant must obtain approval of a Detailed Site Plan in accordance with Part 3, Division 9, of the Zoning Ordinance. *See* PGCPB Resolution No. 13-83, pp. 5-7.

In February 2014, applicant Presidential Care, LLC/Stoddard Baptist Home, Inc., filed a new application for Special Exception (S.E. 4667) to request approval to operate a 15-person adult day care facility and a 63-unit (15 double-occupant units and 48 single-occupant units) assisted living facility.² *See* Ex. 3a – Application Form.

In April 2014, the Zoning Review Division of the Development Review Division of Planning Department transmitted its Technical Staff Report to Planning Board. Technical Staff recommended conditional approval of S.E. 4667. *See* Ex. 17. Subsequently in May, Planning Board elected not to conduct its own public hearing on S.E. 4667, but instead adopted staff's recommendation. *See* Ex. 21.

In July 2014, the Zoning Hearing Examiner (ZHE) conducted a public hearing to consider S.E. 4667 in accordance with the requirements of the Prince George's County Code. *See* (7/2/2014, Tr.).

² S.E. 4667 supercedes S.E. 4256. *See* PGCC § 27-323(a) (All alterations, enlargements, extensions or revisions of Special Exception uses (including enlargements in land area and area of improvements, revisions of a site plan and in the configuration of land area, and extensions of time) shall require the filing and approval of a *new* application for the applicable Special Exception use)) (emphasis added).

In October 2014, the ZHE conditionally recommended approval of S.E. 4667. *See* ZHE's Disposition Recommendation, 10/15/14. Subsequently that month, the District Council took no action on S.E. 4667.

In November 2014, persons of record appealed to the District Council. *See* Notice of Appeal from Willow Grove Citizens Association, 11/14/14 and Notice of Appeal from Ms. Tiffany Alston Gray, 11/14/14.

In March 2015, the Clerk of the County Council sent notices of oral argument to all persons of record that oral argument would be rescheduled to April 27, 2015. *See* Notice, 3/26/15.

In April 2015, the District Council held oral arguments on the proposed special exception application. At the conclusion of oral argument, Council took S.E. 4667 under advisement.

In May 2015, the District Council remanded S.E. 4667 to the ZHE. *See* Order of Remand, 5/4/15.

In June 2015, the ZHE conducted a public hearing, on remand, to consider S.E. 4667 in accordance with the requirements of the Prince George's County Code. *See* (6/18/2015, Tr.).

In August 2015, the ZHE, on remand, conditionally recommended approval of S.E. 4667. *See* ZHE's Disposition Recommendation, 8/5/15. Subsequently that month, the District Council took no action on S.E. 4667.

In September 2015, persons of record appealed to the District Council. *See* Notice of Appeal from Willow Grove Citizens Association, 9/4/15 and Notice of Appeal from Ms. Tiffany Alston, 9/4/15. Subsequently, the District Council also elected to make the final decision in S.E. 4667.

In November 2015, the District Council held oral arguments on the proposed special exception application. At the conclusion of oral argument, Council took S.E. 4667 under advisement.

In February 2016, S.E. 4667 was placed on the Zoning Agenda for final action. *See* Zoning Agenda, 2/8/16.

FINDINGS AND CONCLUSIONS³

The Property

The subject property is an irregularly shaped parcel improved with a vacant structure formerly used as a dwelling and as a Congregate Living Facility for 12 elderly or physically disabled residents. *See* Exhibits 3(b) and 17. The property slopes from a high elevation of 190± feet to the northwest to an elevation of 140±feet along its southern property line. This elevation change requires extensive grading of the building and parking areas, while leaving the remainder of the site with steep slopes. Applicant will construct a stormwater management pond along the southern portion of the site that abuts Lottsford Vista Road.

Neighborhood and Surrounding Uses

The subject property is surrounded by the following uses:

North: Single-family detached dwellings in the R-R zoned Vista Estates East (Vista Glen) Subdivision

³ Except as otherwise stated herein, the District Council adopts the findings of facts and conclusions of law within the disposition recommendation of the Zoning Hearing Examiner. *See Templeton v. County Council of Prince George's County*, 23 Md. App. 596; 329 A.2d 428 (1974) (Where the Council has delegated the duty of making findings of fact and recommendations to the Zoning Hearing Examiner, the Council may comply with the requirement of "specific written findings of basic facts and conclusions of law" by adopting the Examiner's findings and conclusions). The District Council may take judicial notice of any evidence contained in the record of any earlier phase of the approval process relating to all or a portion of the same property, including the approval of a preliminary plat of subdivision. *See* PGCC § 27-141. *See also* Rules of Procedure for the Prince George's County District Council: Rule 6: Oral Argument and Evidentiary Hearings: (f) The District Council may take administrative notice of facts of general knowledge, technical or scientific facts, laws, ordinances and regulations. It shall give effect to the rules of privileges recognized by law. The District Council may exclude incompetent, irrelevant, immaterial or unduly repetitious evidence.

South and East: Public parkland in the Folly Branch Stream Valley Park

West: Lottsford Vista Road

The neighborhood has the following boundaries:

North: John Hanson Highway (US 50)

South: The Enterprise Farm

East: Folly Branch

West: Bald Hill Branch

Master Plan, Sectional Map Amendment and General Plan

The 1990 Largo-Lottsford Master Plan and Sectional Map Amendment recommended residential uses for the property.⁴ The 2002 General Plan places the property in the Developing Tier. The 2014 General Plan (“Plan 2035”) places the property within the Established Communities Policy Area.

Applicant’s Request

Applicant, Presidential Care, LLC, is affiliated with Stoddard Baptist Home Foundation. *See* (7/2/2014, Tr., pp. 5–7). Applicant requests approval to operate a 78-bed assisted living facility with 63 bedrooms for individuals generally 60 years old and older in need of physical and general medical assistance and an Adult Day Care Facility for fifteen (15) elderly or disabled persons. *Id.* 77–79. Both uses will operate in the same 65,608 square foot building, in separate

⁴ Despite the 1990 Plan recommendation that the property should be used for residential purposes, an adult day care and adult living facility are permitted uses by special exception in the R-R Zone. A special exception, sometimes called a “conditional use,” is a zoning device that provides a middle ground between permitted and prohibited uses. *People’s Counsel for Baltimore Cnty. v. Loyola Coll. in Maryland*, 406 Md. 54, 71, 71 n.19, 956 A.2d 166, 176, 176 n.19 (2008); *cf. Maryland Overpak Corp. v. Mayor And City Council Of Baltimore*, 395 Md. 16, 29, 909 A.2d 235, 243 (2006) (citing *Lucas v. People’s Counsel for Baltimore County*, 147 Md. App. 209, 227 n.20, 807 A.2d 1176, 1186 n.20 (2002)). It allows the local legislature to set some uses as *prima facie* compatible for a given zone, subject to a case-by-case evaluation to determine whether the use would result in an adverse effect on the neighborhood (other than any adverse effect inherent in that use within the zone), such that would make the use actually incompatible. Because special exceptions are created legislatively, they are presumed to be correct and an appropriate exercise of the police power. *Rylins Enterprises*, 372 Md. at 543, 814 A.2d at 486 (citing *Brandywine Enterprises, Inc. v. Prince George’s County Council*, 117 Md. App. 525, 700 A.2d 1216 (1997)).

“villages.” The 78 residents in the Assisted Living Facility will be housed in 15 double-occupant units and 48 single-occupant units. The Adult Day Care facility will share an entrance with the assisted living facility but will then be housed within its own area. *See* Exhibits 17 and 41. Both uses are permitted by Special Exception in the R-R Zone. However, PGCC § 27-441(b)(2), fn. 77 places a further limitation on assisted living facilities:

Up to seventy-five (75) dwelling units are permitted 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.

Applicant intends to raze the existing 6,378 square foot vacant, one-story congregate living facility and replace it with a 65,608 square foot 2-story building with a full basement, and 49 parking spaces and one loading space to accommodate both uses. *See* Exhibit 17, p. 26. Applicant submitted architectural elevations for the two-story building, and floor plans. *See* Exhibits 6(b) and 41(a)-b). Applicant also submitted its program descriptions for both uses. Applicant intends to provide a host of services, including, but not limited to:

- Specialized Alzheimer’s /dementia care
- 24-hour nursing care
- Housekeeping and linen service
- A Beauty/Barber shop
- A community room for social gatherings, meetings, event and activities
- Library and reading rooms
- Dining rooms and a computer room

The residents and clients will also be able to enjoy a covered pavilion near the entrance for picnics and other outdoor activities. There will be trellises, walkways and patios. An aquatic exercise program will also be provided. *See* PGCC §§ 27-332 and 27-464.04; Exhibits 4 and 6(a).

Applicant explained the differences between what is proposed and what was approved in

S.E. 4256:

Going back into the history we purchased the property from [the prior owners] When we started to actually talk to people, construction companies and other development experts, we found out that it would be very, very difficult and very intrusive to the land and to the neighborhood in terms of how to build that property, it would have taken about 4 or 5 million dollars just to move the land around. There are a lot of retaining walls that were going to be needed, the property would have been very congested with all these variety of different buildings....

We feel the new proposal meets the needs of the many, the consumers that may use it or just drive by it every day. We feel that it's a building that fits neatly into the topography of the land and reflects the character of the neighborhood. It is broken up into several villages under one roof, the previous one had several buildings that were spread all over the campus.... It has very attractive common spaces that will increase the community connection and these spaces will also be available for public use and community use if the community chooses. The units will be far more spacious, they'll be larger and there will be more space for internal and external recreation ... and we also feel over time, the building will ... blend totally into the community when the landscaping plan matures....

See (7/2/2014, Tr., pp. 8–10).

Applicant expects to employ approximately 100 employees – 45 full-time and 55 part-time. *See* (7/2/2014, Tr., pp. 12–13). The employees will be spread over three shifts, and “will be specifically trained for dementia related programs.” *Id.* at 13. Applicant noted that its goal for the Adult Day Care is to promote “independence, dignity and quality of life” by offering “the right combination of social, creative, fitness and health activities to keep its residents/clients physically active and socially engaged” *See* Exhibit 6(a), p. 16. The occupants/clients at the site are the aged who are unable to live independently. A driver will be available for those Adult Day Care clients that are not dropped off at the facility, and for those residents in need of chauffeuring to and from medical, and other, appointments. *See* (7/2/2014, Tr., pp. 14–15).

Remand

Based on issues raised by Citizen Opposition in their appeals and at oral argument when we first considered S.E. 4667, we were persuaded by opposition concerns. We remanded S.E. 4667 to the ZHE to reopen the record; conduct a public hearing or hearings to receive, and evaluate additional testimony and evidence, as follows:

1. The ZHE shall allow Applicant the opportunity to submit the necessary information as to its corporate status in Maryland into the administrative record for S.E. 4667.
2. Determine if the applicant, "Presidential Care, LLC" is in good standing with the State Department of Assessment and Taxation (SDAT). If the applicant is not in good standing and has merged with another entity, the proper applicant registered with SDAT shall provide a letter of good standing from the new entity before issuance of a new or revised disposition recommendation. The new or revised disposition recommendation shall also reflect the proper name and address, if any, of the applicant in this case.
3. Determine if the applicant, "Stoddard Baptist Home, Inc.," is in good standing with SDAT. If the applicant is not in good standing and has merged with another entity, the property owner shall provide a letter of good standing from the new entity before issuance of a new or revised disposition recommendation. The new or revised disposition recommendation shall also reflect the proper name and address, if any, of the applicant in this case.
4. After Applicant has submitted the evidence regarding its corporate status in Maryland on remand, the Zoning Hearing Examiner shall permit the Citizens Opposition to submit additional evidence to the administrative record concerning expert testimony and/or expert reports concerning the stated issues of traffic and transportation related to the proposed development on the subject property. *See* Order of Remand, 5/4/15.

ZHE Remand Decision

On remand, the ZHE recommend re-approval of S.E. 4667. *See* ZHE's Remand Disposition Recommendation, 8/5/15.

Appeals on Remand

- Corporate Status of Applicant(s)

Citizen Opposition argues that S.E. 4667 should be denied because Presidential Care, LLC (Presidential), a Maryland corporation, and Stoddard Baptist Home, Inc. (Stoddard), a foreign corporation, could not be combined applicants in S.E. 4667 since, according to the opposition, Presidential, not Stoddard, is the applicant who filed the application for S.E. 4667. Citizen Opposition also argues that S.E. 4667 should be denied because 1) the corporate charter of Presidential was forfeited at the time the application for S.E. 4667 was filed and 2) Stoddard, if considered an applicant at the S.E. 4667 was filed, was not a registered foreign corporation in Maryland. *See* Notices of Appeal from Willow Grove Citizens Association, 9/4/15 and Ms. Tiffany Alston, 9/4/15. We disagree.

Based on our review of the relevant provisions of Md. Code Ann., Corp. & Ass'ns (2014, Supp. 2015), the prior corporate status of Presidential and Stoddard, which we consider to be one of the same at the time the application for S.E. 4667 was filed, neither voids the filing of S.E. 4667 nor divest us of jurisdiction to consider whether to grant S.E. 4667. Even if we considered Presidential and Stoddard to be different corporate entities when S.E. 4667 was filed, it is undisputed that both entities filed the application for S.E. 4667. *See* Ex. 3(a). Further, under Maryland law, the prior corporate status of Presidential and Stoddard does not void the filing of the application for S.E. 4667 or divest us of jurisdiction to consider whether to grant S.E. 4667.

- Corporate Status

Presidential is a registered Maryland limited liability company, which was previously forfeited but has been reinstated and is in good standing with the Maryland Department of Assessment and Taxation (SDAT)—prior to both the ZHE's remand decision and our final

decision. *See* Ex. R-6(b). According to SDAT, *since the formation of Presidential, the company continues to have only a single member, namely Stoddard Baptist Home, Inc., and the sole purpose of the company has always been and continues to be to operate as a charitable organization. Stoddard has been qualified, since June 2, 2015, with Maryland Department of Assessment and Taxation, to be a corporation duly incorporated and existing under the laws of the District of Columbia and duly authorized to exercise all powers in its charter and to transact interstate, intrastate and foreign business in Maryland. See* Ex. R-6(c) (emphasis added).

- Presidential

It is undisputed that Presidential is a limited liability company in Maryland. Upon its formation, a limited liability company may conduct *activities* in any state related to any lawful business, purpose, investment, or activity, whether or not for profit. *See* Corp. & Ass'ns, §§ 4A-201. A limited liability company also has the general powers, whether or not set forth in its articles of organization or operating agreement, to:

- (1) Have perpetual existence, although existence may be limited to a specified period of time if the limitation is set forth in its articles of organization;
- (2) Sue, be sued, complain, and defend in all courts;
- (3) *Transact its business, carry on its operations, and have and exercise the powers granted by this article in any state and in any foreign country;*
- (4) *Make contracts and guarantees, incur liabilities, and borrow money;*
- (5) *Sell, lease, exchange, transfer, convey, mortgage, pledge, and otherwise dispose of any of its assets;*
- (6) *Acquire by purchase or in any other manner, take, receive, own, hold, improve, and otherwise deal with any interest in real or personal property, wherever located;*
- (7) Issue notes, bonds, and other obligations and secure any of them by mortgage or deed of trust or security interest of any or all of its assets;
- (8) *Purchase, take, receive, subscribe for or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, loan, pledge, or otherwise dispose of and otherwise use and deal in and with stock or other interests in and obligations of other corporations, associations, general or limited partnerships, limited liability companies, foreign limited liability companies, business trusts, and individuals;*
- (9) Invest its surplus funds, lend money in any manner which may be appropriate to enable it to carry on the operations or fulfill the purposes of the limited liability company, and take and hold real property and personal property as security for the payment of funds so loaned or invested;
- (10) Render professional services within or without this State;
- (11) Elect or

appoint agents and define their duties and fix their compensation; (12) Sell, convey, mortgage, pledge, lease, exchange, transfer, and otherwise dispose of all or any part of its property and assets; (13) *Be a promoter, stockholder, partner, member, associate, or agent of any corporation, partnership, limited liability company, foreign limited liability company, joint venture, trust, or other enterprise*; (14) Indemnify and hold harmless any member, agent, or employee from and against any and all claims and demands, except in the case of action or failure to act by the member, agent, or employee which constitutes willful misconduct or recklessness, and subject to the standards and restrictions, if any, set forth in the articles of organization or operating agreement; (15) Make and alter operating agreements, not inconsistent with its articles of organization or with the laws of this State, for the administration and regulation of the affairs of the limited liability company; (16) Cease its activities and dissolve; and (17) Do every other act not inconsistent with law which is appropriate to promote and attain the purposes of the limited liability company. *See Corp. & Ass'ns, §§ 4A-203 (emphasis added).*

The forfeiture of the charter of the limited liability company does not impair the validity of a contract *or act of the limited liability company entered into or done either before or after the forfeiture*, or prevent the limited liability company from defending any action, suit, or proceeding in a court of this State. *See Corp. & Ass'ns, §§ 4A-920 (emphasis added).*

Therefore, we find that Presidential was legally authorized to engage in the *activity* of filing an application for a special exception concerning real or personal property—either on its own behalf or on the behalf of Stoddard. *See Corp. & Ass'ns, §§ 4A-201, 4A-203.* We also find that under Maryland law, the forfeited corporate status of Presidential, at the time S.E. 4667 was filed, does not impair the validity of a contract *or act of the limited liability company entered into or done either before or after the forfeiture.* *See Corp. & Ass'ns, §§ 4A-920.*

- Stoddard

In addition to any other activities which may not constitute doing business, *the following activities of a foreign limited liability company do not constitute doing business* in Maryland:

(1) *Maintaining, defending, or settling an action, suit, claim, dispute, or administrative or arbitration proceeding;*

- (2) Holding meetings of its members or agents or carrying on other activities that concern its internal affairs;
- (3) Maintaining bank accounts;
- (4) Conducting an isolated transaction not in the course of a number of similar transactions;
- (5) Foreclosing mortgages and deeds of trust on property in this State;
- (6) As a result of default under a mortgage or deed of trust, acquiring title to property in this State by foreclosure, deed in lieu of foreclosure, or otherwise;
- (7) *Holding, protecting, renting, maintaining, and operating property in this State so acquired*; or
- (8) Selling or transferring title to property in this State so acquired to any person, including the Federal Housing Administration or the Veterans Administration. *See Corp. & Ass'ns, § 4A-1009(a).*

Because Stoddard was not doing business in Maryland when S.E. 4667 was filed, it was and is legally authorized to maintain S.E. 4667 before the District Council.⁵ Moreover, the failure of Stoddard, a foreign limited liability company, to register in this State does not impair the validity of a contract or *act* of the foreign limited liability company or prevent the foreign limited liability company from defending any action, suit, or proceeding in a court of this State. *See Corp. & Ass'ns, § 4A-1007(b).*

- Environmental Issues

Willow Grove Citizens Association indicates that S.E. 4667 should be denied because of a number of environmental concerns. We disagree. The Association does not provide any evidence to support why the environmental concerns listed in their appeal warrants a denial of S.E. 4667. *See Notice of Appeal from Willow Grove Citizens Association, 9/4/15.* To the

⁵ The District Council sits as an administrative agency when reviewing a zoning matter. *See County Council v. Brandywine Enterprise*, 350 Md. 339, 711 A.2d 1346 (1998) (“The Regional District Act authorizes the County Council to sit as a district council in zoning matters, and, when it does so, it is acting as an administrative agency”); *County Council v. Carl M. Freeman Assocs.* 281 Md. 70, 376 A.2d 869 (1973) (“When it sits as the district council in a zoning matter, the Prince George’s County Council is an ‘administrative agency’ as the term is broadly defined”). *See also* Maryland Code (2012 & Supp. 2015, as amended by Chapter 365, 2015 Laws of Maryland), Land Use Article §14-101(f) and § 22-101(b) (“LU”). *See also* Prince George’s County Code, § 27-107.01(a)(1, 67, 68) (2013 Ed., 2014 Supp.) (“PGCC”) (each subsection therein defining “district” as that portion of the Maryland-Washington Regional District located in Prince George’s County, Maryland, and “district council” as the Prince George’s County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District located in Prince George’s County).

contrary, based on our review of the record, there is substantial evidence in the record which persuades that the Applicant has met its burden on all relevant environmental criteria in the County Code to grant S.E. 4667.6

The 7.91-acre site, in the R-R zone, is located on the east side of Lottsford Vista Road, approximately 760 feet south of US 50 (John Hanson Highway). A review of the record indicates that there are no streams, wetlands or floodplain on the subject property; however, there is a Primary Management Area (PMA) 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. There are steep slopes located on-site and the predominant soil types on the site are Collington-Wist Urban land complex, Marr-Dodon complex, and Marr-Dodon-Urban land complex. Marlboro clay is not found to occur in the vicinity of this property. Based on information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened or endangered species found to occur on or adjacent to this site. Lottsford Vista Road is a designated historic road. The proposed development associated with this preliminary plan is not a noise generator. Lottsford Vista Road is designated as a collector roadway and the nearby US 50 is designated as a freeway, and is a source of traffic-generated noise. The entire site is located within the designated network of the Green Infrastructure Plan. This property is located in the Developing Tier as reflected in the 2002 General Plan.

The 1990 Master Plan for this area does not contain any environmental policies or strategies specific to the subject site as part of the review of S.E. 4667. The entire site is located within the designated network of the Green Infrastructure Plan and includes all three

⁶ Moreover, our approval of S.E. 4667 is also subject to conditions, which address various environmental requirements in the County Code. *See also* PGCPB No. 13-82, which also imposed conditions which address various environmental requirements in the County Code.

designations; Regulated, Evaluation, and Network Gap areas. There are two Regulated areas located on the northeastern and south-southeastern portions of the property. The Regulated area on the south-southeastern portion of the site is associated with an off-site regulated stream. A small area of Network Gap is located on the northwestern corner of the site, adjacent to the intersection of Lottsford Vista Road and Vista Grande Drive. The remainder of the site is mapped as Evaluation area. The site plan submitted with the subject application shows a small area of woodland preservation and significant reforestation along the Regulated areas. Portions of the Regulated and Evaluations areas are proposed to be graded to accommodate stormwater management and site grading. The combination of preservation and reforestation as proposed is in general conformance with the Green Infrastructure Plan.

The subject property contains all three designations of the Countywide Green Infrastructure Plan, with regulated environmental features located along the south-southeastern property line. There is an off-site stream and the stream buffer is located on-site. The portion of the buffer that is currently wooded will remain undisturbed and reforestation measures are proposed in the remaining open buffer areas. The Special Exception Site Plan shows one proposed retention pond on the southern portion of the site abutting Lottsford Vista Road for water quality and quantity purposes. The pond outfall will convey water to a grass swale and ultimately to the adjacent off-site stream system along the southern boundary. Untreated off-site stormwater from the west side of Lottsford Vista Road is also being piped onsite, and is shown to be conveyed to a swale connecting with the pond's stormwater. *See* Ex. 17, Memorandum from Environmental Planning Section, 4/8/14.

- Traffic Issues

Willow Grove Citizens Association indicates that its traffic study submitted on remand should have been given more weight by the ZHE and not merely dismissed. *See* Notice of Appeal from Willow Grove Citizens Association, 9/4/15. The ZHE found that the Citizens chose not to produce a witness with expertise in the area of transportation planning. Notwithstanding, over the objection of the Applicant and People's Zoning Counsel to Citizens' lay testimony as to traffic conditions in the area, as well as the traffic count that two residents (Barrington McCoy and Frances Hawkins) performed on their own on November 5, 2014, Ex. R-11, the ZHE allowed the traffic study into evidence and testimony from the Citizens.⁷ *See* ZHE's Remand Disposition Recommendation, pp. 5–6, 10.

The Citizens that testified as to traffic conditions noted (as many did in the first hearing) that there have been accidents in the area, the road has not been paved and there is a "hodgepodge of potholes" there that makes the area difficult to traverse. All believed there is too much traffic in the area. It was noted that access and egress lanes should be constructed prior to any buildings. Ex. R-12. Some noted that the bike routes in the area aren't protected making it difficult to achieve the Master Plan's recommendation for pedestrian and bike access. It was also noted that the closest bus route in the area was near Forbes Business Park, and Applicant should provide van transportation for its employees/residents to ensure access to public transportation.

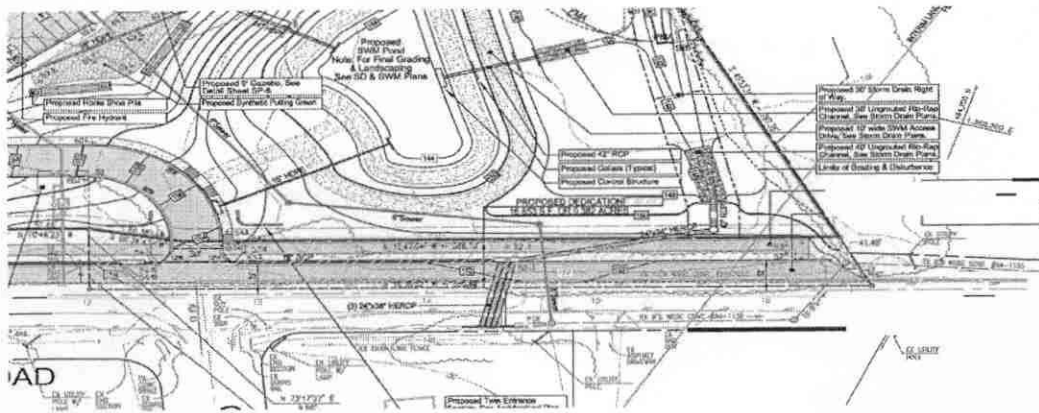
⁷ The ZHE reflects that "Opposition submitted a traffic study that was not prepared by a professional and does not conform to the "Guidelines for the Analysis of the Traffic Impact of Development Proposals" – the regulations applied by the Maryland-National Capital Park and Planning Commission when evaluating the impact of vehicular trips that will be generated by a proposed development. Although I allowed the evidence in I cannot give it much weight for the above referenced reasons." *See* ZHE's Remand Disposition Recommendation, p. 10. But *see People's Counsel for Baltimore County v. Loyola College*, 406 Md. 54, 85-87, 956 A.2d 166, 194-95 (2008) *citing People's Counsel for Baltimore Co. v. Mangione*, 85 Md. App. 738, 751-52, 584 A.2d 1318, 1324-25 (1991) (stating evaluation of evidence in special exception application not balanced with formulaic precision; finder of fact must judge credibility of each witness and apply to evidence presented). *See also Anderson v. Sawyer*, 23 Md. App. 612, 620-22, 329 A.2d 716, 722-23 (1974) (finding testimony of expert no more probative value than layman in evaluation of evidence as to special exception application).

Id. at 5. Mr. McCoy prepared the traffic information and was unable to appear at the remand hearing. However, Ms. Frances Hawkins assisted in the study and did testify. She noted that they performed the count by hand, and did not use any formula or equipment in gathering the data. Their count was taken between 7:15 and 8:45 a.m. on November 5, 2014. The Count notes, that during that period there were a total of 588 vehicles heading southbound on Lottsford Vista Road, and 1,009 vehicles heading north, for a total of 1,595 vehicles. *Id.* at 6.

The Transportation Planning Section 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, regarding the master plan facility along Lottsford Vista Road:

- 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. *See* PGCPB 13-82, Condition 9.

In light of the traffic concerns raised by the Citizens, the Applicants entire road frontage totals 908.89 feet. The property owners have already dedicated 448.20 feet of frontage on Lottsford Vista Road for *widening* to the State Highway Administration by deed recorded at Liber 6873 and Folio 383 (1987). The Preliminary Plan 4-12020 requires an additional dedication of the remaining right of way. The Preliminary Plan notes an additional 40 feet of dedication is from the State Highway baseline as shown below:



See Ex. 28–31.

S.E. 4667 site plans also correctly illustrates the requirements of the Preliminary Plan approval. Road improvements that will occur include a minimum of a 13 ft widening strip for the full length of the area to be dedicated as required in the Preliminary Plan, not inclusive of the concrete curb, which is also required. Additionally, these same road improvements are identified in approved TCP 1-010-10. See Ex. 13, 31.

WHEREAS, for the reasons stated above, we find that the appeals filed by Citizen Opposition are without factual or legal merit and conclude that the Applicant has met its burden for approval of the proposed special exception application; and

WHEREAS, as expressly authorized by the Regional District Act within Titles 22 and 25 of the Land Use Article of the Annotated Code of Maryland, and Subtitle 27 of the Prince George's County Code, we hereby adopt the disposition recommendation of the Zoning Hearing Examiner and conditionally approve the proposed special exception application.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1: The Special Exception Application and Tree Conservation Plan 003-14 for for permission to operate an Adult Day Care for 15 persons and a 63-unit Assistant Living Facility for 78 persons on approximately 7.91 acres of R-R (Rural Residential) zoned land located on the east side of Lottsford Vista Road, across from its intersection with Cleary Lane,

also identified as 3911 Lottsford Vista Road, Bowie, Maryland, is hereby conditionally APPROVED.

SECTION 2: In order to protect adjacent properties, the surrounding neighborhood, and to enhance the overall structure of the building, approval of the proposed special exception is subject to the following conditions:

- (1) A raze permit must be obtained through the Prince George's County Department of Permitting, Inspections and Enforcement 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 in accordance with Part 3, Division 9, of the Zoning Ordinance 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 the Prince George's County Health Department, Division of Environmental Health, for review and approval.
 - (c) Conformance to the sign regulations shall be reviewed at the time of detailed site plan 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, on pages 92-97 of the Technical Staff Report.
- (4) 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.
- (5) Prior to the issuance of permits, the Special Exception Site Plan shall be revised as follows, and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:
 - a. A Note shall be added to show how all of the applicable regulations of the R-R Zone (set forth in Section 27-

442 of the Zoning Ordinance) 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 a companion case, an alternative compliance (AC) application at the time of detailed site plan review.
 - 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. 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. The existing sign shown on the left of the driveway, along Lottsford Vista Road, shall be removed and a detail for the new sign that shows its size and location shall be provided.
 - g. The preliminary plan number and its approval date shall be added to 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.
 - i. The hours of operation for the Adult Day Care Center (Monday-Friday from 7:30 a.m. - 8:00 p.m., and Saturday from 9:00 a.m. - 8:00 p.m.) and hours of aftercare (if any) shall be added.
- (6) Prior to the issuance of permits, the TCP2 shall be revised as followed and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:
- a. The steep slopes must be removed from the plan and the legend for plan clarity. This information has been

adequately shown on the Natural Resources Inventory (NRI) for the site.

- b. Permanent Tree Protection fence and signs must be shown along all vulnerable edges of the reforestation area; specifically, the permanent fence and signs must be added along the public utility easement and below the stormwater management pond.
- c. A specimen tree sign must be shown on the plan adjacent to preserved specimen tree 4; this symbol must be added to the plan.
- d. The assigned plan number must be typed into the approval block (TCP2-003-14).
- e. TCP2 general note 7 must be revised to indicate that the site fronts on Lottsford Vista Road, which is a designated historic road.
- f. Planting Specification Note 16 must be revised to indicate that the source of seedlings is "to be determined."
- g. The planting schedule must be revised to show the planting of seedlings at a density with a minimum of 700 seedlings/ acre and not to exceed 1,000 seedlings/ acre.
- h. The following standard details must be added to the plan in accordance with the Environmental Technical Manual:
 1. Reforestation sign detail (DET-2)
 2. Specimen tree sign detail (DET-3)
 3. Tree pruning detail (DET-11)
 4. Planting months detail (DET-13)
 5. Handling bare root stock (DET-15 and 16)
 6. Seedling/ whip planting detail (DET-17)
- i. If any land containing woodland conservation is to be dedicated to a county agency, the applicant shall provide written correspondence from that county agency stating that the agency agrees to the area of woodland conservation on the dedicated land.

- (7) After the Detailed Site Plan is approved, a copy shall be submitted to the Office of the Zoning Hearing Examiner for inclusion in the record.

[Note: The Special Exception Site Plan and Landscape Plan are Exhibits 14(a)-(e). The Tree Conservation Plan is Exhibit 15 (a)-(c).]

SECTION 2: This Ordinance shall take effect on the date of its enactment.

Enacted this 8th day of February, 2016, by the following vote:

In Favor: Council Members Franklin, Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner.

Opposed:

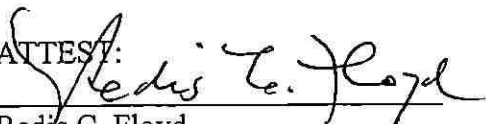
Abstained:

Absent: Council Member Lehman.

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND, SITTING AS THE DISTRICT COUNCIL FOR THAT PART OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT IN PRINCE GEORGE'S COUNTY, MARYLAND

By: 
Derrick L. Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

April 3, 2014

MEMORANDUM

TO: Taslima Alam, Senior Planner, Zoning Section
VIA: Ruth Grover, Planner Coordinator, Urban Design Section
FROM: Jill Kosack, Senior Planner, Urban Design Section *JK*
SUBJECT: Special Exception SE-4667; Sycamore Hill

The Urban Design Section has reviewed the revised information provided in support of the Special Exception application, SE-4667, for an assisted living facility and adult day care center complex. This referral replaces all previous Urban Design referrals issued for the subject application. The subject property measures approximately 7.91 acres, is zoned Rural Residential (R-R) and is currently improved with a single-family detached dwelling. It is the subject of previously approved, but never established, Special Exception SE-4256 for a 12-resident congregate living facility. It also is the subject of a previously approved Preliminary Plan of Subdivision, 4-12020, that was approved by the Planning Board on July 11, 2013. As part of the subject project, the applicant proposes to replace the existing single-family detached dwelling on the site with a 65,608-square-foot building for up to 78 residents (63 units) in the assisted living facility and up to 15 adult day care patients. The site is surrounded in three directions by the Vista Gardens East Subdivision, including single-family detached residential units to the north in the R-R Zone, and M-NCPPC-owned vacant land to the east and south, in the Reserved Open Space (R-O-S) Zone. The site is bounded to the west by the public right-of-way of Lottsford Vista Road, with single-family detached units in the Willow Grove and George J. Cleary Subdivisions, in the R-R Zone, beyond.

ZONING ORDINANCE

The project is subject to the following sections of the Zoning Ordinance: Section 27-428, R-R (Rural Residential) Zone; Section 27-441, Uses Permitted in Residential Zones; Section 27-442, Regulations; Section 27-317, Required Findings for a Special Exception; Section 27-332, Additional Requirements for an Adult Day Care Center; and Section 27-464.04, Additional Requirements for an Assisted Living Facilities. The following requirements warrant discussion at this time:

1. Footnote 77 of Section 27-441(b) (2) of the Table of Uses, which allows Assisted Living

Facilities in the R-R Zone, states: "Up to seventy-five (75) dwelling units are permitted 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".

Comment: The application proposes 63 assisted living dwelling units, with a maximum total of 78 residents, and an adjoining adult day care, as required by this footnote. The applicant is required to gain Detailed Site Plan approval for the assisted living component of the proposal.

2. Section 27-442 of the Zoning Ordinance contains regulations for the residential zones, including required setbacks, maximum height, etc. The submitted site plan appears to conform to these requirements; however, notes should be added to the plan demonstrating how all relevant requirements are being met.

3. Section 27-332(a) Special Exceptions sets forth the following urban-design- related required findings for a special exception for an adult day care center:

(1) **The subject property shall be suitable for the type of facility proposed, taking into account the character of 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. Architectural elevations for the proposed building were provided, but no photographs of the surrounding area were provided. Evaluation of the architecture is provided below.

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

Comment: The proposed lot coverage is only 35 percent or approximately half, of the 60 percent allowed by the Zoning Ordinance. The subject property's has an elevation change of 46 feet across the property, necessitating expansive grading for the building and parking areas, leaving the rest of the property with steep slopes. However, the applicant was able to create usable outdoor recreation areas. The Urban Design Section would suggest that the subject property is of sufficient size to accommodate the proposed facility.

4. Part 6, Division 5, Section 27-464.04(a) includes the following additional urban-design related requirements for assisted living facilities:

(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: Since only one 65,608 square-foot building is proposed on the subject site, this urban-design related requirement is not relevant to the subject application.

- (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: The submitted site plan shows a drop-off area, that is 24 feet wide, right in front of the building entry. The Urban Design Section would suggest that this area is close and convenient to the entry and should be spacious enough to accommodate passing cars, wheelchairs and open car doors.

- (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 submitted site plan shows a canopy over the building entry and the passenger drop-off area.

(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 north side of the building with moveable furniture, and a 6-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 Urban Design Section suggests that the submitted site plan demonstrates provision of sufficient recreational facilities to serve the prospective resident population.

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

Comment: A condition of the Special Exception approval should be that approval of a detailed site plan be required prior to the issuance of the building permit for the project.

ARCHITECTURAL REVIEW

The submitted application included proposed architectural elevations that were very small and blurry and difficult to fully evaluate, 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. Detail 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 architectural package also included a design for the entrance sign, which 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 and precast concrete spheres. The SE requirements include that the facility take into account the surrounding properties and the general neighborhood, which would relate to architectural and sign design too. 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 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.

LANDSCAPE MANUAL

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

Section 4.2 - Requirements for Landscaped Strips along Streets

Comment: The subject property only has frontage on one street, Lottford 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.

Section 4.3 - Parking Lot Requirements

Comment: 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.

Section 4.4 - Screening Requirements

Comment: 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.

Section 4.5 – Stormwater Management Facilities

Comment: The subject site plan proposes a stormwater management pond on-site that will have to be landscaped per this section.

Section 4.6 Buffering Development from Streets

Comment: Properties with frontage on a historic road, such as Lottsford Vista 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 SE application.

Section 4.7 - Buffering Incompatible Uses

Comment: 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.

Section 4.9 - Sustainable Landscaping Requirements

Comment: The SE 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. The Landscape Manual 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 (TCC) as it involves land disturbance of more than 5,000 square feet. The SE area of 7.91 acres is zoned R-R and is required to provide 15 percent, or 1.19 acres, of tree canopy coverage. A tree canopy coverage 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 to us. The acreage of on-site woodland conservation should be verified by the Zoning Section prior to signature approval.

URBAN DESIGN RECOMMENDATIONS

Based on the above analyses, the Urban Design Section would suggest the following revisions to the plans and submitted materials:

1. A condition should be included in the Zoning Section's recommendation stating that prior to the

issuance of any grading permits for the assisted living facility, a Detailed Site Plan should be reviewed and approved for the subject development.

2. The plans should be revised to note all applicable regulations of the R-R Zone and the proposed plan's conformance.
3. The proposed architecture and entrance sign should be revised as described in detail above.
4. The Section 4.2 schedules should be removed from the plan and a Section 4.6 schedule and notes should be added to the plan demonstrating the project's conformance to its requirements. If such demonstration cannot be made, the applicant should apply for, and bring forward as a companion case, an Alternative Compliance application and a note including information regarding the AC application should be included on the plans.
5. A Section 4.9 Landscape Manual schedule should be provided on the plan demonstrating conformance to all of its requirements.
6. The amount of on-site woodland conservation claimed for TCC credit should be verified against the amount shown on the Type 2 Tree Conservation Plan.

R E S O L U T I O N

WHEREAS, Presidential Care, LLC. is the owner of a 7.91-acre parcel of land known as Tax Map 53 in Grid A-2 and is also known as Parcel 45, said property being in the 13th Election District of Prince George's County, Maryland, and being zoned Rural Residential (R-R); and

WHEREAS, on March 6, 2013, Presidential Care, LLC. filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-12020 for Sycamore Hill Assisted Living was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 11, 2013, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on July 11, 2013, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type 1 Tree Conservation Plan (TCP1-010-10), and further APPROVED Preliminary Plan of Subdivision 4-12020, Sycamore Hill Assisted Living, including a Variance to Section 25-122(b)(1)(G) for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Delineate the imaginary surfaces area of the interim land use control (ILUC) line.
 - b. Revise Note 5 to add the total assisted dwelling units is to be 63.
 - c. Revise Note 26 to include the statement that Special Exception SE-4667 is currently pending.
 - d. Submit the revised approved Stormwater Management Concept Plan and revised Note 13 in accordance with the revised plan.
 - e. Revise Note 25 to state the following:

“This property lies partially within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012).”

- f. Show a minimum ten-foot-wide public utility easement (PUE) along the entire frontage of Lottsford Vista Road.
 - g. Remove the Parcel One/Parcel Two line.
2. Development of this site shall be in conformance with Stormwater Management Concept Plan 46822-2005-02 and any subsequent revisions.
 3. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Remove tree protection fencing and signs from the plan and legend. Remove all associated details from the plan.
 - b. Revise the legend as follows:
 - (1) Remove symbols for elements that are not required to be shown on the plan (tree conservation signs, fence, and slopes);
 - (2) Include all symbols shown on the plan; and
 - (3) Show the limit of disturbance symbol as it is shown on the plan.
 - c. Provide a graphic bar scale on the plan.
 - d. Show all existing features and label their proposed disposition (to remain vs. to be removed).
 - e. Revise the existing tree line to be darker and more legible.
 - f. Revise the TCP1 notes as follows:
 - (1) Revise Note 1 to reflect the correct preliminary plan number (4-12020);
 - (2) Revise Note 10 to indicate that the project is not grandfathered with respect to County Council Bill CB-27-2010; and
 - (3) Revise Note 11 to reference the correct stormwater management concept number (46822-2005), and provide the approval date.

- g. Revise the Specimen Tree table to change the condition rating score of Trees 3 and 4 to poor and excellent, respectively.
 - h. Provide a note below the Specimen Tree table to indicate how the trees were located (field estimated or survey located).
 - i. Revise the woodland conservation areas to ensure they meet the minimum required width of 50 feet.
 - j. Show stormwater management easements if required by the Department of Public Works and Transportation and remove proposed reforestation from the easements.
 - k. Update the woodland conservation worksheet to reflect plan changes.
 - l. Have the revised plan signed and dated by the qualified professional who prepared it.
4. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan, when approved.”
5. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
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*.
7. Prior to approval of the detailed site plan, the landscape buffer yard treatment and entrance features along historic Lottsford Vista Road shall be reviewed to ensure that the design is in keeping with the desired visual characteristics of the historic road.
8. At the time of final plat, the applicant and the applicant’s heirs, successors and/or assignees shall grant a ten-foot-wide public utility easement along the public rights-of-way of Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.

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.
10. A substantial revision to the mix of uses on the subject property that significantly affects Subtitle 24 adequacy findings may require the approval of a new preliminary plan of subdivision prior to approval of any building permits.
11. Total development within the subject property shall be limited to uses which generate no more than 18 AM and 27 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.
12. At the time of final plat approval, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate 40 feet of right-of-way from the State Highway Administration (SHA) baseline on Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.
13. At the time of final plat, the following note shall be placed on the plat:

“This plat lies partially within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012).”

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Setting**—The subject site is located on Tax Map 53 in Grid A-2 and is known as Parcel 45. The property consists of 7.91 acres within the Rural Residential (R-R) Zone. Parcel 45 was created by deed, has never been the subject of a preliminary plan of subdivision (PPS) approval, and is a legal parcel. The current configuration of Parcel 45 is the result of the conveyance of 14,178 square feet of land at the northwest portion of Parcel 45 to the State Highway Administration (SHA) by deed recorded in Prince George's County Land Records in Liber 6873 and Folio 383 in 1987, and was a legal division of land by deed. The property is currently improved with a 6,378-square-foot adult day care facility for 15 persons, which is to be razed.

The property is located on the east side of Lottsford Vista Road between Vista Linda Drive and Vista Grande Drive, and across from Cleary Lane. The neighboring properties to the north and east are in the R-R Zone and developed with single-family detached dwellings. The property to the south and west is in the Reserved Open Space (R-O-S) Zone, is currently undeveloped, and is in the ownership of The Maryland-National Capital Park and Planning Commission (M-NCPPC).

3. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone	R-R	R-R
Use(s)	Adult day care (6,378 square feet to be razed)	Senior assisted housing & adult day care (65,608 square feet-new)
Acreage	7.91	7.91
Lots	0	0
Outparcels	0	0
Parcels	1	1
Dwelling Units	0	63
Public Safety Mitigation Fee	No	No
Variance	No	Yes (Section 25-122(b)(1)(G))
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on March 29, 2013.

4. **Community Planning**—The 2002 *Prince George’s County Approved General Plan* designates the subject property within 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. The preliminary plan is consistent with the 2002 General Plan Development Pattern Policies for the Developing Tier by proposing a low density senior housing and adult day care development. Approval of this application does not violate the General Plan’s growth goals for the year 2025, upon review of Prince George’s County’s current General Plan Growth Policy Update.

The subject property is located in the 1990 *Largo-Lottsford Approved Master Plan and Adopted Sectional Map Amendment* and master plan classified this property in the R-R (Rural Residential) Zone. The Largo-Lottsford Master Plan (page 63) places the property within the Enterprise Community, Neighborhood B. The master plan recommends (page 63) that the predominant future land use should continue to be as follows:

“... high quality single-family detached units at a Low Suburban density. The one exception is a planned retirement community behind the nursing home.”

The applicant proposes to demolish the existing adult day care facility and replace it with a new assisted living complex that would include elderly housing and a rebuilt adult day care facility. The Largo-Lottsford Master Plan sets forth specific development policies for the Enterprise Community (pages 63-65). These policies make specific buffering recommendations (page 64, second bullet) for the subject site as follows:

“Special attention should be paid to providing buffering between the Retirement Community behind the Villa Rosa Nursing Home and adjacent properties. The retirement community will be a different housing style (attached units instead of detached) and density than the surrounding neighborhood. The retirement units should be set back from adjacent houses, and existing vegetation should be preserved or additional plantings provided. In addition, access should be only from Lottsford Vista Road; street connections from the retirement community to adjacent subdivisions should not be provided.”

The current proposal would result in a larger facility than the existing use. Although the planned retirement community mentioned in the Largo-Lottsford Master Plan was never built, there remains the need to buffer the proposed assisted living complex from the surrounding single-family detached residences. For this reason, the applicant should ensure that the new development complies with the Largo-Lottsford Master Plan recommendations for buffering the site from surrounding residences at the time of the detailed site plan. Finally, the master plan recommends access to the site only from Lottsford Vista Road, which is shown on the plan. Overall, the preliminary plan conforms to the land use recommendation for residential uses of the 1990 *Largo-Lottsford Approved Master Plan and Adopted Sectional Map Amendment* for low-density suburban residential.

The southern portion of his property (south of the intersection of Lottsford Vista Road and Cleary Lane) is within the Joint Base Andrews (JBA) Interim Land Use Control (ILUC) area. This portion of the property is within Imaginary Surface F, establishing a height limit of 500 feet above the runway surface. The property is outside of the 65 dBA and above noise contour. It is also outside of the Accident Potential Zones (APZs). Though these categories do not impact the subject property, they should be noted on the preliminary plan of subdivision.

5. **Zoning**—Adult day care centers and assisted living facilities are permitted by special exception in the R-R Zone in accordance with Sections 27-332, 27-464.04, and 27-441(b) Table of Uses (Footnote 77) in the Zoning Ordinance. Footnote 77 of Section 27-441(b)(2) states the following:

Up to seventy-five (75) dwelling units are permitted 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. (CB-110-2004)

A special exception application, SE-4667, has been filed for the subject property for the proposed use of the adult day care center and assisted living facility. Special Exception SE-4667 is currently

under review. Prior to building permit, the applicant is required to obtain approval of a DSP for the assisted living facility in accordance with Part 3, Division 9, of the Zoning Ordinance.

The site is currently improved with a 6,378-square-foot adult day care center for 15 persons, which was approved under Special Exception SE-4256. Special Exception SE-4256 was originally approved by the District Council on November 24, 1997. At that time, it was determined that the use was suitable and compatible with the character of the surrounding properties and the general neighborhood. The pending SE-4667 for assisted living and adult day care facilities for the site, if approved, will supersede previously approved SE-4256. All of the existing structures associated with SE-4256 on the site are to be removed.

6. **Urban Design**—The 2010 Landscape Manual and the Zoning Ordinance contain site design guidelines and requirements that are applicable to the development of this property.

2010 Prince George’s County Landscape Manual

The application is subject to the requirements of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). More particularly, the application is subject to Section 4.2, Commercial and Industrial Landscaped Strip Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.5, Stormwater Management Facilities; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Conformance with the requirements of those sections will be evaluated at the time of special exception and DSP reviews. These requirements include a minimum 20-foot-wide landscaped Section 4.6 bufferyard along the property’s entire frontage on Lottsford Vista Road, a designated historic roadway, and a Type “B” Section 4.7 bufferyard, including a 30-foot building setback and a 20-foot-wide landscape yard, along the northern property line, adjacent to single-family detached houses.

Zoning Ordinance

A special exception approval, subject to Footnote 77, is required for an assisted living facility in the R-R Zone in accordance with Section 27-441 of the Zoning Ordinance. The adult day care also requires a special exception approval. The subject site has a pending special exception application, SE-4667, which was accepted for review in 2010. Footnote 77 then states: “All assisted living facilities standards and requirements in Part 6, Division 5, must be met, including Detailed Site Plan (DSP) approval under Part 3, Division 9.” Therefore, a DSP is also required for the proposed development.

At the time of DSP review and approval, the development is required to conform with Zoning Ordinance regulations including, but not limited to, the following:

Section 27-428, R-R Zone (Rural Residential)
Section 27-441, Use Table (Residential Zones)
Section 27-442, Regulations (Residential Zones)
Section 27-582 of Part 11, Parking and Loading
Part 12, Signs

It should be noted that the requirements of Part 6, Division 5, Section 27-464.04, include a recreational facilities plan demonstrating that sufficient recreational facilities or opportunities are provided to serve the prospective residents. This section also requires that the recreational areas be clustered together to increase levels of activity, use of amenities, and the sense of vitality of the community. The recreational facilities plan will be evaluated at the time of special exception and DSP reviews.

7. **Environmental**—This PPS has been reviewed for conformance to the environmental regulations within Division 5 of the Subdivision Regulations, the Woodland and Wildlife Habitat Conservation Ordinance (WCO), and the appropriate area master plan. A signed Natural Resources Inventory (NRI-048-06) and Type 1 Tree Conservation Plan (TCP1-010-10) for the subject property has been received and reviewed.

Conformance to the Master Plan

The 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* does not contain any environmental policies or strategies specific to the subject site as part of the review of this application.

Conformance with the Green Infrastructure Plan

The entire site is located within the designated network of the 2005 *Approved Countywide Green Infrastructure Plan* (Green Infrastructure Plan) and includes all three designations: regulated, evaluation, and network gap areas. There are two regulated areas located on the northeastern and south-southeastern portions of the property. The regulated area on the south-southeastern portion of the site is associated with an off-site regulated stream. A small area of network gap is located on the northwestern corner of the site, adjacent to the intersection of Lottsford Vista Road and Vista Grande Drive. The remainder of the site is mapped as evaluation area.

The Type 1 Tree Conservation Plan, TCP1-010-10, submitted with the subject application shows a small area of woodland preservation and significant reforestation along the regulated areas. Portions of the regulated and evaluation areas are proposed to be graded to accommodate stormwater management and site grading. The combination of preservation and reforestation as proposed is in general conformance with the Green Infrastructure Plan.

The following policies support the stated measurable objectives of the Green Infrastructure Plan:

Policy 1: Preserve, protect, enhance or restore the green infrastructure network and its ecological functions while supporting the desired development pattern of the 2002 General Plan.

The subject property contains all three designations of the Green Infrastructure Plan, with regulated environmental features located along the south-southeastern property line. There is an off-site stream and the stream buffer located on-site. The portion of the buffer that is currently

wooded will remain undisturbed and afforestation measures are proposed in the remaining open buffer areas.

Policy 2: Preserve, protect, and enhance surface and ground water features and restore lost ecological functions.

This development proposal is to construct a two-story assisted living facility with parking. The site has a Stormwater Management Concept Approval Letter (26822-2005-02); however, no approved plan was submitted. The TCP1 shows one proposed retention pond on the southern portion of the site abutting Lottsford Vista Road for water quality and quantity purposes. The TCP1 also shows two water quality areas. The pond outfall will convey water to a grass swale and ultimately to the adjacent off-site stream system along the southern boundary. Untreated off-site stormwater from the west side of Lottsford Vista Road is also being piped on-site, and is shown to be conveyed to a swale connecting with the pond's stormwater.

Policy 3: Preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern of the 2002 General Plan.

The property is partially wooded and is subject to the WCO. The project proposes to remove 86 percent of the on-site woodlands and meet the 3.05-acre requirement with on-site and off-site woodland conservation measures including a significant amount of reforestation focused in the most sensitive areas of the site (adjacent to the stream). There are seven specimen trees on-site and six of these trees are proposed to be removed.

The TCP1 shows extensive grading due to the existing topography for parking, the proposed building, and stormwater management structures. A total of 1.83 acres of reforestation is proposed on-site.

Policy 4: Promote environmental stewardship as an important element to the overall success of the Green Infrastructure Plan.

The use of environmentally-sensitive building techniques and overall energy conservation should be encouraged.

Policy 5: Recognize the green infrastructure network as a valuable component of the county's Livable Communities Initiative.

All three areas (regulated, evaluation, and network gap) are located on-site with the largest area mapped as evaluation area. There are two regulated areas located on the northeastern and south-southeastern portions of the property. The woodlands that are proposed to be saved and the areas proposed to be reforested are located within the regulated and evaluation areas.

The proposed tree conservation is in conformance with the Green Infrastructure Plan.

Environmental Review

An approved Natural Resources Inventory, NRI-48-06-01, signed July 18, 2011 was submitted with the application. There is a stream buffer and PMA found to occur on the subject property. The forest stand delineation indicates one forest stand totaling 2.57 acres and seven specimen trees. No additional information is required with respect to the NRI.

A review of the information available indicates that there are no streams, wetlands, or floodplain on the subject property; however, there is PMA 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. There are steep slopes located on-site and the predominant soil types on the site are Collington-Wist Urban land complex, Marr-Dodon complex, and Marr-Dodon-Urban land complex. Marlboro clay is not found to occur in the vicinity of this property. This information is provided for the applicant's benefit. The county may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit review process. Based on information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or adjacent to this site.

The property is subject to previous approvals including previously approved tree conservation plans; however, because this project is being reviewed as a new PPS, the project is not grandfathered with respect to the WCO effective September 1, 2010.

The woodland conservation threshold (20%) for this site is 1.58 acres. The total amount of required woodland conservation based on the amount of clearing currently proposed is 3.05 acres. The woodland conservation requirement is proposed to be satisfied with 0.36 acre of preservation, 1.83 acres of reforestation, and 0.86 acre of off-site woodland conservation credits. The reforestation and preservation is located in a priority area within the regulated and evaluation areas of the Green Infrastructure network.

The plan requires technical revisions to be in conformance with the WCO. A Type 1 tree conservation plan (TCP1) is conceptual in nature and should not show final construction measures such as tree protection fence and signs. These elements should be removed from the plan and all associated details should also be removed. A graphic bar scale needs to be added to the plan. The legend needs to be revised to remove symbols that are not required to be shown on a TCP1 (tree conservation signs, fence, and slopes) and all symbols used on the plan should be added to the legend. The symbol used for the limits of disturbance on the plan needs to be accurately reflected in the legend. All existing features need to be shown on the plan; specifically, the existing buildings need to be shown with their proposed disposition labeled (to remain vs. to be removed). The existing tree line is difficult to see on the plan and should be made darker for plan clarity.

The TCP1 notes need to be revised as follows: Note 1 needs to reference the correct preliminary plan number (4-12020); Note 10 needs to indicate that the plan is not grandfathered from CB-27-2010; and Note 11 needs to reference the correct stormwater management concept number (46822-2005-02) and approval date.

The Specimen Tree table needs to be revised to change the condition rating (good, fair, excellent, etc.) based on the condition rating scores that have been shown on the plan. In accordance with Section 4.2.3.c of the Environmental Technical Manual, Specimen Trees 3 and 4 need to be revised as poor and excellent, respectively. A note needs to be added below the specimen tree table to indicate how the trees were located (field estimated vs. survey located).

The proposed reforestation area labeled as 0.43 acre needs to be slightly modified to ensure that all edges are a minimum of 50 feet wide. All proposed easements need to be shown on the plan; specifically, any stormwater management easements needed for the proposed drainage swales and structures. Any proposed reforestation areas located within any on-site stormwater management easement areas should be removed. The woodland conservation worksheet should be updated to reflect changes made to the reforestation areas.

In accordance with Section 25-122(d)(1)(B), woodland conservation is required to be placed in a conservation easement, which will be required at the time of approval of the Type 2 tree conservation plan (TCP2). The liber and folio of the easement will be reflected on the TCP2.

The site has frontage on Lottsford Vista Road, a master-planned collector roadway which is not regulated for noise. To the north of the site, John Hanson Highway (US 50), a master-planned freeway roadway, is located approximately 600 feet from the closest on-site property line. John Hanson Highway is regulated for noise when a residential use or outdoor activity area is proposed. A noise barrier wall is located along US 50. The existing noise barrier will suppress the traffic noise on the subject property since the site is over 600 feet away from the noise source. The project area will not be impacted by noise levels above 65 dBA Ldn. No additional information is required with regard to noise.

Lottsford Vista Road was designated a historic road in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and has the functional classification of collector. Any improvements within the right-of-way of a historic road are subject to approval by the Prince George's County Department of Public Works and Transportation (DPW&T) under the *Design Guidelines and Standards for Scenic and Historic Roads*.

The Landscape Manual addresses the requirements with regard to buffering scenic and historic roads. These provisions will be evaluated at the time of the review of the DSP. Adjacent to a historic road, the Landscape Manual requires a Section 4.6 landscape buffer (Buffering Development from Special Roadways) based on the property being located within the Developing Tier. In the Developing Tier, the required buffer along a historic road is a minimum of 20 feet wide to be planted with a minimum of 80 plant units per 100 linear feet of street frontage, excluding driveway openings. The 20-foot-wide scenic buffer is required to be provided behind the public utility easement. Landscaping is a cost effective treatment which provides a significant visual enhancement to the appearance of a historic road.

The design of the landscape buffer and entrance treatment proposed along Lottsford Vista Road should be reviewed at the time of the associated DSP to ensure that the overall treatment is in keeping with the desired visual characteristics of the historic road; integrated into an overall streetscape treatment along Lottsford Vista Road; which should include coordination of signage, materials, and plant species choices.

8. **Primary Management Area (PMA)**—This site contains primary management area along the southern portion of the property associated with an intermittent stream located on the adjacent property that are required to be protected under Section 24-130 of the Subdivision Regulations. Section 24-130(b)(5) states:

- (5) **Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.**

Impacts to the regulated environmental features should be limited to those that are necessary for the 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 the Prince George's 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 County Code.

If impacts to the regulated environmental features are proposed, a statement of justification must be submitted in accordance with Section 24-130 of the Subdivision Regulations. A statement of justification for the proposed impacts was submitted on March 6, 2013 and dated February 6, 2013.

The PPS shows that the PMA is located within proposed Parcel 1. Pursuant to Section 24-130(b)(5), any lot should have sufficient net lot area outside the regulated feature for

reasonable development. Proposed Parcel 1 is 7.53 acres of gross lot area and the PMA on-site is 0.41 acre. Under the R-R Zone, the net lot area requirement is 20,000 square feet; however, pursuant to Section 27-464.04(a)(2)(C), under the assisted living facilities use, the lot area has to have a minimum of 3.50 acres. Parcel 1 has 7.12 acres outside of the PMA, therefore, Parcel 1 meets the requirement of Section 27-464.04(a)(2)(C) and Section 24-130(b)(5) in terms of sufficient net lot area outside of the regulated feature.

The PPS proposes one impact to the 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 being removed.

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

Primary Management Area Conclusions

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan submitted for review. The impact area that is approved in concept is for the construction of a vegetated stormwater drainage swale in the stream buffer because these site features are required by other provisions of the County Code and cannot be avoided.

9. **Variance to Section 25-122(b)(1)(G)**—Type 1 tree conservation plan (TCP1) applications are required to meet all of the requirements of Subtitle 25, Division 2 (the Woodland and Wildlife Habitat Conservation Ordinance (WCO)), which includes preservation of specimen trees pursuant to Section 25-122(b)(1)(G) which states:

Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual.

If after careful consideration has been given to preservation of the specimen trees, there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of the WCO provided all of the required findings in Section 25-119(d) can be met and the request is not less stringent than the requirements of the applicable provisions of the Code of Maryland Regulations (COMAR). An application for a

variance must be accompanied by a letter of justification stating the reasons for the request and how the request meets each of the required findings.

A Subtitle 25 variance application and a statement of justification in support of a variance were submitted by the applicant and were stamped as received by the Environmental Planning Section on March 6, 2013.

The Specimen Tree table on the TCP1 shows the removal of six of the seven on-site specimen trees. The limits of disturbance on the plan also show that these six trees (Specimen Trees 1, 2, 3, 5, 6, and 7) are to be removed and one tree (Specimen Tree 4) to be preserve.

Section 25-119(d) of the WCO contains six required findings **[text in bold]** to be made before a variance can be granted. The letter of justification submitted seeks to address the required findings for all six specimen trees as a group; however, details specific to individual trees has also been provided. The approach to the analysis is supported because there are similar concerns for all of the trees with respect to the required findings and because the location, species, and condition of the trees have been assessed separately as necessary.

(A) Special conditions peculiar to the property have caused the unwarranted hardship.

Condition rating scores were generated for the specimen trees on this site in accordance with Section 4.2.3c of the Technical Manual (which references The Guide to Plant Appraisal prepared by the Council of Tree & Landscape Appraisers and published by the International Society of Arboriculture). The condition rating scores range from 69 to 94 with conditions such as poor, fair, good, and excellent.

The six trees (Tulip Poplar, Red Oak, and Silver Maple) proposed for removal are located in areas where intense grading and structures are proposed. These trees are located in the central and northeast corner of the site. A 36-inch White Oak will remain along the northeastern property corner. The condition and location of the specimen trees proposed for removal are a special condition peculiar to the property; specifically due to the topography which ranges in elevation between 130-190 feet and would require intense grading to bring the site to a developable grade and allow positive drainage.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.

Without proper grading, the site would not be developable and flooding may be an issue. If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

The proposed grading in the location of the specimen trees is necessary to bring the site to a developable level and ensure positive drainage. Several trees are located centrally and their preservation would preclude reasonable development of the site. If other properties include trees in similar locations and in similar condition on a site, the same considerations would be provided during the review of the required variance application. Approval of this variance will not constitute a special privilege to the applicant.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.

The applicant has not taken any previous action on the subject property.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.

The requested variance does not arise from a condition relating to the land or building use, either permitted or nonconforming, on a neighboring property. There are no existing conditions on the neighboring properties that have any impact on the location or size of the trees.

(F) Granting of the variance will not adversely affect water quality.

Granting the variance to remove the specimen trees will not directly affect water quality because the reduction in tree cover caused by specimen tree removal is minimal. Specific requirements regarding stormwater management for the site will be further reviewed by DPW&T.

Based on the preceding analysis, the required findings of Section 25-119(d) have been addressed for the removal of six specimen trees based on the information provided, and the Planning Board approved the variance to remove Specimen Trees 1, 2, 3, 5, 6, and 7, and the preservation of Specimen Tree 4.

10. **Stormwater Management**—DPW&T, Office of Engineering, has determined that on-site stormwater management is required. A Stormwater Management Concept Letter, 46822-2005-02, was approved on May 28, 2013 and is valid until May 28, 2016; however, the associate approved plan was not submitted. The approved concept letter requires water quality and quantity controls to be provided by a retention pond as shown on the plan. Prior to signature approval of the PPS, a copy of the approved stormwater management concept plan should be submitted. Development must be in accordance with the approved plan or any subsequent revisions.

The approved stormwater management concept plan is required to be designed in conformance with any approved watershed management plan, pursuant to Subtitle 32, Water Resources and Protection, Division 3, Stormwater Management Plan, Section 172, Watershed Management Planning, of the County Code. As such, the requirement of Section 24-130(b)(4) of the Subdivision Regulations, which requires that a subdivision be in conformance with any watershed management plan, has been addressed with the approval of the stormwater management concept plan by DPW&T.

11. **Parks and Recreation**—In accordance with Section 24-134(a)(3)(B) of the Subdivision Regulations, the proposed development is exempt from mandatory dedication of parkland because the net lot area is greater than one acre and the site is in a one-family zone, the R-R Zone.
12. **Trails**—This PPS has been reviewed for conformance with Section 24-123 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the appropriate area master plan in order to implement planned trails, bikeways, and pedestrian improvements.

The area master plan designates Lottsford-Vista Road as a master plan trail corridor (Master Plan, Map 9, page 111). There are no county-funded capital improvement projects to construct a trail at this time. It should be noted that the subject site abuts M-NCPPC parkland to the south and east along the Folly Branch Stream Valley Park corridor. The MPOT, Complete Streets Section, Policy 2, recommends that all road frontage improvements and road capital improvement projects within the Developed and Developing Tiers should be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical. A wide sidewalk should be constructed along the subject site's frontage.

Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities would exist to serve the proposed subdivision as required under Section 24-123 of the Subdivision Regulations.

13. **Transportation**—The parcel is located on the east side of Lottsford Vista Road at the intersection of Cleary Lane and south of John Hanson Highway (US 50). The applicant is proposing an assisted living and adult day care facility of 65,608 square feet of gross floor area (GFA).

Analysis of Traffic Impacts

The proposal is not of sufficient size that it will generate 50 or more vehicle trips, and so a full traffic study was not required. The traffic generated by the proposed PPS would impact the following intersections, interchanges, and links in the transportation system:

- Lottsford Vista Road and Cleary Lane

A traffic count for the intersection of Lottsford Vista Road and Cleary Lane was submitted. The traffic count was taken in November 2012. The findings and recommendations outlined below are

based upon a review of these materials and analyses conducted by the Transportation Planning Section, consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals” (Guidelines).

The subject property is located within the Developing Tier, as defined in the *Prince George’s County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Guidelines.

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. Once the CLV exceeds 1,150 for the intersection, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The existing parcel is improved with a senior day care facility for 15 adults. The existing structures, including a pavilion and barn, are proposed to be demolished and replaced with an assisted living facility and adult day care center of 65,608 square feet of GFA. Access to the site would be from a two-lane driveway opposite Cleary Lane on Lottsford Vista Road along the western edge of the property. The previous use was approved pursuant to Special Exception SE-4256. That approval allowed for the existing adult day care facility for 15 adults in the former single-family dwelling and four additional new buildings, which were never constructed.

The existing 15-person adult day care center is to be relocated into the new proposed assisted living facility with the demolition of the existing structures. The new assisted living facility of 65,608 square feet will include 63 dwelling units in the senior housing section. This would be a two-story structure. The proposed uses, adult day care and assisted living facility, are low traffic generators. The proposed uses in the 65,608-square-foot building with 63 assisted living units (78 occupants) and the 15-person adult day center will generate 18 AM peak-hour trips and 27 PM peak-hour trips.

A traffic count was taken in November 2012 and submitted by the applicant. 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 was developed by increasing through movements on Lottsford Vista Road by two percent (one percent per year) to account for average traffic growth. No approved developments in the immediate area were identified. Under the 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 the PM peak hour. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. It is determined that the critical intersection operates acceptably as an unsignalized intersection.

Master Plan Roadway

Lottsford Vista Road is a master plan collector with a recommended right-of-way width of 80 feet in the 1993 *Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (Planning Area 70)*. The subject property has approximately 908.89 feet of frontage on Lottsford Vista Road. From the northwest corner of the property, 448.20 feet of frontage (14,178 square feet) on Lottsford Vista Road was dedicated to the State Highway Administration (SHA) by deed recorded in Liber 6873 and Folio 383 in 1987. This PPS proposes to dedicate, from the southwest corner of the property, 460.69 feet of frontage (16,653 square feet) on Lottsford Vista Road. The dedication of 40 feet from the SHA baseline of Lottsford Vista Road is shown correctly on the PPS.

The proposed two-lane driveway serving Parcel 1 will intersect Lottsford Vista Road at Cleary Lane, creating a four-way intersection, which is desirable. There is a wide driveway (30 feet) at the site access point. A roundabout in front of the proposed building will provide easy turnarounds for cars and vans and is adjacent to the building entrance. Vehicular access within and to the site is adequate.

Based on the preceding findings, adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations.

14. **Schools**—The proposed PPS has been reviewed for its impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the “Adequate Public Facilities Regulations for Schools” (County Council Resolutions CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a senior housing use (Section 24-122.02(b)(2)) and will have no impact on school facilities.
15. **Fire and Rescue**—The proposed PPS has been reviewed for adequacy of fire and rescue services in accordance with Sections 24-122.01(d) and 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations and found to be within the recommended response times:

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/Beyond
6	St. Joseph's	Engine	2901 St. Joseph's Drive	2.07	3.25	Within
6	St. Joseph's	Ladder Truck	2901 St. Joseph's Drive	2.07	4.25	Within
6	St. Joseph's	Ambulance	2901 St. Joseph's Drive	2.07	4.25	Within
6	St. Joseph's	Paramedic	2901 St. Joseph's Drive	2.07	7.25	Within

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed in the vicinity of the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

16. **Police Facilities**—The proposed development is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all of the facilities used by the Prince George’s County Police Department and the July 1, 2011 (U.S. Census Bureau) county population estimate is 871,233. Using 141 square feet per 1,000 residents, it calculates to 122,843 square feet of space for police. The current amount of space, 267,660 square feet, is within the guideline.

17. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 4, Community System Adequate for Development Planning. A water and sewer Category 3, obtained through the administrative amendment procedure, must be approved for the site before recordation of a final plat.

Water and sewer lines in Lottsford Road abut the property. Records obtained from Washington Suburban Sanitary Commission indicate that the property is currently served via a water tap built and connected circa 1969, and a sewer connection built and hooked up in 2007.

18. **Health Department**—The Prince George’s County Health Department has evaluated the proposed PPS and has no comments.

19. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The PPS shows a small portion of public utility easement (PUE) to be less than ten feet wide adjacent to the existing asphalt driveway access point across from Cleary Lane. The PPS should be revised to show a ten-foot-wide PUE along the entire frontage of the public rights-of-way as requested by the utility companies and will be required on the final plat.

20. **Historic**—A Phase I archeological survey was conducted on the subject property in May 2008. One Archeological Site, 18PR944, was identified through pedestrian survey and shovel testing. Based on the small non-diagnostic artifact recovery, the lack of stratigraphic integrity, and the existing cultural features, it was determined that Site 18PR944 likely postdates the construction of the 1951 residence on the property. It was concluded that Site 18PR944 does not represent a significant cultural resource nor is it eligible for listing in the National Register of Historic Places. Staff concurred that, due to the lack of stratigraphic integrity and the limited research potential of Site 18PR944, no additional archeological work is necessary on the Sycamore Hill property. Four copies of the final Phase I archeology report were received and approved by the Historic Preservation Section on March 22, 2010.
21. **Use Conversion**—The subject application is proposing senior assisted housing of 63 dwelling units and an adult day care for 15 persons in the R-R Zone, a designated institutional land use. An approved special exception and a detailed site plan are required for the proposed uses on the site. If a substantial revision to the mix of uses on the subject property is proposed that significantly affects Subtitle 24 adequacy findings, that revision may require the approval of a new preliminary plan of subdivision prior to approval of any building permits.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, Geraldo and Hewlett voting in favor of the motion, and with Commissioner Shoaff opposing the motion at its regular meeting held on Thursday, July 11, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of September 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:QN:arj

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Bradley S. Farrar
L. Paul Jackson, II*
*Also admitted in the District of Columbia

October 6, 2021

Revised: November 22, 2021

VIA HAND DELIVERY

Mr. William Capers
Prince George's County Planning Department
Development Review Division
14701 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

**RE: Detailed Site Plan (DSP-21015)
Sycamore Hill Assisted Living Facility**

Dear Mr. Capers,

On behalf of our client, Presidential Care, LLC/Stoddard Baptist Home, Inc. (Applicant), Shipley & Horne, P.A., hereby submits this Statement of Justification in support of a proposed Detailed Site Plan for the development of an application for a two (2) story 65,610± square foot Adult Day Care with 15 persons, and Assisted Living Facility with 63-unit for 78 persons, surface parking, landscaping, fencing, and other site improvements. The subject property is located on the east side of Lottsford Vista Road, across from its intersection with Cleary Lane, also identified as 3911 Lottsford Vista Road, Bowie, Maryland 20721, in the R-R (Rural Residential) Zone.

The Sycamore Hill Assisted Living Facility development is permitted on the subject property consistent with the February 15, 2016, Zoning Hearing Examiner SE-4667 Special Exception Remand approval (with conditions). The Application is submitted pursuant to Zoning Ordinance Section 27-281 (Purpose of Detailed Site Plans), and 27-285 (Planning Board procedures) Prince George's County Code.

I. Neighborhood and Surrounding Uses:

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.



Exhibit (not to scale)



Site Plan (not to scale)

II. Nature of Request and Description of Subject Property:

The subject property, identified as 3911 Lottsford Vista Road, comprises approximately 7.91 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 until recently was improved with a one-story vacant structure (which was recently raised), formerly used as a congregate living facility for 12 elderly or physically handicapped residents. As discussed on page 1 above, the purpose of this Detailed Site Plan is for the development of an application for a two (2) story 65,610± square foot Adult Day Care with 15 persons and an Assisted Living Facility with 63-unit for 78 persons, surface parking, landscaping, fencing and other site improvements. Furthermore, the Applicant estimates that approximately fifteen percent (15%) of resident capacity is designated for memory care.

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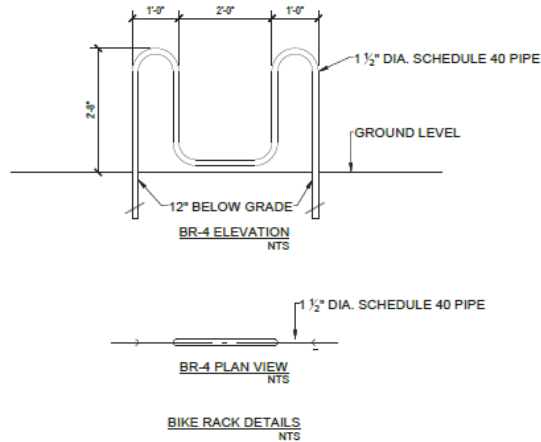
There is a considerable amount of existing natural woodlands on the property along the northern and western portions of the property. The southern and eastern portions of the site abut parkland owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC). The property has frontage on 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. (Technically, there is a small section of a stream on the property that was surveyed as shown on the latest iteration of the Draft NRI Plan AB Consultants.) 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 Maryland Department of Natural Resources, there are no records of any rare, threatened, or endangered species 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).

The M-NCPPC Transportation Planning Section Staff found that 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 would 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 Detailed Site Plan design is fully consistent with the 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 the preliminary plan, it was determined that bicyclists and pedestrians would be accommodated via an eight-foot-wide sidepath or wide sidewalk. To accommodate employees and visitors who choose to ride bicycles from time to time, the Applicant will provide five (5) inverted “U” bike racks to support their needs.



III. Development Data Summary:

	<u>EXISTING</u>	<u>PROPOSED</u> <u>(DSP-21015)</u>	<u>REQUIRED</u> <u>Parking &</u> <u>Loading</u>
Zone(s)	R-R	R-R	-
Use(s)	Vacant	Adult Day Care and Assisted Living Facility	-
Acreage	7.91	7.91	-
Gross Floor Area	6,378	65,608	-
Parcels	1	1	-
Dwelling Units	N/A	63	-
Occupancy (persons)	N/A	78	-
Variance	No	No	-
Parking Spaces			
Standard	0	32	-
Compact	0	13	-
Handicapped Spaces	0	4	-
Total	0	49	31
Loading Spaces (12' x 33')	0	1	1

IV. Relationship to County Plans and Policies:

General Plan:

The subject Application is in conformance with the recommendations of both the *Plan Prince George's 2035 Approved General Plan* (Prince George's 2035 General Plan), and the approved 1990 *Largo-Lottsford Master Plan and Sectional Map Amendment*. The Plan 2035 places the subject

property in the “Established Communities” growth policy area. Under this Plan, the vision is for “context-sensitive infill and low-to-medium density development. The proposed development is designed in accordance with the low-medium density residential character of the surrounding area.

1990 Largo-Lottsford Master Plan and Sectional Map Amendment:

The subject property was rezoned from the R-E Zone to the R-R Zone by the 1990 Largo-Lottsford Master Plan and Sectional Map Amendment (SMA). The application conforms 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.

Approved Countywide Green Infrastructure Plan:

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).

County's Ten Year Water and Sewerage Plan:

The 2010 Water Resources Functional Master Plan amends the 2002 General Plan and provides growth guidance expressed as goals, policies, and strategies to address water quality impacts associated with land use in the County. The Plan references the Ten-year Water and Sewer Plan and addresses explicitly: Drinking Water Supply, Water Treatment, and Stormwater Management.

The 2010 Water and Sewer Plan placed this property in water and sewer Category 3, Community System, and within Tier 1 under the Sustainable Growth Act, the site will, therefore, be served by public systems.

The site development will be provided potable water by connecting to an existing 12-inch water line in the Lottsford Vista Road ROW. Sewer service to the subject property will be provided by connecting to an existing 8-inch main located within the existing right-of-way. Water and sewer line extensions and/or an on-site system may be required to service the proposed development must be approved by the Washington Suburban Sanitary Commission (WSSC).

Stormwater Management:

The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A stormwater management concept plan (No. 7341-2021-00 has been submitted and approved by the Department of Permitting, Inspections, and Enforcement.

Woodland Conservation Ordinance:

This property is subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in area and contains more than 10,000 square feet of existing woodland. TCP2 -003-14 was submitted with the PPS 4-12020 application and was also approved by the Planning Board on July 11, 2013.

Based on the submitted TCP1, the overall site contains a total of 2.57 acres of net tract woodlands and 0.0 acre of wooded floodplain. The plan proposes to clear 2.21 acres of net tract woodlands, 0.0 acres of wooded floodplain, 0.0 acres of off-site woodlands. The resulting woodland conservation requirement is 1.0 acres, which is being met with 1.02 acres of woodland that has been approved and purchased as conversation easement from an approved off-site Tree Bank.

Environmental Review:

Per the NRI-148-2006-02 approved on April 22, 2020, approximately 0.50-acres of the property are defined within the Primary Management Areas (PMA) associated with an unnamed tributary of Folly Branch in the Patuxent River basin, of which 0.52-acres of the property is located within the 100-year floodplain. The existing PMA is now 1.04-acres.

Site Statistics	Total¹ (ACRES)
Gross Tract Area	7.93
Existing 100-year floodplain	0.52
Net Tract Area	7.93
Existing woodland in the floodplain	0.00
Existing woodland net tract area	2.52
Existing woodland total	2.52
Existing PMA	1.04
Regulated streams (linear feet of centerline)	85.36
Riparian (wooded) buffer up to 300 feet wide ²	0.00

¹Figures are to be provided in acres rounded to the nearest 1/100th of an acre unless otherwise indicated.

²Acreage of onsite woodland up to 300 feet measured from the stream centerline or from the top of bank on both sides of all regulated streams.

The site is located within a Stronghold Watershed as established by the Maryland Department of Natural Resources. The site is largely covered with Intermediate Aged woodlands growth. According to the Prince George’s County Soil Survey, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property.

2009 Master Plan of Transportation:

According to the 2009 Master Plan of Transportation, the site is adjacent to the existing Lottsford Vista Road is defined as an existing two-lane roadway that is classified as a historic scenic road and a master-planned collector roadway with a posted speed limit of 30 MPH. Access to the property is via a 30-foot-wide two-lane driveway entrance from Lottsford Vista Road. Adequate right-of-way consistent with master plan recommendations is currently in place along this roadway section. The Applicant submitted an illustrative site plan showing the location of proposed buildings, parking areas, and driveways.

Parks and Recreation:

In the matter of the Preliminary Plan of Subdivision 4-12020, Parks and Recreation Department found that in accordance with Section 24-134(a)(3)(B) of the Subdivision Regulations, the proposed development is exempt from the mandatory dedication of parkland because the net lot area is greater than one acre and the site is in a one-family zone, the R-R Zone in accordance with Section 24-134(3)(a) of the Subdivision Regulations, the subject subdivision is exempt from the mandatory dedication of parkland requirements because it consists of nonresidential development.

Schools:

The Staff found during their review of 4-12020 that the Preliminary Plan has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the Adequate Public Facilities Regulations for Schools (County Council Resolutions CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.

Fire and Rescue:

The proposed PPS has been reviewed for adequacy of fire and rescue services in accordance with Sections 24-122.01(d) and 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations and found to be within the recommended response times:

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
6	St. Joseph's	Engine	2901 St. Joseph's Drive	2.07	3.25	Within
6	St. Joseph's	Ladder Truck	2901 St. Joseph's Drive	2.07	4.25	Within
6	St. Joseph's	Ambulance	2901 St. Joseph's Drive	2.07	4.25	Within
6	St. Joseph's	Paramedic	2901 St. Joseph's Drive	2.07	7.25	Within

Police Facilities:

The proposed development is within the service area of Police District II. Landover Station located at 7600 Barlowe Road, Hyattsville, MD 20785, located approximately 5.4 miles from the subject property is the closest police station to the subject property.

V. Relationship to Requirements in the Zoning Ordinance:

Section 27-281 - Purposes of Detailed Site Plans:

(b) General DSP Purposes:

(1) The general purposes of Detailed Site Plans are:

- (A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;**

Response: The subject Application is in conformance with the recommendations of both the *Plan Prince George's 2035 Approved General Plan* (Prince George's 2035 General Plan), and the approved 1990 *Largo-Lottsford Master Plan and Sectional Map Amendment*. The proposed development will be designed in accordance with the low-medium density residential character of the surrounding area and the Developing Tier in general.

- (B) To help fulfill the purposes of the zone in which the land is located;**

The purposes of the R-R Zone are found in Section 27-428 and include the following:

Section 27-428. R-R Zone (Rural Residential)

(a) Purposes.

(1) The purposes of R-R Zone are:

- (A) To provide for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, in order to better utilize the natural terrain;**
- (B) To facilitate the planning of one-family residential developments with moderately large lots and dwellings of various sizes and styles;**

Response: As a permitted use in accordance with Section 27-441(b) the proposed Adult Day Care, and Assisted Living Facility use is presumed compatible with the purpose of the R-R Zone and is in harmony with the low-density residential character of its vicinity.

- (C) To encourage the preservation of trees and open spaces; and**

Response: This proposal will encourage the preservation of trees and open spaces with the preservation of existing woodlands, reforestation of trees and planting of new trees as described in the accompanying tree conservation plan (TCP1-010-10).

(D) To prevent soil erosion and stream valley flooding.

Response: The layout of the proposed development site is planned in a manner that avoids development on slopes greater than 15 percent. Subject Parcel 45 are not subject to stream valley flooding.

Section 27-281(b) - Purposes of Detailed Site Plans - Continued:

(C) To provide for development in accordance with the site design guidelines established in this Division; and

Response: The proposed development is designed in accordance with site design guidelines in this Division. The “general” site design guidelines are found in Section 27-283 and require the following:

- (a) The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).**
- (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 27-286.**

Response: The subject DSP-21015 has been developed in accordance with the site plan design guidelines contained in Section 27-274 that pertain to the following relevant design elements:

Section 27-274 – Design Guidelines

(1) General

- (A) The Plan should promote the purposes of the Conceptual Site Plan.**

Response: This finding does not apply to the subject application. There is no underlying conceptual design plan associated with the subject property.

(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. As a means of achieving these objectives, the following guidelines should be observed:

- (i) Parking lots should generally be provided to the rear or sides of structures;**
- (ii) Parking spaces should be located as near as possible to the uses they serve;**
- (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;**
- (iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and**
- (v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.**

Response: The proposed parking compound is designed so that all loading requirements for the storage facility can be fully met on-site without creating the need for a departure. All parking and loading space sizes and driveway aisles have been designed in accordance with Part 11 of the Zoning Ordinance.

The parking location and configuration are unchanged from the approved Preliminary Plan and Special Exception. Parking has been designed to balance the objectives identified in Section 27-274 Design Guidelines with existing site constraints and program needs. While the parking is not located to the rear of the proposed building, the project meets each of the other Guidelines noted in 27-274(a)(2)(A), including locating parking spaces as near as possible to the uses they serve, minimizing the number of parking lanes crossed by pedestrians, minimizing large or uninterrupted expanses of pavement, providing plant material in parking lots, and locating visitor parking with convenient pedestrian access to the building.

The parking cannot be located to the rear of the building for the following reasons:

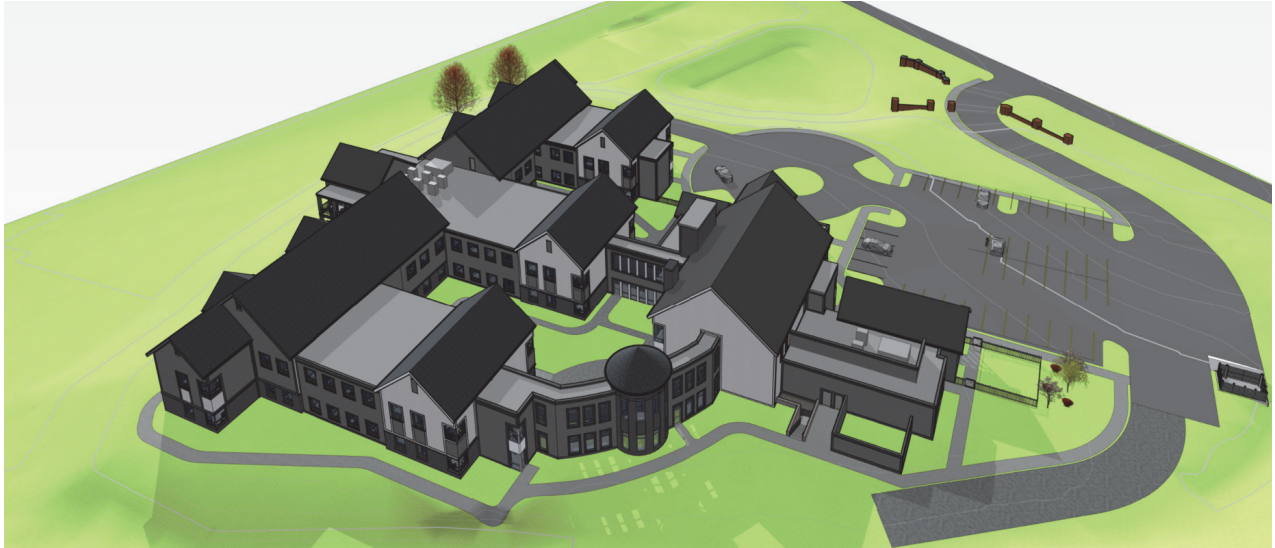
- The existing topography and the adjacent flood plain to the east require that the primary storm water management (SWM) facility for the project be located in the southern corner of the property adjacent to the site entry from Lottsford Vista Road. This location at the front of the property and transitional grading from the SWM facility pushes the buildable area toward the rear of the site.
- As an Assisted Living residential community, handicapped accessibility is primary design requirement for the proposed project. The existing topography will be modified to create a relatively flat plateau on which the building and supporting parking will be located. Transitional grading from the plateau to meet existing grades at property lines dictates the general size and location of the plateau.

- For the facility to function properly, the main entry needs to be provided with a vehicular drop-off and must be highly visible from the site entry. The entry must be centrally located and allow for visual supervision of arrivals and departures of visitors, vendors, emergency vehicles, etc.

The Applicant understands the importance of minimizing the visual impact of surface parking. Due to the combination of the topographic change (i.e., grade differential) from Lottsford Vista Road that is an average of ten (10) feet lower in elevation from the proposed parking and provision of substantial new landscaping along Lottsford Vista Road and the north property line adjacent to single-family residences, will mitigate any visual impacts of the proposed surface parking from Lottsford Vista Road and to the community. Refer to DSP-21005 Sheet 7 (i.e., application document CIVP-DSP21015_007).



Aerial View 01 (not to scale)



Aerial View 02 (not to scale)

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:**
- (i) Loading docks should be oriented toward service roads and away from major streets or public view; and**
 - (ii) Loading areas should be clearly marked and should be separated from parking areas to the extent possible.**

Response: The submitted landscape plan demonstrates compliance with the above two design standards.

- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:**
- (i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;**
 - (ii) Entrance drives should provide adequate space for queuing;**
 - (iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;**
 - (iv) Parking areas should be designed to discourage their use as through-access drives;**

- (v) **Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;**
- (vi) **Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;**
- (vii) **Parcel pick-up areas should be coordinated with other on-site traffic flows;**
- (viii) **Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;**
- (ix) **Pedestrian and vehicular circulation routes should generally be separated and clearly marked;**
- (x) **Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and**
- (xi) **Barrier-free pathways to accommodate the handicapped should be provided.**

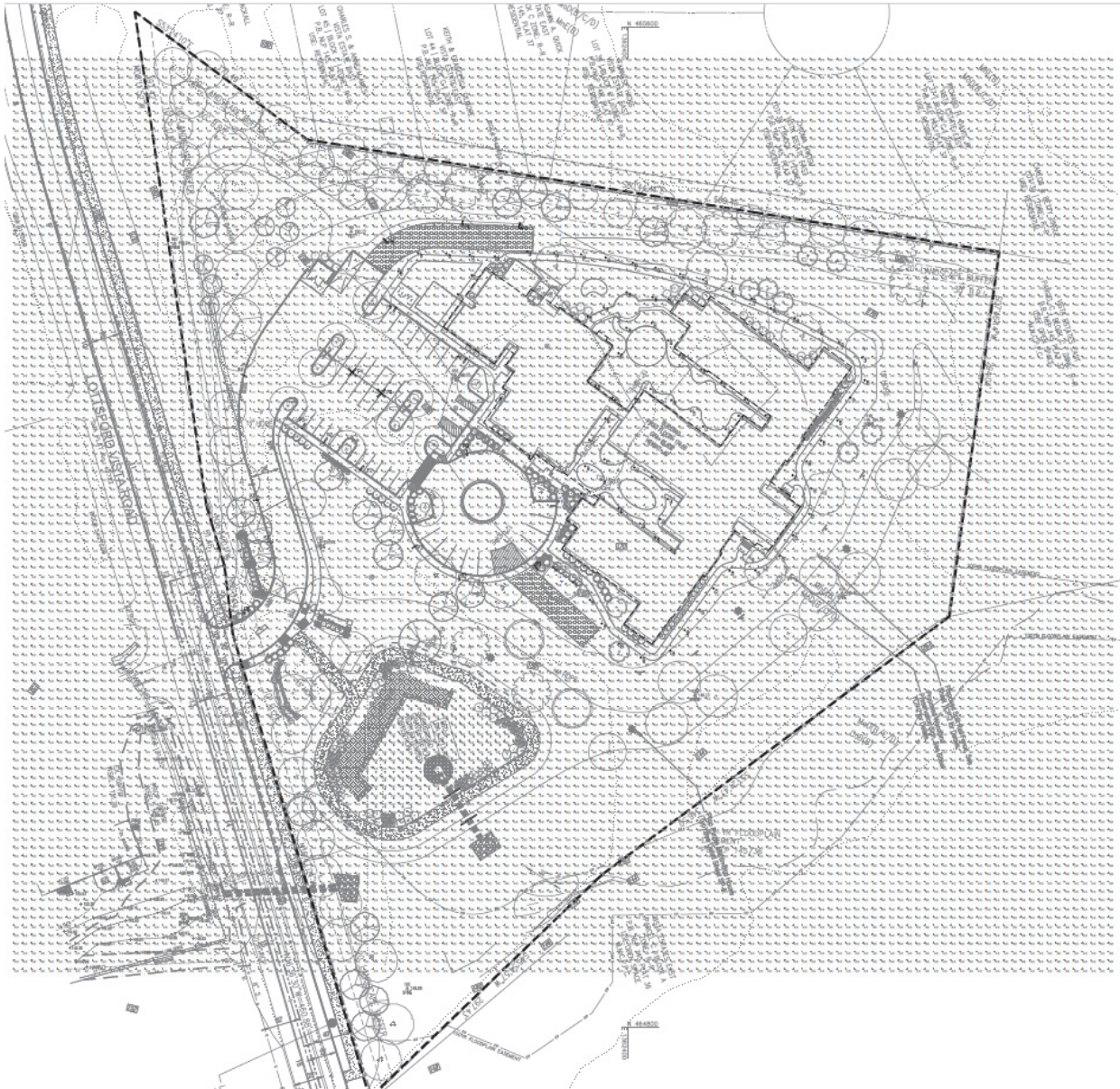
Response: The limits of the parking compound and on-site circulation driveway aisle widths and parking spaces sizes have been fully designed in accordance with the requirements of Part 11 of the Zoning Ordinance and will provide safe, efficient on-site circulation for both pedestrians and drivers. All crosswalks along pedestrian sidewalks routes are prominently identified/marked and ADA compliant to accommodate access into the building for the physically handicapped.

(3) Lighting.

- (A) **For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:**
 - (i) **If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;**
 - (ii) **Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;**
 - (iii) **The pattern of light pooling should be directed on-site;**
 - (iv) **Light fixtures fulfilling similar functions should provide a consistent quality of light;**
 - (v) **Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and**

- (vi) **If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.**

Response: The lighting proposed in this DSP meets all of the above requirements. All prominent on-site elements, such as the main entrance to the building, will be consistently lit throughout the appropriate portions of the day LED light fixtures. The site also utilized full cut-off optics to limit light spill-over into adjacent properties.



Photometric/Lighting Plan (not to scale)

(4) Views.

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

Response: There are no on-site or adjacent public areas or incompatible uses associated with the submitted DSP-21015 application.

(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. To fulfill this goal, the following guidelines should be observed:**
- (i) Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;**
 - (ii) Green area should link major site destinations such as buildings and parking areas;**
 - (iii) Green area should be well-defined and appropriately scaled to meet its intended use;**
 - (iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;**
 - (v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;**
 - (vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and**
 - (vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.**

Response: The subject application has also been designed to meet all applicable requirements of the *Landscape Manual* and Tree Canopy Coverage Ordinance. The below Tree Canopy Coverage Schedule for the DSP-21015 confirms that the proposed development has a Tree Canopy Requirement of 1.19 acres, and will provide 3.0 acres of tree canopy.

Prince George's Maryland - TREE CANOPY COVERAGE SCHEDULE					
Project: Presidential Estates at Sycamore Hill (PESH)					
Adult Day Care and Assisted Living					
Subtitle 25 - Division 3					
		Zone	Percentage	Acres	Square Feet
Project Zone		R-R			
Project Total Acres				7.91	344,562
Required Tree Canopy			15%	1.19	51,684
Total Existing Trees			0		
Tree Canopy Provided				3	132,000

(6) Site and streetscape amenities.

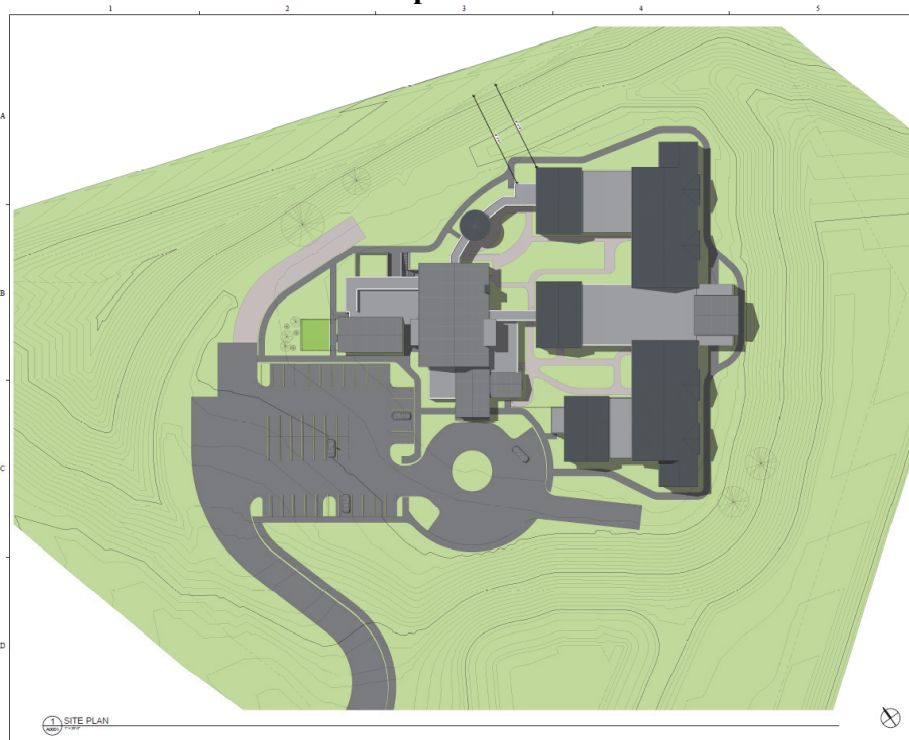
(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

- (i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;**
- (ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;**
- (iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;**
- (iv) Amenities should be functional and should be constructed of durable, low maintenance materials;**
- (v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;**
- (vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and**
- (vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.**

Response: The submittal demonstrates an interconnected pedestrian system that is convenient and designed to encourage pedestrian activity and connect to amenities within the development. Adequate attention has been paid to human scale, high-quality urban design, and other amenities, such as the types of paving materials, landscaping, street furniture, signage, and pedestrian-scale lighting of the public areas.

(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. To fulfill this goal, the following guidelines should be observed:**
- (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;**
 - (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;**
 - (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;**
 - (iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and**
 - (v) Drainage devices should be located and designed so as to minimize the view from public areas.**



Site & Grading Plan (not to scale)

Response: All grading will conform to the above regulations and the approved Stormwater Management Plan No. 7341-2021-00.

(8) Service areas.

- (A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:**
- (i) Service areas should be located away from primary roads, when possible;**
 - (ii) Service areas should be located conveniently to all buildings served;**
 - (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and**
 - (iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.**

Response: The above guidelines do not apply to the subject Adult Day Care and Assisted Living Facility. The submitted landscape plan demonstrates that loading spaces are visually screened from the Lottsford Vista Road.

(9) Public spaces.

- (A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:**
- (i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;**
 - (ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;**
 - (iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;**
 - (iv) Public spaces should be readily accessible to potential users; and**
 - (v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.**

Response: The above guidelines do not apply to the subject private Adult Day Care and Assisted Living Facility.

(10) Architecture.

- (A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a 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.**

Response: The architectural elevations submitted with the subject application demonstrate that the materials and building signage proposed for the building is to be constructed of high-quality materials to create variations in facades to break up the overall building massing. Materials used include Stone Veneer, Fiber Cementitious Panel System, louvers/shutters, architectural trim, standing seam metal, and shingled roofs.











Section 27-281(c) – Specific Purposes of Detailed Site Plans:

(c) Specific Purposes.

- (1) The specific purposes of Detailed Site Plans are:**
 - (A) To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;**

Response: The architectural elevations submitted with the subject application demonstrate that the materials and building signage proposed for the building is to be constructed of high-quality materials to create variations in facades to break up the overall building massing. Materials used include Stone Veneer, Fiber Cementitious Panel System, louvers/shutters, architectural trim, standing seam metal, and shingled roofs.

MATERIAL LEGEND

	CEMENTITIOUS HORIZONTAL PLANK LAP SIDING
	CEMENTITIOUS VERTICAL ARTISAN LAP SIDING
	CEMENTITIOUS HORIZONTALSHIP-LAP SIDING (BELOW WINDOWS)
	MANUFACTURED STONE VENEER
	ASPHALT SHINGLE ROOF
	STANDING SEAM METAL ROOF
	FASCIA & TRIM
	INFILL PANELS
	DOWNSPOUTS
	WINDOW TRIM

Material Legend (not to scale)

- (B) To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;

AMENITY	APPROXIMATE AREA IN SQUARE FEET
ART ROOM	402 SF
BISTRO	748 SF
CHAPEL	481 SF
GAME ROOM	410 SF
LIVING/ LIBRARY	533 SF
LOUNGE	360 SF
MULTIPURPOSE	632 SF
	3,566 SF
OUTDOOR SPACE	
DINING PATIO	306 SF
DINING PATIO	275 SF
DINING PATIO	304 SF
DINING PATIO	279 SF
	1,164 SF
WELLNESS	
ADULT DAY CARE	650 SF
DINING	927 SF
DINING	925 SF
FITNESS/P.T.	625 SF
PT STORAGE	21 SF
SALON	355 SF
	3,503 SF



North Elevation (not to scale)



East Elevation (not to scale)



West Elevation (not to scale)



South Elevation (not to scale)

- (D) To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.

Response: The DSP and related plans show all the above information that is relevant to the proposed Adult Day Care and Assisted Living Facility.

F. **Section 27-285. - Planning Board procedures**

(b) Required Findings

- (1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.

Response: This application is in harmony with the site design guidelines provided in Section 27-274.

- (2) **The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).**

Response: A conceptual site plan was not required for this project.

- (3) **The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.**

Response: The Applicant is not proposing an infrastructure-only DSP. Therefore, the above finding is not applicable to the Application.

- (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

Response: A review of the site's environmental features was conducted for the Preliminary Plan of Subdivision 4-12020 case that was heard and approved at a public hearing before the Prince George's County M-NCPPC Planning Board on July 11, 2013. At that time, the PPS demonstrated that the PMA is located within proposed Parcel 45. Pursuant to Section 24-130(b)(5), any lot should have sufficient net lot area outside the regulated feature for reasonable development. Proposed Parcel 1 is 7.53 acres of gross lot area, and the PMA on-site is 0.41 acre. Under the R-R Zone, the net lot area requirement is 20,000 square feet; however, pursuant to Section 27-464.04(a)(2)(C), under the assisted living facilities use, the lot area has to have a minimum of 3.50 acres. Parcel 1 has 7.12 acres outside of the PMA. Therefore, proposed Parcel 1 meets the requirement of Section 27-464.04(a)(2)(C) and Section 24-130(b)(5) in terms of sufficient net lot area outside of the regulated feature.

The Planning Board found that the Preliminary Plan of Subdivision proposes one impact to the 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 being removed. The proposed impact has 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 impact related to stormwater management is considered necessary for the orderly development of the subject property. The impact cannot be avoided because it is required by other provisions of the County Code. The development is providing water quality and quantity controls and the impact has been designed to minimize, to the fullest extent possible, impacts to the PMA.

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan submitted for review. The impact area that is approved in concept is for the construction of a vegetated stormwater drainage swale in the stream buffer because these site features are required by other provisions of the County Code and cannot be avoided.

VI. Previous Approvals:

Preliminary Plan of Subdivision 4-12020: Pursuant to the provisions of Subtitle 24, on July 11, 2013, Prince George’s County Code, the Prince George’s County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-010-10, and APPROVED Preliminary Plan of Subdivision 4-12020, including a Variation from Section 24-122(b)(1)(G), for Proposed Parcel 1 with the following conditions: *highlighted in italic bold.*

1. *Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:*
 - a. *Delineate the imaginary surfaces area of the interim land use control (ILUC) line.*

Response: The Applicant acknowledges this condition. However, based on measurements conducted on the M-NCPPC PGAtlas GIS website, the JLUS Interim Land Use Controls area neither impacts nor applies to the subject property. At its closest, the subject property is approximately 8.9± miles from the outer boundary of JLUS Land Use Control area.

- b. *Revise Note 5 to add the total assisted dwelling units is to be 63.*

Response: Acknowledged.

- c. *Revise Note 26 to include the statement that Special Exception SE-4667 is currently pending.*

Response: After hearing oral arguments on the proposed Special Exception aSE-4667 application, the District Council approved the application on February 8, 2016, with conditions. (see below)

- d. *Submit the revised approved Stormwater Management Concept Plan and revised Note 13 in accordance with the revised plan.*

Response: Acknowledged.

- e. *Revise Note 25 to state the following:*

“This property lies partially within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012).”

October 6, 2021

Revised: November 22, 2021

DSP-21015

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Response: The Applicant acknowledges this condition. However, based on measurements conducted on the M-NCPPC PGAtlas GIS website, the JLUS Interim Land Use Controls area neither impacts nor applies to the subject property. At its closest, the subject property is approximately 8.9± miles from the outer boundary of the JLUS Land Use Control area for Joint Base Andrews.

f. Show a minimum ten-foot-wide public utility easement (PUE) along the entire frontage of Lottsford Vista Road.

Response: Acknowledged.

g. Remove the Parcel One/Parcel Two line

Response: Acknowledged.

2. Development of this site shall be in conformance with Stormwater Management Concept Plan 46822-2005-02 and any subsequent revisions.

Response: The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A stormwater management concept plan (No.7341-2021-00) has been submitted and approved by the Department of Permitting, Inspections, and Enforcement.

3. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCPI) shall be revised as follows:

a. Remove tree protection fencing and signs from the plan and legend. Remove all associated details from the plan.

b. Revise the legend as follows:

(1) Remove symbols for elements that are not required to be shown on the plan (tree conservation signs, fence, and slopes);

(2) Include all symbols shown on the plan; and

(3) Show the limit of disturbance symbol as it is shown on the plan.

c. Provide a graphic bar scale on the plan.

d. Show all existing features and label their proposed disposition (to remain vs. to be removed).

e. Revise the existing tree line to be darker and more legible.

- f. Revise the TCP1 notes as follows:
 - (1) Revise Note 1 to reflect the correct preliminary plan number (4-12020);*
 - (2) Revise Note 10 to indicate that the project is not grandfathered with respect to County Council Bill CB-27-2010; and*
 - (3) Revise Note 11 to reference the correct stormwater management concept number (46822-2005), and provide the approval date.**
- g. Revise the Specimen Tree table to change the condition rating score of Trees 3 and 4 to poor and excellent, respectively.*
- h. Provide a note below the Specimen Tree table to indicate how the trees were located (field estimated or survey located).*
- i. Revise the woodland conservation areas to ensure they meet the minimum required width of 50 feet.*
- j. Show stormwater management easements if required by the Department of Public Works and Transportation and remove proposed reforestation from the easements.*
- k. Update the woodland conservation worksheet to reflect plan changes.*
- l. Have the revised plan signed and dated by the qualified professional who prepared it.*

Response: The Applicant acknowledges and will comply with this instant condition before signature approval of the TCP1-010-10.

- 4. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:*

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan, when approved.”

Response: The Applicant acknowledges and will comply with this instant condition prior to signature approval of the final plat of subdivision.

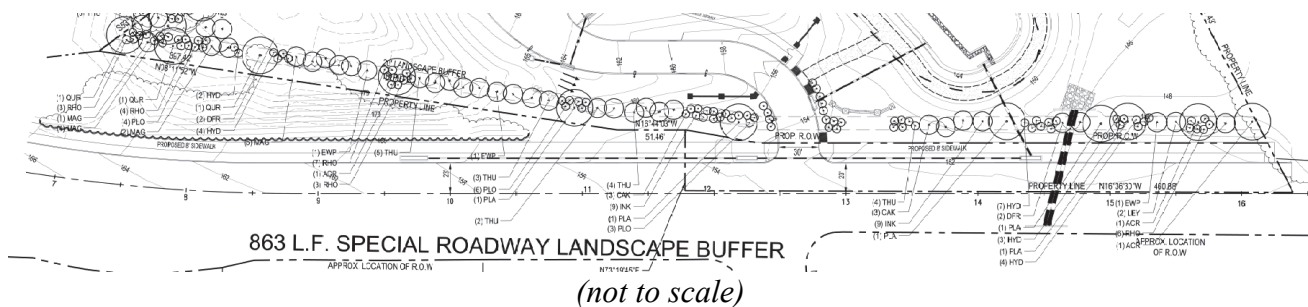
- 5. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the*

Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

Response: The Applicant acknowledges and will comply with this instant condition prior to signature approval of the final plat of subdivision.

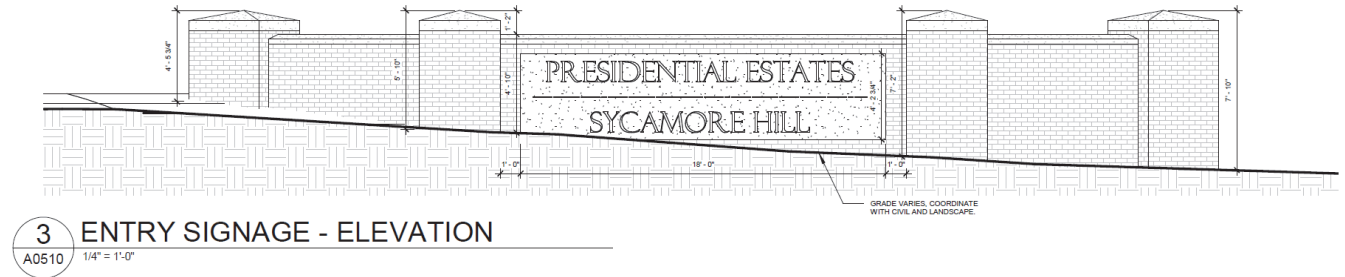
- The detail site plan and Type 2 tree conservation plan shall be designed to accommodate appropriate landscape and signage treatments for the frontage of historic Lottsford Vista Road in accordance with the Prince George’s County Landscape Manual.***



Response: The Applicant acknowledges and will comply with this instant condition before signature approval of the final plat of subdivision. The detailed site plan proposes extensive landscaping treatment along the Lottsford Vista Road frontage, which will integrate the entry feature and identification signage into the overall design.

- Prior to approval of the detailed site plan, the landscape buffer yard treatment and entrance features along historic Lottsford Vista Road shall be reviewed to ensure that the design is in keeping with the desired visual characteristics of the historic road.***

Response: The Applicant acknowledges this condition. The landscape plan submitted with this Detailed Site Plan defines the range of plant materials and other details for the landscape buffer yard along the subject property’s Lottsford Vista Road frontage. Said details also the design for an attractive entrance feature and signage identifying the Sycamore Hill.



(not to scale)

8. *At the time of final plat, the applicant and the applicant's heirs, successors and/or assignees shall grant a ten-foot-wide public utility easement along the public rights-of-way of Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.*

Response: The Applicant acknowledges this condition.

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.*

Response: The Applicant acknowledges this condition.

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

Response: The Applicant acknowledges this condition.

11. *Total development within the subject property shall be limited to uses which generate no more than 18 AM and 27 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.*

Response: The Applicant acknowledges and will develop the site in accordance with this condition.

12. *At the time of final plat approval, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate 40 feet of right-of-way from the State Highway Administration (SHA) baseline on Lottsford Vista Road as delineated on the approved preliminary plan of subdivision.*

Response: The Applicant acknowledges and will develop the site in accordance with this condition.

13. At the time of final plat, the following note shall be placed on the plat:

“This plat lies partially within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18 (CB-3-2012).”

Response: The Applicant acknowledges this condition. However, based on measurements conducted on the M-NCPPC PGAtlas GIS website, the JLUS Interim Land Use Controls area does not seem to apply to or impact the subject property. For at its closest, the subject property is approximately 8.9± miles from the JLUS Interim Land Use Control area.

Special Exception SE-4667: In July 2014, the Zoning Hearing Examiner (ZHE) conducted a public hearing to consider SE-4667 in accordance with the requirements of the Prince George’s County Code. In October 2014, the ZHE conditionally recommended approval of SE-4667. In November 2014, persons of record appealed SE-4667 to the District Council. In April 2015, the District Council held oral arguments on the proposed special exception application. At the conclusion of the oral argument, Council took SE-4667 under advisement. In May 2015, the District Council remanded SE-4667 to the ZHE. In June 2015, the ZHE conducted a public hearing on remand to consider SE- 4667 following the requirements of the Prince George’s County Code. In August 2015, the ZHE, on remand, conditionally recommended approval of SE-4667. In September 2015, persons of record appealed to the District Council. Subsequently, the District Council also elected to make the final decision in SE-4667. On February 8, 2016, after hearing oral arguments on the proposed the remand to the special exception application, the District Council approved SE-4667 with conditions: ***highlighted in italic bold.***

- 1. *A raze permit must be obtained through the Prince George’s County Department of Permitting, Inspections and Enforcement 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.***

Response: Following DPIE requirements the structure has been razed.

- 2. *Prior to approval of any building/grading permit:***
 - a. *A detailed site plan shall be reviewed and approved in accordance with Part 3, Division 9, of the Zoning Ordinance for the Assisted Living Facility for the subject development.***

Response: The Applicant acknowledges this condition.

- b. *A complete set of plans for the kitchen, along with the required fee must be submitted to the Prince George’s County Health Department, Division of Environmental Health, for review and approval.***

Response: The Applicant acknowledges this condition.

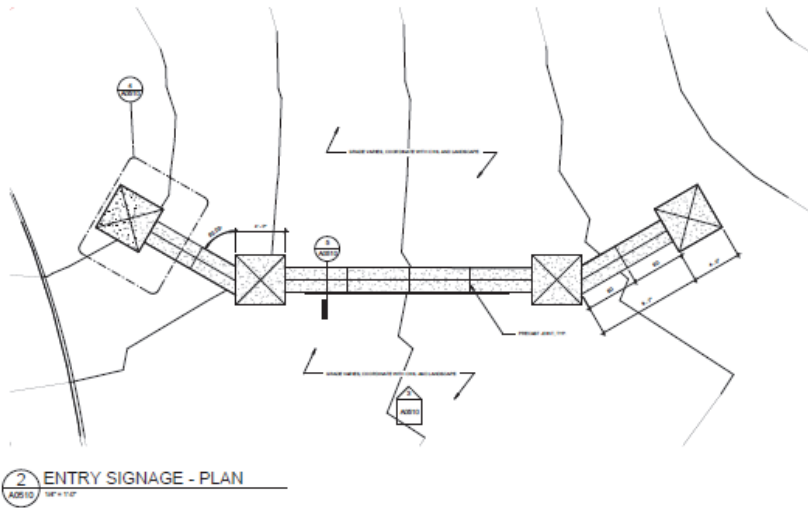
- c. **Conformance to the sign regulations shall be reviewed at the time of detailed site plan approval.**

Response: The Applicant acknowledges this condition.

- 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, on pages 92-97 of the Technical Staff Report.**



3 ENTRY SIGNAGE - ELEVATION
A0510 1/4" = 1'-0"



2 ENTRY SIGNAGE - PLAN
A0510 1/8" = 1'-0"

(not to scale)

Response: The Applicant architectural and design team is confident that the building facilities architectural design plans and entrance sign plans submitted with this DSP-21015 application, provide a level of detail and quality of design that either meets or exceeds the suggested revisions referenced in this SE-4667 condition.

- 4. **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.**

Response: The Applicant acknowledges this condition.

5. ***Prior to the issuance of permits, the Special Exception Site Plan shall be revised as follows, and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:***
- a. ***A Note shall be added to show how all of the applicable regulations of the R-R Zone (set forth in Section 27-442 of the Zoning Ordinance) are being met.***

Response: The DSP-21015 site plan submitted with this application demonstrates that the proposed development complies with all applicable setbacks, maximum building, height, lot coverage, and other bulk regulations of the R-R Zone. Refer to the Site Plan's General Notes for details relating to compliance with applicable setbacks, building height, lot coverage, parking/loading and other applicable R-R Zone requirements.

- 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 a companion case, an alternative compliance (AC) application at the time of detailed site plan review.***
- 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.***

Response: The submitted landscape plan demonstrates compliance with the above two design standards. Furthermore, the DSP-21015 Application meets all requirements of the Prince George's County Landscape Manual. Therefore there no alternative compliance (AC) applications are associated with this proposed development plan.

- 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.***

Response: The Applicant acknowledges this condition.

- e. ***The correct stormwater management concept plan number, 46822-2005-03, and its approval date shall be added to General Note 21 on the plan.***

Response: The Applicant acknowledges this condition.

- f. ***The existing sign shown on the left of the driveway, along Lottsford Vista Road, shall be removed and a detail for the new sign that shows its size and***

Response: The Applicant acknowledges this condition.

- g. The preliminary plan number and its approval date shall be added to the Site Plan.***

Response: The Applicant acknowledges this condition.

- 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.***

Response: The Applicant acknowledges this condition.

- i. The hours of operation for the Adult Day Care Center (Monday-Friday from 7:30 a.m. - 8:00 p.m., and Saturday from 9:00 a.m. – 8:00 p.m.) and hours of aftercare (if any) shall be added.***

Response: The Applicant acknowledges this condition.

- 6. Prior to the issuance of permits, the TCP2 shall be revised as followed and submitted to the Office of the Zoning Hearing Examiner for review and inclusion in the record:***

- a. a. The steep slopes must be removed from the plan and the legend for plan clarity. This information has been adequately shown on the Natural Resources Inventory (NRI) for the site.***

Response: The Applicant acknowledges this condition.

- b. Permanent Tree Protection fence and signs must be shown along all vulnerable edges of the reforestation area; specifically, the permanent fence and signs must be added along the public utility easement and below the stormwater management pond.***

Response: The Applicant acknowledges this condition. Reference the attached DSP-21015 site plan for details confirming compliance with this condition.

- c. A specimen tree sign must be shown on the plan adjacent to preserved specimen tree 4; this symbol must be added to the plan.***

Response: The Applicant acknowledges this condition. Reference the attached DSP-21015 site plan for details confirming compliance with this condition.

- d. The assigned plan number must be typed into the approval block (TCP2-003-14).***

Response: The Applicant acknowledges this condition.

- e. TCP2 general note 7 must be revised to indicate that the site fronts on Lottsford Vista Road, which is a designated historic road.*

Response: The Applicant acknowledges this condition.

- f. Planting Specification Note 16 must be revised to indicate that the source of seedlings is “to be determined.”*

Response: The Applicant acknowledges this condition.

- g. The planting schedule must be revised to show the planting of seedlings at a density with a minimum of 700 seedlings/ acre and not to exceed 1,000 seedlings/ acre.*

Response: The Applicant acknowledges this condition.

- h. The following standard details must be added to the plan in accordance with the Environmental Technical Manual:*

- 1. Reforestation sign detail (DET-2)*
- 2. Specimen tree sign detail (DET-3)*
- 3. Tree pruning detail (DET-11)*
- 4. Planting months detail (DET-13)*
- 5. Handling bare root stock (DET-15 and 16)*
- 6. Seedling/ whip planting detail (DET-17)*

Response: The Applicant acknowledges this condition.

- i. If any land containing woodland conservation is to be dedicated to a county agency, the applicant shall provide written correspondence from that county agency stating that the agency agrees to the area of woodland conservation on the dedicated land.*

Response: The Applicant acknowledges this condition.

- 7. After the Detailed Site Plan is approved, a copy shall be submitted to the Office of the Zoning Hearing Examiner for inclusion in the record.*

Response: The Applicant acknowledges this condition.

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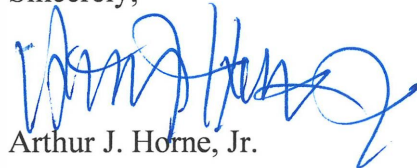
VIII. Conclusion:

In light of the analysis and findings presented above, the Applicant respectfully requests approval of the Detailed Site Plan DSP-21015 for the proposed two (2) story 65,610± square foot Adult Day Care with 15 persons and Assisted Living Facility with 63-unit for 78 persons.

The Applicant submits that this request complies with the Preliminary Plan of Subdivision 4-12020 findings of fact and related conditions of approval for the adopted by the Planning Board, as well as both the Prince George's County Zoning Hearing Examiner and the District Council's findings and conditions of approval for Special Exception SE-4667. The Sycamore Hill Assisted Living Facility development is consistent with the purposes of the R-R Zone and is consistent with the various recommendations of the Plan Prince George's 2035 General Plan and the goals of the 1990 Largo-Lottsford Master Plan and Sectional Map Amendment, where applicable. In addition, the proposed Detailed Site Plan application is in accordance with the applicable regulations and procedures found in the Subtitles 24 and 27 of the Prince George's County Code. In consideration of the analysis and findings herein, we, on behalf of our client, respectfully request approval of the Detailed Site Plan application for Glenarden Redevelopment.

Please call me if additional information is required.

Sincerely,



Arthur J. Horne, Jr.

AJH/fms

cc: Steve Nash
Frank White
Sanjay Patel
Scott Matties
Ken Wallis
Raedun de Alba