

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 www.mncppc.org/pgco/planning/plan.htm.

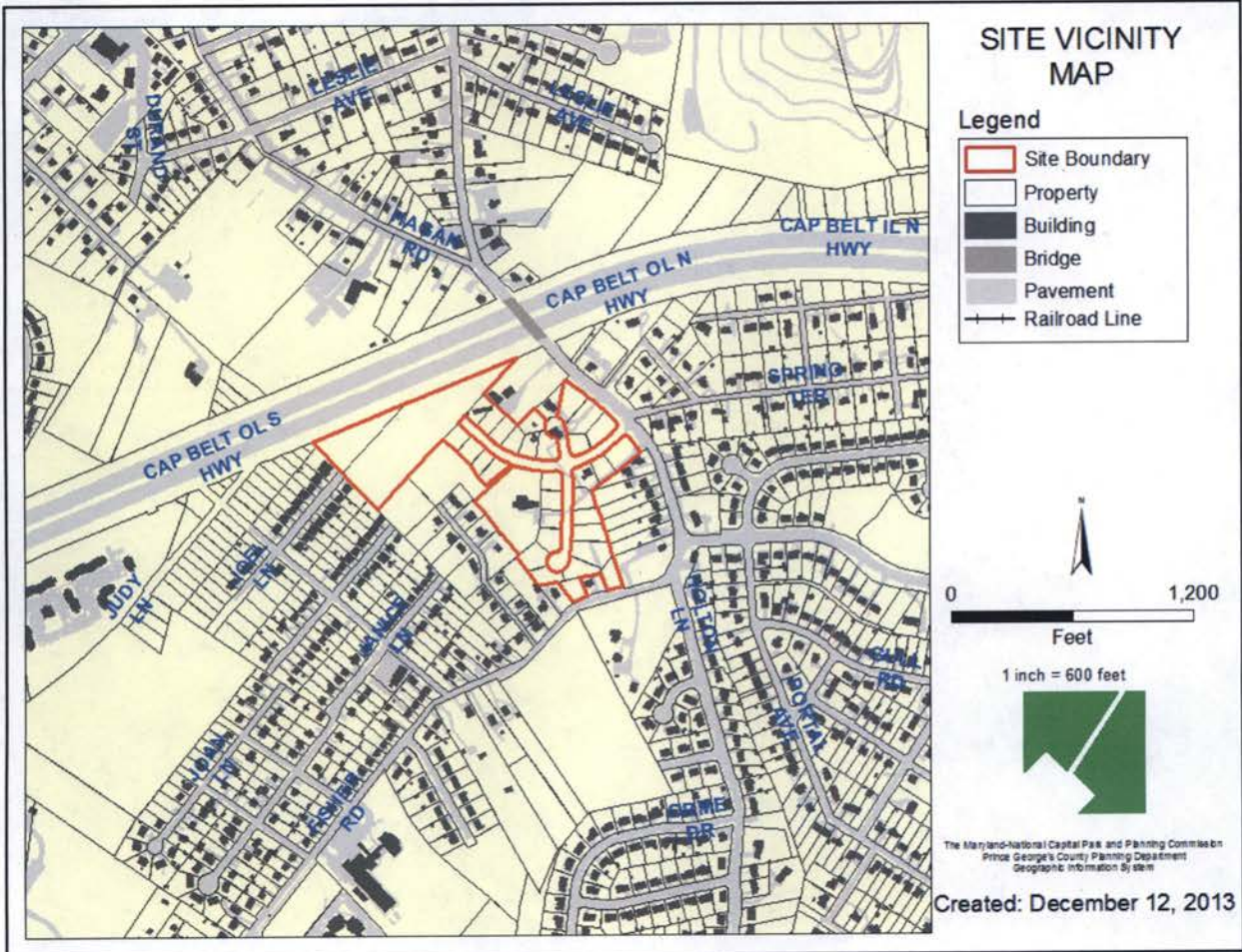
Special Exception

SE-4739

Application	General Data	
Project Name: Henson Creek Retirement Community Location: On the west side of Temple Hill Road, approximately 200 feet south of the Capital Beltway (I-95/495). Applicant/Address: Henson Creek House, LLC 5075 Temple Hill Road Temple Hills, MD 20748 Property Owner: Henson Creek House, LLC and Rodney Orciani 3235 Dunbratton Court Waldorf, MD 20601	Planning Board Hearing Date:	05/08/14
	Staff Report Date:	04/24/14
	Date Accepted:	01/06/14
	Planning Board Action Limit:	N/A
	Plan Acreage:	16.38
	Zone:	R-80
	Gross Floor Area:	N/A
	Lots:	18
	Parcels:	1
	Planning Area:	76B
	Tier:	Developed
	Council District:	08
	Election District:	12
	Municipality:	N/A
200-Scale Base Map:	207SE03	

Purpose of Application	Notice Dates	
Special exception for a planned retirement community with 80 spaces in four congregate living facilities, an adult day care center, and 52 independent living dwelling units in 26 duplex buildings.	Informational Mailing	06/18/13
	Acceptance Mailing:	12/19/13
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Tom Lockard Phone Number: 301-952-3410 E-mail: Thomas.Lockard@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT

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

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

FROM: Tom Lockard, Planner Coordinator, Zoning Review Section, Development Review Division

SUBJECT: **Special Exception Application No. SE-4739
Henson Creek Retirement Community**

REQUEST: **Special exception for a planned retirement community with 80 spaces in four
congregate living facilities, an adult day care center, and 52 independent living
dwelling units in 26 duplex buildings.**

RECOMMENDATION: **APPROVAL with conditions**

NOTE:

The Planning Board has scheduled this application to be reviewed on the agenda date of May 8, 2014. If the Planning Board decides to hear the application, it will be placed on a future agenda.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS

- A. **Location and Field Inspection:** The subject property is irregularly shaped and consists of a collection of 18 lots and one parcel totaling approximately 16.38 acres located on the west side of Temple Hill Road, south of the Capital Beltway (I-95/495). The property contains a large two-story brick and frame residence with a walk-out basement. At present, access is by means of an access easement from Temple Hill Road containing a 22-foot driveway. The site has been used since 2005 as a congregate living facility for eight persons, a permitted use in the (One-Family Detached Residential (R-80) Zone. The center of the site is partially cleared and maintained as a lawn. Some of the site is wooded; other portions have been recently cleared pursuant to a rough grading permit, 5276-2012-G. The site has frontage on Florist Way and Florist Place, two paper streets which bisect the property east-west and north-south, respectively. There are floodplains, streams, and wetlands found to occur on the site, for the most part in the southern and western portion of the property.

- B. **History:** The Prince George’s County District Council approved Special Exception SE-4678 on April 26, 2011. As part of this approval, a portion of the subject property was approved for a congregate living facility for 20 elderly residents. The applicant has operated a congregate living facility, referred to as Henson Creek House, on the premises since 2005. In addition, the District Council also approved an adult day care center, in which the applicant also proposes to have a community center. The center will operate Monday through Friday during the hours of 7:00 a.m. to 5:00 p.m. and will host 60 participants and five staff members. The building itself is proposed to be 8,468 square feet in size and will offer daily transportation to and from the day care facility.

The applicant was also granted alternative compliance to Section 4.7 (Buffering Incompatible Uses) of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual) along the eastern property line. The existing congregate care building does not meet the 30-foot-wide building setback, and the 20-foot-wide landscape yard is partially and temporarily occupied by the existing access drive and parking lot.

C. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-80	R-80
Use(s)	Congregate Living Facility (8)	Congregate Living Facility (80) Adult Day Care Center (60) Single-Family Attached (52)
Acreage	16.38 acres	16.38 acres
Lots	18	18
Parcels	1	1

- D. **Master Plan Recommendation:** The 2002 *Prince George’s County Approved General Plan* (General Plan) placed the site in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. This application is consistent with the Development Pattern policies for the Developed Tier by encouraging appropriate infill development and strengthening existing neighborhoods.

The 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* (Henson Creek-South Potomac Master Plan and SMA) recommends a residential low-density land use for the subject property. One of the strategies of the plan is to:

Encourage institutionally based development proposals with a mix of uses that focus on the institutional mission that may include high-quality residential, limited commercial, or community-oriented uses to provide a public benefit, to enhance community character, and are designed for compatibility with the surrounding neighborhood. Institutionally based development proposed should adhere to the following guidelines:

- **Development should include pedestrian linkages to nearby commercial, institutional, or cultural uses.**
- **Development should be of sufficient size to provide amenities, such as indoor parking or garages, gardens, plazas, recreation facilities, or common eating areas.**
- **Development should have direct access to a collector road or greater to allow easy access for emergency services.**
- **Development should be served by public transit or shuttle buses to shopping and services in the surrounding area.**
- **Prior to approval of new development for senior citizen housing, a market analysis should be conducted that evaluates and satisfactorily demonstrates the need for senior housing within one mile of a proposed site. (Master Plan, page 22)**

The applicant is proposing this type of housing and amenities as a companion to the adult day care center and congregate care facility approved by the District Council in SE-4678.

- E. **Request:** The applicant is requesting permission to establish a planned retirement community with a maximum of 26 duplex units, for a total of 52 dwelling units. These units will be independent living units, rented to senior citizens. In addition, there will be a total of four congregate living facilities, each with a maximum occupancy of 20 individuals. One of these will be the existing Henson Creek House. The 60-person adult day care center approved in SE-4678 is to be retained and relocated to the intersection of Florist Way and Florist Place. It will also contain a community center, courtyard with benches, bocce courts, and a community gardening plot. Access to the site will be via Florist Way from Temple Hill Road. The duplex villas will line both Florist Way and Florist Place, with the congregate living facilities and adult day care facility centrally-located around a courtyard and served by a circular driveway for clients arriving by vans operated by the applicant. Each of the villas will be 1,439 square feet in size and will include a one-car garage. Thus, the applicant is proposing three levels of care (independent living, day care, and congregate living) in the same community. A large stormwater management pond is proposed in the northwestern portion of the site, along the Capital Beltway (I-95/495).

F. **Neighborhood and Surrounding Uses:** The neighborhood boundaries identified for this application are:

North— Capital Beltway (I-95/495)

East— Temple Hill Road

South and West— Brinkley Road

The neighborhood is residential in character and is predominantly developed with a mix of single-family detached dwellings and a few multifamily complexes. The subject property itself is located within a platted, but largely unbuilt, subdivision known as Chambers Estates, which comprises 35 lots. The uses surrounding the subject property are scattered single-family residences in the R-80 Zone, including the three developed lots in Chambers Estates, several houses on Temple Hill Road, and residences along Fisher Road and Fisher Drive.

G. **Specific Special Exception Requirements:** Section 27-395, Planned Retirement Community, of the Zoning Ordinance states that a planned retirement community may be permitted, subject to the following criteria:

(1) Findings for Approval

(A) The District Council shall find that:

(i) The proposed use will serve the needs of the retirement-aged community;

Comment: In order to ascertain whether the applicant's proposal will serve the needs of the retirement-aged community, we must first recognize those needs and how they differ from those of the community at large. Naturally, the retirement-aged community has the need for basic necessities (housing, food, clothing, security). Many retirees wish to have a smaller lower maintenance dwelling in a secure suburban environment. The applicant is providing a variety of housing options ranging from duplex residences to congregate living units, recognizing the varied needs of different retirees. The development is to have a single secure point of entry from Temple Hill Road via Florist Way. Food and clothing are available within one and one-half miles north at Gordons Corner at the intersection of St. Barnabas Road (MD 414) and Branch Avenue (MD 5) and the nearby Iverson Mall. Less than two miles to the south, along Brinkley Road, are additional shopping opportunities at the Rosecroft Shopping Center.

In addition to the basic necessities, the retirement-aged community has additional needs: transportation, medical, recreational, and social. Transportation for this segment of the population is perhaps not as critical as for more elderly-oriented developments such as a medical-residential campus or apartments for the elderly. This planned retirement community is designed for active seniors, most of whom will retain their cars, at least at first. However, staff is concerned that there will be instances where residents are unable to gain access to transportation to meet their basic needs. It has been our experience that most of these trips are handled through an impromptu system of resident ride-sharing. That notwithstanding, staff would note that there are bus stops heading both north and south along

Temple Hill Road served by the H11, H12, and H13 bus routes. The county also provides limited on-call bus service to seniors, and the applicant apparently will have a fleet of vans picking up day care participants that may also be able to provide transportation.

Medical needs can be provided by the Fort Washington Hospital and its adjunct facilities; they are located eight miles to the southwest at the intersection of Indian Head Highway (MD 210) and Livingston Road. In addition, there are doctor's offices to the north in Marlow Heights and to the west in Oxon Hill.

Due to the site's location and through the provision of numerous amenities, as detailed later in this report, the applicant's proposal will meet the needs of the retirement-aged community.

(ii) The proposed use will not adversely affect the character of the surrounding residential community; and

Comment: The surrounding residential uses are limited to single-family residences. This proposal will not adversely affect them. The development will have access from Florist Way. By virtue of the age restriction, these units will have less of an impact on the surrounding area than would a conventional residential community, with no impact on public schools. The proposed uses will generate fewer total peak hour trips in both the AM and PM peak hours than would the currently approved 34-lot subdivision, congregate living facility, and adult day care.

(iii) In the R-A Zone, there shall be a demonstrated need for the facility and an existing medical facility within the defined market area of the subject property.

Comment: The site is in the R-80 Zone, thus there is no requirement to show need within a defined market area.

(2) Site Plan.

(A) In addition to the requirements of Section 27-296(c), the site plan shall set forth the proposed traffic circulation patterns.

Comment: The site plan shows this information. The major traffic circulation pattern within the development is along Florist Way and Florist Place. There is a circular driveway in front of the community center/adult day care to facilitate drop-offs.

(3) Regulations.

(A) Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, and other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided for in this section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for a given Special Exception.

Comment: Understandably, not all of the regulations applicable in the R-80 Zone are reflected on the special exception site plan. For example, the duplex units shown on the plan are not a permitted use in the zone; however, at 2,878 square feet with two one-car garages, they are compatible in size to the surrounding residences. The applicant is proposing development standards largely in keeping with the R-80 Zone, although they are not explicitly noted. The development standards used, where applicable, shall be noted on the site plan.

(B) The subject property shall contain at least twelve (12) contiguous acres;

Comment: The subject property is 16.38 acres in area.

(C) The average number of dwelling units per acre shall not be more than eight (8) for the gross tract area; and

Comment: The applicant is proposing a maximum of 129 dwelling units on 16.38 acres, or an average of about 7.87 units per gross acre.

(D) In the R-A Zone, buildings shall not exceed three (3) stories.

Comment: The site is in the R-80 Zone.

(E) In the I-3 Zone the following shall apply:

- (i) The gross tract area shall be a minimum of ninety (90) acres with at least twenty-five percent (25%) of its boundary adjoining residentially-zoned land or land used for residential purposes;**
- (ii) The property shall have at least one hundred fifty (150) feet of frontage on, and direct vehicular access to, a public street;**
- (iii) All buildings shall be set back a minimum of seventy-five (75) feet from all nonresidentially-zoned boundary lines or satisfy the requirements of the Landscape Manual, whichever is greater; and**
- (iv) The property shall be located within two (2) miles of mass transit, regional shopping, and a hospital.**

Comment: The site is in the R-80 Zone.

(F) In the I-3 and C-O Zones, townhouses shall comply with the design guidelines set forth in Section 27-274(a)(11) and the regulations for development set forth in Section 27-433(d).

Comment: The site is in the R-80 Zone.

(4) Uses.

(A) The planned retirement community shall include a community center or meeting area, and other recreational facilities which the District Council finds are appropriate. These recreational facilities shall only serve the

retirement community. The scope of the facilities shall reflect this fact. The Council may only permit a larger facility which serves more than the retirement community if the facility is harmoniously integrated with the retirement community and the surrounding neighborhood. All recreational facilities shall be constructed prior to, or concurrent with, the construction of the residential units, or in accordance with a schedule approved by the District Council;

Comment: The applicant is proposing a community center in the same building as the adult day care center shown at the intersection of Florist Way and Florist Place. It is to contain a variety of recreational and social amenities in the interior meeting space. Past experience has shown that, at this point in the planning, it is difficult to say what the indoor activities will be, they will be decided upon according to the wishes of the residents. The development is to be served by sitting areas, community garden plots, and bocce courts. These recreational facilities will be constructed concurrent with the residential units. They are to serve only the residents and their guests.

(B) **Retail commercial uses, medical uses, health care facilities, and other uses which are related to the needs of the community may be permitted.**

Comment: These uses are not proposed.

(5) **Residents' Age.**

(A) **At least one (1) resident of each household shall be at least fifty (50) years old, unless the applicant can demonstrate that a lesser minimum age requirement should be approved. No permanent resident of the planned retirement community shall be under eighteen (18) years old. Covenants setting forth the minimum age of the residents shall be submitted with the application. The covenants shall be approved by the District Council, and shall be filed in the land records at the time the subdivision plat is recorded. No change in the minimum age shall be permitted, unless both the covenants and the Special Exception have been amended.**

Comment: The applicant is aware of these requirements and agrees to abide by them.

(6) **Recreational Facilities.**

(A) **Covenants guaranteeing the perpetual maintenance of recreational facilities, and the community's right to use the facilities, shall be submitted with the application. The covenants shall be approved by the District Council, and shall be filed in the land records at the time the subdivision plat is recorded. If the recreational facilities are to be part of a condominium development, a proposed condominium declaration showing the recreational facilities as general common elements shall be approved by the District Council, and shall be recorded (pursuant to Title II of the Real Property Article of the Annotated Code of Maryland) at the time the subdivision plat is recorded.**

Comment: The applicant is aware of these requirements and agrees to abide by them.

H. **Parking Regulations:** The parking requirements for the site break down as follows:

USE	SCHEDULE	PROPOSED
Single-family Attached Duplexes	2.04 per unit at 52 = 107	107
Congregate Living Facilities	1 per 4 residents at 80 = 20	41
Adult Day Care Center	1 per 3 occupants at 60 + 9 staff = 23	26
TOTAL	150 spaces	174 spaces

The site plan shows the applicant's intent to fully comply with the parking requirements for all uses on-site.

I. **Urban Design Issues:** Section 27-395 (Planned retirement community) of the Zoning Ordinance indicates that, "Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, dwelling unit types, and other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided in this Section." The applicant appears to have adopted the requirements of the R-80 Zone for the subject project. The Zoning Review Section may want to make the applicant aware of the added allowed for site design, though the R-80 standards utilized appear to work well for the proposed development. Section 27-328.02(a) of the Zoning Ordinance (Landscaping, buffering, and screening) requires that all landscaping required for a special exception comply with the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The special exception is subject to the following sections of the Landscape Manual:

Section 4.1, Residential Requirements—The schedule provided for Section 4.1 on Sheet 6 of the plan set correctly indicates that the planting requirement for the 52 proposed duplexes is 78 shade trees and 52 ornamental or evergreen trees. This requirement is met by the provision of 78 shade trees, 10 ornamental trees, and 42 evergreen trees.

Section 4.3, Parking Lot Requirements—Section 4.3 applies to the parking lot adjacent to the bocce ball court, as it appears to measure more than 7,000 square feet. It is suggested that the applicant provide a planting schedule demonstrating compliance with this section.

Section 4.4, Screening Requirements—The application is subject to this section as it requires a building or grading permit. Section 4.4 requires all loading areas, dumpsters, trash pads, trash collection or storage areas, and all mechanical equipment and meters be screened and provides screening options. The Urban Design Section suggests that the Zoning Section request the applicant to revise the plans to show the location of the above elements and provide screening as required.

Section 4.6, Buffering Residential Development from Streets—The applicant is not subject to this section; however, as a number of duplex units at the terminus of Florist Way are proximate to the Capital Beltway (I-95/495), the Urban Design Section suggests that the Zoning Section consider recommending a planted buffer to mitigate noise impacts on residential development and create more usable backyards.

Section 4.7, Buffering Incompatible Uses—The site was the subject of a previous alternative compliance approval, AC-10017. As Lot 17 is now incorporated into the larger planned retirement community, the approval is null and void. It is suggested that the landscape plan bufferyards on the current plan be labeled according to the provided schedule to determine compliance with this section.

Section 4.9, Sustainable Landscaping Requirements—The Urban Design Section suggests that the applicant be required to replace all invasive plant species on the plan with non-invasive species, revise the schedule and plant list accordingly, and add a note to the plan stating that all invasive species will be removed in accordance with the requirements of Section 1.5 of the Landscape Manual.

Section 4.10, Street Trees along Private Streets—The Urban Design Section suggests that the Zoning Section request the applicant to verify whether the internal streets are public or private. If the streets are private, the plan is subject to the planting requirements of this section and the applicant should provide a schedule demonstrating conformance with the requirements of Section 4.10.

Tree Canopy Coverage

The special exception is subject to the requirements of the Tree Canopy Coverage Ordinance because it will require a grading permit for more than 5,000 square feet of land disturbance. The total special exception area shown on the Type II tree conservation plan (TCPII) is 21.60 acres. The landscape plan shows the special exception area as 16.38 acres plus 5.67 acres for stormwater management, for a total of 22.05 acres. The stormwater management facility is shown within the boundaries of the special exception; therefore, its acreage should be included in the total acreage of the special exception. After the final acreage is verified, the tree canopy coverage (TCC) requirement should be recalculated and a determination made as to whether the project conforms to the 15 percent coverage required in the R-80 Zone.

- J. **Zone Standards:** The site plan need not meet the area requirements of the R-80 Zone pursuant to Section 27-395(3)(A) of the Zoning Ordinance.
- K. **Sign Regulations:** The site plan does not show any signs as part of an entrance feature. The signs would be noted for conceptual purposes only; however, all proposed signs must be shown on the site plan. The details must be reviewed for conformance with the location, height, and area requirements of the sign regulations, prior to issuance of permits.
- L. **Subdivision Issues:** The site is the subject of Preliminary Plan 4-88010 for 37 single-family dwellings. Preliminary Plan 4-88010 is for the W.W. Chambers property (Lots 1–37 and Parcel A), and was originally adopted by the Planning Board on June 2, 1988 (PGCPB Resolution No. 88-247). The resolution of approval contains seven conditions, and the following condition in **bold** relate to the review of this application:

4. No direct access shall be allowed to lots abutting Temple Hill Road.

Comment: The site plan should reflect denial of access to Temple Hill Road from abutting lots.

The subject property was recorded in Plat Book NLP 152-52 as Lots 1–4, 6–16, and 30–31, Plat One, Chambers Estates, recorded on April 19, 1990 and in Plat Book NLP 152-53 as Lots 18–20, 21–29, 33, and 35, Plat Two, Chambers Estates, recorded on April 19, 1990. The special exception site plan should reflect the boundary, bearings, and distances shown on the record plat. Both of the record plats contain five similar notes, and the following note in **bold** relate to the review of this application:

1. **Approval of this plat is based upon a reasonable expectation that public water and sewer service will be available when needed and is conditioned on fulfilling all of the Washington Suburban Sanitary Commission Authorization No. 89-7965L commitments.**

Comment: The subject property is located within water and sewer Category 3, Community System.

There are a number of concerns which have arisen from the review of the special exception site plan. The plan shows on-street parking for Proposed Congregate Living Facility C within the Florist Way public right-of-way. Also, the bearings and distance for the project boundary shown on Sheet 4 include Florist Way and Florist Place, which are both dedicated public rights-of-way and are not subject to the special exception requirements. Per Section 27-116 of the Zoning Ordinance, no building, structure, or use shall be permitted in any existing public street right-of-way, unless expressly permitted in Subtitle 27. This special exception requires a use conversion from single-family residential to planned retirement community. Staff recommends that the proposed development should be reviewed by the Transportation Planning Section for adequate transportation facilities. The findings of this review may necessitate a new preliminary plan if the amount of development proposed with this special exception exceeds that which was approved by the Planning Board with the approval of 4-88010.

The two parts of Parcel 52 are legal acreage-parcels which were created by deed before January 1, 1982, pursuant to Section 24-107(c)(7) of the Subdivision Regulations. Unless a new preliminary plan is required for the proposed development, a note should be placed on the final plat for these parcels stating that development on the property shall be limited to 5,000 square feet of gross floor area. Both parcels abut the Capital Beltway (I-95/495). The site plan and final plat should reflect denial of access to I-95/495 from the abutting parcels. Additionally, subdivision of these parcels may present the opportunity for right-of-way dedication to Florist Way and Joel Lane for culs-de-sac. The necessity of right-of-way dedication for these streets should be reviewed and determined by the Transportation Planning Section if a new subdivision is deemed necessary.

The Transportation Planning Section, in their original referral dated March 31, 2014, found that a new preliminary plan would be required because the special exception as proposed would exceed the number of trips considered by the Planning Board in making a finding of adequacy for the underlying preliminary plan. Staff asked for additional justification of the recommendation because this was a departure from past policy regarding transportation adequacy findings for special exceptions (including the previous special exception approved for this site in 2011). Previously, and in keeping with the 2012 "Transportation Review Guidelines, Part 1" (Guidelines):

Special exceptions are reviewed to ensure that the proposed use is compatible with surrounding uses and the general neighborhood. Many particular special exception uses must also conform to their own unique set of requirements listed by use in Part 4, Division 3, of Subtitle 27. Attention shall be given to these use-related requirements by applicants and staff alike in the justification for and review of a special exception.

The following general finding is required for special exception approval:

Section 27-317(a):

A Special Exception may be approved if:

...

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

...

TPS staff evaluates special exceptions for the new traffic impact of the proposed use versus the highest and best by-right use of the underlying zoning. Review is generally related to access but can extend beyond the driveway and the limits of the site where access options are limited. In cases where the new traffic impact would exceed 100 peak-hour trips, applicants are encouraged and may be requested to prepare a TIS as described in Section 3. This is done to ensure that applicants, the reviewing agencies, and the general public are aware of the traffic impacts of larger special exception applications and also to consider conditions that are necessary to protect surrounding properties or the general neighborhood. (Guidelines, page 30)

No traffic counts or studies were required of the applicant since their proposal fell far short of the new traffic generation threshold of 100 trips.

The Transportation Planning Section provided additional clarification on April 21, 2014. In pertinent part, it explains:

Clarification is needed regarding the initial recommendation to require a new preliminary plan prior to the permitting of uses associated with this special exception in order to address transportation adequacy and other appropriate issues. The following points are noted:

1. The prior special exception, SE-4678, was wholly contained within Lot 17 of Chambers Estates, which received approval of Preliminary Plan 4-88010. As such, there was no focus on the overall subdivision and its status.
2. The current special exception encompasses the remaining undeveloped lots of Chambers Estates, and for that reason the review extended to the entire subdivision. The underlying lots were compared to the uses being proposed, and it was determined that there would be a violation of the adequacy finding made at the time of preliminary plan review.
3. On multiple occasions it was indicated that, unless there was a specific limitation in the resolution of approval for a preliminary plan, no trip or development cap could be imposed on a site. During recent years, however, it has been indicated that information in the findings of a resolution, along with backup staff memoranda, is sufficient to establish development limits for a given property.
4. In 1988, it was rare for the Transportation Section to recommend a cap of any sort, and it was not until 2013 that it became a standard practice to recommend a trip cap on a residential subdivision made up of fee-simple lots.

5. The statement in the March 31, 2014 memorandum regarding the adequacy of Temple Hill Road and Florist Way/Spring Terrace cannot be substantiated. There is no indication in the files, or by way of recent published counts, that this intersection has been studied recently. It is conceded that the plan, as proposed, poses no apparent safety issues and that the correct finding was made within the prior memorandum within the strict findings of health, safety, and welfare.

When the Transportation Section concedes that demonstration has been made that the proposed special exception is less traffic-intensive than the previous approval under Special Exception SE-4678, staff is working under a different policy today than it was when the previous special exception was reviewed in 2010. Staff is now encouraged to review the entire record when establishing that a proposed use is consistent with the adequacy findings of a preliminary plan. In 2010, reviews were done with the assumption that a development or trip cap had to be stated in the resolution of the preliminary plan in order to have a legal standing. In order to be consistent with current policy, a new preliminary plan to address the issues of transportation adequacy is needed. (Memorandum, Masog to Lockard dated April 21, 2014)

Comment: Staff understands the concerns voiced by both the Subdivision and Transportation Sections, but we are extremely reluctant to recommend a condition requiring a new preliminary plan in this case. Special exception uses are recognized and acknowledged as having additional impacts above and beyond those uses permitted by right: additional traffic, noise, odor etc. If these additional impacts jeopardize the health, safety, and welfare of the neighborhood, we can recommend reasonable conditions to mitigate the impacts or, if mitigation is not possible, deny the application. If the adequacy of transportation facilities is a concern, the issue should be dealt with in accordance with the Guidelines, which sets a threshold of 100 new trips before a traffic study is required. In the instant case, the number of total peak hour trips to be generated by this development is actually lower than that already approved for the site through the preliminary plan and the previous special exception. Given all of these factors, staff is not recommending the applicant be required to obtain a new preliminary plan.

- M. **Required Findings:** Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:

(1) The proposed use and site plan are in harmony with the purposes of this Subtitle.

Comment: The proposed planned retirement community will protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the county by providing the retirement-aged community with housing and recreational activities specifically designed to meet the needs of this ever-growing age group. This development has been designed for active couples and singles who desire to live a low-maintenance suburban lifestyle with an amenity-rich and secure environment. By providing a modern low-maintenance home convenient to shopping and medical facilities, the retirement-aged residents of Prince George's County will have an attractive incentive to stay near their friends and families in their retirement years.

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

Comment: With the recommended conditions of approval, which include requirements for a limited detailed site plan approval prior to issuance of permits, the proposed use will conform to all regulations.

- (3) **The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**

Comment: The proposed use will not substantially impair the integrity of the Henson Creek-South Potomac Master Plan and SMA. The master plan presumes the compatibility of special exception uses in the zones in which they are permitted, absent specific findings to the contrary. The applicant is proposing to expand a senior-oriented residential use in a residential zone in accordance with the recommended land use and with the General Plan's vision for the Developed Tier.

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

Comment: The referral replies received by staff indicate that the expansion of the existing use, commensurate with the need for these types of uses, will not adversely affect the health, safety, or welfare of residents in the area. The Transportation Section indicated that the proposal will generate 9 fewer AM and 3 fewer PM peak-hour trips, compared to what has been approved for the site, which will have a net positive impact upon the transportation system. The existing congregate living facility has been a compatible use in the community for some time and its continued expanded operation to include additional like uses will not adversely affect the health, safety, or welfare of residents or workers in the area.

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

Comment: There will be no detriment to the surrounding area if this proposal is approved. The applicant is proposing a maximum density of 7.87 units per acre, under the eight permitted. The multistory congregate living units and adult day care/community center are centrally located, well set back from the adjoining properties. In fact, given the secluded nature of the site and the extensive natural buffers proposed, the entrance to the site is likely to be the most visible element from any other property.

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

Comment: With the proposed revisions contained in the conditions of approval, the site plan will be in conformance with approved Type II Tree Conservation Plan TCPII-142-04.

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

Comment: There are impacts to the on-site wetlands and wetland buffers proposed. Several of these impact areas will be restored to the fullest extent possible with plantings.

CONCLUSION

Staff recommends APPROVAL of Special Exception Application No. SE-4739 for a maximum potential of 52 duplex dwelling units, 80 congregate living facility spaces, and a 60-person adult day care center as proposed by the applicant, subject to the following conditions:

1. The site and landscape plans are recommended for approval for conceptual purposes only, to generally represent the form and scale of the proposed planned retirement community. Prior to approval of the conceptual plan, the applicant shall amend the plans to show:
 - a. A table indicating the development standards for the development.
 - b. The discrepancy between the special exception note that indicates the existing congregate facility is three stories and the site plan that shows the existing facility as two stories shall be resolved.
 - c. The square footage of the required community/meeting area shall be distinguished from that of the adult day care area.
 - d. The Section 4.7, Buffering Incompatible Uses, schedule on the landscape plan shall be revised to indicate the use is "Congregate Living for over 8 persons," not a "Nursing or Care Home."
 - e. The note referred to in the Section 4.9, Sustainable Landscaping Requirements, schedule requiring the removal of invasive species shall be placed on the plans in accordance with Section 1.5 of the 2010 *Prince George's County Landscape Manual*.
 - f. The acreage discrepancy between the Type II tree conservation plan and the landscape plan shall be resolved, and the stormwater management facility acreage included in the total special exception acreage, to ensure that the tree canopy coverage calculations are accurate.
 - g. Provide the bearings, distances, and lot/parcel sizes on the Site Exhibit on Sheet 3 for all of the existing lots and parcels, as shown on Plat NLP 152-52, Plat NLP 152-53, and as provided in the two deeds recorded in Liber 3484 at Folio 184 and Liber 1126 at Folio 170.
 - h. Include and label the two acreage parcels on the Site Exhibit on Sheet 3.
 - i. Label the denial of access to Temple Hill Road, except at the intersection with Florist Way, and to the Capital Beltway (I-95/495).
 - j. Correct the bearings and distances on southwestern property boundary of Lot 17 on Sheet 5.
 - k. Correct the western match line sheet reference on Sheet 5.
2. As part of future site plan approvals, the following site design considerations should be explored:
 - a. The proposed loading space does not appear to be in a functional location. Its location should be reconsidered.

- b. The applicant should clarify why sidewalks run from the rear to the front or side of some, but not all, of the duplexes.
 - c. The applicant should consider planting a buffer modeled on that which is required by Section 4.6 of the 2010 *Prince George's County Landscape Manual* between the duplex units located at the terminus of Florist Way and the Capital Beltway (I-95/495).
 - d. The applicant should clarify whether or not the streets are private. If they are, the applicant should provide a Section 4.10 schedule and demonstrate conformance to the 2010 *Prince George's County Landscape Manual* requirements.
 - e. Provide accessible sidewalk ramps on all four quadrants of the intersection of Florist Place and Florist Way, subject to modification by the Prince George's County Department of Public Works and Transportation (DPW&T). Striped crosswalks in conjunction with the accessible ramps would need to be located and approved by DPW&T.
 - f. Sidewalks exist on the north side of Temple Hill Road. A crosswalk location may be possible on Temple Hill Road at the intersection of Florist Way and Spring Terrace, but this should be determined by the Prince George's County Department of Public Works and Transportation (DPW&T) based on engineering and safety standards. An accessible sidewalk ramp to cross Temple Hill Road would need to be constructed on the subject property, subject to modification by DPW&T.
3. Prior to certification of the special exception site plan, the Type II tree conservation plan (TCPII) shall be revised as follows:
- a. Revise the TCPII to match the overall area of the special exception plan.
 - b. Revise the woodland conservation worksheet.
 - c. Revise the reforestation planting areas to the required acreage.
 - d. Have the revised plan signed and dated by the qualified professional preparing the plan.
4. Full cut-off optic light fixtures shall be used throughout this site to reduce light intrusion to off-site properties and environmentally-sensitive areas, and address best management practices for maintaining a dark sky.
5. The property shall be developed in distinct phases or sections. No building permits shall be issued prior to the applicant obtaining limited detailed site plan approval by the Prince George's County Planning Board in accordance with Part 3, Division 9, of the Zoning Ordinance for each related phase or section of development. These reviews shall include the following:
- a. Architectural details of proposed dwelling units, other buildings, passive and active outdoor recreational facilities, the pedestrian circulation system, and other permanent shared structures or facilities such as group mailbox stations.
 - b. Landscaping, buffering, and screening elements in accordance with the requirements of the 2010 *Prince George's County Landscape Manual*.

- c. The location and design of permanent signs and entrance features.
- d. A lighting plan for all common-use buildings and facilities, such as parking areas, which are likely to be used after daylight hours.
- e. Details of all required parking and loading facilities to demonstrate compliance with Part 11 of the Zoning Ordinance.
- f. Any other elements of this development deemed necessary for the determinations of general conformance with the approved conceptual plans and full compliance with all appropriate requirements and regulations of the Zoning Ordinance.

ITEM:

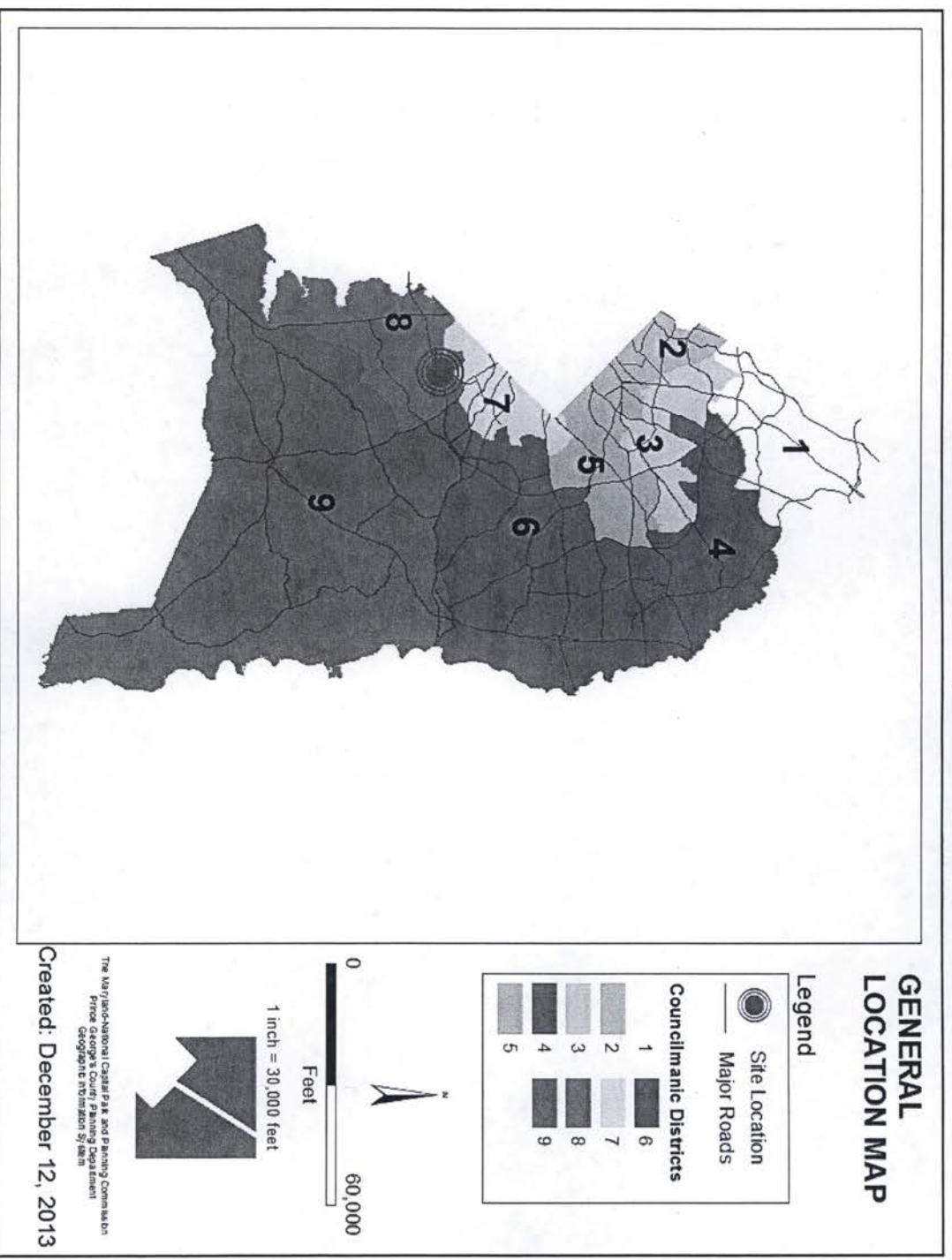
CASE: SE-4739

HENSON CREEK RETIREMENT COMMUNITY

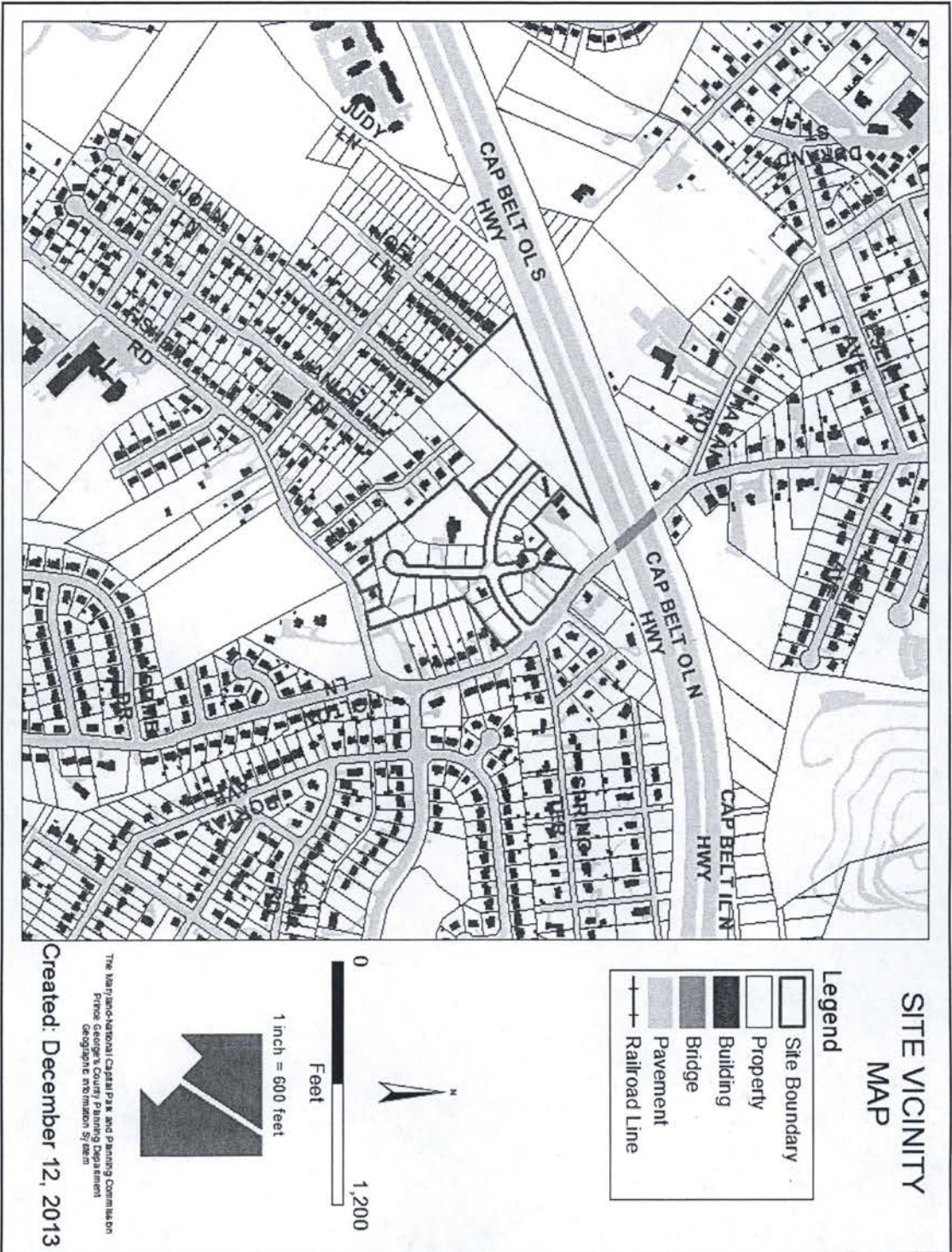
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



GENERAL LOCATION MAP

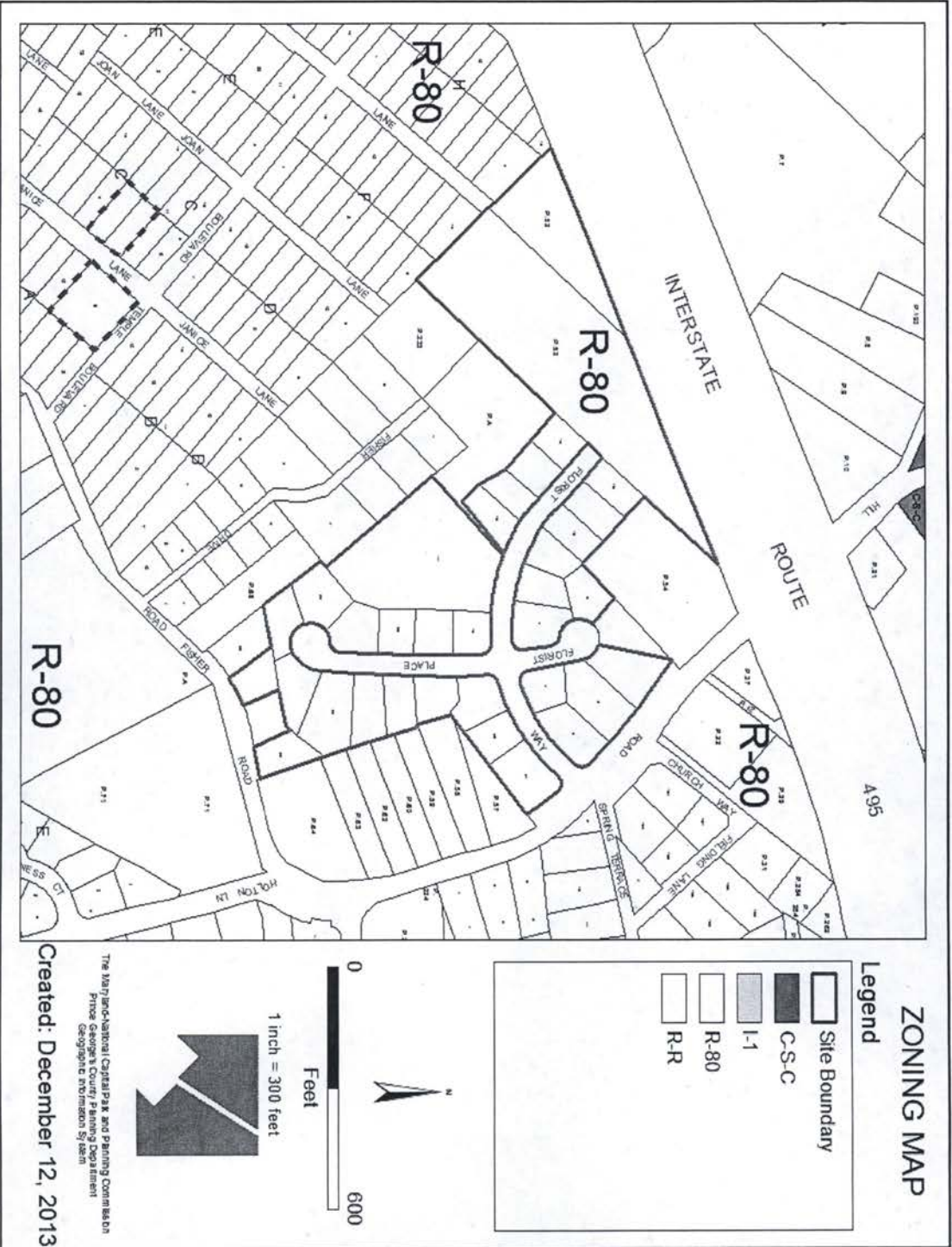


SITE VICINITY



ZONING MAP

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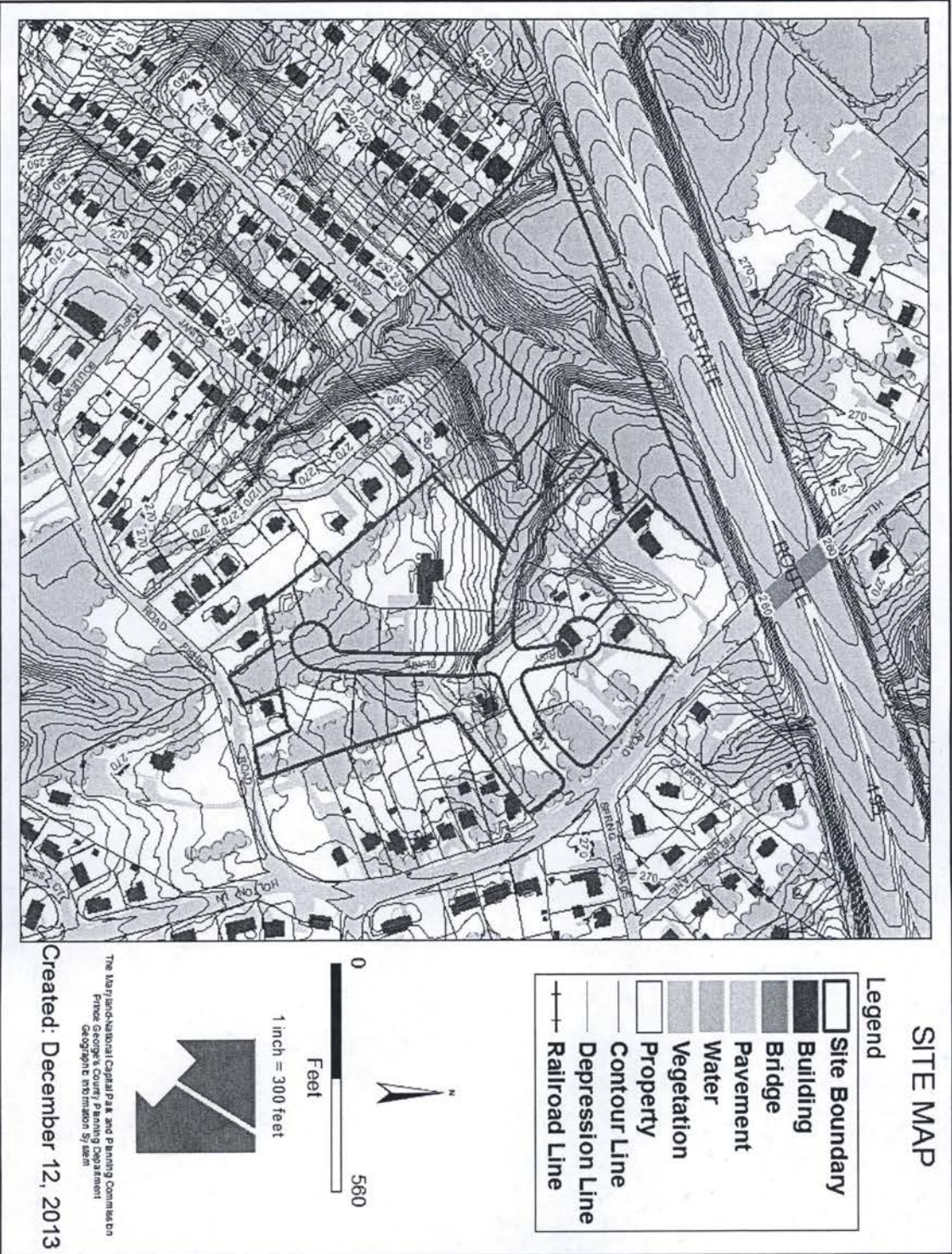


AERIAL MAP

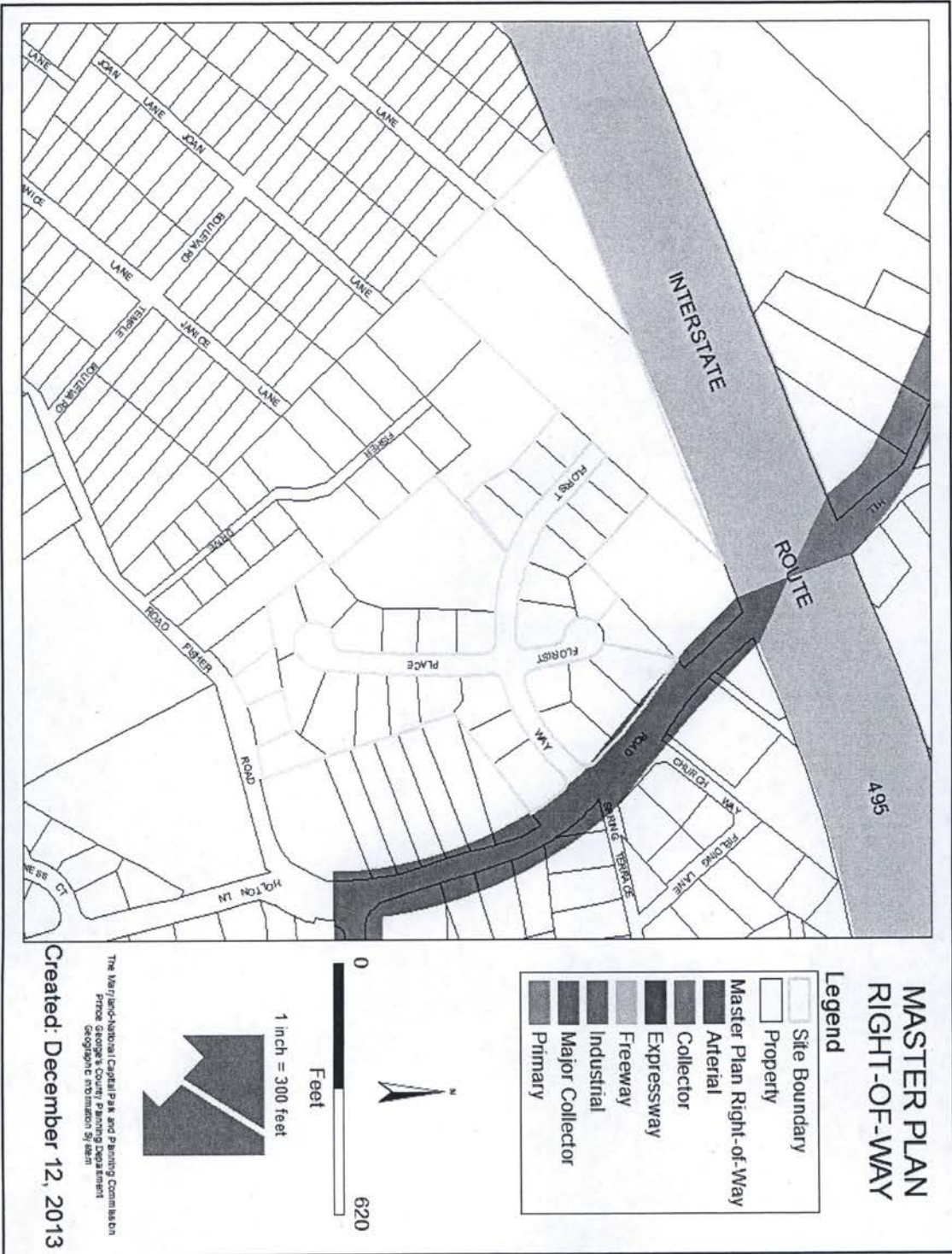
Case # SE-4739



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



SITE PLAN

Case # SE-4739



NO.	DATE	BY	REVISIONS
1	10/14/13
2	11/14/13
3	12/14/13
4	1/14/14
5	2/14/14
6	3/14/14
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8	5/14/14
9	6/14/14
10	7/14/14
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99	12/14/21
100	1/14/22



OWNER/DEVELOPER
 HENSON CREEK RETIREMENT COMMUNITY
 10000 W. 10th Ave., Suite 100
 Denver, CO 80202
 303.755.1100

SPECIAL EXCEPTION LANDSCAPE PLAN
 HENSON CREEK RETIREMENT COMMUNITY
 PROJECT NO. SE-4739
 SHEET NO. 1001

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STATEMENT OF JUSTIFICATION
HENSON CREEK RETIREMENT COMMUNITY

The applicant in this case is Henson Creek House, LLC ("Henson Creek"). Henson Creek is the owner of an existing congregate living facility located at 5075 Temple Hill Road in Temple Hills, Maryland. Originally established with a total of 8 residents, Special Exception SE-4638 was approved to expand the occupancy of the congregate living facility to 20 residents, and to allow for the construction of an adult daycare center. The purpose of this application is to establish a Planned Retirement Community, of which Henson Creek House will be a part. The Planned Retirement Community will include additional congregate living facilities, an adult day care center and independent living residences for seniors.

Special Exception SE-4638 included a single lot, Lot 17 in the Chambers Estates subdivision. The existing house, which is now Henson Creek House, was originally built by the Chambers family on a parcel of land containing approximately 15 acres. When that parcel was subdivided in the late 1980's, the house was located on Lot 17, which contains 2.03 acres. Most of the remaining lots in the Chambers Estates subdivision remain unimproved (only lots 5, 32 and 34 are improved). In April, 2013 Henson Creek purchased all of the unimproved lots in the Chambers Estates subdivision. Henson Creek desires to create a Planned Retirement community on 16.38 acres of land.

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DESCRIPTION OF DEVELOPMENT PROPOSAL

The property which is the subject of this application is located on the west side of Temple Hill Road, approximately 200 feet south of the Capital Beltway. As indicated above, the Subject Property is improved with a house. The house was constructed in or about 1962. The property around the house was subdivided in 1990 by a subdivision known as "Chambers Estates", which is depicted on two plats of subdivision recorded among the Land Records of Prince George's County, Maryland at Plat Book NLP 152, Plat No. 52 and 53. The land included in the special exception, and referred to hereinafter as the "Subject Property" includes all of the lots in Chambers Estates with the exception of Lots 5, 32 and 34. In addition, the Subject Property includes Parcel 52 on Tax Map 97, 1 6.97 acre parcel which is being developed with the Chambers Estates property to provide stormwater management. The total area of the property includes 16.38 acres. The stormwater management facility was recently installed and the rough grading of the property has been substantially completed pursuant to the previously approved subdivision and the Tree Conservation Plans approved pursuant to that subdivision.

Henson Creek desires to establish a planned retirement community in accordance with the requirements of Section 27-395 of the Prince George's County Code. The Subject Property is zoned R-80, and a planned retirement community is a permitted use, subject to approval of special exception.

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Planned retirement communities provide flexibility for to construct dwelling units and other uses on the same property to serve the needs of retirement age seniors. The regulations governing a planned retirement community found in the underlying zone do not apply. Rather, the dimensions and percentages shown on the approved site plan constitute the regulations for the special exception. In this case, the proposed community is intended to include 26 duplexes, for a total of 52 dwelling units. These units will be independent living homes which will be rented to senior citizens. In addition to the residential component, health care facilities will be included. There will be four congregate living facilities, each of which will have a maximum occupancy of 20 individuals. One of these congregate living facilities is the existing Henson Creek House. This is a two story building with an exposed basement level. The other three congregate living facilities will be constructed as demand dictates. Each of the new congregate living facilities will have the same footprint and design. The footprint will cover 4,784 square feet. One of the new congregate living facilities will include an exposed basement level, as does the existing building, while the other two will be two stories with no exposed basement. The applicant has chose to construct multiple 20 person facilities, rather than a larger facility for several reasons. First, Henson Creek House is a house that does not have an institutional feel. It has been well received in the community and the families appreciate the smaller familial atmosphere that a home provides. Second, the smaller

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buildings are more compatible with the existing community and the homes proposed for the community in terms of scale.

The Henson Creek Retirement Community will also include an adult day care center with a maximum occupancy of 60 persons. The adult daycare center will also provide community meeting space and serve as the community center for the Planned Retirement Community. While an adult daycare center has already been approved for construction as part of SE-4638, it has not been constructed. It will be relocated to a lot at the intersection of Florist Way and Florist Place and include the community center.

Henson Creek proposes to retain the streets in the Chambers Estates subdivision and construct them in order to provide access to the retirement community. Thus, all residents and guests entering the community will do so off Temple Hill Road onto Florist Way. Duplex villas will line both Florist Way and Florist Place. At the corner of Florist Way and Florist Place will be the adult daycare/community center. The adult daycare center provides a circular driveway in the front to facilitate the drop-off of clients, who mostly will arrive in vans operated by the facility. Behind the adult daycare center is a courtyard which becomes the social hub of the community. The congregate living facilities and adult daycare center/community building will be clustered in an enclave around this courtyard, provide residents an opportunity to mingle with each other. In this area there will be benches and bocce ball courts. The community will also have sidewalks on each side of the street to encourage and facilitate walking by the

residents. The uses proposed in this planned retirement community are intended to complement each other. A couple can move to one of the duplex units, each of which will be a one story villa which is handicap accessible. Each villa will contain a total of 1439 square feet and include a one car garage. In the event additional care is required, due to memory or physical limitations, but a permanent change in residence is not necessary, the adult daycare center will be available. The adult daycare center will also be available for residents in the larger community. Finally, should it become necessary to need assisted living care, the congregate living facilities will be able to provide a higher level of care in a residential setting. Under the provisions of Section 27-395, a planned retirement community can include retail commercial uses, medical uses, health care facilities and other uses which are related to the needs of the community. At this time, only the residential and health care related uses included on the site plan are proposed.

The regulations governing planned retirement communities also require that a community center or meeting room be included. As noted above, Henson Creek has incorporated this center into the adult daycare center. The daycare center will not be a residential facility and will be available for meetings and community functions in the evening. Notwithstanding, during the day, the adult daycare center will offer programs, activities and other interaction between the community residents which will serve and benefit the entire community.

NEIGHBORHOOD/SURROUNDING AREA

For planning purposes, the neighborhood may be defined as the Capital Beltway to the north, Brinkley Road to the south and west, and Temple Hill Road to the east. This is the same neighborhood adopted in SE-4638. Even though the area of the proposed special exception is larger, the neighborhood boundaries are still appropriate. The Beltway continues to form a substantial boundary to the north, and Brinkley Road forms the boundary between the Developed Tier and the Developing Tier. The character of the neighborhood remains the same. The neighborhood comprises the western half of the Allentown neighborhood, referenced in the Subregion VII Master Plan and Sectional Map Amendment. The neighborhood includes a mix of single family detached (mostly R-80) and multifamily (mostly R-18C and R-30C) zoning. The eastern portion of the neighborhood, where the subject property is located, is predominantly zoned R-80 and developed with single family detached homes.

MASTER PLAN

The 2002 Prince George's County Approved General Plan placed the site in the Developed Tier. The vision for the Developed tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium to high-density neighborhoods. This application is consistent with the development pattern policies for the Developed Tier by encouraging appropriate infill development, by contributing to the sustainability of the community by providing

appropriate locations for retirees to live and age in place, and by strengthening existing neighborhoods.

The Subject Property is located within the planning boundaries of the Henson Creek-South Potomac Master Plan, in Planning Area 76B. This Master Plan was approved in April 2006. The Master Plan identifies the subject property as being within the Developed Tier and the Land Use Map includes the subject property within an area recommended for Residential-Low Density. The plan lists several strategies for preserving and enhancing existing suburban residential neighborhoods. One of the strategies is to

"encourage institutionally based development proposals that may include high quality senior citizen housing, limited commercial or community oriented uses, that focus on the institutional mission, provide a public benefit, enhance community character and are designed for compatibility with the surrounding neighborhood.

- Development should include pedestrian linkages to nearby commercial, institutional, or cultural uses.
- Development should be of sufficient size to provide amenities, such as indoor parking or garages, gardens, plazas, recreation facilities, or common eating areas. Development should have direct access to a collector road or greater to allow easy access for emergency services.
- Development should be served by public transit or shuttle buses to shopping and services in the surrounding area.
- Prior to approval of new development for senior citizen housing, a market analysis should be conducted that evaluates and satisfactorily demonstrates the need for senior housing within one mile of a proposed site.

The proposed development includes institutionally based development in the form of the adult day care center and the congregate care facility. There will be pedestrian linkages between these uses and the larger independent living residences. The development is of

sufficient size to include amenities, including community meeting space, bocce ball courts, an outdoor courtyard and safe places to walk and interact with other residents of the community. The adult daycare center will be served by a shuttle bus which will bring clients to the facility. Finally, the existing congregate living facility and the adult daycare center are already approved uses per SE-4638. Only the location of the adult daycare center will be changed. The success of the congregate living facility demonstrates the need for additional uses of a similar nature, and those proposed will only be built as demand justifies. The independent living residences are unique in that they provide rental opportunities for a one story house, with a garage, suited for seniors. For these reasons, the proposed Planned Retirement Community is compatible with the recommendations of the Master Plan.

COMPLIANCE WITH ZONING ORDINANCE

Section 27-441 of the Zoning Ordinance provides that a Planned Retirement Community is permitted by Special Exception in the R-80 Zone pursuant to Section 27-395, subject to the following criteria:

- (a) (1) Findings for approval.
- (A) The District Council shall find that:
- (i) The proposed use will serve the needs of the retirement-aged community;
 - (ii) The proposed use will not adversely affect the character of the surrounding residential community; and
 - (iii) In the R-A Zone, there shall be a demonstrated need for the facility and an existing medical facility within the defined market area of the subject property.

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The proposed use is designed for and targeted toward meeting the needs of senior citizens in the community. While many senior housing facilities are multifamily, the dwelling units proposed by the Applicant are one-story, two family dwellings, or villas. These units will be rented, providing the families an affordable option as they age. They will offer the opportunity for independent living. At the same time, the congregate living facilities and the adult day care center will provide additional living opportunities for residents of the project, or others in the neighborhood, should they need additional care as they age. The adult daycare center will provide a place for up to 60 seniors to go during the workday if they are unable to care for themselves. This is a service that will be especially useful for seniors who move in with children who work, but who are unable (due to physical or memory reasons) to live independently during the day. Adult daycare centers allow seniors to live in a home environment longer, which is beneficial to the community. The congregate living facility provides a higher, residential level of care. Seniors who need help with daily activities are able to reside at the facility and have all of their needs addressed. Under the Prince George's County Code, a congregate living facility is essentially an assisted living facility with a maximum of 20 residents. The existing Henson Creek House is a former home with 13 bedrooms, 7 of which are large enough to accommodate two people, allowing for a capacity of 20 residents. Due to its size, this property does not have an institutional feel, and the residents and

their families enjoy the familial atmosphere. The Applicant has chosen to replicate this same type of facility in three additional buildings, mostly clustered around a central plaza. In total, there will only be 80 residents spread between the four buildings. While this would be a modestly sized assisted living facility, constructing it in four separate buildings avoids the institutional feel that can accompany a larger facility and allows the Applicant to stage the construction of the facilities as the demand for the facilities dictate. The overall planned retirement community will be able to provide an array of activities or services for all of the residents and daily guests—from organized walks, crafts, exercise and human interaction. For all of these reasons, the proposed use will serve the needs of the retirement aged community.

The proposed use will not adversely affect the character of the surrounding residential community. The Subject Property was subdivided and planned as a residential community. The proposed planned retirement community will continue to be a residential community, utilizing the same street grid as that designed for the non-senior community. As noted above, the congregate living facilities and the adult daycare center will be built to a residential scale, thereby being compatible with the existing homes in the area. Due to the scale of the development, the proposal to utilize the planned roads originally intended to serve the subdivision and the services which will be provided which will also be offered to the surrounding community, the proposed use will not adversely affect the character of the surrounding neighborhood.

(a) (2) **Site plan.**

(A) In addition to the requirements of Section 27-296(c), the site plan shall set forth the proposed traffic circulation patterns.

The proposed Planned Retirement Community intends to utilize the platted but unbuilt public rights of way within the Chambers Estates Subdivision to serve the proposed uses. This is depicted on the Site Plan. Each of the streets will be two way and open to the public.

(a) (3) **Regulations.**

(A) Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, dwelling unit types, and other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for a given Special Exception.

The Applicant is cognizant of the fact that the proposed development is not required to conform to the regulations of the underlying zone. To the extent possible, however, the Applicant has attempted to satisfy the requirements related to setbacks and buffering applicable to the R-80 zone. It should be noted that the adult day care center and the congregate living facility are permitted uses in the R-80 zone by special exception. The villas would be considered two-family dwellings, which are not permitted in the R-80 zone. The proposed units are, however, compatible with the surrounding area. Each unit contains a total of 1,439 square feet, with a single garage. Each building thus contains 2,878

square feet, with a two car garage. The size and scale of these buildings is compatible with the single family detached homes in the community. Parking will be provided on site. Each dwelling has a one car garage and a driveway, providing a total of 2 parking spaces. Single family attached dwellings are required to provide 2.04 parking spaces per unit, requiring an additional three 3 parking spaces. The adult day care center and the congregate living facilities require an additional 43 parking spaces, while 46 spaces are provided. These spaces do not count any on street parking, which is typical in a residential neighborhood. Since the streets will be constructed to the Department of Public Works and Transportation Standards, there will be ample room for on street parking in addition to the off street parking provided. Thus, the Planned Retirement Community will provide sufficient parking.

During the pre-review of the application, the applicant was asked to address Units 13 and 14 shown on the site plan, which convey the appearance of a flag lot. The proposed units which comprise this planned retirement community are intended to be held under a single ownership and rented. All maintenance of the exterior of the units will be provided by the owner. While the property is the subject of a recorded subdivision plat, the units are not being located on existing lots. The lots are essentially being combined into a single development site, and the placement of units is more a function of the street layout and the parcel configuration, which is being retained, than the location of existing lot lines. The applicant does not intend, nor does it

believe that it will be required, to file a new preliminary plan of subdivision to construct the units as shown on the special exception site plan. As a result, Units 13 and 14 are not intended to represent future "flag lots", and the area where these units are shown should not be construed flag lots. The portion of the property where Units 13 and 14 are located is oddly shaped in that, when the subdivision was recorded, lots were created which actually front on Fisher Road, not the internal streets which serve the bulk of the lots. The applicant did not want to construct separate units which fronted on a street outside the boundaries of the proposed planned retirement community. The grouping of the units, to the extent it is non-standard, is due to the non-standard shape of the property at this location.

(B) The subject property shall contain at least twelve (12) contiguous acres.

The total area of the Subject Property is 16.38 acres.

(C) The average number of dwelling units per acre shall not exceed eight (8) for the gross tract area.

As noted above, the gross tract area of the Subject Property is 16.38 acres. This land area supports a total of 131.04 dwelling units. The Applicant proposes a total of 52 dwelling units in the 26 proposed duplexes, or 3.17 dwelling units per acre, well below the maximum density allowed. This average number of dwelling units per acre does not include the adult daycare center or the congregate living facilities. The Applicant does not believe that the population in these other facilities qualifies as "dwelling

units". Section 27-107.01(a)(81) states that a "dwelling unit" is a building or part of a building "used as a complete and independent living facility for only one family" and that such facility must include "permanent provisions for living, sleeping, eating, cooking and sanitation." The adult day care center is clearly not a "dwelling unit", as the clients will only occupy the facility during the day and will not remain overnight. While the residents in the congregate living facility are provided permanent provisions for living, sleeping, eating cooking and sanitation, the building (and any bedroom in the building) is not used as a "complete and independent" living facility for only one family. The residents are dependent and require assistance in their daily activities. Even if the four congregate living facilities is included in the density calculations, the total number of dwelling units proposed is less than 131. While each congregate living facility has a total capacity of 20 residents, some of the rooms allow for dual occupancy. For example, the existing congregate living facility only contains 13 bedrooms. Seven of the bedrooms are large enough to accommodate two people. Thus, even if each bedroom in all of the congregate living facilities were counted as a "dwelling unit", the total number of dwelling units on the Subject Property would not exceed 131.

(D) In the R-A Zone, buildings shall not exceed three (3) stories.

This criterion is not applicable because the Subject Property is zoned R-80.

- (E) In the I-3 Zone, the following shall apply:
- (i) The gross tract area shall be a minimum of ninety (90) acres with at least twenty-five percent (25%) of its boundary adjoining residentially-zoned land or land used for residential purposes;
 - (ii) The property shall have at least one hundred fifty (150) feet of frontage on, and direct vehicular access to, a public street;
 - (iii) All buildings shall be set back a minimum of seventy-five (75) feet from all nonresidentially-zoned boundary lines or satisfy the requirements of the Landscape Manual, whichever is greater; and
 - (iv) The property shall be located within two (2) miles of mass transit, regional shopping, and a hospital.

This criterion is not applicable because the Subject Property is zoned R-80.

- (F) In the I-3 and C-0 Zones, townhouses shall comply with the design guidelines set forth in Section 27-274(a)(11) and the regulations for development set forth in Section 27-433(d).

This criterion is not applicable because the Subject Property is zoned R-80.

(a) (4) Uses.

- (A) The planned retirement community shall include a community center or meeting area, and other recreational facilities which the District Council finds are appropriate. These recreational facilities shall only serve the retirement community. The scope of the facilities shall reflect this fact. The Council may only permit a larger facility which serves more than the retirement community if the facility is harmoniously integrated with the retirement community and the surrounding neighborhood. All recreational facilities shall be constructed prior to, or concurrent with, the construction of the residential units, or in accordance with a schedule approved by the District Council;

The adult daycare center, which is located at the intersection of Florist Way and Florist Place, will also contain community meeting space and function as the community center for the Planned Retirement Community. Activities for the residents in the community will also be planned. In addition to this facility and the indoor activities that will be planned, the community will have a community plaza located behind the adult daycare center where residents can sit and interact. The community will include a bocce ball court for additional recreation and there will be sidewalks throughout the community for residents to walk on a daily basis, weather permitting.

- (B) Retail commercial uses, medical uses, health care facilities, and other uses which are related to the needs of the community may be permitted.**

In addition to the independent living units, the community will also include the adult daycare center and congregate living facilities which will provide health care and assistance to residents of the Planned Retirement Community as well as residents of the surrounding community.

- (5) Residents' age.**

(A) Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application and shall be approved by the District Council, and filed in the land records at the time the final subdivision plat is recorded.

Age restrictions will be established through the recordation of covenants among the Land Records of Prince George's County. A copy of a draft covenant is attached hereto as Exhibit "A" for

approval by the District Council. Since the Subject Property is already subdivided, the Applicant proposes that the covenant be recorded prior to the issuance of the first building permit.

(6) Recreational facilities.

(A) Covenants guaranteeing the perpetual maintenance of recreational facilities, and the community's right to use the facilities, shall be submitted with the application. The covenants shall be approved by the District Council, and shall be filed in the land records at the time the subdivision plat is recorded. If the recreational facilities are to be part of a condominium development, a proposed condominium declaration showing the recreational facilities as general common elements shall be approved by the District Council, and shall be recorded (pursuant to Title II of the Real Property Article of the Annotated Code of Maryland) at the time the subdivision plat is recorded. (a) (1) There is a demonstrated need for the facility.

The covenants establishing age restrictions in accordance with the Federal Fair Housing Act also include provisions guaranteeing the perpetual maintenance of the recreational facilities. As noted above, since the Subject Property is already subdivided, the Applicant proposes that the covenant be recorded prior to the issuance of the first building permit.

In addition to the above specific requirements, the applicant must also meet the general requirements for the grant of all special exceptions, as set forth in Section 27-317 of the Zoning Ordinance. That section provides as follows:

(a) A Special Exception may be approved if:

(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;

The applicant submits that the proposed use and site plan are

in harmony with the purpose of the Zoning Ordinance. Section 102(a) of the Zoning Ordinance lists the purposes of the Zoning Ordinance.

(1) To protect and promote the health, safety, morals, comfort, convenience and welfare of the present and future inhabitants of the County;

As the population continues to age, providing residential options to senior citizens which are safer, comfortable and designed to specifically address their convenience and welfare will become important. The southern portions of Prince George's County often lack many of the amenities and options available in the central and northern parts of the County. The proposed uses will assist in providing high quality housing and care options for seniors.

(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;

Conformance with the Master Plan and General Plan are addressed above. The proposed Planned Retirement Community, with a range of both independent living and dependent care facilities, will provide quality senior citizen housing as recommended by the Master Plan. As such, the proposed development implements the recommendations of the Master Plan.

(3) To promote the conservation, creation and expansion of communities that will be developed with adequate public facilities and services;

The proposed development is within a property already planned for residential uses in the Developed Tier, where new development is encouraged and where public facilities already exist. The project will not generate any school aged children. Because of the

nature of the use, very few peak hour trips will be generated by this development. In fact, the Applicant has retained Lenhart Traffic Consulting, Inc. to conduct a comparison of the AM and PM peak hour trips that would be generated by the existing approved uses and the proposed development. A copy of the report is attached as Exhibit "B". It demonstrates that the proposed development will generate fewer trips than the existing approved uses because of the reduced AM and PM peak hour trips generated by senior housing.

(4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry and business;

This proposal will expand the available housing options for senior citizens in South County.

(5) To provide for adequate light, air, and privacy;

The proposed site plan seeks to balance development with adequate light, air and privacy by providing buffers, increasing setbacks and retaining green area in a manner that preserves compatibility with existing and proposed surrounding uses.

(6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from the adverse impacts of adjoining development;

The existing congregate living facility and approved adult daycare center are located on a single lot in a largely undeveloped subdivision. Utilizing the undeveloped lots to create a Planned Retirement Community allows for the uses to be grouped to provide a beneficial relationship between them. Further, the development of the property will integrate appropriate buffers from adjacent

uses.

(7) To protect the County from fire, flood, panic and other dangers;

The proposed development will be constructed in accordance with all applicable regulations relating to fire protection and flood management.

(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;

Providing housing to senior citizens of all income levels is important in satisfying this purpose of the Zoning Ordinance. The independent living units will provide individuals with a single story unit which is conducive to seniors. These units will be within a community that can provide additional levels of care as the residents range, as well as coordinated activities and support to enhance the quality of life for all of the people within the Subject Property. The adult day care center will enable local residents, as well as residents within the property, the option to allow a loved one to age in place longer, while the congregate living facilities will provide a comfortable setting for those requiring more intensive care.

(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;

Providing housing options which encourage senior citizens to remain in or move to Prince George's County contributes positively to protecting the County's tax base.

(10) To prevent overcrowding of the land;

This proposal will not overcrowd the land. There is adequate

room on site to accommodate the proposed development.

(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;

The granting of the proposed special exception will not increase the danger or congestion of traffic on the streets due to the number of trips which will be generated. Further, access to the community will be through publicly dedicated rights of way which were established to accommodate the type of traffic levels proposed.

(12) To insure the social and economic stability of all parts of the County;

Providing housing options for senior citizens in South County contributes to the social and economic stability of the entire County.

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas and other similar features;

(14) To provide open space to protect scenic beauty and natural features of the County, as well as provide recreational space; and

The development of the property will be conducted in accordance with environmental regulations intended to protect and preserve natural features.

(15) To protect and conserve the agricultural industry and natural resources.

The proposed use will have no negative impact on the agricultural industry or natural resources.

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

As noted above, the regulations in the underlying R-80 Zone are not applicable to a Planned Retirement Community. The regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, dwelling unit types, and other requirements are governed by the approved site plan. Notwithstanding, the proposed site plan does not propose to overdevelop the land, preserves ample open space and presents a compatible relationship not only between the various uses included on the Subject Property, but also on the adjacent properties.

(3) The proposed use will not substantially impair the integrity of any validly approved master plan or functional master plan, or in the absence of a plan or functional master plan, the general plan.

As noted above, the proposal is consistent with the Master Plan and will not substantially impair its integrity. The Subject Property is in the Developed Tier. The proposed development will increase housing options for seniors in South County and will assist those in the vicinity of the property to age in place. Providing varied housing options for senior citizens is a goal of the Master Plan and approval of the proposed development will assist in fulfilling that goal.

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

The proposed use at this location will not adversely affect the health, safety or welfare of area residents and workers. The existing congregate living facility is currently served by an existing driveway connected to Temple Hill Road, a future 120 foot

right of way. The Chambers Estates subdivision was designed to be served by two public roadways, Florist Way and Florist Place. These roadways will be constructed and access to the existing and proposed uses will be from this roadway network. The uses proposed are compatible with the surrounding residential community and are, in fact, designed to serve and complement the existing community. Due to the nature of the proposed uses, they will not adversely impact the health, safety or welfare of residents or workers in the area. The uses do not generate large amounts of traffic, do not generate noise and will not produce activities which will be harmful either to adjacent properties or the larger community. To the contrary, the uses will provide new development which is devoted to senior citizens and will be available to provide care and assistance to others in the community.

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

The property on which the Planned Retirement Community is proposed was approved for development as a single family subdivision. The Applicant intends to develop the property consistent with the previous approvals. In fact, the property is currently under development for the purpose of installing stormwater management facilities and placing the property on grade. When the residential subdivision was approved, a regional stormwater management facility was incorporated into the design of the property. In order to ensure that this facility was build in accordance with the laws in effect at the time it was approved, development is currently ongoing. This development includes

establishing the limits of disturbance for the development and placing the property on grade. The Planned Retirement Community will be constructed within those limits of disturbance, and will satisfy the necessary setbacks and buffers from the existing adjacent uses. As such, it will not be detrimental to the use or development of the adjacent parcels.

(6) The proposed site plan is in conformance with an approved tree conservation plan;

The proposed improvements on the Subject Property are in conformance with an approved tree conservation plan, referenced as TCP II/142/04. No amendment of TCP II/142/04 is required.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130(b) (5) .

The Subject Property is the subject of an approved subdivision which has been graded in accordance with the limits of disturbance established by that plan and the approved tree conservation plan. The implementation of this Special Exception will not require the disturbance of any regulated environmental features which were not approved pursuant to the subdivision. As such, the proposed site plan demonstrates the preservation of the regulated environmental features in a natural state to the fullest extent possible.

CONCLUSION

The Subject Property is an appropriate location for a planned retirement community. An existing congregate living facility already exists and an adult daycare center is approved. Providing

SE-4739

independent housing for seniors will complement these existing and proposed uses. Providing additional congregate living facilities will allow the Applicant to respond to the demonstrated need in facilities that are designed to function more as homes than as institutional facilities. Locating these facilities within a residential setting will only enhance the feeling of community and inclusiveness. In addition, the 24 hour administrative and healthcare presence will assist the residents of the community in several ways. There will be organized activities, opportunities for shared experiences and the comfort of knowing that all of your day to day needs can be fulfilled. The Henson Creek Planned Retirement Community will be a welcomed asset to Prince George's County which will enhance the lives of its residents and the surrounding community.

Respectfully submitted,



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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


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January 28, 2014

MEMORANDUM

TO: Thomas Lockard, Planner Coordinator, Zoning Section

VIA: Katina Shoulars, Supervisor, Environmental Planning Section 

FROM: Chuck Schneider, Senior Planner, Environmental Planning Section 

SUBJECT: **Henson Creek Retirement Community; Special Exception SE-4739
and TCPII-142-04**

The Environmental Planning Section has reviewed the revised Special Exception Site Plan and Type 2 Tree Conservation Plan stamped as received by the Environmental Planning Section on January 7, 2014. The Environmental Planning Section finds conformance with the required environmental findings for a special exception and recommends the approval of Special Exception, SE-4739, and Type II Tree Conservation Plan, TCPII-142-04, subject to the conditions listed at the end of this memorandum.

Background

The Environmental Planning Section previously reviewed applications 4-88010 and DSP-89100 in conjunction with TCPII-142-04 for the subject property. The Detailed Site Plans DSP-89100-01 and DSP-89100-02, were subsequently reviewed and approved for the site also. The site was also reviewed and approved for a special exception. This special exception (SE-4678) was approved for the development of a congregate living facility and adult day care center on a 2.03-acre lot within the 21.65-acre subdivision.

The current application is for a special exception for the construction of a planned retirement community with four congregate living facilities, one adult day care center and 52 independent living units in 26 duplex buildings within a 16.38 subdivision. Because the site has a previous TCP approval, the revised TCPII review will be based on the overall 21.65-acre site originally approved as Chambers Estates.

Grandfathering

The project is not subject to the current regulations of Subtitle 25 that came into effect on September 1, 2010 and February 1, 2012 because the site has previous tree conservation plan approvals.

The special exception application is not subject to the current environmental regulations of Subtitle 27, because the preliminary plan grandfathers the site from buffer regulations.

Site Description

The subject 16.38-acre property is located in the R-80 zone between Fisher Road, Temple Hills Road and Interstate 95/MD 495 in the Temple Hills area of the county. The site currently houses several buildings, parking areas and access driveways. The rest of the site undeveloped with woodlands and scattered trees, relatively flat, and characterized with terrain sloping toward the north portion of the site and drains into on-

site unnamed tributaries of the Henson Creek watershed in the Potomac River Basin. The predominant soil types on the site are Beltsville-urban land complex, Croom gravelly sandy loam, Croom-Marr complex, Croom-Marr land complex, Whitewater and Issue soils. Based on information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened or endangered species found to occur in the vicinity of this site. There are floodplains, streams and wetlands found to occur on the site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. The site is located in close proximity to major noise generators, Interstate 95/495 and Temple Hills Road. The proposed use will be residential and no noise contour or study has been performed on-site. This property is in the Developing Tier as delineated on the approved General Plan.

Review of Previously Approved Conditions.

The following text addresses previously approved environmental conditions applicable to subject application. The text in **BOLD** is the actual text from the resolution. Comments are in regular typeface. The property was the subject of Preliminary Plan 4-88010, Prince George's Planning Board Resolution No 88-247, and was approved on June 9, 1988.

PGCPB No. 88-250

1. Approval of an on-site conceptual storm management plan by the Department of Environmental Resources prior to submittal of a Detailed Site Plan.

This condition has been addressed. An approved Stormwater Management Concept plan (7500-2003-04) dated September 17, 2013 and expires September 17, 2016, was submitted with the subject application.

2. A limited detail site plan shall be approved for the stormwater management area. This site plan shall address the adequacy of this area and the need for any screening and or buffering. If it is determined that Parcel A is not large enough for a pond with an adequate buffer area, a revision in lot lines shall be required which may result in a loss of lot (s).

This condition has been addressed. The plan as submitted shows the proposed stormwater management pond located on Parcel 52 not on Parcel A. There was a landscape plan submitted with the special exception plan, which shows existing woodlands and plantings buffering the adjacent residential lots.

MASTER PLAN CONFORMANCE

The Master Plan for this area is the Henson Creek-South Potomac Planning Area Approved Master Plan & Sectional Map Amendment (April 2006). In the Approved Master Plan and Sectional Map Amendment, the Environmental Infrastructure section contains goals, policies and strategies. The following guidelines have been determined to be applicable to the current application. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve and enhance the identified green infrastructure network within the Henson Creek planning area.

Strategies:

- 1. Use designated green infrastructure network to identify network to identify opportunities for environmental preservation and restoration during the review of land development proposals.**

No portion of the current application falls within the Green Infrastructure Plan. The on-site woodlands will be persevered in the areas in and adjacent to the environmentally regulated areas.

- 2. Protect primary corridors (Henson/Broad Creek and Tinkers Creek/Piscataway Creek) during the review of development review process to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements. Protect secondary corridors to restore and enhance environmental features and habitat. Protect secondary corridors (tributaries to the Potomac River and wooded corridors not necessarily associated with stream valleys) to restore and enhance environmental features, habitat and important connections.**

This site is not within or adjacent to a primary corridor, but a secondary corridor is present on-site within the woodlands. The current application does propose impacts to regulated environmental features the site. These impacts are associated with a new stormwater management pond structure adjacent to Interstate 95. The regulated areas affected are non-tidal wetlands, 25-foot wetland buffer and an ephemeral stream channel from off-site sources. These impacts are regulated by the Maryland Department of the Environment and all permits information must be submitted to M-NCPPC for review also. A large amount of woodland clearing is proposed near and away from the regulated areas. The undisturbed regulated areas will remain woodland and protected and expanded with three reforestation areas.

- 3. Evaluate carefully land development proposals in the vicinity of identified Countywide and Special Conservation Areas (SCA) including Piscataway Creek SCA, Potomac Shoreline SCA AND Broad Creek SCA to ensure that the SCAs are not impacted and that connections are either maintained or restored.**

This site is not located within or adjacent to a Special Conservation Area.

- 4. Preserve unique habitat areas to the fullest extent possible during the land development process.**

The on-site wooded stream, wetlands and wetlands buffer areas will be preserved to the fullest extent possible.

- 5. Develop flexible design techniques to maximize preservation of environmentally sensitive areas.**

Development is focused on the areas outside of environmentally sensitive areas. Most of the on-site existing woodland will be preserved, protected and expanded with reforestation plantings. This preservation area includes the woodlands containing environmental regulated features along the southwestern property line.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Strategies:

- 1. Identify opportunities for restoration within the primary corridors (Broad Creek/Henson Creek and Piscataway Creek/Tinkers Creek) and target mitigation efforts in these areas.**

The proposed development will not directly impact any primary corridors.

- 2. Restore stream and wetlands buffers to the fullest extent possible during the land development process.**

There are impacts to the wetlands and wetland buffers proposed. Several of these impact areas will be restored to the fullest extent possible with plantings.

- 3. Ensure the use of Low Impact Development (LID) techniques to the fullest extent possible during the development process.**

Low Impact Development is currently referred to as Environmental Site Design. Per the storm water management concept approval letter, the site is required to provide quality and quantity control of on-site and some off-site stormwater to an on-site facility. The tree conservation plan and special exception plan shows one outfall that will discharge stormwater as designed, into a riprap apron that enters a non-tidal wetland area. The discharged stormwater would sheet flow to the on-site adjacent stream system. Sheet flow is considered environmental site design techniques.

- 4. Encourage the use of conservation landscaping techniques that reduce water consumption and the need for fertilizer or chemical applications.**

The landscape plan shows that the development proposes extensive interior landscaping in addition to landscaping along the perimeter of the site.

Minimize the number of parking spaces and provide for alternative parking methods that reduce the area of impervious surfaces.

The amount of impervious surfaces has been minimized since the previous approval.

- 5. Reduce the area of impervious surfaces during redevelopment projects.**

The impervious surface has been reduced to the extent practicable to support the proposed development and avoid impacts to sensitive environmental features.

- 6. Address existing flooding concerns in conformance with the County Code on all new development.**

- 7. Consider the existing conditions of the watershed and strictly adhere to the requirements of the stormwater Management Ordinance as new development proposals are submitted. Whenever possible, existing areas of untreated stormwater shall be included in new treatment facilities. The Department of the Environment Resources should consider a pro rata share fee for properties within the watershed in order to address the flood-prone properties within the Historic District.**

The site has an approved Type 2 Tree Conservation Plan. Flooding concerns were addressed at the time of the stormwater management review and will be addressed in subsequent reviews by the

Department of Permitting, Inspection and Enforcement. This property is not located in a Historic District.

The site will have the on-site stormwater and some off-site stormwater directed to a proposed stormwater management pond to address possible flooding.

Policy 3: Reduce overall energy consumption and implement more environmentally sensitive building techniques.

Strategies:

- 1. Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be re-used and redesigned to incorporate energy and building material efficiencies.**
- 2. Encourage the use of alternative energy sources such as solar, wind, and hydrogen power. Provide public examples of uses of alternative energy sources.**

No information was provided regarding Policy 3, Strategies land 2. The use of green building techniques and energy conservation techniques should be considered with the current application.

Policy 4: Reduce light pollution and intrusion into rural and environmentally sensitive areas.

Strategies:

- 1. Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations and car lots so that light intrusion on adjacent properties and the night sky is minimized. Full cut-off optics light fixtures should be used for all proposed uses.**
- 2. Discourage the use of streetlights and entrance lighting in the Rural Tier.**

The site is located within the Developing Tier and abuts Interstate 95/Maryland 495 to the north and regulated environmental features within the on-site woodlands to the northwest. This site receives light intrusion from Interstate 95/Maryland 495 and other adjacent roadways. The proposed development is showing the main development away from Interstate 95 area of the site and more to the remaining areas of the site and outside the regulated environmental features. Some evergreen trees will be planted between the interstate and the pond, which is across from the environmentally sensitive areas. It is unknown what type of vegetation is in the woodland area that will be left after construction between the new stormwater pond and wetland and stream areas. The environmentally sensitive areas adjacent to proposed stormwater management pond will have some light intrusion from the interstate.

Recommended Condition: Full cut-off optic light fixtures shall be used throughout this site to reduce light intrusion to off-site properties and environmentally sensitive areas, and address best management practices for maintaining a dark sky.

Policy 5: Reduce adverse noise impacts to meet of State of Maryland noise standards.

Strategies:

- 1. Evaluate development proposals using Phase I noise studies and noise models.**
- 2. Provide for adequate setbacks for projects located adjacent to existing and proposed noise generators.**

3. Provide for the use of approved attenuation measures when noise issues are identified.

Because of the proposed residential uses on the site, noise impacts are a major concern with this application. The site is bounded by Interstate 95 (Freeway) and Temple Hills Road (Arterial), which produce noise impacts to residential uses. No noise study or noise contour was submitted with this application. Since there is a residential-type uses are proposed on the site, the structural shell should be evaluated to ensure that interior noise standards are met, and that acceptable exterior noise levels are achieved in outdoor activity areas.

The current application should to address possible noise impacts by determining the unmitigated 65dBA Ldn noise contour and providing mitigation if needed.

Environmental Review

Note: As plans are revised the revision box shall be updated to state what revisions were made, when, and by whom.

1. Effective September 1, 2010, a Natural Resource Inventory is a required submission for special exception applications. Because this property has a previously approved preliminary plan of subdivision, this project is grandfathered from this requirement.

Comment: An approved NRI is not required with the current application.

2. This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because it has a previous approved preliminary plan. A revised Type II Tree Conservation Plan, TCPII-142-04 has been submitted. This plan was previously reviewed and approved before the special exception application was submitted.

The approved TCPII plan shows differing clearing, retention, reforestation and landscape areas that what is shown on the special exception plan. These plans need to show the same areas so that the woodland conservation worksheet can be accurate.

Recommended Condition: Prior to certification of the special exception site plan, the TCPIIC shall be revised as follows:

- a. Revise the woodland conservation worksheet.
 - b. Revise reforestation planting areas to the required acreage.
 - c. Have the revised plan signed and dated by the qualified professional preparing the plan.
3. A copy of the approved Stormwater Management Concept plan and letter (7500-2003-04) dated September 17, 2013, were submitted with the subject application. The concept plan appears to show stormwater to be directed to a proposed storm drain system that is conveyed to a on-site stormwater management pond. Some stormwater will enter the pond for off-site water conveyance. According to the approval letter, water quantity and quality control are required. The TCPII is consistent with the concept plan.

Comment: No additional information with regard to stormwater management is required.

RECOMMENDED CONDITIONS AND FINDINGS

The Environmental Planning Section provides the following for your consideration.

Recommended Findings:

1. The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

Recommended Conditions:

1. Prior to certification of the special exception site plan, the TCP2 plan shall be revised as follows:
 - a. Revise the TCP2 to match the overall area of the special exception plan.
 - b. Revise the woodland conservation worksheet.
 - c. Revise reforestation planting areas to the required acreage.
 - d. Have the revised plan signed and dated by the qualified professional preparing the plan.
2. Full cut-off optic light fixtures shall be used throughout this site to reduce light intrusion to off-site properties and environmentally sensitive areas, and address best management practices for maintaining a dark sky.

If you have any questions concerning these comments, please contact me at 301-952-3650 or by e-mail at alwin.schneider@ppd.mncppc.org

ACS:acs



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

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April 21, 2014

MEMORANDUM

TO: Tom Lockard, Zoning Section, Development Review Division

FROM: Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: SE-4739, Henson Creek Retirement Community

The Transportation Planning Section has reviewed the special exception application referenced above. The subject property consists of 16.38 acres of land in the R-80 zone. The property is located on the west side of Temple Hill Road at the intersection of Temple Hills Road and Florist Way/Spring Terrace. The site is currently approved for a congregate living facility of 20 residents and a 60 person adult day care center. The underlying existing subdivision has approval for 34 residential lots. The applicant is requesting the special exception to change uses. This memorandum is an addendum to our memorandum dated March 31, 2014.

Review Comments

Clarification is needed regarding the initial recommendation to require a new preliminary plan of subdivision prior to the permitting of uses associated with this special exception in order to address transportation adequacy and other appropriate issues. The following points are noted:

1. The prior special exception SE-4678 was wholly contained within Lot 17 of Chambers Estates, which received Preliminary Plan of Subdivision for 4-88010. As such, there was no focus on the overall subdivision and its status.
2. The current special exception encompasses the remaining undeveloped lots of Chambers Estates, and for that reason the review extended to the entire subdivision. The underlying lots were compared to the uses being proposed, and it was determined that there would be a violation of the adequacy finding made at the time of preliminary plan review.
3. On multiple occasions it was indicated that, unless there was a specific limitation in the resolution of approval for a preliminary plan, no trip or development cap could be imposed on a site. During recent years, however, it has been indicated that information in the findings of a resolution along with backup staff memoranda is sufficient to establish development limits for a given property.
4. In 1988, it was rare for the transportation staff to recommend a cap of any sort, and it was not until 2013 that it became a standard practice to recommend a trip cap on a residential subdivision made up of fee-simple lots.
5. The statement in the March 31, 2014 memorandum regarding the adequacy of the Temple Hill Road and Florist Way/Spring Terrace cannot be substantiated. There is no indication in the files or by way of recent published counts that this intersection has been studied recently. It is

conceded that the plan as proposed poses no apparent safety issues, and the correct finding was made within the prior memorandum within the strict findings of health, safety, and welfare.

When the transportation staff concedes that a demonstration has been made that the proposed special exception is less traffic-intensive than the previous approval under Special Exception 4678, the staff is working under a different policy today than it was when the previous special exception was reviewed in 2010. The staff is now encouraged to review the entire record when establishing that a proposed use is consistent with the adequacy findings of a preliminary plan. In 2010, reviews were done with the assumption that a development or trip cap had to be stated in the resolution of the preliminary plan in order to have a legal standing. In order to be consistent with the current policy, a new preliminary plan to address issues of transportation adequacy is needed.

Conclusion

The Transportation Planning Section finds that the proposed uses on the site, in consideration that the net trip generation, would not pose unanticipated safety issues on adjacent roadways. However, the special exception as proposed would exceed the number of trips considered by the Planning Board in making a finding of adequacy for the underlying preliminary plan. It is therefore recommended that, if the special exception were to be approved, a new preliminary plan of subdivision should be required prior to the permitting of uses associated with the special exception in order to address transportation adequacy and other appropriate issues.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

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March 31, 2014

MEMORANDUM

TO: Tom Lockard, Zoning Section, Development Review Division
FROM: Eric Jenkins, Transportation Planning Section, Countywide Planning Division
VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division
SUBJECT: SE-4739, Henson Creek Retirement Community

The Transportation Planning Section has reviewed the special exception application referenced above. The subject property consists of 16.38 acres of land in the R-80 zone. The property is located on the west side of Temple Hill Road at the intersection of Temple Hills Road and Florist Way/Spring Terrace. The site is currently approved for a congregate living facility of 20 residents and a 60 person adult day care center. The underlying existing subdivision has approval for 34 residential lots. The applicant is requesting the special exception to change uses.

Review Comments

The site is currently platted for 34 single family residences, and it has special exception approval for a congregate living facility for 20 persons and an adult day care center for 60 persons. The applicant is now proposing 52 duplex rental units (senior adult housing), three congregate living facilities totaling 60 units, and retaining the existing congregate living facility of 20 units. Three existing single family residences will remain on the site.

The impact of the congregate living expansion is estimated using trip rates from the *Trip Generation Manual* (Institute of Transportation Engineers). The impact of adult day care is a little less directly estimated. The *Trip Generation Manual* includes rates for day care, but most day care patrons arrive and leave by means of personal autos, while most adult day care patrons arrive and leave by means of small buses or other multi-person vehicles. While the day care rates may not be representative, no other published rates appear to be representative either. It has been suggested that adult day care use a rate of one-quarter the rate for conventional day care without a reduction for pass-by traffic. Using trip rates as described above, the trip impact is as follows:

Comparison of Estimated Trip Generation, SE-4739								
Zoning or Use	Units or Square Feet	AM Pk. Hr. Trips			PM Pk. Hr. Trips			Daily Trips
		In	Out	Total	In	Out	Total	
Existing Use								
Single Family	34 dwellings	5	21	26	20	11	31	306
Adult Day Care	60 persons	6	6	12	6	6	12	66
Congregate Care	20 residents	1	0	1	2	1	3	40
Total		12	27	39	28	18	46	412
Proposed Use								
Single Family	3 dwellings	0	2	2	2	1	3	27
Congregate Care	80 residents	3	2	5	8	6	14	162
Adult Day Care	60 persons	6	6	12	6	6	12	66
Senior Housing	52 units	4	7	11	8	6	14	191
Total		13	17	30	24	19	43	446
Difference		+1	-10	-9	-4	+1	-3	+23

The trips generated by the proposed uses pose very little change from the approved existing uses. The change does not appear to be sufficient to trigger the need for additional studies of traffic impacts although a two page report was submitted by the applicant's traffic consultant. Outside of special exception cases where studies are required, traffic studies have rarely been deemed necessary, and then only for uses generating over 50 new trips. The critical intersection for this site is the intersection of Temple Hill Road and Florist Way/Spring Terrace. Studies within the past five years indicate that the intersection operates adequately in consideration of approved development. There are no apparent safety issues that would result from the expansion of the uses. It is important to remember that adequacy of transportation facilities is not an issue in the review of this use; review is strictly within the required findings of health, safety, and welfare.

Subdivision approval, with its findings of adequacy and other related findings, was granted for 34 residential lots pursuant to Preliminary Plan of Subdivision 4-88010. These 34 lots are recorded, and as noted above would generate 26 AM and 31 PM peak-hour trips. The proposed uses are estimated to generate 30 AM and 43 PM peak-hour trips. While there is no trip cap associated with Preliminary Plan of Subdivision 4-88010 nor is there a finding describing the number of trips considered during review, the special exception as proposed would exceed the number of trips considered by the Planning Board in making a finding of adequacy for the underlying preliminary plan. It is recommended that, if the special exception were to be approved, a new preliminary plan of subdivision should be required prior to the permitting of uses associated with the special exception in order to address transportation adequacy and other appropriate issues.

The site is adjacent to Temple Hills Road. This roadway is listed in the *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* as an arterial roadway with 120 feet of right-of-way.

Access is proposed by means of Florist Way. This is a platted and unbuilt street. This is shown with 26 feet of pavement on the site plan. It is deemed that access for the proposed uses on the site is acceptable in consideration of the scope of the facility and the traffic to be generated.

Conclusion

The Transportation Planning Section finds that the proposed uses on the site, in consideration that the net trip generation, would not pose unanticipated safety issues on adjacent roadways. However, the special exception as proposed would exceed the number of trips considered by the Planning Board in making a finding of adequacy for the underlying preliminary plan. It is therefore recommended that, if the special exception were to be approved, a new preliminary plan of subdivision should be required prior to the permitting of uses associated with the special exception in order to address transportation adequacy and other appropriate issues.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

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MEMORANDUM

February 7, 2014

TO: Tom Lockard, Planner Coordinator, Zoning Section
FROM: Dan Janousek, Transportation Planning Section, Countywide Planning Division
SUBJECT: SE- 4739 Henson Creek Retirement Community

Type of Master Plan Bikeway or Trail

Municipal R.O.W.*	_____	Public Use Trail Easement	_____
PG Co. R.O.W.*	<u> X </u>	Nature Trails	_____
SHA R.O.W.*	_____	M-NCPPC – Parks	_____
HOA	_____	Bicycle Parking	_____
Sidewalks	<u> X </u>	Trail Access	_____

*If a Master Plan Trail is within a city, county, or state right-of-way, an additional two to four feet of dedication may be required to accommodate construction of the trail.

The following is this Division's pedestrian and bicycle facility review concerning the subject application. Staff reviewed the proposal for conformance with the *Approved Countywide Master Plan of Transportation* (functional master plan) and the *Approved Subregion 5 Master Plan* (the area master plan). The subject site is located on Temple Hills Road across from Spring Terrace, which are each County maintained. The property has frontage on Fisher Dive and Fisher Road and it is adjacent to the Capital Beltway.

The functional master plan includes policies that are intended to promote accommodations for all modes of transportation as new roads are constructed or frontage improvements are made. Policies 1 and 2 of the Complete Streets Section of the MPOT are copied below:

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

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

The subject special exception site plan is consistent with the functional master plan. It shows a comprehensive network of sidewalks on both sides of the internal roads, Florist Place and Florist Way. There are sidewalks shown along the subject property frontage of Temple Hills Road.

The proposal is also consistent with the area master plan, which recommends that all roads in Subregion 5 contain sidewalks where there are "concentrations of people" (page 120).

ADA accessible sidewalk ramps are not shown at the intersection of Florist Place and Florist Way. It is recommended that accessible ramps be shown on all four quadrants of the intersection, subject to modification by DPW&T.

ADA accessible sidewalk ramps are shown on both sides of Florist Way west of Temple Hills Road. This road crossing location appears to be adequate, and it is subject to modification by DPW&T.

Sidewalks exist on the north side of Temple Hills Road. A crosswalk location may be possible on Temple Hills Road at the intersection of Florist Way and Spring Terrace, but this should be determined by DPW&T based on engineering and safety standards. An accessible sidewalk ramp to cross Temple Hills Road would need to be constructed, subject to modification by DPW&T.

The area master plan specifically recommends that Temple Hills Road contain bicycle lanes and sidewalks (page 119). The special exception site plan shows sidewalks on Temple Hills Road and is consistent with the area master plan.

Bicycle lanes would be provided by the County in the future as part of a capital improvement projects, and there appears to be sufficient space shown on the special exception site plan to construct bicycle lanes on Temple Hills Road without additional requests for road dedication.

Based on the preceding analysis, the Transportation Planning Section concludes that adequate bicycle and pedestrian transportation facilities would exist to serve the proposed subdivision as required under Section 24-123 of the Prince George's County Code (if applicable).

Recommendations:

1. Provide accessible sidewalk ramps on all four quadrants of the intersection of Florist Place and Florist Way, subject to modification by DPW&T. Striped crosswalks in conjunction with the accessible ramps would need to be located and approved by DPW&T.
2. Sidewalks exist on the north side of Temple Hills Road. A crosswalk location may be possible on Temple Hills Road at the intersection of Florist Way and Spring Terrace, but this should be determined by DPW&T based on engineering and safety standards. An accessible sidewalk ramp to cross Temple Hills Road would need to be constructed on subject property, subject to modification by DPW&T.

March 14, 2014

MEMORANDUM

TO: Tom Lockard, Zoning Section
VIA: Whitney Chellis, Subdivision Section
FROM: William Mayah, Subdivision Section
SUBJECT: Henson Creek Retirement Community, SE-4739

The subject property is composed of the following lots and parcels: Lots 1-4, 6-16, and 30-31, Plat One – Chambers Estates, recorded on April 19, 1990 in Plat Book NLP 152-52; Lots 17-20, 21-29, 33, and 35, Plat Two – Chambers Estates, recorded on April 19, 1990 in Plat Book NLP 152-53; Part of Parcel 52, recorded by deed in Liber 3484 at Folio 184 on July 11, 1967; and Part of Parcel 52, recorded by deed in Liber 1126 at Folio 170 on May 27, 1949; all in the Land Records of Prince George’s County, MD. The property is located on Tax Map 97 in Grids A-2 and B-2, and is 20.25 acres in total. The property is improved with a congregate living facility. The applicant has submitted a special exception to construct a planned retirement community composed of three additional congregate living facilities, 26 two-family dwellings, and an adult daycare.

The site is the subject of Preliminary Plan 4-88010 for 37 single-family dwellings. The Preliminary Plan of Subdivision 4-88010 (PPS) is for W.W. Chambers Property (Lots 1-37 & Parcel A), and was originally adopted by the Prince George’s County Planning Board on June 2, 1988 (PGCPB No. 88-247). The resolution of approval contains seven conditions and the following conditions in **bold** relate to the review of this application:

4. No direct access shall be allowed to lots abutting Temple Hill Road.

The site plan should reflect denial of access to Temple Hill Road from abutting lots.

The subject property was recorded in Plat Book NLP 152-52 as Lots 1-4, 6-16, and 30-31, Plat One – Chambers Estates, recorded on April 19, 1990 and in Plat Book NLP 152-53 as Lots 18-20, 21-29, 33, and 35, Plat Two – Chambers Estates, recorded on April 19, 1990. The special exception site plan should reflect the boundary, bearings, and distances shown on the record plat. The record plats both contain five similar notes and the following notes in **bold** relate to the review of this application:

1. Approval of this plat is based upon a reasonable expectation that public water and sewer service will be available when needed and is conditioned on fulfilling all of the Washington Suburban Sanitary Commission Authorization No. 89-7965L commitments.

The subject property is located within Water and Sewer Categories 3, Community System.

Staff has been advised that the applicant may desire to consolidate the subject property into one or more parcels. Section 24-108(a)(3) provides for such a consolidation "provided that in no case shall additional lots be created and that all properties are the subject of a record plat." There are a number of concerns, however, which have arisen from the review of the Special Exception Site Plan. The plan shows on-street parking for Proposed Congregate Living Facility – C within the Florist Way public right-of-way. Also, the bearings and distance for the project boundary shown on Sheet 4 include Florist Way and Florist Place, which are both dedicated public rights-of-way and are not subject to the SE requirements. Per Section 27-116 of the Zoning Ordinance, no building, structure, or use shall be permitted in any existing public street right-of-way, unless expressly permitted in Subtitle 27. This special exception requires a use conversion from single-family residential to planned retirement community. Staff recommends that the proposed development should be reviewed by the Transportation Planning Section for adequate transportation facilitates. The findings of this review may necessitate a new PPS, if the amount of development proposed with this SE exceeds that which was approved by the PB with the approval of PPS 4-88010.

The two parts of Parcel 52 are legal acreage-parcels which were created by deed before January 1, 1982, pursuant to 24-107(c)(7) of the Subdivision Regulations. Unless a new preliminary plan is required for the proposed development, a note should be placed on the final plat for these parcels, stating that development on the property shall be limited to 5,000 square feet of GFA. Both parcels abut Interstate Route I-495. The site plan and final plat should reflect denial of access to I-495 from the abutting parcels. Additionally, the subdivision of these parcels may present the opportunity for right-of-way dedication to Florist Way and Joel Lane for cul-de-sacs. The necessity of right-of-way dedication for these streets should be reviewed and determined by the Transportation Planning Section.

Site Plan Comments:

The Subdivision Section recommends the following conditions:

1. Prior to approval of the special exception the following technical corrections should be required:
 - a) Provide bearings, distances, and lot/parcel sizes on the Site Exhibit (Sheet 3 – Special Exception Site Plan) for all existing lots and parcels, as shown on Plat NLP 152-52, Plat NLP 152-53, and as provided in the two deeds recorded in Liber 3484 at Folio 184 and Liber 1126 at Folio 170.
 - b) Include and label the two acreage parcels in the Site Exhibit on Sheet 3.
 - c) Label denial of access to Temple Hill Road, except at the intersection with Florist Way, and to Interstate Route I-495.
 - d) Correct bearing and distance on southwestern property boundary of Lot 17 on Sheet 5.
 - e) Correct western match line sheet reference on Sheet 5.

Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time, however additional comments may be generated when the issues identified herein are addressed.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Historic Preservation Section

(301) 952-3680
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January 13, 2014

MEMORANDUM

TO: Tom Lockard, Planning Coordinator
Zoning Section
Development Review Division

VIA: Howard Berger, Supervisor
Historic Preservation Section
Countywide Planning Division

FROM: Robert Krause, Planner Coordinator
Jennifer Stabler, Archeology Planner Coordinator
Historic Preservation Section
Countywide Planning Division

SUBJECT: **SE-4739 Henson Creek Retirement Community**

Phase I archeological survey is not recommended on the above-referenced 16.38-acre property located on the west side of Temple Hills Road approximately 200 feet south of the Capital Beltway in Temple Hills, Maryland. A search of current and historic photographs, topographic and historic maps, and the locations of currently known archeological or historic sites indicates the probability of archeological within the subject property is low. This proposal will not impact any identified historic sites, historic resources, documented properties, or known archeological sites.

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February 6, 2014

MEMORANDUM

TO: Tom Lockard, Planner Coordinator, Zoning Section
VIA: Ruth Grover, Planner Coordinator, Urban Design Section
FROM: Cynthia Fenton, Planner Coordinator, Urban Design Section
SUBJECT: SE-4739 Henson Creek Retirement Community

The Urban Design Section has reviewed the information provided in support of Special Exception application, SE-4739, for a Planned Retirement Community in the One-Family Detached Residential (R-80) Zone in Temple Hills. The Planned Retirement Community is proposed to include three new congregate living facilities for 20 residents each, 26 one-story rental duplex units, and an adult day care for 60 individuals. A previously approved congregate living facility exists on the site. The property measures 16.38 acres and is located in the southwestern quadrant of the Temple Hills Road overpass and the Capital Beltway (I-495). The special exception area is generally bounded to the east, west and south by single-family detached residences in the R-80 Zone and to the north by the Capital Beltway (I-495). A portion of the site to the south is also bounded by Fisher Road.

APPLICABLE REGULATIONS

The project is subject to the following sections of the Prince George's County Zoning Ordinance: Section 27-430, Purposes of the R-80 Zone; Section 27-441(b), Uses Permitted in Residential Zone; Section 27-442, Regulations in Residential Zones; Section 27-317, Required Findings for a Special Exception; Section 27-395, Additional Requirements for a Planned Retirement Community; and, Section 27-328.02(a), Buffering, Landscaping and Screening. The project is also subject to the requirements of the Prince George's County Tree Canopy Ordinance.

ZONING ORDINANCE

Section 27-395, for a Planned Retirement Community, indicates that, "Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, dwelling unit types, and other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided in this Section." The applicant appears to have adopted the requirements of the R-80 Zone for the subject project. The Zoning Section may want to make the applicant aware of the added allowed for site design, though the R-80 standards utilized appear to work well for the proposed development.

Section 27-328.02(a), Buffering, Landscaping and Screening requires that all landscaping required for a Special Exception comply with the *Prince George's County Landscape Manual* (Landscape Manual). The special exception is subject to the following sections of the Landscape Manual:

Section 4.1 – Residential Requirements

Comment: The schedule provided for Section 4.1 on Sheet 6 of the plan set correctly indicates that the planting requirement for the 52 proposed duplexes is 78 shade trees and 52 ornamental or evergreen trees. This requirement is met by the provision of 78 shade trees and 10 ornamental and 42 evergreen trees.

Section 4.3 – Parking Lot Requirements

Comment: Section 4.3 applies to the parking lot adjacent to the bocce ball court as it appears to measure more than 7,000 square feet. It is suggested the applicant provide a planting schedule demonstrating compliance with this section.

Section 4.4 - Screening Requirements

Comment: The application is subject to this section as it requires a building or grading permit. Section 4.4 requires all loading areas, dumpsters, trash pads, and trash collection or storage areas and all mechanical equipment and meters be screened and provides screening options. The Urban Design Section suggests that the Zoning Section request the applicant to revise the plans to show the location of the above elements and provide screening as required.

Section 4.6 – Buffering Residential Development from Streets

Comment: The applicant is not subject to this section; however, as a number of duplex units at the terminus of Florist Way are proximate to the Capital Beltway (I-495), the Urban Design Section suggests that the Zoning Section consider recommending a planted buffer to mitigate noise impacts on residential development and create more usable backyards.

Section 4.7 – Buffering Incompatible Uses

Comment: The site was the subject of a previous Alternative Compliance approval AC-10017. As Lot 17 is now incorporated into the larger planned retirement community, the approval is null and void. It is suggested the landscape plan buffer yards on the current plan be labeled according to the provided schedule to determine compliance with this section.

Section 4.9 – Sustainable Landscaping Requirements

Comment: The Urban Design Section suggests that the applicant be required to replace all invasive plant species on the plan with non-invasive species, revise the schedule and plant list accordingly, and add a note to the plan stating that all invasive species will be removed in accordance with the requirements of Section 1.5.

Section 4.10 –Street Trees Along Private Streets

Comment: The Urban Design Section suggests the Zoning Section request the applicant to verify whether the internal streets are public or private. If the streets are private, the plan is subject to the planting requirements of this section and the applicant should provide a schedule demonstrating conformance with the requirements of Section 4.10.

TREE CANOPY COVERAGE

The SE is subject to the requirements of the Tree Canopy Coverage (TCC) Ordinance because it will require a grading permit for more than 5,000 square feet of land disturbance. The total SE area shown on the TCP2 is 21.60 acres. The landscape plan shows the SE area as 16.38 acres plus 5.67 acres for stormwater management for a total of 22.05 acres. The SWM facility is shown within the boundaries of the SE, therefore its acreage should be included in the total acreage of the SE. After the final acreage is verified, the tree canopy coverage requirement should be recalculated and a determination made as to whether the project conforms to the 15 percent coverage required in the R-80 Zone.

URBAN DESIGN RECOMMENDATIONS

The Urban Design Section suggests that the Zoning Section request the following corrections/revisions to the plans and additional materials:

1, Technical Corrections

The following technical corrections should be made to the submitted materials:

- a. The Statement of Justification references SE-4638 instead of SE-4678, which is the correct reference for the SE that approved the Henson Creek House congregate living facility and adult daycare use.
- b. The discrepancy between the SE note that indicates the existing congregate facility is three stories and the site plan that shows the existing facility as two stories should be resolved.
- c. The square footage of the required community/meeting area should be distinguished from that of the adult day care area.
- d. The Section 4.7, Buffering Incompatible Uses schedule on the landscape plan should be revised to indicate the use is “Congregate Living for over 8 persons” not a “Nursing or Care Home.”
- e. The note referred to in the Section 4.9, Sustainable Landscaping Requirements schedule requiring the removal of invasive species should be placed on the plans in accordance with Section 1.5 of the Landscape Manual.
- f. The acreage discrepancy between the TCP2 and the Landscape should be resolved, and the SWM facility acreage included in the total SE acreage, to ensure the TCC calculations are accurate.

2. Site Design

The following site design considerations should be explored:

- a. The proposed loading space does not appear to be in a functional location. Its location should be reconsidered.
- b. The applicant should clarify why sidewalks run from the rear to the front or side of some but not all of the duplexes.

3. Architecture

Architectural elevations of the proposed buildings should be requested and transmitted to the Urban Design Section for comment.

4. Landscaping

- a. The applicant should consider planting a buffer modeled on the buffer required by Section 4.6 of the Landscape Manual between the duplex units located at the terminus of Florist Way and the Capital Beltway (I-495).
- b. The applicant should clarify whether or not the streets are private. If they are, the applicant should provide a Section 4.10 schedule and demonstrate conformance to the Landscape Manual requirements.