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# Special Exception

# SE-4553

Application	General Data
<b>Project Name:</b> Hope Senior Living Community  <b>Location:</b> East side of Woodyard Road approximately 499 feet south of Marlboro Pike, known as 5800 Woodyard Road.  <b>Applicant/Address:</b> Antioch Baptist Church of Upper Marlboro 13205 Old Marlboro Pike Upper Marlboro, Maryland 20772	Date Accepted: 07/25/06
	Planning Board Action Limit: N/A
	Plan Acreage: 12.0
	Zone: R-A
	Dwelling Units: 96
	Square Footage: 36,784 S.F.
	Planning Area: 82A
	Tier: Developing
	Council District: 09
	Municipality: N/A
200-Scale Base Map: 208SE09	

Purpose of Application	Notice Dates
96-unit planned retirement community in the R-A Zone.	Adjoining Property Owners Previous Parties of Record Registered Associations: 06/23/06 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: N/A

Staff Recommendation		Staff Reviewer: Kendra C. Wright	
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, Acting Zoning Supervisor

FROM: Kendra C. Wright, Senior Planner

SUBJECT: **Special Exception Application No. 4553**

REQUEST: Special Exception for 96-Unit Planned Retirement Community in the R-A Zone

RECOMMENDATION: APPROVAL, with conditions

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NOTE:

This application is on the agenda for the Planning Board to decide whether or not to schedule a public hearing. 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 sent to the Office of the Zoning Hearing Examiner at the address indicated above. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

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**FINDINGS:**

A. **Location and Field Inspection:** The subject property is located on the east side of Woodyard Road (MD 223), approximately 499 feet south of its intersection with Marlboro Pike, in an unincorporated area of Prince George’s County. The subject property consists of 12.035 acres in the center of a 37-acre parcel owned by the applicant. The entire parcel is located in the southeast quadrant of the intersection of Woodyard Road and Marlboro Pike. There are streams, wetlands, 100-year floodplains, severe slopes, and areas of steep slopes on highly erodible soils on the property. The applicant has future plans for a church and private school on the remaining acreage.

B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-A	R-A
Use(s)	Undeveloped, woodlands	Planned Retirement Community
Acreage	37	12.035±
Parcels	6	6
Square Footage/GFA	N/A	36,784
Dwelling Units	N/A	96

C. **History:** The application was retained in the R-A Zone in the *Approved Master Plan and Sectional Map Amendment for Subregion VI Study Area (Planning Areas 79, 82A, 82B, 86A, 86B, 87A, 87B)*. There has been no zoning activity on the site since the last comprehensive rezoning. In a memo dated November 20, 2006, the Subdivision section staff provided that the property is located on Tax Map 100 in Grid B-3 and is part of a 79.08-acre deed parcel (Parcel 6) that has never been the subject of a preliminary plat.

D. **Master Plan Recommendation:** This application is located in the 2002 General Plan Development Pattern policies for the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. This application does not conform to the strict interpretation of the rural residential land use recommended in the 1993 *Approved Master Plan and Sectional Map Amendment for Subregion VI Study Area (Planning Areas 79, 82A, 82B, 86A, 86B, 87A, 87B)* (1994) for the Rosaryville area of planning area 82A. However, the use is permitted by special exception in the R-A Zone.

E. **Request:** The applicant requests approval of a special exception to establish a 96-unit planned retirement community on 12± acres of a 31-acre site in the R-A Zone.

F. **Neighborhood and Surrounding Uses:** The neighborhood is defined by the following boundaries: North—MD 4 (Pennsylvania Avenue); East—South Osborne Road and US 301 (Crain Highway); South—Rosaryville Road; West—MD 223 (Woodyard Road) and Rosaryville Road. The neighborhood is generally rural in character, though it includes a number of subdivisions with suburban densities. The subject property is surrounded by the following uses:

North—Across Marlboro Pike, undeveloped land in the C-O Zone and residential uses in the R-S Zone.

East—Undeveloped land, MNCPPC Parkland, and low-density residential development in R-A Zone

South—Undeveloped land, Mellwood Pond and Community Park, and low-density residential development in R-A Zone

West and Southwest—Across Woodyard Road, single-family homes in the Windsor Park and Belmont Crest subdivisions.

G. **Specific Special Exception Requirements:** Pursuant to the use tables in Section 27-441(b) a Planned Retirement Community is permitted in the R-A Zone by special exception. The application addresses the following specific special exception requirements:

**Sec. 27-395 Planned Retirement Community.**

(a) **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;**

With the recommended conditions of approval, the proposed use will serve the needs of the retirement-aged community. The applicant submitted a preliminary study by the Real Property Research Group (RPRG) that documents the demand for a senior housing community at the subject site. RPRG provided that in the selected study area, the population and households grew consistently over the period 1990 to 2000. The Metropolitan Washington Council of Governments (MWCOC) projects that the market will continue to grow over the next five years (2005–2010). Growth in the overall number of older households has been rapid and is projected to continue to accelerate. The growth has been led by the 85 and older age cohort and by the 55- to 64-year-old range age cohort. Based on income distributions developed by Claritas, Inc, the median household income of homeowners in the study area is 83 percent higher than that of renters in the study area. Of the other elderly communities within the market area, about one percent of the units are vacant. The majority of the units provide one-bedroom leaving a demand for two-bedroom units. According to M-NCPPC research staff, there is significant market demand for senior housing on the subject site. There is one other planned community in the applicant’s study area. It will provide about 150 units. Given the projected need (over 1,000 units) within the next few years, additional need will remain after completion of the known new and proposed developments.

The location of the subject property near Pennsylvania Avenue (MD 4) and US 301 provides immediate access to the Capital Beltway, shopping, recreation, and health facilities. The Rosaryville State Park is located nearby. Southern Maryland Hospital Center (SMHC) is six miles southwest of the subject site. The Camp Springs Senior Center is located within five miles of the site. The center offers recreational programs,

classes, and services for independent and active seniors. Retail Services are available at the Osbourne Shopping Center and shopping centers in nearby Clinton, Maryland.

The applicant is proposing a facility that will also provide conveniences and amenities to the residents in the building. The site plan notes that these amenities will include a country store, hair salon, business center, media center, game room, fitness center, wellness center, and a laundry facility. It is recommended that the applicant add some additional indoor facilities in the form of a spa/whirlpool and dining facilities, as well as some additional outdoor recreational opportunities in the form of sidewalks around the entire building, picnic areas, outdoor furniture, and small-scale recreational equipment such as horseshoe pits and tetherball or shuffleboard. Additional outdoor seating should be provided on the site as well.

It has been noted that senior citizens have special needs as pedestrians. In *Designing Sidewalks and Trails for Access (Part I)*, the Federal Highway Administration writes, "Older adults are more likely to suffer serious consequences or fatalities from falling or traffic crashes than other pedestrians." (*Designing Sidewalks and Trails for Access Part I*, Page 14.) For this reason, the project should include sidewalks on both sides of all access roads and on all sides of all buildings, at the periphery of all parking areas and throughout the development for ease of access of the proposed elderly residents. Sidewalks should also be included along Woodyard Road.

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

The subject property is proximate to several residential developments of varying densities. Those portions of the neighborhood most directly affected by the proposed use include single-family detached homes and a townhouse development to the south and west. There are also several large lots in the R-A Zone to the east, of which several are undeveloped.

The proposed three-story apartment building is of a size and scale that sets it apart from the nearby single-family detached homes. But it is not out of character with the townhouses developing west of the site. The building will be set back about 86 feet from Woodyard Road. The proposed development on the site will result in a significant amount of open space and woodland conservation areas. While the areas to the north and south of the subject property are planned for development, the size of the site will allow for the preservation and protection of the on-site environmental features, the aesthetic benefit to the proposed community, and the rural character of the neighborhood.

The architectural elevations and the rendering of the façade of the proposed building demonstrate architectural elements and building materials consistent with traditional residential building styles, further increasing the compatibility of the proposed use with the surrounding

area. In a memo dated January 17, 2007, Urban Design staff note that the architecture should include brick on the entire first story of the building. In addition, the north and south elevations (sides) should have brick extending up to the roofline at each end of the frontage; rather than just one end like that currently provided. Further, the final design of the entrance feature should include materials and design compatible with the architecture of the buildings and should be approved either by the Planning Board or by the Urban Design Section as its designee.

The opportunities for in-house services and on-site recreational activities will tend to reduce the number of automobile trips generated by the residents. Retirement communities are generally quiet neighbors, and this proposed facility should blend in harmoniously with the surrounding area.

**(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.**

There is a need for the facility within the defined market area of the subject property. According to M-NCPPC research staff in a memo dated September 12, 2006, there is significant market demand for senior housing on the subject site. There are six existing properties that are either four or nine percent low-income housing tax credit facilities and that are located within or in close proximity to the subject property's market area. Vacancy rates for one-bedroom units averaged one percent, and all two-bedroom units have a waiting list. The only market-rate senior facility within the market area is Marwood, which currently has a waiting list of six months for one-bedroom units and a waiting list that exceeds a year for two-bedroom units.

There is an existing medical facility within the defined market area of the subject property. The Family Medical Center is 4.8 miles from the subject property. An office of the Children's National Medical Center is also located near the subject property.

**(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 subject property fronts onto A-53, Woodyard Road (MD 223). A-53 is planned as a four- to six-lane arterial roadway. The subject property is bisected by C-605, William Beanes Road Extended, which is planned as a two- to four-lane collector from A-62, new arterial to C-625, Croom Road.

In a letter dated August 7, 2006, the Maryland State Highway Administration (SHA) submitted comments and a list of items needed for additional review. According to the State Highway Administration Location Reference, MD 223 (Woodyard Road) as a principle arterial undivided highway with a traffic volume of 24,475 annual average daily trips (AADT). Marlboro Pike is a minor arterial highway that is owned and maintained by the county. SHA also found that the proposed northernmost access along MD 223

onto the senior housing project needs to be a right-in/right-out entrance design. Directional in-bound and out-bound driveways are required at this location because the existing MD 223 transitions from four lanes to two lanes and may present some operational problems for left-turning movements. The applicant must also provide appropriate acceleration and deceleration lanes with bike capable sections. Improvements are needed for the site access locations shown on the plan. These improvements include curb and gutters, traffic barrier W-beam, acceleration lane, deceleration, storm drain improvements, and off-site intersection improvements at MD 223 and Marlboro Pike. Any dedication for right-of-ways along MD 223 must be coordinated with SHA. These comments are reflected in the recommended conditions of approval.

The Prince George's County Fire Department submitted that the site development creates minimal impact to the services of the Fire Department in the area of fire protection. The plan is adequate to satisfy the requirements of Subtitle 4 of the county building code specific to emergency vehicle access.

Transportation Section staff provided the following comments in a memo dated November 29, 2004:

On the basis of staff's analyses of the relevant traffic data, and considering the potential impact on the property of planned master plan facilities, staff finds that the proposed development would not negatively impact the health safety and welfare of the community if the plan is conditionally approved. The results of staff's analyses show that the signalized intersection of MD 223 and Marlboro Pike currently operates adequately, but will operate inadequately under background and total condition. In light of this, the applicant has proffered the following improvements:

- Provide a left turn lane, a through lane and a right turn lane on the eastbound approach.
- Provide a shared left-through turn lane, and a free right turn lane on the westbound approach.

The improvements above would result in a LOS/CLV of B/1041 and C/1278 during the AM and PM peak hours respectively. The State Highway Administration (SHA) concurs with these proffered improvements in its review of the applicant's traffic study.

As reflected in the analyses, the intersection of MD 223 and Welshire Drive operates with failing level-of-service under existing conditions. The situation at that intersection is worsened considerably with the inclusion of background traffic and site-generated traffic. While the subject development will not be primarily responsible for the degradation of service at that facility, its traffic will exacerbate the already failing situation but only incrementally.

**(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 proposes the following:

- Rental units—96
- Building height—46 feet (3 stories)
- Lot coverage—15.74 percent
- Lot depth – 918 feet
- Density—7.9 dwellings per acre
- Frontage—740 feet along Woodyard Road
- Front setback—86 feet from Woodyard Road
- Sideyard setback—263.92 feet
- Rearyard setback—648.49 feet

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

The subject property contains 12.035 contiguous acres.

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

The proposed density is 7.9 dwellings per acre with a total of 96 dwelling units.

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

The proposed building is three stories in height.

**(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 is not applicable to the subject site, which is in the R-A 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).**

This is not applicable to the subject site, which is in the R-A 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;**

The applicant is proposing a facility that will provide conveniences and amenities to the residents in the building. The floor plan notes that these amenities will include a country store, hair salon, business center, media center, game room, fitness center, wellness center, and a laundry facility. Proposed outdoor facilities include a small patio shown at the rear of the building, a community garden, and a community path. The plan shows only basic sidewalk connections from the parking lot to the front of the building. It is recommended that the applicant add some additional indoor facilities in the form of a spa/whirlpool and dining facilities, as well as some additional outdoor recreational opportunities in the form of sidewalks around the entire building, picnic areas, outdoor furniture, and small-scale recreational equipment such as horseshoe pits and tetherball or shuffleboard.

The proposed indoor facilities are appropriate for the retirement age population. An extensive package of indoor recreation and social amenities will satisfy this requirement with few additions. As proposed, however, the site will lack options for real outdoor amenities. Given that walking is a beneficial outdoor exercise, the pedestrian system should be expanded to surround the building. The patio area should include a fountain or similar focal point and a variety of outdoor furniture. In addition, some small-scale recreational equipment should be provided. Examples of this equipment include tetherball, horseshoe pits and shuffleboard. (See Urban Design memorandum from January 3, 2007.)

Finally, the site plan should note that the recreational package will be provided concurrent with the construction of residential units, or a schedule for their construction must be provided and approved prior to the final approval of this special exception.

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

No retail or medical facilities are proposed. The floor plan indicates a location for a proposed county store and proposed wellness center. The wellness center may be suitable to facilitate simple medical care, but this has not been clarified. The site plan should reflect the fact that the site amenities are for the use of residents and their guests only.

(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.**

The applicants have submitted a restrictive age covenant for the proposed retirement community stating that it will be restricted to residents age 55 or above. This is tentatively set forth in covenants submitted with the application and will be approved by the District Council.

**(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.**

The applicant has not provided proposed covenants to guarantee the perpetual maintenance of recreational facilities constructed in accordance with the special exception for the planned retirement community. This is required prior to certificate of approval of the special exception site plan.

- H. **Parking Regulations:** Pursuant to Section 27-568(a)(1)(A), the parking requirements for a multifamily dwelling serving as housing for the elderly call for 0.66 space for every dwelling unit. Therefore, the total amount of parking spaces required is 63 spaces. The site plan indicates that 86 spaces will be provided on the property, exceeding the required total. Pursuant to Section 27-582, the development does not require any loading spaces. Pursuant to Section 27-566, lots requiring between 51 and 75 parking spaces must provide three parking facilities for the physically handicapped. The applicant proposes to provide three spaces for the physically handicapped. Two of the spaces will be van accessible. The parking compound is 51,845 square feet. The green area provided is 6,150 square feet (11.8 percent of paved area).
- I. **Landscape Manual Requirements:** The subject application is subject to the requirements of Section 4.2 Residential Requirements and Section 4.3 Parking Lot Requirements of the *Prince George's County Landscape Manual*. In a memo dated January 10, 2006, the Urban Design section staff provided that the proposed landscaping should include a greater percentage of evergreen trees in order to retain attractiveness year round, and where sidewalks are located along the sides of buildings a green landscaped strip should separate the building from the sidewalk. The plantings should also extend to the end of the north side of the building, rather than ceasing at the end of the parking area.
- J. **Zone Standards:** The proposed use is in the R-A Zone. The use is allowed by special exception in this zone. No variances are required.

- K. **Sign Regulations:** The site plan indicates that the applicant intends to locate an entrance sign in the ultimate right-of-way. This sign must be relocated, or the applicant must obtain District Council approval. A separate sign permit must be issued in order for any sign to be erected.
- L. **Other Issues:** The staff of the Park Planning and Development Division in the DPR found that the application would have no impact to future or existing parkland.

The Historic Preservation section found that the application has no effect on historic resources. In a memo dated November 20, 2006, the Historic Preservation and Public Facilities Planning Section staff found that the proposed development would be within adequate coverage of the nearest fire and rescue facility and within the service area for Police District V—Clinton. This district’s services are within response time standards.

The staff also found that there is a moderate probability of historical archaeological resources being present on the subject property due to its proximity to two historic sites. In accordance with Subtitle 24-104, 121(a)(18) and Section 24-135.01, the subject property should be the subject of a Phase I archaeological investigation to identify any archeological sites that may be significant to the understanding of the history of human settlement in Prince George’s County. This is reflected in the recommended conditions of approval.

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.**

With the recommended conditions of approval, the proposed use and site plan will be in harmony with the purposes of the Zoning Ordinance. The purposes of the Zoning Ordinance seek generally to protect and promote the health, safety, morals, comfort, convenience, and welfare of inhabitants of the county.

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

With the recommended conditions of approval, the proposed use will be in conformance with all the applicable requirements and regulations of this subtitle.

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

Although the proposed use does not conform to the rural residential land use recommendations, a planned retirement community is allowed in the zone by special exception. It should be noted that this portion of the property will remain in a residential use. In the memo dated December 28, 2006, Environmental Planning staff specifically addressed how the application addresses the environmental recommendations of the 1993 Subregion VI study area master plan for the Rosaryville area of planning area 82A. With the recommended conditions, the application will not impair the master plan.

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

Upon meeting the recommended conditions of approval, the proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.

The proposed development on the site will result in a significant amount of open space and woodland conservation areas. While the areas to the north and south of the subject property are planned for development, the size of the site will allow for the preservation and protection of the on-site environmental features, the aesthetic benefit to the proposed community, and the rural character of the neighborhood. Additionally, the opportunities for in-house services and on-site recreational activities will tend to reduce the number of automobile trips generated by the residents. Retirement communities are generally rather quiet neighbors, and this proposed facility should blend in harmoniously with the surrounding area.

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

Upon meeting the recommended conditions of approval, the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood. The proposed development is in the center of a larger property. Therefore, substantial setbacks exist between the development and the adjacent properties.

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

The site is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because it is greater than 40,000 square feet gross tract area; there are more than 10,000 square feet of existing woodland; and more than 5,000 square feet of woodland clearing is proposed.

According to the Countywide Green Infrastructure Plan, the property contains regulated areas, as well as evaluation areas, and network gaps within the green infrastructure network. Regulated areas are those areas containing sensitive environmental features such as streams and wetlands, and are generally protected under Section 24-130 of the Subdivision Regulations. Evaluation areas may also contain environmentally sensitive features including rare and sensitive habitat such as interior forests. Network gaps comprise areas that are critical to the connection of the regulated and evaluation areas and are targeted for restoration to support the overall functioning and connectivity of the green infrastructure network. Because of the extensive regulated area, evaluation areas, and network gaps on this site, the woodland conservation threshold must be met on-site. There are also some non-wooded areas within the regulated areas that should be considered for afforestation in order to provide the necessary connectivity as intended by the plan.

An approved stormwater management concept plan and letter were submitted. A Type I tree conservation plan has also been submitted. In a memo dated December 28, 2006, Environmental Planning staff note, the woodland conservation threshold and the total forestation requirement have been correctly calculated. It is anticipated that when future phases of development are proposed, the methods for addressing the requirements will

change. Every effort should be made to preserve on-site woodlands and to reforest high priority areas of the site. Currently, several graphic revisions to the TCPI are required.

Staff also specified other environmental issues the applicant needs to address. In a memo dated August 29, 2006, Environmental Planning staff noted that the site plan did not address traffic-related noise that may impact the site, and the unmitigated 65dBA Ldn noise contour was not shown on the plan. Staff's model predicted the contour at 228 feet from the centerline of Woodyard Road (a master planned arterial road). It was determined that the site plan and TCPI should be revised to show the noise correct contour, or a Phase I noise study showing the noise contour line should be submitted. The applicant submitted a site plan that had been revised to show a noise contour line at 228 feet from the centerline of Woodyard Road per Environmental Planning staff's prediction. However, the applicant did not ensure the contour line was correct at that distance. A recent prediction based on the Environmental Planning Section noise model predicts that the unmitigated ground-level 65 dBA Ldn noise contour will be 168 feet from the centerline of Woodyard Road. Should this contour encroach on residential units in the building, appropriate mitigation measures will be necessary in the materials used and construction of the building. The applicant will need to ensure accuracy of the noise contour line and note the source when revising the site plan and TCPI.

The TCPI also shows a master planned roadway that crosses the on-site stream valley. The conceptual grading for the road is not shown on the plan and the proposed adjacent preservation area is unrealistic with respect to the area that will be needed to construct the road. Depending on who builds the road, this issue will need to be addressed in the future. In any case, the woodlands within the right-of-way should be shown as cleared. All changes are reflected in the list of recommended conditions of approval.

## **CONCLUSION:**

Based on the preceding analysis, it is recommended that SE 4553 be APPROVED, subject to the following conditions:

1. Pursuant to Section 24-107(c)(7) of the Subdivision Regulations, a preliminary plan of subdivision is required.
2. Prior to signature approval of the preliminary plan, the applicant shall submit evidence of M-NCPPC concurrence with a final Phase I report and recommendations. (The Phase I report shall be a Phase I archeological investigation conducted by a qualified archaeologist according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994), and the Prince George's County Planning Board "Guidelines for Archeological Review" (May 2005), and presented in a draft report following the same guidelines. Following approval of the draft report, four copies of the final report shall be submitted to M-NCPPC Historic Preservation staff.)

If it is determined that potentially significant archeological resources exist in the project area, prior to submission of any further plans for development, such as any grading permits, the applicant shall provide a plan for:

- a. Evaluating the resource at the Phase II level, or
- b. Avoiding and preserving the resource in place.

3. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

At MD 223 and Marlboro Pike

- a. Provide a left turn lane, a through lane and a right turn lane on the eastbound approach.
  - b. Provide a shared left-through turn lane, and a free right turn lane on the westbound approach
4. Prior to certificate approval of the Special Exception, the applicant shall revise the site plan as follows:
    - a. To accurately display the number of standard spaces required in parking tabulation.
    - b. To provide sidewalks on both sides of all access roads and on all sides of all buildings, at the periphery of all parking areas throughout the development and along Woodyard Road.
    - c. Note that the recreational package will be provided concurrent with the construction of residential units or provide a schedule for the construction of recreational facilities.
    - d. Note that that the site amenities are for the use of residents and their guests only.
    - e. Relocate the community garden to the courtyard. The garden shall be a raised bed.
  5. Prior to certificate approval of the special exception, the applicant shall submit a recreational facilities and activities covenant.
  6. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
  7. Prior to certificate approval of the special exception, the Type I tree conservation plan shall be revised as follows:
    - a. Show a refined limit of disturbance (LOD) for the entire site and eliminate disturbance to the PMA that is not needed for the stormwater management outfalls.
    - b. Show the proposed development and associated structures.
    - c. Show the critical root zone for all specimen trees on the site.
    - d. Eliminate all steep and severe slopes from the plan and legend.
    - e. Show all proposed and existing public utility lines and associated easements with a readable label.

- f. Label the proposed road a master planned right-of-way.
  - g. Revise Note 1 as follows: This plan is conceptual in nature and submitted to fulfill the woodland conservation requirements for the special exception application for Hope Senior Living (SE-4556). The TCPI will be modified by a Type II tree conservation plan prior to the approval of a grading permit application.
  - h. Add the following note: “6. Plans for stormwater management are contained in Conceptual Stormdrain Plan 17130-2006. It is understood that conceptual design plans for stormwater management will be approved prior to the approval of SE-4553.
  - i. Add the following note: “If the master planned roadway shown on this TCPI is proposed to be dedicated in the future, or constructed by the applicant, it shall be counted as cleared.”
  - j. Show reforestation in all non-wooded portions of the Patuxent River Primary Management Area Preservation Area (PMA) and wetland buffers.
  - k. Revise the worksheet as necessary.
  - l. Have the plans signed and dated by the qualified professional who prepared them.
8. Prior to certificate approval of the special exception, all plans shall be revised to show the unmitigated 65 dBA Ldn noise contour at the correct distance from the centerline of Woodyard Road with a supporting source or Phase I noise study.
9. On all future tree conservation plans, every effort shall be made to preserve existing woodlands and reforest priority areas such as the PMA and wetland buffers while allowing for appropriate development.
10. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures within prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA Ldn or less.
11. Prior to certificate approval of the landscape and lighting plan, the following revisions shall be made:
- a. The percentage of evergreen plantings shall be increased to create a mix that is attractive year round.
  - b. Continuous treatment shall be provided to each end of the north and south elevations.
  - c. Where sidewalks are located along the sides of buildings a green landscaped strip should separate the building from the sidewalk.
12. The architecture should include brick on the entire first story of the building. In addition, the north and south elevations (sides) should have brick extending up to the roofline at each end of the frontage.

13. The applicant shall provide additional indoor and outdoor recreational facilities.
14. The entrance feature design and materials shall match the building and be submitted for review at time of Detailed Site Plan.
15. In accordance with the State Highway Access Manual, provide appropriate acceleration and deceleration lanes with bike capable sections.